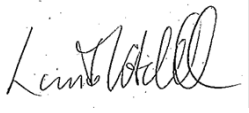


London Borough of Waltham Forest

Report Title	Section 75 Agreement for the Delivery of Integrated services for people with a Mental Health Need
Meeting / Date	Cabinet, 4 th November 2025
Cabinet portfolio	Councillor Louise Mitchell, Portfolio Lead Member for Adults and Health 
Report author/ Contact details	Ann McGale, Director of Transformation Adult Social Care Adult Services Ann.mcgale@walthamforest.gov.uk
Wards affected	All
Public access	Open
Appendices	1. Equalities Screener 2. Section 75 Partnership Agreement - Consultation

Summary

- 1.1 Cabinet is asked to approve the proposal to enter into a new Section 75 (s.75) Agreement under the National Health Services Act 2006 with North East London Foundation Trust (NELFT).
 - 1.2 This agreement aims to support the delivery of integrated services for residents with mental health needs who meet the eligibility criteria under the Care Act 2014, continuing the partnership with NELFT as the current delivery provider.
 - 1.3 The current s.75 Partnership Agreement between NELFT and LBWF is due to expire 31st January 2026.
 - 1.4 The new agreement is proposed to commence from 1st February 2026 for a fixed term of five years, incorporating annual break options.
 - 1.5 The inclusion of annual break options within the agreement will provide both parties with the flexibility to explore alternative arrangements, including terminating the agreement, should there be concerns relating to performance, in order to ensure the continued delivery of high-quality, value for money and efficient services.
2. Recommendations
 - 2.1 Cabinet is recommended to:

- 2.1.1 Approve the proposal to enter into a new s.75 agreement with NELFT to meet the needs of residents who have a mental health need; for a period of five years from 1st February 2026, incorporating annual break options.
- 2.1.2 Delegate authority to approve the final terms of the s.75 agreement to the Strategic Director of Adult Services in consultation with the Portfolio Lead Member for Adult Services and the Strategic Director of Resources.

3. Proposals

- 3.1 The current s.75 arrangement was agreed by Cabinet in 2020 for three years with an option to extend for a further two years and is due to expire 31st January 2026.
- 3.2 It was recommended that senior leaders from both organisations review the existing arrangement and strengthen the partnership prior to entering into a new agreement. This review was completed between April-July 2025.
- 3.3 The new s.75 agreement will build on the positive work that has taken place over the last fifteen years of joint-working. It will incorporate a series of improvements shaped by the recent review in order to strengthen outcomes for residents and, incorporate the ambitions set out in the NHS 10 Year Health Plan for England as well as Mission Waltham Forest.
- 3.4 The secondment of the Council's adult social care mental health staff remains a core component of the existing arrangement and will continue to be an integral part of the new agreement.
- 3.5 The staff are issued council contracts of employment and are subject to the Council's terms and conditions. The Council retains decision-making authority regarding staff employment, with the team currently comprising 24.50 full-time equivalent (FTE) posts. The oversight of caseload management and performance is provided by the Section 75 Executive and Operational Groups, ensuring consistent quality and effective case management across the partnership.
- 3.6 The staff come under the day-to-day management of NELFT and will have an individual secondment agreement. The designated senior managers at NELFT are held accountable for service delivery, with governance and oversight provided by the Director of Adult Social Care Transformation and the Adult Social Care Leadership Team.
- 3.7 The mental health placement and care package budget responsibility remains with the Local Authority.
- 3.8 The s.75 agreement does not hold NELFT accountable for placement and care packages spend, however, staff working within NELFT will be responsible for ensuring due diligence and good decision-making principles are applied when recommending placements to panel. In addition, placement spend will be reviewed jointly by NELFT and LBWF as part of the s.75 executive group.

- 3.9 The Local Authority also has a legal duty to provide an Approved Mental Health Professional (AMHP) service. The AMHP service is responsible for coordinating and carrying out mental health assessments for Waltham Forest residents who may need to be detained under the Mental Health Act. This duty is also delivered through the s.75.
- 3.10 The Council and NELFT took time between April-July of 2025 to reflect on the partnership and identified key areas for improvement and development which include:
- Clarifying roles and responsibilities within the wider mental health teams.
 - Mapping out mental health pathways.
 - Strengthening links with the primary care offer and crisis provision in practice.
 - Establishing and agreeing ways to measure person centred outcomes, moving beyond quantitative data for example incorporating the Open Dialogue Model. This model focuses on building supportive relationships that enable people to stay well within their communities, underpinned by strengths-based practice. It centres the person, their family, and wider social network as active agents in their care.
 - Agreeing the partnership definition of what 'Good' looks like and how to achieve and measure the 'Good'.
 - Acknowledging that new integrated services are critical to building care holistically around the needs of the person, to improve their outcomes and support them to achieve wellbeing.
 - Conducting a collaborative review of the mental health early intervention and prevention offer to inform future commissioning intentions and deliver improved outcomes for residents.
 - Introducing a new service priority for carers of those with mental health needs.
 - Enhancing governance arrangements, accountability and visibility across both NELFT and LBWF to ensure a truly integrated and holistic service offer for residents which can, best support demand for statutory services.
 - Committing to improving IT interoperability to prevent duplication and streamline processes.
 - Strengthening and streamlining operational processes and practice opportunities wherever possible (e.g. HR processes and ensuring all staff are proactively aware of training available etc)
- 3.11 The s.75 Executive Group will oversee and drive the prioritisation of the improvement areas outlined in section 3.10. Delivery will be managed by the s.75 Operational Group, which will report quarterly to the Executive Group. Progress will be monitored regularly to ensure

accountability, enable responsive decision-making, and maintain momentum across all areas of development.

- 3.12 The new agreement will continue to be built around:
- Pathways – Improving pathways and mapping provision and access points.
 - Practice – Clear focus on high quality practice and strengths-based working.
 - Provision – Developing the mental health offer by identifying gaps and shaping new and current provision as an integrated team.
 - Process – Clarifying current processes and identifying areas of improvement and opportunities.
- 3.13 The new agreement will support the Council and NELFT to meet statutory duties under the Care Act 2014, by supporting residents with eligible mental health needs through person-centred, outcome-focused care. It also aligns with the commitments laid out in the NHS 10 Year Health Plan to contribute to an enhanced mental health offer and help narrow mental health inequalities. Additionally, it supports the ambitions of Mission Waltham Forest, particularly to ensure residents can access the services and support they need to thrive.
- 3.14 The new agreement will continue to be governed by the s.75 Operational and Executive Steering Groups. The Operational Group meets monthly and considers performance, guidance and other operational issues. The Operational Group reports to the Executive Steering Group, which is made up of senior leaders, where strategic and wider organisational issues are considered. Reports will be submitted to scrutiny when required.
- 3.15 The renewed agreement will promote the continued delivery of high-quality, integrated community mental health services, underpinned by strengths-based practice and will embrace a transformational approach to meeting clients assessed needs.

Conclusion

- 3.16 The current s.75 Agreement is due to expire 31st January 2026. In preparation for its renewal, a comprehensive review was undertaken between April-July 2025, including engagement with key stakeholders across health and social care. This collaborative process has helped shape the proposed new partnership agreement, ready for implementation from 1st February 2026.
- 3.17 Both the Council and NELFT are committed to building on the strong foundations of the existing arrangement to further improve outcomes for residents with eligible mental health needs.
- 3.18 The refreshed agreement will enable both partners to meet their statutory responsibilities under the Care Act 2014, while also aligning with national priorities set out in the NHS 10 Year Health Plan and local ambitions set out in Mission Waltham Forest.

3.19 The recommendation is to renew and strengthen the Section 75 Partnership Agreement, ensuring it reflects best practice, supports transformation, and promotes strengths-based, integrated working.

3.20 Stakeholder feedback has endorsed this approach, recognising the value of maintaining the benefits of integration while enhancing the effectiveness of current service delivery.

4. Options & Alternatives Considered

4.1 Three options were considered by senior managers from both organisations. They were to:

- Continue with the same agreement model without changes.
 - This model does not address known issues and risks losing stakeholder confidence.
- End the Section 75 Partnership and return to separate delivery models.
 - This model would mean the loss of integrated pathways and multidisciplinary working, alongside reduced outcomes for residents with a mental health need.
- Refresh and recommit to the Section 75 Partnership Agreement.
 - This model offers the strongest benefits, building on the existing strengths of integrated working and enabling a holistic and joint up approach for residents in order to deliver good outcomes.

