

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4109
Author:	Paul Haigh
Department:	Children and Adults
Contact:	Paul Haigh (Job Title: Head of Service, Email: paul.haigh@nottinghamcity.gov.uk, Phone: 07985885540)
Subject:	Adult Social Care Workforce requirments due to the covid -19 pandemic
Total Value:	£0.383m (Type: Revenue)
Decision Being Taken:	To approve a 3 month extension to the funding for additional workforce requirements to manage adult social care across Nottingham City Council's reablment and residential provision. (executive decision) To approve the extension of contracts to existing staff for this three month period (non edecision)

Reasons for the Decision(s) A leaders key decision was taken in June 2020 to establish the Temporary Emergency Support Team in response to the Covid -19 pandemic. The 2nd wave of the Covid -19 pandemic is now being felt and the resulting pressures on the NHS and Social Care system require the homecare system in particular being adequately staffed to assist the NHS with Hospital avoidance and timely Hospital discharges which is a primary function of this temporary team. This decision forms part of ongoing work to ensure the Council has the necessary adult social care Homecare workforce to support our most vulnerable adults during the COVID-19 pandemic. It links to a previous decision ddm 3919. We have reviewed the homecare position ongoing since the onset of the Covid -19 Pandemic. The current arrangement is due to end on 31.3.2021 however the 2nd wave of Covid -19 has required this decision to be reviewed and changed to reflect and respond to the current pressures on the NHS and Social Care system pressures.

Other Options Considered: mobilise and deploy the Council's wider workforce - we have already deployed the adult day centre staff to our Homecare service, and we have also deployed staff from other Council services that are closed or reduced. This was successful but as services have been re-instated to their substantive posts, so this is not a longer-term option for the Council and is therefore not recommended

Background Papers: N/A

Published Works: Leaders Key Decision - 3919 Adult Social Care Workforce Requirements due to the Covid-19 Pandemic - June 2020

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations:
Date: 10/07/2020
Ward Councillors: Adele Williams
Agreed to the inception of the temporary support team

Date: 10/07/2020
Unions: Unison, GMB, Unite
Agreed to inception of the temporary emergency support team

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

N/A

Equality:

EIA not required. Reasons: No EIA required as a Leaders Key Decision was undertaken for the original decision and this request is an extension of that decision.

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

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: 15/01/2021

Given the rapidly worsening COVID situation, the provision of reablement support needs to be extended and hence the staff contracts need to be extended, but in order to extend the contracts, notice has to be given to staff in the next few days. If the deadline for notice to renew the staff contracts is not met, then this would mean that existing staff would drift away, and a recruitment exercise would be required, involving time delays and extra expense, and meanwhile, some or all of the reablement support could not be provided and causing potential risks to the health of Nottingham citizens. The COVID situation has changed significantly in a short timescale giving no time to allow for a call-in period.

Legal Advice:

If accepted, this proposal involves the possible extension of the placement of a number of individuals within the Temporary Emergency Support Team (TEST). Whether those employees are employed on either permanent or fixed-term contracts of employment, Nottingham City Council will have to obtain their agreement to the extension of their placement within the TEST and make the appropriate amendment to the contracts of employment.

If this proposal is accepted and it entails the appointment of new employees then appointment 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. Furthermore, any 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 15 January 2021).

Advice provided by Aman Patel (Solicitor) on 15/01/2021.

Finance Advice:

This decision seeks approval to spend up to a ceiling amount of £0.383m to extend the Temporary Emergency Support Team (TEST) within Adult Social Care for a period of 3 months from April 2021+ as a result of the 2nd wave of Covid and the increasing pressures on the health and social care system.

Costs contained within this decision total £0.383m and are based on the extension of the 58fte posts currently within the TEST team and as outlined in the previous Leaders Key Decision (DDM 3919).

The service should make every attempt to minimise the £0.383m and spend only what is needed to meet the resources gap.

The funding of this decision will be offset against one off unringfenced grant funding.

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.

The mobilisation and redeployment of existing internal staff has proved unsustainable to meet the needs of the service and our citizens due to a number of reasons.

The value of this decision will be included within the 2021-22 forecast position as well as internal and external reporting mechanisms outlining NCC's financial impact of Covid-19, such as MHCLG return submissions. This will need to be monitored and amended as and when required including if the spend differs to that outlined in this report.

If the temporary arrangements are extended past the 3 month period outlined in this decision, further approval will be required and additional funding identified.

Management should be aware of the risk of employees attaining employment rights over the course of this initiative and ensure these risks are appropriately managed.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 18/01/2021.

HR Advice:

This decision seeks approval to extend the TEST team within Adult Social Care for a period of three months from April 2021 as a result of increased demand due to the ongoing Coronavirus Pandemic.

All employees in TEST have undertaken a fair and transparent recruitment process and should this decision be agreed, the service should vary the contracts of employment for a three-month period. The decision does not seek to recruit new employees.

The service should continue to try, wherever possible to redeploy colleagues from other Adult Provision services to mitigate the spend on the fixed-term costs associated with this decision.

A clear exit strategy should be developed including access to redeployment and management should be minded of the risk of employees attaining employment rights over the course of this initiative and the increased salary costs when an employee reaches their one-year service date.

Advice provided by Rachael Morris (HR Business Partner) on 20/01/2021.

Signatures

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 05/02/2021
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 05/02/2021