

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No:** AHWB.056.2019\_S75\_Council\_CCG\_2019-20 2020\_21

**BOX 1**

**DIRECTORATE:** Adults Health and Wellbeing

**DATE:** 13/12/2019

**Contact Name:** Jonathan Bucknall

**Tel. No.:** 01302 734547

**Subject Matter:** Better Care Fund and Improved Better Care Fund contractual agreement between Doncaster Council and Doncaster Clinical Commissioning Group (DCCG).

**BOX 2****DECISION TAKEN**

To approve the Section 75 Agreement relating to the transfer of funds between DCCG and Doncaster Council and the governance and scheme arrangements relating to the Better Care Fund, Improved Better Care Fund, Winter Pressures & Disabled Facilities Grant for 2019/2020 with an option to extend the Agreement for 2020/2021.

**BOX 3****REASON FOR THE DECISION**

The Better Care Fund ("BCF") is a programme spanning both the NHS and local government to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them with 'wraparound' fully integrated health and social care, resulting in an improved experience and better quality of life. The Improved Better Care Fund ("IBCF") which includes £452k carried forward from 18/19, Winter Pressures and Disabled Facilities Grant are additional elements to the Better Care Fund, which are paid as direct grants to Councils, but must be pooled into the local BCF plan.

This ODR concerns the BCF, IBCF, Winter Pressures and Disabled Facilities Grant pooled budgets between Doncaster Clinical Commissioning Group (Doncaster CCG) and Doncaster Council for the financial year 2019/20. The pooled budgets sit under Section 75 of the NHS Act 2006 and the transfer of money from the CCG to the Council comes as a grant under Section 256 of the same Act.

Approval is sought to formalise this fund transfer arrangement and the related budget and governance arrangement of various schemes via the signing of a Section 75 Agreement. The

previous agreement used for 2018/19 has been updated to reflect the addition of the IBCF, Winter Pressures and Disabled Facilities Grant and the Better Care Fund Plan.

The Section 75 Agreement will be for one year and the pooled budget will amount to £42.282M of which the Council will fund £26.424M as agreed at:

- Full Council on 4<sup>th</sup> March 2019 (Appendix D pages 46 – 52 of the Revenue Budget Report 19/20 - iBCF £12.185M + £2.136M, Winter Pressures £1.510M, BCF £7.541M (actual BCF funding allocation for 19/20 was not confirmed at this stage; actual BCF funding is now confirmed for 2019/20 at £7.689M).
- Page 108 of the Capital Strategy & Capital Budget 19/20 to 22/23) Disabled Facilities Grant £2.452M (only the DFG element is subject to this agreement).
- Carry forward iBCF from the period 2018/2019 £452K

Under the Better Care Planning Requirements for 19/20 from NHS England, a condition of the funding for the grants identified in this ODR is that the spending plans must be agreed by the Health & Wellbeing Board and a Section 75 Agreement be in place. The Health and Wellbeing Board approved the 19/20 plan on 5<sup>th</sup> September 2019.

The Section 75 Agreement has an option to extend for a further year to cover the financial year 2020/21. A further ODR will be required to exercise the option to extend.

#### **BOX 4**

##### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

**Option 1** – Do not accept. This is not an option as joint working to meet the requirements for transforming Doncaster’s health and social care needs is a key priority for both the Doncaster Council and the CCG and the receipt of the funding is dependent upon a signed contract between both parties.

**Option 2 (recommended)** – Accept the funds and approve the signing of the Agreement.

#### **BOX 5**

##### **LEGAL IMPLICATIONS**

Section 1 of the Care Act 2014 places a duty on the Council to promote an individual’s physical and mental health and emotional well-being.

Section 1 of the Localism Act 2011 provides the Council with a power to do anything that an individual generally may do.

Under Section 75 of the NHS Act 2006 (as amended), the Secretary of State can make provision for local authorities and National Health Service (NHS) bodies to enter into partnership arrangements in relation to certain functions, where these arrangements are likely to lead to an improvement in the way in which those functions are exercised.

