

# Report to Cabinet

**23 February 2022**

<b>Subject:</b>	Action Taken on Matters of Urgency
<b>Cabinet Member:</b>	Leader of the Council Councillor Carmichael
<b>Director:</b>	Rashpal Bishop
<b>Key Decision:</b>	Yes, the financial threshold of £250,000 applies to the decision
<b>Contact Officer:</b>	Chris Guest Service Manager – Commissioning and Integration <a href="mailto:christineanne_guest@sandwell.gov.uk">christineanne_guest@sandwell.gov.uk</a>

## 1 Recommendation

- 1.1 That the following details of the urgent actions taken by the Leader of the Council be noted:-
- a) in relation to authorising the Director of Adult Social Care to distribute the Workforce Recruitment and Retention fund (Round 1 November 2021 and Round 2 December 2021) as per the Department of Health and Social Care (DHSC) guidance;
  - b) to authorise the Director of Adult Social Care to distribute the Adult Social Care Omicron Support Fund (January 2022) as per the Department of Health and Social Care (DHSC) guidance;




- c) in relation to authorising the Director of Adult Social Care to distribute the Adult Social Care Infection Control and Testing Fund (October 2021) as per the Department of Health and Social Care guidance;

## 2 Reasons for Recommendation

- 2.1 The matters were urgent and could not be delayed until the next Cabinet meeting given the short timescales to distribute and spend the Department of Health and Social Care (DHSC) Workforce Recruitment and Retention Fund for adult social care (round 1 & 2) and the DHSC adult social care Omicron Support Fund, as required in the DHSC guidance by 31 March 2022. The DHSC expect a reporting return in February 2022 on how these funds have been utilised. Failure to submit a return will mean the funds being reclaimed back by the DHSC, at a critical time, when care providers in Sandwell are struggling for financial support.
- 2.2 An urgent decision was required in order to distribute and spend Adult Social Care Infection Control and Testing Funding (round 3) as per the DHSC guidance and to prevent the need to return any unused resources back to the DHSC.
- 2.3 Under Part 4 of the Council's Constitution, the Scrutiny Procedure Rules provide that matters may not be called in for scrutiny when they are considered urgent. A matter is considered urgent where a delay would prejudice the Council's or the public interest.
- 2.4 The Rules also stipulate that decisions taken in this manner must be reported to the next available meeting of the Cabinet and Council, together with the reasons for the urgency.
- 2.5 This report indicates actions taken as a matter of urgency by the Leader of the Council since the last meeting.
- 2.6 The actions taken were in accordance with the scope of authority of the Leader of the Council.



### 3 How does this deliver objectives of the Corporate Plan?

	<p>People live well and age well</p> <p>The proposals contained within this report support this objective. The fund will ensure that vulnerable people in need of care, including protected groups, will benefit from timely support.</p>
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### 4 Workforce Recruitment and Retention Fund for Adult Social Care (round 1 & 2) Adult Social Care Omicron Support Fund

Approval was sought to authorise the Director – Adult Social care to distribute the Workforce Recruitment and Retention fund (Round 1 November 2021 & Round 2 - December 2021) and the Adult Social Care Omicron Support Fund (January 2022) as per the Department of Health and Social Care (DHSC) guidance.

The main purpose of the Workforce Recruitment and Retention Fund (Round 1 & 2) is to support local authorities to address adult social care workforce capacity pressures in their geographical area through recruitment and retention activity this winter, to:

- support providers to maintain the provision of safe care and bolstering capacity within providers to deliver more hours of care
- support timely and safe discharge from hospital to where ongoing care and support is needed
- support providers to prevent admission to hospital
- enable timely new care provision in the community
- support and boost retention of staff within social care

Local authorities can use funding directly to deliver measures that help all providers of adult social care in their geographical area. This includes:

- care home and domiciliary care
- care providers with which local authorities do not have contracts



- organisations providing care and support who may not be registered with the Care Quality Commission (CQC)
- day care, and short stay care services and supporting the capacity of the personal assistant workforce

The DHSC's expectation is that the grant has to be fully spent on addressing local workforce capacity pressures through recruitment and retention activity by 31 March 2022.

