

Cabinet

28 January 2021

Better Care Fund Plan 2020/21

Recommendations

That Cabinet:

- 1) Approves the proposed pooled contribution of £14.688m by the Council to the Better Care Fund Plan (known as the Warwickshire Cares Better Together programme plan) for 2020/21 and the plan for resources as set out in paragraph 2.3.
- 2) Delegates authority to the Strategic Director for People to enter the proposed section 75 NHS Act 2006 agreement, on terms and conditions acceptable to the Strategic Director for Resources, with Coventry and Rugby Clinical Commissioning Group, South Warwickshire Clinical Commissioning Group and Warwickshire North Clinical Commissioning Group for the delivery of the Better Care Fund Plan once completed.
- 3) Approves the County Council continuing as the pooled budget holder for the fund.
- 4) Notes that this is classed as an urgent report to enable sign off by the Health and Wellbeing Board on 29th January 2021 and to enable funding to be released. Consent of the Chair of the Adult Social Care and Health Overview and Scrutiny Committee has therefore been requested for an urgent decision.

1. Executive Summary

Key Issues

- 1.1 The Better Care Fund (BCF) is a programme spanning both the local government and the NHS which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.
- 1.2 The policy framework for the Better Care Fund includes significant additional funding made available to councils in order to protect adult social care. This Improved Better Care Funding (iBCF) is worth £14.688m to Warwickshire in 2020/21. This allocation now includes £2.234m of additional funding made available to councils to support winter pressures, which previously was received as a separate Adult Social Care Winter Fund (Winter Pressures)

grant. The iBCF funding conditions mean it must be used to support social care in the following ways: meeting adult social care needs; reducing pressure on the NHS; and ensuring the local social care provider market is supported.

- 1.3 Similar to last year, the Disabled Facilities Grant continues to be allocated through the Better Care Fund through top tier authorities due to its importance to the health and care system. Decisions around the use of the DFG funding need to be made with the direct involvement of both tiers working jointly to support integration.

Background

- 1.4 Earlier in the year, Health and Wellbeing Boards (HWBs) were advised that BCF policy and planning requirements would not be published during the initial response to the COVID-19 pandemic and that they should prioritise continuity of provision, social care capacity and system resilience and spend from ringfenced BCF pots based on local agreement in 2020 to 2021, pending further guidance.
- 1.5 The Better Care Fund policy statement was published on 3rd December 2020 and outlined the Better Care Fund requirements for local areas for this year. Given the ongoing pressures on systems, Departments and NHS England and NHS Improvement have agreed that formal BCF plans will not have to be submitted to NHS England and NHS Improvement for approval in 2020 to 2021.
- 1.6 Instead, HWB areas must, ensure that use of the mandatory funding contributions (Clinical Commissioning Group (CCG) minimum contribution, improved Better Care Fund (iBCF) grant and the Disabled Facilities Grant) has been agreed in writing, and that the national conditions are met. In addition, HWBs will be required to provide an end of year reconciliation to Departments and NHS England/Improvement, confirming that the national conditions have been met, total spend from the mandatory funding sources and a breakdown of agreed spending on social care from the CCG minimum contribution.
- 1.7 The Better Care Fund Policy Statement for 2020-21 provides continuity to previous years of the programme. The policy framework outlines the four national conditions:
 1. **A jointly agreed plan** - That a BCF Plan, covering all mandatory funding contributions have been agreed by Health and Wellbeing Board (HWB) areas and minimum contributions (specified in the BCF allocations and grant determinations) are pooled in a section 75 agreement (an agreement made under section 75 of the NHS Act 2006) by the constituent local authorities (LAs) and CCGs.
 2. **NHS contribution to social care is maintained** - The contribution to social care from the Clinical Commissioning Groups via the BCF is agreed and meets or exceeds the minimum expectation. In 2020/21 for Warwickshire the minimum contribution is £13,711m.
 3. **Agreement to invest in NHS commissioned out-of-hospital services** - That a specific proportion of the area's allocation is invested in NHS

commissioned out-of-hospital services, which may include seven day services and adult social care and that this meets or exceeds the minimum ringfence. In 2020/21 for Warwickshire the minimum contribution from the Clinical Commissioning Groups is £11,984m.

4. Clinical Commissioning Groups and local authorities confirm compliance with the above conditions to their Health and Wellbeing Boards.
- 1.8 CCGs and local authorities are also required also ensure that local providers of NHS and social care services have been involved in planning the use of BCF funding for 2020 to 2021. In particular, activity to support discharge funded by the BCF should be agreed as part of the whole system approach to implementing the Hospital Discharge Service Policy and should support an agreed approach for managing demand and capacity in health and social care. This continues to be achieved through the Warwickshire Cares Better Together Programme and Joint Commissioning Board.

