

<b>Report to:</b>	<b>HEALTH AND WELLBEING BOARD</b>
<b>Date:</b>	14 March 2024
<b>Executive Member/Reporting Officer:</b>	<p>Councillor Eleanor Wills – Executive Member for Population Health &amp; Wellbeing</p> <p>Councillor John Taylor – Executive Member for Adult Social Care, Homelessness and Inclusivity</p> <p>Stephanie Butterworth – Director of Adult Services</p> <p>Trish Cavanagh – Deputy Place Based Lead, Tameside Locality</p>
<b>Subject:</b>	<p><b>2023/24 SECTION 75 AGREEMENT</b></p> <p><b>TAMESIDE METROPOLITAN BOROUGH COUNCIL AND NHS GREATER MANCHESTER – TAMESIDE LOCALITY INTEGRATED CARE BOARD</b></p>
<b>Report Summary:</b>	<p>The report provides details of the budgets that are pooled in 2023/24 between the Council and NHS Greater Manchester, Tameside Locality Integrated Care Board (ICB) as part of the mandatory agreement under Section 75 of the National Health Service Act (2006).</p> <p>It is a national requirement that locality Health and Wellbeing Boards provide assurance to NHS Better Care Fund that section 75 agreements have been approved.</p>
<b>Recommendations:</b>	<p>That the Health and Wellbeing Board approves the 2023/24 section 75 agreement between the Council and NHS Greater Manchester, Tameside Locality Integrated Care Board as outlined in the report and at <b>Appendix 1</b>. The agreement will require sealing by both organisations once approved.</p>
<b>Links to the Health &amp; Wellbeing Strategy:</b>	<p>The Better Care Fund is one of the government’s national vehicles for driving health and social care integration. It requires Integrated Care Board’s (ICB) and local government to agree a joint plan, approved by the Health and Wellbeing Board.</p> <p>These are joint plans for using pooled budgets to support integration, governed by an agreement under section 75 of the NHS Act (2006).</p>
<b>Financial Implications: (Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>The report provides details of the 2023/24 Tameside locality Better Care Fund (BCF) plan budget that is included in the Section 75 agreement. (<b>Appendix 1</b> refers).</p> <p>The 2023/24 locality BCF plan was formally approved by the Health and Wellbeing Board on 15 June 2023.</p> <p>The plan included the following funding allocations awarded to the Tameside locality for the financial year periods 2023/24 and 2024/25</p> <ul style="list-style-type: none"> <li>- Revenue Funding <ul style="list-style-type: none"> <li>• Core Better Care Fund</li> <li>• Improved Better Care Fund</li> <li>• Discharge Funding</li> </ul> </li> <li>- Capital Funding</li> </ul>

- Disabled Facilities Grant

Table 1 provides details of the BCF funding awarded in 2023/24 and included in the Section 75 agreement. This is the total funding that is included in the agreement and complies with the national NHS Better Care Fund assurance requirements.

**Table 1**

	2023/24 Funding		
	Council	ICB	Total
	£ m	£ m	£ m
<b>Revenue</b>			
Better Care Fund	13.145	7.427	20.572
Improved Better Care Fund	12.585	0	12.585
Discharge Fund	1.765	1.598	3.363
<b>Sub Total</b>	<b>27.495</b>	<b>9.025</b>	<b>36.520</b>
<b>Capital</b>			
Disabled Facilities Grant (DFG)	2.849	0	2.849
DFG - Additional	0.249	0	0.249
<b>Sub Total</b>	<b>3.098</b>	<b>0</b>	<b>3.098</b>
<b>Total</b>	<b>30.593</b>	<b>9.025</b>	<b>39.618</b>

The 2023/24 revenue funding allocations awarded to the Council are included within the 2023/24 Adult Services net revenue budget of £44.339m. The Disabled Facilities Grant allocation is included within the Council's 2023/24 Adult Services capital programme.

The revenue and capital budget allocations are subject to robust monthly monitoring within the Adult Services Directorate budgets during the 2023/24 financial year, the details of which are reported to the Council's Executive Cabinet. Each of the funding allocations are also be monitored in accordance with their related grant conditions.

**Legal Implications:  
(Authorised by the  
Borough Solicitor)**

Section 31 of the Local Government Act 2003 enables grants to local government (improved Better Care Fund & Disabled Facilities Grant) to be paid on condition they are pooled into a Better Care Fund (BCF) Plan. The detail is set out in HM Government & NHS England's Better Care Fund Planning Requirements 2003 - 5. These requirements say that BCF plans must be agreed by the Integrated Care Boards (ICBs) (in accordance with ICB governance rules) and Chief Executives of local councils, prior to being signed off by the Health and Wellbeing Boards (HWBs). Once agreed and approved, funding must be placed onto one or more pooled funds under s 75 of the NHS Act 2006. It is therefore important that this governance is followed in order to ensure compliance.

