



The statutory guidance requires your plans to include the instances and details of pooled funds to be established in response to your population assessment. The 2015 regulations (as amended by the *Partnership Arrangements (Wales) (Amendment) Regulations 2017*) require that if any of the partnership bodies decide to do things jointly in response to the population assessment, they must consider whether it is appropriate to establish and maintain a pooled fund.

This Guidance note assists you in understanding what is meant by a pooled fund and when they should feature in your plan.

We acknowledge that pooled funds or pooled budgets have been put in place in most if not all areas of Wales through Section 33 agreements. **All future pooled funds should be established under the *Partnership Arrangements (Wales) Regulations 2015*, under the *Social Services Act*, which has equivalent powers to those under section 33 of the *National Health Service (Wales) Act 2006*.**

The following documents provide further guidance on this subject:

1. A draft agreement for joint commissioning from a pooled fund for care home accommodation services made under Section 33 of the *National Health Service (Wales) Act 2006*, prepared in response to the requirement in the *Social Services and Well-being (Wales) Act 2014*.
2. ‘Establishing a Pooled Fund’ – a document containing explanatory notes relating to the above.
3. A set of Frequently asked Questions on s.33 agreements and pooled funds.

Under the Act, the *Partnership Arrangements (Wales) Regulations 2015* (as amended) and the Part 9 Guidance, you are required to establish a regional pooled fund in relation to care homes and the IFSS. You are also required to promote pooled funds and to consider whether it is appropriate to establish pooled funds in relation to anything done jointly in response to your population assessment. We recognise that establishing pooled funds can be a complex process and that there are different options for achieving an integrated approach to care and support. However, you must consider establishing a pooled fund where it is appropriate to do so. It is up to you to determine when that is, but you should bear in mind a number of issues when making that decision (see over)

- ◆ Your plans must focus on integrated responses to your population assessment.
- ◆ Pooled funds are a recognised way of achieving that integrated response.
- ◆ Pooled funds created under the Social Services Act can be seen as the most vivid way of demonstrating a commitment to partnership working.
- ◆ The Welsh Government very strongly supports the development of pooled funds and there are clear requirements and expectations in the Act, Regulations and guidance.

You may also choose to adopt informal methods of pooling funds. For example, you may choose to pool resources – staff, equipment or buildings – but not translate these into strict financial terms. You may decide to align relevant agency budgets to ensure they are targeted at the same outcome but not go as far as pooling them into a single budget. You may create a virtual pool budget but not confirm it via a s.33 agreement or an agreement under the Partnership Regulations.

Whichever method you adopt it is important that you explain it clearly in your plan as this will not only avoid confusion but also ensure clarity of accountability. You will need to ensure that when you do create a pooled fund you follow the best advice available (as per the links to this guidance note) and take into account all the relevant legal and financial considerations necessary. You must also ensure a robust audit trail in regard to decision-making and transparent governance.

## Reflective questions

- ◆ Have I considered establishing or using an existing pooled fund to deliver on my priorities?
- ◆ If I am not establishing a pooled budget or fund, have I clearly explained the reasons this is not feasible?
- ◆ Have I explored and explained the other options for delivering on integrated priorities?

## Helpful resources

<https://socialcare.wales/hub/hub-resource-sub-categories/planning-and-promoting>

