

**Open Report on behalf of Glen Garrod, Director of Adult Social Services**

Report to:	<b>Executive</b>
Date:	<b>01 April 2014</b>
Subject:	<b>Better Care Fund Final Submission</b>
Decision Reference:	<b>I0064000</b>
Key decision?	<b>Yes</b>

**Summary:**

The Better Care Fund (BCF) represents a profound shift in emphasis towards integration between health and social care services in England. The form this took was financial, and announced by the Chancellor in June 2013 when he created a £3.8bn integrated budget for health and social care. The antecedents were previously described to Informal Executive at their meeting on 14 January 2014. A first cut submission was made as required on 15 February 2014 endorsed by all four Clinical Commissioning Groups and the Health and Wellbeing Board. Since that time the group tasked with completing a final submission by the deadline of 4 April 2014 has continued to meet. This report details the final BCF submission for the health and social care community in Lincolnshire and seeks approval of this document from the Executive on behalf of the County Council.

**Recommendation(s):**

That the Executive:

1. Approve the document attached at Appendix A for submission as the Better Care Fund submission for the health and social care community in Lincolnshire.
2. Note that further updates concerning this submission and tracking of progress will be managed through the LSSR Governance Board in the first instance and ultimately by the Health and Wellbeing Board.

**Alternatives Considered:**

1. No other alternatives have been identified as this is a national requirement which is heavily prescribed. Targets have been set against this national template to reflect the level of ambition in Lincolnshire with respect to improving performance and delivering a much higher level for pooled

budgets. The main area amenable to alternatives would be in the level of pooled budgets to be achieved.

**Reasons for Recommendation:**

This BCF final submission is a national requirement shaped by a prescriptive template and timetable. In Lincolnshire this BCF submission has been deliberately shaped to reflect the Lincolnshire Sustainable Services Review (LSSR) and ultimately to be subsumed by it.

**1. Background**

The Better Care Fund (BCF) represents a profound shift in emphasis towards integration between health and social care services in England. The form this took was financial, and announced by the Chancellor in June 2013 when he created a £3.8bn integrated budget for health and social care. The antecedents were previously described to Informal Executive at their meeting on 14 January 2014.

A first cut submission was made as required on 15 February 2014 endorsed by all four Clinical Commissioning Groups and the Health and Wellbeing Board. An assessment of that initial submission was provided by NHS England and on 24 February 2014 further Guidance was issued by NHS England and the LGA. On 10 March 2014 an Assurance Update was received from NHS England commenting on the submission.

Since that time the group tasked with completing a final submission by the deadline of 4 April 2014 has continued to meet and taking into account the comments from NHS England and the Guidance referred to above, has developed the document attached at Appendix A as the proposed final BCF submission.

The value of the BCF in Lincolnshire in 2014/15 is £15.4m. In 2015/16 the value of the fund will reach just under £53m. This incorporates an allocation to help underwrite the costs of implementing both the Care Bill from 2015, and the 'Dilnot Reforms' (how people will be charged for adult social services for which they are eligible).

The Governance process under which the submission has been developed and is being approved is set out in the Table below. The Task Group identified in the Table below has senior representatives from each of the four CCGs and includes their Chief Finance Officers. It is chaired by the Director of Adult Social Services with other colleagues from LCC covering Children's Services, Public Health, Performance and Finance.

DATE	GOVERNANCE PROCESS
12.11.2013	Task Group
28.11.2013	Task Group
10.12.2013	Health and Wellbeing Board
18.12.2013	Task Group
06.01.2014	Task Group
13.01.2014	Task Group
14.01.2014	Informal Executive of LCC
16.01.2014	Task Group
21.01.2014	Task Group
22.01. 2014	South West CCG Board
22.01.2014	West CCG Board
23.01.2014	East CCG Board
30.01.2014	South CCG Board
28.01.2014	Informal Health and Wellbeing Board
05.02.2014	Health and Wellbeing Board
06.02.2014	Task Group
15.02.2014	<b>First cut submission of Lincolnshire BCF to NHS England</b>
20.02.2014	Task Group
07.03.2014	Task Group
19.03.2014	West CCG Board
25.03.2014	Task Group (last one in the diary)
25.03. 2014	Health and Wellbeing Board
26.03.2014	South West CCG Board
27.03.2014	South CCG Board
27.03.2014	East CCG Board
27.03.2014	Overview and Scrutiny Management Committee
01.04.2014	Formal Executive of LCC
04.04.2014	<b>Final version submitted to NHS England</b>

The template for the submission is highly prescriptive being based on answering specific questions. The unifying element underpinning the various answers and providing the framework for the submission is the blueprint created in Phase 1 of the Lincolnshire Sustainable Services Review (LSSR). The BCF submission at Appendix A has been deliberately shaped to reflect the LSSR and ultimately to be subsumed by it.

The consequence of this submission will be that shared and improved performance, an extensive level of pooled budget and significant service integration will follow.

The Council's duty under the Equality Act 2010 needs to be taken into account when coming to a decision.

The Council must, in the exercise of its functions, have due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: s 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

(1) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(2) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(3) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others.

This duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

The potential impact of the changes which form part of the BCF submission on people with a protected characteristic will be the subject of detailed analysis prior to their implementation so that the appropriate mitigation strategies can be put into effect.

Further, in reaching a decision, the Council must have regard to the Lincolnshire Child Poverty Strategy, the Joint Strategic Needs Assessment (JSNA) and the Health & Well Being Strategy.

## Child Poverty

The BCF is not designed to address child poverty. However, some of the elements within the BCF will support families where there are children and help children in transition into adulthood.

## JSNA and Joint Health and Wellbeing Strategy

These underpin the BCF and the ways in which the BCF has been developed in accordance with the JSNA and the JHWS are set out in the submission at Appendix A.

## **2. Conclusion**

This final BCF submission represents the combined and shared ambition across the health and social care community in Lincolnshire based squarely on the blueprint produced in Phase 1 of the LSSR.

Governance will be through the Health and Wellbeing Board.

## **3. Legal Comments:**

The Council has power to accept the recommendation. The decision is consistent with the Policy Framework and within the remit of the Executive.

## **4. Resource Comments:**

The BCF submission identifies the proposed investment of BCF funding for 2014/15 and 2015/16. The proposals have been informally agreed between the County Council and the four Lincolnshire CCGs. They provide for the County Council an acceptable level of additional funding to (a) assist in the protection of Adult Care services over the two year period; (b) provide appropriate opportunities for investment in social care and health care services; (c) funding to support the developing LSSR programme.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

Yes

### **c) Scrutiny Comments**

Given the timing of relevant committees and the BCF final submission it is necessary to provide comments from Overview and Scrutiny Committee as a tabled addendum. Overview and Scrutiny Committee meet to consider the BCF

final submission on 27 March 2014.

**d) Policy Proofing Actions Required**

Not applicable

**6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Lincolnshire BCF Final Submission (Part 1 and 2)

**7. Background Papers**

These documents are available for inspection from Democratic Services.

Title	Comprising
Lincolnshire BCF first cut Submission	Submission Letter Better Care Fund Part 1 Final Better Care Fund Part 2 Final
Assessment by NHS England regarding first cut submission	Better Care Fund Assurance Letter
Additional guidance produced by NHS England and the LGA dated 24th February 2014	Better Care Fund Assurance Supplement

This report was written by Glen Garrod, who can be contacted on 01522 550808 or by email to [glen.garrod@lincolnshire.gov.uk](mailto:glen.garrod@lincolnshire.gov.uk) .