The powers and joint arrangements possible under Section 75 of the NHS Act 2006 are used extensively by health bodies and local government to support and underpin more effective joint working, and to help drive integration across health and social care. The Better Care Fund and

Improved Better Care Fund are being implemented at local level through local pooled funding arrangements ('Section 75 Agreements'), making use of the powers available through Section 75 of the NHS Act 2006.

**Name: Paula Coleman Signature: By e-mail Date: 17<sup>th</sup> December 2019**

Signature of Assistant Director of Legal and Democratic Services (or representative)

**BOX 6**

**FINANCIAL IMPLICATIONS:**

A breakdown of the agreed pooled budget between the Doncaster Clinical Commissioning Group (Doncaster CCG) and Doncaster Council for 2019/20 is shown in Appendix A. 2020/21 budgets are still to be confirmed. BCF is expected to increase by 3.4% and this will be built into the 2020/21 budget setting process to be approved at full Council along with Winter Pressures, iBCF and the capital allocation of DFG.

2019/20 Doncaster CCG will receive £23.547M Better Care Funding from NHS England and as part of the pooled budget arrangement, of which £7.689M has been agreed to be transferred from the CCG to Doncaster Council for transformational Better Care Funded projects, the CCG will retain £15.858M. Further funding from NHS England paid direct to Doncaster Council includes iBCF £14.321M (£12.185M + £2.136M), Winter Pressures Grant £1.51M and DFG £2.452M (Disabled Facilities Grant (DFG)). In addition to 2019/20 funding allocations, the funding plan submitted to NHS England also included £452K 'LA Additional Contribution' which is the iBCF underspend from 18/19 giving a total pooled budget arrangement of £42.282M.

Doncaster CCG BCF	Doncaster Council BCF	Doncaster Council iBCF	Doncaster Council iBCF carried forward from 18/19	Doncaster Council Winter Pressures	Doncaster Council DFG
£000's	£000's	£000's	£000's	£000's	£000's
£15,858	£7,689	£14,321	£452	£1,510	£2,452

There is an agreed Better Care Plan to demonstrate how the Transformational Better Care Funded projects will be spent under this Agreement and this has been agreed as part of the revenue budget setting process and approved at Full Council on 4<sup>th</sup> March 2019 (Appendix D pages 46 – 52 of the Revenue Budget Report 19/20). The budget report also includes the use of iBCF and Winter Pressures Grant to meet adult social care needs and reduce pressures on the NHS. As per the conditions of the funding from NHS England the 2019/20 Plan was approved at the Health & Wellbeing Board on 5<sup>th</sup> September 2019 and subsequently was submitted to NHS England where approval was confirmed on 28<sup>th</sup> October 2019.

The capital spend against DFG has been agreed as part of the capital budget setting process at Full Council on 4<sup>th</sup> March 2019 (page 108 Capital Strategy & Capital Budget 19/20 to 22/23).

**Name: Helen Rowlands Signature: \_by email\_ Date: 18/12/19**

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7****OTHER RELEVANT IMPLICATIONS**

 N/A

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8**

**EQUALITY IMPLICATIONS:** (To be completed by the author).

The Better Care Funds will be used to meet a wide range of health and social care needs within the Doncaster borough, and in many cases, they are used to support those most vulnerable. To not approve the formalising of the contract between Doncaster CCG and Doncaster Council will mean that the Council doesn't receive those funds and therefore this very much limits our ability to meet these needs.

**BOX 9**

**RISK IMPLICATIONS:** (To be completed by the author)

To not approve the formalising of the contract between Doncaster CCG and Doncaster Council will mean that the Council is not able to receive Better Care Fund and Improved Better Care Fund monies which will have a negative effect and in certain areas, significantly impacting upon the transformation and delivery of health and social care services for the borough of Doncaster.

**BOX 10****CONSULTATION**

This is an on-going fund. Other than the joint officer groups (CCG/Doncaster Council) which includes the Director of Public Health, no consultation has been undertaken.

**BOX 11****INFORMATION NOT FOR PUBLICATION**

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures.

Name: Gillian Parker Signature by email Date: 19/12/2019

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12****BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR **YES/NO**

(If YES please list and submit these with this form)

**BOX 13  
AUTHORISATION**

**Name: Phil Holmes**

**Signatur**



**Date: 20/12/2019**

Director Adults Health & Wellbeing

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**YES/NO**

**If yes please authorise below:**

**Name: Debbie Hogg**

**Signature:**



**Date: 03/01/2020**

Director of Corporate Resources

**Consultation with Relevant Member(s)**

**Name: Cllr Rachael Blake**

**Signature:**



**Date: 20<sup>th</sup> December 2019**

**Designation Cabinet Member for Adult Social Care**

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest ~~YES~~/NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.

## Appendix A

### BETTER CARE FUND SUMMARY 19/20

Commissioning Lead	BCF Workstream	Budget Required/Plan 2019/20 £'000
CCG	Carers Support Services & Breaks	860
CCG	Liaison Schemes (RDASH)	654
CCG	Care Home Liaison (RDASH)	362
CCG	Discharge Schemes inc Early Supported Discharge	436
CCG	Bed Based Intermediate Care (RDASH)	3,780
CCG	Mental Health Crisis Services (RDASH)	1,780
CCG	Dementia Alliance - NEW	888
CCG	EOL and Domiciliary Care - NEW	1,396
CCG	Unplanned Nursing	4,642
CCG	Discharge to Access Beds	1,060
		<b>15,858</b>

DMBC	Falls Development Programme (Age UK)	50
DMBC	Well North Project	178
DMBC	Community mobile day service / borough wide	125
DMBC	Dementia mobile day services	46
DMBC	Winter Warm	85
CCG	Enhancement of Dementia support services (Alzheimer's dementia cafés )	77
DMBC	The Admiral service (making space)	88
DMBC	Hospital based Social Workers	213
DMBC	Home from Hospital (Age UK)	72
DMBC	Integrated health and social care information management systems - (Caretrak)	25
DMBC	Telecare Strategy	218
DMBC	HEART	659
DMBC	Dementia Advisor (Age uk)	32
DMBC	STEPS / OT service	1,657
DMBC	RAPT	110
DMBC	(Positive Steps) Social care Assessment Unit	1,917
DMBC	Hospital Discharge Worker	28
DMBC	SPOC/One Point 1	92
CCG	Intermediate Care and support strategy	170
DMBC	Mental Health - Doncaster Mind	245

DMBC	PMO (Programme Management Office and Development)	181
DMBC	Disabled Go	8
DMBC	Adults Health and Wellbeing – Creative Options for Learning Disability service users	673
DMBC	CLS Community lead support	540
DMBC	Carers Support Services & Breaks	200
		<b>7,689</b>

DMBC - DFG	Disabled Facilities Grants - capital funding	2,452
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Commissioning Lead	iBCF Workstream	Budget Required/Plan 2019/20 £'000
DMBC	Contracts - Resi, HomeCare & Supported Living, including National Living Wage	2,225
DMBC	Pay Inflation & Living Wage (for AWHB staff)	407
DMBC	Re-investment to reflect increasing volumes & average costs across Social Care Services & to remove undeliverable savings targets	5,282
DMBC	Demographics - Increasing Demand	1,292
DMBC	Direct Payments	990
DMBC	Individual Budgets	1,094
DMBC	Business Intelligence	100
DMBC	Transitions from LOCYP to Adults	795
DMBC	Money Management	79
DMBC	Intermediate Care / DTOCS	24
DMBC	Transformation Resources	1,976
DMBC	SAPAT - review team	57
		<b>14,321</b>

Commissioning Lead	Winter Pressures	Budget Required/Plan 2019/20 £'000
DMBC	Single Point of Access Team - additional social work capacity at the front door	177
DMBC	STEPS - additional social work and OT capacity	59
DMBC	Dom Care Contract - price increase to match employment competitors	185
DMBC	Short Stay/Respite	100
DMBC	Social Care & Increasing Demand	989
		<b>1,510</b>