

# North Tyneside Council

## Report to Cabinet

Date: 20 May 2024

### Title: Better Care Fund – Approval of the Better Care Fund Plan 2024/25 and Authorisation to Enter a Section 75 Partnership Agreement

Portfolio(s):	Adult Social Care Public Health and Wellbeing	Cabinet Member(s):	Cllr J Hunter Cllr K Clark
Report from Service Area:	Adult Social Care		
Responsible Officer:	Eleanor Binks Director of Adult Services	Tel: (0191) 6437317	
Wards affected:	All		

#### PART 1

##### 1.1 Executive Summary:

This report seeks approval of the draft Better Care Fund Plan for 2024/25 and authorisation for the Director of Adult Services to enter into a partnership agreement under section 75 of the National Health Service Act 2006 (“a section 75 Agreement”) following appropriate consultation.

The Authority is obliged by the “Better Care Fund planning requirements 2023–25” published by NHS England as part of the Better Care Fund planning process to enter into a section 75 Agreement. Although the current planning guidance covers a two-year period spanning financial years 2023/24 and 2024/25, a Planning Addendum was published on 28 March 2024 requiring the completion of a further template outlining spending plans and metrics targets for the second year 2024/25. A section 75 agreement must also be prepared and agreed for 2024/25 and this must be in place by 30 September 2024.

The Authority must submit its Better Care Fund Plan (BCF Plan) to NHS England by the national deadline of 10 June 2024. The BCF Plan requires spending on all funding elements of the Plan to be jointly agreed by the Authority and the Integrated Care Board (ICB) and for such funding to be a “pooled fund” and for the fund to be governed by a section 75 Agreement.

The deadlines published in the Addendum to the BCF Policy Framework and Planning Requirements for 2023/25 require this report to come to the 20 May 2024 Cabinet to allow for consideration by the Health and Wellbeing Board on 20 June 2024. The Better Care Fund policy framework allows for Health and Wellbeing Boards to formally approve the planning submission after the national submission deadline. The documents submitted to Cabinet as part of this report remain draft at this stage and this report requests delegation for the Director of Adult Services in consultation with the Lead Member for Adult Social Care to agree further changes as discussions with the ICB continue.

The BCF funding that the Authority will receive is dependent on the Authority having submitted an acceptable plan and entered into a Section 75 Agreement.

## **1.2 Recommendation(s):**

It is recommended that Cabinet:

- a) Approve the draft Better Care Fund Narrative Plan for submission to the Health and Wellbeing Board for further approval following initial submission to NHS England attached to this report at Appendix 1.
- b) Authorise the Director of Adult Services, in consultation with the Lead Member for Adult Social Care to agree further changes to the plans prior to submission to NHS England.
- c) Authorise the Director of Adult Services, in consultation with the Director of Resources and Head of Law to enter into an Agreement under section 75 of the National Health Service Act 2006 and to implement the financial and administrative arrangements for the Better Care Fund.

## **1.3 Forward Plan:**

Twenty-eight days notice of this report have been given and this item first appeared in the Forward Plan that was published on 28 March 2024.

## **1.4 Council Plan and Policy Framework**

This item relates specifically to the following theme and priorities of the Our North Tyneside Plan 2021-2025:

A caring North Tyneside

- We will provide great care to all who need it, with extra support available all the way through to the end of the pandemic.

- We will work with the care provision sector to improve the working conditions of care workers.
- People will be cared for, protected, and supported if they become vulnerable, including if they become homeless.

## **1.5 Information:**

### **1.5.1 Background**

The Better Care Fund (BCF) has been in operation since 2015/16 and is a government initiative to improve the integration of health and care services, with an emphasis on keeping people well outside of hospital and facilitating discharge from hospital.

The BCF creates a pooled fund, managed jointly by the Authority and the North-East and North Cumbria Integrated Care Board. The value of contributions to the fund in 2024/25 is £38,413,487 compared to £35,331,742 in the 2023/24 BCF pooled fund.

The ICB is required to contribute a defined amount to the fund to support adult social care. The resulting income from the NHS is £13,743,603. Together with the “Improved Better Care Fund” grant, which is paid directly by Government to the Authority, the BCF supports 21% of adult social care revenue expenditure within the Borough.

BCF income helps to fund community based social care services, such as reablement, immediate response home care, Care Call, and loan equipment/adaptations. It also contributes towards the Authority’s services offered to support carers, the Community Falls First Responder Service, and to independent living support for people with learning disabilities.

