

Cabinet

25 January 2022

Better Care Fund Plan 2021/22 Submission

Recommendation(s)

That Cabinet delegates authority to the Strategic Director for People to enter into the proposed section 75 NHS Act 2006 agreement, with Coventry and Warwickshire Clinical Commissioning Group for delivery of the Better Care Fund Plan for 2021/22, on terms and conditions acceptable to him and the Strategic Director for Resources.

1. Executive Summary

- 1.1 The Better Care Fund (BCF) is a programme spanning both 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 Better Care Fund 2021/22 Planning Requirements published on the 30th September 2021, set out the template for Health and Wellbeing Boards (HWBs) to submit their annual plans for approval. The deadline for submission of the BCF plan to NHS England was the 16th November 2021.
- 1.3 The Better Care Fund Policy Statement for 2021-22 provides continuity to previous years of the programme, with four national conditions:
 1. A jointly agreed plan between local health and social care commissioners and signed off by the Health and Wellbeing Board – this was completed on the 17th November 2021.
 2. NHS contribution to adult social care to be maintained in line with the uplift to Clinical Commissioning Group (CCG) minimum contribution - The contribution to social care from the CCG via the BCF is agreed and meets or exceeds the minimum expectation. In 2021/22 for Warwickshire the minimum contribution is £14.455m.
 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, while supporting integration plans. In 2021/22 for Warwickshire the minimum contribution is £11.552m.

4. A plan for improving outcomes for people being discharged from hospital – (national condition 4 – managing transfers of care). Ensure there is an agreed approach to support safe and timely discharge, including ongoing arrangements to embed a home first approach.

- 1.4 To meet the submission deadline and prior to approval by the Health and Wellbeing Board on the 17th November 2021, the BCF Plan for 2021/22 was reviewed and approved by:

Organisation	Board	Date
WCC	People Directorate Leadership Team	27/10/21
Partnership	Warwickshire Joint Commissioning Board - virtual	01/11/21
WCC	Corporate Board	02/11/21
CCG	Finance and Performance Committee	03/11/21
	Approved on behalf of the Governing Body who ratified the decision on	17/11/21
WCC	Leader of the Council (urgent decision)	11/11/21

- 1.5 Following submission our plan has also been subject to regional and national assurance by NHS England. The role of NHS England in this process is to approve BCF plans in consultation with the Department for Health and Social Care and the Department for Levelling Up, Housing and Communities. Assurance processes were paused in 2020/21 due to the pandemic and resumed this year for 2021/22 plans. The purpose of the assurance process is to confirm that national conditions are met, ambitions are agreed for all national metrics and that all funding is pooled, with relevant spend agreed. The assurance of plans has been led by Better Care Managers (BCMs) with input from NHS England and local government representatives.
- 1.6 NHS England, as the accountable body for the CCG minimum contribution to the fund, confirmed in writing to the CCG on the 13th January 2022 that our BCF Plan for 2021/22 has been **approved**.
- 1.7 These approval letters give formal permission to spend the CCG minimum contribution. This means that the CCG minimum funding can then be released.
- 1.8 Cabinet approval is now required to enable the minimum contributions (specified in the BCF allocations and grant determinations set out in section 2.2 below) to be pooled into a section 75 agreement. The BCF Policy Framework requires section 75 agreements to be signed and in place by the 31st January 2022.

2. Financial Implications

- 2.1 Funding sources and expenditure plans:

		2021/22		
		Pooled Contribution	Aligned Allocation	Total Budget
		£'000	£'000	£'000
Minimum NHS ring-fenced from CCG allocation	C&W CCG (SW Place)	19,074	44,345	63,419
	C&W CCG (WN Place)	13,576	22,568	36,143
	C&W CCG (Rugby Place)	7,842	13,725	21,566
Disabled Facilities Grant (DFG)		5,124	-	5,124
Warwickshire County Council Improved Better Care Fund (iBCF)		14,688	-	14,688
Warwickshire County Council		-	68,590	68,590
Total Pooled Contribution		60,304		
Total Additional Aligned Allocation			149,227	
Total Budget				209,530

2.2 The following minimum funding must be pooled into the Better Care Fund in 2021/22:

Funding Sources	2021/22
DFG	£5,124,786
Minimum CCG Contribution	£40,490,953
iBCF	£14,688,367
Total	£60,304,106

3. Environmental Implications

3.1 None

4. Supporting Information

4.1 National Condition 1 (as detailed in section 1.3 above) requires a BCF Plan, covering all mandatory funding contributions to have been agreed by Health and Wellbeing Board (HWB) areas and minimum contributions (specified in the BCF allocations and grant determinations) to be pooled in a section 75 agreement (an agreement made under section 75 of the NHS Act 2006) by the constituent local authorities (LAs) and CCG.

4.2 Section 75 of the National Health Service Act 2006 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.

4.3 The purpose of the section 75 agreement is to set out the terms on which the local authority and CCG have agreed to collaborate and to establish a framework through which the Partners can secure the future provision of health and social care services through lead or joint commissioning arrangements. It is also the means through which the local authority and CCG will pool funds and align budgets.

5. Timescales associated with the decision and next steps

5.1 Regional and national assurance activity:

Assurance activity	Date
BCF planning requirements received	01/10/21
Optional draft BCF planning submission submitted to BCM	29/10/21 - Complete
Review and feedback to areas from BCMs	02/11/21 - Complete
BCF planning submission from local HWB areas (agreed by CCG and WCC) sent to national BCF Team at NHS England	16/11/21 - Complete
Scrutiny of BCF plans by regional assurers, assurance panel meetings and regional moderation	16/11/21 – 07/12/21 Complete
Regionally moderated assurance outcomes sent to national BCF team	07/12/21 - Complete
Cross-regional calibration	09/12/21 - Complete
Approval letters issued giving formal permission to spend (CCG minimum)	13/01/22 - Complete
Cabinet approval to enter into a section 75 agreement for the BCF Plan for 2021/22	25/01/22
All section 75 agreements to be signed and in place	By 31 January 2022

Appendices

1. None

Background Papers

1. None

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

Local Member(s):

Other members: