

Record of Delegated Executive Decision(s)

1. Subject of decision

Decision to enter into a section 75 (of the Health Service Act 2006) agreement with the North East and North Cumbria Integrated Care Board to operationalise the Better Care Fund for 2023/24

2. Name and Title of Decision Maker

Eleanor Binks, Director of Adult Social Care

3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest.

None

4. Executive summary (To be taken from written report)

On 22 May 2023 Cabinet agreed that the draft Better Care Fund Plan for 2023-2025 be submitted to the Health and Wellbeing Board for further approval prior to the Plan's submission to NHS England. At the same meeting, Cabinet gave the Director of Adult Services, in consultation with the Director of Resources, Director of Commissioning and Asset Management, and Head of Law, authorisation to enter into an Agreement under section 75 of the National Health Service Act 2006 (section 75 Agreement) and to implement the financial and administrative arrangements for the Better Care Fund.

The Cabinet report from 22 May 2023 can be accessed [here](#)

5. Alternative Options considered.

Not entering into a s.75 agreement. However, this may prevent the Authority receiving vital funding to maintain adult social care services within the Borough. The Government requires a s.75 agreement to be in place by 31 October 2023.

6. Decision(s)

The Director of Adult Services following consultation with the Director of Resources, Director of Commissioning and Asset Management, and Head of Law will enter into the section 75 Agreement with the Integrated Care Board in relation to the Better Care Fund for 2023-24.

7. Reasons for the Decision(s)

Entering into a s.75 agreement enables the Authority to receive funding to maintain adult social care services within the Borough. The Government requires a s.75 agreement to be in place by 31 October 2023.

8. Date Decision Made

28 September 2023

To be completed by Democratic Services

9. Is this decision subject to call-in and if so expiry date of call-in period

Yes, 5pm Monday 9 October 2023

10. Date of Publication

2 October 2023

11. Implementation Date (if decision not called in)

After 5pm on Monday 9 October 2023