

**Meeting: Policy Development and Decision Group**

**Date: 28 June 2017**

**Wards Affected: All**

**Report Title: Integration and Better Care Fund 2017-19**

**Is the decision a key decision? No**

When does the decision need to be implemented? 2017/18 – subject to NHS Guidance due July 2017

**Executive Lead Contact Details:** Councillor Julien Parrott, Executive Lead for Adults and Children, Julien.Parrott@torbay.gov.uk

**Supporting Officer Contact Details:** John Bryant, Head of Integration and Development 01803 208796 [John.bryant@torbay.gov.uk](mailto:John.bryant@torbay.gov.uk)

---

## **1. Proposal and Introduction**

- 1.1 The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.
- 1.2 The BCF has been created 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 integrated health and social care services, resulting in an improved experience and better quality of life.
- 1.3 The application of the funds is agreed each year between the Clinical Commissioning Group (CCG) and the Council, and in Torbay with the input of the Torbay and South Devon NHS Foundation Trust (ICO).

## **2. Reason for Proposal**

- 2.1 The council have an obligation to reach agreement with partners on the pooling of funds in the Better Care Fund (BCF) and this is supported by the Section 75 Agreement.
- 2.2 Section 75 of the 2006 National Health Services Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled

funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions

### **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Mayor be recommended that the approach being adopted in relation to the Better Care Fund be endorsed subject to future guidance from NHS England.

### **Appendices**

Appendix 1: Financial outline of Torbay BCF and Development Funding

### **Background Documents**

**Integration and Better Care Fund 2017-2019-** Department of Health, Department for Communities and Local Government, Local Government Association and NHS England

[http://www.local.gov.uk/sites/default/files/documents/BCF%202017-%202019%20planning%20requirements%20briefing%20slides\\_%20March%202017%20.pdf](http://www.local.gov.uk/sites/default/files/documents/BCF%202017-%202019%20planning%20requirements%20briefing%20slides_%20March%202017%20.pdf)

**2017-19 Integration and Better Care Fund Policy Framework** – Department of Health and Department for Communities and Local Government

<https://www.gov.uk/government/publications/integration-and-better-care-fund-policy-framework-2017-to-2019>

**The Adults Social Care Support Grant Determination 2017/18 No. 31/3065**

**The Improved Better Care Fund Grant Determination 2017/18 No 31/3064**

## Section 1: Background Information

### 1. What is the proposal / issue?

The policy framework for the 2017-19 Integration and Better Care Fund was published April 2017 after the setting of NHS and Local Authority budgets. At the time of writing the final Planning Guidance is still awaited – a November 2016 version has been circulated.

The framework and the subsequent letter to Section 151 officers emphatically states in relation to the Adult Social Care grant:  
*the Government is clear that this money should be used to fund adult social care services and will be additional to current budgeted spend*  
*Guidance documents and financial clarification on numbers attaching to the BCF remain outstanding*

### 2. What is the current situation?

Better Care fund will cover two years and span housing, care health and **other public services.**

These funds are not revenue funds and should not be considered within a base-funding figure. They should be applied to develop and deliver change to support the health and care interface.

The conditions attaching to the fund are:  
In 2017-19, NHS England will require that BCF plans demonstrate how the area will meet the following national conditions:

- **Plans to be jointly agreed;**
- **NHS contribution to adult social care is maintained in line with inflation;**
- **Agreement to invest in NHS commissioned out-of-hospital services, which may include 7 day services and adult social care; and**
- **Managing Transfers of Care (a new condition to ensure people's care transfers smoothly between services and settings)**

The use of the High Impact Changes, reflecting learning and good practice from around the country, are worthy of consideration and referenced as delivery headings in producing a BCF plan. This is likely to support understanding, interpretation and sign-off when the plans are assessed and reviewed by NHS England and the Integration Partnership Board.

The conditions of use applying to the new allocation announced in the Spring Budget 2017 and are incorporated in the Grant Determination Letter (GDL)

issued in April by the Department for Communities and Local Government. The GDL also sets out the conditions applying to the Disabilities Facilities Grant.

At the time of writing the Policy framework for the Improved Better Care Funds has been released but Planning Guidance (the detail) is to follow

Reporting metrics reduced from 8 – 4

- **Delayed transfers of care;**
- **Non-elective admissions (General and Acute);**
- **Admissions to residential and care homes; and**
- **Effectiveness of reablement**

*Whilst no longer a requirement or metric the policy framework states - all areas should be working to embed 7-day services across the health and care system. Shared information, interoperable IT and joint care assessments are critical enablers to deliver integrated services - therefore, we expect every area to continue taking action to build on the progress made in the last two years.*

This provides sound direction to the development of the community resources and the wider partnerships with the necessary infrastructure to support a new model of care.

#### **FLEXIBILITY OF FORM (FOR PERSON CENTRED CARE)**

Integration is available in many forms. Direction is given towards existing models within the policy framework. The present model within Torbay is not the only option. Savings along with care improvements are evidenced elsewhere – signposting is within the documentation and associated resources.

Torbay's Delayed Transfers of Care achievements continue to be positive whilst there always remains head room for improvement. Improvement is through the 'interface of health and care' and reducing presentation at hospital as well as efficient discharge. This will be supported by personalised (individual's own) management of care and support which the policy signposts to in multiple ways.

Touch stone for any model or BCF plans is:

Integrated, preventative, person-centred care. Continued use is made of National Voices'

"I can plan my care with people who work together to understand me and my carer(s), allow me control, and bring together services to achieve the outcomes important to me."

Torbay may wish to use this within its tests of plans

Discharge to Access (Assess) is one of the High Impact Changes listed. There needs to be time for people to benefit from interventions and support and signposting with the clear view of returning them to their own home. The use of care home +/- nursing beds needs to be focussed on intermediate care and step down care. Enhanced Health in Care Homes case studies support the use of care homes whilst the focus continues to be ensuring there is improved community services and support structures to minimise long term admissions to care.

Carers (informal) whilst not one of the metrics are cited as being expected to be considered within each plan. It is expected that this will be considered when plans are being approved by NHS England and the national Integration and Partnership Board (IPB)

Through this BCF round consideration will be given to the further development of VCSE capacity that supports carers through innovative and commercially sound CVS approaches. A range of opportunities exist in this area including circles of support, flexible working, developing peer networks and attention on mental health / wellbeing

In respect of the above items, integrated personal commissioning (IPC) is widely featured and it is anticipated that funding at a local level through the BCF should be discussed but with boundaries being pushed in regard to IPC – both scope and timeframe

It is notable that there is reference to ‘happy at home’ highlighting the opportunity for wellbeing initiatives and work / schemes involving wider council/public/community schemes beyond health interventions.

BCF may or may not continue but there clear expectation is that the approach will be embedded through integrated systems by 2020. It is useful to reiterate that the policy emphasises that BCF funding is for integration and change versus revenue for as-is services.

Professor John Bolton released a discussion paper on Demand and Performance management in Adult Social Care and consideration will be given to some of the measures contained within this paper as to where the BCF funds and the Adult Social Care Grant may be targeted. The demand management may include

pump-priming activities – pump-priming sustainable orientated business plans and the resource to deliver them – that would further develop integration and support financial balance in year 2 and beyond. (the guidance also makes reference to frontloading of investments)

### **FUNDING AND SIGN-OFF AND RECLAIM**

NHS England and ‘Integrated Partnership Board’ will sign off plans before the NHS funding spend is started. Where conditions are not met subject to reference and agreement by minister, NHS funds can be reclaimed.

NHS will develop ‘integration metrics’ for assessing progress on integration.

The Improved Better Care Fund can be spent as soon as agreement between the parties is reached and does not require further sign-off or external agreement. However, it is to be noted that the local authority’s Section 151 officer must:

*Certify that your authority will use the additional funding for adult social care.*  
Alongside the attendant commitment to additionality beyond current spend.

### **REPORTING – GRADUATION**

6-10 areas will be selected as early Graduate applicants. The graduation being the demonstration of having made progress beyond the requirements of the BCF. The first wave applications to be in before end of January. Subsequent waves to follow.