4.2 Senior management from both the Council and NELFT, recommend option 3, to enter into a new and refreshed agreement.

4.3 The s.75 review undertaken in 2025 reaffirmed the value of the current agreement and positive changes are already underway. Particularly around strengthening governance arrangements and streamlining operational processes.

4.4 Both parties recognise the value in continuing to work in an integrated partnership, especially when working with the most complex individuals.

4.5 The Council has not found enough evidence to support going into partnership with an alternative organisation, as all alternative arrangements need to interface with NELFT as the ICB's service provider and would therefore create a further layer for residents to negotiate.

4.6 There is currently no strong evidence, that bringing social work teams back in house improves outcomes for individuals due to the loss of integrated pathways and multidisciplinary working. It is integral to note that the NHS 10 Year Health Plan strongly promotes integrated provision, and the lack of integrated teams could damage relationships and partnership working, and ultimately outcomes for individuals.

5. Council Strategic Priorities (and other National or Local Policies or Strategies)

5.1 Care Act, the Mental Health Act and the Mental Capacity Act.

- The s.75 agreement will support the Council to achieve its statutory responsibilities, specifically as defined by the Care Act, the Mental Health Act and the Mental Capacity Act.
- The Council has statutory obligations to meet eligible unmet needs as defined in the Care Act 2014.

5.2 Mission Waltham Forest

- The s.75 agreement will support the Council to achieve its vision for a changed, more equal borough by 2030. Focusing on tackling inequality and the mission to ensure every resident can access the services and support they need to thrive.
- The s.75 agreement uses an integrated delivery model to provide community and mental health services for those in need of mental health care. Its key priorities include prompt access to the right support pathway and working in partnership with primary care, secondary services, and voluntary organisations to strengthen local provision.

5.3 The NHS 10 Year Health Plan

- The NHS 10 Year Health Plan published in 2025, calls for integrated models of primary and community mental health. This is in alignment with the s.75 agreement and is part of a wider shift from hospital-centric care to neighbourhood-based models, where care is delivered locally and is co-located with other services.
- The new agreement will continue to build on the positive work of the past fifteen years across the integrated service in alignment with the NHS 10 Year Health plan.

6. Consultation

6.1 The proposal to enter into a refreshed and new partnership agreement with NELFT has gone through both Council governance and NELFT governance. In the Council, this was consulted with:

- Portfolio Lead Member
- The Directorate Leadership Team
- The Commissioning Board
- The Senior Leadership Team
- Health and Adult Social Care Scrutiny Committee
- The Strategic Commissioning Board

Within NELFT, this proposal was consulted with:

- The Strategic Delivery Group
 - Partnership and Integrated Care Committee
 - Integrated Patient and Carer Engagement Partnership
 - Patient Carer Forum
- 6.2 Consultation with various stakeholders has been constructive and well-received. This feedback has directly informed the proposal, ensuring that stakeholder views are reflected in the final recommendations.
- 6.3 The consultation identified that both organisations maintain a strong shared commitment to the partnership and continue to recognise the importance of multi-disciplinary collaboration and the benefits this brings in improving outcomes for adults with mental health needs in Waltham Forest.
- 6.4 Between April – July 2025, a review was undertaken by the s.75 Executive Group to assess the existing arrangement in order to strengthen the partnership prior to entering into a new agreement.
- 6.5 As part of the review process, engagement was carried out with stakeholders across health and social care. This included the wider mental health teams, social care work staff and people with lived experience via NELFT's Patient Carer Forum. The engagement focused on identifying areas of strength, highlighting opportunities for improvement and exploring options for future service delivery.
- 6.6 The engagement activity included: workshops, a staff survey, focus groups and 1-1 drop-in sessions.
- 6.7 The key recommendations that were identified to support improved joint working and outcomes for residents, include:
- Conducting a collaborative review of the mental health early intervention and prevention offer to inform future commissioning intentions and deliver improved outcomes for residents.
 - Introducing a new service priority for carers of those with mental health needs.
 - Strengthening governance arrangements, accountability and visibility across both NELFT and LBWF to ensure a truly integrated and holistic service offer for residents which can, best support demand for statutory services.
 - Committing to improving IT interoperability to prevent duplication and streamline processes.
 - Strengthening and streamlining operational processes and practice opportunities wherever possible.
 - Committing to continuing to embed strengths-based practice to ensure individuals with mental health needs can maintain and maximise their health, wellbeing and independence.
- 6.8 The review concluded with full agreement across both organisations to continue with the partnership, whilst ensuring changes listed in 7.8 are incorporated into the new agreement. Implementation will be overseen

by the s.75 Executive Group to ensure these improvements are embedded effectively.

