

# **Title of report: Herefordshire's Better Care Fund (BCF) Integration plan 2022-23**

**Meeting: Health and wellbeing board**

**Meeting date: Monday 26 September 2022**

**Report by: Integrated Systems Lead, All Age Commissioning**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

To update Health and Wellbeing Board members on Herefordshire's Better Care Fund (BCF) Integration Plan for 2022-23 and seek formal Health and Wellbeing Board approval.

## **Recommendation(s)**

**That:**

- a) **the Herefordshire Better Care Fund narrative plan, planning template and capacity and demand template be approved; and**
- b) **note work ongoing to support integrated health and care provision that is funded via the BCF.**

## **Alternative options**

1. The board could decline to approve the submission. It is a national condition that the plan is approved by the Health and Wellbeing Board (HWBB). If it is not approved then the national BCF escalation process, as detailed within the planning requirements will be implemented to support and ensure compliance.

## Key considerations

2. Partners throughout the Health and Social Care system in Herefordshire continue to be committed to working together to deliver a local system “where strong communities encourage individual citizens to live healthy lives and offer support when this is required for them to maintain their independence, with sustainable, aligned health and care services for local people”.
3. The BCF provides a mechanism for joint health, housing and social care planning and commissioning. It brings together ring-fenced budgets from Herefordshire & Worcestershire Integrated Care Board (HWICB) allocations, and funding paid directly to local government, including the Disabled Facilities Grant (DFG), and the improved Better Care Fund (iBCF).
4. The BCF in 2022-23 will continue to provide a mechanism for personalised, integrated approaches to health and care that support people to remain independent at home or to return to independence after an episode in hospital.
5. The BCF plan is the health and social care strategic and delivery plan for Herefordshire and is therefore fully aligned with the joint local vision for the county. The BCF plan is also aligned to a number of other key plans including the Herefordshire Public Health plan, the County Plan, Health and Wellbeing Strategy, Talk Community Plan and the NHS Long Term Plan.
6. The Department of Health and Social Care (DHSC) and the Department for Levelling Up, Housing and Communities (DLUHC) published the policy framework for the implementation of the Better Care Fund 2022-23 in July 2022. BCF plans are required to be submitted by 26 September 2022.
7. For 2022/23 submissions consist of:
  - i A BCF narrative plan (**Appendix 1**)
  - ii A BCF planning template including planned expenditure, confirmation that national conditions are met, ambitions for national metrics and additional contributions to BCF section 75 agreements. (**Appendix 2**)
  - iii An intermediate care capacity and demand plan (this will not be subject to assurance). (**Appendix 3**)
8. The Better Care Fund planning requirements (**Appendix 4**) indicates the national conditions that BCF plans must meet:
  - i. A jointly agreed plan between local health and social care commissioners and signed off by the health and wellbeing board.
  - ii. NHS contribution to adult social care to be maintained in line with the uplift to NHS minimum contribution.
  - iii. Invest in NHS commissioned out-of-hospital services.
  - iv. Implementing the BCF policy objectives.
9. The BCF policy framework sets out the national metrics for the BCF 2022-23, as follows:

Avoidable admissions to hospital	Unplanned admissions for chronic ambulatory care sensitive conditions
Admissions to residential / nursing care homes	Older adults whose long-term care needs are met by admission to residential or nursing care per 100,000 population

Effectiveness of reablement	Proportion of older people still at home 91 days after discharge from hospital into reablement or rehabilitation
Discharge destination	Improving the proportion of people discharged home based on data on discharge to their usual place of residence

10. Herefordshire's BCF submission details the local approach to integration, plans to achieve metrics and plans for ongoing implementation of the High Impact Change Model (HICM) for managing transfers of care. The changes between the previous plan and the 2022-23 plan are minimal. Partners across the system are continuing to work together towards their shared vision.
11. As per the requirements for the national programme, this plan will be submitted on the national deadline of 26 September 2022, following approval from the board. A regional assurance process will then be undertaken by 24 October 2022 and approval letters should be received week commencing 28 November 2022.
12. The existing governance arrangements for the BCF will remain in place for 2022-23, where the HWBB is responsible for agreeing the BCF plan and for overseeing delivery through quarterly reports. The BCF plan and the programmes of integration work that are within the BCF and plan are reported to a number of council, system and HWICBs.

### **Community impact**

13. The BCF plan is set within the context of the national programme of transformation and integration of health and social care. The council and HWICB 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.
14. Talk Community brings together community, third sector and statutory services to connect with peers and share ideas and experiences within the local PCN areas - working with communities to identify and address issues that affect them, increase sustainability of communities by facilitating the development of partnerships and collaborative approaches and helping identify any gaps in provision.

### **Environmental Impact**

15. 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.
16. 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**

17. 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.
18. The council and HWICB 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.
19. 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.
20. 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.
21. 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**

22. The Herefordshire BCF plan 2022-23 maintains the key schemes identified in the 2021-22 submission. These include operational social work, NHS community services, Talk Community, Home First, Hospital at Home, brokerage, support for carers, discharge to assess, trusted assessors and falls response and prevention.
23. The Disabled Facilities Grant (DFG) is a mandatory grant provided under the Housing Grants, Construction and Regeneration Act 1996. A clear DFG spending plan is in place, as instructed by BCF requirements.
24. Grant conditions for iBCF also require that the council pool the grant funding into the local BCF and report as required. Sufficient non-financial resources are also in place to deliver the proposed plan. Since 2020-21, funding that was previously paid as a separate grant for managing winter pressures has been included as part of the iBCF grant, but is not ringfenced for use in winter.

25. Herefordshire Better Care Fund Summary 2022/23

<b>Pool 1- Minimum Mandatory Contributions</b>	<b>2021/22</b>	<b>2022/23</b>	<b>Change Between Years</b>
	<b>£</b>	<b>£</b>	
Planned Social Care Expenditure	6,157,462	6,505,974	5.66%
NHS Commissioned Out of Hospital Care	8,163,907	8,625,984	5.66%
<b>Total Minimum Mandatory Contribution from CCG</b>	<b>14,321,369</b>	<b>15,131,959</b>	<b>5.66%</b>
Disabled Facilities Grant (Capital)	2,268,653	2,268,653	0.00%
<b>Total Pool 1</b>	<b>16,590,022</b>	<b>17,400,612</b>	<b>4.89%</b>
<b>Pool 3- Improved Better Care Fund</b>			
	<b>2021/22</b>	<b>2022/23</b>	<b>Change Between Years</b>
	<b>£</b>	<b>£</b>	
IBCF Grant	6,583,421	6,782,841	3.03%
<b>Total Pool 3</b>	<b>6,583,421</b>	<b>6,782,841</b>	<b>3.03%</b>

*Please note that there is intentionally no pool 2, as it is for additional voluntary contributions to the BCF, of which there are none from either partner.*

26. Where any procurement activities arise from the plan they will be procured in line with the council's contract procedure rules.

### Legal implications

27. 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.
28. 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.
29. 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.
30. 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 HWICB, which represents the NHS side of the equation
31. Section 75 of the National Health Service Act 2006 contains powers enabling NHS bodies (as defined in section 275 and 276 of the NHS Act 2006) to exercise certain local authority functions

and for local authorities to exercise various NHS functions. The parties entered into a section 75 agreement in exercise of those powers under and pursuant of the NHS Regulations 2000.

32. The iBCF is paid directly to the council via a Section 31 grant from the Department of Levelling Up, Housing and Communities (DLUHC). The Government has attached a set of conditions to the Section 31 grant to ensure it is included in the BCF at local level and will be spent on adult social care. The council are legally obliged to comply with the grant conditions set.

## Risk management

33. Monitoring the delivery of the Herefordshire BCF Plan is undertaken by the council and HWICB. The Integrated Systems Lead monitors any risks, which are managed through the community and wellbeing directorate risk register where necessary.

Risk / opportunity	Mitigation
Failure to agree a joint plan and meet the national conditions	Plan has been developed in partnership. Delivery and progress to be monitored on an ongoing basis.
Fail regional/national assurance process	The council and HWICB have worked through the national guidance and requirements to ensure a robust response and a comprehensive, detailed plan is submitted.
Failure to achieve national metric ambitions	A robust process for monitoring activity on a monthly basis is in place and will be monitored through the joint strategic commissioning partnership group.

## Consultees

34. Views were sought from key stakeholders from across the health and social care system prior to submission. These views have generally reinforced the commitment to integrated working across the local system and the importance of continued funding of core essential services in social care and community health which support that integration and deliver best outcomes for local people.

## Appendices

- Appendix 1 – Herefordshire’s BCF narrative plan 2022-23
- Appendix 2 – BCF planning template (planned expenditure)
- Appendix 3 – Intermediate care capacity and demand plan
- Appendix 4 – Better Care fund planning requirements 2022-23

## Background papers

None identified

## Report Reviewers Used for appraising this report:

Governance	Matthew Evans	Date 21/09/2022
Finance	Kim Wratten	Date 18/09/2022
Legal	S Evans	Date 20/09/2022
Communications	Luenne Featherstone	Date 18/09/2022
Equality Duty	Carol Trachonitis	Date 18/09/2022
Procurement	Lee Robertson	Date 20/09/2022
Risk	Jo Needs	Date 20/09/2022

Approved by	Hilary Hall	Date 22/09/2022
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BCF	Better Care Fund
iBCF	Improved Better Care Fund
HWICB	Herefordshire & Worcestershire Integrated Care Board
HICM	High Impact Change Model
HWBB	Health and Wellbeing Board
DFG	Disabled Facilities Grant
D2A	Discharge to Assess
DHSC	Department of Health and Social Care
DLUHC	Department of Levelling Up, Housing and Communities