



Although a formal committee of the city council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults as well as Healthwatch. Papers come from a variety of sources. The format for Health & Wellbeing Board papers is consequently different from papers submitted to the city council for exclusive city council business.

1. Brighton & Hove Better Care Fund – Section 75 Agreement

- 1.1. The contents of this paper can be shared with the general public.
- 1.2. This paper is for the Health & Wellbeing Board meeting on the 14th November 2017
- 1.3. Author of the Paper and contact details

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2. Summary

- 2.1 This report updates the Board on the outcome of the moderation of the Brighton & Hove Better Care Plan and provides further information on the governance arrangements that will be in place to monitor and oversee the implementation of the plan. The report seeks approval to delegate authority to the Executive Director, Health and Social Care and CCG Chief Operating Officer to enter into an updated s75 Agreement to govern the 2017-2019 Better Care pooled fund.

3. Decisions, recommendations and any options

- 3.1 That the Board notes the moderation feedback of the BHCC Better Care Fund Plan as set out in paragraphs 4.2 to 4.4 of the report;
- 3.2 That the Board agrees the proposed Better Care Fund governance and monitoring arrangements set out at paragraphs 4.6 to 4.8 and Appendices One and Two of the report;
- 3.3 That the Board authorises the Executive Director Health and Adult Social Care and the CCG Chief Operating Officer to finalise and enter into a new Section 75 Partnership Agreement for the commissioning of health and social care services from the Brighton & Hove Better Care Fund for the period 2017-2019.

4. Relevant information

- 4.1 The Health and Wellbeing Board on 12 September 2017 received a copy of the Better Care Fund Plan for Brighton & Hove that was submitted to the Department of Health on 11th September 2017. The Board requested that further information be brought back to the Board in November in relation to the governance and monitoring arrangements for the Better Care Fund Plan.
- 4.2 Since it was submitted on 11 September 2017, the Brighton & Hove Better Care Fund Plan has been subject to a moderation procedure conducted by the Department of Health. The outcome of the moderation has now been made available. The BHCC Plan has been approved with two conditions.
- 4.3 The feedback on the Plan included the following comments:-

Narrative and General comments

- Comprehensive, detailed plan, links to wider strategies and local plans;
- Sign-up from a wide range of partners, including Healthwatch;
- Focus on the plan addressing Delayed Transfers of Care;
- Strong on workforce;
- Good cross reference to Mental Health delivery plans – should cross reference crisis referral home treatment teams;
- Includes self-assessment against the 8 high impact change model;
- Need to focus on plan delivery, particularly around the 8 high impact changes and Delayed Transfers of Care



Finance

- All specific funding requirements are met on the planning template;
- Minimum CCG contribution to social care- met on planning template;
- Mitigations regarding risk to the BCF are appropriate;
- Investment of the iBCF funding has been agreed by partners with a breakdown of spend across narrative and planning template.

4.4 The two conditions that were attached to the approval of the Plan are set out below:-

- A requirement to amend the narrative to the Plan at page 14 regarding the minimum contribution by the CCG to Social Care so that it is consistent with the planning template;
- A requirement to provide further detail regarding our ability to implement the high impact change model for managing transfers of care.

4.5 Following formal resubmission of the Plan, Brighton & Hove will receive authorisation to enter into a formal agreement under Section 75 of the NHS Act 2006 and the CCG will be authorised to release money from the Better Care Fund ring-fence. The legal mechanism to bring together joint health and social care commissioning and budgets and to create a pooled fund is through a Section 75 Agreement established under the NHS Act 2006 (s223GA).

4.6 The Section 75 Agreement will provide a governance framework for the commissioning and delivery of the Better Care Fund and the management of budget and expenditure. The Agreement will follow the national template and will include the following core components:-

- Commissioning arrangements;
- Governance arrangements, including arrangements for reporting progress in delivering the plan to the Health and Wellbeing Board;
- Arrangements for management of the pooled funds;
- Arrangements for managing risk across the partners to the agreement;
- Information about each of the individual schemes which together make up the Better Care programme; and
- A standard range of terms and conditions covering issues such as dispute resolution and information sharing.

Overview of funding contributions

- 4.5 The seven projects that are the focus of the 2017-2019 Better Care Fund Plan are set out below with a summary of their funding contributions. The Section 75 Agreement will describe how any potential overspend or underspend will be identified, and any action required to bring expenditure back into line with budget.

Workstream	2017/18 Budget			
	CCG	BHCC	iBCF	Total
Increasing System Capacity	321,534	0	2,246,990	2,568,524
Integrated Discharge Planning	7,761,589	0	2,053,660	9,815,249
Protecting Social Care	4,833,379	1,743,131	551,130	7,127,640
Supporting Recovery & Independence	3,050,726	217,510	241,220	3,509,456
Person Centred Integrated Care	1,512,419	0	0	1,512,419
Dementia Planning	209,016	0	0	209,016
Homelessness	587,338	20,000	0	607,338
Total	18,276,000	1,980,641	5,093,000	25,349,641

Overview of governance arrangements

- 4.6 The governance arrangements for the Better Care Fund are shown in Appendix 1. The Better Care Funding Steering Group will provide oversight of delivery against the Better Fund Plan and will report into the Joint Finance and Performance Board and Joint Commissioning Board. The Steering Group will consist of senior representation from Brighton & Hove City Council and Clinical Commissioning Group.
- 4.7 Performance reports will be presented to the Health and Wellbeing Board on a quarterly basis with the first one in March 2018. Details of the performance arrangement are set out below.

Overview of performance arrangements

- 4.8 The Key Performance Indicators that will be used to monitor delivery and performance of the projects within the Better Care Plan are shown in Appendix 2. The Steering Group will be working to develop measurable targets from the Performance Indicators, which can then be reported to the Health and Wellbeing Board.

- 4.9 In addition to the KPIs being developed jointly by the Council and the CCG to be reported to the Health and Wellbeing Board, the CCG will be required to report to NHS England using the following National Metrics that have been centrally set.

Metric	Data Required
Non-elective admissions (General and Acute)	Quarterly HWB level activity plan figures for 2017-18, mapped directly from CCG operating plan figures, using mapping provided, against the original 2014-15 baseline and 2015-16 metrics
Admissions to residential and care homes	Annual metric for 2017-18 and 2018-19
Effectiveness of reablement	Annual metric for 2017-18
Delayed transfers of care	Quarterly metric for 2017-18. Each HWB area must submit their agreed DToC metrics by 21 July 2017 alongside their first quarterly return for IBCF spending

5. Important considerations and implications

Legal:

- 5.1 As set out in the report, it is a requirement that the Better Care Fund is managed locally through a pooled budget. The power to pool budgets between the Council and the CCG is set out in the NHS Act 2006 and requires a formal Section 75 Agreement. Regulations prescribe the format and minimum requirements for a Section 75 Agreement and a template Better Care Fund Section 75 Agreement has been made available by the Department of Health and will be used for this purpose. A new Section 75 Agreement is required as the existing Agreement expires in March 2018. The new agreement will reflect the new funding arrangements and priorities as set out in the Better Care Fund Plan 2017-2019.

Lawyer consulted: Elizabeth Culbert

Date: 2nd October 2017



Finance:

- 5.2 The allocated budget for the better Care Fund for 2017/18 is £25.350m including the additional funding of £5.093m announced in the spring. The CCG contribution as set by NHS England is £18.276m of which £7.030m is transferred to BHCC. The remaining £1.981m is the BHCC contribution to the pool, predominantly from the Disabled Facilities Grant. The pool fund manager is currently the chief finance officer for the CCG and they are responsible for reporting the financial performance of the BCF on a regular basis, through the governance arrangements set out in the report. In addition the relevant elements of the BCF for each organisation are monitored as part of the standard financial management arrangements and performance reported on a monthly basis through that mechanism.

Finance Officer consulted: David Ellis

Date:17/10/17

Equalities:

- 5.3 Equality Impact Assessments will be developed in relation to individual commissioning processes carried out under the projects.

Sustainability:

None

Health, social care, children's services and public health:

- 5.4 These are addressed in the body of the report and set out in detail in the Better Care Fund Plan.

6. Supporting documents and information

Appendix One – Governance Arrangements

Appendix Two – Key Performance Indicators

