

North Somerset Council

Report to the Adult Services and Housing Policy and Scrutiny Panel

Date of Meeting: 5th November 2020

Subject of Report: Winter Plan Assurance & Service Continuity and Care Market Review: Self-Assessment by Councils

Town or Parish: All

Officer/Member Presenting: Gerald Hunt – Head of Commissioning

Key Decision: No

Reason:

The item is neither

1. to result in the Local Authority incurring expenditure or making savings of £500,000 or over
2. to be significant in terms of its effects on communities living or working in an area compromising two or more wards in the area of the Local Authority.

Recommendations

The Panel to note the Self-Assessment and Winter Plan Assurance processes

1. Summary of Report

The report outlines the Self-Assessment and Winter Plan Assurance processes to mitigate the recognised risks this Winter to the Care Market.

2. Policy

The North Somerset Corporate Plan 2015-19 considers various areas of key focus. The following under

The following listed under Health and Wellbeing relate to this report.

- Enable residents to make healthy choices and promote active lifestyles, which reduce ill health and increase independence.
- Commission or provide quality health and care services which deliver, dignity, safety and choice.

The following listed under Quality Places relate to this recommissioning.

- Build and sustain great places to live and visit – vibrant, accessible and safe.
- Empower people to contribute to their community and communities to provide their own solutions.

The People and Communities Directorate Statement for 2018-19 lists the following as its aims.

Quality Places

- Implement initiative/projects to prevent and tackle homelessness.
- Commission additional supported housing to meet needs and address financial challenges

Health and Wellbeing

- Support and enable vulnerable adults to live independently.

3. Details

Introduction:

The impact of COVID 19 has had unprecedented national impact on the social care market, and as infections rise as we move into the Winter, the sustainability of the market is a key concern for the DHSC. Each Council with Adult social care responsibilities has been required to complete a self-assessment of its Service Continuity and Care Market Review and provide assurance with regard to its Winter Planning arrangements. This self-assessment is included in Appendix One. The latter document is required by the 31st of October and therefore given publishing deadlines the template is included for information, and a finalised document will be shared. This blank template is included in Appendix Two.

The House of Commons, Health and Social Care Committee report on the 22nd October 2020 titled: Social Care Funding and Workforce, summarises the challenges facing the care market. An extract from the report is included below.

Impact on the care market

Social care is delivered by thousands of mainly private companies. Local authorities have been trying to limit how much they pay for services, but providers have been adversely affected by increasing costs, especially for staff as a result of the minimum wage. The result is an increasingly unstable market with growing numbers of providers going out of business or handing back contracts. In addition, some providers are focusing on services for people who fund their own care, and who will pay more. Care providers closing, or closing to local authority residents has a direct impact on those needing care, reducing choice, and in the most extreme cases forcing service users to move to a different care home.

ADASS describes this impact: We have seen in the last year some 5,000 people affected by hand-backs of contracts to local authorities as a result of providers ceasing to trade. We estimate that currently perhaps a third of all providers are making a loss, and that might rise. Jane Townson of the UK Homecare Association explained to us the issues they face with local authorities paying providers rates that do not even cover their costs: We have 13 councils paying less than £15 an hour. That does not even cover the national legal minimum wage and statutory employment on-costs. We believe it should be illegal for councils to purchase care at rates as low as that. Eighteen councils have not given any inflationary uplift to cover the 6.25% increase in NMW that we had in April.

Local authorities also argue that the lack of a long term funding settlement also prevents local authorities from commissioning effectively and shaping the care market. Oonagh Smyth of Skills for Care also pointed out that social care is an important part of the economy and needs to be recognised as such: We need to realise that the social care sector is a significant contributor to the economy. It contributes £40 billion a year, and we need to start seeing it as a significant sector, employing 1.5 million people, supporting 1 million people a year and contributing a significant amount to the economy.

Local Contingency Planning:

The self-assessment includes the following mitigation to support providers, in addition to financial assistance via the initial COVID 19 exceptional payments from April to June and subsequently funding distributed via the two waves of Infection Control Grant paid till at least the end of March 2020.

- Contract leads in place to regularly review contracts and establish risk services with providers, with virtual contract monitoring in place.
- Dedicated email account in place for all communication and providers.
- Regular provider welfare checks to review at risk services, provider viability and validation against capacity tracker and CQC database.
- Reviewed NSC documentation for managing market failure including care home closure checklists.
- Refreshed domiciliary care RAG rating of packages.
- Emergency PPE arrangements in place for both commissioned services and Direct Payments.
- BNSSG CCG care providers/capacity impact cells for escalation of services at risk.
- Weekly Incident Management meetings in place with LA commissioning teams, Sirona, Public Health and Public Health England for provider data intelligence sharing and discussion/actions for responding to Covid-19 incident outbreaks.
- Provider contingency plans form part of the contract requirements.
- Care homes – individual requests for additional financial support received.
- Care home vacancy levels are monitored through the capacity tracker.
- Domiciliary care CQC database used to gather data intelligence.
- Regular partnership meeting arrangements in place with key/strategic providers.
- Commissioning review and remodelling work has commenced with internal colleagues and key day care providers.
- Average payments been in place and risk assessed before reverting back to actuals.
- New local community formed groups in place to link into future commissioning needs/response to provider failure.
- Access to NHS qualified nursing bank staff is in place.

4. Consultation

Both documents will be assured by the DASS and CEO and shared with Executive Member and this Panel. The items will be discussed as part of the Provider Forum stakeholder meetings with Care Homes, domiciliary care and specialist providers.

5. Financial Implications

Care Provider failure can have significant financial consequences for the Council in re-provision costs and longer term in terms of meeting our Care Act responsibilities.

6. Legal Powers and Implications

The Council has a statutory responsibility in the Care Act to ensure a continuity of supply to meet our communities care needs offering sufficient diversity and choice of provision.

7. Climate Change and Environmental Implications

Care providers particularly care homes are heavy consumers of energy and support to improve environmental measures in the sector, may be an effective means to support not only the care market with its financial challenges but link that support to climate change, e.g. subsidy support to reduce energy costs via support with solar panel conversions.

8. Risk Management

This report has outlined the risks associated with care provider failure.

9. Equality Implications

No

Care provider failure would have disproportionate impact on vulnerable groups within our community.

10. Corporate Implications

The Care market as referenced above is a significant local employer and commissioned care is a substantial element of both the Adult Care and wider Council budget at c£70m. Its fragility is therefore a key council risk.

11. Options Considered

Not Applicable.

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Appendices:

Appendix One -
Service Continuity and Care Market Review Self-Assessment by Councils
Appendix Two –
Winter Plan Summary and Checklist

Background Papers:

None