

By: Roger Gough, Chairman Health and Wellbeing Board
Anne Tidmarsh, Pooled Fund Manager

To: Health & Wellbeing Board – 18 March 2015

Subject: **Better Care Fund Section 75 Agreement**

Classification: Unrestricted

Summary: This paper provides assurance that the BCF Section 75 pooled fund agreement has been carried through all partners' approval channels in order to be approved for implementation from 1 April 2015.

Recommendation: That Members note the assurance provided by the CFO Group that the Section 75 Agreement ensures delivery of the desired outcomes of the Kent Better Care Fund Plan; has completed the legal process; has been approved through the relevant parties' processes and will be signed to be implemented from 1 April 2015

1. Introduction

- 1.1 Kent's Better Care Fund (BCF) plan was agreed by the Health & Wellbeing Board (HWB) in September 2014 and was approved through the national assurance process in December 2014.
- 1.2 The purpose of this report is to update Board members on progress to date and provide assurance that the final deadline for sign off will be met. Funds will not be released unless the Section 75 Agreement is in place (by 31 March 2015).

2. Update on progress

- 2.1 The CFO group (NHS Area team led group of CCG CFOs and senior KCC finance leads) has met consensus that the Section 75 Agreement and pooled budget arrangements will adequately support and deliver the Kent BCF Plan.
- 2.2 The CFO group has now been replaced with a Kent BCF Finance and Performance group to ensure that once implemented, the pooled fund is adequately monitored. This group met for the first time on 4th March and are finalising the robust reporting requirements asked for by the HWB and national BCF monitoring. This will be presented to the next HWB.

- 2.2 As agreed, one core section 75 agreement and seven CCG specific schedules have been developed between KCC and the CCGs, with KCC acting as host for the pooled fund.
- 2.3 Legal advice was sought by the Council and CCGs to ensure that the agreement adequately reflects the technical guidance, is in accordance with legislation and adequately protects the interests of the relevant partners.
- 2.4 Although the legal agreement has been agreed by KCC and the CCGs, the HWB must be satisfied that the Section 75 Agreement will ensure delivery of the desired outcomes of the Kent Better Care Fund Plan.

3. Signing of the Section 75 Agreement

- 3.1 The proposed Section 75 agreement is due to be signed by all parties in time for the go live date of 1 April 2015.
- 3.2 As at the time of writing it is anticipated that the decision for KCC to enter into the Section 75 Agreement will be implementable by KCC from 17th March. The agreement will be signed on KCC's behalf by the Corporate Director of Social Care, Health and Wellbeing.
- 3.3 The decision for CCGs to enter into the agreement has been approved through their respective decision making channels. Each CCG has granted delegated authority to an appropriate representative to sign the agreement on their organisation's behalf.

4. Recommendation

- 4.1 It is recommended that:

Members note the assurance provided by the CFO Group that the Section 75 Agreement ensures delivery of the desired outcomes of the Kent Better Care Fund Plan; has completed the legal process; has been approved through the relevant parties' processes and will be signed to be implemented from 1 April 2015.

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