

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I101645
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1. **TITLE:** Section 75 Agreement – Arrangements for 2021/22 and onwards

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To approve the recommended Section 75 Arrangements for 2021/22 and onwards.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Executive Director: People, on behalf of the Council, agree and enter into an interim extension to the current Section 75 agreement with added service schedule information for 1 April 2021–31 March 2022 for the values referred to in the confidential Annex of the Executive Director’s report.

2 That a renewed Section 75 agreement to supersede the 2021/22 interim agreement be submitted for approval in early 2022, subject to Better Care Fund guidance being published, reflecting the ambition for partnership working in future years.

7. **REASON FOR DECISION**

The existing agreement expired on 31 March 2021; existing and new services that are jointly commissioned and or funded through a pooled budget need to be covered through a Section 75 agreement in order to be compliant with the NHS Act 2006 and have a clear partnership working protocol between the CCG and the Council.

The Better Care Fund will likely need to be covered by a Section 75 agreement to be compliant with the national conditions (guidance on which is expected shortly). National conditions for 20/21 stated: “Plans covering all mandatory funding contributions have been agreed by HWB areas and minimum contributions are pooled in a section 75 agreement (an agreement made under section 75 of the NHS Act 2006).”

8. **ALTERNATIVE OPTIONS CONSIDERED**

Other options, such as extending the existing S75 agreement without a full refresh or not establishing an interim arrangement, have been considered but were not recommended.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

10. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
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31 August 2021	7 September 2021
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