

TRAFFORD COUNCIL

Report to: Executive
Date: 13th March 2023
Report for: Decision
Report of: Executive Member for Adult Social Care

Report Title

S75 Better Care Fund and improved Better Care Fund Agreement 2023 – 24

Summary

The Better Care Fund was introduced by the Government from 1st April 2015 consolidating a number of previous funding streams into one pooled fund which is now hosted by the ICB. This fund includes monies for the protection of adult social care. The expectations of the Government of having a Better Care Fund are to promote better integration of health and social services for individuals and in 2022/3 there was a requirement to deliver the following policy benefits:

- To enable people to stay well, safe and independent at home for longer
- To provide the right care in the right place at the right time.

The Better Care Fund is the subject of a Section 75 agreement which describes how the money will be managed.

The guidance for the use of BCF 2023/4 has not yet been published but will take into account upcoming reforms taking place to the health and social care system, including the Integration White Paper: Health and social care integration: joining up care people, place and populations, the Adult Social Care Reform White Paper, People at the Heart of Care; the Health and Care Act 2022 and reforms to the public health system – all of which provide an important context for the BCF.

This report seeks the delegated authority to complete the Section 75 agreement for 2023/4 on behalf of the Council, in relation to the Better Care Fund incorporating Learning Disabilities and any additional funding to support hospital discharge.

Recommendation(s)

It is recommended that the Executive:

1. Approve the proposal to review and update the current s75 partnership agreement between GM ICB Trafford and the Council for the Better Care Fund with a view to creating a new s75 partnership agreement for 2023/24 as detailed in the report; and

2. Delegate authority to the Corporate Director of Adults and Well-Being in consultation with the Director of Legal Governance to agree the terms and conditions of the partnership 23/24 agreement and to enter into the 23/24 Agreement on behalf of the Council.

Contact person for access to background papers and further information:

Name: Karen Ahmed
Extension: 1890

Background Papers: None

Implications:

Relationship to Policy Framework/Corporate Priorities	The Better Care fund activity is integral to the delivery of our sustainable Transformation Plan. The Better Care Fund supports the integration of Health and Social Care Commissioning functions.
Financial	The Financial allocations are determined at a national level and have been agreed by Trafford Council and GM ICB (Trafford) on how they will be spent. The Learning Disabilities funding has been agreed by the ICB and the Council and is based upon the previous Learning Disability Development Fund.
Legal Implications:	The section 75 agreement is based on a nationally available model agreement devised by Bevan Brittan and has been assured by our legal department. Further legal advice will be sought as and when necessary.
Equality/Diversity Implications	None
Sustainability Implications	The Better Care Fund activity contributes to the overall delivery of a sustainable health and social care system
Resource Implications e.g. Staffing / ICT / Assets	n/a
Risk Management Implications	Whilst the s75 agreement offers the opportunity to develop a risk share, this option has not been used, and each organisation will own the risks against their schemes.
Health & Wellbeing Implications	The Better Care Fund aims to improve the overall Health and Wellbeing of residents of Trafford.
Health and Safety Implications	n/a

1.0 Background

- 1.1 The Better Care Fund was introduced by the Government from 1st April 2015 consolidating a number of previous funding streams into one single funding stream which is hosted by the CCG. This stream includes monies for the protection of adult social care, including the extra funding announced in the spring budget of 2017 and referred to as the improved Better Care Fund (iBCF). The expectations of the Government of having a Better Care Fund are to promote better integration of health and social services for individuals and deliver cost benefits across the whole system.
- 1.2 The Better Care Fund (BCF) is one of the government's national vehicles for driving health and social care integration. It requires integrated care boards (ICBs) and local government to agree a joint plan, which meets the 4 national conditions and is owned by the health and wellbeing board (HWB). These are joint plans for using pooled budgets to support integration, governed by an agreement under section 75 of the NHS Act (2006).
- 1.3 The NHS published guidelines on how the BCF should be spent and managed for 2022/3. These required the ICB and Trafford Council to continue to build on progress made during the COVID-19 pandemic, strengthening the integration of commissioning and delivery of services and delivering person-centred care, as well as continuing to support system recovery from the pandemic. The key policy objectives were to deliver the following policy benefits:
- To enable people to stay well, safe and independent at home for longer
 - To provide the right care in the right place at the right time.
- 1.4 The Government committed to consult and engage with local areas on the future direction of the BCF beyond 2023 in the second half of 2022, taking into account the broader reforms, including the Integration White Paper: Health and social care integration: joining up care people, place and populations, the Adult Social Care Reform White Paper, People at the Heart of Care; the Health and Care Act 2022 and reforms to the public health system – all of which provide an important context for the BCF.

2.0 Section 75 Agreement (S75A)

- 2.1 Section 75 of the 2006 Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.