2. Financial Implications

Warwickshire Better Care Fund Plan 2020-21

- 2.1 Locally our plan for 2020/21 continues to be based on our long term vision, as outlined in our original submission in 2015/16 and builds on the progress made from 2016-19 and focusses our activities to improve our performance in the key areas listed above.
- 2.2 Our iBCF and wider BCF plan primarily focuses on continuation of existing schemes as well as new activity relating to End of Life Rapid Response services in Rugby, pump-priming of Falls Prevention activity and expansion of the Hospital to Home Service to University Hospital Coventry and Warwickshire and Rugby St. Cross.
- 2.3 Funding sources and expenditure plans:

		2020/21		
		Pooled Contribution	Aligned Allocation	Total Budget
		£'000	£'000	£'000
Minimum NHS ring-fenced from CCG allocation	SW CCG	18,096	36,651	54,747
	WN CCG	12,909	20,498	33,407
	C&R CCG	7,400	11,952	19,352
Disabled Facilities Grant (DFG)		5,124	-	5,124
Warwickshire County Council Improved Better Care Fund (iBCF)		14,688	-	14,688
Warwickshire County Council		-	64,443	64,443

Total Pooled Contribution	58,216		
Total Additional Aligned Allocation		133,544	
Total Budget			191,760

- 2.4 Our local BCF Plan for 2020/21 meets the requirements set out in the BCF Policy Statement published on the 3rd December 2020.
- 2.5 The programme and initiatives for its success are in part funded through national grants: Better Care Fund, Improved Better Care Fund and Disabled Facilities Grant (2020/21: £58.2m). The former comes from the Department of Health and Social Care through Clinical Commissioning Groups, while the latter is received by the local authority from Ministry for Housing, Communities and Local Government. All three are dependent on meeting conditions that contribute towards the programme and the targets, and that plans to this effect are jointly agreed between Clinical Commissioning Groups and the Local Authority under a pooled budget arrangement.
- 2.6 The iBCF is temporary and has been confirmed for a further year (21/22) at the same level and is awaiting a national Social Care funding review. In order to counter the risk inherent in temporary funding, all new initiatives are temporary or commissioned with exit clauses. There are, however, a number of areas where the funding is being used to maintain statutory social care spending and this would require replacement funding if the Better Care Fund was removed without replacement. This risk is noted in Warwickshire County Council's annual and medium-term financial planning.

3. Environmental Implications

- 3.1 Not applicable.

4. Supporting Information

Monitoring and Reporting

- 4.1 HWB areas are also not expected to submit local trajectories for the BCF national metrics for 2020 to 2021 but should continue to work as a system to make progress against them. Locally we continue to monitor progress quarterly against the following metrics: Non-elective admissions (specific acute); Admissions to residential and nursing care homes; and the Effectiveness of reablement; through the Joint Commissioning Board.
- 4.2 Local Areas are also expected to keep records of spending against schemes funded through the BCF. This activity is led by Finance Leads at WCC and the CCGs on the Finance Sub-Group which supports the Warwickshire Cares Better Together Programme and assurance is through the Joint Commissioning Board.

- 4.3 Areas will be asked to report actual income and expenditure as normal year end reporting as well as details of spending on maintaining social care spending from the CCG minimum contribution and out of hospital services, in line with the national conditions.

5. Timescales associated with the decision and next steps

- 5.1 Plans for 2020/21 will not be assured regionally or formally approved. Local authorities and CCGs are though required to ensure that robust local governance is in place to oversee BCF funds. This includes placing the funding into a pooled fund governed by an agreement under section 75 of the NHS Act 2006 with an appropriate governance structure, that reports in to the HWB. Our local assurance is through the Joint Commissioning Board.

Local Governance Arrangements for sign-off of our 20/21 Plan

- 5.2 Cabinet is advised to note that Corporate Board has previously approved sign off of the draft IBCF 20/21 Plan (on the 19th December 2019) to enable schemes to continue and progress in advance of the national guidance being received, and has more recently also approved the finalised iBCF and wider BCF plan and resources at its meeting on the 13th January 2021.

Meeting	Purpose	Date
Joint Commissioning Board	Agreed priorities for 2020/21 Receives quarterly progress updates (financial, metrics and projects)	Completed On-going during 2020
People Directorate Leadership Team (DLT)	Approved draft 20/21 BCF Plan and confirms that all conditions have been met, for submission to WCC Corporate Board and CCG Governing Bodies	9 th December 2020
Governing Bodies (or relevant delegated board/group)	Approve BCF plan and pooled and aligned budgets*	13 th January 2021 13 th January 2021 13 th January 2021
WCC Corporate Board SWCCG WN and C&R CCG		28 th January 2021
WCC Cabinet		
Health and Wellbeing Board	Approves BCF Plan (requirement of the BCF Policy Statement)	Sub-Committee arranged for 29 th January 2021

* Note the s75 will be approved outside of these timescales

- 5.3 Following approval of the plan as set out in 5.2 above, it is proposed that an updated section 75 agreement will be finalised and signed by Warwickshire County Council, Coventry and Rugby CCG, South Warwickshire CCG and Warwickshire North CCG. Cabinet is requested to note that this process outlined above is consistent with that followed in previous years.

- 5.4 As part of the development of the section 75 agreement and to support closer integration it is also proposed that all partners continue to align Out of Hospital service provision and funding across the county, to support greater transparency and enable an improved understanding for future risk sharing.

Planning for our 2021/22 BCF Plan

- 5.5 Cabinet is also requested to note that the draft IBCF Plan for next year has also been reviewed by Corporate Board on the 13th January 2021, and delegated authority has now been provided to the Strategic Director People Directorate to agree and finalise the IBCF schemes for 2021/22 with CCGs, in advance of the national BCF policy and guidance being published. Following receipt of this, along with the national conditions, Cabinet will then be updated and requested to review and approve our BCF Plan.

Appendix

BCF Plan for 2020/21

Background Papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: Councillors Caborn, Morgan, Redford, Bell, Adkins, Roodhouse and Kondakor