

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service Commissioning Board (Payments to Local Authorities) Directions 2013

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by sections 256(5A), (5B) and (6) and 272(7) and (8) of the National Health Service Act 2006(a).

Citation, commencement and interpretation

1.—(1) These Directions may be cited as the National Health Service Commissioning Board (Payments to Local Authorities) Directions 2013 and come into force on 1st April 2013.

(2) These Directions—

- (a) are given to the National Health Service Commissioning Board in connection with its power to make payments to local authorities under section 256(1)(c) of the National Health Service Act 2006; and
- (b) apply in relation to the financial year ending 31st March 2014 (“the relevant financial year”).

(3) In these Directions—

“the 2006 Act” means the National Health Service Act 2006;

“the Board” means the National Health Service Commissioning Board(b).

Minimum amounts of section 256 payments

2.—(1) The minimum amount which the Board must spend in the relevant financial year in making payments under section 256 of the 2006 Act is £859 million.

(2) The Board must make payments under either or both of subsections (1) and (3) of section 256 of the 2006 Act to the local authorities listed in the Schedule.

(3) The minimum amount which the Board must pay to each local authority listed in the Schedule in respect of the relevant financial year is the amount identified in the Schedule as the local authority allocation for 2013/14 in relation to that authority.

Functions and activities in respect of which payment must be made

3.—(1) Subject to paragraphs (2) and (3), the payments made to a local authority up to the minimum amount specified in Direction 2 in relation to that authority must be made in respect of—

- (a) the functions of that authority as specified in section 256(1)(a) of the 2006 Act, in so far as those functions are exercised in relation to persons aged 18 years or more; or
- (b) activity which supports the exercise of those functions.

(2) The payments must be made in respect of functions or activity which would have a beneficial effect on—

- (a) the health of any individuals; or

(a) 2006 c.41; section 256 was amended by paragraph 129 of Schedule 4 to the Health and Social Care Act 2012 (“the 2012 Act”).

(b) The National Health Service Commissioning Board is established under section 1C of the National Health Service Act 2006 as inserted by section 9(1) of the 2012 Act.

- (b) the exercise of functions, or the provision of health services, as part of the health service in England.

(3) The payments may be made in order to support new or existing services or programmes to transform such services only if the services or programmes—

- (a) are, or would be, of benefit to the wider health and care system in the area of the local authority;
- (b) provide, or would provide, beneficial outcomes for persons using the services in question; and
- (c) in the case of existing services or programmes, would be terminated or reduced as a result of financial considerations by the local authority, if the payment was not made.

(4) In making payments in accordance with these Directions, the Board is to have regard to the commitment in the White Paper “*Caring for our Future; reforming care and support*” published July 2012 to the effect that payments under section 256 may be used to cover the revenue costs to local authorities in the relevant financial year of the commitments in that White Paper.

Other conditions relating to payments

4.—(1) The following conditions are prescribed in relation to payments made in accordance with these Directions.

(2) Each local authority must agree with its partner clinical commissioning groups—

- (a) how the payments are to be used in relation to its social care functions; and
- (b) the outcomes for service users which are expected to result from the payments.

(3) In agreeing the matters referred to in paragraph (2), the local authority and its partner clinical commissioning groups must have regard to—

- (a) any assessment of relevant needs prepared by the authority and its partner clinical commissioning groups under section 116 of the Local Government and Public Involvement in Health Act 2007 (health and social care: joint strategic needs assessments)(**a**);
- (b) any commissioning plan prepared by a partner clinical commissioning group under section 14Z11 of the 2006 Act(**b**);
- (c) any plan prepared by the local authority setting out how it proposes to exercise its social care functions.

(4) Each local authority must be able to demonstrate to the Board how the payments will improve services provided in the exercise of social care functions and the outcomes that are expected to be achieved for the users of those services.

(5) In this Direction—

“partner clinical commissioning group” means, in relation to a local authority, any clinical commissioning group whose area coincides with or falls wholly or partly within the area of the authority;

“social care functions” means the functions of a local authority falling within section 256(1)(a) of the 2006 Act.

Reporting and other matters

5.—(1) For the purpose of ensuring that the conditions specified in Directions 3(2) and (4) are met, the Board must make arrangements for each local authority to provide it with information as to how the payments made in accordance with these Directions are being used by the authority.

(a) 2007 c.28; section 116 was amended by section 192 of the 2012 Act.

(b) Section 14Z11 was inserted by section 26 of the 2012 Act.

(2) The Board must not impose any conditions on the payments made in accordance with these Directions, other than conditions to ensure that Directions 3 and 4 are complied with, unless—

- (a) the conditions are prescribed by directions under section 256(6) of the 2006 Act; or
- (b) the Department of Health has agreed those conditions in writing.

