

EQIA Submission
Section A
1. Name of Activity (EQIA Title):
BCF Section 75 Agreement Review
2. Directorate
Adult Social Care and Health
3. Responsible Service/Division
Commissioning and Partnerships
Accountability and Responsibility
4. Officer completing EQIA
Note: This should be the name of the officer who will be submitting the EQIA onto the App.
Andrew Anderson
5. Head of Service
Note: This should be the Head of Service who will be approving your submitted EQIA.
Paula Parker
6. Director of Service
Note: This should be the name of your responsible director.
Helen Gillivan
The type of Activity you are undertaking
7. What type of activity are you undertaking?
Service Change – <i>operational changes in the way we deliver the service to people.</i> Answer Yes/No
No
Service Redesign – <i>restructure, new operating model or changes to ways of working.</i> Answer Yes/No
No
Project/Programme – <i>includes limited delivery of change activity, including partnership projects, external funding projects and capital projects.</i> Answer Yes/No
Yes
Commissioning/Procurement – <i>means commissioning activity which requires commercial judgement.</i> Answer Yes/No
No
Strategy /Policy – <i>includes review, refresh or creating a new document.</i> Answer Yes/No
Yes
Other – Please add details of any other activity type here.
8. Aims and Objectives and Equality Recommendations – Note: You will be asked to give a brief description of

the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.

Background

- Kent County Council and Kent and Medway Integrated Care Board (ICB) have had a pooled fund for the Better Care Fund (BCF) since its introduction in 2015 in line with national guidance. This was underpinned by a legal partnership agreement called a Section 75.
- The Section 75 agreement for BCF has not been reviewed since 2015. Legislation, national guidance and best practice have evolved since then, alongside increasing opportunities for integrated working. Legal advice has confirmed that the agreement should now be updated to reflect these changes and ensure it continues to provide an appropriate legal and governance framework.
- Central government updated a template Section 75 and guidance in June 2025 which has been used to make the necessary changes.
- The National Conditions of the Better Care Fund set by NHS England require a Section 75 agreement to be in place.

Aims and Objectives

- An updated Section 75 will strengthen governance, financial accountability, risk-sharing arrangements and decision-making between KCC and ICB, ensuring that pooled funding arrangements operate within a clear and robust legal framework.
- The revised agreement will also provide the framework to support future integrated commissioning and pooled funding arrangements where appropriate, enabling both organisations to respond to national policy developments, including reforms to BCF and the Government's ambition to deliver more integrated, neighbourhood-based health and care services.
- The proposed decision does not create any additional financial commitments or change the value of current fund.
- The revision relates solely to the legal framework underpinning partnership and pooled budget. It does not alter the scope of services currently delivered or the level of funding approved through the annual Better Care Fund planning process.

Section B – Evidence

Note: For questions 9, 10 & 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.

9. Do you have data related to the protected groups of the people impacted by this activity? Answer: Yes/No

Yes

10. Is it possible to get the data in a timely and cost effective way? Answer: Yes/No

Yes

11. Is there national evidence/data that you can use? Answer: Yes/No

Yes

12. Have you consulted with Stakeholders?

Answer: Yes/No

Stakeholders are those who have a stake or interest in your project which could be residents, service users, staff, members, statutory and other organisations, VCSE partners etc.

Yes

13. Who have you involved, consulted and engaged with?

Please give details in the box provided. This may be details of those you have already involved, consulted and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.

KCC Adult Social Care Operational Teams
KCC Finance representatives
KCC Commissioning representatives
KCC Procurement representatives
KCC Adult Social Care Senior Leadership Team
KCC Adult Social Care Directorate Management Team
KCC Legal and Birketts who have been commissioned to provide legal assurance

Integrated Care Board (ICB) Commissioners
Integrated Care Board (ICB) Finance representatives
Integrated Care Board (ICB) Executive Board
Integrated Care Board (ICB) Board
The ICB have sought their own legal advice

14. Has there been a previous equality analysis (EQIA) in the last 3 years? *Answer: Yes/No*

No

15. Do you have evidence/data that can help you understand the potential impact of your activity?

Answer: Yes/No

Yes

Uploading Evidence/Data/related information into the App

Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.

[\[See ppt\]](#)

Section C – Impact

16. Who may be impacted by the activity? *Select all that apply.*

Service users/clients - *Answer: Yes/No*

No

Residents/Communities/Citizens - *Answer: Yes/No*

No

Staff/Volunteers - *Answer: Yes/No*

No

17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing? *Answer: Yes/No*

No

18. Please give details of Positive Impacts

There will be no changes to services, spend or activity relating to this update, but the revisions to the Section 75 agreement will improve assurance and provide legal protection to both organisations and the people they serve. The revised agreement will provide a framework that facilitates wider health and social care integration in the future.

Any future decisions made would require their own EQIA

Negative Impacts and Mitigating Actions

The questions in this section help to think through positive and negative impacts for people affected by your activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

19. Negative Impacts and Mitigating actions for Age

a) Are there negative impacts for Age? Answer: Yes/No
(If yes, please also complete sections b, c, and d).

No

b) Details of Negative Impacts for Age

c) Mitigating Actions for Age

d) Responsible Officer for Mitigating Actions - Age

20. Negative Impacts and Mitigating actions for Disability

a) Are there negative impacts for Disability? Answer: Yes/No
(If yes, please also complete sections b, c, and d).

No

b) Details of Negative Impacts for Disability

c) Mitigating Actions for Disability

d) Responsible Officer for Mitigating Actions - Disability

21. Negative Impacts and Mitigating actions for Sex

a) Are there negative impacts for Sex? Answer: Yes/No
(If yes, please also complete sections b, c, and d).

No
b) Details of Negative Impacts for Sex
c) Mitigating Actions for Sex
d) Responsible Officer for Mitigating Actions - Sex
22. Negative Impacts and Mitigating actions for Gender identity/transgender
a) Are there negative impacts for Gender identity/transgender? Answer: Yes/No <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Gender identity/transgender
c) Mitigating actions for Gender identity/transgender
d) Responsible Officer for Mitigating Actions - Gender identity/transgender
23. Negative Impacts and Mitigating actions for Race
a) Are there negative impacts for Race? Answer: Yes/No <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Race
c) Mitigating Actions for Race

d) Responsible Officer for Mitigating Actions – Race
24. Negative Impacts and Mitigating actions for Religion and belief
a) Are there negative impacts for Religion and Belief? <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Religion and belief
c) Mitigating Actions for Religion and belief
d) Responsible Officer for Mitigating Actions - Religion and belief
25. Negative Impacts and Mitigating actions for Sexual Orientation
a) Are there negative impacts for sexual orientation. <i>Answer:</i> <i>Yes/No (If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Sexual Orientation
c) Mitigating Actions for Sexual Orientation
d) Responsible Officer for Mitigating Actions - Sexual Orientation
26. Negative Impacts and Mitigating actions for Pregnancy and Maternity
a) Are there negative impacts for Pregnancy and Maternity? <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Pregnancy and Maternity

c) Mitigating Actions for Pregnancy and Maternity
d) Responsible Officer for Mitigating Actions - Pregnancy and Maternity
27. Negative Impacts and Mitigating actions for marriage and civil partnerships
a) Are there negative impacts for Marriage and Civil Partnerships? <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Marriage and Civil Partnerships
c) Mitigating Actions for Marriage and Civil Partnerships
d) Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships
28. Negative Impacts and Mitigating actions for Carer's responsibilities
a) Are there negative impacts for Carer's responsibilities? <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
b) Details of Negative Impacts for Carer's Responsibilities
c) Mitigating Actions for Carer's responsibilities
d) Responsible Officer for Mitigating Actions - Carer's Responsibilities
