

Better Care Fund Governance

1.0 Preface

This document sets out the governance arrangements for local partners that agree and administer the Better Care Fund (BCF); Clinical Commissioning Groups (CCGs), local authorities (LAs) and Health and Wellbeing Boards (HWBBs). This document deals exclusively with the governance arrangements for the Better Care Fund.

2.0 Background

The BCF was established by Government in 2013 to provide funds to local areas to support the integration of health and social care. The fund is made up of two distinct funding streams; the Better Care Fund (BCF) and Improved Better Care Fund (iBCF). The BCF is the national programme, through which local areas agree how to spend a local pooled budget in accordance with the programme's national requirements. The pooled budget is made up of CCG's funding as well as local government grants, one of which is the Improved Better Care Fund (iBCF). The iBCF is paid as a direct grant to local government, with a condition that it is pooled into the local BCF plan.

The prime objective of BCF is to enable people to manage their own health and wellbeing and live independently in their communities for as long as possible. BCF encourages integration by requiring CCGs and LA's to enter into pooled budget arrangements and agree an integrated spending plan; this pooled fund is known as the Section 75 Agreement (s75).

Section 75 (s75) of the 2006 National Health Service Act gives powers to LA's and CCG's to establish and maintain pooled funds. In order to start a pooled budget, partners must have a signed s75 agreement which outlines which budgets money will be taken to be pooled. This fund enables payment to be made towards expenditure incurred in the exercise of prescribed local authority and prescribed NHS functions.

Birmingham City Council (BCC) has responsibility for commissioning and/or providing social care services on behalf of the population of Birmingham. Birmingham and Solihull Clinical Commissioning Group (BSol CCG) & Sandwell and West Birmingham Clinical Commissioning Group (SWB CCG) are responsible for commissioning health services in Birmingham. The Birmingham Integration and Better Care narrative plan sets out the joint vision and approach for integration. It links to the direction set in the Next Steps on the NHS Five Year Forward View, the development of Sustainability and Transformation Partnerships (STPs), the requirements of the Care Act (2014) and wider local government transformation in the area.

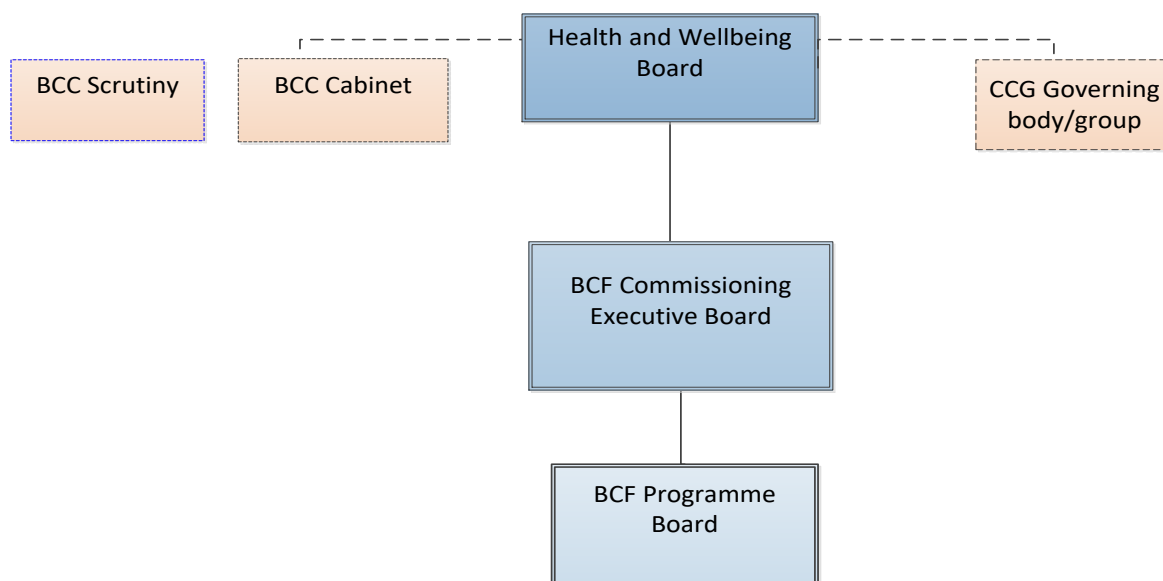
The BCF focuses on supporting the stabilisation and modernisation of adult social care and the development of joined- up services and approaches in health and social care both through statutory and non-statutory service developments. The focus is on preventing and delaying the need for care (*keeping people well where they live*) and the approach aims to embed BCF across current city-wide health & social care transformation programmes.

The Birmingham BCF vision is to proactively intervene to support people at the earliest opportunity ensuring that they remain well, are engaged in the management of their own health and wellbeing, and wherever possible enabled to stay in their own homes. We aim to accomplish this by taking the decisions and actions in managing markets and our own assessment functions which improve quality and place a focus on enablement and support rather than service.

2.1 Accountability

As legal recipients of the funding, CCGs and LAs are the accountable bodies for the respective elements of the BCF allocated to them, and therefore responsible for ensuring the appropriate use of the funds. This means that they retain responsibility for spending decisions and monitoring the proper expenditure of the funding in accordance with the approved plan and their general duties.

3.0 BCF Governance structure chart



4.0 BCC Cabinet and CCG governing bodies

4.1 Role

BCC Cabinet and CCG governing bodies have a statutory responsibility for the delivery of statutory services and are accountable for the proper use of resources. BCC's Cabinet is made up of elected representatives and is accountable for making decisions on behalf of the citizens of Birmingham. NHS BSoL CCG and SW&WB CCG are led by their Governing Bodies, which are responsible for the development of their vision and strategy, planning and commissioning health services for people living within the footprint of the CCG, and monitoring the performance and quality improvement of providers. They ensure good governance and promote a culture of strong engagement with patients, their carers, GP members, the public, staff and other stakeholders.

4.2 Authority

- To sign off their organisation's contribution to the BCF s75 Agreement
- BCC will seek approval from Cabinet for financial resources to be pooled in the form of a s75 partnership agreement and for the Corporate Director of Adult Social Care to be its signatory to the financial commitments therein. Delegated authority will be sought to enable the Cabinet Member for Health and Social Care to make variations – such as pooling additional funds - within the year to the S75.
- CCG governing bodies will seek approval from their respective governing bodies to allow financial resources to be pooled in the form of a s75 partnership agreement and

for the Accountable Officers to be signatories to the s75 agreement and the financial commitments therein on behalf of their respective organisation.

- To determine any additional contributions from the respective organisations to the BCF pooled budget beyond the required minimum

5.0 The Health and Wellbeing Board (HWB)

5.1 Role

The Health and Wellbeing Board has overall responsibility for ensuring the integration of health and care functions within their localities and it is a requirement of the BCF that local plans are agreed by HWB's.

They have statutory ownership of the BCF and have overall accountability for the delivery of the BCF plan and for agreeing high level commissioning intentions. They have a statutory duty to encourage integrated working between commissioners and oversee the strategic direction of the BCF and the delivery of better integrated care. They are responsible for gaining system-wide buy-in to the Better Care Plan, which sets out the broad commissioning intentions for the use of the BCF. The Birmingham HWB board receives regular BCF plan progress reports from the BCF Commissioning Executive.

The HWB is a committee of the LA and include lead members and chief officers from the LA and health and social care system, HWB's are accountable to elected members and ultimately to the electorate.

5.2 Authority

- Overall accountability for approval and delivery of the BCF annual programme as defined in the BCF s75 agreement
- To approve and sign off the BCF plan
- To identify opportunities for further integration of health and social care services.

5.3 Delegated authority from HWBB to the BCF Commissioning Executive & Programme Board

- The management and oversight of the delivery of the BCF plan
- To make decisions relating to commissioning and decommissioning of services in relation to the BCF
- Sign off of the BCF quarterly returns
- To determine the use of unallocated financial resources and to reallocate financial resources between programme elements

5.4 Terms of Reference



ToR%20Health%20and%20Wellbeing%20Bx

6.0 BCF Commissioning Executive

6.1 Role

The Commissioning Executive acts as a collective vehicle for integrated commissioning on behalf of the CCG's and LA. It has been established to develop and operate the BCF pooled budget arrangement (s75) and to provide strategic oversight and decision making relating to the delivery of BCF plan. The group oversees the operational and financial delivery of BCF and monitors its performance through bi-monthly meetings.

A key focus of the commissioning executive role is to take a whole system approach to maximise investment of any schemes funded under BCF. The board report quarterly to HWB and make recommendations for the strategic direction and management of the BCF. The Commissioning Executive is supported by the BCF Programme Board.

6.2 Authority

- To develop the annual programme
- To make strategic decisions relating to the delivery of the plan to ensure BCF objectives are achieved
- To authorise the procurement of significant new initiatives
- To approve key project related decisions/reports/change requests where applicable
- To review the s75 agreement annually and recommend ratification of organisational contributions to governing bodies.
- Executive leads for BSol & SWB CCG and BCC to sign the BCF s75 agreement on behalf of their organisations
- To monitor financial spend
- To manage any differences in view and escalate unresolved or disputed issues
- The management and oversight of the delivery of the BCF plan
- Make decisions relating to decommissioning or commissioning of services in relation to the BCF.
- To determine programme priorities and reallocate financial resources as required
- To determine the use of unallocated financial resources above the value £100k

6.3 Terms of Reference



ToR%20Better%20Care%20Commissioning'

7.0 The BCF Programme Board

7.1 Role

The Programme Board provides a joint commissioning framework for the delivery and implementation of the BCF Plan for Birmingham and Solihull. The board is responsible for overseeing financial and performance monitoring to ensure compliance with national conditions. The programme board report on progress to the BCF commissioning executive and to NHSE as necessary.

7.2 Authority

- To agree the scope of the programme
- To deliver the Better Care Plan of behalf of HWB
- Operational management of the schemes funded by BCF
- To maintain oversight and reporting to the HWBB and NHSE
- To sign off expenditure on projects agreed as part of the annual programme
- To determine the use of unallocated financial resources below £100k
- Sign off of the BCF quarterly returns

7.3 Terms of Reference



ToR%20%20Better%
20Care%20programm

8.0 BCF project lead

8.1 Role

The role of a Better Care Fund project lead officer is to monitor and manage performance of a service which may be operating wholly or partly as a BCF scheme.

8.2 Authority

- To manage the scheme on behalf of the BCF programme board.
- To report the performance of the BCF scheme metrics to the Programme Board.

8.3 Terms of reference for a BCF project



ToR%20BCF%20proj
ects%20V0.4.doc

9.0 BCF Governance – reporting structure overview

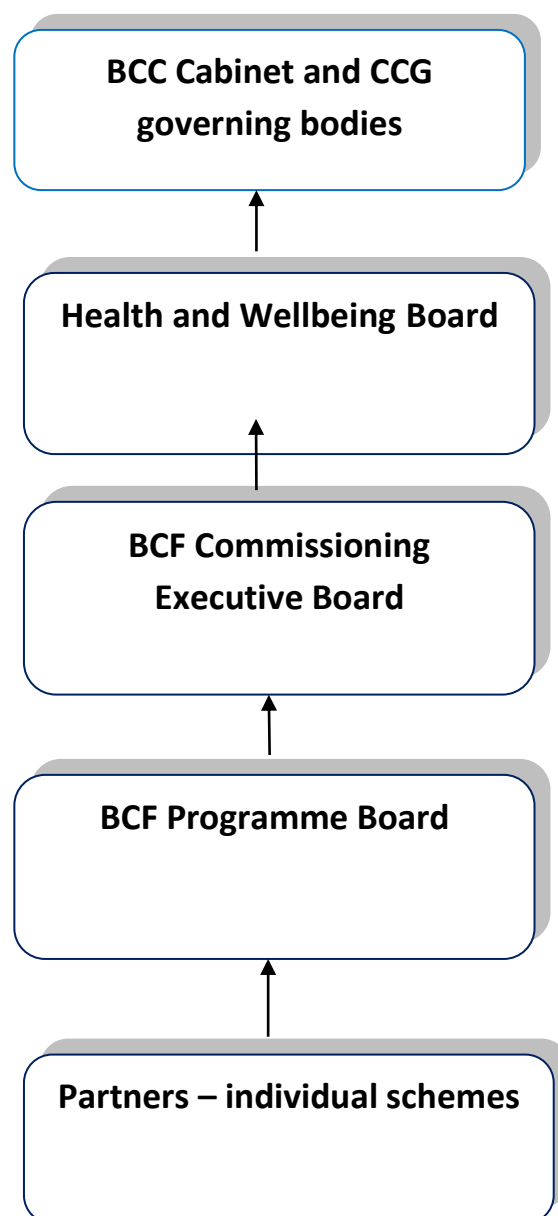
Determine financial contributions from the respective Organisations to the pooled budget
S75 decision making

Overall accountability for BCF programme
Accountability for delivery of Section 75 agreement
To identify opportunities for further integration of health & social care services.
Strategic direction and decision making

Key programme commissioning and de-commissioning decisions
Finance and Performance overview
Development of the BCF plan
Review of s75 agreement and recommend ratification to governing bodies
To determine the use of unallocated financial resources >£100k

Delivery of the BCF plan
To deliver the Better Care Plan of behalf of HWB
Operational oversight of BCF schemes
Monitoring performance
To determine the use of unallocated financial resources <£100k
Sign-off Quarterly BCF returns

Oversee the schemes implementation
Report progress against performance targets and outcomes to the Programme board
Track & report financial spend, key issues and risks to Programme board
Engagement and co-production with stakeholders



• Local, regional & national governance arrangements

NHS England regional offices are involved in the assurance of the BCF plan alongside regional local government colleagues. Overall plans are approved and permission is given to spend the BCF once NHS England and the Integration Partnership Board have agreed that funding conditions have been met. Appendix 1 sets out the regional and national assurance process for the approval of the Better Care plan.



appendix 1 BCF
regional and national