

## **Title of report: Better Care Fund (BCF) year-end report 2020-2021**

**Meeting: Health and wellbeing board**

**Meeting date: 26 July 2021**

**Report by: Acting Director for Adults and Communities**

### **Classification**

Open

### **Decision type**

This is not an executive decision.

### **Wards affected**

(All Wards);

### **Purpose**

To review the better care fund (BCF) year-end 2020-2021 report as per the requirements of the programme.

### **Recommendation(s)**

**That:**

- a) the Better Care Fund (BCF) 2020-2021 year-end template at appendix 1, as submitted to NHS England, be reviewed and the board determine any further actions necessary to improve future performance.**

### **Alternative options**

1. The content of the return has already been approved by the council's director for adults and communities and Herefordshire Clinical Commissioning Group's (CCG) accountable officer and submitted prior to the meeting of the board, in accordance with national deadlines, however this gives the board an opportunity to review and provide feedback.

## Key considerations

2. Health and Wellbeing Boards were advised that BCF policy and planning requirements would not need to be published, due to the Covid-19 pandemic commitments, and the continuity of provision, social care capacity and system resilience based on local agreement in 2020 to 2021, should be prioritised.
3. The year-end template is a revised version and focuses on funding contributions and expenditure. It covers the period during which the intended activities and spending patterns, were altered, due to the impact of the pandemic.
4. HWB areas were required to ensure that use of the mandatory funding contributions (Clinical Commissioning Group (CCG) minimum contribution, improved Better Care Fund (IBCF) grant and the Disabled Facilities Grant had been agreed in writing, and that the national conditions were met.
5. The national conditions for the BCF in 2020-21 were:
  - 1) A Plan has been agreed for the Health and Wellbeing Board area that includes all mandatory funding and this is included in a pooled fund governed under section 75 of the NHS Act 2006? (This should include engagement with district councils on use of Disabled Facilities Grant in two tier areas).
  - 2) Planned contribution to social care from the CCG minimum contribution is agreed in line with the BCF policy.
  - 3) Agreement to invest in NHS commissioned out of hospital services.
  - 4) The CCG and LA have confirmed compliance with these conditions to the HWB.
6. The year-end template is attached at appendix 1, confirming that the national conditions have been met.
7. This year saw changes to the hospital discharge arrangements, with additional funding and requirements to respond to Covid-19. This year has demonstrated a remarkable level of effective partnership working across the health and social care sector in Herefordshire, with exceptional drive to achieve solutions to the challenges of Covid-19.
8. A new pooled-budget, pool seven - Covid-19 Hospital Discharge, was introduced this year to manage the joint funding of revised hospital discharge regulations. The council's contribution to the pool represents budgets allocated for new care placements in the year, the CCG's contribution to the pool represents funding from NHS England specifically for the hospital discharge scheme.
9. The coronavirus crisis led to considerable opportunity costs as response to the emergency necessarily took precedence over delivery of other plans. Overall the BCF saw underspends of £1.318m on schemes that could not be started or fully completed

and posts that could not be recruited to. There was also underspends of £3.192m on care home placements, this underspend was mostly driven by changes in patterns of demand relating to Covid-19. The underspending on pool 2 contributed to funding for the costs of the Covid-19 Hospital Discharge Scheme (Pool 7).

10. The section on social care fee rates provides data on average fees paid for domiciliary care, residential care (people over 65) and nursing care (people over 65). It collects what the council pays to providers (not covering self-funders, third party top ups and NHS Funded Nursing Care and not covering internal administration costs). It does not include client contributions.
11. COVID-19 data has been collected to understand long-term rates paid to social care providers to inform policy and spending decisions. The form therefore collects data on planned fee rates prior to COVID pandemic and actual fee rates including any additional temporary increases (calculated as eligible expenditure in-year divided by client weeks to pick up guaranteed payments (e.g. voids).
12. Joint working continues to make an impact, even during a pandemic, in autumn 2020, the council's Practice Improvement Lead, worked closely with West Midlands Academic Science Network at Regional level on a project of 'Recognising the Deteriorating Resident and has interpreted this into a local level across Herefordshire.
13. The aim of the project is to support staff on the front line to feel confident and competent to identify soft signs of deterioration as early as possible and as a result to possibly avoid hospital admission depending on the individual circumstance. Locally we are also working with the Wye Valley NHS Trust to offer to all care homes the training on a rolling programme. Due to the Covid-19 pandemic, delivery of training methods has had to change. Alternative methods of delivery have been established.
14. The reablement service has been fully responsive during the Covid-19 crisis and have supported the rapid discharge of patients from hospital. With an integrated discharge team and an integrated response team, working in a supportive way with joined up training and operational support.
15. The national submission deadlines for 2020/21 year end returns have already passed and therefore the board is requested to note the completed data, following its submission to NHS England.
16. The Policy Framework and Planning requirements for 2021/2022 have not been published and further guidance is awaited.

## **Community impact**

17. The BCF plan is set within the context of the national programme of transformation and integration of health and social care. The council and CCG continue to work together to deliver on the key priorities within the plan to achieve savings and improve the delivery of services in order to achieve the priorities of the health and wellbeing strategy in the most cost effective way.

## Environmental Impact

18. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
19. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy.

## Equality duty

20. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
21. The council and CCG are committed to equality and diversity using the public sector equality duty (Equality Act 2010) to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. All equality considerations are taken into account. 27. It is not envisaged that the recommendations in this report will negatively disadvantage the following nine groups with protected characteristics: age, disability, gender, reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
  22. The BCF programme aims to deliver better outcomes for older and disabled people and supports the council in proactively delivering its equality duty under the act. This is through improving the health and wellbeing of people in Herefordshire by enabling them to take greater control over their own homes and communities. There are no negative impacts for looked after children or with respect to the council's corporate parenting role.
  23. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. The Sustainability and Transformation Partnership (STP) is developing a more joined up approach to its equality duties, and has an STP equality work stream which is developing a robust and uniform approach to equality impact assessment across Herefordshire and Worcestershire which the BCF will be included.

24. Where appropriate, an Equality Impact Assessment (EIA) is undertaken for separate schemes and services that are within the BCF. Where large changes are planned via the BCF an EIA will be completed.

## Resource implications

25. The table below shows the summary outturn at month twelve (March 2021) for the schemes that make up the section 75 agreement (s.75).

2020/21 Section 75 Finance Summary					
Scheme ID	Pool 1- Mandatory Revenue & Capital Contribution to BCF Protection of Adult Social Care (PASC)	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
51	Community Resilience & Prevention	573	538	(35)	(6.2%)
52	Hospital Discharge Support	3,792	3,094	(698)	(18.4%)
54	Social Care Services	1,264	1,070	(194)	(15.3%)
57	Carers' Support	225	225	0	0.0%
	<b>Sub Total- Protection of Adult Social Care (PASC)</b>	<b>5,854</b>	<b>4,927</b>	<b>(927)</b>	<b>(15.8%)</b>

Scheme ID	Pool 1- Mandatory Revenue & Capital Contribution to BCF NHS Commissioned Out of Hospital Spend	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
51	Community Resilience & Prevention	123	123	0	0.0%
52	Hospital Discharge Support	802	802	0	0.0%
57	Carers Support	288	288	0	0.0%
60	Community Health Services	6,548	6,548	0	0.0%
	<b>Sub Total- NHS Commissioned Out of Hospital Spend</b>	<b>7,761</b>	<b>7,761</b>	<b>0</b>	<b>0.0%</b>

Scheme ID	Pool 1- Mandatory Revenue & Capital Contribution to BCF Capital Grants	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
33	Disabled Facilities Grant	2,269	2,269	0	0.0%
	<b>Sub Total- Capital Grants</b>	<b>2,269</b>	<b>2,269</b>	<b>0</b>	<b>0.0%</b>
	<b>Total Pool One- Mandated Revenue &amp; Capital Allocations</b>	<b>15,884</b>	<b>14,956</b>	<b>(927)</b>	<b>(5.8%)</b>

Scheme ID	Pool Two- Additional Contribution to BCF Care Home Market Management	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
34	HCCG Care Home Package Costs	11,532	11,352	(180)	(1.6%)
34	HC Care Home Package Costs	26,719	23,706	(3,012)	(11.3%)
	<b>Total Additional Contribution to BCF</b>	<b>38,251</b>	<b>35,058</b>	<b>(3,192)</b>	<b>(8.3%)</b>

