

# WESTMORLAND AND FURNESS COUNCIL

## Cabinet

<b>Report Title</b>	Better Care Fund Submission 2023-24
<b>Date of Meeting</b>	6 June 2023
<b>Report Author</b>	Colin Phipps
<b>Director</b>	Cath Whalley – Direct of Adult Social Care Pam Duke – Director of Resources (S151)
<b>Lead Cabinet Member</b>	Cllr Patricia Bell – Deputy Leader of the Council Cllr Andrew Jarvis – Cabinet Member for Finance
<b>Why is this a key decision?</b>	1. Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates. For these purposes, savings and expenditure are “significant” if they are equal to or greater than £500,000 and/or <b>YES</b> 2. Is likely to be significant in terms of its effects on communities living or working in an area comprising one or more wards in the area of the Council <b>YES</b>
<b>Wards Affected</b>	All
<b>Identify exempt information and exemption category</b>	N/A
<b>Reasons for urgency (only where applicable)</b>	N/A
<b>Appendices (if any)</b>	Appendix 1

### 1. Executive Summary

- 1.1 This report provides a summary of the health and social care pooled fund the Better Care Fund. The report asks Cabinet to approve the priority areas identified in the report and asks for delegations to be put in place to enable the Better Care Fund to be submitted to the Westmorland and Furness Health and Wellbeing Board for sign off to allow the final submission to NHS – England/Better Care Fund Team on the due date of June 28<sup>th</sup> 2023.

### 2. Recommendations

For the reasons set out in this report, Cabinet is recommended to:

- 2.1 That Cabinet agrees to delegate to the Director of Adult Social Care and the Director of Resources (S151) in consultation with the Leader, Deputy Leader, Cabinet Member for Finance and the Chief Executive the authority to approve the Better Care Fund for submission to the Westmorland and Furness Health and Wellbeing Board for sign off to enable the final Submission to the NHS – England/Better Care Fund Team.

- 2.2 That Cabinet approve the priority areas identified in para 3.13 of the report to be supported by the Better Care Fund.
- 2.3 That Cabinet agrees to delegate to the Director of Adult Social Care and the Director of Resources (S151) in consultation with the Leader, Deputy Leader, Cabinet Member for Finance and the Chief Executive to submit proposals to the Westmorland and Furness Health and Wellbeing Board related to virements and/or changes to the Better Care Fund submission during its 2023-2025 delivery plan period to ensure flexibility to most effectively meet challenges within the health and social care system.
- 2.4 The Cabinet agrees to delegate to the Director of Adult Social Care and the Director of Resources (S151) in consultation with the Leader, Deputy Leader, Cabinet Member for Finance and the Chief Executive the authority to approve the Section 75 pooled fund agreement that the Council and the relevant Integrated Commissioning Boards will be required to enter into following NHS – England’s approval of the Better Care Fund submission.

### **3. Information: the Rationale & Evidence for the Recommendations**

- 3.1 Since 2015 The Better Care Fund has been a pooled fund arrangement by NHS and Local Authority partners that was designed to incentivise integrated delivery of health and social care. The Better Care Fund has evolved over that period and is now a collection of different grants (detailed below) to achieve core objectives.
- 3.2 The current grant components for 2023/24 that make up the totality of the Better Care Fund for Westmorland and Furness that are currently under discussion with the relevant Integrated Care Boards are:
- Minimum NHS Contribution - £19.504m. This is funding made up from the Lancashire and South Cumbria Integrated Commissioning Board and the North East and North Cumbria Integrated Commissioning Board. This is split into two parts; the Adult Social Care services spend £13.167m and the NHS Commissioned Out of Hospital Spend £6.337m.
  - The improved Better Care Fund which is a grant directly paid to the local authority £9.304m. The rebased improved Better Care Fund allocation for Westmorland and Furness is less than the proposed allocation to schemes and therefore creates a £770k funding pressure. Previously on a Cumbria wide footprint the funding matched the cost of the identified schemes but in the revised funding allocation (determined by NHS England) there is difference. Options to mitigate against this pressure remain under discussion but currently include, re-profiling the deployment of the Minimum NHS contribution uplift (estimated at circa £0.9m) and or reviewing aspects of schemes supported by the improved Better Care Fund to reduce the annual cost or reprioritise them.
  - The Disabled Facilities Grant, directly paid to the local authority of £2.786m
  - The Additional Discharge Fund. This is in two parts, a grant that is directly paid to the local authority (£1.304m) and a contribution from the

two relevant Integrated Commissioning Boards which at the time of writing remains under discussion.

3.3 On 4 April 2023 the Department of Health and Social Care and the Department for Levelling Up, Housing and Communities released the 2023-2025 Better Care Fund policy framework which confirms the conditions and planning requirements for the for the Better Care Fund for 2023 to 2025. The vision for this policy framework is underpinned by two core objectives:

- Enable people to stay well, safe and independent at home for longer
- Provide people with the right care, at the right place at the right time

The policy framework is designed to support the key priorities of the NHS Long Term Plan by joining up the plan for recovering urgent and emergency care (UEC) services and the delivery of the Next steps to put People at the Heart of Care. The policy framework confirmed that systems must make their submissions to NHS England/Better Care Fund Team by 28<sup>th</sup> June 2023.

3.4 As well as supporting the transition of people out of hospital, admission avoidance, avoiding where possible long term residential care and promoting independence in the community the Better Care Fund is designed to join up services and support for unpaid carers, housing support, collaborative working the voluntary sector and public health.

3.5 The commitment to funding on the national basis for the next 2 years is set out below (note the final figure for the improved Better Care Fund is to be confirmed and other areas will need to be confirmed at a local level for 2024/25):

<b>BCF funding contributions</b>	<b>2023 to 2024 (£m)</b>	<b>2024 to 2025 (£m)</b>
<b>Minimum NHS Contribution</b>	4,759	5,029
<b>improved Better Care Fund</b>	2,140	2,140 (TBC)
<b>Disabled Facilities Grant</b>	573	573
<b>Discharge Funding</b>	600	1,000
<b>Total</b>	<b>8,072</b>	<b>8,741</b>

3.6 There are four national conditions and metrics for the Better Care Fund which must be met for local system plans/submissions to be approved.

3.7 National condition1: a jointly agreed plan between local health and social care commissioners with the final sign off required by the local Health and Wellbeing Board. This includes an agreement on the use of mandatory BCF funding streams, an assessment of capacity and demand for intermediate care services and ambitions for making progress against the national metrics. This requires the Council along with its partners; The Lancashire & South Cumbria Integrated Commissioning Board and The North East and North Cumbria Integrated Commissioning Board to agree the plan that can be submitted to the Westmorland and Furness Health and Wellbeing Board for their sign off which enables the plan to be submitted to NHS England/Better Care Fund Team. Noting the spend of the Better Care Fund will be split between the Council and the Integrated Commissioning Boards.

- 3.8 National condition 2: implementing the policy objective “enabling people to stay well, safe and independent at home for longer”. There should be a focus on promoting people’s independence in the community and addressing the health, social care and housing needs of those who are at risk of reduced independence. This focus should draw on the High Impact Change Models for reducing preventable admissions to hospital and long term care and improving health and wellbeing through housing.
- 3.9 National condition 3: implementing the policy objective “providing the right care, at the right place at the right time”. This includes ensuring people are discharged to the right place, at the right time, and with the right support that maximises their independence and leads to the best possible sustainable outcomes.
- 3.10 National Condition 4: maintaining NHS contribution to adult social care (in line with the uplift to the NHS minimum contribution to the BCF) and investment in NHS commissioned out of hospital services.
- 3.11 Beyond the 4 conditions (and the separate grant conditions of the Adult Social Care Discharge Fund), areas have flexibility in how the fund is spent across health, care and housing schemes or services, but need to agree ambitions on how this spending will improve performance against the BCF 2023 to 2025 metrics
- 3.12 The metrics for the Better Care Fund for 2023 to 2025 will include:
- Discharge to usual places of residence
  - Discharge metric ahead of winter 2023
  - Proportion of people discharged who are still at home after 91 days
  - Admissions to residential and care homes
  - Unplanned admissions for ambulatory sensitive chronic conditions
  - The proportion of older people who were still at home 91 days after discharge from hospital into reablement or rehabilitation services
  - Emergency hospital admissions due to falls in people over 65
  - Outcomes following short-term support to maximise independence
- 3.13 The Better Care Fund currently supports a number of key services delivered by the Council that meet the requirements of the Better Care Fund, ensures that the Council can meet its statutory requirements as set out in the Care Act 2014 and meets the health and social care needs of the population of Westmorland and Furness. To achieve the above the core priority areas identified are:
- Support for unpaid carers
  - Community equipment and assistive technology
  - Care management (social workers and occupational therapists)
  - Reablement
  - Advocacy
  - Commissioned packages of care
  - Supporting the social care market

Further information on the allocation of schemes that are currently supported and/or are under negotiation with partners that support these key priority areas are detailed in appendix A. These schemes are currently draft and remain under discussion.

