

OPEN

Adults and Health Committee

23 September 2024

**Better Care Fund Section 75 agreement
2024-25 & 2025-26**

Report of: Helen Charlesworth-May, Executive Director – Adults, Health and Integration

Report Reference No: AH/16/2024-25

Ward(s) Affected: All wards

Purpose of Report

- 1 This report requests approval to enter into a new Section 75 Agreement for one year, between Cheshire East Council and Cheshire and Merseyside ICB from 1 April 2024 until 31 March 2025. With the possibility of an extension for the period of an additional year from 1 April 2025 until 31 March 2026.
- 2 This report supports the strategic aim of the council's Corporate Plan 2021- 25 to empower and care about people. The schemes which form part of the BCF Section 75 Agreement support these specific actions noted in the corporate plan: 'To prioritise home first for patients discharged from hospital. Where possible patients are discharged to a home of their choice and that vulnerable and older people live safely and maintain independence within community settings.' The Health and Care Act 2021 sets out reforms with the intention of delivering a more integrated provision for health and social care.

Executive Summary

- 3 The government provides funding to local authorities each year which is targeted at encouraging integration, by requiring ICB's and local authorities to enter into pooled arrangements and agreeing an integrated spending plan. Those arrangements are known as 'S75 Agreements', and the money is provided from the ring-fenced Better Care Fund (BCF) which was launched in 2015.
- 4 The current Section 75 Agreement expires on 31 March 2024, and the council and the ICB therefore need to enter into a new agreement from

1 April 2024, in order to secure continued collaborative delivery of services under the BCF umbrella and access the available funding. This report seeks that pooled funding and current arrangements detailed in the Section 75 Agreement are extended.

RECOMMENDATIONS

The Adults and Health Committee is recommended to:

1. Authorises the council to enter into a new Section 75 Agreement with Cheshire and Merseyside ICB for a period of one year from 1 April 2024, for the council's minimum required budget, together with the option to extend that agreement for a further period of one year (subject to there being a national requirement to operate the Better Care Fund as a Section 75 pooled budget agreement until 31 March 2025).
2. Delegates authority to the Executive Director of Adults, Health and Integration (in consultation with the Director of Governance and Compliance) to agree the terms of the Section 75 Agreement.
3. Delegates authority to the Executive Director of Adults, Health and Integration (in consultation with the Director of Governance and Compliance) to extend the Agreement for 2025/26.
4. Authorises the Director of Finance and Customer Services to continue with pooled budget arrangements for 2024/25 for the council's revised minimum requirement.
5. Approves that the services identified in the appendix 2 can be considered and reviewed with the potential that they are included in the Better Care Fund Section 75 Agreement.

Background

- 5 This report follows a previous report which was considered at Adults and Health Committee on the 28/03/2022 which gave approval for the section 75 agreement for 2022/23 and delegated approval for 2023/24.
- 6 Today, people are living much longer, often with highly complex needs and multiple conditions. These needs require ongoing management from both health and care services, which combine both the medical and social models of care.

- 7 As our population ages and the financial pressures on the health and care system increase, we need to be better at providing proactive, preventative care in community settings, so that people can be supported to live at home for longer and avoid the need for commissioned health and care services.
- 8 Due to increasing health inequalities, increasing older populations and demand on services, the NHS Long Term Plan highlights the need to focus on prevention, which is reflected within our commissioning intentions in Cheshire East via the 5 Year Plan. The NHS Long Term Plan sets out new commitments for action that the NHS itself will take to improve prevention. The extra costs to the NHS of socioeconomic inequality have been calculated as £4.8 billion a year in greater hospitalisations alone. A key indicator for success in Cheshire East identified within the 5 Year Plan is to 'Improve health related quality of life for older people'.
- 9 **Narrative update from 23-25 plan**
- 10 The BCF plan and priorities have been developed in collaboration with system partners and stake holders from Cheshire East Council Adult Social Care, Mental Health services, NHS Trusts, Integrated Care Board , Housing and Third Sector to ensure our plans are aligned across our organisations to support delivering the agreed shared priorities with our stakeholders to shape the way we deliver our agreed priorities.
- 11 Discharge performance data has been gathered from the Business Intelligence teams from Cheshire East Council and NHS Trusts who undertake performance reviews and attend the BCF governance group.
- 12 Finance colleagues from the Local Authority and Integrated Care Board have been instrumental in the agreed funding allocation for the various schemes. The Cheshire East Health and Wellbeing Board (HWB) retains responsibility for governance and oversight of the Better Care Fund.
- 13 **Better Care Fund plan priorities**
- 14 Over the last twelve months Cheshire East system partners, including members of our operational teams have worked extensively to design, deliver and adopt an ambitious Home First model of support.
- 15 The whole Health and Social Care system, voluntary organisations and the faith sector have continued to develop trusted working relationships ,supporting people and building person centred support packages of care in partnership with the person and their support circles.

