

Better Care Fund – Annual Governance Statement 2020-2021

1. Introduction

- 1.1 The Council has responsibility for commissioning and/or providing social care services on behalf of the population of the borough of Thurrock pursuant to the Care Act 2014.
- 1.2 NHS Thurrock Clinical Commissioning Group has the responsibility for commissioning health services pursuant to the 2006 Act in the borough of Thurrock.
- 1.3 The Better Care Fund has been established by the Government to provide funds to local areas to support the integration of health and social care and to seek to achieve the national conditions and local objectives as set out within the Better Care Fund Plan. It is a requirement of the Better Care Fund that the CCG and the Council establish a pooled fund for this purpose.
- 1.4 Section 75 of the 2006 Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions (as set out within the Council's Constitution) and prescribed NHS functions.
- 1.5 This Statement sets out how the Council and NHS Thurrock CCG (the CCG) are, through effective governance arrangements, complying with the responsibilities set out within the Better Care Fund Section 75 Agreement for Thurrock, and the extant Better Care Fund Operating Guidance¹.

2. Governance Arrangements

- 2.1 Governance of the Better Care Fund is through the Thurrock Integrated Care Partnership (TICP). Membership of the TICP includes:
 - NHS Thurrock Clinical Commissioning Group
 - Accountable Officer
 - Chief Finance Officer
 - Director of Commissioning
 - Thurrock Council
 - Corporate Director of Adults, Housing and Health
 - Director of Finance and Information Technology

¹ <https://www.england.nhs.uk/wp-content/uploads/2018/07/better-care-fund-operating-guidance-v1.pdf>

- Strategic Lead for Commissioning and Procurement
- Director of Adult Social Care and Community Development

2.2 The TICP, and the BCF Delivery Group, meets monthly to:

- Provide strategic direction on the schemes contained within the BCF;
- Receive financial and activity information;
- Review the operation of the section 75 Agreement;
- Review risks monthly and agreed annually a risk assessment;
- Review and agree annually revised schedules as necessary; and
- Request such protocols and guidance as it may consider necessary in order to enable the Pooled Fund Manager to approve expenditure from the Pooled Fund.

2.3 The TICP is a sub-group of the Health and Wellbeing Board, and as such, minutes of its meeting are considered by the Board at each of its meetings.

2.4 Governance arrangements are reviewed on an annual basis as part of the development of, and approval arrangements for, the Better Care Fund Plan and Section 75 Agreement. This includes a review of the TICP Terms of Reference.

2.5 Terms of Reference for the TICP were updated following a review undertaken in January 2019.

3. Performance Arrangements

3.1 The TICP, assisted by the BCF Delivery Group, is accountable for a performance scorecard and report. The scorecard is the main performance monitoring tool for the Better Care Fund.

3.2 The scorecard is reported to the TICP, assisted by the BCF Delivery Group, on a monthly basis with a more detailed report considered on a quarterly basis. An expanded report is be considered at the end of the year and also mid-year.

3.3 Performance arrangements and the scorecard supporting the delivery of the Better Care Fund are reviewed on an annual basis.

4. Financial Arrangements

4.1 Financial monitoring takes place on a monthly basis with a report jointly prepared by the CCG's Head of and Thurrock Council's BCF finance lead.

- 4.2 Monthly monitoring arrangements allow for any underspends to be identified and for decisions to be made about how any underspends should be allocated.
- 4.3 Whilst the pooled fund is set at a defined amount, any risk of overspend in any area will require a remedial action plan to be produced and presented.

5. Risk Management Arrangements

- 5.1 The Better Care Fund Plan contains a risk register that identifies the top ten risks.
- 5.2 Risks are reviewed by the TICP, assisted by the BCF Delivery Group, on a monthly basis.

6. Review of Effectiveness

- 6.1 The robustness of the governance arrangements for the Better Care Fund, as set out within this document and as contained within the section 75 Agreement, are considered on an annual basis – with any necessary changes being made as they arise. The review of effectiveness is to be undertaken with specific reference to the 2020/21 Better Care Fund: Policy Framework and the associated Planning Guidance (as yet unpublished).
- 6.2 The review of the governance arrangements for the Better Care Fund 2020/21 is to be considered and agreed by the TICP, assisted by the BCF Delivery Group, as part of the process for formulating the Better Care Fund Plan 2021/22, and reported to the Health and Wellbeing Board for approval.
- 6.3 A review of the Better Care Fund and Section 75 Agreement was undertaken by Thurrock Council Internal Audit in May 2018. The specific recommendations made in the Internal Audit Report 2017/18, as well as agreed management actions to implement the recommendations, have been adopted and applied. At this time no further action is required.

7 Annual Review

- 7.1 The Section 75 Agreement contains a requirement for an annual review of the operation of the agreement, the Pooled Fund and the provision of Services, within 3 Months of the end of each financial year. The TICP can agree alternative arrangements, including alternative frequencies.
- 7.2 In December 2020 Health and Wellbeing Boards (HWBs) were advised² that BCF policy and planning requirements would not be published during the

² <https://www.gov.uk/government/publications/better-care-fund-policy-statement-2020-to-2021/better-care-fund-policy-statement-2020-to-2021>

initial response to the COVID-19 pandemic and that they should prioritise continuity of provision, social care capacity and system resilience and spend from ringfenced BCF pots based on local agreement in 2020 to 2021, pending further guidance. Given the ongoing pressures on systems, Departments and NHS England and NHS Improvement have agreed that formal BCF plans will not have to be submitted to NHS England and NHS Improvement for approval in 2020 to 2021.

7.3 When resumed, the planning process will encompass the review of operation of the agreement, the Pooled Fund and the provision of services. A Task and Finish Group has been constituted to undertake the review of performance of services and has developed a set of funding criteria for the Better Care Fund Plan which includes:

- Funding available for one-off investments;
- Deciding whether the funding of investments made in previous year(s) should continue;
- Helping to identify whether any further spend can be freed up for investing or using differently.

The outcome of the review of the provision of services, and the funding recommendations for the 2021/22 Plan, and subsequent years, will be presented to the Health and Well-Being Board.

7.4 In view of the available Guidance the Health and Well-Being Board is asked to approve the arrangements for the Better Care Fund and for the associated Section 75 Agreement to be executed.

8. **Approved**

Ian Wake
Corporate Director of Adults, Housing and Health
Thurrock Council

Mark Tebbs
Alliance Director for Thurrock
NHS Thurrock Clinical Commissioning Group

Date: