

Cabinet – 21 March 2007

Partnership Agreements for Integrated Mental Health Services

Portfolio: Councillor Alan Paul - Social Care, Health and Housing

Service: Social Care & Inclusion

Wards: All

Key decisions: Yes

Forward plan: Yes

Summary of report

This report outlines the next steps in developing the integrated mental health service with Walsall tPCT. Due to structural changes within the NHS to implement “Commissioning a Patient Led NHS”, it is necessary to revise the existing arrangements and to put in place more formalised legal agreements utilising section 31 of the 1999 Health Act. These arrangements apply to Adult Mental Health Services and Mental Health Services for Older People.

Recommendations

- (1) That Cabinet approve the proposal to put in place a formal Section 31 Partnership Agreement for lead commissioning of mental health services with Walsall tPCT.
- (2) That cabinet approve the proposal to put in place a formal Section 31 Partnership Agreement for the integrated provision of mental health services, and the secondment of social care staff to the tPCT with effect from 1 April 2007.
- (3) That Cabinet note the intention to explore the development of a new provider organisation, this being a Mental Health Partnership Trust across Walsall and Dudley, from 1st April 2008, and to receive further reports on the detailed proposals once these have been consulted upon and scrutinised by the Health Panel.

Resource and legal considerations

There are no specific resource implications arising from these arrangements. The local authority and tPCT already jointly fund a number of posts and services and whilst these arrangements will continue to develop and be subject to future revision, this will be achieved within the existing service budget. It is not intended to establish a pooled budget for this service. Legal advice has been taken on the proposals to second local authority staff to the tPCT.

Citizen impact

The continued development of integrated mental health services will ensure that Walsall citizens can continue to access health and social care services locally.

Community safety

There are no specific issues relating to community safety arising from this report.

Environmental impact

There is no environmental impact arising from this report.

Performance and risk management issues

Currently, the DH places restrictions on the inclusion of data relating to social care service provision delivered by a health professional, unless there is a Section 31 Partnership Agreement in place. Implementation of these new arrangements will ensure that measured performance will reflect the impact on improved outcomes for service users as a result of the delivery of the integrated service.

A risk assessment has been completed for the Partnership Agreement and a risk management plan is in place.

Equality implications

The continued delivery of an integrated mental health service will ensure equity of access to services and enable health and social care partners to work jointly to improve the provision of services to people from all local communities.

Consultation

There was extensive consultation with all stakeholders in 2001 when the original arrangements for an integrated mental health service were developed. This included the intention to ultimately put in place Section 31 Partnership Agreements. There has been further consultation regarding the development of the Partnership Agreements both with staff and with other partners via the Mental Health Partnership Board.

Vision 2008

The development of integrated services and the use of powers under section 31 of the Health Act are in line with the council's vision to make Walsall a healthy and caring place, to make it easier to access local services and to transform Walsall into an excellent local authority.

Background papers

Joint Mental Health Strategy
Joint Commissioning Plan for Mental Health Services
Partnership Agreement for Lead Commissioning

Partnership Agreement for Integrated Provision
Service Specification

Contact officer

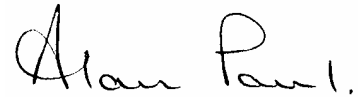
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Signed:

Kathy McAteer
Acting Executive Director

Date: 12 March 2007



Signed:

Councillor Alan Paul
Portfolio holder

Date: 12 March 2007

Existing arrangements

In 2001/02 Walsall Council and Walsall teaching Primary Care Trust (tPCT) entered into joint arrangements for the delivery of an integrated mental health service, managed by the tPCT on behalf of both agencies. Following Cabinet approval in September 2003 to deliver partnership arrangements, a Joint Director of Mental Health Services and a Joint Commissioning Manager were both appointed during 2004, and the service was restructured to enable a single management arrangement.

Governance arrangements were put in place to include both a Mental Health Partnership Board and a Partnership Executive Group. The Partnership Board oversees the development of mental health strategies and policies, and brings together all partners under the governance of the Healthier Communities and Vulnerable Adults Pillar Group. The Partnership Executive Group provides statutory governance across the council and the tPCT for the joint commissioning plan; any shared financial arrangements and the performance of the service. As approved by Cabinet on 3 September 2003, it was always the intention to develop formal Partnership Agreements under section 31 of the Health Act 1999. The work to develop the detailed agreements was however put on hold due to uncertainty about changes within NHS arrangements for the delivery of mental health services. The transfer of funding from the LA to the tPCT to cover the costs of joint posts is currently covered through a section 28BB agreement.

Commissioning a Patient Led NHS

Currently Walsall tPCT manages both the joint commissioning of mental health services and the integrated provision of the service. The tPCT will, however, significantly restructure to meet the requirements of Commissioning a Patient Led NHS which effectively separates out the commissioning functions from the provision of direct services. Initially, during 2007, the tPCT internal structure will ensure the separation of the management of the functions, with ultimately the mental health provider service becoming a separate NHS organisation. Following a review of mental health services across the West Midlands it was envisaged that a new mental health provider organisation would be established across the Black Country covering Walsall, Sandwell and Dudley. Due to technical and legal difficulties in relation to the existing Sandwell health and social care trust arrangements, the short-medium term plan is now to establish a Mental Health Partnership Trust across Walsall and Dudley by April 2008, with the longer term vision still being the creation of a 3 way Black Country trust. The work to scope this out is in the very early stages and once proposals are firmed up, a further report will be presented to cabinet for approval. The timing is critical therefore to strengthen the current partnership arrangements to both reflect the restructuring of the tPCT and to place Walsall in a strong position to inform the future development of a Mental Health Partnership Trust.

Partnership Agreements

It is proposed to put in place two Section 31 Partnership Agreements, one with the tPCT commissioning arm for lead commissioning and a second agreement with the tPCT provider arm for the delivery of the integrated service, the latter of which can easily be transferred to the new mental health organisation when it is established.

The Partnership Agreement for lead commissioning will further formalise the existing joint commissioning arrangements that are in place. The agreement however, will be significantly more detailed than the current arrangements and will put in place a more formal agreement between the parties. The joint commissioning manager will continue to be employed and managed by the tPCT with the tPCT taking lead responsibility for the commissioning of both health and social care services. The arrangements will be overseen by the Partnership Executive Group which will take on the statutory duties of a joint board as defined in the 1999 Health Act. The new arrangements will ensure that Walsall continues to maintain local control over the commissioning and development of mental health services regardless of the changes to provider arrangements. This will provide safeguards for the development of cross-authority provider arrangements by ensuring that the services provided by the provider organisation continue to meet local needs.

The partnership arrangements for the integrated provision of services will formalise the arrangements that are already in place. The agreement will be backed with a detailed service specification and a formal contract between the joint commissioner and the provider, thus providing more certainty about the ongoing delivery of local services during the forthcoming changes within the NHS. The current single management arrangements already provided by the tPCT will be further formalised by the secondment of local authority staff to the tPCT from April 1st 2007. This will ensure that there are more robust arrangements in place to ensure clear accountability of the management arrangements within the partnership arrangement. Further work will be required to review the secondment/transfer arrangements of staff into the new joint body with Dudley once this is established.

Overall, the strengthening of the already very successful partnership arrangements with the tPCT is to be welcomed. The service has made significant progress over recent years, having gained 2 stars in 2005. The new arrangements will ensure that the service continues to grow and develop to provide further improved outcomes for service users, and will ensure that the service is not de-stabilised by structural changes within the NHS.