

THE CABINET

15 FEBRUARY 2011

REPORT OF THE CHIEF EXECUTIVE

Title: Urgent Action – Clarification of Joint Working Arrangements with NHS Barking & Dagenham	For Information	
<p>Summary</p> <p>At its meeting on 2 November 2010, the Cabinet received a report on the key implications of the Health White Paper “Equity & Excellence: Liberating the NHS” which outlined new powers and responsibilities for local authorities in health, with responsibilities including leading on local health improvement and prevention activity, promoting joined-up commissioning, leading on the development of Joint Strategic Needs Assessment and ensuring the commissioning of robust arrangements for patient and public involvement. The <i>Healthy Lives, Healthy People</i>, the Public Health White Paper, published in December 2010, further set out the role of local authorities in public health, taking over this responsibility from the NHS and being the future joint employer (with the Chief Medical Officer) of the Director of Public Health.</p> <p>As part of the transitional process, officers from both organisations undertook considerable work to ensure that the existing funding agreements between NHS Barking and Dagenham and the Council were captured within formal arrangements under Sections 75 and 256 of the National Health Service Act 2006. The services covered within the agreement are, for the most part, existing services.</p> <p>At the point that the Council was finalising its arrangements, it was expected that the agreements would be signed by the parties on 28 January 2011. While it would have been possible to have sought formal Cabinet approval on 25 January regarding the Council’s position (the report that was produced, together with relevant appendices, is attached at Appendix A) the decision would have been subject to the call-in process until midday on 2 February. Therefore, in the circumstances and following consultation with appropriate Councillors, the Chief Executive dealt with the matter under the Urgent Action provisions of the Constitution.</p> <p>It should be noted however that subsequent events outside of the Council’s control meant that NHS Barking and Dagenham was unable to sign the agreements on 28 January. NHS Barking and Dagenham now advises that it anticipates that the agreements will be signed towards the end of February.</p> <p>Recommendation</p> <p>The Cabinet is asked to note the action taken by the Chief Executive under the urgency procedures contained within paragraph 17 of Article 1, Part B of the Council’s Constitution in authorising the Corporate Director of Adult and Community Services to enter into an agreement with NHS Barking and Dagenham for the continued joint commissioning and delivery of services as outlined in this report.</p>		
Head of Service: Nina Clark	Title: Divisional Director of Legal and Democratic Services	Contact Details: Tel: 020 8227 2114 E-mail: nina.clark@lbbd.gov.uk

Background Papers

- Letter and enclosures from the Chief Executive of 26 January 2011 entitled “Urgent Action under Paragraph 17, Article 1, Part B of the Constitution – Contracts with NHS B&D under Sections 75 and 256 of the NHS Act 2006”.

List of Appendices

- **Appendix A** – Report and appendices re “Clarification of Joint Working Arrangements with NHS Barking & Dagenham”