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PUBLIC

To: Members of Cabinet Member meeting - Adult Care

Wednesday, 29 July 2020

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Adult Care** to be held at **10.00 am** on **Thursday, 6 August 2020** in Teams Live Event, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S Hobbs', written over a light blue horizontal line.

Simon Hobbs
Director of Legal and Democratic Services

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Apologies for Absence
To receive apologies for absence (if any)
2. Declarations of Interest
To receive declarations of interest (if any)
3. Minutes (Pages 1 - 2)
To confirm the non-exempt minutes of the meeting of the Cabinet Member

– Adult Care held on 24 July 2020.

4. Review of Urgent Officer Decisions Taken to Support Covid-19 Response (Pages 3 - 62)
5. Adult Social Care Infection Control Fund (Pages 63 - 66)
6. Budget Monitoring 2020-21 Period 2 (as at May 2020) (Pages 67 - 72)
7. Review of Direct Care Residential Rates for Self-Funders in Homes for Older People and Community Care Centres (Pages 73 - 76)

PUBLIC

MINUTES of a meeting of the **CABINET MEMBER – ADULT CARE** held on 24 July 2020.

PRESENT

Councillor J Wharmby (in the Chair)

Also in attendance were Councillors C Dale, and S Swann.

31/20 **MINUTES RESOLVED** that the minutes of the meeting held on 09 July 2020 be confirmed as a correct record.

32/20 **REVIEW OF URGENT OFFICER DECISIONS TAKEN TO SUPPORT THE COVID-19 RESPONSE** The Cabinet Member was provided with an update in relation to those actions which were the subject of Officer's Decisions utilising emergency decision making powers as detailed in the constitution and to provide assurance in relation to the reviews which had been undertaken.

In the main, the decisions related to short-term temporary arrangements which were subject to regular review. This was particularly important where subsequent Government guidance had been issued. It was intended that as Cabinet was now able to function by meetings being held 'remotely' the need for officers to make urgent decisions would now diminish. However, it was important that officer decisions were kept under regular review by elected members and officers. At the 4 June 2020 Cabinet meeting it was agreed that Cabinet would formally delegate review decisions to the relevant Cabinet Member meeting.

In Table 1 to the report, was an update on the reviews that had taken place since the last Cabinet Member meeting on 09 July 2020. All review decisions to date had been discussed with the Executive Director and Cabinet Member following review by SMT.

A copy of the most up to date version of the Officer Decision Records was attached at Appendix 1 to the report.

RESOLVED to note (1) the review of decisions made under urgent delegated powers arising from the COVID-19 Pandemic; and (2) that future review decisions will be made on a fortnightly basis by the Cabinet Member for Adult Care.

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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

6 August 2020

Report of the Executive Director for Adult Social Care & Health

**REVIEW OF URGENT OFFICER DECISIONS
TAKEN TO SUPPORT COVID-19 RESPONSE**

ADULT SOCIAL CARE AND HEALTH

1. Purpose of the Report

The purpose of the report is to provide the Cabinet Member with an update in relation to those actions which were the subject of Officer's Decisions utilising emergency decision making powers as detailed in the constitution and to provide assurance in relation to the reviews which have been undertaken.

2. Information and Analysis

The current challenges relating to the COVID-19 pandemic have necessitated urgent decision-making processes by the Executive Director for Adult Social Care and Health to be implemented to ensure the welfare of service users and the public and to safeguard the interests of the Council. The decisions have been made under the urgent delegated powers to Executive Directors as set out in the Constitution.

In the main, the decisions relate to short-term temporary arrangements which are subject to regular review. This is particularly important where subsequent Government guidance has been issued notably in the area of Adult Social Care. It is intended that as Cabinet is now able to function by meetings being held 'remotely' the need for officers to make urgent decisions will now diminish.

However, it is important that officer decisions are kept under regularly review by elected members and officers. At the 4 June 2020 Cabinet meeting it was agreed that Cabinet would formally delegate review decisions to the relevant Cabinet Member (CABCO) meeting as these were meetings held in public, virtually if necessary, in order to ensure maximum transparency. A summary of review decisions made by Cabinet members will be reported to Cabinet

every two months. As a further safeguard any significant reductions in service that have been reviewed and substantially maintained over any eight week period will be referred to Cabinet as soon as possible after the eight week period for ratification.

Below, in table 1, is an update on the reviews that have taken place since the last Cabinet Member meeting on 9 July 2020. All review decisions to date have been discussed with the Executive Director and Cabinet Member following review by Senior Management Team.

A copy of the most up to date version of the Officer Decision Records is attached as Appendix 1.

Table 1: Summary of officer decision record reviews.

Officer Decision	Review notes and recommendation
Adult Social Care Residential Homes for Older People, closure to visitors (ASCODR1)	<p>This has been reviewed on ten occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes local guidelines which have been developed are being reviewed so they are in line with guidance issued by central government on 22 July which outlines an enhanced role by the Director of Public Health in terms of ensuring visiting guidelines are robust and risk assessed. We will be seeking to reflect this recommended best practice within visiting arrangements at residential homes for older people and also working with the private, voluntary and independent care home sector across Derbyshire to ensure they also put appropriate arrangements in place.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Closure of Older Adults Day Centres and Cessation of service delivery for over 70's in learning disability day	<p>This has been reviewed on ten occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes that a steering group is continuing to develop a plan for the</p>

<p>Services (ASCODR2)</p>	<p>re-opening of day centres. Initial work has included a desktop-based risk assessment and ranking of establishments to identify which could potentially open as part of a phased-approach; and working with voluntary sector providers to share learning around their experiences of safe re-opening.</p> <p>Whilst this work is ongoing the current position is that building-based day services will remain closed due to the national government guidance advised against gatherings in indoor spaces unless appropriate social distancing can be maintained and limiting contact with people from outside a household.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of older adults , and where appropriate care packages have been adjusted • A small number of older adults who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. • A working group has been developed including providers in the private, voluntary and independent sector to map out a process which will explore and establish the options for ongoing safe provision of service. <p>Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services.</p> <p>Many of the buildings used as day centres have not been designed with this in mind, as historically the ethos of the offer is the facilitation of group activity for older people to reduce isolation and increase companionship.</p>
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	<p>Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers.</p> <p>The services will not be able to support the same number of people and given the vulnerability of those who attend additional precautions will need to be taken.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
<p>Closure of building based Day Centres for people with a Learning Disability (ASCODR3)</p>	<p>This has been reviewed on ten occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes that a 'hub' of staff is being created to explore specifically the safest and most practicable way of starting to deliver a service again. Training in upskilling staff in order to do so is currently being developed. Following ongoing work by officers the current position is that learning disability day services will remain closed. A working group has been formed to look at options for the future delivery of these services and these will be co-produced with people with a learning disability and reported on at an appropriate time. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic. Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services. Many of the buildings used as day centres have not been designed with this in mind. Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers. Transport provision to support people to get to a day centre also needs to be considered in line with social distancing requirements and this may mean there is reduced capacity.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p>

	<ul style="list-style-type: none"> • Regular review of people with a learning disability or autism, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so. • A small number of people with a learning disability who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
<p>Cessation of planned respite breaks services for Older Adults and people with a Learning Disability (ASCODR4)</p>	<p>This has been reviewed on nine occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes that following ongoing work by officers the current position is that building-based planned respite services will continue to remain closed. Emergency respite provision continues to be offered, both through building-based services or through outreach services to an individual's home where safe and appropriate to do so (in line with Government guidelines for use of PPE and infection control).</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so. This is in order to provide a

	<p>period of respite during the day to support Carers as far as is possible to do currently.</p> <ul style="list-style-type: none"> Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase and therefore their ability to have any respite during the day reduce as a result of day centre provision being closed and carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Fire Risk Mitigation Work (ASCODR6)	<p>This has been reviewed on nine occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes following ongoing work by officers the current position is that the majority of scheduled work has taken place across the homes for older people estate, with only a small number of tasks outstanding and will be undertaken from the end of July and completed by the end of August. This work relates to tasks that have been delayed due to disruption with the supply chain for key supplies due to the COVID-19 pandemic.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Financial Charging	<p>This has been reviewed on seven occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes following ongoing work by officers the current position is that these interim charging arrangements need to remain in place to reflect that provision delivered by Derbyshire County Council or private and independent sector providers may not be fully operational or that a person's support requirements has changed. We are continuing to issue payments to providers, for example for a day service as if the</p>

	<p>person is attending, however we are not charging the person as they have not attended. This means we are doing what we can to support providers whilst services remain closed or have limited operational activity due to social distancing requirements needing to remain in place.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Shared Lives carers additional payments	<p>This has been reviewed on seven occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on 30 July 2020 notes following ongoing work by officers the current position is that the additional payments to Shared Lives carers need to remain in place for a further period. Payments to full time Shared Lives carers will continue at £40 per week and short break and day support Shared Lives carer will continue to receive the amount they ordinarily earn. Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we are seeking to liaise with them in terms of accessing respite provision if required.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>

3. Feedback from Principal Social Worker

The Principal Social Worker has been engaged and consulted with these decisions. The Principal Social Worker is satisfied that the original decisions have been made with due regard for the Department of Health and Social Care Ethical Framework. Where appropriate Care Act easement guidance has been considered and formed part of the decision making process. The Principal Social Worker is aware of the review processes in place.

4. Financial Considerations

As part of the urgent officer decision-making process, regard has been had to financial implications and these are detailed where appropriate on the original Officer Decisions.

5. Human Resources Considerations

As part of the urgent officer decision-making process, regard has been had to human resources implications and these are detailed where appropriate on the original Officer Decisions.

6. Legal Considerations

The reviews of the Officer Decisions made under powers delegated to officers in accordance with the Constitution have ensured that timely consideration is given to the necessity and proportionality of the continuation of those actions outlined in the Officer Decision Records.

The Council's Constitution provides that "notwithstanding any other provision of the Constitution Strategic Directors shall have the power, after discussion, if practicable, with the Leader of the Council or the relevant Cabinet Member or Chair, to take such actions deemed to be necessary and expedient in matters requiring urgent consideration and which, because of the timescale involved, or the need to safeguard the interests of the County Council, cannot be dealt with by submission to the next following meeting of the Council, Cabinet, Cabinet Member or Committee."

The preparation of an Equalities Impact Assessment in relation to all the Officer Decisions made using urgent delegated powers has been undertaken and will continue to inform decision making.

7. Equality implications

As part of the urgent officer decision making process, regard has been given to equality implications within the demand time scales applying. A consolidated Equality Impact Assessment is in development and was reported to the 4 June 2020 Cabinet meeting. Specific EIAs in relation to the decisions that affect visiting restrictions at older people's care homes, the closure of day centres and the closure of respite provision have been developed alongside a more comprehensive covering report.

8. Other Considerations

In preparing this report the relevance of the following factors has been considered: Social Value, Human Rights, equality of opportunity, health, environmental, transport, property, social value and crime and disorder considerations.

9. Background Papers

- Officer Decision Records considered by Cabinet on 23 April 2020, 14 May 2020 and 4 June 2020 and published on the county council website.
- Officer Decision Record considered by Cabinet Member 25 June 2020 and published on the county council website.
- Decision making process during Covid Epidemic – report to Cabinet 4 June 2020
- Review of urgent officer decisions taken to support COVID-19 Response – report to Cabinet Member 11, 25 June and 9 and 24 July 2020.
- [Cabinet Report - 30 July and associated Equality Impact Assessments](#)
- Equality Impact Analysis – Urgent decisions in relation to council services, functions and assistance

10. Key Decision

As indicated in reports

11. Is it required that the Call-in period be waived in respect of the decisions being proposed within this report?

No

12. Officer's Recommendation

The Cabinet Member for Adult Social Care and Health is asked to:

- i. Note the review of decisions made under urgent delegated powers arising from the COVID-19 Pandemic; and
- ii. Note that future review decisions will be made on a fortnightly basis by the Cabinet Member for Adult Care.

Helen Jones
Executive Director – Adult Social Care & Health
County Hall
Matlock

Appendix 1 – Copy of Officer Decision Records

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Helen Jones		Service: Adult Social Care	
Delegated Power Being Exercised: Significant management decisions which could have an adverse or controversial impact on the delivery of services or achievement of agreed targets			
Residential Care			
Subject of Decision: (i.e. services affected)		Adult Social Care Residential Homes for Older People, closure to visitors	
Is this a review of a decision? If so, what was the date of the original decision?		Yes, this is a review of the decision taken on 20 March 2020	
Key decision? If so have Democratic Services been notified?		Yes – it will be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county area.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):		<p>Decision taken on 20/3/20 to cease to allow general visits from friends and family.</p> <p>Review process</p> <p>Decision is subject to a minimum of fortnightly review by SMT and Cabinet Member, being reported to Cabinet Member on a fortnightly basis.</p>	
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please		<p>Government advice at the start of the pandemic advised that people aged 70 and over were required to self –isolate. The expectation of further advice from government as to implications for care homes was anticipated, but with none arriving to inform this initial decision.</p> <p>The advice in March from the Director of Public Health (DPH) and the written guidance updated on 20.3.2020 and the interpretation provided by the DPH, from advice he had received from Public Health England is that the words “strongly advised”</p>	

state how this has been taken into consideration.	meant, that we should I put visiting restrictions to homes for older people in place.
Alternative Options Considered (if appropriate) and reasons for rejection of other options	We considered keeping the homes open to restricted visitors (friends and families only), but this seemed insufficient in the light of the guidance and advice received. We considered further social distancing measures. These were to be a letter, to friends/ relatives advising them of the risks, asking them to consider their position and reminding them of hygiene and social distancing measures and the potential to visit outside of the home. This was in fact the position agreed at the 8.30 meeting on the 20.2.2020, however, we reverted subsequently after the advice from the DPH and formally changed the decision at a specially reconvened ASC Gold later in the day. Minutes of both meetings are available.
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	<p>A risk assessment was not undertaken as the decision was taken urgently in response to national guidance issued by the Government in relation to the COVID-19 Pandemic. Subsequently some adverse impacts have been identified and these have been mitigated against – e.g. by ensuring all DCC HOPs and CCC's have access to Skype technology so family members can keep in touch.</p> <p>Further mitigations have now been developed to allow visiting to take place in prescribed and limited circumstances as detailed in the appendix to this ODR. This reflects changing government guidance in relation to the easing of the lockdown from 4 July 2020 which does permit limited contact with other people, but with the importance of keeping your distance from people not in your household. From 6 July structured, scheduled visits can now take place outdoors. This will need to be reviewed regularly to take account of the local and national circumstances and any further revised guidance. A quick decision may be required in the event of a second spike or localised outbreak to retract these arrangements and return to restricting all visits to residential care homes.</p>

<p>Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision</p>	<p>Yes, this decision would have been subject to consultation as it would potentially adversely impact on family members, carers and friends of the individual in the home, as well as the person living in the care establishment. This decision had to balance the need to consult with the increased risk to vulnerable groups. Consultation did not take place due to national advice being issued from the Government regarding the COVID-19 pandemic response which stated that vulnerable groups needed to undertake social distancing to protect their health and wellbeing. Therefore, an urgent decision needed to be taken.</p>
<p>Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?</p>	<p>The decision will have had an impact on the people accessing care; their families and carers and staff employed to provide direct care services. The temporary restrictions to the service, brings with it the potential for further risks to those currently using and those needing the service, since it will be more difficult in some ways to monitor well-being, and identify changes in needs, without the fundamental role family and friends provide in advocating on behalf of, and interpreting the needs of their loved ones. It is also likely to be the case that many of those who visit their loved ones and friends within our care homes may be less likely to be connected digitally, so the usual alternative means of providing services, is available to a lesser degree.</p>
<p>Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))</p>	<p>The guidance which initially supported the decision is: https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults</p> <p>Revisions have been made to the visiting arrangements following the publication of this guidance: https://www.gov.uk/government/publications/staying-alert-and-safe-social-distancing/staying-alert-and-safe-social-distancing-after-4-july</p>

	<p>Feedback on original Officer Decision:</p> <p>Principal Social Worker The Principal Social Worker has been engaged and consulted with this decision. The Principal Social Worker is satisfied this decision has been informed by Government advice for residential care and supported living guidance which states:</p> <p>‘How care homes can minimise the risks of transmission? Care home providers should stop all visits to residents from friends and family. Medical staff and delivery couriers can still visit, but you should leave a hand sanitiser by the entrance and ask them to wash their hands as soon as they enter the building.’</p> <p>The Principal Social Worker is satisfied that the decision maker has shown due regard for balancing the impact on Human Rights Act Article 8, Care Act 2014 Wellbeing Principle and the Department of Health and Social Care Ethical Framework when reaching this decision.</p> <p>All Adult Social Care homes have been issued with a laptop and staff are supporting remote contact with family and friends via technology including telephone, videos, email and Skype so that essential family contact and links are maintained. All residents have person centred support plans and personal service plans that identify important others and contingency plans developed to ensure contact is promoted.</p> <p>Finance There are no additional costs associated with this decision.</p> <p>Human Resources</p> <p>Legal Decision is not time limited – would be beneficial to indicate a review date.</p>
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	<p>Response: This decision will be reviewed every two weeks by SMT as part of RODR process and this will be referenced in Cabinet Report as mitigation</p> <p>Decision has HR implications (Article 8 – family life) report should detail how these rights have been balanced and how residents might be supported in having contact with friends and family , otherwise than direct contact.</p> <p>Response: This is referenced via mitigations provided via Skype and it is acknowledged that this an issue, however it is felt important in the current climate that this has to be balanced against an individual's wellbeing and the risks to a person's health if visiting is permitted within a home increasing chances of transmission of the disease.</p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	<p>This took place with Cllr Wharmby by phone on 20th March 2020.</p> <p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 ,25/06/2020, 09/07/2020 and 23/07/2020</p>
Decision:	<p>To close all DCC residential homes with immediate effect on 20.3.2020 and to advise independent sector homes of our position and expectation.</p> <p>SMT review: 22/04/2020 - Social distancing requirements still in place and therefore need to maintain position. The national guidance now states there is a requirement to allow family members to visit loved ones at the end of life which is being delivered locally. Video calling arrangements are in place and has been positively received. SS is to provide clarity on end of life procedures across all establishments.</p> <p>Review by SMT 06/05/2020: It is considered necessary to continue with visiting restrictions to DCC care homes as social distancing requirements are still in place and therefore it is important DCC maintains this position in order to protect vulnerable people living within the homes who may have long term or</p>

