

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4060

Author:

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Department:

Children and Adults

Contact:

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Subject:

Allocation of Adult Social Care Infection Control Grant Funding Round 2

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

Yes

Total Value:

£2,818,193 (Type: Revenue)

Decision Being Taken:

1) To accept the allocation of £2,818,193 in grant funding from the Department of Health and Social Care (DHSC), in Round 2 of the Adult Social Care Infection Control Fund Ring-Fenced Grant, for measures to reduce the rate of COVID-19 transmission in Adult Social Care Services.2) To approve the allocation of 80% of the grant funding to providers of residential care and other CQC registered community care services in the City for COVID-19 infection control measures, in accordance with the conditions of the grant funding.3) To delegate authority to the Corporate Director for People, in consultation with the Director of Public Health, to spend 20% of the grant funding on measures to support care providers to take additional steps to tackle the risk of COVID-19 infections, in accordance with the grant funding conditions.

Reasons for the Decision(s)

In May 2020 the Department of Health and Social Care (DHSC) established the Adult Social Care Control Fund worth £600million to be paid to Local Authorities as a Section 31 grant, ring fenced to support adult social care providers to reduce the rate of COVID-19 transmission in care settings. The DHSC has now extended the Infection Control Fund to continue to March 2021, with an extra £546 million funding available in Round 2, and with revised grant conditions. Funding in Round 2 is available to support adult social care providers (including those with whom the local authority does not have a contract), to reduce the rate of COVID-19 transmission within and between care settings, in particular by reducing the need for staff movements between sites. The fund is specifically for supporting providers with the additional costs in complying with government guidance on infection prevention and control with respect to COVID-19. In Round 2 the Council has received an allocation of £2,818,193 to support measures in the City, payable in two tranches in October and December 2020. The DHSC grant funding conditions stipulate that 80% of the funding must be allocated to care homes and other CQC registered community care providers in the City on a 'per beds'/per user' basis. It is proposed that the funding will be allocated to the providers as grants based on the number of Care Quality Commission-registered beds or service users. The remaining 20% funding may be allocated at the authority's discretion but must be used to support care providers to tackle the risk of COVID-19 infections. Payment to the Council is subject to the funding being used entirely on the intended infection control measures and in accordance with the grant conditions, and funding may be withheld or recovered by DHSC if the grant conditions are not fully met. The grant conditions require authorities to obtain information from providers to demonstrate that the funding has been used in line with the grant conditions, and to submit monthly returns to DHSC between November 2020 and April 2021 specifying how the grant has been spent. Payment by DHSC of the second installment of grant is contingent on the 80% 'per bed'/'per user' allocation in the first installment having been fully transferred to providers, as reported in the first monthly return.

Other Options Considered:

1) To do nothing: this option was rejected as the Adult Social Care Infection Control Grant Round 2 funding is available to the Council to support measures to prevent and reduce the transmission of COVID-19 in Adult Social Care Services, including care homes and other CQC registered community care settings. If the funding is not accepted and used, there may be an increased risk of the spread of the virus within care homes and other social care services, and more widely in the community, with significant public health consequences for the City.

Background Papers:

None

Published Works:

None

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: This decision relates to the continuation of existing services and does not include proposals for a change to a service, policy or function.

Social Value Considerations:

Not applicable

Regard for NHS Constitution:

Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

Decision Type:

Leader's Key Decision

Subject to Call In:

No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Cllr Anne Peach

Consultation Date: 12/11/2020

Exemption will enable the funds to be allocated as quickly as possible to care providers, in accordance with the grant conditions which stipulate tight timescales for the funds to be used. This will reduce the risk of clawback. Additionally payment of the second installment of grant is contingent on funds in the first installment having been fully transferred to providers and reported in November 2020

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

This report seeks approval to accept grant funding from the Department for Health and Social Care ('DHSC') and to allocate to social care providers. It is understood that the City Council will use the electronic portal which was put in place to administer the first round of funding to providers which requires the to confirm it will comply with the grant conditions and which enable the City Councils to comply with the grant conditions from the DHSC. DHSC provided guidance for the first round of funding which was intended to ensure that the grant payments were not state aid, on the basis that the funding is for the provision of a public services referred to as services of general economic interest, and that guidance should be followed for the second round. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 11/11/2020.

Finance Advice:

This decision seeks approval to accept and allocate the £2.818m Infection Control Fund Grant (Round 2) from the Department of Health and Social Care in line with the grant conditions.

The funding plan focuses on how to reduce the rate of COVID-19 transmission within and between care settings, in particular by helping to reduce the need for staff movements between sites. This funding must not be used to pay for activities that do not support the purpose of this fund.

The grant will be paid to the Council in two equal installments in Oct (now received) and December, and 80% of each installment must be paid directly to care homes (CQC registered bed no's basis) and community care providers (user no's basis). The remaining 20% of this funding is to be used to support care providers to take additional steps to tackle the risk of COVID-19 infections but can be allocated at the local authority's discretion.

For the 80% grant allocation (to be paid directly to care home and community care providers), an eform process has been established for providers to complete declaring that they meet the grant conditions attached to the funding. Once the responses have been received, the first installment of funding will be paid to providers in line with the grant conditions.

A plan is being scoped for the 20% element of the grant funding which will be subject to a separate approval process. However, due to the information used to allocate the grant funding to LA's and the differences in CQC registered bed no's/community user no's (and based on all providers returning the eform and wanting to access the funding) this decision also requires approval for c£0.166m of spend from the 20% element of funding to pay straight to providers. The remaining balance of the 20% element of funding will be subject to further approval as outlined above.

The local authority must not make an allocation of the second instalment of funding to a care provider who has not completed the Capacity Tracker or CQC homecare survey (as applicable, as per government guidance) at least weekly since 1 October 2020. And if the authority believes that the provider has not used the money for the purposes for which it was provided it must withhold the second payment until satisfied that the provider has so used it. And if the provider has not used it or any part of it for the infection control measures for which it was provided the local authority must take all reasonable steps to recover the money that has not been so used.

Local authorities must also submit monthly returns to the Department of Health and Social Care specifying how the grant has been spent to cover the periods October 2020 to March 2021.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 10/11/2020.

Procurement Advice:

This decision relates to the receipt of Social Care Infection Control Grant funding Round 2 from the Department of Health and Social Care, and the allocation of this funding to residential care and other CQC registered community care providers in the City for the purposes set out in the grant funding conditions. As this is a grant funding arrangement, there are no procurement implications, however all funding should be used in accordance with the DHSC grant conditions. Any allocations to providers which are not grants should be compliant with the Council's Contract Procedure Rules and the Procurement Team will support this as needed. Advice provided by Julie Herrod (Procurement Officer) on 10/11/2020.

Signatures:

David Mellen (Leader/ PH Regeneration, Schools, Communications)
SIGNED and Dated: 28/11/2020
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 26/11/2020