- 16 This Home First programme has continued to develop a care and support model that responds at the point of crisis, to offer more care at home and ensure we have the right amount and right type of resource to provide timely access to advice, treatment and support to help people spend more time in the place they call home, either by preventing an admission to hospital or supporting people to be discharged as soon as possible via the correct pathway.
- 17 Key priorities for the BCF plan are:
1. Integrated 'Transfer of Care Hubs' will be the single route for arranging timely discharges for people leaving hospital via Pathway 1 to 3 and will facilitate access to support arrangements for those that require it.
 2. To develop a community prevention model of support that supports people to remain at home and prevent a hospital admission
 3. Ensure there is sufficient community reablement provision to maximise the amount of people who are able to remain at home.
 4. To ensure there is sufficient capacity across the system that continues to manage the ongoing demand to meet the needs of people.
- 18 The BCF provides a mechanism for improved joint health and social care planning and commissioning, bringing together ring-fenced budgets from Clinical Commissioning Group allocations, the Disabled Facilities Grant and funding paid directly to local government for adult social care services, which is known as the 'Improved BCF'.
- 19 Locally the BCF Governance Group has responsibility for oversight and responsibility for reviewing the delivery of the Section 75 Agreement. The BCF is hosted by Cheshire East Council and the BCF Governance Group is chaired by Cheshire East Council. The BCF Governance Group is also used to produce and coordinate the following: BCF Plan, end of year report, identifying and designating areas where funding can help meet pressures and metric performance requirements. In addition to this the BCF Governance Group will also monitor performance, make decisions where appropriate, and implement any requirements as identified by the national Better Care Team.
- 20 Schemes which form part of the Better Care Fund are shown in Appendix 2.

Consultation and Engagement

- 21 Consultation and engagement with the ICB through the BCF Governance Group has taken place and will continue to take place.

- 22 BCF end of year report for 2022/23 signed off at HWB - Agenda for Cheshire East Health and Wellbeing Board on Tuesday, 27th June, 2023, 2.00 pm | Cheshire East Council
- 23 BCF plan for 2023/25 signed off at HWB – <http://modern.gov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=739&MId=9794&Ver=4>

Reasons for Recommendations

- 24 This report supports the strategic aim of the council's Corporate Plan 2021- 25 to empower and care about people. The schemes which form part of the BCF Section 75 Agreement support these specific actions noted in the corporate plan: 'To prioritise home first for patients discharged from hospital. Where possible patients are discharged to a home of their choice and that vulnerable and older people live safely and maintain independence within community settings.'
- 25 A further Section 75 Agreement will enable the services which sit within the BCF to continue to operate seamlessly.
- 26 One of the conditions of the BCF grant funding is that the local authority and ICB have a pooled budget, whereby both parties contribute funds, but the host authority accounts for the money for individual schemes where they are responsible.

Other Options Considered

- 27 No other options have been considered; we have to put in place a new Section 75 Agreement if the council is to continue to access the BCF, as this is a statutory requirement.

Implications and Comments

Monitoring Officer/Legal

- 28 Under Section 75 of the National Health Service Act 2006, NHS bodies may enter into arrangements with local authorities in relation to NHS functions and the health functions of local authorities. 8.1.2. S141 of the Care Act 2014 provides for the BCF Pooled Funds to be held under and governed by an overarching Section 75 National Health Service Act 2006 Partnership Agreement. 8.1.3. The council may therefore enter into an agreement with NHS Cheshire Clinical Commissioning under Section 75 of the NHS Act 2006 or renew an existing agreement.
- 29 Legal assisted with the drafting of the previous year's Section 75 agreement. It is understood that the agreement is captured within a standard format, legal will review the proposed Section 75 agreement and its terms for the period of 2024/2025.

Section 151 Officer/Finance

- 30 As the council works towards further integration with its health partners over coming years, any extension of pooled budget arrangements and in turn, the Section 75 Agreements needed to support these arrangements, will be subject to the usual council governance procedures prior to approval.

Policy

- 31 All partners within Cheshire East are committed to maximising the opportunities afforded via the BCF to further integrate health and social care, to promote health and wellbeing and improve the health outcomes of the local population. 8.3.2. The BCF and Improved BCF will be used to target those areas identified as requiring immediate improvement to enable more people to remain independent and effectively cared for in the community, care in the community as an appropriate alternative to hospital admission, and to support the timely discharge of anyone who is admitted to hospital with a focus on Home First.

An open and enabling organisation (Include which aim and priority)	A council which empowers and cares about people (Include which aim and priority)	A thriving and sustainable place (Include which aim and priority)
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Equality, Diversity and Inclusion

- 32 As the leaders for our local health and social care economy, all BCF partners in Cheshire East are conversant and compliant with the Equality Act 2010.

Human Resources

- 33 There are no direct implications for any Cheshire East Council employees.

Risk Management

- 34 There is no guarantee that improved BCF will continue to be available in future years. This risk to funding has been noted and recorded in the corporate risk register. 8.6.2. Partners recognise that the broad range of schemes and initiatives funded through the Better Care Fund require flexibility to enable an effective approach to be taken on specific issues, rather than adopting universal approaches. OFFICIAL 8.6.3. Where any

element of an individual scheme (funded through the Better Care Fund) overspends the funding allocated to it in the agreed Scheme Specification, the lead commissioner responsible for that element of the scheme will be required to provide additional funding in order to off-set the amount by which that element of the scheme is overspent.

