

SCHEME 5 – PERFORMANCE ARRANGEMENTS

Performance Management and Information Sharing

1. General Principles

- 1.1 Each Partner shall remain responsible and accountable for the performance, quality, governance and statutory compliance of the services and functions for which it is responsible under this agreement.
- 1.2 Each Partner shall ensure that services commissioned, provided or funded by it are delivered in accordance with:
 - a. applicable legislation;
 - b. statutory guidance;
 - c. relevant guidance and requirements issued by NHS England, the Department of Health and Social Care and any other relevant national body; and
 - d. recognised good practice.

2. Monitoring and Review

- 2.1 The Partners shall work collaboratively to monitor the effectiveness of the arrangements established under this Agreement.
- 2.2 The Partners shall review performance through the governance arrangements established under this Agreement and shall seek to identify and address any issues which may adversely affect the achievement of the Better Care Fund objectives.
- 2.3 Nothing in this Agreement shall transfer responsibility for the performance of a Partner's statutory functions to the other Partner.

3. Information Sharing

- 3.1 Each Partner shall provide to the other such information as may reasonably be required for:
 - a. the monitoring and management of this Agreement;
 - b. Better Care Fund planning, reporting and assurance requirements;
 - c. financial monitoring and audit requirements; and
 - d. compliance with applicable law and guidance.
- 3.2 Information shared under this Agreement shall be provided in a timely manner and in accordance with:
 - a. data protection legislation;
 - b. confidentiality obligations;
 - c. information governance requirements; and
 - d. any applicable information sharing protocols agreed between the Partners.

4. Cooperation

- 4.1 The Partners shall cooperate in good faith and use reasonable endeavours to support the successful delivery of the Better Care Fund.
- 4.2 Where either Partner becomes aware of any matter which may materially affect delivery of the Better Care Fund or compliance with this Agreement, it shall notify the other Partner as soon as reasonably practicable.