



Notice of NON KEY Executive Decision

Subject Heading:	Single payment to adult social care providers, personal assistants and continued payments to the voluntary sector to alleviate COVID-19 related financial pressures
Cabinet Member:	Councillor Jason Frost, Cabinet Member for Health and Adult Care Services
SLT Lead:	Barbara Nicholls, Director for Adults Social Care and Health
Report Author and contact details:	Jonathan Cassidy, Senior Commissioner & Projects Manager jonathan.cassidy@havering.gov.uk
Policy context:	The Council's commissioning duties under the Care Act 2014
Financial summary:	The payment to homecare, residential, nursing, supported living and live-in carers will cost a total of £500,000. Each provider will be paid in proportion to the number of service users they support.
Relevant OSC:	Individuals
Is this decision exempt from being called-in?	Yes, it is a non-key decision by a member of staff

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The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The Senior Leadership Team Director with responsibility for Adult Social Care is asked to approve the following in line with the evidence presented in this report:

1. Make a single payment to the providers of homecare, residential care, nursing care, supported living, live-in care and personal assistants to recognise the additional financial pressures faced during the COVID-19 emergency response. Whilst payments will generally be made proportionately depending on the number of packages or placements held by the provider, a minimum payment will be set at £1000.
2. Support our commissioned voluntary sector to remain sustainable by committing to continuing to pay the block contract payments to providers for a period of 6 months, which will be reviewed after 3 months. These payments will be made regardless of whether the services are continued or have to be suspended as a result of COVID-19.

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution:

Part 3: Responsibility for Functions, Article 3.3 Powers of Members of the Senior Leadership Team.

Members of the Senior Leadership Team (SLT) have delegated authority to act as follows within the assigned service service/portfolio of responsibilities, subject to the general provisions and limitations set out in section 3.1 above.

General powers

- (a) To take any steps necessary for proper management and administration of allocated portfolios.
- (b) To exercise all the powers delegated to them personally and those powers delegated to Second Tier Managers and other staff members in their directorate where circumstances require and so far as legally permissible. Exercise of such powers should be recorded where appropriate. Where possible, a SLT member should give notice to a relevant staff member that he or she intends to exercise a specified power that is delegated to that staff member.
- (c) To make arrangements to secure continuous improvement in the way the Council's functions are exercised having regard to a combination of economy, efficiency and effectiveness etc as required by external regulatory agencies.
- (e) To restructure within existing service budgets and/or if budgetary provision is

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already made in the budget.

(f) Each member of SLT shall ensure that the rules of procedure set out in Part 4 of this constitution are observed throughout their service.

Financial responsibilities

(a) To incur expenditure within the revenue and capital budgets for their allocated portfolio as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

(b) To oversee the delivery of programmes agreed by Council and Cabinet.

At the Cabinet meeting of 12th February 2020, cabinet members delegated authority to the Directors of Children's and Adults authority to agree inflation rates with social care providers for the financial year 2020/21.

STATEMENT OF THE REASONS FOR THE DECISION

COVID-19

1. COVID-19 is the illness seen in people infected with a new strain of coronavirus not previously seen in humans. On 31st December 2019, Chinese authorities notified the World Health Organisation (WHO) of an outbreak of pneumonia in Wuhan City, which was later classified as a new disease: COVID-19
2. The illness has since spread across the world and has begun infecting people in the UK. Currently there is no specific treatment for coronavirus. The UK government have advised the general population to avoid unnecessary social contact and remain inside their own homes.
3. The UK government have advised of the following requirements regarding self-isolation:
 - if you have symptoms of coronavirus, you'll need to stay at home for 7 days
 - if you live with someone who has symptoms, you'll need to stay at home for 14 days from the day the first person in the home started having symptoms
 - If you live with someone who is 70 or over, has a long-term condition, is pregnant or has a weakened immune system, try to find somewhere else for them to stay for 14 days as they are of classed as high risk

The Current Situation

4. The Council commissions providers to deliver care and support to thousands of service users in Havering across Homecare, Residential Care, Nursing Care,

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Supported Living, Live-In Care placements and through commissioning the voluntary sector.

5. The Council tendered for voluntary sector services to meet 3 outcomes (carers supported; social inclusion; peer support to build resilience). As a result a range of voluntary sector providers are providing services to deliver these outcomes for different client groups. These particular services and organisations will continue to be funded regardless of whether the service continues in light of the current crisis. This is designed to ensure sustainability and to ensure the services are available in future. Here are the list of voluntary sector providers who deliver these services in Havering:
 - Age UK
 - Carers of Barking & Dagenham
 - Havering Association for People with Disabilities
 - Havering Mind
 - Sycamore Trust
 - Tapestry
6. There are other voluntary sector organisations we commission for other purposes and these will also be reviewed in terms of sustainability and the impact of the current situation.
7. The Council has approximately 180 accredited personal assistants (PAs) who provide one-to-one support to vulnerable adults in Havering via direct payments.
8. The government has advised the older population in Havering and across the UK to self-isolate to avoid the risk of being infected by the coronavirus. As a result of this advice, this has increased the critical importance of our commissioned providers to continue to deliver care and support to Havering's most vulnerable adults.
9. The coronavirus has increased the financial strain on providers in Havering as they battle with staff sickness, staff isolation, cash flow and increased costs for Personal Protective Equipment (PPE) to enable them to continue to deliver care and support to adults in Havering. PPE includes equipment such as face masks, medical gloves, hand sanitiser and cleaning products.
10. There is a risk that if we do not provide financial support to our commissioned providers, then they will not be financially stable to continue to deliver care and support to Havering's vulnerable adults.
11. Providers have signalled they are facing COVID-19 related price increases and financial pressures.

Financial Support for Commissioned Providers

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12. The Council recognises that the COVID-19 is an unprecedented emergency that requires an immediate response.
13. The Council is proposing to make a manual one off payment to providers who provide Homecare, Residential Care, Nursing Care, Supported Living and Live-in Care Packages. It will also pick up on out of borough and other providers that need support. The payments will generally be proportionate to the number of packages or placements they deliver for the council, but in some cases amounts may be decided on particular circumstances faced in this crisis.
14. Here is the breakdown of cost for each area:

Service Type	No of Service Users	No of Providers	One Off Payment Cost
Residential & Nursing	541	66	£237,500
Supported Living Placements (including live in care packages)	124	37	£63,000
Homecare (including live in care packages)	778	30	£109,000
Out of Borough/ other	N/a	N/a	90,500
Total	1474	163	£500,000

15. The Council has committed to paying the voluntary sector providers (listed above in paragraph 5) the block contract payments within the existing budget, meaning there is no additional cost. Nevertheless, we want to ensure the continued payments are approved in the current circumstances.
16. The payments to the voluntary sector organisations listed above will be made monthly for a period of 6 months, which will be reviewed after 3 months.

Financial Support for Personal Assistants

17. Many of the PAs working in Havering have been informed by the service users not to provide care and support due to the government advice to self-isolate and avoid all social contact. As a result the PAs will not be paid which may result in loss of income and potentially seeking alternative employment.
18. The Council is proposing that individual PA's that have been informed not to provide support to their allocated service user, to invoice the Council for their scheduled care hours. This is not an additional cost to the council because the service user will not be spending their existing budget, which is allocated for their PA. Each invoice received will be reconciled with the details on the care plan and authorised by the Direct Payments Team prior to processing the payment.
19. The benefit of this approach is that Havering will have a workforce of PAs funded directly by the Council, which can be deployed to support other areas of the community during this period.

The Commissioned Voluntary Sector

20. It is proposed that the Council honour the payments for the commissioned voluntary sector services listed above, regardless of whether the service has had to reduce or cease due to restrictions on social activities and gatherings. This will provide security for voluntary sector providers and allow staff and resource to be deployed elsewhere such as providing support to isolated residents in the community.

