

Commissioning and Procurement Executive Committee – 15 February 2022

Subject:	Workforce Recruitment and Retention Grant for Adult Social Care		
Corporate Director/ Director:	Catherine Underwood – Corporate Director for People Sara Storey – Director for Adult Health Social Care		
Portfolio Holder:	Cllr Adele Williams – Adults and Health		
Report author and contact details:	Anna Coltman, Commissioning Manager Anna.coltman@nottinghamcity.gov.uk		
Other colleagues providing input:	Karla Banfield, Market Strategy and Development Manager		
Key Decision	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Subject to call-in
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £750,000 or more
taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
Total value of the decision: £4,937,535			
Wards affected: All			
Date of consultation with Portfolio Holder: 13 January 2022			
Relevant Council Plan Key Outcome:			
Clean and Connected Communities	<input type="checkbox"/>		
Keeping Nottingham Working	<input type="checkbox"/>		
Carbon Neutral by 2028	<input type="checkbox"/>		
Safer Nottingham	<input type="checkbox"/>		
Child-Friendly Nottingham	<input type="checkbox"/>		
Healthy and Inclusive	<input checked="" type="checkbox"/>		
Keeping Nottingham Moving	<input type="checkbox"/>		
Improve the City Centre	<input type="checkbox"/>		
Better Housing	<input type="checkbox"/>		
Financial Stability	<input type="checkbox"/>		
Serving People Well	<input checked="" type="checkbox"/>		
Summary of issues (including benefits to citizens/service users):			
<p>On 14 September 2021 the government made a commitment in the COVID-19 Response: Autumn and Winter Plan 2021 to support local authorities and social care providers to maintain safe staffing levels over the winter period and to continue working closely with the care sector to build sufficient workforce capacity across services.</p> <p>The adult social care winter plan published on 3 November 2021 sets out the support the government will be providing to the adult social care sector to meet the challenges it faces this winter. The plan includes a commitment to providing workforce recruitment and retention funding, originally announced on 21 October 2021 and updated on 10 December 2021, to support local authorities and providers to recruit and retain sufficient staff over the winter, and support growth and sustain existing workforce capacity.</p>			
Exempt information: None			

Recommendations:

1. To approve acceptance and spend of Round 2 of the Workforce Recruitment and Retention Grant funding from the Department of Health and Social Care (DHSC) to Nottingham City Council as per the terms and conditions of the grant.
2. To delegate authority to the Director for Adult Health and Social Care, in consultation with the Portfolio Holder for Adults and Health and the Director for Commissioning and Procurement, to accept and allocate any further awards of these funds received by the Council during 2022-23, up to a maximum value of £3,000,000, in accordance with the conditions of grant funding, to enable the timescales of the DHSC to be met.

1. Reasons for recommendations

- 1.1 Nottingham City Council has been allocated a total of £2,987,033 from the Government's Workforce Recruitment and retention fund (WR&R fund). The funding has been provided across two rounds. Round 1 provided £1,049,498 from 21 October 2021 and Round 2 provided £1,937,535 from 10 December 2021.
- 1.2 Approval to accept and allocate Round 1 of the WR&R grant was provided at the Commissioning and Procurement Executive Committee on 11 January 2022.
- 1.3 Round 2 of the WR&R funding is to be spent by 31 March 2022. The primary purpose of the WR&R fund is to deliver additional staffing capacity in adult social care through recruitment and retention activity. Round 2 funding must be fully spent during the 10 December 2021 to 31 March 2022 period.
- 1.4 The Grant is ring-fenced and will be paid in instalments to Nottingham City Council:
 - the first instalment (70%) will be paid in January 2022;
 - the second instalment worth (30%) will be paid in February 2022 and will be conditional on local authorities having completed a return to the DHSC by 21 January 2022.
- 1.5 The expectation is that the grant will be fully spent on addressing local workforce capacity pressures through recruitment and retention activity by 31 March 2022. The grant conditions are clear that 'spent' means that expenditure has been incurred between 10 December 2021 and 31 March 2022 (Round 2 funding). This means the activity leading to the expense must have happened by 31 March 2022, so that the local authority is accruing the expense and it appears in the local authority's 2021 to 2022 accounts.
- 1.6 The delegation to the Director for Adult Health and Social Care, in consultation with the Portfolio Holder for Adults and Health and the Director for Commissioning and Procurement, to receive and allocate any further allocations of this fund received during 2022-23 up to a maximum of £3,000,000 will enable the funds to be passported to providers promptly in order to meet the timescales for use of the funds as set by DHSC.
- 1.7 This delegation will be specifically related to accepting and allocating funding for recruitment and retention activity to support staffing capacity within adult social care within the Nottingham City Council local authority area. This applies to any further grant funding received during 2022/23, as part of the WR&R grant or a replacement grant with grant conditions allowing for the same activities as the WR&R grant.

2. Background (including outcomes of consultation)

2.1 The main purpose of the WR&R fund is to support local authorities to address adult social care workforce capacity pressures in their geographical area through recruitment and retention activity this winter, in order 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.

2.2 Nottingham City Council has worked closely with the provider/external market to agree the measures to be put in place either individually and collectively, including passporting funding directly to the external market. It will be important to retain existing staff capacity as well as encourage new and returning entrants. Examples under consideration are, but are not limited to:

- supporting payments to boost the hours provided by the existing workforce – including childcare costs and overtime payments;
- investment in measures to support staff and boost retention of staff within social care – including incentive and retention payments;
- boosting the current recruitment of carers campaign;
- a proposal to recruit temporary Nottingham City Council employed social care staff to enhance the capacity to support discharge to assess pathways.

2.3 Is it anticipated that round 2 funding is allocated to the wider market support adult social care. Nottingham City Council will work with the provider/external market to agree the measures to be put in place either individually and collectively, including passporting funding directly to the external market.

2.4 Round 2 of the WR&R Grant is a new grant, separate to the third Infection Control and Testing Fund.

3. Other options considered in making recommendations

3.1 Given the short-time scales we are unable to fully outline the anticipated expenditure in this report, as March's committee does not allow enough time to spend and allocate the grant funding as per the terms and conditions of the grant.

4. Consideration of Risk

RISK	MITIGATION
Onus is placed on Providers to allocate and report on their funding appropriately and previous similar funding has not been fully spent and has been clawed back.	Offer support to those smaller providers who don't receive a proportion of funding by joining up with the Jobs Hub and Skills for Care to run a recruitment webinar or event.
City will decide which Providers receive funding so it will not be	Use a proportion of the funding on a role to support providers to choose and implement

<p>equally distributed across all Providers. Potential for some providers to challenge this.</p> <p>This is less prescriptive and we can't control what initiatives Providers will choose to fund or how effective these will be.</p>	<p>effective ways to spend the funding to reduce the likelihood of funds not spent and clawing back. Jobs Hub may be able to match fund.</p> <p>Providers have put forward suggestions to use the funding if passported including:</p> <ul style="list-style-type: none"> • Paying for a pool car • Paying for driving lessons • Admin to arrange student visas • Paying a driver to transport carers to and from care visits • Providing incentives to existing staff who have worked through the pandemic.
<p>We are not able to accurately measure conversion rates or there is a high cost per contact meaning our internal activities would not represent value for money.</p>	<p>Consider passporting funding across the wider ASC sector including to voluntary sector providers who are supporting ASC and freeing up workforce capacity in ASC.</p>

5. Finance colleague comments (including implications and value for money/VAT)

- 5.1 This report seeks approval to accept and spend round 2 of the Department for Health and Social Care's (DHSC) Workforce Recruitment and Retention Fund (WR&R Fund) grant, and to delegate authority to the Director for Adult Health and Social Care, in consultation with the Portfolio Holder for Adults and Health.
- 5.2 The value of the grant is £1.938m.
- 5.3 The grant has been made available to local authorities to address adult social care workforce capacity pressures in their geographical area for the winter period 2021 - 2022.
- 5.4 Further grants may be awarded for 2022 – 2023.
- 5.5 To enable the timescales of the DHSC to be met, approval is also being sought to accept and allocate any further awards of this grant received by the Council during 2022 - 2023, up to a maximum value of £3m that are also in accordance with the conditions of the WR&R Fund grant.
- 5.6 This latest grant allocation must only be used to deliver measures that address local workforce capacity pressures in adult social care from 10 December 2021 through to 31 March 2022, through recruitment and retention activity.
- 5.7 It is expected for the grant for round 2 to be passported to the wider market to support adult social care. Please note, the approved grant for round 1 is expected to be allocated to the home care market, given the workforce challenges and risks within this market.

- 5.8 The grant terms advise the main purpose of the grant is to support local authorities to address adult social care workforce capacity pressures in their geographical area, in order to:
- Support providers to maintain the provision of safe care and bolster 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 the retention of staff within social care.
- 5.9 It is a requirement that any unspent grant is returned to the DHSC.
- 5.10 Once the cohort of beneficiary providers has been identified, established processes should be utilised to communicate with the providers and direct the funding.
- 5.11 It is important to be aware of the short timescales associated with this grant. To be able to maximise the grant effectively the service will be able to utilise established communications and reporting processes. However, there will still be a risk that due to the short timescales, responses may not be received in time therefore allowing for a potential underspend on the grant.
- 5.12 Established reporting processes are in place and should be used to review provider expenditure to ensure funding is allocated for qualifying spends only.
- 5.13 A clawback process will need to be utilised to retrieve surplus grant from providers.
- 5.14 Finance will provide support to ensure all income and expenditure relating to this grant is reflected within the relevant financial accounting budget year.
- 5.15 Any WR&R amounts granted above the £3m delegated authority threshold and/or has a different set of terms and conditions, will require further approval.
- 5.16 Any subsequent decisions linked to this report will be robustly reviewed by Finance in line with Financial Regulations, ensuring that funding has been identified to support the initiative without resulting in an adverse movement in the Councils financial position, both for 2021-22 and ongoing.