	<p>underlying health conditions which puts them at more risk of COVID-19.</p> <p>Feedback from staff working in Derbyshire County Council operated residential care homes informed the original decision as some individuals were becoming anxious about the on-going visits from relatives and the risk that posed to individuals living in the home. This remains a concern amongst operational teams in relation to infection control. Nationally, it is recommended that visiting restrictions are in place for care homes due to concerns about the prevalence of the disease in these settings.</p> <p>National guidance has changed to enable family members to visit loved ones at the end of life and this is being delivered locally. Direct Care staff are developing a consistent approach to end of life visiting arrangements to facilitate the implementation of this national guidance. We have ensured that each DCC home has video calling facilities to allow family members to keep in regular contact with people living in a DCC residential care establishment and this has been received positively.</p> <p>We have also informed PVI Sector homes of this ongoing position to inform their decision making.</p> <p>Review by SMT 21/05/2020: It is considered necessary to continue with visiting restrictions to DCC care homes as social distancing requirements are still in place and therefore it is important DCC maintains this position in order to protect vulnerable people living within the homes who may have long term or underlying health conditions which puts them at more risk of COVID-19.</p> <p>Review by SMT 04/06/2020: It is considered necessary to continue with visiting restrictions to DCC care homes as general social distancing requirements are still in place. It is important DCC maintains this overall position in order to protect vulnerable people living within the homes who may have long term or underlying health conditions which puts them at more risk should they contract COVID-19.</p>
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	<p>National guidance has changed to enable family members to visit loved ones at the end of life and this is being delivered locally and this is being facilitated.</p> <p>As a result of the latest changes to social distancing arrangements introduced by the Government this week officers are exploring how visiting restrictions can be relaxed to enable a relative to meet with a loved one in an appropriate outdoor space, whilst social distancing is maintained. This work will be undertaken in conjunction with Health and Safety and Public Health colleagues to ensure any relaxing of the current arrangements are undertaken in a way that continues to minimise the risk to all parties of infection spread. The outcome of this work will be reported to Cabinet Member and will inform changes to visiting restrictions moving forward.</p> <p>Review by SMT 11/06/2020: Hold position as PVI sector currently more broadly is not seeking to relax visiting as a potential risk to the residents in the home in terms of infection prevention control. Officers to undertake a piece of work scoping of what might be possible and under what circumstances.</p> <p>Review by SMT 18/06/2020: It is considered necessary to continue with visiting restrictions to DCC care homes as general social distancing requirements are still in place. It is important DCC maintains this overall position in order to protect vulnerable people living within the homes who may have long term or underlying health conditions which puts them at more risk should they contract COVID-19.</p> <p>National guidance has changed to enable family members to visit loved ones at the end of life and this is being delivered locally and this is being facilitated.</p> <p>As a result of the latest changes to social distancing arrangements introduced by the Government this week officers are exploring how visiting restrictions can be relaxed to enable a relative to meet with a loved one in an appropriate outdoor space, whilst social distancing is maintained. This work will be undertaken in conjunction with Health and Safety and</p>
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	<p>Public Health colleagues to ensure any relaxing of the current arrangements are undertaken in a way that continues to minimise the risk to all parties of infection spread. The outcome of this work will be reported to Cabinet Member and will inform changes to visiting restrictions moving forward.</p> <p>Review by SMT 02/07/2020: It is considered necessary to continue with general visiting restrictions to DCC care homes as general social distancing requirements are still in place. It is important DCC maintains this overall position in order to protect vulnerable people living within the homes who may have long term or underlying health conditions which puts them at more risk should they contract COVID-19.</p> <p>National guidance has changed to enable family members to visit loved ones at the end of life and this is being delivered locally and this is being facilitated.</p> <p>As a result of the latest changes to social distancing arrangements introduced by the Government officers a range of prescriptive visiting arrangements that enable a relative to meet with a loved one in an appropriate outdoor space, whilst social distancing is maintained has been developed and will be implemented.</p> <p>Review by SMT 16/07/2020: Following ongoing work by officers the position has been revised so that whilst general visiting restrictions need to remain in place, temporary arrangements have been put in place to enable short visits to take place by family members in homes that have no cases of COVID-19. Guidelines have been developed and these will continue to be reviewed in line with national guidance and reflect the change in Government guidance on 4 July which still encourages those in the shielding cohort or with an underlying health condition to strictly observe social distancing measures and limit contact with people outside of their household. The newly announced testing for Care Home residents (every 28 days) and staff (every week) may impact on the ability to</p>
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	<p>facilitate these visits i.e. if positive test results are returned.</p> <p>Review by SMT 30/07/2020 notes: that local guidelines which have been developed are being reviewed so that they are in line with guidance issued by central government on 22 July which outlines an enhanced role by the Director of Public Health in terms of ensuring visiting guidelines are robust and risk assessed. We will be seeking to reflect this recommended best practice within visiting arrangements at residential homes for older people and also working with the private, voluntary and independent care home sector across Derbyshire to ensure they also put appropriate arrangements in place.</p>
Signature and Date: Simon Stevens 20/03/2020	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Simon Stevens		Service: Adult Social Care
Delegated Power Being Exercised: Significant management decisions which could have an adverse or controversial impact on the delivery of services or achievement of agreed targets		
Day Care - Temporary Closure / cessation of Service		
Subject of Decision: (i.e. services affected)	Service closure – Older Adults Day Centres	
Is this a review of a decision? If so, what was the date of the original decision?	Yes, original decision was taken on 20/03/2020	
Key decision? If so have Democratic Services been notified?	Yes – it will be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county area.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	<p>Closure of Older Adults Day Centres with effect from 5pm on 20/03/2020. Cessation of service delivery for people aged over 70 in LD Day Services with effect from 5pm on 20/03/2020</p> <p>Review process Decision is subject to a minimum of fortnightly review by SMT and Cabinet Member, being reported to Cabinet Member on a fortnightly basis.</p>	
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.	<p>Government and PHE advice in relation to reducing the risk of infection spread in relation to COVID-19 states that those over 70 should self-isolate and from 4 July should seek to minimise contact with people from other households.</p> <p>As the vast majority of users of our older adult’s day centres are over 70 years old it is not possible to continue to operate those services as individuals self-isolate to adhere with social distancing requirements.</p> <p>Although there are small numbers of people aged under 70 attending the centres they are also likely to fall into the category of having an underlying</p>	

	<p>'high risk' health condition that means they are advised to strongly adhere to social distancing guidelines and reduce contact with others outside of their household.</p> <p>To support the Government guidance for people aged 70 and over to self-isolate and maintain social distancing it is appropriate that our day centres for older adults remain closed and we avoid bringing groups of six or more people together in a closed environment.</p> <p>Similarly we need to cease the attendance for those aged over 70 attending out learning disability day services so that we can follow Government guidance and protect those individuals, other service users and staff from increased risk.</p> <p>From 4 July onwards it is considered appropriate to maintain this position as individuals are advised to limit contact with other people and social distancing measures need to be maintained.</p>
Alternative Options Considered (if appropriate) and reasons for rejection of other options	<p>All individuals have been assessed in relation to ongoing alternative support to enable them to manage without their day centre service. Monitoring of the wellbeing of individuals will also be undertaken during the closure period. Additional support is being offered to Carers where appropriate.</p> <p>From 4 July onwards consideration is being given to linking in with local community activity created by the Community Response Hub, technology solutions and outdoor activities as alternative forms of provision for individuals where this is appropriate.</p>
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	<p>Individual risk assessments have been undertaken in relation to this decision and concerns relating to long term planning, carer support, carer breakdown, provision of emergency respite if appropriate and alternative arrangements are being considered.</p>

	<p>These risk assessments are being reviewed on a regular basis to check that they remain appropriate in line with national guidance and consideration of the range of support available as lockdown measures are eased.</p>
<p>Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision</p>	<p>Yes, it would have been subject to consultation with service users. Consultation did not take place due to national advice being issued from the Government regarding the COVID-19 pandemic response which stated that vulnerable groups needed to undertake social distancing to protect their health and wellbeing. Therefore, an urgent decision needed to be taken.</p>
<p>Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?</p>	<p>An Equality Impact Analysis has been undertaken and identified that the decision will have had an impact on both older people and their families and carers. This EIA was completed on 30 June and is being kept under review.</p> <p>The temporary suspension of the service, and the ongoing assessment of older people's care packages brings with it the potential for further risks to those who were attending the service. However, this risk needs to balance with the risk of infection from COVID-19 and adherence to national guidelines.</p> <p>Mitigations have been put in place through the regular reviews, and where appropriate care packages have been adjusted to accommodate the temporary closure of the building-based day services. The Community Response Unit, established by the County Council and a range of voluntary organisations and local businesses, has also been established to make sure vulnerable residents are supported through the coronavirus outbreak. A small number of older adults who use building-based day services have been referred to and have made use of the Community Response Unit's services.</p>

	<p>Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered.</p> <p>The Council continues to review the access restrictions imposed on all its buildings in line with national guidance concerning social distancing and self-isolation requirements for vulnerable people.</p>
Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))	<p>Staff have been temporarily redeployed to support other service areas responding to the COVID-19 pressures</p> <p>Feedback in relation to original Officer decision</p> <p>Legal Decision is not time limited, if the issue persists in the longer term then report would be beneficial to highlight longer term strategy to manage the needs of the affected cohort.</p> <p>Response: Two week review process is now in place and captured on RODR pro forma</p> <p>ODR indicates that individual assessments are to be undertaken to ensure affected person receive the support necessary – update and assurance could be given in the report to confirm timescales and outcomes for these assessments</p> <p>Response: This will be detailed in Cabinet report and RODR document, but reviews have taken place and are being actively reviewed by P&P teams every two weeks. If appropriate following an initial RAG rated assessment social work teams are contacting some individuals on a daily basis to check there is no significant change in their circumstances that may require consideration and mitigation.</p>

	<p>Principal Social Worker</p> <p>The Principal Social Worker has been engaged and consulted with this decision. The Principal Social Worker is satisfied that this decision has been made with due regard for the Department of Health and Social Care Ethical Framework. Whilst this decision was informed by the Government's guidance about social distancing, full consideration has been given to contingency discussions and planning for alternative support evidenced by the statements:</p> <p>'All individuals will be assessed as to whether they require ongoing alternative support to enable them to manage without their day centre service and this will be provided.'</p> <p>'Monitoring of the wellbeing of individuals will also be undertaken during the closure period.'</p> <p>Co-funding contributions will be suspended for people whose only service is day care, but will continue for people who access other community-based services.</p> <p>Finance</p> <p>It is estimated that the department will lose approximately £2,800 per week in co-funding contributions. This loss of income will be met from the COVID-19 Emergency Grant.</p> <p>Human Resources</p> <p>Staff will be temporarily redeployed to support other service areas responding to the COVID-19 pressures.</p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	<p>Discussion with Cllr Jean Wharmby on 19/03/2020</p> <p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 ,25/06/2020, 09/07/2020 and 23/07/2020</p>
Decision:	Agreed

	<p>Review agreed by CMT 07/04/2020 and SMT 08/04/2020</p> <p>Review by SMT 22/04/2020, 06/05/2020, 21/05/2020:</p> <p>It is considered necessary to keep the closure of day centre provision in place due to ongoing social distancing requirements in line with national Government guidance. Clients who would normally attend a day centre have had their care package reviewed and it is continuing to be reviewed on a minimum of a fortnightly basis to check that no additional support is required as an alternative to the support which would have normally been received via attendance at a day centre. Derbyshire Carers Association is also offering support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered.</p> <p>Review by SMT 04/06/2020, 11/06/2020, 18/06/2020:</p> <p>It is considered necessary to keep the closure of day centre provision in place due to ongoing social distancing requirements in line with national Government guidance that prohibits people from meeting indoors in large groups. Clients who would normally attend a day centre have had their care package reviewed and it is continuing to be reviewed on a minimum of a fortnightly basis to check that no additional support is required as an alternative to the support which would have normally been received via attendance at a day centre. Derbyshire Carers Association is also offering support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered.</p> <p>Officers are actively scoping options to see whether individuals who would normally attend a day centre can be offered alternative provision which would involve activities based outdoors in line with current social distancing requirements.</p>
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	<p>This needs to be considered on a case by case basis in order to take into account a range of factors specific to an individual that may dictate whether this is feasible as individuals in the shielded group have greater restrictions still in place.</p> <p>Review by SMT 02/07/2020: It is considered necessary to keep the closure of day centre provision in place due to ongoing social distancing requirements in line with national Government guidance that prohibits people from meeting indoors in large groups.</p> <p>Ongoing work is to consider how these services are re-opened safely and consideration is required in several areas. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic.</p> <p>Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services.</p> <p>Many of the buildings used as day centres have not been designed with this in mind, as historically the ethos of the offer is the facilitation of group activity for older people to reduce isolation and increase companionship.</p> <p>Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers. The services will not be able to support the same number of people and given the vulnerability of those who attend additional precautions will need to be taken.</p> <p>Consideration is being given to linking in with local community activity created by the Community Response Hub, technology solutions and outdoor activities as alternative forms of provision for individuals where this is appropriate.</p>
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	<p>Review by SMT 16/07/2020: following ongoing work by officers the current position is that building-based day services will remain closed due to the national government guidance advised against gatherings in indoor spaces unless appropriate social distancing can be maintained and limiting contact with people from outside a household.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of older adults, and where appropriate care packages have been adjusted • A small number of older adults who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. <p>Ongoing work is to consider how these services are re-opened safely and consideration is required in several areas. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic.</p> <p>Review by SMT 30/07/2020: The latest review notes that a steering group is continuing to develop a plan for the re-opening of day centres. Initial work has included a desktop-based risk assessment and ranking of establishments to identify which could potentially open as part of a phased-approach; and working with voluntary sector providers to share learning around their experiences of safe re-opening.</p> <p>Whilst this work is ongoing the current position is that building-based day services will remain closed due to the national government guidance advised against gatherings in indoor spaces unless appropriate social distancing can be</p>
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	<p>maintained and limiting contact with people from outside a household.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of older adults , and where appropriate care packages have been adjusted • A small number of older adults who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. • A working group has been developed including providers in the private, voluntary and independent sector to map out a process which will explore and establish the options for ongoing safe provision of service.
Signature and Date: Simon Stevens 20/03/2020	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Simon Stevens		Service: Adult Social Care
Delegated Power Being Exercised: Significant management decisions which could have an adverse or controversial impact on the delivery of services or achievement of agreed targets		
Day Care - Temporary Closure / cessation of Service		
Subject of Decision: (i.e. services affected)	Service closure – Learning Disability Day Services	
Is this a review of a decision? If so, what was the date of the original decision?	Yes, original decision date was 23/03/2020.	
Key decision? If so have Democratic Services been notified?	Yes – it will be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county area.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	<p>Closure of building based Day Centres for people with a Learning Disability with effect from 5pm on 23/03/2020.</p> <p>This will mean the closure of DCC run day centres for people with a day service and advice to PVI services that operate in large groups using a building base to close.</p> <p>Other PVI day services that operate in small groups outside and through one to one activity with personal assistance are not at this time being advised to close.</p> <p>Review process Decision is subject to a minimum of fortnightly review by SMT and Cabinet Member, being reported to Cabinet Member on a fortnightly basis.</p>	
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council	In order to adhere to Government guidance we need to close our day centres for people with a learning disability and avoid bringing groups of people together in a closed indoor environment where social distancing may not be able to be effectively maintained.	

<p>policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.</p>	
<p>Alternative Options Considered (if appropriate) and reasons for rejection of other options</p>	<p>At the start of lockdown, we tried to deliver the service using opportunities to do this in a way that enable social distancing, but this has not proven sustainable.</p> <p>All individuals have been assessed as to whether they require ongoing alternative support to enable them to manage without their day centre service and this will be provided.</p> <p>Monitoring of the wellbeing of individuals will also be undertaken during the closure period.</p> <p>From the 17 April, it was agreed that the limited operation of two day centres would take place to support people with complex needs has been considered and approved as appropriate risk mitigation to prevent placement breakdown and reduce the probability of hospital admission.</p> <p>As lockdown measures are eased from 4 July onwards, the following measures are being considered as alternatives if appropriate for the individual.</p> <ul style="list-style-type: none"> • digitally • phone calls to Service users or there their carers • Activity packs to do at home • Shopping • Newsletters, Support letters and photographs • Some farms were offering and delivering food packs to service user's doors and into the local community. <p>Some private, voluntary and independent sector services have continued to provide alternative provision to support families and carers.</p>

<p>Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated</p>	<p>Individual risk assessments have been undertaken in relation to this decision and concerns relating to long term planning, carer support, carer breakdown, provision of emergency respite if appropriate and alternative arrangements are being considered.</p> <p>These risk assessments are being reviewed on a regular basis to check that they remain appropriate in line with national guidance and consideration of the range of support available as lockdown measures are eased.</p>
<p>Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision</p>	<p>Yes, it would have been subject to consultation with people who access DCC day service provision. Consultation did not take place due to national advice being issued from the Government regarding the COVID-19 pandemic response which stated that vulnerable groups needed to undertake social distancing to protect their health and wellbeing. Therefore, an urgent decision needed to be taken.</p> <p>From 4 July as lockdown measures eased, the intention within Derbyshire is to co-produce “a new offer” with those who have historically used day services/ day activities and their families/ carers, recognising that fewer people will be able to attend a building-based offer on a daily basis and this should be reserved for those most at risk of carer breakdown and those with the highest level of need.</p>

<p>Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?</p>	<p>The original decision was taken in response to guidance published by the Department for Health and Social Care concerning the high-risk groups of people who should self-isolate for 12 weeks, and the adhere to the 2-metre social distancing.</p> <p>The decision will have had an impact on both people with a learning disability and their families and carers. The temporary suspension of the service, and the ongoing assessment of people's care packages brings with it the potential for further risks to those who were attending the service. However, this risk needs to balance with the risk of infection from COVID 19 and adherence to national guidelines.</p> <p>Mitigations have been put in place through the regular reviews, and where appropriate care packages have been adjusted to accommodate the temporary closure of the building-based day services. A temporary day service is being provided by the Council for some people living with complex learning disabilities where it was felt appropriate to continue to provide that service. This has been done in accordance with Government guidelines concerning social distancing, use of PPE and infection control measures.</p> <p>An EIA was completed on 30 June and is being kept under review.</p> <p>The Community Response Unit, a partnership between the County Council and a range of voluntary organisations and local businesses, has been established to make sure vulnerable residents are supported through the coronavirus outbreak. A small number of people with a learning disability who use building-based day services have been referred to and have made use of the Community Response Unit's services.</p> <p>Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre</p>
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	<p>provision being closed and carers emergency plans are being offered.</p> <p>Whilst the Council continues to review the access restrictions imposed on all its buildings, in line with national guidance concerning social distancing and self-isolation requirements for vulnerable people, it is not expected that building-based services will be returning as previously provided prior to COVID-19.</p> <p>A programme group has been formed to look at options for the future delivery of these services and these will be co-produced with people with a learning disability and will report back to Cabinet with a position that will update/ override this ODR and put longer term arrangements in place.</p>
<p>Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))</p>	<p>Feedback in relation to original Officer decision</p> <p>Principal Social Worker</p> <p>The Principal Social Worker has been engaged and consulted with this decision. The Principal Social Worker is satisfied that this decision has been made with due regard for the Department of Health and Social Care Ethical Framework. Whilst this decision was informed by the Government's guidance about social distancing, full consideration has been given to contingency discussions and planning for alternative support evidenced by the statements:</p> <p>'All individuals will be assessed as to whether they require ongoing alternative support to enable them to manage without their day centre service and this will be provided.'</p> <p>'Monitoring of the wellbeing of individuals will also be undertaken during the closure period.'</p> <p>Co-funding contributions will be suspended for people whose only service is day care, but will continue for people who access other community-based services.</p>

	<p>Finance It is estimated that the department will lose approximately £5,000 per week in client contributions. This loss of income will be met from the COVID-19 emergency grant.</p> <p>Human Resources Staff will be temporarily redeployed to support other service areas responding to the COVID-19 pressures.</p> <p>Legal The Council has powers in accordance with s1-6 of the Localism Act 2011 to do that which will be to the 'benefit of the authority, its area or persons resident or present in its area'. The proposed benefit of this action is to support the reduction in COVID-19 infections and reduce the transmission of the virus. Due to the timescales involved it has not been possible to consult affected persons but arrangements have been put in place to assess those current service users who will be impacted by the decision and to ensure that they are provided with alternate support should this be required. An evaluation of the risks of this course of action and the mitigation of these risks and an EIA are being undertaken.</p> <p>The decision is a proportionate and reasonable response to COVID-19 risks. The suspension of this service type, in isolation, where other services will continue on a business as usual basis is possible applying flexibilities under the Care Act 2014. It represents a Stage 2 decision as set out within the Care Act easements: Guidance for local authorities</p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	<p>Discussion between Helen Jones and Cllr Jean Wharmby on 23/03/2020</p> <p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020, 25/06/2020, 09/07/2020 and 23/07/2020.</p>

Decision:	<p>Agreed by CMT 23/03/2020</p> <p>Review agreed by CMT 07/04/2020 and SMT 08/04/2020</p> <p>Review by SMT 17/04/2020 proposal to utilise two learning disability day service buildings during COVID-19 outbreak was agreed.</p> <p>Review by SMT 22/04/2020, 21/05/2020, 06/05/2020, 04/06/2020, 11/06/2020, 18/06/2020: It is considered necessary to keep the closure of day centre provision in place due to ongoing social distancing requirements in line with national Government guidance. Clients who would normally attend a day centre have had their care package reviewed and it is continuing to be reviewed on a minimum of a fortnightly basis to check that no additional support is required as an alternative to the support which would have normally been received via attendance at a day centre.</p> <p>Derbyshire Carers Association is also offering support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered.</p> <p>For clients with a complex learning disability, where appropriate, individual arrangements have been put in place to ensure there is an alternative day service provision and this is in place to prevent placement breakdown or avoid hospital admission.</p> <p>Review by SMT 02/07/2020: it is considered necessary to keep the closure of day centre provision in place.</p> <p>Everyone who attended a day service has been assessed, contingency plans put into place, with these being reviewed on a two-weekly basis to ensure social care need is being met. A very small number of adults with learning disability have continued to access some building-based support</p>
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	<p>to prevent family breakdown. This has been complex to manage and has required significant risk assessments to be in place.</p> <p>Some private, voluntary and independent sector services have continued to provide alternative provision to support families and carers.</p> <p>A variety of the alternative support being delivered is:</p> <ul style="list-style-type: none"> • digitally • phone calls to Service users or there their carers • Activity packs to do at home • Shopping • Newsletters, Support letters and photographs • Some farms were offering and delivering food packs to service user's doors and into the local community. <p>Ongoing work is to consider how these services are re-opened safely and consideration is required in several areas. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic. Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services. Many of the buildings used as day centres have not been designed with this in mind. Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers. Transport provision to support people to get to a day centre also needs to be considered in line with social distancing requirements and this may mean there is reduced capacity.</p> <p>The intention with Derbyshire is to co-produce “a new offer” with those who have historically used day services/ day activities and their families/ carers, recognising that fewer people will be able to attend a building-based offer on a daily basis and this should be reserved for those most at risk</p>
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	<p>of carer breakdown and those with the highest level of need.</p> <p>Review by SMT 16/07/2020: Following ongoing work by officers the current position is that learning disability day services will remain closed. A working group has been formed to look at options for the future delivery of these services and these will be co-produced with people with a learning disability and reported on at an appropriate time. This group is actively reviewing Government guidance, including that issued from 4 July to consider how these services can be re-opened safely and consideration is required in several areas. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic. Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services. Many of the buildings used as day centres have not been designed with this in mind. Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers. Transport provision to support people to get to a day centre also needs to be considered in line with social distancing requirements and this may mean there is reduced capacity. Several factors are being explored these have been raised nationally through the Association of Directors for Adult Social Services (ADASS). This includes testing, use of face masks, the ability to manage with dignity, social distancing for people who lack capacity to understand the need and requirement for this. The experience of the attendee and their family/ carer to ensure that this remains a positive experience</p> <p>The intention within Derbyshire is to co-produce “a new offer” with those who have historically used day services/ day activities and their families/ carers, recognising that fewer people will be able to attend a building-based offer on a daily basis and this should be reserved for those most at risk</p>
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	<p>of carer breakdown and those with the highest level of need. People with Learning Disability and their carers will shortly be receiving letters communicating this approach.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of people with a learning disability or autism, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so. • A small number of people with a learning disability who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. <p>Review by SMT 30/07/2020: The latest review on 30 July 2020 notes that a 'hub' of staff is being created to explore specifically the safest and most practicable way of starting to deliver a service again. Training in upskilling staff in order to do so is currently being developed. following ongoing work by officers the current position is that learning disability day services will remain closed. A working group has been formed to look at options for the future delivery of these services and these will be co-produced with people with a learning disability and reported on at an appropriate time. It will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic. Social distancing, even if relaxed, will remain a feature within the Country for some time and infection control measures will be required to reduce risk of exposure to COVID – 19 for people who attend these services. Many of the buildings</p>
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	<p>used as day centres have not been designed with this in mind. Detailed risk assessments are required to ensure measures can be put in place to safeguard those who attend, staff and informal carers. Transport provision to support people to get to a day centre also needs to be considered in line with social distancing requirements and this may mean there is reduced capacity.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of people with a learning disability or autism, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so. • A small number of people with a learning disability who use building-based day services have been referred to and have made use of the Community Response Unit's services. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Signature and Date: Simon Stevens 23/03/2020	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Simon Stevens		Service: Adult Social Care
Delegated Power Being Exercised: Significant management decisions which could have an adverse or controversial impact on the delivery of services or achievement of agreed targets		
Day Care - Temporary Closure / cessation of Service		
Subject of Decision: (i.e. services affected)	Service closure – planned respite.	
Is this a review of a decision? If so, what was the date of the original decision?	Yes, review of decision made 23/03/2020	
Key decision? If so have Democratic Services been notified?	Yes – it will be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county area.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	<p>Cessation of planned respite breaks services for Older Adults and people with a Learning Disability with effect from 23/03/2020</p> <p>Review process Decision is subject to a minimum of fortnightly review by SMT and Cabinet Member, being reported to Cabinet Member on a fortnightly basis.</p>	
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.	<p>Government and Public Health England advice in relation to reducing the risk of infection spread in relation to COVID-19 states that those aged 70 and over 70 should self-isolate and adhere to social distancing requirements.</p> <p>We need to reduce the risk of cross infection for both those using respite and long-term care home residents to reduce the number of individuals coming in and out of the services to reduce risks in relation to infection.</p> <p>As the vast majority of users of our older adult respite care services are used by people aged 70 and over it is not possible to continue to operate those services safely.</p>	

	<p>Similarly, significant numbers of the people using our learning disability respite services are likely to fall into the category of having an underlying 'high risk' health condition that means they would be advised to socially distance and minimise contact with others from outside of their household.</p> <p>In order to protect them and other residents within our residential care homes non-urgent respite provision remains closed.</p>
Alternative Options Considered (if appropriate) and reasons for rejection of other options	All individuals are being monitored and reviewed during the period the provision does not operate as normal to ensure that the withdrawal of planned respite does not lead to significant risks to their health and wellbeing.
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	Individual risk assessments have been undertaken in relation to this decision and concerns relating to long term emergency respite if appropriate and alternative arrangements are being considered.
Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision	Yes it would have been subject to consultation with service users. Consultation did not take place due to national advice being issued from the Government regarding the COVID-19 pandemic response which stated that vulnerable groups needed to undertake social distancing to protect their health and wellbeing. Therefore, an urgent decision needed to be taken.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	<p>The decision will have had an impact on older adults, people with a learning disability and their families and carers. The temporary suspension of the service, and the ongoing assessment of people's care packages brings with it the potential for further risks to those who make use of the service. However, this risk needs to be balanced with the risk of infection from COVID 19 and adherence to national guidelines.</p> <p>Mitigations have been put in place through the regular review of people who would normally</p>

	<p>access the provision, and where appropriate care packages have been adjusted to accommodate the temporary cessation of the service Emergency respite services have continued to operate from a number of the Council's establishments, or as an outreach services for some people, to support both older adults and people with a learning disability and their family / carers – particularly in order to reduce the risk of carer breakdown.</p> <p>The Community Response Unit, a partnership between the County Council and a range of voluntary organisations and local businesses, has been established to make sure vulnerable residents are supported through the coronavirus outbreak. Whilst it is not known if people who have previously accessed respite services have been referred to or used the Unit, it is known that older adults and people with a learning disability who use other services such as building-based day care have accessed this Unit's services.</p> <p>Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of the cessation of planned respite and carers emergency plans are being offered.</p> <p>Whilst the Council continues to review the access restrictions imposed on all its buildings, in line with national guidance concerning social distancing and self-isolation requirements for vulnerable people, it is not expected that the building-based planned (bookable) respite service will return to normal operating arrangements in the short to medium term.</p> <p>An EIA was completed on 30 June and is being kept under review.</p>
Background/Reports/Information considered and attached (including Legal, HR, Financial and other	Any excess staffing capacity generated as a result of this cessation of service will be temporarily redeployed to support other service areas responding to the COVID-19 pressures

<p>considerations as required))</p>	<p>Feedback on original Officer Decision:</p> <p>Legal</p> <p>Decision is not time limited, if the problem persists in the longer then report would be beneficial to highlight longer term strategy to manage the needs of the affected cohort.</p> <p>Response: Two week review process is now in place and captured on RODR pro forma</p> <p>ODR indicates that individual assessments are to be undertaken to ensure affected person receive the support necessary – update and assurance could be given in the report to confirm timescales and outcomes for these assessments</p> <p>Response: This will be detailed in Cabinet report and RODR document, but reviews have taken place and are being actively reviewed by P&P teams every two weeks.</p> <p>Finance</p> <p>There are no additional financial considerations in relation to this proposal.</p> <p>Principal Social Worker</p> <p>The Principal Social Worker has been engaged and consulted with this decision. The Principal Social Worker is satisfied that this decision has been made with due regard for the Department of Health and Social Care Ethical Framework. Whilst this decision was informed by the government’s guidance about social distancing and COVID-19 guidance in relation to residential care and supported living full consideration has been given to contingency discussions and planning for alternative support evidenced by the following statement: ‘All individuals will be monitored and reviewed during the cessation period to ensure that the withdrawal of planned respite doesn’t lead to significant risks to their health and wellbeing’. Guidance has been issued to frontline assessment staff to inform their person centred conversations when exploring equivalent levels of support. Associated RAG rating records have been regularly completed and updated.</p>
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<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>Discussion between Helen Jones and Cllr Jean Wharmby on 22/03/2020 Consultation with Cllr Wharmby on Review 19/05/2020 Consultation with Cllr Wharmby on Review 27/05/2020 Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 ,25/06/2020, 09/07/2020 and 23/07/2020</p>
<p>Decision:</p>	<p>Agreed Review agreed by CMT 07/04/2020 and SMT 08/04/2020</p> <p>Review by SMT 22/04/2020, 06/05/2020, 21/05/2020, 04/06/2020, 18/06/2020 and 02/07/2020: It is considered necessary to continue to cease planned respite activity due to ongoing social distancing requirements in line with national Government guidance. Clear evidence that spread within care homes is due to bringing people in from the community.</p> <p>We continue to need to reduce the risk of cross infection for both those using respite and long-term residents and so reducing the number of individuals coming in and out of the service is essential.</p> <p>Clients who would normally attend a planned respite break have had their care package reviewed and it is continuing to be reviewed on a minimum of a fortnightly basis to check that no additional support is required as an alternative to the support which would have normally been received via respite. Derbyshire Carers Association is also offering support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered.</p> <p>In addition, the respite beds are being utilised to support hospital discharge and increase bedded capacity in residential care.</p> <p>Urgent respite provision is still in place as a mitigation where this is considered appropriate.</p>