Signed by authority of the Secretary of State for Health



Sebastian Habibi
Deputy Director
Social Care Strategic Policy and Finance
Department of Health

28 March 2013

SCHEDULE

Amounts to be paid to individual local authorities

<u>Local authority</u>	<u>Local authority allocation for 2013-14</u>
Barking and Dagenham	£3,267,999
Barnet	£5,180,804
Barnsley	£4,432,443
Bath & North East Somerset	£2,611,907
Bedford	£2,221,990
Bexley	£3,322,808
Birmingham	£20,044,390
Blackburn with Darwen	£2,735,974
Blackpool	£3,234,438
Bolton	£4,975,408
Bournemouth	£3,163,676
Bracknell Forest	£1,295,071
Bradford	£8,222,095
Brent	£4,806,952

Brighton & Hove	£4,397,579
Bristol	£7,259,859
Bromley	£4,260,838
Buckinghamshire	£5,981,927
Bury	£2,923,145
Calderdale	£3,295,041
Cambridgeshire	£8,318,185
Camden	£4,601,957
Central Bedfordshire	£3,099,459
Cheshire East	£5,192,074
Cheshire West and Chester	£5,251,421
City of London	£174,630
Cornwall	£9,997,987
Coventry	£5,551,509
Croydon	£5,015,626
Cumbria	£8,973,765
Darlington	£1,793,778
Derby	£4,110,920
Derbyshire	£12,982,732
Devon	£12,797,426
Doncaster	£5,404,111
Dorset	£6,926,360
Dudley	£5,589,300
Durham	£10,101,753
Ealing	£5,073,714
East Riding of Yorkshire	£5,175,361
East Sussex	£9,254,475
Enfield	£4,648,033
Essex	£21,186,856
Gateshead	£4,056,214
Gloucestershire	£9,055,236
Greenwich	£4,761,282
Hackney	£5,028,740

Halton	£2,287,560
Hammersmith and Fulham	£3,287,039
Hampshire	£17,017,137
Haringey	£4,109,607
Harrow	£3,471,178
Hartlepool	£1,793,604
Havering	£3,599,507
Herefordshire	£3,151,863
Hertfordshire	£14,797,761
Hillingdon	£3,726,297
Hounslow	£3,576,811
Isle of Wight Council	£2,743,128
Isles of Scilly	£45,316
Islington	£4,602,411
Kensington and Chelsea	£3,102,442
Kent	£22,063,537
Kingston upon Hull	£5,200,325
Kingston upon Thames	£2,051,503
Kirklees	£6,656,826
Knowsley	£3,497,046
Lambeth	£5,400,663
Lancashire	£19,750,385
Leeds	£11,849,652
Leicester	£5,632,672
Leicestershire	£8,640,994
Lewisham	£4,895,878
Lincolnshire	£12,054,454
Liverpool	£10,583,981
Luton	£2,820,830
Manchester	£9,542,236
Medway	£3,571,548
Merton	£2,676,894
Middlesbrough	£2,712,784

Milton Keynes	£3,250,162
Newcastle upon Tyne	£5,371,723
Newham	£5,255,695
Norfolk	£14,956,185
North East Lincolnshire	£2,790,712
North Lincolnshire	£2,723,456
North Somerset	£3,306,955
North Tyneside	£3,690,396
North Yorkshire	£8,674,471
Northamptonshire	£9,724,981
Northumberland	£5,445,531
Nottingham	£5,547,807
Nottinghamshire	£12,623,972
Oldham	£4,017,093
Oxfordshire	£8,201,856
Peterborough	£2,840,646
Plymouth	£4,596,024
Poole	£2,281,887
Portsmouth	£3,186,951
Reading	£2,038,343
Redbridge	£3,994,265
Redcar and Cleveland	£2,577,805
Richmond upon Thames	£2,365,264
Rochdale	£3,966,999
Rotherham	£4,815,007
Rutland	£485,765
Salford	£4,716,153
Sandwell	£6,614,042
Sefton	£5,457,818
Sheffield	£9,682,589
Shropshire	£4,988,726
Slough	£1,844,892
Solihull	£3,115,150

Somerset	£8,939,209
South Gloucestershire	£3,346,684
South Tyneside	£3,275,870
Southampton	£3,970,677
Southend-on-Sea	£2,949,235
Southwark	£5,621,610
St Helens	£3,446,221
Staffordshire	£12,677,280
Stockport	£4,592,842
Stockton-on-Tees	£3,025,250
Stoke-on-Trent	£4,767,077
Suffolk	£11,673,091
Sunderland	£5,611,337
Surrey	£14,297,472
Sutton	£2,638,857
Swindon	£2,753,293
Tameside	£4,130,488
Telford and the Wrekin	£2,771,315
Thurrock	£2,341,506
Torbay	£2,965,625
Tower Hamlets	£5,243,352
Trafford	£3,384,835
Wakefield	£5,901,600
Walsall	£5,124,740
Waltham Forest	£3,896,610
Wandsworth	£4,643,811
Warrington	£2,948,293
Warwickshire	£7,997,949
West Berkshire	£1,792,796
West Sussex	£11,823,605
Westminster	£4,735,807
Wigan	£5,698,831
Wiltshire	£6,525,049

Windsor and Maidenhead	£1,705,319
Wirral	£6,443,824
Wokingham	£1,437,354
Wolverhampton	£4,926,642
Worcestershire	£8,534,970
York	£2,619,236
TOTAL	£859,000,000