Chanelle Poyser, Strategic Finance Business Partner (Adults Social Care) -
17 January 2022

6. **Legal colleague comments**

- 6.1 The proposals in this report seek to accept funding from the Department of Health and Social Care (DHSC) under Round 2 of the funding to further support the recruitment and retention of staff by providers in the city. The Council has the power to accept the funding under s.1 Localism Act 2011.
- 6.2 The Council must ensure that it complies with any terms and conditions imposed upon it in receipt of and onward allocation of the funding from the DHSC. Legal Services have not been asked to review the funding terms and conditions from the DHSC and are therefore unable to comment or confirm the obligations imposed

within them. The Service area must fully review the conditions of funding to be satisfied that the Council can meet any associated requirements.

- 6.3 Any external contracts utilising the funding, including grants must be awarded in accordance with the City Council's Contract Procedure Rules and Financial Regulations and should include provisions which flow down any relevant provisions from DHSC such as monitoring and reporting outputs and options for clawback, particularly as there are significant time pressures with delivery under this round of funding.
- 6.4 Grants are not governed by the Public Contracts Regulations 2015 PCR and so a tender process is not required. However, appropriate grant agreement terms should be put in place between the Council and the recipient providers in order to reflect this.
- 6.5 The grant recipients may be required to undertake and share their own assessment of the grants received in terms of compliance with the new Subsidy Control Regime.
- 6.6 It is noted that the report seeks approval to delegate authority to the Director for Adult Health and Social Care in consultation with the Portfolio Holder for Adults and Health and the Director for Commissioning and Procurement, to accept and allocate any further awards of these funds received by the Council during 2022 – 2023. This is capped to a maximum value of £3,000,000 as receipt and value of future funding is not yet known.
- 6.7 Seeking approval at this time will ensure that if the DHSC offer additional funding with short timescales, the Council will have more time to allocate the funding as is detailed within the report, the current timescales are very tight. Should further funding be received in accordance with this recommendation, as with the Round 2 funding, it must only be used in accordance with the conditions of grant funding, which will need to be reviewed. Future spend will also be subject to the Council's Contract Procedure Rules and additional governance requirements as relevant.
- 6.8 It should be noted that depending on the value and requirements of any funding arrangements, funding terms and conditions may only be permitted to be signed by the Legal Services department and so sufficient time for review and signature should be provided in order to consider requirements.
- 6.9 Any spend outside of these recommendations will require further approvals.

Advice provided by Dionne Sreaton, Senior Solicitor, Contracts and Commercial -
18 January 2022

7. Other relevant comments

Procurement colleague comments

- 7.1 This decision relates to the receipt and expenditure grant funding in Round 2 of the Department of Health and Social Care (DHSC) Workforce Recruitment and Retention Fund (WR&R) grant which has been awarded to the Council deliver additional staffing capacity in adult social care through recruitment and retention activity. This is a ring fenced grant only available for use on eligible recruitment and retention activities between 10 October 2021 and 31 March 2022.

7.2 The decision seeks delegation to the Director for Adult Health and Social Care to receive and allocate any further allocations of this fund received during 2022-23, up to a maximum value. This is supported from a procurement perspective as it will enable the funds to be passported to providers promptly to meet the DHSC timescales for use.

7.3 As this funding will be allocated to existing service providers as grant funding there are no procurement implications as the UK Public Contracts Regulations and Council's Contract Procedure Rules are not applicable. Should any allocations be made to providers which are not grants, the Council's Contract Procedure Rules should be complied with and the Procurement Team will support this as needed.

The WR&R funding must be used in accordance with the strict DHSC conditions of grant funding, which include timescales for expenditure and reporting on use of the funding to DHSC. Appropriate grant agreement terms should therefore be established with providers receiving funding to ensure compliance with the DHSC grant conditions.

Jo Pettifor, Category Manager, Strategy & People - 18 January 2022

8. Crime and Disorder Implications (If Applicable)

8.1 N/A

9. Social value considerations (If Applicable)

9.1 N/A

10. Regard to the NHS Constitution (If Applicable)

10.1 N/A

11. Equality Impact Assessment (EIA)

11.1 An EIA is not required.

12. Data Protection Impact Assessment (DPIA)

12.1 A DPIA is not required.

13. Carbon Impact Assessment (CIA)

13.1 A CIA is not required.

14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

14.1 None.

15. Published documents referred to in this report

15.1 None.