Rural Communities

35 There are no direct implications for rural communities.

Public Health

36 There are no direct implications for public health.

Climate Change

37 Cheshire East Council published its Environment Strategy for the period 2020-24. The strategy includes the following notions: sustainable purchasing, waste reduction and sustainable transport. The aim of the schemes included within the BCF aim to keep people as independent as possible. A number of schemes involve the efficient use of the commissioning and delivery of resources which includes care sourcing (Improved BCF), reablement services (BCF) and care at home services (older people joint commissioning). The aim of the BCF is to bring about greater integration of health and social care services, the outcome of this integration will contribute to waste reduction.

Access to Information	
Contact Officer:	Alex Jones, Better Care Fund Programme Lead Alex.t.jones@cheshireeast.gov.uk
Appendices:	Appendix 1 – overview of BCF finances Appendix 2 – schemes which form part of the Better Care Fund
Background Papers:	Better Care Fund Policy Framework https://www.gov.uk/government/publications/better-care-fund-policy-framework-2023-to-2025/2023-to-2025-better-care-fund-policy-framework

Appendix 1 – overview of BCF finances

Running Balances	2024-25		
	Income	Expenditure	Balance
DFG	£2,554,801	£2,554,801	£0
Minimum NHS Contribution	£32,094,566	£32,094,566	£0
iBCF	£8,705,870	£8,705,870	£0
Additional LA Contribution	£550,000	£550,000	£0
Additional NHS Contribution	£182,860	£182,860	£0
Local Authority Discharge Funding	£2,034,249	£2,034,249	£0
ICB Discharge Funding	£3,297,743	£3,297,743	£0
Total	£49,420,088	£49,420,089	-£1

Required Spend

This is in relation to National Conditions 2 and 3 only. It does NOT make up the total Minimum ICB Contribution (on row 33 above).

	2024-25		
	Minimum Required Spend	Planned Spend	Under Spend
NHS Commissioned Out of Hospital spend from the minimum ICB allocation	£9,120,365	£22,475,652	£0
Adult Social Care services spend from the minimum ICB allocations	£9,237,025	£9,889,815	£0

Appendix 2 – schemes which form part of the Better Care Fund

Scheme ID	Scheme Name	New/ Existing Scheme	Updated Expenditure for 2024-25 (£)
1	Approved Mental Health Professionals Cover, evenings & weekends for ECT and MCHFT	Existing	£85,000
2	Assistive Technology & Gantry Hoists to reduce double handling care packages	Existing	£50,000
3	Care at Home Investment Increase	Existing	£2,034,249
4	Home First Occupational Therapist	Existing	£126,000
5	Hospital Discharge Premium Payment & Prevention Scheme	Existing	£125,000
6	Increase General Nursing Assistant Capacity care at home via CCICP	Existing	£133,000
7	Mental Health Reablement – Rapid Response Service	Existing	£90,000
8	Integrated Community for the Community and Discharge Support Team	Existing	£120,000
9	Transfer of Care Hub, Nurses and additional Social Workers to support discharges out of ED and out of hospital	Existing	£300,000
10	iBCF Care at home hospital retainer	Existing	£49,896
11	iBCF Rapid response	Existing	£647,328
12	iBCF Social work support	Existing	£505,613
13	iBCF Enhanced Care Sourcing Team (8am-8pm)	Existing	£870,000
14	iBCF General Nursing Assistant (within BCF Early Discharge scheme (with BRC)	Existing	£332,640
15	iBCF Improved access to and sustainability of the local Care Market (Home Care and Accommodation with Care)	Existing	£6,300,393
16	BCF Disabled Facilities Grant	Existing	£2,554,801
17	BCF Assistive technology	Existing	£757,000
18	BCF British Red Cross 'Support at Home' service / Early Discharge	Existing	£486,651
19	BCF Combined Reablement service	Existing	£5,372,663
20	BCF Carers hub	Existing	£389,000
21	BCF Programme management and infrastructure	Existing	£541,801
22	BCF Winter schemes ICB	Existing	£500,000
23	BCF Home First schemes ICB	Existing	£19,973,121
24	BCF Carers hub	Existing	£324,000
25	BCF Community Equipment service	Existing	£550,000
26	BCF Community Equipment service	Existing	£2,231,630
27	VCFSE Grants	Existing	£182,860
28	Spot purchase beds and cluster model	Existing	£1,200,000
29	Practice Development Nurse	Existing	£58,708
30	Care communities	New	£500,000
31	AED in reach	New	£220,584
32	Residential care home competence nurse	New	£48,451
33	Community Support Connectors In TOCH	New	£241,000
34	Adult social workers linked to safeguarding replacing safeguarding board	New	£496,717
35	Proportionate care	New	£135,134

36	Handyperson	New	£177,000
37	HomeFirst social work support	New	£174,136
38	Reablement	New	£420,000
39	Advice and signposting self-fund care	New	£83,281
40	Adult Contact Teams Service	New	£32,432