



#plymcabinet

Democratic and Member Support

Chief Executive's Department
Plymouth City Council
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Cabinet

Tuesday 25 April 2017

4.00 pm

Warspite Room, Council House

Members:

Councillor Bowyer, Chair

Councillor Nicholson, Vice Chair

Councillors Mrs Beer, Mrs Bowyer, Darcy, Downie, Jordan, Michael Leaves, Ricketts and Riley.

Members are invited to attend the above meeting to consider the items of business overleaf.

This agenda acts as notice that Cabinet will be considering business in private if items are included in Part II of the agenda.

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Warspite Room and during the course of the meeting, Councillors are consenting to being filmed and to the use of those recordings for webcasting.

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Tracey Lee

Chief Executive

Cabinet

Agenda

Part I (Public Meeting)

1. Apologies

To receive apologies for absence submitted by Cabinet Members.

2. Declarations of Interest (Pages 1 - 2)

Cabinet Members will be asked to make any declarations of interest in respect of items on this agenda. A flowchart providing guidance on interests is attached to assist Councillors.

3. Minutes (Pages 3 - 4)

To sign and confirm as a correct record the minutes of the meeting held on 7 March 2017.

4. Questions from the Public

To receive questions from the public in accordance with the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five clear working days before the date of the meeting.

5. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

6. Grant Conditions Attached to the Funding for Adult Social Care Announced in the Spring Budget 2017 (Pages 5 - 12)

Cabinet will receive a report on the Grant Conditions Attached to the Funding for Adult Social Care Announced in the Spring Budget 2017.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?



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Does the business relate to or is it likely to affect a disclosable pecuniary interest (DPI)? This will include the interests of a spouse or civil partner (and co-habitees):

- any employment, office, trade, profession or vocation that they carry on for profit or gain
- any sponsorship that they receive including contributions to their expenses as a councillor or the councillor’s election expenses from a Trade Union
- any land licence or tenancy they have in Plymouth
- any current contracts leases or tenancies between the Council and them
- any current contracts leases or tenancies between the Council and any organisation with land in Plymouth in they are a partner, a paid Director, or have a relevant interest in its shares and securities
- any organisation which has land or a place of business in Plymouth and in which they have a relevant interest in its shares or its securities

No



Yes



Declare interest and leave (or obtain a dispensation)

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Does the business affect the well-being or financial position of (or relate to the approval, consent, licence or permission) for:

- a member of your family or
- any person with whom you have a close association; or
- any organisation of which you are a member or are involved in its management (whether or not appointed to that body by the council). This would include membership of a secret society and other similar organisations.

Yes



No



You can speak and vote

Will it confer an advantage or disadvantage on your family, close associate or an organisation where you have a private interest more than it affects other people living or working in the ward?

Yes



No



Declare the interest and speak and vote

Speak to Monitoring Officer in advance of the meeting to avoid risk of allegations of corruption or bias

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Cabinet members must declare and give brief details about any conflict of interest* relating to the matter to be decided and leave the room when the matter is being considered. Cabinet members may apply to the Monitoring Officer for a dispensation in respect of any conflict of interest.

*A conflict of interest is a situation in which a councillor’s responsibility to act and take decisions impartially, fairly and on merit without bias may conflict with his/her personal interest in the situation or where s/he may profit personally from the decisions that s/he is about to take.

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Cabinet

Tuesday 7 March 2017

PRESENT:

Councillor Bowyer, in the Chair.

Councillor Nicholson, Vice Chair.

Councillors Mrs Beer, Mrs Bowyer, Downie, Jordan, Michael Leaves, Ricketts and Riley.

Apologies for absence: Councillors Darcy

The meeting started at 4.00 pm and finished at 4.23 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

71. **Declarations of Interest**

There were no declarations of interest.

72. **Questions from the Public**

There were no questions from members of the public.

73. **Chair's Urgent Business**

There were no items of Chair's urgent business.

74. **The Council's Corporate Plan Monitoring Report and Commitments Progress Report**

The Leader invited Andrew Loton, Senior Performance Officer, to introduce a report on the Council Corporate Plan Monitoring Report and Commitments Progress report.

Mr Loton provided highlights from the report attached to the agenda.