	<p>Review by SMT 16/07/2020: Following ongoing work by officers the current position is that building-based planned respite services will remain closed. Emergency respite provision continues to be offered , both through building-based services or through outreach services to an individual's home where safe and appropriate to do so (in line with Government guidelines for use of PPE and infection control).</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so. • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase as a result of day centre provision being closed and carers emergency plans are being offered. <p>Review by SMT 30/07/2020 notes: following ongoing work by officers that the current position is that building-based planned respite services will continue to remain closed. Emergency respite provision continues to be offered, both through building-based services or through outreach services to an individual's home where safe and appropriate to do so (in line with Government guidelines for use of PPE and infection control).</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> • Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted • Parkwood Centre in Alfreton has been providing emergency day service provision for those people for whom it has been identified as
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	<p>being appropriate to do so. This is in order to provide a period of respite during the day to support Carers as far as is possible to do currently.</p> <ul style="list-style-type: none"> • Derbyshire Carers Association has continued to offer support to carers who may have seen their caring duties increase and therefore their ability to have any respite during the day reduce as a result of day centre provision being closed and carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team on 13 August 2020.</p>
Signature and Date: Simon Stevens 22/03/2020	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Simon Stevens		Service: Adult Social Care	
Delegated Power Being Exercised: Significant management decisions which could have an adverse or controversial impact on the delivery of services or achievement of agreed targets			
Risk Management in relation to Residential Care			
Subject of Decision: (i.e. services affected)		Essential maintenance and specific fire risk mitigation works in our Residential Care Homes for Older People	
Is this a review of a decision? If so, what was the date of the original decision?		Yes, this is a review of decision taken on 22/03/2020	
Key decision? If so have Democratic Services been notified?		Yes – it will be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county area.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):		<p>To continue to undertake essential maintenance and specific fire risk mitigation works in our Residential Care Homes for Older People in order to deliver on previously identified risk mitigation and ensure the safety of residents and staff.</p> <p>Review process Decision is subject to a minimum of fortnightly review by SMT and CMT in line with national guidance re vulnerable groups and social distancing from HM Government.</p>	
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been		<p>Despite the Coronavirus outbreak and the requirements for people to work from home where possible and manage contact with other individuals through social distancing it is necessary for previously identified fire risk mitigation works to be completed so that residents and staff are supported to operate in a safe environment.</p> <p>Property colleagues had identified that all non-essential works should cease to protect their staff from the risk of infection and had suggested that</p>	

taken into consideration.	<p>the remaining fire risk mitigation works could be suspended.</p> <p>Further detailed discussions have taken place between Directors from both departments to weigh up the risks to residents and ASC staff associated with not completing the works against the risks to Property staff from undertaking them and it has now been agreed that those fire risk mitigation works and any other essential maintenance will continue to be completed.</p>
Alternative Options Considered (if appropriate) and reasons for rejection of other options	Property and adult social care managers and staff will complete individual risk assessments for each establishment / area of work and seek to ensure that infection control measures and social distancing requirements are maintained whilst the operatives are on site, including ensuring that the work area is closed to access for residents and staff whilst the tradespeople are on the premises.
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	Ongoing risk assessments have taken place to inform the wider mitigation works programme by Property Services and colleagues in health and safety.
Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision	No, this would not have been subject to consultation with service users and the public as it relates to maintenance of residential care homes. It is separate to the decision which has been subject to consultation regarding the long-term strategy for Direct Care Homes for Older People.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	Not applicable as decision relates to maintenance work.
Background/Reports/Information considered	Property fire risk mitigation reports and work progress documents.

<p>and attached (including Legal, HR, Financial and other considerations as required))</p>	<p>Feedback on original Officer decision:</p> <p>Principal Social Worker The Principal Social Worker has been engaged and consulted with this decision. The Principal Social Worker is satisfied that this decision has been made with due regard for the Department of Health and Social Care Ethical Framework when reaching decisions which take due account of existing legislation and guidance alongside flexible approaches to ensure safety standards are maintained as evidence in the following statement: 'Property and Adult Social Care managers and staff will complete individual risk assessments for each establishment / area of work and seek to ensure that infection control measures and social distancing requirements are maintained whilst the operatives are on site, including ensuring that the work area is closed to access for residents and staff whilst the tradespeople are on the premises.'</p> <p>Finance There are no additional costs associated with this decision.</p> <p>Legal The proposed work and the risks inherent in either undertaking or discontinuing this has been carefully evaluated. The decision to continue the work is a proportionate response to this evaluation. In the event of new guidance being received regarding the presence of operatives within residential settings the decision should be promptly revisited.</p>
<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>Agreement at Cabinet 23/04/2020 Taken to CMT for discussion w/c 30/03/2020 Discussion with Cllr Wharmby 30/03/2020 Consultation with Cllr Wharmby on Review 19/05/2020 and 27/05/2020 Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 ,25/06/2020, 09/07/2020 and 23/07/2020</p>
<p>Decision:</p>	<p>Agreed</p>

	<p>Review agreed by CMT 08/04/2020 and SMT 07/04/2020</p> <p>Review by SMT 22/04/2020,06/05/2020, 21/05/2020, 04/06/2020, 18/06/2020 and 02/07/2020: Fire risk mitigation works are continuing to take place and there have been some delays to the delivery of the work as per the programme plan. Therefore in light of these outstanding issues it is appropriate the arrangements remain in place.</p> <p>Review by SMT 16/07/2020: The current position is that the majority of scheduled work has taken place across the Homes for Older People estate, with only a small number of tasks outstanding and will be undertaken from the end of July and should be complete by the end of August. This work relates to tasks that have been delayed due to disruption with the supply chain for key supplies due to the COVID-19 pandemic. Restrictions still remain in place for general visiting to the Homes for Older People as outlined in a separate Officer Decision Record, therefore these interim measures need to remain in place.</p> <p>Review by SMT 30/07/2020: Following ongoing work by officers note that the current position is that these interim charging arrangements need to remain in place to reflect that provision delivered by Derbyshire County Council or private and independent sector providers may not be fully operational or that a person's support requirements has changed. We are continuing to issue payments to providers, for example for a day service as if the person is attending, however we are not charging the person as they have not attended. This means we are doing what we can to support providers whilst services remain closed or have limited operational activity due to social distancing requirements needing to remain in place.</p>
Signature and Date: Simon Stevens 22/03/2020	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Helen Jones	Service: Adult Social Care and Health all care packages
Delegated Power Being Exercised: Emergency Powers	
Subject of Decision: (i.e. services affected)	To adjust the client contribution guidance to meet changes in service due to COVID-19
Is this a review of a decision? If so, what was the date of the original decision?	Yes, this is a review of a decision approved by CMT on 8 April
Key decision? If so have Democratic Services been notified?	Yes,
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	That client charging for specific scenarios will be as outlined in the attached appendix. This decision will be subject to a fortnightly review to make sure that the change arrangements appropriately reflect operational service arrangements which are in place in line with national guidance regarding social distancing and supporting vulnerable people throughout the COVID-19 pandemic.
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.	A number of services have now been closed and some people are prevented from accessing other services. In these circumstances, guidance is required to outline which charging regime applies in these different scenarios.
Alternative Options Considered (if appropriate) and	The only alternative option would have been to continue to charge people, which we could technically have done under our current co-funding

reasons for rejection of other options	scheme. But as individuals are no longer receiving a service, it was thought that they would consider this to be unfair and would give rise to numerous complaints.
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	No risk assessment was carried out with regards to the ceasing of charging. But risk assessments were carried out for all people to ensure that they would be safe when their services were removed.
Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision	No. We would not expect to go to consultation when removing a charge, only when introducing or changing a charging regime.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	No.
Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))	<p>There will be a reduction in income, but this is not expected to be significant, as the number of clients who cease to receive any services is a small proportion of the total client base.</p> <p>Feedback on original Officer Decision Principal Social Worker https://www.gov.uk/government/publications/coronavirus-covid-19-changes-to-the-care-act-2014/care-act-easements-guidance-for-local-authorities#annex-b-guidance-on-streamlining-assessments-and-reviews</p> <p><i>Local Authorities should always ensure there is sufficient information and advice available in suitable formats to help people understand any</i></p>

	<p><i>financial contributions they are asked to make, including signposting to sources of independent financial information and advice.</i></p> <p><i>Legal approved – 07/04</i> <i>No comments on ODR received from HR and Corporate Finance</i></p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	<p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 ,25/06/2020 ,09/07/2020 and 23/07/2020</p>
Decision:	<p>08/04/2020</p> <p>SMT Review 22/04/2020, 06/05/2020, 21/05/2020, 04/06/2020, 18/06/2020 and 02/07/2020: There are no changes and the interim arrangements are approved for a further two weeks as position remains the same. We are continuing to issue payments to providers, for example for a day service as if the person is attending, however we are not charging the person as they have not attended. This means we are doing what we can to support providers whilst services remain closed.</p> <p>Review by SMT 16/07/2020: Following ongoing work by officers the current position is that these interim charging arrangements need to remain in place to reflect that provision delivered by Derbyshire County Council or private and independent sector providers may not be fully operational or that a person's support requirements has changed. We are continuing to issue payments to providers, for example for a day service as if the person is attending, however we are not charging the person as they have not attended. This means we are doing what we can to support providers whilst services remain closed or have limited operational activity due to social distancing requirements needing to remain in place.</p> <p>Review by SMT 30/07/2020: Following review by Cabinet Member and ongoing work by officers the current position is that the majority of scheduled work has taken place across the homes for older people estate, with only a small number of tasks</p>

	outstanding and will be undertaken from the end of July and completed by the end of August. This work relates to tasks that have been delayed due to disruption with the supply chain for key supplies due to the COVID-19 pandemic.
Signature and Date: Julie Vollar	

DERBYSHIRE COUNTY COUNCIL

OFFICER DECISION AND DECISION REVIEW RECORD

Officer: Helen Jones		Service: Adult Social Care and Health	
Delegated Power Being Exercised: Emergency powers			
Subject of Decision: (i.e. services affected)		The ability to make discretionary payments in order maintain our Shared Lives carer capacity and reliance with effect from 1 April 2020 to support placements.	
Is this a review of a decision? If so, what was the date of the original decision?		Yes, 22 May 2020	
Key decision? If so have Democratic Services been notified?		No – as it does not affect significant numbers of people in two or more electoral divisions.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):		<p>From 1 April 2020 it is proposed to:</p> <ul style="list-style-type: none">• Pay full time Shared Lives carers an additional £40 per week.• Pay short break and day support Shared Lives carers the amount which they ordinarily would have earned. <p>Due to the lack of day and residential short breaks being available to Shared Lives carers they are in effect being asked to provide unpaid care for three days per week 9am-5pm plus the four weeks 28 days per year (pro rata). Over the two months since the suspension of day and residential services this equates to a total of 27 days unpaid work.</p> <p>This proposal would be initially implemented for a period of eight weeks, after which a review will take place with the service manager responsible for Shared Lives and the appropriate Group Manager with Assistant Director oversight on a fortnightly basis. The review would ascertain whether the additional payments need to continue for a further period of time. This would be a delegated decision.</p>	

<p>Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.</p>	<p>Shared Lives carers provide family based 24 hour accommodation and support primarily for people with learning disabilities.</p> <p>Some Shared Lives carers also provide both day care and overnight short break opportunities in order that carers of people who continue to live in a family home can have a break from their caring roles</p> <p>In order to sustain what can be a demanding role, the current offer to DCC Shared Lives carers who provide family type accommodation includes the following regular short breaks from their caring role</p> <ul style="list-style-type: none"> • three days daytime breaks per week between 9am to 5pm • four weeks residential short breaks <p>This is typically (though not exclusively) accessed through DCC Direct Care day services and DCC or health residential short breaks provision.</p> <p>The COVID-19 pandemic has resulted in closure of all day and short break services including those run by DCC and the NHS health trust. Consequently, this has curtailed available breaks for Shared Lives carers forcing them to undertake care on a 24/7 basis for the foreseeable future.</p> <p>Those Shared Lives carers who provide regular short breaks for the families/carers of people with learning disabilities and breaks during the day are currently unable to do so due to both the closure of day services and the rules on social distancing. Consequently, they have seen a significant drop in their income.</p> <p>These Shared Lives carers are not able to take advantage of government schemes for the self-employed throughout the pandemic response period and are therefore financially disadvantaged unless DCC makes an additional payment.</p> <p>Despite a recent local marketing and media campaign to highlight this valuable role, recruiting Shared Lives carers has been very difficult in</p>
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	Derbyshire. We are very concerned that without providing some additional support to this valuable resource we will be unable to sustain existing carers throughout the COVID-19 pandemic and may also risk losing those carers who may feel they are no longer able to, or afford to continue in this role. Consequently, we propose to make an additional £40 per week payment to all our Shared Lives carers until such times we can reintroduce our previously agreed respite/short breaks arrangements.
Alternative Options Considered (if appropriate) and reasons for rejection of other options	For short break and day support carers a 'one off' payment was considered, but this was thought to be unfair due to the different level of support that each carer gives. The proposed method better reflects the range of activities undertaken by the carer to support each individual/s they care for.
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	The ongoing risk for the department is that if we do not show some recognition of the role carers are undertaking in terms of providing increased support as part of as Shared Lives placement, they may potentially look to end the Shared Lives placement they support. There is a risk of losing some very good carers and the people they are caring for would then have to be place in significantly more expensive care and support packages put in place. For short break and day support carers the risk to them is they receive no or a reduced income and there is no opportunity to take advantage of the government support schemes. The risk to the department is the loss of Shared Lives carers.
Would the decision normally have been the subject of consultation with service users and the public. If so, explain why this is not practicable and the steps that have or will be taken to communicate he decision	No

Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	No groups are being negatively impacted as this involves increasing payment to enable individuals to continue to provide support to people with a long-term health condition or disability.
Background/Reports / Information considered and attached (including Legal, HR, Financial and other considerations as required))	<p>Feedback on original Officer Decision:</p> <p>Finance</p> <p>The weekly costs of these proposals are estimated to be:</p> <ul style="list-style-type: none"> • Full Time Carers - £1,800 • Respite Carers - £1,500 <p>With the total monthly cost being £14,340</p> <p>This would be a commitment against council resources and partially offset from the non-ring-fenced COVID-19 Government Grant. All decisions around meeting COVID-19 costs are unlikely to be fully funded from current Government additional funding available. As such implications will fall on the ability to provide services for the rest of the financial year and into the medium term</p> <p>Principal Social Worker</p> <p>Shared Lives is an important way we can help support people to stay as independent as possible and our Shared Lives carers require both skill and commitment to values of caring for others. This commitment helps to ensure Shared Lives arrangements are safe, supported and valued. This in turn should support the wellbeing of people who are in a Shared Lives placement. Information about these arrangements need to be appropriately shared in accessible formats.</p> <p>Legal</p> <p>No implications from a Care Act perspective. It seems to be a financial decision around how much is allocated for this purpose. It is sensible to seek to support these providers, given the market shaping duties under the Care Act.</p>
Consultation with relevant Cabinet	<p><u>Approval of ODR by Cabinet Member 25/06/2020</u></p> <p>Consultation with Cllr Wharmby on decision 27/05/2020.</p>

Member (s) – please note this is obligatory.	Consultation with Cllr Wharmby at Cabinet Member Committee 11/06/2020 , 25/06/2020 , 09/07/2020 and 23/07/2020
Decision:	<p>Agreed by CMT 22/05/2020.</p> <p>Review by SMT 04/06/2020, 18/06/2020 and 02/07/2020: Due to the lack of day and residential short breaks being available to shared lives carers, individuals are in effect being asked to provide unpaid care for 3 days per week 9 to 5 plus and this needs to be recognised formally via additional payments.</p> <p>Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we are seeking to liaise with them in terms of accessing respite provision if required. It is proposed that this arrangement continues.</p> <p>Review by SMT 16/07/2020: Following ongoing work by officers the current position is that the additional payments to Shared Lives carers need to remain in place for a further period. Payments to full time Shared Lives carers will continue at £40 per week and short break and day support Shared Lives carer will continue to receive the amount they ordinarily earn. These arrangements remain subject to fortnightly review by Senior Managers to ensure they are appropriate. Shared Lives Carers have stepped up and taken on additional responsibilities to support people at home whilst day centre provision has been closed and these payments recognise those additional responsibilities. As noted in the section above day centre provision continues to remain closed, with only limited respite provision in place due to ongoing requirements in relation to social distancing which means that day centres cannot operate at fully capacity.</p> <p>Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we</p>

	<p>are seeking to liaise with them in terms of accessing respite provision if required.</p> <p>Review by SMT 30/07/2020: Following ongoing work by officers the current position is that the additional payments to Shared Lives carers need to remain in place for a further period. Payments to full time Shared Lives carers will continue at £40 per week and short break and day support Shared Lives carer will continue to receive the amount they ordinarily earn. Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we are seeking to liaise with them in terms of accessing respite provision if required.</p>
Signature and Date: Helen Jones 22/05/2020	

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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

6 August 2020

Report of the Executive Director for Adult Social Care and Health

ADULT SOCIAL CARE INFECTION CONTROL FUND

ADULT CARE

1. Purpose of the Report

To seek Cabinet Member approval to distribute the remaining 25% of the second tranche of the infection control fund allocated to home care and care home providers.

2. Information and Analysis

2.1 Background

On the 22 May 2020, the Minister of State for Care wrote to local authorities setting out details of how a new Infection Control Fund should be used. This funding will be paid as a Section 31 grant ring fenced exclusively for actions which support care homes and domiciliary care providers which must only be used by them to tackle the risks of COVID-19 infections

For Derbyshire the total fund is £9.741m, with the second tranche of two instalments equating to £4.870m.

75% of each instalment to be paid to care homes providers on a “per bed” basis with no distinction to be made whether the local authority has a contract with the provider or not. Payments have already been made and providers have submitted their declarations that they will use the funds in line with the grant criteria.

Payment is subject to the Provider having completed the Capacity Tracker at least once and being committed to completing the Tracker on a consistent basis. The local authority must remain satisfied at all times that the funding is being used for infection control purposes.

Providers must account for all payments paid out of their allocation and keep appropriate records which must be produced to the local authority upon

request. The first tranche of funding had to be allocated by the Council by 26 June 2020.

Allocating the remaining 25% of the fund

The local authority has the discretion to target the allocation of the remaining 25% of the funding to care homes or to domiciliary care providers and to support wider workforce resilience. The funding must only be used for infection control purposes. It should not be used for any fee uplift.

Any unallocated funding from the 75% of the second tranche will be added to the 25% of funding available to be distributed as described below.

2.2 Proposed Actions

It is proposed to apportion the remaining 25% of the fund as follows:

- Care Homes - allocated on a registered CQC bed basis at £82.35 per bed. This will mean the whole care home market is treated the same. As with the 75% the fund must be used on Covid-19 infection control measures and may be used towards cleaning and the provision of PPE
- Home Care and Supported Living – whilst the majority of the market is contracted for by the Council, it is proposed to pay all providers a flat rate of £192.16 per client. This will mean the whole market is treated the same. Providers will be advised this funding must be used on Covid-19 infection control measures; and may be used towards cleaning and the provision of PPE

These funding levels may increase if further providers turn down their allocation from the 75% of the second tranche as per the grant conditions.

Home Care providers will also be asked as part of their receipt of these funds to ensure that they complete the CQC provider tracker. This tracker was introduced to provide CQC and government with an overview of Home Care activity across the country.

2.3 Business Continuity

It is worth noting that there is an inherent risk that if additional payments are not made that the sustainability of individual services may be put at risk. Providers commissioned to provide care on behalf of Adult Social Care have made requests for funding to assist with meeting additional costs including spiralling costs of Personal Protective Equipment (PPE) and meeting the costs associated with backfilling self-isolating staff with agency workers and the additional staffing needed to care for people who are self-isolating, especially in a care home setting.

3. Financial Considerations

The following table describes the funding allocated to the Council

Total Allocation	9,740,972
Adjusted 1st Tranche	4,791,801
Less; 75% Passported for CQC-Registered Beds	
Independent Sector	3,147,964
In House	395,330
Balance Available (25%)	1,405,877

As proposed the above available funding of £1.406m will then be distributed to care homes and home care providers operating in Derbyshire as set out below:

	No of Clients	£ per Client	No of Beds	£ per Bed	Total £
Residential and Nursing			6,534	82.35	538,061
Ind Dom Servs	3,989	192.16			766,545
Supported Living	527	192.16			101,271
					1,405,877

4. Legal Considerations

The Care Act 2014 places a duty on the Council to promote an efficient and effective market. In performing that duty, the Council must have regard to the importance of ensuring the sustainability of the market.

Due regard has been given to the Department of Health & Social Care's Guidance About the Adult Social Care Infection Control Fund published 9 June 2020 and the Local Authority Circular: Adult Social Care Infection Control Fund ring-fenced Grant 2020.

Whilst support provided by the Adult Social Care Infection Control Fund may constitute state aid, in relation to funding to residential care providers to implement COVID-19 infection control measures, the Department of Health and Social Care (DHSC) considers that such funding is covered by the Services of General Economic Interest Decision (SGEI) 2012/21/EU and therefore, such funding does not amount to state aid. This is because the measures will help reduce the incidence and spread of COVID-19 and are

over and above that which care providers would normally be expected to provide and are of particular importance to and are in the interest of care home residents, workers and their families and the general public.

5. Equality and Diversity Considerations

Providers are required to adhere to Derbyshire County Council's Equal Opportunities policies. The Council also encourages Providers to gain the Derbyshire Respect and Dignity Award.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered: human resources, health, environmental, transport, and crime and disorder considerations.

7. Key Decision

No

8. Is it necessary to waive the call-in period in respect of any decisions proposed in the report? Yes

The Cabinet Member is intended to treat this report as urgent and is, therefore, not subject to call in in view of the need to meet the deadline for distribution of the funding. The Chair of the Scrutiny Committee (People) has been consulted and he has agreed that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

9. Officer's Recommendation

That Cabinet Member agrees to distribute 25% of the second tranche of the nationally distributed adult social care infection control fund to the following:

- £82.35 per care quality commission registered care bed
- £192.16 per home care and supported living client including non-contracted care.

Helen Jones
Executive Director – Adult Social Care and Health
County Hall, Matlock

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

6 August 2020

**Joint Report of the Executive Director of Adult Social Care and Health
and the Director of Finance & ICT**

**BUDGET MONITORING 2020-21 – PERIOD 2 (as at 31 May 2020)
(ADULT CARE)**

1 Purpose of the Report

To provide the Cabinet Member with an update of the Revenue Budget position of the Adult Care portfolio for 2020-21 up to the end of May (Period 2).

2 Information and Analysis

2.1 Forecast Summary

The net controllable budget for the Adult Care portfolio is £261.170m.

The Revenue Budget Monitoring Statement prepared at period 2 indicates that there is a projected year-end overspend of £6.757m.

This overspend will be supported by the use of £7.081m of additional Covid-19 funding. After the use of this funding the forecast position is an underspend of £0.324m.

The significant areas which make up this projection are shown in the table below:

	Controllable Budget £m	Projected Actuals £m	Forecast Over/(Under) Spend £m
Purchased Services	199.869	202.474	2.605
Assistive Technology & Equipment	6.684	6.659	(0.025)
Social Care Activity	23.768	23.635	(0.133)
Information & Early Intervention	9.655	15.571	5.916
Commissioning & Service Delivery	20.176	19.588	(0.588)
Unallocated Budgets	1.018	0.000	(1.018)
Total	261.170	267.927	6.757
Use of Covid-19 Funding	7.081	0.000	(7.081)
Total After Use of Additional Funding	268.251	267.927	(0.324)

2.2 Key Variances

2.2.1 Purchased Services, overspend £2.605m

2.2.2 Information & Early Intervention, overspend of £5.916m

Both of the above variances are mainly due to the additional costs incurred during April and May due to the Covid-19 pandemic.

2.3 Budget Savings

Budget reductions totaling £3.784m were allocated for the year. There was an over-achievement of savings of £0.427m that was brought forward to the current year. This has resulted in total reductions to be achieved of £3.357m at the start of the year.

The value of the savings initiatives which have been identified for implementation in the current year is £0.337m.

The shortfall between the total reductions expected to be achieved and the identified savings initiatives at the start of the year is £3.020m.

It is forecast that £0.337m of savings will have been achieved by the year-end.

The table below shows performance against the target.

Identified Savings Initiatives	Budget Reduction Amount £m	Forecast to be Achieved by the end of 20Y1-Y2 £m	(Shortfall)/ Additional Savings Achieved £m
Better Lives – Whole Life Disabilities Pathway	0.246	0.246	0.000
Better Lives – Older people's Pathway	0.091	0.091	0.000
Total of Identified Savings Initiatives	0.337	0.337	0.000
Shortfall/(Surplus) of Identified Savings	3.020		
Total Savings Target	3.357	0.337	3.020

Budget Reductions	£m
Prior Year B/f	(0.427)
Current Year	3.784
Total Savings Target	3.357

2.4 Growth Items and One-Off Funding

The portfolio received the following additional budget allocations in 2020-21:

2.4.1 Demographic Growth - £4.500m ongoing

This is being used to fund the additional costs due to the year-on-year increase in the number of clients supported.

2.4.2 Winter Pressures - £3.627m ongoing

This is being used to fund the additional services put in place to help reduce hospital admissions and delays in hospital discharges.

2.4.3 Transforming Care Programme - £0.800m ongoing

To be used to fund the additional care packages for clients that have been discharged from long-term health provision. To date no additional clients have

been discharged in the current financial year, so there has been no spend against this allocation.

2.4.4 Implementation of Better Lives - £0.533m one-off

This additional one-off budget will be used to fund the balance due to our consultant for the Better Lives project. This had not yet been spent, but will be before the end of this year.

2.4.5 Homes for Older People - £3.000m one-off

This budget is to meet some of the costs associated with the remedial work and additional staff required to meet safety standards in a number of our homes.

2.4.6 Care Home and Home Care Fees - £8.787m ongoing

This funding is to meet the increase in independent sector fees and has been fully allocated and the additional spend started in April and is expected to be incurred evenly throughout the whole year.

2.5 Risks

There is a risk that the following issues could negatively impact on the portfolio's forecast outturn position reported in the Forecast Summary above:

Service	Risk	Sensitivity* £m	Likelihood 1 = Low, 5 = High
Service-wide	Continuing increase in costs due to the Covid-19 pandemic	24.389	3

*Sensitivity represents the potential negative impact on the outturn position should the event occur.

2.6 Earmarked Reserves

Earmarked reserves totaling £30.046m are currently held to support future expenditure. Details of these reserves are as follows:

Reserve Description	Amount £m
Healthy Homes	0.046
Older People's Housing Strategy	30.000
Total Earmarked Reserves	30.046

2.7 Debt Position

The profile of the debt raised, relating to income receivable by services within the Adult Social Care and Health Department, is as follows:

0 - 30 Days £m	31 - 365 Days £m	1 - 2 Years £m	2 - 3 Years £m	3 - 4 Years £m	Over 4 Years £m	Total £m
0.900	7.297	1.150	0.705	0.405	0.640	11.098
8.1%	65.8%	10.4%	6.3%	3.6%	5.8%	100.0%

In the year up to the end of May the value of debt that has been written off totals £0.253m.

3 Financial Considerations

As detailed in the report.

4 Other Considerations

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality of opportunity; and environmental, health, human resources, property, social value and transport considerations.

5 Key Decision

No.

6 Call-In

Is it required that call-in be waived in respect of the decisions proposed in the report? No.

7 Background Papers

Held on file within the Adult Social Care and Health Department. Officer contact details – Graham Woodhouse, extension 32104.

8 Officer Recommendations

That the Cabinet Member notes the report.

**Helen Jones
Executive Director
Adult Social Care and Health**

**Peter Handford
Director of Finance
& ICT**

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

6 August 2020

Report of the Executive Director for Adult Care

**REVIEW OF DIRECT CARE RESIDENTIAL RATES FOR SELF-FUNDERS
IN HOMES FOR OLDER PEOPLE AND COMMUNITY CARE CENTRES**

ADULT CARE

1. Purpose of the Report

To agree an increase in the weekly rate charged to Self-Funders at Homes for Older People and Community Care Centres.

2. Information and Analysis

Currently self-funding residents in Homes for Older People (HOPs) and Community Care Centres (CCCs) are charged at a weekly rate which is below the true cost of the provision.

However, due to increasing budget pressures, and a budget savings target of £21.346m over the next four financial years, it is no longer feasible to subsidise self-funding clients in HOPs and CCCs and so it is proposed that the full cost of these placements should be passed on to these residents.

The change in rates for the remainder of 2020-21 would be as follows:-

	Current Rate	Proposed Rate
Home for Older People	£587.44	£751.73
Community Care Centres	£1,082.83	£1,217.79

As this will mean an increase in the fee of between 12.5% and 28.0%, it is intended to phase the change in as follows:

“Preserved rights”, with the weekly rate being permanently pinned to the current bed rate, will be retained for the following self-funding clients:-

- Current Residents
- Clients currently in the process of moving to, or considering moving to, a HOP or CCC (and who move into the home before 1 September 2020)

- Current respite clients i.e. clients who have had respite in a HOP or CCC in the last 12 months
- Respite clients that subsequently move in as permanent residents
- Current non-self-funding clients who subsequently become self-funders

The full rate will apply to the following self-funding clients:-

- All new permanent residents from 1 September 2020
- All new respite clients from 1 September 2020
- All new residents who were admitted after 1 September 2020 as non-self-funders who subsequently become self-funders

Annual Uplift

These charges will be uplifted in future years based on the actual unit cost at the end of December in the previous financial year with a CPI inflation increase.

3. Financial Considerations

There are currently 114 self-funding clients in HOPs and 27 self-funding clients in CCCs (17 of the CCC residents still have preserved rights from a previous uplift in charges and contribute based on the current HOP rates). As a result of the subsidy currently paid, this costs the Council £1.606m per year. The gross cost of these placements is £6.183m and the self-funders currently pay a total of £4.577m towards this total.

It is difficult to accurately assess the level of self-funders after the increase in charges, but if the level of new self-funders is assumed to be 50% of the current level, then the increase in income would be £0.583m p.a.

4. Legal Considerations

The Local Authority is mindful of its duty under the Care Act 2014 to promote an effective local market with a view to ensuring that there is a variety of providers and high-quality services to choose from.

Consideration has also been given as to whether or not it is appropriate to enter into consultation prior to the introduction of the proposed increases.

Taking into account

- the staggered nature of the introduction of the increase and
- that no current resident or other person who can be reasonably anticipated would be affected by the increase will be subject to the new rate and
- that potential future residents cannot be readily identified it is considered reasonable to proceed without entering into a formal consultation process.

The changes will however be appropriately publicised in advance of the introduction of the increased charge.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered: human resources, Legal and Human Rights, equality of opportunity, health, environmental, transport, property, social value and crime and disorder considerations.

6. Background Papers

None

7. Key Decision

No

8. Is it required that the Call-in period be waived in respect of the decisions being proposed within this report?

No

9. Officer's Recommendation

That approval be given to increasing the rates for self-funders at Homes for Older People and Community Care Centres to the full cost rate with effect from 1 September 2020, with preserved rights for all current and transitional clients.

Helen Jones
Executive Director, Adult Social Care and Health
County Hall
Matlock

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