

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Georgia Foster,
Cabinet Member for Adult Social Care

DECISION NUMBER:

26/00059

Executive Decision – Key**26/00059– Section 75 Partnership Agreement**

Decision: As Cabinet Member for Adult Social Care, I propose to:

- a) **ENTER** into a revised Section 75 Partnership Agreement with the Kent and Medway Integrated Care Board; and
- b) **DELEGATE** authority to the Corporate Director, Adult Social Care and Health to take relevant actions to finalise the necessary legal agreements and sign the Section 75 Partnership Agreement on behalf of Kent County Council.

Reasons for decision:

The Better Care Fund (BCF) is a national programme in England that brings together Integrated Care Board (ICB) and Local Authority funding into a pooled budget to support integration between Health and Social Care.

The BCF was introduced in 2015 and includes an allocation of funding for the Local Authority and an allocation of funding for the ICB. This funding is set by central government each year and must sit within a pooled budget.

The BCF pooled budget is governed by a Section 75 Partnership Agreement between Kent County Council and the Kent and Medway ICB.

Following legal review and publication of updated national guidance and templates, the existing 2015 agreement requires updating to ensure it remains robust and fit for future integrated working.

This proposed decision seeks to enter into a revised Section 75 Partnership Agreement, which will provide greater assurance that public funds are managed effectively, roles and responsibilities are clearly defined, risks are appropriately managed and future collaborative arrangements can continue to develop within a robust legal framework.

How the proposed decision supports the Council's Strategic Statement:

The proposal directly supports the ambitions within Reforming Kent 2025-2028, the Kent Health and Wellbeing Strategy, the Kent and Medway Integrated Care System Strategy and Kent Adult Social Care's "Making a Difference Every Day" strategy:

- improved independence and wellbeing through preventative services

- stronger integrated neighbourhood working
- reduced health inequalities
- more effective use of public resources
- improved hospital discharge and recovery pathways
- better outcomes for unpaid carers
- increased use of technology-enabled care and community-based support.

Financial implications:

The proposal to enter into a revised Section 75 Partnership Agreement does not increase Better Care Fund values or create additional financial commitments. It strengthens governance, accountability and risk-sharing arrangements relating to existing and future pooled funds.

The revised Section 75 Partnership Agreement supports existing arrangements through which Better Care Fund investment is monitored against agreed outcomes, performance measures and value-for-money criteria. Examples include oversight of jointly commissioned discharge services, reablement services, community equipment services and joint brokerage arrangements, all of which contribute to reducing avoidable hospital stays and improving utilisation of health and care resources.

Legal implications:

The Section 75 Partnership Agreement is made under Section 75 of the National Health Service Act 2006. Updating the Section 75 Partnership Agreement ensures compliance with current legislation, guidance and best practice.

Any impacts arising from Local Government Reorganisation will be addressed through established transition and governance arrangements.

Equality Implications

An Equality Impact Assessment has been completed. No direct equality impacts have been identified because the proposal updates the legal framework only and does not alter services or access arrangements.

Data Protection Implications

A Data Protection Impact Assessment is not required as no new personal data processing or sharing is introduced. Existing information governance arrangements remain unchanged.

Cabinet Committee recommendations and other consultation: The proposed decision was considered by the Adult Social Care and Public Health Cabinet Committee on 24 September 2026 and the recommendations were endorsed.

Any alternatives considered and rejected:

Retain the existing agreement (rejected) due to governance and legal risks associated with an outdated framework.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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Signed

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Date