### **1.5.2 Governance arrangements**

The detailed operations of the BCF in North Tyneside are set out in a nationally prescribed planning template and narrative plan for 2023-25 which was approved by a national assurance process following local approval the local Health and Wellbeing Board on 12 June 2023 and approval by Cabinet on 22 May 2023. However, as some funding values were unknown at that time for the 2024-25 financial year, a further planning template must be submitted for 2024-25. That template is attached to this report at Appendix 1. Following submission to NHS England, the plan will go through a national assurance process and once approved, a Section 75 Agreement will be prepared, between the Authority and the North-East and North Cumbria Integrated Care Board. That Agreement establishes a BCF Partnership Board with representatives from the Authority and the ICB.

The Health and Wellbeing Board will consider the BCF Plan on 20 June 2024 which is the first meeting planned following publication of the guidance on 28 March 2024. The guidance allows confirmation of approval of the planning template by Health and Wellbeing Board following submission of the plan to NHS England. Quarterly monitoring reports on the operation and performance of the BCF are required to be approved by the Health and Wellbeing Board each year.

The BCF Policy Framework requires that BCF Plan be agreed by the appropriate governance arrangements of the ICB as well as the Health and Wellbeing Board.

### 1.5.3 The Value of the Better Care Fund

The minimum value of the North Tyneside BCF is set nationally. Table 1 below shows the value in the current year, and changes from previous years.

Table 1

Income Component	2023/24	2024/25	% change this year
Minimum CCG Contribution	20,420,347	21,576,138	5.66%
Improved Better Care Fund	9,578,514	9,578,514	0.00%
Discharge Support Fund	2,206,549	3,962,888	66.41%
Disabled Facilities Grant	1,869,024	2,038,639	9.08%
Disabled Facilities Grant carried forward	1,257,308	1,257,308	0.00%
<b>Grand total</b>	<b>35,331,742</b>	<b>38,413,487</b>	<b>7.90%</b>

The national framework also stipulates minimum contributions to be paid by the ICB to adult social care, and minimum spend on NHS-commissioned out of hospital services.

Table 2

	2023/24	2024/25	% change this year
CCG minimum contribution to adult social care	13,007,385	13,743,603	5.66%
NHS commissioned out-of-hospital spend	5,802,883	6,131,326	5.66%

### 1.5.4 The Schemes within the BCF Plan

The schemes within the BCF Plan are, in the main, a continuation from 2023/24. The Discharge Support Fund was introduced in autumn 2022/23 and has continued into 2023/24 and 2024/25. The plan for spending the Discharge Support Fund in 2022/23 and 2023/24 focussed on step down beds in residential and nursing care and within extra care facilities. The focus on beds was, in part, due to capacity shortages in the homecare market which has now recovered. For 2024/25 it is proposed that the system will continue to fund step down arrangements in extra care schemes but that the use of other step-down beds is reduced and that resources are re-invested in community provision to support our 'Home First' ethos.

### 1.5.5 Requirement under the Policy Guidance

The Planning Addendum did not make any changes to the national conditions of the Better Care Fund which remain.

1. A jointly agreed plan between local health and social care commissioners, signed off by the Health and Wellbeing Board.
2. Enable people to stay well, safe and independent at home for longer and,
3. Provide the right care in the right place at the right time.
4. Maintaining NHS's contribution to adult social care and invest in NHS out of hospital services.

#### Metrics

The Policy Framework mandates the setting of targets to support the national conditions with the Planning Addendum requiring the setting of four targets initially. Additional measures may be added during the year as data collections develop.

1. Permanent admissions of older people to residential care
2. Unplanned hospitalisations due to chronic ambulatory care sensitive conditions
3. Unplanned admissions resulting from falls in the 65+ age group (new for 23-25)
4. Hospital discharge to normal place of residence

This plan provides continuity with the previous BCF plan. The COVID-19 pandemic accelerated the provision of hospital discharge services based on a "home-first" approach, which was already under way. Our priorities for 2024/25 and beyond are to continue progress in the establishment of an integrated frailty service, and to maintain and improve admission avoidance and hospital discharge services, thus supporting hospital capacity.

A refreshed planning template on demand and capacity for intermediate care forms part of the assured BCF plans this year.

### **1.5.6 The impact of the Better Care Fund**

The Better Care Fund continues to play a key role in integrating health, social care and housing. The fund provides the governance and a context in which the NHS and local authorities work together, as equal partners, with shared objectives.

The BCF plan has enabled us to have a single, local plan for the integration of health and social care which has improved joint working and had a positive impact on integration. This has helped to relieve pressure on the health care system, with system performance in the North-East remaining relatively strong against a difficult picture nationally.

The BCF accounts for 21% of adult social care revenue expenditure. Hence, we would be unable to maintain the current level of services without the benefit of the Better Care Fund income.

