

<b>TITLE</b>	<b>Better Care Fund Section 75 agreement</b>
<b>FOR CONSIDERATION BY</b>	Health and Wellbeing Board
<b>WARD</b>	None Specific
<b>DIRECTOR</b>	Stuart Rowbotham- Health and Well-Being

## **OUTCOME / BENEFITS TO THE COMMUNITY**

The Better Care Fund (BCF) has been created to promote the integration of health and social care services, to provide a better service and develop efficiency across the system.

The BCF pooled budget under section 75 of NHS Act 2006 agreement will allow joint commissioning and provision of integrated health and social care services that avoid unnecessary hospital admissions, delayed transfers of care and residential care home admissions

## **RECOMMENDATION**

That the Health and Wellbeing Board agree the section 75 pooled budget and proposed arrangements.

## **SUMMARY OF REPORT**

NHS England requires Councils and Clinical Commissioning Groups (CCG) to hold the BCF pooled budgets in a section 75 agreement. Wokingham's section 75 agreement schedule 3 (attached as appendix 1 ) separates the budget into two pools, one to be hosted and commissioned by the Council, the other by the CCG.

Wokingham's BCF is close to the minimum amount prescribed by NHS England with only £900k additional funding being added to reflect the staffing cost of the Health Liaison team who are a key part of an integrated short term service.

The pooled fund can only be spent in accordance with the BCF.

This section 75 agreement is for next financial year only; this gives the Council and the CCG flexibility to decide their contribution to the agreement after 2015/16.

The agreement has been developed collectively by each authority's BCF finance lead and then has been reviewed by Wokingham Borough Council's legal team.

Each Pooled Fund is required to have a named Pooled Fund Manager, an officer of the hosting authority. The Pooled Fund Managers have yet to be decided, but will be a relevant senior officer of each host authority. Guidance from the Department of Health requires that Pooled Funds should be governed by a 'Partnership Board'. For the two Wokingham Pooled Funds it is proposed that the Wokingham Integration Strategic Partnership (WISP, a sub-group of the Health and Wellbeing Board) or a sub-group of WISP will provide the Partnership Board function.

The Pooled Fund Manager will monitor spending in line with the financial regulations

and protocols of the host authority but will also report monthly to WISP, the Health and Wellbeing Board and the Berkshire West Partnership Board. The Pooled Funds are to be deployed specifically for the purposes set out within the schedules to the s75 agreement, i.e. for the BCF services. In that regard and as the services are being developed from scratch there should be no risk of overspends within the Pooled Budget arrangement. In the unlikely event that an overspend does arise, it will be highlighted to WISP and remedial action will be decided.

## **Background**

The 2015/16 Better Care Fund is subject to a number of conditions set by NHS England:

1. A requirement that the Better Care Fund is transferred into one or more pooled funds established under section 75 of the NHS Act 2006
2. A requirement that Health and Wellbeing Boards jointly agree plans for how the money will be spent, with plans signed-off by the relevant local authority and Clinical Commissioning Group(s)
3. The fund is to be used in accordance with the agreed plan
4. The element of the fund linked to non-elective admissions reduction target will be released into the pooled budget proportional to performance, as detailed in the BCF Technical Guidance[1]. If the target is not met, the CCG(s) may only release into the pool a part of that funding proportionate to the partial achievement of the target. Any part of this funding that is not released into the pool due to the target not being met must be dealt with in accordance with NHS England requirements. Full details are set out in the BCF Technical Guidance.

## **Governance**

Appendices - Schedule 3 – Risk Share and Overspends sets out how underspends and overspends will be managed through WISP.

Other schedules cover each of the 9 BCF schemes and areas such as conflicts of interest, performance reporting, etc.

## **Appendices**

- 1- Main agreement of section 75**
- 2- Schedule 2 - Governance**
- 3- Schedule 3- Risk Sharing and Overspends**