Scheme ID	BCF Pool Three- Improved Better Care Fund (IBCF)	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
151	Community Resilience & Prevention	632	526	(106)	(16.8%)
152	Hospital Discharge Support	586	451	(134)	(23.0%)
153	Integrated Services	4,064	4,188	124	3.0%
154	Social Care Services	264	140	(124)	(47.1%)
156	Care Workforce Support	196	46	(150)	(76.5%)
158	Social Care Placements	842	842	0	0.0%
	<b>Total Improved Better Care Fund</b>	<b>6,583</b>	<b>6,193</b>	<b>(391)</b>	<b>(5.9%)</b>

Scheme ID	BCF Pool Four- Winter Pressures Grant	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
258	Social Care Placements	0	0	0	0.0%
	<b>Total Winter Pressures Grant</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>

Scheme ID	Pool Five- Children's Services	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
4	Herefordshire Council Contribution	876	908	32	3.6%
4	Herefordshire CCG Contribution	4,647	4,840	193	4.2%
	<b>Total Children's Services</b>	<b>5,523</b>	<b>5,747</b>	<b>225</b>	<b>4.1%</b>

Scheme ID	Pool Six- Integrated Community Equipment Store (ICES)	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
5a	Herefordshire CCG Contribution	845	909	64	7.6%
5b	Herefordshire Council Contribution	655	705	50	7.6%
	<b>Total Integrated Community Equipment Store</b>	<b>1,500</b>	<b>1,613</b>	<b>113</b>	<b>7.6%</b>

Scheme ID	Pool Seven- Covid-19 Hospital Discharge	Annual Plan	Final Out-Turn	Over / (Under) Spend	% Over / (Under) Spend
		£,000	£,000	£,000	
5a	Herefordshire CCG Contribution	0	9,662	9,662	-
5b	Herefordshire Council Contribution	2,059	2,059	0	-
	<b>Total Covid-19 Hospital Discharge Support</b>	<b>2,059</b>	<b>11,721</b>	<b>9,662</b>	<b>-</b>

## Legal implications

26. The Care Act 2014 amended the NHS Act 2006 to provide the legislative basis for the BCF. It allows for the Mandate to NHS England to include specific requirements to instruct NHS England over the BCF, and NHS England to direct Clinical Commissioning Groups to pool the necessary funding. The council is legally obliged to comply with grant conditions, which have been complied with.
27. Health and wellbeing boards are responsible for encouraging integrated working between health and social care commissioners, including partnership arrangements such as pooled budgets, lead commissioning and integrated provision.
28. Their purpose is to establish collaborative decision making, planning and commissioning across councils and the NHS, informed by the views of patients, people who use services and other partners.
29. Overseeing the deployment of BCF resources locally is a key part of their remit. BCF plans have to be signed off by the health and wellbeing board as well as the CCG (Clinical Commissioning Group), which represents the NHS side of the equation.

## Risk management

30. The board is invited to review the content of the performance template, which is based on statistical and financial information and therefore the risk is minimal.
31. Monitoring the delivery of the Herefordshire BCF Plan is undertaken by the council and CCG. The project manager monitors a risk register and escalates to the directorate risk register where necessary. Higher risks will also be escalated, to the council's corporate register in accordance with the council Risk Management Plan.

Risk / Opportunity	Mitigation
Increasing demand due to the demography of expected older age population could outstrip the improvements made.	A number of the schemes include both areas that support prevention and the urgent care parts of the system to spread the risk. In addition, the local authority continues to lead on development with communities and implementing strengths based assessments to reduce demand where possible.
The 2021/22 Better Care Fund (BCF) Policy Framework has not been released.	There is no planned major shift for the BCF in 2021-22. The likely direction of travel is that it will bring the objectives that were agreed through the BCF review (February 2020), into the policy framework and planning requirements. The broad focus will be on prevention and anticipatory care, as well as discharge and flow.

Risk / Opportunity	Mitigation
	<p>Funding allocations have been made for 2021/22.</p> <p>Partners continued to work together on activity to address demands in community health and social care, and prioritise continuity of care, maintaining social care services and system resilience.</p>

## Consultees

32. Content of the returns have already been approved by the council's director for adults and communities and Herefordshire Clinical Commissioning Group's (CCG) accountable officer and submitted prior to the national deadlines.

## Appendices

Appendix 1 – Better care fund 2020/21 year end national performance template.

## Background papers

None identified.