- 6.9 The s.75 Executive Group has continued to meet regularly and has had oversight of the development of the new agreement.
- 6.10 The proposal and recommendation set out in this report has been approved by the governance groups listed in 6.1.
- 6.11 The Health and Adult Social Care Scrutiny Committee considered the issue on the 25th September 2025, where the proposal was agreed by members, with no recommendations for changes.

7. Implications

7.1 Finance, Value for Money and Risk

- 7.1.1 The current 2025-26 value of the council services seconded as part of this MH s.75 agreement is £1,734,600. This covers the allocated budget for the seconded social care staff, associated running costs and the management recharge to NELFT. This figure will be amended each year to reflect agreed changes in budgets including pay awards and changes in staffing structures.
- 7.1.2 This integrated delivery model offers strong value for money by improving coordination, reducing duplication, and enabling more efficient use of resources across Adult Social Care and NELFT. Through joint transformation activity, the partnership helps manage demand for statutory services, such as through the use of assistive technology and a multidisciplinary, strengths-based approach to care. The model supports effective step-down and move-on pathways, ensuring individuals receive the right support at the right time. By continuing this partnership, the Council is able to reduce costs, improve outcomes for Waltham Forest residents, and maintain a high-quality, person-centred service.
- 7.1.3 In addition to the budgets contained within the s.75 agreement, the Local Authority has a budget of £8,148,000 to cover individual placement and packages costs. Responsibility for this budget remains with the local authority. At month 4 of the financial year 2025/26, the projected year end variance on this budget is circa £1.4 million, indicating a budget pressure. The actions to address this are listed in section 7.1.4 below.
- 7.1.4 The s.75 agreement does not hold NELFT accountable for placement and care packages spend, however, staff working within NELFT are responsible for ensuring due diligence and good decision-making principles are applied when recommending placements to panel, to ensure robust processes. This oversight aligns with the Council's savings objectives as set out in the Adult Social Care Transformation Programme as well as the joint review of current high cost S117 placements. In addition, placement spend will also be reviewed jointly by NELFT and LBWF as part of the s.75 executive group in order to address budget variances across care provision.

7.1.5 Integrated service delivery will contribute to the mental health service transformation programme that will be delivered during the term of this agreement.

7.2 Legal

7.2.1 Under section 3 of the Care Act 2014 the Council must exercise its functions to ensure integration of care and support provision with health provision where this will promote wellbeing and improve quality of care. Section 6 of the Act also provides for the Council and its relevant partners to cooperate in the exercise of their respective functions. The continuation of the integrated community mental health need team facilitates part of this integrated approach.

7.2.2 Local authorities and NHS Bodies have the power to enter into partnership arrangements under Section 75 of the National Health Services Act 2006 to provide a more streamlined service and to pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised.

7.2.3 The powers permit the establishment of integrated service provision which is one of the flexibilities that can be used and originally derives from the Health Act 1999.

7.2.4 Before entering into the partnership arrangement, the partners are also required to ensure that their obligations to inform and consult interested parties are properly discharged.

7.2.5 The proposed s.75 Agreement for integrated service provision meets all the above requirements.

7.2.6 The Council as local social services authority has obligations in respect of mental health under the Mental Health Act 1983 and the Mental Capacity Act 2005.

7.2.7 This proposal continues the current secondment arrangements for the adult social care staff working with people who have a Mental Health need. The Council must ensure that any secondment agreements currently in place with staff are now reviewed and updated to reflect the new arrangements. The Council must also comply with its own employment administration procedures in respect of those seconded staff and any newly appointed staff who become seconded under the terms of the proposed agreement.

7.2.8 The Council has the power under section 1 Localism Act 2011 to do anything (subject to certain exception) that an individual may generally do. It also has the power under section 111 Local Government Act 1972 to do anything incidental to, or which facilitates or is conducive to the exercise of any other Council function. Proposed S75 agreement may be procured under these powers.

7.2.9 Section 1 of the Local Government (Contracts) Act 1997 provides that every statutory provision conferring or imposing a function on a local authority confers power on the local authority to enter into an agreement with another person for the provision or making available of assets or services, or both, (whether or not together with goods) for the purposes of, or in connection with, the discharge of the function by the local authority.

