

	Cabinet 27 July 2026
	Report from the Corporate Director of Service Reform and Strategy Rachel Crossley
	Lead Member – Leader of Council & Cabinet Member for Adult Social Care (Councillor Muhammed Butt)
S75 Shared Funding Agreement between West and North London Integrated Care Board and Brent Council primarily related to the Better Care Fund	
Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	Seven Appendix 1: Schedule 1 - S75 - Funding 26-27 - Appendix 2: Schedule 2 - Brent Structure and Governance - 26-27 Appendix 3: Schedule 3 - Risk Share and Overspend - 26-27 Appendix 4: Schedule 4 - Joint Working Obligations - 26-27 Appendix 5: Schedule 5 - Performance Arrangements - 26-27 Appendix 6: Schedule 6 - Brent BCF Numerical Plan 2026-27 - awaiting final NHSE Approval Appendix 7: Schedule 7 - Brent BCF Narrative Plan 2026-27 - awaiting final NHSE Approval
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Eleanor Maxwell, Senior Programme Officer – BCF Lead 020 8937 2195 Eleanor.Maxwell@brent.gov.uk

1.0 Executive Summary

- 1.1. The Better Care Fund (BCF) 2026/27 is a key delivery mechanism for achieving Brent's strategic ambitions for health, care and wellbeing. It supports the priorities set out in the Brent Borough Plan, the Brent Joint Health and Wellbeing Strategy and the North West London Integrated Care Strategy by promoting prevention, reducing health inequalities, supporting people to live independently for longer and improving outcomes through integrated, person-centred care. BCF investment enables health, social care and voluntary and community sector partners to work collaboratively to reduce avoidable hospital admissions, support timely discharge, strengthen community-based services and improve the experience and independence of residents. During 2026/27, the BCF will also support the borough's transition towards integrated neighbourhood working, ensuring services are coordinated around the needs of local communities while delivering the national priorities and objectives set out within the Better Care Fund Policy Framework.
- 1.2. This report informs Cabinet of the proposal to enter a partnership arrangement, under Section 75 of the National Health Service Act 2006, in respect of the delivery of the approved Better Care Fund Plan with West and North London Integrated Commissioning Board (W&NL ICB) for 2026/27. The report summarises the reasons for entering into a new Section 75 Agreement for the delivery of the Better Care Fund Plan for 2026/27.
- 1.3. A new Section 75 Agreement is required following the amalgamation of North West London ICB and North Central London ICB, resulting in the establishment of the West and North London ICB as the Council's new statutory partner for the Better Care Fund. The proposed agreement covers the period 2026/27 and has a total pooled budget value of £57,025,104.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Approves the proposal to enter a new partnership arrangement under Section 75 of the National Health Service Act 2006 with the West and North London Integrated Care Board for the delivery of the approved Better Care Fund Plan for 2026/27, with a total pooled budget value of £57,025,104, as detailed in Appendix 1 of the report.
- 2.2 Delegate authority to the Corporate Director Service Reform and Strategy in consultation with the Lead Member for Adult Social Care to extend the Agreement referred to in 2.1 above by such period or periods as are considered appropriate up to a maximum of 4 years, such extensions shall conclude by the 31 March 2031.
- 2.3 Delegate authority to Corporate Director Service Reform and Strategy in consultation with the Corporate Director Finance and Resources to make annual financial contributions to the Better Care Fund budget for subsequent financial years provided there is no substantial change to the Agreement.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 The Better Care Fund is about making health and care services work better together for Brent residents. By bringing together funding from the Council and the NHS, we can plan services around the person rather than around organisational boundaries.
- 3.1.2 For 2026/27, this agreement will support a Brent budget of nearly £60 million. That funding will help people remain independent in their own homes, avoid unnecessary hospital admissions and help them safely return home when they no longer need care in a hospital setting. It will also support earlier intervention, stronger community services and closer working with the voluntary sector.
- 3.1.3 A new agreement is needed because the West and North London Integrated Care Board has been established as our new statutory health partner. While the organisational governance may have changed, our aim has not: we want residents to receive joined-up, compassionate care that responds to their circumstances and helps them live healthier and more independent lives.
- 3.1.4 I am pleased to support this agreement and welcome the continued partnership between Brent Council, the NHS, care providers and our voluntary and community organisations. By working together and making the best use of our shared resources, we can deliver better outcomes for people right across Brent.

3.2 Background

- 3.2.1 On 17 April 2023, following Cabinet approval, the Council entered a Partnership Arrangement under Section 75 of the National Health Service Act 2006, in respect of the delivery of the approved Better Care Fund (“BCF”) Plan with North West London Integrated Commissioning Board (NWL ICB) for 2023/24 (the “s75 Agreement”). The s75 Agreement was for an initial period of one year for the financial year 2023/24 with the option to extend for a further four years. Officers exercised the option to extend for 2024/25 and then a further extension to cover 2025/26.
- 3.2.2 Officers are not exercising the option to extend the existing Section 75 Agreement until 2028. Whilst the previous Agreement contained provisions permitting extension, the establishment of the West and North London Integrated Care Board as a new legal entity, together with changes to the Better Care Fund arrangements and the incorporation of amendments made over previous years, make it appropriate to replace the existing Agreement with a single consolidated document. This Agreement is intended to provide a clear and up-to-date contractual framework for the Parties.
- 3.2.3 The principles and context of the new s75 matches previous years, but it has been updated to reflect the operational plan for 2026/27. It uses a template provided nationally to facilitate the process.

This Agreement includes provisions allowing it to be extended for further period(s) of up to four years, subject to agreement between the Parties. This approach supports the annual Better Care Fund planning and assurance process while reducing the need for annual replacement agreements.

3.2.4 Officers considered that the s75 Agreement has assisted with close working between Adult Social Care (ASC) and Health and therefore propose to continue the partnership arrangements as provided for in the s75 Agreement.

3.2.5 The aims and benefits of entering into a s75 Agreement are to:

- a) improve the quality and efficiency of services.
- b) meet the National Conditions and local objectives.
- c) make more effective use of resources through the establishment and maintenance of a pooled fund for revenue expenditure of the Services.

3.2.6 Given the change in the legal entity of W&NL ICB, that BCF funding varies year on year and priorities change, Officers consider that a new s75 Agreement should be entered into. The s75 agreement reflects the approved 2026/27 BCF Plan as formally reviewed and agreed by Brent Council, W&NL ICB, together with formal approval from Health and Wellbeing Board (HWBB). The BCF Plan is in the final stages of approval by NHS England and approval will be confirmed prior to execution of the Agreement.

32..7 The BCF plan for 2026-27 has been updated to reflect all budget funding arrangements and updated guidance from NHS England. This includes new schemes commissioned by the Local Authority or the NHS, updated funding allocations for existing schemes and the removal of schemes that are no longer funded. These changes ensure that funding arrangements reflect current priorities, commissioning intentions and national BCF requirements.

3.2.8 The BCF is integral to delivering Brent's health and wellbeing priorities for both the Council and its health partners, including W&NL ICB. The effectiveness and value for money of BCF-funded services are monitored through a combination of scheme-specific performance indicators, national BCF metrics, financial monitoring, benchmarking against peer organisations and formal governance arrangements through the BCF Board and wider system governance structures. Formal quarterly reporting to Council, W&NL ICB and NHS England also takes place.

3.2.9 Within the Local Authority the BCF Board provides oversight of financial performance, delivery against agreed outcomes, risk management and compliance with national BCF requirements.

3.2.10 The BCF remains a key mechanism through which Brent Council and the W&NL ICB deliver integrated health and social care services and national BCF Fund objectives

- 3.2.11 Approval of the Section 75 Agreement will enable Brent Council and the W&NL ICB to establish the BCF pooled budget arrangements for 2026/27 and continue delivery of integrated health and social care services in line with the approved BCF Plan.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The BCF Plan has been developed jointly with Brent Council, W&NL ICB, NHS providers including Central and North West London NHS Foundation Trust (CNWL), Central London Community Healthcare NHS Trust (CLCH) and voluntary sector partners through established governance arrangements, including oversight through the Health and Wellbeing Board.