Following a short debate and questions, Cabinet agreed to note the report.

75. **Proposal to create a wholly owned PCC company to create agility in raising revenue and minimising costs**

The leader invited Simon Arthurs, Senior Financial Analyst, to present a report on creating a wholly owned company to create agility in raising revenue and minimising cost.

Mr Arthurs provided Cabinet with highlights from the report attached to the agenda.

Following a short debate and questions Cabinet agreed to –

1. approve the creation of a flexible and scalable company limited by guarantee wholly owned by the Council to enable financial solutions to challenges the Council faces;
2. approve the process of a case by case Business Case as the authorised method of expanding the company's portfolio;
3. approve the business case for the City Market to protect the economic vitality of the city market whilst preserving the building for future generations to enjoy.

76. **Framework Agreement for Plymouth Supported Living Services Contract Award Report**

The Leader invited Councillor Mrs Bowyer, Cabinet Member for Health and Social Care, to present a report on a Framework Agreement for Plymouth Supported Living Services Contract awards.

Following a short debate and questions Cabinet agreed -

1. to award contracts under the Framework Agreement for a period of up to 12 years;
2. that every 3 years the Framework will be opened up to give new suppliers the opportunity to join the Framework Agreement, existing Framework suppliers will be required to resubmit their prices for new referrals only; prices for existing call-offs will remain the same.

Details of the successful suppliers are contained in the Part II report. The tender evaluation process has determined that they have the critical knowledge and experience to provide these services and that considering all evaluation criteria they have offered the 'most economically advantageous tender'.

PLYMOUTH CITY COUNCIL

Subject: Grant conditions attached to the funding for Adult Social Care announced in the Spring Budget 2017

Committee: Cabinet

Date: 25 April 2017

Cabinet Member: Councillor Darcy and Cllr Mrs Bowyer

CMT Member Carole Burgoyne (Strategic Director for People)

Author: David Northey, Head of Integrated Finance

Contact details Tel: 01752 305428

Email: david.northey@plymouth.gov.uk

Ref:

Key Decision: No

Part: I

Purpose of the report:

To set out the arrangements to develop Plymouth City Council's detailed plans for the additional Adult Social Care funding allocation and its inclusion in the existing Better Care Fund (BCF).

The report details the requirements of the Secretary of State of how the funding can be utilised and the approval and reporting mechanisms.

The Corporate Plan 2016/19:

The additional funding was received after Council approved the 2017/18 Budget setting out the revenue and capital resources available to deliver the Corporate Plan. This report sets out the allocation of the additional funding and how it will improve outcomes for recipients of adult social care.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

The resource implications are set out in the body of the report.

This is additional funding for the provision of adult social care and is time-limited over a three year period. As such, it must be noted, that this is not an on-going revenue stream and cannot be subsumed into business as usual to close the funding gap for adult social care. There are clear ministerial guidelines on the areas this money can be used for and Plymouth City Council, working in partnership with key stakeholders such as NEW Devon CCG will ensure the funds are invested in transforming the social care system.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The proposals contained within this report provide the maximum resources available to address the key policy area of adult social care.

Equality and Diversity:

A full equalities impact assessment was undertaken as part of the 2017/18 Budget report and contained a section on adult social care funding.

Recommendations and Reasons for recommended action:

Cabinet is recommended:

1. To note the three year additional funding total of £11.275m which is allocated 2017/18 £5.800m; 2018/19 £3.660m and 2019/20 £1.815m.
 2. To note the requirement to pool this additional funding into the existing Better Care Fund (BCF) as set out in the government guidelines.
 3. To note the terms and conditions attached to the funding, in particular the requirement for Plymouth City Council to provide a quarterly finance report to DCLG, signed by the Section 151 Officer
 4. To authorise senior officers to develop detailed plans for this additional funding in line with the existing delegation powers.
 5. To authorise senior officers to seek approval of the resultant plans with the Health and Wellbeing Board
 6. To note Plymouth City Council's intention to work with NEW Devon CCG to develop an application to "Graduate from BCF"
-

Alternative options considered and rejected:

There are no alternative options. The Grant Conditions attached to this new funding clearly set out the guidelines and expectations of central government. The recommendations ensure we are compliant and therefore receive the funding in full.

Published work / information:

Background papers:

Title	Part I	Part II	Exemption Paragraph Number						
			1	2	3	4	5	6	7

Sign off:

Fin	akh1718.07	Leg	LT/27967	Mon Off	DS/27 967	HR	n/ a	Ass ets	n / a	IT	n/a	Strat Proc	n / a
Originating SMT Member Craig McArdle													
Has the Cabinet Member(s) agreed the content of the report? Yes													

I. Background

- 1.1 This report sets out the decisions required of Cabinet on the plans for the additional Adult Social Care funding allocated to Plymouth City Council in the Spring Budget 2017.
- 1.2 There are a number of conditions set jointly by the Department of Health (DoH) and the Department for Communities and Local Government (DCLG).
- 1.3 These are set out in the joint Policy Framework “2017-19 Integration and Better Care Fund” published at the end of March 2017. This guidance supports the Five Year Forward View and the Sustainability and Transformation Plans.
- 1.4 Additional regulatory guidelines were due to be published at the end of March 2017. At the time of publication of this paper these were still awaited. Once received they will be reviewed by legal and finance officers to ensure the plans set out in this report are fully compliant.
- 1.5 If there are any material changes required as a result of the regulatory guidelines, these will be tabled for review at this Cabinet meeting.
- 1.6 The Better Care Fund is the only mandatory policy to facilitate health and social care integration. It brings together health and social care funding, with a major injection of social care money announced at Spring Budget 2017.
- 1.7 Plymouth City Council has been awarded £11.3m over three years with £5.8m due to be received in 2017/18.
- 1.8 Announced in June 2013, the **Better Care Fund (BCF)** brings together health and social care budgets to support more person-centred, coordinated care. In the first two years of the BCF, the total amount pooled has been £5.3bn in 2015/16 and £5.8bn in 2016/17.
- 1.9 The policy framework for the Fund covers two financial years to align with NHS planning timetables and to give areas the opportunity to plan more strategically.
- 1.10 Details of the national financial breakdown are below:

Better Care Fund funding contribution	2017/18	2018/19
	£b	£b
Minimum NHS (clinical commissioning groups) contribution	3.582	3.650
Disabled Facilities Grant (capital funding for adaptations to houses)	0.431	0.468
New grant allocation for adult social care (Improved Better Care Fund)*	1.115	1.499
Total	5.128	5.617

*Combined amounts announced at Spending Review 2015 and Spring Budget 2017

- 1.11 The Mandate to NHS England for 2017/18 requires NHS England to ring-fence £3.582 billion within its overall allocation to Clinical Commissioning Groups to establish the BCF in 2017/18. The Mandate was published on 20th March 2017.
- 1.12 The remainder of the £5.128bn BCF in 2017/18 will be made up of the £431m Disabled Facilities Grant (DFG) and £1.115bn new grant allocation to local authorities to fund adult social care, as announced in the 2015 Spending Review and Spring Budget 2017.
- 1.13 Both grants are paid directly from the Government to local authorities.
- 1.14 As in the previous two years, the NHS contribution to the BCF includes funding to support the implementation of the Care Act 2014. Funding previously earmarked for reablement (£300m) and for the provision of carers' breaks (£130m) also remains in the NHS allocation.
- 1.15 New grant for adult social care was announced in the 2015 Spending Review and Spring Budget 2017 and labelled as 'Improved Better Care Fund' (iBCF) funding
- 1.16 The Government's Spending Review in 2015 announced new money for the BCF of £105m for 2017/18, £825m for 2018/19 and £1.5bn for 2019/20. The Spring Budget 2017 subsequently increased this to £1.115bn for 2017/18, £1.499bn for 2018/19 and £1.837bn for 2019/20. The Government will require that this additional Improved Better Care Fund (iBCF) funding for adult social care in 2017-19 will be pooled into the local BCF. This funding does not replace, and must not be offset against the NHS minimum contribution to adult social care.
- 1.17 In order to draw down from the now long established Better Care Fund PCC and NEW Devon CCG entered into a legal agreement, provided for in Section 75 of the National Health Service Act 2006 which has become known as a "Section 75 Agreement".
- 1.18 In Plymouth we are one of the areas who choose to go further than this – we are using the S75 Agreement to pool funds from both the Council and NEW Devon CCG to create an overall fund for care in the city.
- 1.19 In fact we are going further still – where there are restrictions on what can be included in a S75 Pool Fund, we have created an "aligned budget" to operate in conjunction with the Agreement. Therefore our Pooled + Aligned = Integrated Fund.
- 1.20 For 2017-19, there are four national conditions attached to the Better Care Fund:
 1. Plans to be jointly agreed
 2. NHS contribution to adult social care is maintained in line with inflation
 3. Agreement to invest in NHS commissioned out-of-hospital services, which may include 7 day services and adult social care.
 4. Managing Transfers of Care (a new condition to ensure people's care transfers smoothly between services and settings).
- 1.21 Beyond this, we have flexibility in how the Fund is spent over health, care and housing schemes or services, but need to agree how this spending will improve performance in the following four metrics:
 - a. Delayed transfers of care;
 - b. Non-elective admissions (General and Acute);
 - c. Admissions to residential and care homes; and
 - d. Effectiveness of reablement.


2. Grant conditions attaching to funding for Adult Social Care announced in the Spring Budget 2017

- 2.1 This is “new” money coming into the adult social care service and is time limited to the three year period 2017/18 to 2019/20. As such, it must be clearly noted this is not an on-going revenue stream and cannot be subsumed into business as usual to close the funding gap for adult social care.
- 2.2 There are clear ministerial guidelines on the areas this money can be used for and Plymouth City Council, working in partnership with key stakeholders such as NEW Devon CCG will ensure the funds are invested in transforming the social care system.
- 2.3 The uses of this Grant are set out as:
- 2.4 The Grant is to be spent on adult social care and used for the purposes of meeting adult social care needs, reducing pressures on the NHS - including supporting more people to be discharged from hospital when they are ready - and stabilising the social care provider market.
- 2.5 Plymouth, as a recipient authority must:
 - a. Pool the grant funding into the local Better Care Fund;
 - b. Work with NEW Devon Clinical Commissioning Group and providers to meet National Condition 4 (Managing Transfers of Care) in the Integration and Better Care Fund Policy Framework and Planning Requirements 2017-19; and
 - c. Provide quarterly reports as required by the Secretary of State.
- 2.6 We will therefore ensure this grant is included in our Better Care Fund from 1st April 2017 and work has already commenced with NEW Devon Clinical Commissioning Group and other partners to develop plans. These plans will align to the strategic aims of the Sustainability and Transformation Plan
- 2.7 The Secretary of State has made it clear the responsibility for the quarterly sign off and reporting of how this money is being used lies with the Local Authority through the Section 151 Officer. This is a departure from the current BCF reporting requirements which are the responsibility of the Chief Finance Officer of the CCG.
- 2.8 As already agreed with the Budget Scrutiny Standing Select Committee, the existing BCF will be reported within the existing Integrated Fund monthly report and PCC’s quarterly Finance Monitoring Report. This additional funding will also be incorporated into these reports to supplement the S151 Officer’s formal submission to the Secretary of State.
- 2.9 The Government has made clear that part of this funding is intended to enable Plymouth as a local authority to quickly provide stability and extra capacity in local care systems. We are therefore able to spend the grant, including to commission care, subject to the conditions set out in the grant determination, as soon as plans have been locally agreed.

2.10 The funding is front loaded with the initial year’s allocation of £5.800m reducing to £1.815m in year three. It is therefore imperative that plans are implemented as soon as they are ready to ensure we derive maximum results.

2.11 Hence we are seeking Cabinet approval and delegation now and not waiting until the full guidelines is available or fully developed plans are prepared.

3. Emerging pressures: areas requiring additional funding

Meeting Adult Social Care Needs	Reducing Pressures on the NHS	Stabilising the Social Care Provider Market
Managing Demand Keeping Adults Safe	Supporting Seven Day Discharges Supporting Care Homes Alternatives to Admissions Schemes	Supporting the local provider market and workforce
 Transformation and Integration of Health and Wellbeing Services		

3.1 Discussions are taking place with our key partners, in particular our colleagues within the CCG to formulate plans for the best outcomes from this funding.

3.2 It is imperative that this funding is not consumed into the business as usual funding of social care provision. It has to be that all plans support our next stage of transformation and integration and delivers real outcomes which can be measured and evaluated over the three year funding period.

3.3 As illustrated in the table above, we are reviewing three key areas of service provision in line with the guidelines. Detailed plans are currently being formulated to best allocate the available £5.800m for 2017/18.

3.4 As part of the existing Integrated Health and Wellbeing Transformation Programme, the service already has outline plans in place. This funding will ensure we can prioritise immediate additional funding to maximise future sustainable service improvements.

4. Next Steps – Funding

4.1 A full understanding of the planning guidance, issued by the Secretary of State at the beginning of April 2017 is gained by legal and finance officers.

4.2 Any required changes as a result of the guidelines will be tabled and fully discussed at the Cabinet meeting.

4.3 Project support is requested and provided by the existing PCC transformation team. It is clear we need to implement our plans as soon as they are formulated and approved to maximise the full funding allocation in 2017/18. This is anticipated to require additional project resource.

- 4.4 Meetings will continue with stakeholders across the health and care system over the next two weeks to ensure clarity and buy-in to the proposed plans.
- 4.5 The Plymouth Health and Wellbeing Board will be presented with clear plans for their sign off.
- 4.6 We will ensure full governance for the approval of how this additional funding is allocated using the existing powers of delegation for the Integrated Fund.
- 4.7 As part of the Better Care Fund, this grant funding will automatically form part of the Integrated Fund Spending requirements and will be reviewed by the Finance and Assurance Review Group (FARG) which will make recommendations to the Integrated Commissioning Board.
- 4.8 Where appropriate and required by our constitution any key decisions will be referred to Cabinet. There is the additional requirement for the S151 Officer to sign off and report on the expenditure to the Secretary of State.

5. Next Steps – The Better Care Fund “Graduation” Process

- 5.1 The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services by requiring CCGs and local authorities to enter into pooled budgets arrangements and agree an integrated spending plan.
- 5.2 The best areas are showing that greater levels of integration bring positive benefits to improving people’s health, wellbeing and experience of care; particularly in wrapping services around people’s needs and shifting the focus to keeping people well and happy at home, with reduced demand for hospital and other health and care services.
- 5.3 Plymouth City Council is clearly demonstrating the benefits of such a strategy using the S75 Agreement with NEW Devon Clinical Commissioning Group to create the Integrated Fund. In addition the joint post of Director of Integrated Commissioning across PCC and NEW Devon CCG bringing together all the commissioning resources and staff for Plymouth and the Western locality demonstrates the level of progress on integration across the system. We also have an integrated health and social care community provider through Livewell Southwest which has been in place since 1st April 2015.
- 5.4 The Secretary of State has announced that geographical areas are able to graduate from the existing BCF programme management once they can demonstrate that they have moved beyond its requirements.
- 5.5 Plymouth City Council is therefore working with NEW Devon CCG to consider applying for graduation.
- 5.6 Graduation will mean that we will have an ‘earned autonomy’ leading to a different relationship with the BCF programme. We will have reduced planning and reporting requirements and greater local freedoms to develop agreements appropriate to a more mature system of health and social care integration in the City.
- 5.7 It is the Government’s ambition that all areas will be able to work towards graduation from the BCF to be more fully integrated by 2020.
- 5.8 The DCLG and the DoH are planning to test the graduation process with a small number of areas (6 to 10) with a view of being the first wave to graduate and use the learning to refine the criteria and process going forwards.

- 5.9 Successful applicants will need to commit to and have the capacity to participate in both the selection process below, the pilot evaluation and share learning with peers and with national organisations supporting integration work.
- 5.10 The timeline is very tight with all proposals needing to be submitted by 28th April 2017. The results will then be announced 10th May 2017 with graduation workshops planned to run in May and June, with graduation panels taking place in early-to-mid July.
- 5.11 The graduation panels will comprise representatives from the Department of Health, Department for Communities and Local Government, NHS England, Local Government Association, and Association of Directors of Adult Social Services. The panels will agree with local leaders, clear, measurable and transparent objectives and milestones for integration locally to 2020.