


SHORT REPORT	
Subject Matter	Adult Social Care
Lead Director	Stuart Lackenby
Date	22.4.2020



1. EXECUTIVE SUMMARY

- 1.1 This report provides an update on significant activity and decisions made in relation to the provision and delivery of Adult Social Care in Sandwell resulting from the outbreak of coronavirus (COVID-19) and subsequent legislative changes that have been made by central government.
- 1.2 The report also contains the following recommendations:
- approval for the implementation of Care Act Easements
 - approval for the implementation of a COVID-19 assessment process to support the hospital discharge pathway.

2. KEY ISSUES

2.1 Ethical Framework for Adult Social Care

COVID-19 is challenging the existing practice of Adult Social Care departments across the country as it requires difficult decisions to be made against the back drop of new and exceptional pressures.

In response, a new ethical framework has been produced by government which acknowledges the increasing pressures and demands that will challenge social care staff and local authorities to make difficult decisions, particularly those regarding resources and prioritising individual care.

The framework, which covers the following values and principles to in guide decision making, will be used to support the planning and delivery of adult social care services for the duration of the COVID-19 outbreak:

- Respect
- Reasonableness
- Minimising harm

- Inclusiveness
- Accountability
- Flexibility
- Proportionality
- Community

Full details on the framework can be found at:

<https://www.gov.uk/government/publications/covid-19-ethical-framework-for-adult-social-care/responding-to-covid-19-the-ethical-framework-for-adult-social-care>

2.2 Care Act Easements

Since the outbreak began, proportionate approaches have been implemented to enable the Council to fulfil its statutory duties outlined in the Care Act 2014. However, recognising the exceptional pressures on local authorities in attempting to continue to discharge these duties the Government, when implementing the Coronavirus Act 2020, has put in place the ability for Care Act easements to be introduced. These are as follows:

- a) Local Authorities will not have to carry out detailed assessments of people's care and support needs as outlined in the Care Act. However, they will still be expected to respond as soon as possible (within a timeframe that would not jeopardise an individual's human rights) to requests for care and support, consider the needs and wishes of people needing care and their family and carers, and make an assessment of what care needs to be provided.
- b) Local Authorities will not have to carry out financial assessments; they will however, have powers to charge people retrospectively for the care and support they receive during this period, subject to giving reasonable information in advance about this, and carrying out financial assessment at a later date.
- c) Local Authorities will not have to prepare or review care and support plans; they will however, be expected to carry out proportionate, person-centred care planning which provides sufficient information to all concerned, particularly those providing care and support, often at short notice.
- d) The duties on Local Authorities to meet eligible care and support needs of a carer, are replaced with a power to meet needs. This means Local Authorities will still be expected to take all reasonable steps to continue to meet needs as they are now, however, in the event that they are unable to do so, the powers will enable them to prioritise the most pressing needs, for example enhanced support for people who are ill or self-isolating, and to temporarily delay or reduce other care provision.

The associated guidance, published on 31 March 2020, defines that these easements should only be exercised when the workforce is significantly depleted, or demand increases to an extent that it is no longer reasonably practicable to comply with Care Act duties.

The Care Act easements outlined above have been implemented with immediate effect as there is currently insufficient capacity to maintain normal Care Act assessments and reviews due to the following reasons:

- Staff absence as result of self-isolating and sickness
- Social distancing – reducing the ability to undertake face to face intervention
- A requirement to support the Coronavirus COVID-19 hospital discharge pathway.

The decision to implement easements is to be reviewed on a fortnightly basis, with a view to returning to normal practice as soon as is practically possible.

Full details on Care Act Easements can be found at the following location.

<https://www.gov.uk/government/publications/coronavirus-covid-19-changes-to-the-care-act-2014/care-act-easements-guidance-for-local-authorities#what-the-powers-actually-change>

2.3 COVID-19 hospital discharge pathway

Under the **COVID-19 hospital discharge pathway**, patients will be discharged by the NHS to the following support:

- a) Support at home – including low level support and equipment, as well as reablement, therapy and interim care services.
- b) Community rehabilitation beds.
- c) Long term care beds.