7.2.10 The proposed s.75 agreement is to be awarded in accordance with the Council's Contract Procedure Rules and all relevant United Kingdom legislation (and any retained EU law). Legal Services is to be consulted so that they can provide approval of the proposed s.75 agreement once details have been agreed.

7.3 Equalities and Diversity

7.3.1 An Equalities Impact Assessment (EqIA) was completed on 4th September 2025. The main findings are that the s.75 partnership will have a positive impact for those with protected characteristics, and that a full assessment is not required at this stage, as no adverse impact on protected groups has been identified. The Equalities Impact Assessment is appended.

7.3.2 The mental health service provided under the s.75 Agreement is expected to deliver a range of benefits, particularly for those who may experience additional vulnerabilities. The service will be fully accessible to individuals who may not traditionally present to mainstream services, for example:

- Lesbian, Gay, Bi-sexual and Transgender (LGBT);
- Black, Asian, Minority Ethnic and Refugee (BAMER) communities.
- Care leavers
- Individuals with a disability
- Homeless/rough sleepers
- Individuals with substance misuse and/or mental health issues and;
- Those who are supported within the protected characteristics under the Equality Act 2010
- Individuals who do not have English as a first language.

7.3.3 The integrated model will continue to improve access to services and provide more person-centred support, as it is designed to be inclusive and responsive to the diverse needs of residents, with particular attention given to groups who may experience additional vulnerabilities.

7.3.4 The Provider will ensure that the Service is accessible to all Service Users and where necessary, provide additional services, such as translation and interpreting for case work purposes, to ensure access to the Service.

7.3.5 Disaggregating the integrated model would risk fragmenting service delivery, reduce access to coordinated support, and potentially lead to

poorer outcomes for residents, particularly those with protected characteristics, who experience additional barriers and vulnerabilities

7.3.6 The local authority has a legal obligation under the Care Act to ensure individuals with eligible needs, have the support they need. This agreement with NELFT will enable the local authority to meet this obligation.

7.3.7 The integrated community mental health services is mindful that any significant changes to the service will require an additional equality analysis screening.

7.4 Sustainability (including climate change, health, crime and disorder)

7.4.1 The proposal will not impact the sites currently used by Council staff.

7.4.2 No immediate changes are proposed to the existing locations where services are delivered.

7.4.3 The Agreement is intended to enhance individual outcomes through a holistic approach, whilst reducing reliance on statutory services where appropriate by:

- Supporting improved access and opportunities for individuals with mental health needs, helping to reduce barriers and promote greater equity.
- Ensuring people with a mental health need are supported to be more economically independent by accessing or maintaining employment opportunities.
- Enabling people with a mental health need and where relevant their families and carers to manage their finances and minimise debt and as a result maintain a stable housing tenure or ownership.
- Increasing the efficiency of Council service delivery by working in a more integrated way with health partners.
- Building community confidence and trust through a visible and collaborative partnership between the Local Authority and service providers.
- Promoting early intervention and prevention through shared data and integrated care, enabling timely support for residents with mental health needs, reducing crisis admissions, and contributing to safer communities by minimising risks of harm or exploitation.

7.4.4 It is recognised that many care workers use personal vehicles to travel between clients, contributing to CO2 emissions. Staff will be encouraged to travel to work by walking, cycling or by public transport where possible. This will be supported through sharing information on travel schemes and cycle-to-work options where applicable.

7.5 Council Infrastructure

7.5.1 Integration of health and social care services will require service user information to be shared across organisations. The integrated

community mental health team will continue to use Rio as their primary client record, with all staff expected to adhere to the information governance policy that has been incorporated into the proposed Agreement.

- 7.5.2 The Section 75 Partnership Agreement includes the integration of social care staff across NELFT and LBWF, enabling joint delivery of services while maintaining respective employment arrangements.
- 7.5.3 While staff work in integrated teams, employment responsibilities including line management, performance appraisal, and disciplinary procedures remain with the original employing organisation. Clear governance structures need to be in place to manage cross-organisational supervision and escalation processes.
- 7.5.4 The pooled funding via Section 75 of the NHS Act 2006 enables NHS bodies and local authorities to pool resources and delegate functions to deliver integrated services.

Background Information (as defined by Local Government (Access to Information) Act 1985)

None.