	<p><b>PARTNERSHIP</b> <b>SECTION 75</b></p> <p>Arrangements are being reviewed by the Department of Health; further policy and guidance to follow. The existing Section 75 has been legally reviewed Mar 2017 and found to be fit for existing purposes. This will continue to be used locally whilst awaiting updated, revised guidance.</p> <p><b>DEVON COUNTY COUNCIL</b></p> <p>Alignment will be sought wherever possible with the approaches and reporting structures of Devon County Council. The endeavour is to create a coordinated and consistent approach across the Torbay and South Devon footprint, leverage funds driving market place changes, and minimise duplication and variation in reporting.</p> <p><b>GOVERNANCE</b></p> <p>The (i)BCF will be managed as Part 2 of a meeting of the Social Care Programme Board.</p>
<p><b>3.</b></p>	<p><b>What options have been considered?</b></p> <p>The Better Care Fund is a national mandated initiative which local areas must implement</p>
<p><b>4.</b></p>	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</b></p> <p>The BCF progresses the work that has long been undertaken in Torbay towards integrated services which provide better outcomes for the residents of Torbay. It meets all three principles:</p> <ul style="list-style-type: none"> <li>• <i>Use reducing resources to best effect</i></li> <li>• <i>Reduce demand through prevention and innovation</i></li> <li>• <i>Integrated and joined up approach</i></li> </ul>
<p><b>5.</b></p>	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>People using health and care services in Torbay will be positively impacted by this work. The proposal as to entering into the Better Care Fund arrangement requires no consultation</p>
<p><b>6.</b></p>	<p><b>How will you propose to consult?</b></p> <p>Refer above</p>

## Section 2: Implications and Impact Assessment

7.	<p><b>What are the financial and legal implications?</b></p> <p>See Appendix 1 re the figures The council has made commitments to the BCF in previous years. Following the spring budget 2017 the council were awarded additional funds in the Adult Social Care Grant.</p>
8.	<p><b>What are the risks?</b></p> <p>Should the local partners not agree a Better Care Fund there will be external mediation and involvement for NHS and Local Government Association</p> <p>The guidance from the Department of Health is not yet available due to the election and is unlikely to be forthcoming ahead of the end of July 2017</p> <p>The local partners are progressing work and seeking to reach agreement. There is a risk that the guidance may require this to be revised. However, in terms of making best use of resources and achieving delivery the Local Government Association guidance is being used.</p>
9.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>The agreement is between public bodies and there is no procurement of services</p>
10.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The NHS produce information and continue to keep the council and CCG informed <a href="https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/">https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/</a></p>
11.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>There was no consultation required in relation to entering into the BCF agreement</p>
12.	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>See Above (11)</p>

## Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Yes		
	People with caring Responsibilities	Yes		
	People with a disability	Yes		
	Women or men	Yes		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	Yes		
	Religion or belief (including lack of belief)	Yes		
	People who are lesbian, gay or bisexual	Yes		
	People who are transgendered	Yes		
	People who are in a marriage or civil partnership	Yes		
	Women who are pregnant / on maternity leave	Yes		



	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Yes	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Yes – better integrated care services including reducing Non-elective admissions, reducing long term admissions to care homes, working to reducing Delayed Transfers of Care, and developing reablement for increased independence of clients and patients	
<b>14</b>	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	Positive impacts will be seen from the development of housing initiatives	
<b>15</b>	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	Opportunities exist for wider integrated working with Devon partners and through the Sustainability and Transformation Planning system across Devon’s NHS and social care bodies.	

## Appendix 1. Financial Outline of Torbay BCF and Development Funding

Better Care Fund funding contribution	2016-17 (2015/16 + 1.5%)	2017-2018 (+1.79% on 2016/17 assured figs baseline as per policy framework )	2018-2019 (+1.9% on 2017/18)	Not covered by the policy framework 2019-20 Total
Minimum NHS CCG contribution Can you put in the figures that we are expecting from the CCG please	3,011,156	3,065,055	3,123,291	
Improved Better Care Fund Local Government Finance Settlement	N/A	633,138	TBC	
New grant allocation – Funding for adult social care via DCLG	N/A	3,815,560	2,366,904	1,171,936
Disabled Facilities Grant (capital grant for adaptations to houses)	1,524,090	1,631,353	TBC	
<b>IBCF Total</b>	4,535,246	9,145,106	<b>5,490,195</b>	