

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3919

Author:

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Department:

Children and Adults

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Subject:

Adult Social Care Workforce Requirements due to the COVID-19 pandemic

Key Decision (decision valued at more than £1million):

Yes

Total Value:

£1,176,000 (Type: Revenue)

Decision Being Taken:

To approve the funding for a ceiling amount to £1.176m to recruit to the additional workforce requirements to manage adult social care across Nottingham City Council's reablement and residential provision (Executive decision)

To approve recruitment of the required workforce to manage adult social care across Nottingham City Council's reablement and residential provision (Non Executive under Delegation 16)

**Reasons for the Decision(s)**

**This decision forms part of ongoing work to ensure the Council has the necessary adult social care workforce to support our most vulnerable adults during the COVID-19 pandemic. We have reviewed the position over a 8-week period and evidence suggests that we need to secure a larger workforce for a period of time to support and bolster our core workforce.**

**Adult Social Care remains in response mode at local and national level, especially given the concerns about care homes.**

**The workforce requirements have been met to date, largely due to the pace of actions taken and the exceptionally low demand from hospital discharge. However, there is a demand backlog anticipated from the NHS as the hospitals move back into business as usual.**

**Adult social care capacity will be facing increased demand over the coming weeks due to the anticipated backlog from the NHS and due to the focus on the care home workforce where testing and reducing movement between homes places pressure on our workforce capacity.**

**The Council has significant capacity challenges with 14-18% of the workforce absent due to sickness and an additional pressure for the number of redeployees covering homecare and residential care who will return to their substantial posts when council-wide services are re-instated. The latest guidance on the track and trace system could lead to more isolation periods for the workforce, having an impact on workforce availability.**

**We have progressed with casual recruitment to bolster the core workforce and currently have over 170 available people on our casual bank of staff. We anticipate the availability of the casual bank will fluctuate, as lockdown measures are lifted; meaning furloughed workers go back to work, and there could be more jobs available on the open market.**

**To secure an increased workforce over the next 6 months, we propose to transfer a number of the casual workers to fixed term contracts, to give the Council continued access to confirmed additional resources as demand is expected to increase over the summer, and into the autumn. We are proposing to recruit to these posts on a phased basis, subject to the demand from the acute hospital, the community and the flow out of reablement into the provider sector.**

**This is a Leader's Key Decision due to the urgency of starting to secure the workforce on fixed term contracts and being unable to wait for the next Executive meeting for this decision. The relevant Portfolio Holders have been sighted on this proposal through the internal reporting process. The Corporate Director for People is well sighted on the proposals for their approval to recruit to the necessary posts.**

**Briefing notes documents:**

**FOR INFO ONLY - NOT FOR PUBLICATION - Information for Leader's Key Decision 29.5.2020.docx**

**Other Options Considered:**

**Mobilise and deploy the Council's wider workforce - we have already deployed the adult day centre staff to our reablement service, and we have also deployed staff from other Council services that are closed or reduced. This has been really successful but as services start to re-instate as lockdown lifts; we will lose the deployed workforce back to their required substantive posts, so this is not a longer-term option for the Council and is therefore not recommended.**

**Continue the use of casuals - we have recruited over 170 casuals to work in our reablement service. Casual staff are the right option for casual work, they can be called upon at short notice but workers don't have to accept the work and the Council cannot expect them to work. After the demand modelling work, we anticipate we will need to engage workers on shift patterns over a 6 month period. This is not the appropriate use for a casual worker for that length of time and if we used a casual worker in that way, we would expose the Council to more risks in employment legislation, this is therefore not recommended on a longer-term basis.**

**Use agency workers - this approach is already in place as a last resort, but it is not recommended to support the expected demand increase within the health and social care sector as part of this Key Decision. It will also cost more due to inflated agency costs for experienced workers.**

**Approach other employers for secondments - there is a Memorandum of Understanding in place as part of the sector's response to supporting organisations with the mobilisation where possible. However, the sector is being heavily relied on throughout the pandemic so this level of workforce requirement wouldn't be available to mobilise for a longer period than the short-term support that it's set up for.**

**Background Papers:**

**None**

**Published Works:**

**None**

**Affected Wards:**

**Citywide**

**Colleague / Councillor Interests:**

**None**

**Consultations:**

**Date: 03/06/2020**

**Unions: Unison, GMB, Unite**

**Email follow up with the intention to offer permanent contracts and fixed term contracts to avoid the longer-term use of casual workers and a fair and transparent recruitment process.**

**Date: 18/05/2020**

**Other: Keeping Social Care Going Workstream Corporate Leadership Team Leadership Group**

**Supported**  
Finance comments were provided at each iteration

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

n/a

**Equality:**

Please login to the system to view the EIA document: EIA Additional capacity in ASC 22.6.2020.docx