Areas can agree to pool additional funds into their BCF plan and associated s 75 agreements where they are assured that voluntary pooling provides value for money. The Chief Executive and Members of the Health and Wellbeing Board must therefore be so assured.

There should also be a local scheme of governance for plans that demonstrates how the plan has been signed off, and how oversight and ongoing delivery and performance of the s 75 agreement will be achieved. This includes the assessment of health inequalities and equality for people with protected characteristics under the Equality Act 2020, together with a consideration of local government's priorities under the same.

The Council's duties under the Care Act 2014 (Re-ablement, carers breaks, carers support) are supported through this funding mechanism, as is the Council's statutory duty to provide Disabled Facilities Grants.

This 2023 - 5 policy framework sets national performance objectives, which must be included in BCF plans, and quarterly reporting is recommended to be built in to s 75 agreements. This agreement refers to regular reporting in Schedule 2.

Members and officers should be alert to the potential for an intervention and escalation process to be invoked by NHS England for non-compliance or failure to meet performance objectives.

**Risk Management:**

This report sets out how the locality 2023/24 Better Care Fund allocation is pooled to ensure compliance with national NHS Better Care Fund requirements.

**Access to Information:**

The background papers relating to this report can be inspected by contacting the report writer, Stephen Wilde



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## 1. INTRODUCTION

- 1.1 The Better Care Fund (BCF) was established by the Government pursuant to the Care Act 2014 to provide funds to local areas to support the integration of health and social care to achieve mandatory National Conditions and Local Objectives. It is a National Health Service England requirement that the Council and locality Integrated Care Board (ICB) establish a pooled fund for this purpose.
- 1.2 A section 75 agreement under the National Health Service (NHS) act 2006 must be updated annually and set out the detail of budget areas pooled for the respective financial year.
- 1.3 It is a national NHS Better Care Fund assurance requirement that all BCF funding awarded to localities is pooled within a section 75 agreement as a minimum.
- 1.4 The 2023/24 Tameside Locality section 75 agreement (**Appendix 1**) solely includes the Better Care Fund (BCF) awarded to the locality.

## 2. BETTER CARE FUND – 2023/24

- 2.1 The core purpose of BCF is to support people to live healthy, independent and dignified lives, through joining up health, social care and housing services seamlessly around the person. The two core BCF objectives are:
  - Enable people to stay well, safe and independent at home for longer
  - Provide the right care in the right place at the right time
- 2.2 The BCF is one of the government's national vehicles for driving health and social care integration. It requires Integrated Care Boards (ICB) and local authorities to agree a joint plan that is approved by the respective Health and Wellbeing Board.
- 2.3 BCF planning information in 2023/24 is collected in a way that provides more data on the activity that BCF finances, and the contribution of integrated working to improving outcomes for local people. These include
  - Outputs from scheme types related to discharge, intermediate care unpaid carers and housing.
  - Allocations of BCF on different services and activities as a proportion of all health and care expenditure on these services in the Health and Wellbeing Board (HWB) area.
- 2.4 The BCF policy framework sets national metrics that must be included in local BCF plans. For 2023/24, the data collected has been expanded to include capacity and demand data for intermediate care in the locality is capturing and reporting on short term capacity. This includes the wider care market, with the clear link being made to expenditure against the Market Sustainability and Improvement Fund (MSIF), which makes provision for long term social care capacity.
- 2.5 As in previous years, the NHS contribution to the BCF includes funding to support the implementation of the Care Act 2014. In addition, BCF includes the Disabled Facilities Grant (DFG), Improved Better Care Fund (iBCF). For 2023/24, the national discharge funding has also been aligned to the BCF reporting processes.
- 2.6 The 2023/24 locality BCF plan was formally approved by the Health and Wellbeing Board on 15 June 2023.

### 3. SECTION 75 FUNDING – 2023/24

- 3.1 **Table 1** provides details of the BCF funding awarded to the Tameside locality in 2023/24 and that is included in the section 75 agreement.
- 3.2 This is the total funding that is included in the agreement and complies with the national NHS Better Care Fund assurance requirements.
- 3.3 The 2023/24 revenue funding allocations awarded to the Council are included within the 2023/24 Adult Services net revenue budget of £44.339m. The Disabled Facilities Grant allocation is included within the Council's 2023/24 Adult Services capital programme.

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<b>Total</b>	<b>30.593</b>	<b>9.025</b>	<b>39.618</b>

### 4. RECOMMENDATIONS

- 4.1 As set out at the front of the report.