In recognition of the increased pressure on existing funding sources caused by the Omicron variant, the government announced on 29 December 2021 that it is providing additional funding for January 2022.

The purpose of this fund is to support the adult social care sector with measures already covered by the infection prevention and control (IPC) allocation of the Infection Control and Testing Fund (round 3), to reduce the rate of COVID-19 transmission within and between care settings.

Local authorities have discretion to use the funding as needed locally, to support the adult social care sector, including relevant local authority staff, in its COVID-19 response, and increased challenges posed by the Omicron variant.

Possible uses for the fund:

	£	No of Users	£
Provision of carer direct payment	252	82	20,664
Allocation to residential care providers per bed	75	2099	157,425
Allocation to community care providers per user	75	3784	283,800
Admin			93
<b>Total Grant</b>			<b>461,982</b>

The local authority must distribute the money in line with the grant conditions and are required to provide returns to the DHSC for all three funds by the dates requested, specifying how the funds have been spent.



## Adult Social Care Infection Control and Testing Fund (round 3)

Approval was sought to authorise the Director – Adult Social care to distribute the Adult Social Care Infection Control and Testing Fund (October 2021) as per the DHSC guidance.

This was a new grant, with separate conditions to previous Infection Control and Testing Funds. The purpose of this fund was to support adult social care providers to:

- reduce the rate of COVID-19 transmission within and between care settings through effective infection prevention and control practices and increase COVID-19 and flu vaccine uptake among staff; and
- conduct testing of staff and visitors in care settings to identify and isolate positive cases, and in order to enable close contact visiting where possible.

The local authority must distribute the money in line with the grant conditions and were required to provide returns to the DHSC for the fund by the dates requested, specifying how the fund had been spent.

The local authority has discretion to use the remaining 30% of the IPC allocation, 30% of the vaccines allocation and discretionary portion of the testing allocation 41% to provide further support to the care sector.

The 'direct funding for providers' portion of this funding consisted of 3 distinct allocations:

- IPC funding
- vaccines funding
- testing funding

The DHSC expected the fund to be fully spent on IPC, vaccines and testing measures by 31 March 2022, where 'spent' means that expenditure had been incurred on or before that date.



The funding was paid to the Council in 2 tranches. The first 60% of the fund paid in October 2021. The remaining 40% of the fund paid in January 2022. The requirement from the DHSC was that the fund distribution take no longer than 20 working days upon receipt of the funding, given the tight timescales involved, some of the funding had already been distributed.

The breakdown and possible uses of the fund:

	Care Homes	Community	Discretionary	Total
IPC Funding	563,659	310,380	374,588	<b>1,248,627</b>
Rapid Testing	400,507	-	283,552	<b>684,059</b>
Vaccine Funding	39,639	65,481	45,051	<b>150,171</b>
<b>Total</b>	<b>1,003,805</b>	<b>375,861</b>	<b>703,191</b>	<b>2,082,857</b>

	Care Homes	Community	Total
Proposed IPC Allocation	£916,214	£322,168	<b>£1,238,382</b>
IPC £ per Bed/User	£436.50	£77.00	
Proposed Rapid Testing Allocation	£400,909	£292,880	<b>£693,789</b>
Testing £ per Bed/User	£191	£70	
Proposed Vaccine Allocation	£83,960	£66,944	<b>£150,904</b>
Proposed £ per Bed/User	£40	£16	
No. Users/Beds	2,099	4,184	<b>6,283</b>
No of Providers	83	76	<b>159</b>

The distribution of the majority of the fund was pre-determined by the DHSC and the local authority acts as a conduit to passport the funds to the care market. However, the fund contained a discretionary element which was still obliged to passport to CQC registered care providers but may use our discretion as to which area of the market would most benefit. It was proposed to distribute the discretionary element of the fund as follows:



- IPC element of the fund to further support residential care homes to meet the current challenges they are facing.
- Rapid Testing element of the fund to the Community Care sector as there is no automatic allocation of this grant to this sector.
- Vaccine element of the fund to further support residential care homes

The proposed allocation in was line with DHSC guidance reporting requirements and neighbouring authorities allocations.

