

## DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET

**DATE OF DECISION 23 February 2024**

**DATE DECISION PUBLISHED 23 February 2024**

**DATE DECISION WILL COME INTO FORCE** and implemented,  
unless the decision is called in, in accordance with section 7.25 of  
the Gwynedd Council Constitution **1 March 2024**

---

Cabinet Members: Councillors Councillor Dilwyn Morgan Adults, Health and Wellbeing  
Cabinet Member

Councillor Ioan Thomas - Finance Cabinet Member

---

**SUBJECT:** Pooled Fund Agreement for Care Home Accommodation for Older People

---

### **DECISION**

Re-commit to a regional pooled fund agreement for care home accommodation for older people, with Denbighshire County Council continuing to act as the hosting authority.

Delegate to the Head of Adults Health and Wellbeing the power to renew the agreement in future if the terms are similar.

---

### **REASON WHY THE DECISION IS NEEDED**

Please see attached officer report

---

### **DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE COUNCIL'S STANDARDS COMMITTEE**

None

---

### **ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION**

Consultation with  
Gwynedd Council Statutory Officers

The results of the consultations are reported upon in the attached report

---

**DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL  
CABINET – OFFICER REPORT**

Name and title of Cabinet Member/s:	Councillor Dilwyn Morgan Adults, Health and Wellbeing Cabinet Member Councillor Ioan Thomas - Finance Cabinet Member
Name and title of Report Author :	Dylan Owen, Corporate Director Social Services
Date of Decision :	23.02.24
Signature of Cabinet Member/s :	

**Subject :**

Pooled Fund Agreement for Care Home Accommodation for Older People

**Recommendation for the Decision :**

Re-commit to a regional pooled fund agreement for care home accommodation for older people, with Denbighshire County Council continuing to act as the hosting authority.

Delegate to the Head of Adults Health and Wellbeing the power to renew the agreement in future if the terms are similar.

**Reason why Decision is needed :**

The requirement to establish and maintain a regional pooled fund in North Wales for care home accommodation for older people is a legal requirement in accordance with the Social Services and Well-being (Wales) Act 2014 and the Partnership Arrangements (Wales) Regulations 2015.

At its meeting on [17 September, 2019](#) the Cabinet approved that the Council enter into a legal agreement between the Betsi Cadwaladr University Health Board and six North local authorities to regulate the organisation, operation and governance arrangements of the pooled fund for a period of three years.

The period of the original agreement has now ended, and therefore it is necessary to confirm the commitment for the year 2024/25 onwards.

**Reason and justification behind the Decision :**

The purpose of the pooled fund arrangements is to encourage Local Authorities and Local Health Boards to work together in order to influence as much as possible on the development of services in the future, and to ensure that the services are sustainable in the long term and can respond flexibly to local demand.

Combining funds for the commissioning of care home accommodation (nursing and residential alike) is one of the areas identified as a priority within the Integration Agreement (which was already supported by Cyngor Gwynedd, other North Wales Councils and Betsi Cadwaladr University Health Board).

The last agreement between Denbighshire County Council and other North Wales Councils and the Health Board was established for a term of 3 years. This agreement is with the same parties and allocates funding in the same way as before, but, this time it is a permanent commitment (that is, there is no final date on the agreement.) There is an option to come on agreement to end with 3 months notice but there are limited situations for this and it is important to note this. In the same way, it is possible to end this agreement following the establishment of a new agreement to supply its statutory duties.

In addition to the above, it is possible for any of the partners to call for further discussion to modify the agreement, and to modify the agreement with the decision of all the parties. It is therefore believed that this negates any additional risk to the Council.

There are no direct costs associated with re-committing to the agreement. The arrangement will mean that each partner organisation provides contributions to the pooled fund that are equivalent to the costs they incur. Each Partner will remain solely responsible for their own budgets and expenditure in this regard. Expenditure against the fund will be reviewed quarterly and offset against each partner's contributions.

No functions will be delegated as part of the pooled fund arrangement. This means that each partner will retain full individual responsibility for fulfilling their statutory duties in terms of commissioning and providing care home accommodation services.

No concern has been raised about the fund's governance arrangements, and it is sensible for Denbighshire County Council to continue to act as a hosting authority.

### **Declarations of personal interest by any Cabinet Member consulted with and any relevant dispensations approved by the Standards Committee**

None

### **Any consultations undertaken prior to making the decision :**

#### **Head of Finance –**

*The decision sought continues an arrangement that has already operated for some years and there is no financial reason for not continuing with the arrangement. It is not a “risk sharing” arrangement therefore each authority will remain responsible for managing its own financial risks.*

**Monitoring Officer –**

*The report has been the subject of input from the Legal Service. No observations to add in relation to propriety.*

**Local Member/s –**

N/A