**Relates to staffing:**

Yes

**Decision Type:**

Leader's Key Decision

**Subject to Call In:**

Yes

**Call In Expiry date:**

06/07/2020

**Advice Sought:**

Legal, Finance, Human Resources, Equality and Diversity

**Legal Advice:**

**This proposal involves the employment of a number of individuals to Nottingham City Council on casual contracts of employment (i.e. contracts of a fixed-term duration). If this proposal is accepted then appointment to the newly created roles should be based on merit. The contracts of employment attached to these roles should state the period for which employment with Nottingham City Council should be in place and explain why it is of a limited duration. Furthermore, the contracts of employment should state that employment will end upon the cessation of that fixed term period or by way of the standard notice provisions pertaining to Nottingham City Council employees.**

**If this proposal is accepted then the newly created posts should carry with them, terms and conditions of employment that are consistent with the policies of Nottingham City Council. In particular, the levels of pay to be offered should be consistent with the pay scales and pay policies of Nottingham City Council. Advice provided by Aman Patel (Solicitor, Commercial, Employment and Education Team 10.06.2020)**

**Advice provided by Aman Patel (Solicitor) on 10/06/2020.**

This decision seeks approval to spend up to a ceiling amount of £1.176m to recruit additional staff to manage adult social care across Nottingham City Council's reablement and residential provision.

Costs contained within this decision total £1.176m and are based on recruitment to the posts contained within the appendix to this decision. The service should make every attempt to minimise the £1.176m and spend only what is needed to meet the resources gap.

The funding of this decision will be offset against the Central Government unringfenced funding that has been received by NCC in response to the Covid-19 pandemic where possible. This funding however is anticipated to be insufficient to cover all NCC related Covid-19 costs and loss of income. There is a risk that the full cost of this decision will not be reimbursed in full by Central Government. Any shortfall in funding will impact the Medium Term Financial Plan, increase budget gaps and reduce budget flexibility further. Therefore it is paramount that all expenditure (either business as usual and/or Covid-19 related) represents value for money and is proactively minimised where possible.

Alternative recruitment methods have been tested to reduce the financial impact of this decision via the mobilisation and redeployment of existing internal staff. This has proved unsustainable to meet the needs of the service and our citizens.

The value of this decision has been included in the period 1 forecast position as well as internal and external reporting mechanisms outlining NCC's the financial impact of Covid-19, such as MHCLG return submissions. This will need to be monitored and amended if needed as and when actual spend is known.

#### Assumptions

The decision value includes recruitment to a number of Residential and Homecare permanent vacancies (13 FTE) at a cost of £0.157m that currently hold existing MTFP budget in Adult Social Care. These posts have been included in this decision as an additional cost as the underspend generated by these vacancies would ordinarily contribute to the overall financial forecast position in Adult Social Care had Covid-19 not occurred. These have been costed over a 6 month period however the cost will remain after this period due to the permanence of the roles.

Anticipated numbers of staff and costs have been calculated after lengthy discussions with the business. To ensure demand is managed carefully, contracts will be fixed in a phased approach.

Posts have been calculated over a 6 month period at the bottom of the grade.

Advice provided by Philip Gretton (Finance Analyst) on 10/06/2020.

**HR Advice:**

**Adult Social Care are seeking a decision to recruit to permanent and fixed term contracts to support the workforce through the covid-19 pandemic. HR support this decision.**

**HR have already supported the appropriate recruitment of the casual workers in line with our recruitment practice. We launched a city-wide campaign to attract a diverse candidate pool.**

**Retention of casual workers is considered difficult in the social care market, due to the nature of the work and the nature of casual work. The approach of offering available permanent and fixed term contracts to the casual workforce, will support the council to retain a workforce that will be needed over the next 6 months to support demand during the pandemic, and provide additional capacity for the core social care reablement service.**

**A fair and transparent recruitment process is advised for securing permanent and fixed-term contracts for those casual workers, considering equality, diversity and inclusion as part of recruitment decision making, in line with Equality law.**

**Casual workers have undertaken an essential induction and training programme for them to start work and the council should consider ongoing support and development as part of offering a permanent or fixed term contract.**

**An exit plan will need to be in place for fixed term workers before their contract is due to finish, and redeployment opportunities across the council may be considered.**

**Advice provided by Rachael Morris (HR Business Partner) on 05/06/2020.**

**Equality and Diversity Advice:**

**The EIA has been reviewed and is ready to publish. Advice provided by Saema Mohammad (Service Redesign Consultant) on 23/06/2020.**

**Signatures:**

<b>David Mellen (Leader/ PH Regeneration, Safety and Communications)</b>
<b>SIGNED and Dated: 27/06/2020</b>
<b>Catherine Underwood (Corporate Director for People)</b>
<b>SIGNED and Dated: 25/06/2020</b>