- 3.14 Following the submission of the Better Care Fund plan, NHS England will go through a process of approval. Following approval systems will be expected to quickly agree and sign the Section 75 agreement that underpins the commitments and functioning of the Better Care Fund between partners

**4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)**

- 4.1 The Better Care Fund supports the Council’s priorities for People, Communities, Customers and Workforce by: ensuring that those who deliver care and the people who are in need of care will be supported to the best of our ability to help empower them to achieve their ambitions. Working with voluntary and third sector to support with the delivery of the aims of the Better Care fund. Customers will play a crucial role in the development and co-production of many of the service areas supported by the Better Care Fund. The Better Care Fund will support a health and care workforce that is focused on delivering great services and whom are valued in their role.

**5. Consultation Outcomes**

- 5.1 None that are specific to the Better Care Fund. However individual services areas supported by the Better Care Fund have and will continue to engage and/or consult with key stakeholders, including customers as part of their development.

**6. Alternative Options Considered**

- 6.1 Cabinet could decide not to agree the delegations from the BCF submission process, this could result in a failure to complete the submission by the required date which may potentially place funding at risk.

**7. Financial Implications and risk**

- 7.1 Following confirmation of funding allocations from NHS England and the Department for Levelling Up, Housing and Communities on 4<sup>th</sup> April, the draft 2023/24 Pooled Better Care Fund for Westmorland and Furness totals £32.898m. This is pending confirmation from ICBs in relation to their contribution to the pooled fund for their allocation of health funding for discharges in Westmorland & Furness. It comprises the following different areas of funding:

<b>Funding</b>	<b>£m</b>	<b>MTFP 23/24 £m</b>	<b>Change</b>
BCF Minimum NHS contribution	19.504	19.545	(0.041)
Disabled Facilities Grant	2.786	2.150	0.636

Improved Better Care Fund (iBCF), including Winter Pressures	9.304	9.304	0
Adult Social Care Discharge Fund (also part of the iBCF)	1.304	1.304	0
ICB Discharge Allocations	tbc	tbc	tbc
<b>Total</b>	<b>32.898</b>	<b>32.303</b>	<b>0.595</b>

- 7.2 The Minimum NHS Contribution of £19.504m includes the Adult Social Care minimum mandated investment totalling £13.167m. This funds Adult Social Care activity funded within Council, plans for which are agreed through the Health & Wellbeing Board in conjunction with health partners in line with spend in other areas aligned to the different source of funding for the Pooled BCF. The funding is £0.041m less than estimated when the 23/24 revenue budget was agreed by Council on 7<sup>th</sup> March. As per the detail in Appendix A the allocations to the individual schemes have been updated to reflect the revised funding figure.
- 7.3 The Disabled Facilities Grant figure approved as part of the 2023/24 capital programme was £2.150m. As part of Q1 monitoring this will be increased to reflect the £0.636m increased grant. This grant is ring fenced for this purpose.
- 7.4 For the iBCF the disaggregation of the grant to Westmorland and Furness has resulted in a £0.772m shortfall against previously planned spend in the Westmorland Furness area. As part of the ongoing discussions with ICB partners a decision on how that shortfall will be managed will need to be identified before the proposals are presented to the Health and wellbeing Board.

## **8. Legal and Governance Implications**

- 8.1 The 2023 to 2025 Better Care Fund policy framework updated 5 April 2023 confirms the conditions and funding for the Better Care Fund 2023 to 2025. The BCF requires integrated care boards (ICBs) and local government to agree a joint plan, owned by the health and wellbeing board (HWB) governed by an agreement under section 75 of the NHS Act 2006.
- 8.2 The policy framework provides that plans must be agreed by the ICB and the local authority chief executive, prior to being signed off by the HWB.
- 8.3 Approval of the Council plans for submission to the HWB for final approval is an executive function and is properly a function for the Cabinet. The Cabinet can delegate functions to officers as provided for in this report. Final approval of the plan is a matter for the Health and Wellbeing Board.

## **9. Human Resource and Health & Safety Implications**

- 9.1 The Better Care Fund is utilised by the Council to progress a number of initiatives to maximise independent living and funds a number of Council officers who provide care services to achieve the desired outcomes within the report.

- 9.2 Westmorland & Furness Council has a responsibility under the Health & Safety at Work Act 1974 and associated regulations to ensure, as far as is reasonably practicable, that there are arrangements in place to ensure a healthy and safe working environment for all Council related activity or services commissioned by the County Council.
- 9.3 Whilst there are no direct health and safety implications from the report itself, all Better Care Fund expenditure schemes within the responsibility of the Council require appropriate health and safety management, risk assessments, controls and monitoring arrangements to be in place as per the commitments published in the 2023/24 Annual Health & Safety Policy Statement agreed by Cabinet in April 2023.

**10. Equality and Diversity Implications (including the public sector equality duty, Armed Forces Families, Care Leavers and Health inequalities implications)**

- 10.1 Each of the individual schemes supported by the Better Care Fund will consider equality and diversity implications as required.

**11. Background Documents**

- 11.1 2023 to 2025 Better Care Fund policy framework