2.2 The purpose of the S75A is to set out the terms on which Trafford CCG and Council have agreed to collaborate and to establish a framework for the provision of health and social care services through a joint commissioning arrangement.

2.3 The intended benefits of the Section 75 agreement are to improve the quality and efficiency of the services and to make more effective use of resources. This will:

- Re-balance the local Health and Social Care Economy
- Improve Health and Wellbeing
- Develop Communication/ Relationships
- Develop Integration

2.4 The pooled Better Care Fund allocations are made up of the Disabled Facilities Grant (DFG), the improved Better Care Fund (iBCF) and a minimum ICB contribution and additionally the Hospital Discharge Programme in 2023/4:

	22/23 £000	23/24 £000
Total Local Authority Contribution (DFG)	2,470	2,470
Total IBCF Contribution	8,224	8,224
Total Minimum ICB Contribution	18,357	19,396
Total Hospital Discharge Programme	4,283	3,595
Total BCF Pooled Budget	33,334	33,685

2.5 The pooled BCF budget is spent in the following areas to reduce admission and support timely discharge:

- **Crisis response teams** – these teams are commissioned by the ICB and provide urgent short-term services to prevent hospital admission
- **Care home placements** (residential and nursing)
- **Reablement services** including **homecare** – reablement services are services provided in people’s own homes to enable people to regain their independence following a hospital admission or a serious illness.
- **Intermediate care** – intermediate care services may be bed based or provided in people’s own home. These are short-term services which provide clinical support to people to enable them to regain their health and independence.
- **Carers services** – a range of advocacy services and practical support for families and friends who provide unpaid care for a loved one.
- **Advocacy** – statutory services which provide support and representation for people who are unable to speak up for themselves.
- **Community Nursing**

- **Intermediate care therapies** – assessments to determine whether people need equipment of therapeutic exercises to either regain lost skills or enable people to manage everyday tasks safely – e.g. going up the stairs.
 - **Palliative care** – nursing care for people in their last days to support dying with dignity.
 - **Urgent care control room** – a multidisciplinary team to manage ensure that discharges are managed safely and swiftly.
 - **Assessment, care navigation and planning services** – clinical and social care assessment of individual needs, support to ensure that the right service is identified to support each individual and developing a person-centred support plan for the person to ensure that the right kind of care is delivered.
 - **Equipment and adaptations** – small pieces of equipment – from handrails to stair lifts to level access shower to extensions – to enable children and adults to live safely and independently in their own homes.
- 2.6 The S75A for 2021/2 incorporated Learning Disabilities for the first time. This positive move built on the existing S75A between the CCG and the Council and enabled Trafford CCG and the Council to maintain consistency and oversight of delivery to an extremely complex group of vulnerable people as part of the transitional arrangements.
- 2.6 This element is described fully in the S75A and specifically related to the provision of additional funding from the CCG to the Council to meet the increasingly complex needs of people transitioning from CCG funding to the Council (as part of the Learning Disability Development Fund) and those young people entering the system and forms part of our Adult Social Care budget (£1,099,227).
- 2.7 The costs related to the delivery of specialist health services for people with learning disabilities currently provided by the Cheshire and Wirral Partnership were removed as part of the novation of contracts from the CCG to the ICB and is being managed as part of the GM ICB arrangements.
- 2.8 The S75A will include a breakdown of the schemes to be included in 2023/4 and information on the governance for the fund. Two particular aspects to highlight are:
- The BCF will be hosted by the ICB.
 - The risk share agreement is that each organisation will meet its own risks with regards to performance and any overspends for the schemes it has responsibility for. The pooled fund will be spent on a whole range of services, a breakdown of which will be determined following the issue of guidance for 2023-4.

3.0 Other Options

3.1 It is a requirement of the Better Care Fund national guidance to enter into a Section 75 agreement between the Council and the ICB.

4.0 Consultation

4.1 There are no public consultation requirements in respect of this report.

5.0 Reasons for Recommendation

5.1 It is a requirement of the Better Care Fund national guidance to enter into a Section 75 partnership agreement between the Council and the ICB. The guidance sets out the expectations of the required s75 partnership agreement and a national template has been provided on which the Trafford agreement is based.

6.0 Recommendations

6.1 It is recommended that the Executive:-

1. Approve the proposal to review and update the current s75 partnership agreement between GM ICB Trafford and the Council for the Better Care Fund with a view to creating a new s75 partnership agreement for 2023/24 as detailed in the report; and
2. Delegate authority to the Corporate Director of Adults and Well-Being in consultation with the Director of Legal Governance to agree the terms and conditions of the partnership 23/24 agreement and to enter into the 23/24 Agreement on behalf of the Council.

Finance Officer Clearance GB.....

Legal Officer Clearance DS

[CORPORATE] DIRECTOR'S SIGNATURE *(electronic)*...



To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.