

<b>Report to</b>	<b>Partnerships Scrutiny Committee</b>
<b>Date of meeting</b>	<b>19<sup>th</sup> December 2019</b>
<b>Lead Member / Officer</b>	<b>Councillor Bobby Feeley, Lead Member for Well-Being and Independence</b>
<b>Report author</b>	<b>Bethan Jones Edwards, Head of Regional Collaboration; Steve Gadd, Chief Accountant; Nicola Stubbins, Corporate Director: Communities (Statutory Director of Social Services)</b>
<b>Title</b>	<b>Pooled Budgets Agreement for Care Home Accommodation for Older People 2019-20</b>

## **1. What is the report about?**

### **The regional pooled budget for care homes accommodation**

- 1.1. Steps have now been taken regionally to ensure compliance with the requirement within the Social Services and Well-Being (Wales) Act 2014 to establish and maintain pooled funds for care homes accommodation functions for older people.
- 1.2. Cabinet received an update report in July 2019 about the establishment of a single regional, non-risk sharing pooled fund for care homes accommodation functions to be hosted by Denbighshire County Council for a period of three years.

## **2. What is the reason for making this report?**

### **To provide members with an update on progress**

- 2.1. Arrangements were put in place for the 6 Local Authorities and the Health Board to seek approval to enter into the pooled budget arrangement. The

intention was that the first transfer of funds would take place in Quarter 2 2019/20.

- 2.2. Confirmation was received from each of the Local Authorities of the approval gained to enter into this pooled budget arrangement and signatures progressed for the legal agreement. This agreement gives protection to Denbighshire County Council as the 'host authority' for the pooled budget.
- 2.3. The approval process within the Health Board was delayed which led to the first transfer of funds not being able to take place, the approval is now in place and it is now the intention to transfer from Quarter 3.
- 2.4. Arrangements are now in place for the Quarter 3 transfer of funds to be processed in January 2020 and confirmation is being sought as to whether there is a need to retrospectively transfer funds relating to Quarters 1 and 2.
- 2.5. The Welsh Government commissioned a review of the pooled budget arrangements in place for care homes accommodation, this was undertaken by KPMG. Denbighshire County Council officers attended the review meeting along with Health Board officers. To date, there is no feedback or report on this review available.

### **3. What are the Recommendations?**

That

- 3.1. Members consider the information provided and comment on the progress made regionally in meeting the requirements within Part 9 of the Social Services and Well-Being (Wales) Act 2014 which requires a regional pooled fund to be established for care home accommodation for older people.
- 3.2. Members confirm that they have read and understood the Well-Being Impact Assessment attached at Appendix 1.
- 3.3. Members are assured that by each partner signing the legal pooled budgets agreement at Appendix 2, that Denbighshire County Council, as 'host authority' for the pool has appropriate protections in place to protect itself from financial and reputation risks.

- 3.4. Members are assured that by entering and complying with pooling of care home budgets it is complying with the legislation under Part 9 of the Social Services and Well-Being (Wales) Act 2014.
- 3.5. Denbighshire County Council continues to work with partners to deliver seamless, service user focussed services to its citizens in partnership with other Local Authorities and the Health Board through its pooled budget arrangements and wider through the work of the Regional Partnership Board.

## **4. Report details**

- 4.1. Members will be aware that Part 9 of the Social Services and Well-Being (Wales) Act 2014 provides for Regional Partnership Boards to be established. These Boards bring together health, social services, the third sector and other partners to take forward effective integration of health and social services. Whilst the Regional Partnership Boards have strategic and oversight responsibilities in relation to promoting the use of pooled fund arrangements, it is the responsibility of the partners themselves to establish, develop and operate any pooled budget arrangement.
- 4.2. Members will recall that a Regional Integration Agreement has previously been endorsed by Denbighshire County Council and the other Local Authorities and the Health Board. This sets out the partners' approach to integrated working and to provide a framework outlining how integration may be achieved in the region including the pooling of funds. This pooled fund agreement is one of the identified areas for integration and pooling of funds included within the Integration Agreement.
- 4.3. This pooled budget arrangement is non-risk sharing. There is no delegation of functions involved as part of this arrangement. This means that all partners will continue to retain full individual responsibility for fulfilling their statutory duties in so far as commissioning and provision of care home accommodation is concerned. Budget and expenditure also remains the sole responsibility of each individual partner.
- 4.4. Quarterly reports on the pooled budget arrangements will be available to the Regional Partnership Board and to each individual partner organisation.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1. The Council works with people and communities to build independence and resilience
- 5.2. Everyone is supported to live in homes that meet their needs
- 5.3. Place where younger people will want to live and work and have the skills to do so.

## **6. What will it cost and how will it affect other services?**

- 6.1. The costs for maintaining and managing the pooled budget arrangement is being met through funds available to the Regional Collaboration Team, via Welsh Government Grants or partner contributions. The Regional Collaboration Team is hosted in Denbighshire County Council.

## **7. What are the main conclusions of the Well-being Impact Assessment?**

- 7.1. The pooled budget arrangement is a process matter and should not have any impact on the current arrangements that each partner has with its care homes

## **8. What consultations have been carried out with Scrutiny and others?**

- 8.1 Scrutiny has received update reports on the following dates:

6 April 2017; 2 November 2017; 28 June 2019.

- 8.2 The Director of Social Services has reported on progress at the Regional Partnership Board on a regular basis, the last report being in June 2019.

## **9. Chief Finance Officer Statement**

- 9.1. The development of a non-risk sharing pool to include financial transactions was supported in order to meet legislative requirements.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. The legal agreement which each partner organisation enters into provides a framework which offers consistency, clarity and protection for all partners in respect of the establishment, operation and governance of the non-risk sharing pooled fund. The agreement lasts for a period of 3 years from its commencement and the arrangements will therefore need to be robustly reviewed prior to the expiry of the 3 year period.

## **11. Power to make the decision**

11.1. Sections 1660167 Social Services and Well-Being (Wales) Act 2014

11.2. The Partnership Arrangements (Wales) Regulations 2015

11.3. Part 9 Statutory Guidance (Partnerships and Integration)

11.4. Section 2 Local Government Act 2000

11.5. Partnerships Scrutiny Committee's role in ensuring that the Council's interests, resources and priorities are reflected in the work of partnerships involving the Council are outlined in Section 7.3 of the Council's Constitution, whilst Section 7.4.2(b) stipulates Scrutiny's powers in respect of examining performance related matters.