As well as supporting decision making on the most appropriate route for patient discharge, the Council will take referrals for, and move people from, reablement services and community rehabilitation beds to maintain flow of patients out of hospital.

To do this the Council will need to maintain contact and triage arrangements for people in the community and make proportionate assessments where necessary. Its therefore recommended that a COVID-19 assessment process is implemented for the duration of the epidemic subject to a two-weekly review process to be undertaken by the Director of Adult Social Care with engagement with the Principle Social Worker and Cabinet Member for Healthy Lives.

The COVID-19 assessment process would involve a short assessment, which would capture enough information to make a decision about whether an individual needs care and determine the most appropriate provision of care. Introduction of this process would avoid delays in the COVID-19 hospital discharge pathway and allow best use to be made of social work capacity.

2.4 Safeguarding

Duties in the Care Act relating to safeguarding adults at risk will continue to be discharged. Safeguarding activity will be prioritised to ensure that cases are investigated and resolved in a timely way proportionate to the severity of the concern.

The Principal Social Worker will oversee Safeguarding activity to ensure any capacity issues are identified and escalated accordingly.

2.5 Internally provided services

The Council delivers a range of care and support services internally, which have all been affected by Covid -19. Since the outbreak commenced the following actions have been undertaken:

- Personal Protective Equipment deployed as per current guidance
- Closure of the services to visits from service users family and friends (Unless the service user is end of life)
- Isolation of tenants who are symptomatic in line with Government Guidance
- Closure of day service provision, with alternate support provided as required.
- In line with the above closure of the Transport Service with staff redeployed elsewhere
- COVID -19 testing offered to any symptomatic staff member
- Relocation of the STAR service to Stoney Lane in West Bromwich to separate it from the Hospital Team.
- Increased staffing capacity through redeployment of Council staff and agency usage

2.6 Externally provided services

The vast majority of the councils' care and support is delivered through services commissioned from the independent and voluntary sector, these range from day services to residential care.

Since the outbreak commenced the following actions have been undertaken;

- Daily monitoring of providers to identify issues relating to the following:
 - Staffing
 - PPE
 - Symptomatic service users
 - Medication issues
 - Availability of food
- All day services closed in line with government guidance with alternate provision put in place as required
- Closure of the services to visits from service users family and friends (Unless the service user is end of life)
- Distribution of government guidance
- Establishment of provider helpline

2.7 Personal Protective Equipment

The spread of COVID-19 has introduced the requirement for the increased use of Personal Protective Equipment. The guidance on how this equipment is used and what is required has changed on numerous occasions throughout the last 4 weeks, this has been shared immediately with all external partners and implemented locally.

To manage the demand for PPE a single storage point has been created at Stoney Lane, West Bromwich and the Council has purchased a considerable amount of PPE to supplement stock supplied by government.

PPE will continue to be an issue over coming weeks and the Council will do whatever it can to ensure that sufficient supply is available to meet demand.

3. Next Steps

Subject to the agreement of the recommendations put forward in the report:

- Care Act easements are implemented with immediate effect, including the suspension of charging for adult social care and the adoption of a revised care management pathway.
- A report to be provided every two weeks to the Cabinet Member for Healthy Lives and the Chair of the Health and Wellbeing Board on the continued requirement of Care Act easement.
- A COVID-19 assessment process is implemented to support the hospital discharge pathway.
- A report to be provided every two weeks to the Cabinet Member for Healthy Lives and the Chair of the Health and Wellbeing Board on the continued requirement of COVID-19 assessment process.

In addition to this a proposal to be offered to providers of care and support to enable their ongoing sustainability through this difficult period will be developed and presented to a future meeting of this committee.