

**NHS Herts Valleys Clinical Commissioning Group**  
**Board Meeting**  
**November 5th 2015**

<b>Title</b>	Section 75 Agreement - The legal agreement between HVCCG and HCC regarding the pooling of funding to deliver health and social care services	<b>Agenda Item: 17</b>
<b>Purpose (tick one only)</b>	Approval <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Consideration <input type="checkbox"/> Noting <input type="checkbox"/>	Information <input type="checkbox"/>
<b>Responsible Director(s) and Job Title</b>	Alan Warren, Chief Finance Officer David Evans, Deputy Director of System Resilience	
<b>Author and Job Title</b>	Sarah Bowker, Project Manager in the Integrated Care Programme Team	
<b>Recommendations/ Action Required by the Board</b>	The Board is invited to agree the Section 75 Agreement presented.	
<b>Classification</b> <i>Is this report exempt from public disclosure? (ie. FOIA or DPA)</i>	No	
<b>Impact on Patients/Carers/Public</b>	<p>This Agreement provides the legal framework for the pooling of health and social care funding. By pooling funding, patients will receive more integrated services which have been jointly funded and jointly designed for their benefit.</p> <p>Patients and their carers will be supported to remain healthy and independent in their own homes for longer. They will receive coordinated community services which are flexible and able to adapt quickly to changing health and social care needs. This will reduce patient and carer reliance on formal services such as GPs and A&amp;E departments.</p>	
<b>Engagement with Stakeholders/Patient/Public</b>	Extensive – through multi-agency engagement events in February 2015. There has been ongoing engagement with stakeholders through the development of the Better Care Fund Plan; the strategic document outlining how the pooled funding for older people will be used.	
<b>Links to Strategic Objectives</b>	<ol style="list-style-type: none"> <li>1. Local people are supported to stay well, preventing ill-health</li> <li>2. Patients and carers are empowered to take an active part in their own care</li> <li>3. Patients will receive their care and treatment in the right place - at home or as close to home as possible</li> <li>4. Patients will experience services that are joined up</li> </ol>	
<b>Board Assurance Framework</b> <i>Does this report provide evidence of assurance for the Board Assurance Framework?</i>	<p>3.2 -failure to engage the local health and social care economy will impact on the quality of planning and the implementation of integrated care compromising overall plans to transform care</p> <p>4.2 -Programmes or projects are not delivered on time or to plan exposing the CCG to reputational and financial risk and inability to deliver transformation</p>	
<b>Does this report mitigate risk that is included in the Corporate Risk</b>	Risk Register : SO3/05 (this risk is specifically about transforming Health and Social care through Better Care Fund)	

<b>Register?</b>	
<b>Resource Implications</b>	The financial and staff resource implications of this Agreement are clearly outlined in the Agreement and Schedules.
<b>Equality and Diversity</b> (Has an Equality Analysis been completed?)	Project leads are responsible for completing EQIAs for individual projects.
<b>Legal/Regulatory Implications</b>	This Section 75 is the legal framework for pooling of health and social care monies and is a requirement of the Better Care Fund. This Section 75 outlines how funding will be pooled with respect to services for mental health and learning disability, Hertfordshire Equipment services, and community health and social care services for older people (the Better Care Fund).
<b>Sustainability Implications</b>	None
<b>NHS Constitution</b>	Not Applicable
<b>Report History</b>	Better Care Fund plan was previously presented to Board on 27 <sup>th</sup> March 2014 and 5 <sup>th</sup> March 2015
<b>Appendices</b>	A Contents page to this Section 75 Agreement is included within the documents and outlines the Schedules and Appendices which form part of the Agreement.