

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4125

Author:

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Department:

Children and Adults

Contact:

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Subject:

Adult Social Care Workforce Capacity Fund

Total Value:

£775,014 (Type: Revenue)

Decision Being Taken:

- 1) To accept the allocation of £775,014 from the Department of Health and Social Care (DHSC) Workforce Capacity Fund for Adult Social Care, to support measures to supplement and strengthen adult social care staff capacity.
- 2) To delegate authority to the Director for Adult Social Care, in consultation with the Director of Commissioning and Procurement, to allocate the adult social care workforce capacity grant funding for measures to strengthen the capacity of the adult social care workforce in the city, in accordance with the grant conditions.

Reasons for the Decision(s) In September 2020, the Government set out the Adult Social Care COVID-19 Winter Plan with a commitment to support local authorities and social care providers to maintain safe staffing levels over the winter period and to continue working with the care sector to ensure sufficient workforce capacity across services. On 29 January 2021, the DHSC announced the Workforce Capacity Fund for Adult Social Care, which is a new fund designed to allow local authorities to support measures that generate additional adult social care workforce capacity where shortages arise due to COVID-19. This grant is separate from the Infection Control Fund, which has previously been allocated to the Council to support actions to reduce the rate of COVID-19 infections in care settings. The Council has received an allocation of £775,014 of this funding to be paid in two instalments. The first instalment of 70% (£542,509) has already been received by the Council and payment of the remaining 30% (£232,505) is subject to completion of a return to DHSC by 12 February 2021, outlining the plan for how the funding will be spent. The grant must be fully spent by 31 March 2021 on staffing capacity measures in accordance with the grant conditions, and any funds unspent by this date must be returned to DHSC. The funding must be used to deliver new or additional measures to strengthen workforce capacity, or to increase the scale of these measures where they already exist. It may be used to support all providers of adult social care in the area, including care homes, domiciliary care, care providers with whom the Council does not contract and those not registered with Care Quality Commission. DHSC guidance provides best practice examples of initiatives to increase adult social care workforce capacity. However, these are not exhaustive and the grant may be used to fund other approaches which generate additional workforce capacity. The funding must be used entirely on eligible activities and in accordance with the grant conditions, and DHSC will require repayment of any misused funds. Returns on the use of this grant must be submitted to DHSC at three reporting points in February, March and May 2021.

Other Options Considered: 1) To do nothing: this option was rejected because the Adult Social Care Workforce Capacity Fund is available to support measures to increase the workforce capacity of adult social care service providers in the city where staffing shortages exist due to COVID-19. The use of this funding to strengthen staff capacity will support the continuity of care provision, restrict movement of staff between settings and therefore reduced the risk of COVID-19 outbreaks in care settings and support safe and timely hospital discharges.

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.

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: Chair of the Overview and Scrutiny Committee
Consultation Date: 12/02/2021
Due to the short notice of the grant award and the tight timetable, a call-in period would create a risk that the allocation and spend could not be completed by the deadline, so the funding would have to be returned to the Department of Health and Social Care.

Advice Sought:

Legal, Finance, Procurement, Human Resources

Legal Advice:

There are no significant legal issues arising from this decision. The receipt and expenditure of the funding must be done in accordance with any funding terms and obligations. From the report, it does not seem that there will be any purchasing of goods or services, but in the event that there are this spend must be in accordance with the Council's Constitutional requirements within its Contract Procedure Rules.

Advice provided by Naomi Vass (Senior Solicitor) on 09/02/2021.

This decision seeks approval to accept and allocate the £775,000 Adult Social Care Workforce Capacity Fund grant from the Department of Health and Social Care in line with the grant conditions.

This funding will be paid as a Section 31 grant, ring-fenced exclusively for actions that enable local authorities to deliver measures to supplement and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved to deliver the following outcomes:

- .maintain care provision and continuity of care for recipients where pressing workforce shortages may put this at risk;**
- .support providers to restrict staff movement in all but exceptional circumstances, which is critical for managing the risk of outbreaks and infection in care homes;**
- .support safe and timely hospital discharges to a range of care environments, including domiciliary care, to prevent or address delays as a result of workforce shortages;**
- .enable care providers to care for new service users where the need arises.**

This funding must not be used to pay for activities that do not support the purpose of this fund. This is a new grant, separate to the second Infection Control Fund (ICF2) and Rapid Testing Fund, which will further help the care sector respond to the challenges posed by COVID-19.

The Local Authority has received 70% of the grant already (£543,000) with the second instalment of 30% (£233,000) anticipated in March 2021, which is conditional on local authorities having completed a return outlining planned spend/outcomes to the Department of Health and Social Care by 12 February. The grant must be spent in full, with activity delivered by 31 March.

Detailed plans are being scoped for the use of this funding, but this will include both the use of funding internally and providing additional funding to local care providers to deliver the additional staffing capacity required.

If the Local Authority finds that providers have not spent the entirety of the funding by the conclusion of the fund, steps must be taken to recover any unspent monies.

As well as local authorities submitting the plan for use of this funding by 12 February, there are also additional returns required to the Department of Health and Social Care specifying how this grant has been spent as outlined in the grant conditions.

Established processes for the Infection Control Fund and ASC Rapid Test Fund will be widened to incorporate this additional grant to enable the information to be received from providers in a timely manner, in line with reporting deadlines and ensuring compliance with grant conditions.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 11/02/2021.

Procurement Advice:

This decision relates to the receipt of funding from the Department of Health and Social Care (DHSC) Workforce Capacity Fund for Adult Social Care to support measures to supplement and strengthen adult social care capacity. 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 Nicola Harrison (Procurement Lead Officer) on 03/02/2021.

HR Advice:

This decision relates to the receipt of funding from the Department of Health and Social Care Workforce Capacity Fund for Adult Social Care to support the adult social care workforce. Management will be producing an outline plan by 12 February 2021 detailing how they intend to allocate the funding and resources in line with grant conditions.

The detail of the plan is currently being finalised, but there may be workforce implications in this decision if management recruit to new staff during this time. The Council should ensure a fair and transparent recruitment process should take place and appropriate contracts of employment or casual agreements are in place. Management may wish to redeploy and mobilise existing resources to support with additional capacity, this should be requested on a voluntary basis and trade unions should be engaged at the appropriate time.

Whilst exit costs are unlikely, management should ensure there is full understanding if there are any costs and ensure there are mitigating plans in place should there be exit costs. For any staff with fixed-term contracts ending, an exit plan should be considered and enacted at the appropriate time.

Advice provided by Rachael Morris (HR Business Partner) on 09/02/2021.

Signatures

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 22/02/2021
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 12/02/2021