Audit

21. We want to ensure all money given to providers through this process is used specifically to support COVID-19 related activity. Providers may be required to complete a light touch audit of how the money has been used and return this to the Council.

Recommendation

22. It is recommended that the Council pay each commissioned provider a one-off payment to provide financial support during the COVID-19 outbreak to ensure they are able to continue to support Havering's most vulnerable adults.

23. The one-off monthly payment to homecare, residential, nursing, supported living and live-in carers will cost a total of £500,000. Each provider will be paid in proportion to the number of Havering service users they support, although it is important that there is flexibility to deal with cases on particular circumstances faced where necessary.

24. It is recommended that the Council supports our commissioned voluntary sector to remain sustainable by committing to continuing to pay the block contract payments to providers for a period of 6 months, at which point this will be reviewed. These payments will be made regardless of whether the services are continued or have to be suspended as a result of COVID-19.

25. It is recommended that the Council continue to pay personal assistants and day service staff to provide financial support during the COVID-19 outbreak and to redeploy resources where necessary.

26. The proposals set out in this report will support providers and PAs financially who are under significant pressure due to COVID-19.

27. This should not be taken as the final and complete payment to be made to the market for this purpose. There may be further payments to those covered by this decision but also other parts of the market, for example other parts of the voluntary sector, providers who only provide services to self-funders or out of borough providers where we have placed Havering residents out of borough.

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Do nothing and offer no financial support to providers and personal assistants

This option was considered and rejected because:

- The providers are at risk of failure due to financial instability
- If the providers are unable to continue to deliver care and support for Havering's vulnerable adults the Council would be in breach of our statutory duties under the care act
- Havering's vulnerable adults in the community will not receive any care and support

PRE-DECISION CONSULTATION

Providers and personal assistants in Havering have been in contact with the Joint Commissioning Unit following the outbreak of COVID-19 to express their concerns regarding their financial stability during this time.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: John Green

Designation: Head of Commissioning



Signature:

Date: 30/03/2020

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. This report seeks the approval of the Director for Adults Social Care and Health an uplift to make a one-off payment to providers of Adult Social Care, in particular Homecare, Residential Care, Nursing Care and Supported Living. The relevant background is as set out within the body of this report.
2. The Council has a general power under section 1 of the Localism Act 2011 to do anything that individuals generally may do including the matters set out in this report.
3. The Care Act 2014 affords individuals the right to exercise choice in the types of care and support that they receive, including the receipt of care in an individual's home.
4. On 12 February 2020, Cabinet delegated authority to the relevant SLT officers, to increase to the rate of pay for homecare providers for the financial year ending 2021.

FINANCIAL IMPLICATIONS AND RISKS

The current Public Health crisis is putting financial pressure on providers, and as such, it is recommended that a lump-sum payment be provided to alleviate this burden.

The amount payable to each provider has been calculated proportionately to the amount of work done for the council, but there also needs to be flexibility allowing for individual circumstances of providers to be taken into account. In total, an amount of £500k will be paid to providers, but set as a minimum payment of £1k per provider. This payment will be made as a one-off payment to providers to cover any additional costs they may incur during this emergency.

Any increases in client needs arising as a result of Covid-19, will be assessed formally and increased costs in care packages will be paid as part of the normal payment processes. However, any additional costs as a result of Covid-19 will be identified using a special service category which has been set up in Liquid Logic.

All Covid-19 associated costs will be charged to a separate cost centre set up for Adult Social Care, A32605. Central Government has confirmed that £1.4bn will be provided to all Local Authorities in early April based on its ASC formula funding. The funding for these proposals will come from the contingency reserve in the short term until Covid-19 grant funding is received.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

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The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

EQUALITIE AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

If the recommendation to set out in this report is agreed, it should have a positive impact on all equality groups in response to COVID-19. Services will continue to meet the needs of all eligible service users, including those from minority community groups and those 'protected' under Equality Act 2010 legislation.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: Barbara Nicholls

CMT Member title: Director for Adults Social Care and Health

Date: 30th March 2020

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____