

RECORD OF OFFICER DECISION

APPROVAL FOR PROPOSAL ON FEES TO SOCIAL CARE PROVIDERS

Decision made

To approve the approach to sustaining the market in respect of supporting social care providers with their extraordinary costs.

Made by: Alison Elliott, Director of Adult Social Services

Background

1. As the Director for Adult Social Services, I am responsible for any matters relating to Adult Social Care in the County of Wiltshire on behalf of Wiltshire Council. Pursuant to paragraph 4 of Part 3 Section D, the Directors of Wiltshire Council are also empowered to take all necessary decisions in cases of emergency. This decision is being taken by Alison Elliott using these powers in circumstances where the Director concerned believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual and/or that the interests of the Council may be compromised if this decision is not otherwise taken.

Reason for decision

2. This decision would in other circumstances be taken by Cabinet. However, in circumstances where the Cabinet is unable to meet to expedite its functions in a timely manner during the COVID-19 pandemic, this decision is being taken in accordance with the power referred to in paragraph 1 above [in consultation with Andy Brown, Director of Finance, Terence Herbert and Alistair Cunningham, Chief Executive Officers. This decision will be reported to the next meeting of the Gold Command.
3. Social care providers are facing extraordinary costs due to the unique nature of their interactions with their clients. These costs arise from a variety of reasons:
 - the need to purchase Personal Protective Equipment (PPE) in significant quantities at currently vastly inflated prices in order to be able to mitigate the risks of working with sick and/or vulnerable individuals, both to those individuals, and to the members of staff
 - the need to ensure that any staff displaying symptoms of Coronavirus do not work, so as to protect both themselves and the vulnerable people they work with
 - inflated prices for agency staff at this time, in part because of greater competition in the labour market for comparable paying roles
4. In recognition of these extraordinary pressures, the Council made an offer to providers to meet these additional costs, by submission of invoice. To safeguard cashflow, any invoice would be settled immediately, and verified afterwards. Only claims to meet costs that are unreasonable would be subsequently reclaimed.

5. In addition to this offer, the Council also undertakes to pay “on plan” for services, and to also pay 80% of the normal rate for any undelivered domiciliary care or supported living hours. This offer from the Council was ratified by the Chief Executive Officers, and was originally very well received by local providers.
6. The letter containing the offer to providers contained the proviso that if the Government issued guidance suggesting alternative arrangements, if those arrangements were more advantageous to providers then the Council would adopt them. Within the last few days, guidance has been issued by the LGA and ADASS which effectively recommends uplifting prices by 10% for the period of the coronavirus crisis.
7. It is the judgement of the Director of Commissioning and Head of Finance for Adults the original offer to providers of meeting their extraordinary costs is a more generous, more targeted, and more effective method of sustaining the market. However, Older People care home providers made robust representations to the effect that an increase in fees of 10% would be a better approach. These providers are, in particular, in the very front line of the efforts against the virus.
8. Therefore Older People Care Home providers were asked, via the Wiltshire Care Partnership, to state whether they preferred the offer of a 10% increase in fees, or for the Council to meet their extraordinary costs – and indicated a preference for the latter.
9. The proposal is therefore to continue with the original offer to social care providers, including for Older People Care Home providers, with the latter in particular being on the basis of the expressed preference of providers.
10. The uplift would apply to any placements made on or before the 19th March, but not since, as it is assumed that the market has already priced in the extraordinary costs; would not apply in particular to any COVID placements, for the same reason; would not apply to void beds (there are no extraordinary costs related to void beds, as there is no one in them receiving care). The uplift would initially apply until the end of July.
11. It is not possible to estimate what the costs of this proposal is with any degree of confidence. By way of comparison, the cost of putting care home fees up by 10% would cost £1.6m, and would have left financial risks with providers, so it is likely that the costs of this, covering all providers of care, will be significantly higher. This will be monitored closely and reported on as part of the normal budget monitoring cycle.
12. I confirm that in making this decision I have considered the following in line with Wiltshire Council's Constitution:

Key decision requirements	Yes
Views of relevant cabinet member(s), committee chairman, area board(s)	n/a
Consideration of the area boards and delegated decision checklist for officers on the issue of when and how to involve	Yes

local councillors and area boards in decisions about local services	
Implication of any council policy, initiative, strategy or procedure	Yes
Consultation in accordance with requirements and expectations of consultation with the public	Yes
Range of options available	Yes
Staffing, financial and legal implications	Yes
Risk assessment	Yes
Involvement of statutory officers and/or directors	Yes
Regional or national guidance from other bodies	Yes
The council's constitution	Yes

Conflict of Interest

13. Not applicable

Other options considered

14. Other approaches to sustaining the market have been considered, and the approach is considered the one that most effectively meets the strategic objective of sustaining the market through the Covid 19 crisis period. Doing this is a statutory requirement.



Made by:

Alison Elliott, Director of Adult Social Services

Date: 23 / 04 / 2020