

Cabinet

8 September 2022

Better Care Fund (BCF) Plan 2022/23

Recommendations

1. That Cabinet approves the proposed pooled contribution of £15.133m by the Council to the Better Care Fund Plan (known as the Better Together programme plan) for 2022/23 and the plan for resources as set out in paragraph 2.2.
2. 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 Integrated Care Board (ICB) for delivery of the Better Care Fund Plan for 2022/23, on terms and conditions acceptable to him and the Strategic Director for Resources.
3. That Cabinet approves the County Council continuing as the pooled budget holder for the fund.

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 2022/23 Planning Requirements published on 19th July 2022, 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 is 26th September 2022.
- 1.3 The Better Care Fund Policy Statement for 2022-23 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.
 2. NHS contribution to adult social care to be maintained in line with the uplift to the NHS minimum contribution - The contribution to social care from the Coventry and Warwickshire Integrated Care Board via the BCF is agreed and meets or exceeds the minimum expectation. In 2022/23 for Warwickshire the minimum contribution is £15.273m.

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 2022/23 for Warwickshire the minimum contribution is £12.206m.
4. Implementing the BCF Policy Objectives – National condition 4 requires that local partners should have an agreed approach to implementing the two policy objectives for the BCF, set out in the Policy Framework:
 - i. Enable people to stay well, safe and independent at home for longer.
 - ii. Provide the right care in the right place at the right time.

1.4 To meet the submission deadline and prior to approval by the Health and Wellbeing Board on 22nd September 2022, the BCF Plan for 2022/23 will be reviewed and approved by:

Organisation	Board	Date
Partnership	Joint Commissioning Board	17/08/22
WCC	People Directorate Leadership Team	31/08/22
WCC	Corporate Board	07/09/22
ICB	Finance and Performance Committee	07/09/22
Partnership	Health and Wellbeing Board (engagement)	07/09/22
WCC	<i>Cabinet</i>	08/09/22
ICB	Board	21/09/22
Partnership	Health and Wellbeing Board Sub-Committee (for sign-off)	22/09/22
Submission date		26/09/22

- 1.5 Following submission our plan will be 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 will confirm that national conditions are met, ambitions are agreed for all national metrics and that all funding is pooled, with relevant spend agreed. Assurance of plans will be led by Better Care Managers (BCMs) with input from NHS England and local government representatives and will be a single stage exercise based on a set of key lines of enquiry.
- 1.6 Once approved - NHS England, as the accountable body for the NHS minimum contribution to the fund, will write to areas to confirm that the NHS minimum funding can be released.
- 1.7 These approval letters give formal permission to spend the NHS minimum contribution. This means that the NHS minimum funding can then be released by the Integrated Care Board.
- 1.8 Cabinet approval is 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 31st December 2022.

2. Financial Implications

2.1 Funding sources and expenditure plans:

		2022/23		
		Pooled Contribution	Aligned Allocation	Total Budget
		£'000	£'000	£'000
Minimum NHS ring-fenced from ICB allocation	ICB (SW Place)	20,154	61,290	81,444
	ICB (WN Place)	14,344	32,743	47,087
	ICB (Rugby Place)	8,286	18,091	26,377
Disabled Facilities Grant (DFG)		5,124	-	5,124
Warwickshire County Council Improved Better Care Fund (iBCF)		15,133	-	15,133
Warwickshire County Council		-	71,308	71,308
Total Pooled Contribution		63,040		
Total Additional Aligned Allocation			183,432	
Total Budget				246,472

2.2 The following minimum funding must be pooled into the Better Care Fund in 2022/23:

Funding Sources	2022/23
DFG	£5,124,786
Minimum NHS Contribution	£42,782,742
iBCF	£15,133,281
Total	£63,040,809

3. Environmental Implications

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 Integrated Care Boards (ICBs).

4.2 For 2022-23, BCF plans will consist of:

- A narrative plan
- A completed BCF planning template, including:
 - Planned expenditure from BCF sources.
 - Confirmation that national conditions of the fund are met, as well as specific conditions attached to individual funding streams.
 - Ambitions and plans for performance against BCF national metrics.
 - Any additional contributions to BCF section 75 agreements.

- An intermediate care capacity and demand plan.

4.3 Section 75 of the National Health Service Act 2006 gives powers to local authorities and clinical commissioning groups (now Integrated Care Boards) 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.

4.4 The purpose of the section 75 agreement is to set out the terms on which the local authority and ICB 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 ICB 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	19 th July 2022
Optional draft BCF planning submission submitted to BCM	By 18 th August 2022 - <i>completed</i>
BCF planning submission from local HWB areas (agreed by ICB and WCC) sent to national BCF Team at NHS England	26 th September 2022
Scrutiny of BCF plans by regional assurers, assurance panel meetings and regional moderation	26 th September to 24 th October 2022
Cross regional collaboration	1 st November 2022
Approval letters issued giving formal permission to spend (NHS minimum)	30 th November 2022
All section 75 agreements to be signed and in place	31 December 2022

Appendices

1. Appendix 1 – BCF Plan 22/23 Schedule 3

Background Papers

1. None.

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

Local Member(s): None

Other members: Councillor John Holland, Councillor Jerry Roodhouse and Councillor Jonathan Chilvers.