5.0 Financial Considerations

- 5.1 The value of the Contract, S75 Agreement in 2026/27 is £57,025,104. The value is an increase of £924,876.64 compared to the previous year, 2025/26. This increase is a result of the annual increase of 4.4% to the Minimum Contribution from the NHS which is shared between the Council and the ICB. This S75 agreement reflects the 2026/27 Plan.
- 5.2 The cost of this Contract is funded from the confirmed BCF funding sources – see Schedule 1 - S75 - Funding 26-27
- 5.3 The financial contributions from each partner are reflected within the approved Better Care Fund Plan and can be contained within existing approved budgets.

6.0 Legal Considerations

- 6.1 Section 75 Agreements is an arrangement specifically provided for under the National Health Service Act 2006 and therefore falls outside Procurement Legislation. The Section 75 Agreement provides the legal basis under which Local Authorities and health bodies can work together to improve health and social care provisions. This includes making arrangements for the pooling of funds and the delegation of responsibility for the commissioning of services.
- 6.2 Officers are proposing to enter into a Section 75 agreement with the North and West London Integrated Care Board for the Better Care Fund for 2026/27. This will include the option to extend the agreement by such period or periods are considered appropriate up to a further 4 years, such extensions to conclude by 31 March 2031. The Section 75 agreement will include proposed commissioning schemes and the funding arrangements for year 2026/27. Funding for 2027/28 onwards will be agreed in line with the NHS England Guidance and process on an annual basis.
- 6.3 In accordance with Part 3 of the Council's Constitution as the value of the section 75 Agreement will be classed as High Value, officers are seeking Cabinet approval to enter into the Agreement.

- 6.4 Contract Standing Order 85(a), provides that no Partnership Arrangements may be entered into unless they are approved by the Corporate Director Finance and Resources and a formal agreement covering the arrangements is signed by both parties

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 Many BCF schemes are specifically designed to support older people, disabled people and residents experiencing health inequalities.
- 7.2 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act.
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.4 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.5 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.6 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

8.0 Climate Change and Environmental Considerations

- 8.1 The proposals set out in this report relate to the continuation of partnership arrangements between Brent Council and the W&NL ICB through the BCF Section 75 Agreement for 2026/27. The report primarily concerns governance, financial arrangements and the commissioning of health and social care services.

- 8.2 There are no direct environmental or climate change implications arising from the approval of the Section 75 Agreement. However, the BCF supports the delivery of integrated, community-based services that can reduce the need for avoidable hospital admissions, support timely discharge from hospital and enable residents to receive care closer to home. These approaches may contribute indirectly to reducing travel requirements for residents and professionals and support more efficient use of health and care resources.
- 8.3 Key services delivered by health Partners including CNWL and CLCH or through Council commissioned services are expected to have due regard to either the host organisation or the Council's Climate Emergency Strategy and environmental objectives, with specific impacts considered through relevant decision-making processes.

9.0 Human Resources/Property Considerations (if appropriate)

- 9.1 Services are provided by a combination of external agencies and contractors, and Brent Council employed staff. There are no implications for permanently employed Council staff arising from this agreement.
- 9.2 There are no implications for property or accommodation as a result of this agreement.

10.0 Communication Considerations

- 10.1 The approval of the Better Care Fund Section 75 Agreement does not require a specific public communications campaign. The agreement formalises existing partnership arrangements between Brent Council and the W&NL ICB and supports the continued delivery of integrated health and social care services.
- 10.2 Relevant stakeholders, including Council services, NHS partners and commissioned providers, will be informed of the approval and any associated changes to funding arrangements or service delivery through established governance and operational channels. Where service changes arise from Better Care Fund programmes, appropriate communication and engagement plans will be developed and implemented in line with Council and NHS communication requirements.
- 10.3 Ongoing communication between partners will continue through the Better Care Fund governance arrangements to ensure shared understanding of priorities, performance, delivery and outcomes.

Report sign off:

Rachel Crossley

Corporate Director of Service, Reform and Strategy

Legal considerations provided by:

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