## 5 Alternative Options

5.1 No other options have been considered, the Council must comply with the DHSC guidance. This sets out the Workforce Recruitment and Retention Fund and Omicron Support for adult social care including information on the distribution of funds and reporting requirements.

## 6.0 Implications

<b>Resources:</b>	<p>The funding allocation for Workforce Recruitment and Retention Fund:  Round 1: £1,251,201  Round 2: £2,309,910</p> <p>The funding allocation for Omicron Support is:  £461,982.00</p> <p>The total allocation for Adult Social Care Infection Control and Testing Funding is £2,082,857.</p> <p>This grant consists of 3 distinct allocations of funding:  IPC funding, vaccines funding and testing funding.</p> <p>IPC funding        £1,248,627  Testing funding    £684,059  Vaccine funding    £150,171</p>
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	<p>The proposals within this report can be funded from the above grants and represent the full application of the available resources.</p>
<p><b>Legal and Governance</b></p>	<p>The Workforce Recruitment funding will be paid as a Section 31 grant ring fenced exclusively for Workforce Recruitment and Retention (pursuant to section 31 of the Local Government Act 2003). The main purpose of the Workforce Recruitment and Retention Fund, round 2, is to support local authorities to urgently address adult social care workforce capacity pressures in their geographical area this winter.</p> <p>The Omicron Support fund is a non-ringfenced grant and as such there are no conditions on this funding. Guidance on how to spend this funding has been provided alongside the local authority circular. Local authorities have discretion to use the funding as needed locally, to support the adult social care sector in the COVID response.</p> <p>The Adult Social Care Infection Control and Testing Funding will be paid as a Section 31 grant (pursuant to section 31 of the Local Government Act 2003) ring fenced exclusively for actions which support care homes and CQC-regulated community care providers mainly to tackle the risk of COVID-19 infections and enable close-contact visiting and is in addition to funding already received.</p> <p>Legal Services will work with the service area to develop/review an appropriate agreement relating to the funding as required.</p>





	Legal Services shall work with the service area to ensure that the funding is compliant with relevant rules.
<b>Risk:</b>	The allocation of the fund is to support the care and support market to manage and mitigate the risk of infection from covid-19. This risk is monitored through the daily tracker completed by providers and through interventions by public health, health and social care staff who support providers across Sandwell. A risk assessment has been completed to identify and assess the risks associated with the recommendations being sought in this report. This has concluded that there are no red risks that require reporting.
<b>Equality:</b>	There are no significant equality issues arising from this report. This funding will ensure that vulnerable people in need of care, including protected groups, will benefit from timely support, and therefore there are benefits to some of the protected characteristics.
<b>Health and Wellbeing:</b>	The service is required to assist vulnerable people for whom the Council has a statutory duty through the provision of timely care and support.
<b>Social Value:</b>	The service is required to assist vulnerable people for whom the Council has a statutory duty through the provision of timely care and support.

## 8. Background Papers

<https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care>

[https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care-round-2?utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_source=891e3995-c0a0-4854-8775-490a12082fd0&utm\\_content=daily](https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care-round-2?utm_medium=email&utm_campaign=govuk-notifications&utm_source=891e3995-c0a0-4854-8775-490a12082fd0&utm_content=daily)

<https://www.gov.uk/government/publications/adult-social-care-omicron-support-fund>



<https://www.gov.uk/government/publications/adult-social-care-infection-control-and-testing-fund-round-3>