### **1.6 Decision options:**

The following decision options are available for consideration by Cabinet

#### Option 1

- a) Approve the draft BCF Plan for submission and consideration by the Health and Wellbeing Board.
- b) Authorise the Director of Adult Services, in consultation with the Lead Member to agree further changes to the Plan before submission to NHS England on 10 June 2024 or following consideration by the Health and Wellbeing Board on 20 June 2024.
- c) Authorise the Director of Adult Services, in consultation with the Director of Resources and the Head of Law, to enter into an Agreement under section 75 of the National Health Service Act 2006 and to implement the financial and administrative arrangements for the Better Care Fund.

#### Option 2

Not agree to Option 1 and to propose an alternative approval mechanism to ensure that the BCF Plan can be submitted by 10 June 2024 and an Agreement

under section 75 of the National Health Service Act 2006 is entered into before 30 September 2024.

Cabinet is recommended to agree Option 1.

## 1.7 Reasons for recommended option

The continuation of the Better Care Fund presents an opportunity to take forward the principles of the Health and Wellbeing Strategy. If the requirement to submit a BCF Plan by 10 June 2024 and enter into a Section 75 Agreement is not met by 30 September 2024 the release of funds by NHS England could be delayed.

## 1.8 Appendices:

Appendix 1 - [The North Tyneside Better Care Fund Planning Template 2024-25](#)

Appendix 2 - [The North Tyneside Better Care Fund Narrative Plan](#)

### Contact officers:

Scott Woodhouse, Head of Commissioning, Adult Social Care. Tel (0191) 643 7082.

Sue Graham, Better Care Fund Manager. Tel (0191) 643 4036

## 1.9 Background information:

The following background papers have been used in the compilation of this report:

1. 2023-2025 Better Care Fund Policy Framework. Department of Health and Social Care and the Department for Levelling Up, Housing & Communities. [2023 to 2025 Better Care Fund policy framework - GOV.UK \(www.gov.uk\)](#)
2. Better Care Fund Planning Requirements for 2023 to 2025. Department of Health and Social Care and the Department for Levelling Up, Housing & Communities. [NHS England » Better Care Fund planning requirements 2023-25](#)
3. Better care Fund Planning Addendum 2024-25 [Addendum to the 2023 to 2025 Better Care Fund policy framework and planning requirements - GOV.UK \(www.gov.uk\)](#)
4. Equality Impact Assessment for Commissioned Services [Commissioning EqIA BAU 23](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The plan does not of itself create additional demands for the Authority's services above those which are created by the growth of our population and in particular the number of elderly and vulnerable people we serve.

As in previous years, the Authority is in discussion with the ICB to create a section 75 pooled budget to operationalise the BCF.

### **2.2 Legal**

The National Health Service Act 2006 gives NHS England the powers to attach conditions to the payment of the Better Care Fund Plan. Amongst other things, the Better Care Fund planning requirements for 2023-25 published by NHS England have set a requirement that the Health and Wellbeing Board agrees the BCF plan as well as the ICB. The Health and Wellbeing Board will consider the BCF Plan on 20 June 2024. The 2023-25 Requirements also require the Authority and the ICB to enter into an Agreement under section 75 of the National Health Service Act 2006 to obtain funding through BCF.

This report also seeks authority for the Director of Adult Services to enter into an Agreement under section 75 of the National Health Service Act 2006 on behalf of the Authority.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

#### **2.3.2 External Consultation/Engagement**

The Health and Wellbeing Board will consider the BCF Plan on 20 June 2024.

The Better Care Fund (BCF) plan has evolved over a number of years as an element of the implementation of the North Tyneside Future Care strategy, shaped by the Future Care Programme Board which was our place-based planning mechanism (now replaced by the North Tyneside Health, Care and Wellbeing Executive). The Future Care Programme Board included representatives of the local NHS providers, social care, primary care networks, representatives from the voluntary sector, North Tyneside Carers Centre, and the Community and Health Care Forum. As such, wide representation from a full range of stakeholders took part in developing the Better Care Fund Plan 2023-25. Newer initiatives developed under the Discharge Support Fund have involved discussions with Northumbria Healthcare Foundation NHS Trust and Newcastle Hospitals NHS Foundation Trust in addition to the ICB.



## 2.4 Human rights

There are no human rights implications arising directly from this report.

## 2.5 Equalities and diversity

There are no changes to services funded by the Better Care fund so there are no equality and diversity implications arising directly from this report. BCF services are particularly used by older and disabled persons, in accordance with their needs. As they form part of business-as-usual services, the BCF funded services have been subject to Business-as-Usual Equality Impact Assessments

## 2.6 Risk management

The Better Care Fund Partnership Board maintains a risk assessment for the BCF.

## 2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

## 2.8 Environment and sustainability

There are no environment and sustainability implications arising from this report.

### PART 3 - SIGN OFF

- Chief Executive
- Director(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive