

Public Document Pack



Simon Hobbs
Director of Legal and
Democratic Services
County Hall
Matlock
Derbyshire
DE4 3AG

Extension 38324
Direct Dial 01629 538324
Ask for Alisha Parker

PUBLIC

To: Members of Cabinet Member meeting - Adult Care

Monday, 30 November 2020

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Adult Care** to be held at **3.00 pm** on **Tuesday, 8 December 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 - 4)
To confirm the non-exempt minutes of the meeting of the Cabinet Member

– Adult Care held on 26 November 2020.

4. Review of Urgent Officer Decisions Taken to Support Covid-19 Response (Pages 5 - 122)
5. Adult Social Care Infection Control Fund (Pages 123 - 130)
6. Exclusion of the Public

To move “That under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph(s)... of Part 1 of Schedule 12A to the Local Government Act 1972”

PART II - EXEMPT ITEMS

7. Declarations of Interest

To receive declarations of interest (if any)

8. Urgent Decision Taken by the Head of Paid Service (Pages 131 - 138)

PUBLIC

MINUTES of a meeting of the **CABINET MEMBER – ADULT CARE** held on 26 November 2020

PRESENT

Councillor J Wharmby (in the Chair)

Also in attendance were Councillors C Dale and S Swann.

No apologies had been received.

56/20 **MINUTES RESOLVED** that the minutes of the meeting held on 12 November be confirmed as a correct record.

57/20 **REVIEW OF URGENT OFFICER DECISIONS TAKEN TO SUPPORT THE COVID-19 RESPONSE** The Cabinet Member received an update in relation to Officer's Decisions utilising emergency decision making powers and assurance in relation to the reviews which had been made.

The decisions related to short-term temporary arrangements which were subject to regular review. It had been intended that as Cabinet was now able to function by meetings being held 'remotely' the need for officers to make urgent decisions would diminish, however, they would be kept under regular review by elected members and officers. On 4 June 2020, it had been agreed that Cabinet would formally delegate review decisions to the relevant Cabinet Member, with a summary of review decisions made be reported to Cabinet every two months.

The report detailed summary updates on the reviews taken place since the last Cabinet Member meeting on 12 November 2020. All review decisions had 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 was attached at Appendix 1.

The Principal Social Worker had been engaged and consulted with over the initial decisions and had reviewed the latest updates. They were satisfied that the original decisions had been made with due regard for the Department of Health and Social Care Ethical Framework, the Care Act easement guidance and were aware of the review processes in place.

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

58/20 DERBYSHIRE ADULT SOCIAL CARE AND HEALTH: OUR COVID-19 WINTER PLAN 2020 TO 2021

The Adult Social Care Winter Plan 2020-21 had been published by the Department for Health and Social Care on 18 September 2020. It was accompanied by a letter from Helen Whately MP, Minister of State for Care, sent to Local Authority Chief Executives, Directors of Adult Social Care, Directors of Public Health, Care Home Providers and CCG Accountable Officers.

The Winter Plan had been informed by and built upon work undertaken during the summer by the Social Care Sector Covid-19 Taskforce. The Taskforce had been established to support the delivery of two support packages to the care sector: The Social Care Action Plan and the Care Home Support Plan.

The Winter Plan set out several key requirements and support to be delivered and provided at both a national and local level. A summary of these requirements had been provided within the report. The main requirement from the Council's perspective was to have confirmed, in writing by 31 October 2020, that a winter plan was in place.

The Winter Plan outlined national support; some of which had been announced prior to the plan's publication.

The Winter Plan covered four main themes which detailed the work being undertaken at a national level, and the expectations of local areas (local authorities, NHS organisations, and other providers of care services). In total there were 76 actions which needed to be addressed in a local authority's own winter plan.

i. Preventing and controlling the spread of infection in care settings. This included guidance and actions on areas such as infection and prevention control; managing staff movement; use of PPE; Covid-19 testing; seasonal flu vaccinations.

ii. Collaboration across health and social care services. This included guidance and actions on ensuring safe discharges from NHS settings and the avoidance of hospital admissions; introduction of the Enhanced health in care homes; use of technology and digital support to support/provide services.

iii. Supporting people who had received social care, the workforce, and carers. This included guidance and actions across two sub-headings. The first concerned support to those who received and/or provided unpaid care: visiting arrangements; direct payments; support for unpaid carers; appropriate end-of-life care; and use of care Act easements.

iv. The second set of actions related to the workforce and cover: staff training; workforce capacity; shielding of people who were clinically extremely vulnerable;

v. Supporting the system. This included guidance and actions on funding for local authorities (use of infection control funding); market and provider sustainability (included supporting an Association of Directors of Adult Social Services and Local Government Association Service Continuity and Care Market review); continued working with CQC.

A copy of the Adult Social Care Winter Plan had been attached at Appendix 1.

RESOLVED that the Cabinet Member note (1) the content of the report and the plans in place across Adult Social Care and Health in Derbyshire to ensure services were delivered during a Covid-19 winter; and (2) that formal confirmation had been provided to the Department of Health and Social care prior to 31 October 2020 that a local plan had been established.

59/20 **EXCLUSION OF THE PUBLIC RESOLVED** that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 12 November 2020.

60/20 **MINUTES RESOLVED** that the exempt minutes of the meeting held on 12 November 2020 be confirmed as a correct record (contains exempt information).

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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

8 December 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 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 (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 26 November 2020. All review decisions to date have been discussed with the Executive Director and Cabinet Member following review by Senior Management Team with input from our Principal Social Worker.

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 (ASCODR 1)	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that following the first phase of the Covid-19 Pandemic and the original decision to cease all face to face visits in Care homes, on the 20 October 2020 this was followed by further correspondence from Dean Wallace, Director of Public Health reinforcing additional restrictions due rising infection rates across the County. Cessation of face to face visiting across the whole of Derbyshire was once again instigated following a brief period of visits being supported. Subsequently The whole of England entered further lockdown on 5 November 2020 for an initial 4-week period. Local restrictions from Public Health allow only for closed window visits at this current time due to several outbreaks of Covid-19.</p> <p>When the local Director of Public Health's restrictions are lifted to enable visits to take place once more, should a further outbreak occur; Public Health will once again advise that the home should rapidly move to stop indoor contact visiting. This is with the exception of specific circumstances such as at the end of life, in order to protect vulnerable residents, staff and visitors. These restrictions could continue until such time it is understood that an outbreak has been brought under control and the care home has recovered. The decision to restart</p>

	<p>indoor contact visiting will be taken in conjunction with the local Health Protection Team if this occurs.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
<p>Closure of Older Adults Day Centres and Cessation of service delivery for over 70's in learning disability day Services (ASCODR 2)</p>	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that a steering group has continued to develop a plan for the re-opening of day centres. This review has taken account of the recently published Adult Social Care: COVID Winter Plan 2020-2021.</p> <p>Based on current Government guidelines and following advice from our legal services; by opening the above day services to small groups of people; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/ukxi/2020/1200/pdfs/ukxi_20201200_en.pdf</p> <p>Three-day services (across four locations) are being re-opened in the first phase of opening centres. Queen's Court with Jubilee; Shirevale and Ambervale which have been signed off as COVID -19 secure. It was anticipated that these services would re-open with reduced numbers of people attending during the week beginning 30 November 2020, but due to revised arrangements concerning safe transport of people who might become symptomatic during a session, these services are now due to reopen week beginning 7 December 2020.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are putting in place safe systems of work around making sure that transport to and from the day services is Covid safe, which includes very rigorous cleaning schedules and adjusted ways of working with people to whom we provide a service.</p>

	<p>A communication plan has been developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work and letters were sent out to those people on Monday 28 September 2020 informing them of our re-opening plans.</p> <p>To note a number of those offered a place who have been assessed as highest priority have declined in some areas thus allowing for places to be additionally offered to those assessed as moderate risk. For these people contingency plans remain in place ie adjustments to care support packages.</p> <p>We are discussing with all who attend that have health conditions which mean they are clinically vulnerable and clinically extremely vulnerable; that whilst it is perfectly lawful for DCC to run the service and for them to leave their homes to attend, there remains increased risks to them should they contract Covid 19 and Government Guidance is for them to minimise contacts with others.</p> <p>Based on advice from our legal services; by opening the above day services to small groups of People; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/ukxi/2020/1200/pdfs/ukxi_20201200_en.pdf</p> <p>Consequently, we are reminding Service Users and Carers of the risks and the informed decision that they must make whether to continue to attend the service or not.</p> <p>Given that several people who attend our day services may not have the capacity to make this decision, Mental Capacity Assessments are being completed and Best Interest Decisions made. Additional risk assessments will also be completed for those who are either Clinically vulnerable or extremely clinically vulnerable that wish to attend.</p> <p>For those who choose not to attend, or it is deemed not in their best interests to attend; their place will be held for this period of time and existing contingencies plans will continue.</p>
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	<p>The following mitigations have been put in place since the original decision to close building-based services 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 carer's emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
Closure of building based Day Centres for people with a Learning Disability (ASCODR 3)	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that a working group has continued to explore options for the future of these services. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020-2021.</p> <p>A 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers. This group of practitioners are now actively working with people with a learning disability and/or who are autistic.</p> <p>Based on advice from our legal services; by opening the above day services to small groups of People; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/uksi/2020/1200/pdfs/uksi_20201200_en.pdf</p> <p>Following intensive risk assessments, the day centres that are Covid safe and currently open to small numbers of people with</p>

	<p>a learning disability are; Newhall, Parkwood, No Limits, Whitemoor and Outlook. Alderbrook has just opened, and Carter Lane will be opening soon.</p> <p>The work we have done to enable this has revealed that due to safety measures, there is a significant impact on the capacity of each centre. In addition, recent updated Government guidance will allow for no more than 15 service Users on any day to access individual services unless in completely separate 'bubbles' of 15 using separate areas of a building with separate facilities such as entrances/exits and toilet facilities. This is possible at some of the larger centres such as Outlook in Long Eaton.</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. • In addition to the small amount of centres which have opened; staff from other centres continue to provide outreach services to people in places where buildings have not opened, (and in doing so following appropriate guidelines about use of PPE). • A small number of people with a learning disability who use building-based day services have previously 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. • Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
Cessation of planned respite breaks services for Older Adults and	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that following ongoing work by officers the current position is that most building-based planned respite services will continue</p>

<p>people with a Learning Disability (ASCODR 4)</p>	<p>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>Currently officers are working towards re-opening a centre within the County to offer respite in a Covid-secure environment. This planning remains in the preliminary stages and a location is yet to be fully finalised.</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 to reflect the additional care provision. • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans have been offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
<p>Fire Risk Mitigation Work (ASCODR 6)</p>	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that following ongoing work by officers, the fire doors at Rowthorne HOP are not yet completed, however the work continues to have an expected completion date of 18 December 2020.</p> <p>All the outstanding fire alarm issues have now been resolved and electrical testing is complete. Operationally, all homes confirm they can affect an evacuation relating to the highest need compartmentation within 2.5 minutes.</p> <p>The risk evaluation exercise is now complete, and the findings are that all homes that have had work carried out have reduced their risk level due to installation of new fire alarms, fire doors</p>

	<p>and re-wiring. There remains some non-urgent work that could still be carried out to improve the risk scores further. It is work which does not involve or rely on rewiring; such as replacing kitchen ventilation but that will generally be part of the longer-term maintenance programme over the next 1 to 2 years.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
Financial Charging	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that 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. There is no change to this position and there is not anticipated to be for some time to come.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
Shared Lives carers additional payments	<p>This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that 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. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Payments to full time-Shared Lives carers will continue at £40 per week and short break and day support Shared Lives carers will continue to receive the amount they ordinarily earn. Officers</p>

	<p>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>There is no change to this position and there is not anticipated to be for some time to come.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
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3. Feedback from Principal Social Worker

The Principal Social Worker has been engaged and consulted with over the initial decisions and has reviewed these latest updates. 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 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)	<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</p>

Where the decision is subject to statutory guidance please state how this has been taken into consideration.	that the words “strongly advised” 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 SMT update section to this ODR. This reflects changing government guidance both 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) and guidance issued on 22 July 2020 on visiting care homes during coronavirus. From 6 July structured, scheduled visits can now take place outdoors (where possible). This will continue 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</p>

	event of a second spike or localised outbreak to retract these arrangements and return to restricting all visits to residential care homes.
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, 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.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	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.
Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))	<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-</p>

	<p><u>alert-and-safe-social-distancing/staying-alert-and-safe-social-distancing-after-4-july</u></p> <p>Further revisions have been made to the visiting arrangements following the publication of this guidance on 22 July 2020:</p> <p><u>https://www.gov.uk/government/publications/visiting-care-homes-during-coronavirus</u></p> <p>Further revisions can be made with immediate effect to the visiting arrangements should local infection levels rise; in accordance with the publication of this plan on 18 September 2020:</p> <p><u>https://www.gov.uk/government/publications/adult-socialcare-coronavirus-covid-19-winter-plan-2020-to-2021/adult-social-care-our-covid-19-winterplan-2020-to-2021</u>.</p> <p>Feedback on 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 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?’</p> <p>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>
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	<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> <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>
<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>This took place with Cllr Wharmby by phone on 20 March 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 Consultation with Cllr Wharmby at Cabinet Member Committee <u>11/06/2020</u>, <u>25/06/2020</u>, <u>09/07/2020</u>,</p>

	<u>24/07/2020 and 06/08/2020, 03/09/2020, 17/09/2020, 01/10/2020, 15/10/2020, 29/10/2020, 12/11/20, 26/11/2020, 10/12/2020</u>
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 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</p>

	<p>in a DCC residential care establishment and this has been received positively received.</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> <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</p>
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	<p>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 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>
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	<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 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> <p>Review by SMT 12/08/2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance.</p>
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	<p>These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health, explaining their enhanced role in relation to care homes.</p> <p>Review by SMT on week beginning 24 August 2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance. These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health,</p>
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	<p>explaining their enhanced role in relation to care homes.</p> <p>Review by SMT on week beginning 7 September 2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance. These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health, explaining their enhanced role in relation to care homes.</p> <p>We have now adjusted our position regarding 'one consistent visitor' in response public health advice last week which advised that a greater degree of flexibility may be permitted due to the current level of risk. As a provider we have maintained arrangements for most (unless there are exceptional circumstances) at 1 visitor per week to ensure we can accommodate visits for all that want them but the flexibility will enable these to be visits from different people. It will assist where residents have several people who normally visit them. For example a friend may visit one week and a son/ daughter the next week where this is appropriate and in accordance with the residents wishes.</p>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance. These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health, explaining their enhanced role in relation to care homes.</p> <p>We have now adjusted our position regarding 'one consistent visitor' in response to public health advice on 14 September 2020 which advised that a greater degree of flexibility may be permitted due to the current level of risk. As a provider we have maintained arrangements for most (unless there are exceptional circumstances) at 1 visitor per week to ensure we can accommodate visits for all that want them but the flexibility will enable these to be visits from different people. It will assist where residents have several people who normally visit them. For example, a friend may visit one week and a son/ daughter the next week where this is appropriate and in accordance with the residents wishes.</p>
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	<p>There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p> <p>Review by SMT on week beginning 05 October 2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance. These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health, explaining their enhanced role in relation to care homes.</p> <p>We have now adjusted our position regarding 'one consistent visitor' in response to public health advice on 14 September 2020 which advised that a greater degree of flexibility may be permitted due to the current level of risk. As a provider we have maintained arrangements for most (unless there are exceptional circumstances) at 1 visitor per week to ensure we can accommodate visits for all that want them but the flexibility will enable these to be visits from different people. It will assist where residents have several people who normally visit them. For example, a friend may visit one week and a son/ daughter the next</p>
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	<p>week where this is appropriate and in accordance with the residents wishes.</p> <p>An additional letter has been sent to all Care Home visitors and Managers on the 28 September 2020 from Dean Wallace Director of Public Health stating that restrictions remain unchanged at this current time, however are subject to change should numbers of infections rise causing Derbyshire to become an area listed by Public Health England's surveillance report as an 'area of intervention'. This would require an immediate move to stop visiting, except in exceptional circumstances such as end of life; in accordance with the Government's new Winter Plan for Social Care: https://www.gov.uk/government/publications/adult-socialcare-coronavirus-covid-19-winter-plan-2020-to-2021/adult-social-care-our-covid-19-winterplan-2020-to-2021.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020 and will take account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Review by SMT on week beginning 19 October 2020 notes that revised guidelines, informed by national guidance issued on 22 July, were agreed by the Assistant Director of Public Health, Director of Adult Social Care (Deputy DASS), and Group Manager Quality & Compliance. These confirm that 1 regular visitor can attend inside or outside of the establishment with appropriate PPE and risk mitigations will be in place. The Unit Managers for each establishment are using an overarching risk assessment completed in conjunction with Health & Safety to develop their own risk management arrangements for each establishment. These revised guidelines were distributed to all DCC residential establishments on 31 July 2020.</p> <p>A letter from the Director of Adult Social Care was also distributed to all DCC residential establishments for them to send on to all nominated relatives of</p>
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	<p>residents explaining the updated guidelines as well as including a copy for their reference. (The guidelines are now available on DCC's website). A letter has also been sent to all homes in Derbyshire (Council and PVI Sector) from the Director of Public Health, explaining their enhanced role in relation to care homes.</p> <p>We have now adjusted our position regarding 'one consistent visitor' in response to public health advice on 14 September 2020 which advised that a greater degree of flexibility may be permitted due to the current level of risk. As a provider we have maintained arrangements for most (unless there are exceptional circumstances) at 1 visitor per week to ensure we can accommodate visits for all that want them but the flexibility will enable these to be visits from different people. It will assist where residents have several people who normally visit them. For example, a friend may visit one week and a son/daughter the next week where this is appropriate and in accordance with the residents wishes.</p> <p>An additional letter has been sent to all Care Home visitors and Managers on the 28 September 2020 from Dean Wallace Director of Public Health stating that restrictions remain unchanged at this current time, however are subject to change should numbers of infections rise causing Derbyshire to become an area listed by Public Health England's surveillance report as an 'area of intervention'. This would require an immediate move to stop visiting, except in exceptional circumstances such as end of life; in accordance with the Government's new Winter Plan for Social Care: https://www.gov.uk/government/publications/adult-socialcare-coronavirus-covid-19-winter-plan-2020-to-2021/adult-social-care-our-covid-19-winterplan-2020-to-2021.</p> <p>This restriction has now been instigated in relation to cessation of all care home visiting within the Bolsover; Glossopdale; Chesterfield; Erewash and North East areas of Derbyshire until further notice as advised in a further letter sent from Dean Wallace, Director of Public Health on 13 October 2020. This is due to the</p>
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	<p>infection rate of Covid-19 in those specific areas rapidly increasing with clusters of cases, outbreaks and sporadic cases across the districts.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 02 November 2020 and will take account of the Adult Social Care: COVID Winter Plan 2020-2021.</p> <p>Review by SMT week beginning 02 November 2020 notes that on the 28 September 2020 a letter from Dean Wallace Director of Public Health stated that restrictions remain unchanged at this current time, however these where subject to change should numbers of infections rise causing Derbyshire to become an area listed by Public Health England's surveillance report as an 'area of intervention'. This would require an immediate move to stop visiting, except in exceptional circumstances such as end of life; in accordance with the Government's new Winter Plan for Social Care: https://www.gov.uk/government/publications/adult-socialcare-coronavirus-covid-19-winter-plan-2020-to-2021/adult-social-care-our-covid-19-winterplan-2020-to-2021.</p> <p>This restriction was instigated by Dean Wallace, Director of Public Health through a letter on 13 October 2020. in relation to cessation of all care home visiting within the Bolsover; Glossopdale; Chesterfield; Erewash and North East areas of Derbyshire until further notice due to the infection rate of Covid-19 in those specific areas rapidly increasing with clusters of cases, outbreaks and sporadic cases across the districts.</p> <p>On the 20 October this was followed by a further letter from Dean Wallace, Director of Public Health outlining the above restriction and due to the raising infection rate further recommended cessation of face to face visiting across the whole of Derbyshire. This recommendation is likely to be impacted further as national guidance develops this week.</p>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that on the 28 September 2020 a letter from Dean Wallace Director of Public Health stated that restrictions remained unchanged at that time, however these were subject to change should numbers of infections rise causing Derbyshire to become an area listed by Public Health England's surveillance report as an 'area of intervention'. This would require an immediate move to stop visiting, except in exceptional circumstances such as end of life; in accordance with the Government's new Winter Plan for Social Care: https://www.gov.uk/government/publications/adult-socialcare-coronavirus-covid-19-winter-plan-2020-to-2021/adult-social-care-our-covid-19-winterplan-2020-to-2021.</p> <p>This restriction was instigated by Dean Wallace, Director of Public Health through a letter on 13 October 2020. in relation to cessation of all care home visiting within the Bolsover; Glossopdale; Chesterfield; Erewash and North East areas of Derbyshire until further notice due to the infection rate of Covid-19 in those specific areas rapidly increasing with clusters of cases, outbreaks and sporadic cases across the districts.</p> <p>On the 20 October this was followed by a further letter from Dean Wallace, Director of Public Health outlining the above restriction and due to the raising infection rate further recommended cessation of face to face visiting across the whole of Derbyshire. This recommendation is likely to be impacted further as national guidance develops. Subsequently the whole of England has entered a further lockdown on 5 November 2020 for an initial 4 week period.</p> <p>Derbyshire County Council homes have continued to follow national guidance and are now developing plans for 'closed window visits' in accordance with the</p>
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	<p>local Director of Public Health's advice. Some homes have started these, and some require further work. The environment and layout in some homes does prohibit this. A review is being undertaken on all homes that will struggle to provide an isolated safe internal space to facilitate indoor visits (once permitted again), therefore as part of this review, we will work with our property team to look at options for the supply and instillation of screens in designated visiting rooms.</p> <p>Once restrictions are lifted, in order to ensure visitors conform to infection control procedures, visits are sensitively supervised and the risk assessment and guidance provided to family Carers is clear that hand washing/ sanitising must take place on entry/exit to the home and that PPE must be worn.</p> <p>Our guidance currently states that once face to face visits are allowed; touching should be kept to a minimum. The government's latest guidance states that social distancing must be maintained, but also that consideration should be given to the availability of additional PPE (such as gloves and aprons) if social distancing is difficult to maintain. We anticipate this would be considered in end of life situations and will be reviewing our current guidance and risk assessments to reflect that.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020</p> <p>Review by SMT week beginning 30 November 2020 notes that following the first phase of the Covid-19 Pandemic and the original decision to cease all face to face visits in Care homes, on the 20 October 2020 this was followed by further correspondence from Dean Wallace, Director of Public Health reinforcing additional restrictions due rising infection rates across the County. Cessation of face to face visiting across the whole of Derbyshire was once again instigated following a brief period of visits being supported. Subsequently The whole of England entered further lockdown on 5 November 2020 for an</p>
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	<p>initial 4-week period. Local restrictions from Public Health allow only for closed window visits at this current time due to several outbreaks of Covid-19.</p> <p>When the local Director of Public Health's restrictions are lifted to enable visits to take place once more, should a further outbreak occur; Public Health will once again advise that the home should rapidly move to stop indoor contact visiting. This is with the exception of specific circumstances such as at the end of life, in order to protect vulnerable residents, staff and visitors. These restrictions could continue until such time it is understood that an outbreak has been brought under control and the care home has recovered. The decision to restart indoor contact visiting will be taken in conjunction with the local Health Protection Team if this occurs.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</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 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 £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 Staff will be temporarily redeployed to support other service areas responding to the COVID-19 pressures.</p>
<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>Discussion with Cllr Jean Wharmby on 19/03/2020 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 <u>11/06/2020</u>, <u>25/06/2020</u>, <u>09/07/2020</u>, <u>24/07/2020</u> and <u>06/08/2020</u>.</p>

	<u>03/09/2020, 17/09/2020, 01/10/2020, 15/10/2020, 29/10/2020, 12/11/20, 26/11/2020, 10/12/2020</u>
Decision:	<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: 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: 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</p>

	<p>day centre can be offered alternative provision which would involve activities based outdoors in line with current social distancing requirements. 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</p>
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	<p>Response Hub, technology solutions and outdoor activities as alternative forms of provision for individuals where this is appropriate.</p> <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>
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	<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>Review by SMT 12/08/2020: noted that a steering group is continuing to develop a plan for the re-opening of day centres. A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment. A comms plan is also being developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group continues to work with representatives from 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</p>
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	<p>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> <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>
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	<p>Review by SMT on week beginning 24 August 2020 notes that a steering group is continuing to develop a plan for the re-opening of day centres. A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment. A comms plan is also being developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group continues to work with representatives from 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 the majority of 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. However, options are being explored with the potential of opening three-day service buildings for Older Adults and three day service buildings for people with a Learning Disability across the County. The aim if possible is to open these by 4 October 2020. Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, this plan will allow for 35% capacity to run. Adult Social Care is working very closely with the private, voluntary and independent sector to establish what an offer of community outreach could look like for those who are unable to be accommodated within the building-based capacity. The following mitigations have been put in place since the original decision to close building-based services 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.
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	<ul style="list-style-type: none"> • 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. • A hub has now been created with the aim of assisting the development of plans to maximise our offer of support taking into account the restrictions and guidance still in place. Once plans are finalised staff can be redeployed effectively. <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, 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.</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 10 September 2020.</p> <p>Review by SMT on week beginning 7 September 2020 notes that a steering group is</p>
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	<p>continuing to develop a plan for the re-opening of day centres.</p> <p>Social distancing, even with the current relaxations, 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>A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment.</p> <p>A communication plan is also being developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group continues to work with representatives from voluntary sector providers to share learning around their experiences of safe re-opening.</p> <p>Options are being explored with the potential of opening three-day service buildings for Older Adults The aim, if possible, is to open these by early October 2020. Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, this plan will allow for approximately a 35% capacity. Work is now underway to explore who should access this capacity and the co-dependency of transport arrangements. We are going to write to all people and / or their family/ carers who accessed this service historically to explain this work with the letters arriving with people during week of 7 September 2020.</p>
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	<p>The following mitigations have been put in place since the original decision to close building-based services 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>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that a steering group is continuing to develop a plan for the re-opening of day centres. Currently work is underway in order to get day services open as soon as is safely possible to do so. The aim is to open three by the beginning of November with the rest following shortly after. This is of course subject to any local changes due to the ongoing pandemic.</p> <p>Social distancing, 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>A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment.</p>
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	<p>A communication plan is also being developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group will continue to work with representatives from voluntary sector providers to share learning around their experiences of safe re-opening if and when this is permitted and safe to do so.</p> <p>Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, the plan being explored would allow for approximately a 35% capacity. Work is now underway to explore who should access this capacity and the co-dependency of transport arrangements.</p> <p>Communications planned to be published week of 7 September 2020, including letters, had been paused whilst clarification was sought on the implementation of the new Laws arising from the introduction of the 'rule of six', which we now know day services are exempt from.</p> <p>The following mitigations have been put in place since the original decision to close building-based services 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 carer's emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p> <p>Review by SMT on week beginning 05 October 2020 notes that</p>
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	<p>Three day centres are being considered in the first phase.</p> <p>Property Services and Health and Safety are working towards the buildings being “Covid” compliant by October, but it is likely to be some weeks after that before we can safely have people using the facilities. This is especially important as we know that many people that we support within day services are very vulnerable, live with vulnerable carers and are often unable to comply with many of the other requirements that are being used to ensure social distancing and infection control. For example; staying 2 metres apart, wearing face masks, queuing, waiting outside a room or building and covering a cough or sneeze.</p> <p>Ensuring the buildings are COVID -19 compliant is only one aspect. Detailed risk assessments are being compiled which include the following examples; the recognition of regular cleaning regimes such as surfaces and toilets and the need to train staff to complete this, the creation of individual activity boxes, the creation of groups of staff to create “bubbles”, ensuring staff are able to change from outdoor clothing into clothing just to be worn within the centre and laundry of this clothing.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are also exploring transport which has also seen a significant reduction in capacity, requires cleaning and has interdependencies with ensuring children and young people with disabilities are able to attend school.</p> <p>A communication plan has been developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group will continue to work with representatives from voluntary sector</p>
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	<p>providers to share learning around their experiences of safe re-opening if and when this is permitted and safe to do so.</p> <p>Letters were sent out on Monday 28 September 2020 to people who use day services and their carers stating our plan to re-open 3-day service facilities across the county at Queen's Court in Buxton; Shirevale in Shirebrook; and Ambervale in Heanor. A prioritisation exercise will commence week beginning 05 October 2020.</p> <p>The following mitigations have been put in place since the original decision to close building-based services 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 carer's emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020 and will take account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Review by SMT 19 October 2020 notes that: a steering group is continuing to develop a plan for the re-opening of day centres. This review has account of the recently published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Three-day centres are being considered in the first phase. Property Services and Health and Safety are working towards the buildings being "Covid" compliant by October, but it is likely to be some weeks after that before we can safely have people using the facilities. This is especially important as</p>
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	<p>we know that many people that we support within day services are very vulnerable, live with vulnerable carers and are often unable to comply with many of the other requirements that are being used to ensure social distancing and infection control. For example; staying 2 metres apart, wearing face masks, queuing, waiting outside a room or building and covering a cough or sneeze.</p> <p>Ensuring the buildings are COVID -19 compliant is only one aspect. Detailed risk assessments are being compiled which include the following examples ; the recognition of regular cleaning regimes such as surfaces and toilets and the need to train staff to complete this, the creation of individual activity boxes, the creation of groups of staff to create “bubbles”, ensuring staff are able to change from outdoor clothing into clothing just to be worn within the centre and laundry of this clothing.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are also exploring transport which has also seen a significant reduction in capacity, requires cleaning and has interdependencies with ensuring children and young people with disabilities are able to attend school.</p> <p>A communication plan has been developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group will continue to work with representatives from voluntary sector providers to share learning around their experiences of safe re-opening and to ensure capacity across Derbyshire.</p> <p>Letters were sent out on Monday 28 September 2020 to people who use day services and their carers stating our plan to re-open 3-day service</p>
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	<p>facilities across the county at Queen's Court in Buxton; Shirevale in Shirebrook; and Ambervale in Heanor. A prioritisation exercise has commenced and will be completed by the end of October.</p> <p>Queen's Court and Shirevale have both been signed off as COVID -19 secure with Ambervale requiring one further risk assessment due to the day centre being a component of the residential unit. However, exploration is now needed to explore the impact of Tier 2 and Tier 3 local restrictions on these arrangements.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 2 November</p> <p>Review by SMT week beginning 02 November 2020 notes that</p> <p>A prioritisation exercise has commenced and is now completed in several areas. Plans are in place to re-open Queen's Court and Shirevale by mid-November.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that a steering group has continued to develop a plan for the re-opening of day centres. This review has taken account of the recently published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Three-day centres are being considered in the first phase. Queen's Court; Shirevale and Ambervale which have been signed off as COVID -19 secure. Work is underway to also open Jubilee which operates in conjunction with Queens Court as 1 service over 2 locations to account for the rurality in the north of the County.</p> <p>Ensuring the buildings are COVID -19 compliant is only one aspect. Detailed risk assessments are being compiled which include the following</p>
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	<p>examples; the recognition of regular cleaning regimes such as surfaces and toilets and the need to train staff to complete this, the creation of individual activity boxes, the creation of groups of staff to create “bubbles”, ensuring staff are able to change from outdoor clothing into clothing just to be worn within the centre and laundry of this clothing.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. However recent Government guidance now only allows for 15 people at any one time, exclusive of staff.</p> <p>We are also exploring transport which has also seen a significant reduction in capacity. With transport there are also now additional rigorous cleaning regimes which must be in place for infection control. There are also interdependencies with ensuring children and young people with disabilities can attend school.</p> <p>A communication plan has been developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work. The steering group continues to work with representatives from voluntary sector providers to share learning around their experiences of safe re-opening and to ensure capacity across Derbyshire. It may be possible to access private and voluntary sector provision if after the prioritisation exercise; there is an indication that there are more individuals who are deemed to be at the highest priority need to re-access a service than what restrictions allow to be provided for in-house.</p> <p>Letters were sent out on Monday 28 September 2020 to people who use day services and their carers stating our plan to re-open 3-day service facilities across the county at Queen’s Court in</p>
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	<p>Buxton; Shirevale in Shirebrook; and Ambervale in Heanor. A prioritisation exercise has commenced and is due to be completed week beginning 09 November 2020. Plans are in place to aim for opening the above 3 services with the addition of Jubilee in the High Peak during November 2020.</p> <p>Based on advice from our legal services; by opening the above day services to small groups of people; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/uksi/2020/1200/pdfs/uksi_20201200_en.pdf</p> <p>We are discussing with all who attend that have health conditions which mean they are clinically vulnerable and clinically extremely vulnerable; that whilst it is perfectly lawful for DCC to run the service and for them to leave their homes to attend, there remains increased risks to them should they contract Covid 19 and Government Guidance is for them to minimise contacts with others.</p> <p>Consequently, we are reminding them of the risks and the judgment that they must make whether to continue to attend the service or not.</p> <p>Given several people who attend our day services may not have the capacity to make this decision, Mental Capacity Assessments are being completed and Best Interest Decisions made. Additional risk assessments will also be completed for those who are either Clinically vulnerable or extremely clinically vulnerable that wish to attend. For those who choose not to attend, or it is deemed not in their best interests to attend; their place will be held for this period of time.</p> <p>The following mitigations have been put in place since the original decision to close building-based services was approved, including:</p>
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	<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 carer's emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that a steering group has continued to develop a plan for the re-opening of day centres. This review has taken account of the recently published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>Based on current Government guidelines and following advice from our legal services; by opening the above day services to small groups of people; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/uksi/2020/1200/pdfs/uksi_20201200_en.pdf</p> <p>Three-day services (across four locations) are being re-opened in the first phase of opening centres. Queen's Court with Jubilee; Shirevale and Ambervale which have been signed off as COVID -19 secure. It was anticipated that these services would re-open with reduced numbers of people attending during the week beginning 30 November 2020, but due to revised arrangements concerning safe transport of people who might become symptomatic during a session, these</p>
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	<p>services are now due to reopen week beginning 7 December 2020.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are putting in place safe systems of work around making sure that transport to and from the day services is Covid safe, which includes very rigorous cleaning schedules and adjusted ways of working with people to whom we provide a service.</p> <p>A communication plan has been developed to ensure people who had been accessing services and/or their family / carer(s) are kept informed of this work and letters were sent out to those people on Monday 28 September 2020 informing them of our re-opening plans.</p> <p>To note a number of those offered a place who have been assessed as highest priority have declined in some areas thus allowing for places to be additionally offered to those assessed as moderate risk.</p> <p>We are discussing with all who attend that have health conditions which mean they are clinically vulnerable and clinically extremely vulnerable; that whilst it is perfectly lawful for DCC to run the service and for them to leave their homes to attend, there remains increased risks to them should they contract Covid 19 and Government Guidance is for them to minimise contacts with others.</p> <p>Consequently, we are reminding Service Users and Carers of the risks and the informed decision that they must make whether to continue to attend the service or not.</p> <p>Given that several people who attend our day services may not have the capacity to make this</p>
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	<p>decision, Mental Capacity Assessments are being completed and Best Interest Decisions made. Additional risk assessments will also be completed for those who are either Clinically vulnerable or extremely clinically vulnerable that wish to attend. For those who choose not to attend, or it is deemed not in their best interests to attend; their place will be held for this period of time.</p> <p>The following mitigations have been put in place since the original decision to close building-based services 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 carer's emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</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 – 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>
<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>Discussion between Helen Jones and Cllr Jean Wharmby on 23/03/2020 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 <u>11/06/2020</u>, <u>25/06/2020</u>, <u>09/07/2020</u>, <u>24/07/2020</u> and <u>06/08/2020</u>.</p>

	<u>03/09/2020, 17/09/2020, 01/10/2020, 15/10/2020, 12/11/20, 26/11/2020, 10/12/2020</u>
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</p>

	<p>number of adults with learning disability have continued to access some building-based support 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</p>
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	<p>and this should be reserved for those most at risk 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.</p> <p>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</p>
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	<p>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. 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</p>
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	<p>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>Review by SMT 12/08/2020: The latest review on 13 August 2020 notes that the working group has continued to work on options for the future of these services. A 'hub' of staff will be established on the 17 August to co-produce the new offer with people with learning disability, their families and carers. Many of the buildings used as day centres have not been designed with this in mind.</p> <p>Detailed risk assessments have now been completed recognising it will not be possible for all services to resume at the same time or at the</p>
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	<p>same levels of attendance as pre-pandemic. Social distancing, even if relaxed, will remain a feature within the Country for some time which indicate building based occupancy will need to reduce to approximately 35%. A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment</p> <p>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, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE). • 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 27 August 2020.</p> <p>Review by SMT on 27/08/2020 notes that the working group has continued to explore options for the future of these services. A temporary 'hub' of staff was established on the 17 August to progress</p>
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	<p>reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers.</p> <p>Detailed risk assessments have now been completed recognising it will not be possible for all services to resume at the same time or at the same levels of attendance as pre-pandemic. Many of the buildings used as day centres have not been designed with social distancing in mind. Social distancing, even if relaxed, will remain a feature within the Country for some time which indicate building-based occupancy will need to reduce to approximately 35%. A phased approach is being considered, with site visits being planned to examine further issues relating to safe use of the buildings, and storage of cleaning equipment. Options are being explored with the potential of opening three day service buildings for people with a Learning Disability across the County. The aim if possible is to open these by 4 October 2020. Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, this plan will allow for 35% capacity to run.</p> <p>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. • The Parkwood Centre in Alfreton, Whitemoor in Belper and the Outlook Centre in Long Eaton have been providing very limited emergency day service provision for those people for whom it has been identified as being appropriate to do so, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate
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	<p>guidelines about use of PPE). In the North East, Carter Lane has been used by two people to prevent crisis and a breakdown of the care at home. In the High Peak two people again have been supported within the Alderbrook building in order to prevent crisis.</p> <ul style="list-style-type: none"> • 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. • Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments. <p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p> <p>Review by SMT on week beginning 7 September 2020 notes that the working group has continued to explore options for the future of these services. A temporary 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers.</p> <p>Detailed risk assessments have now been completed recognising 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>Many of the buildings used as day centres have not been designed with social distancing in mind. Social distancing, even with the current relaxation, will remain a feature within the Country for some time which indicate building.</p> <p>Options are now being explored with the potential of opening three-day service buildings for people with a Learning Disability across the County. The</p>
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	<p>aim if possible is to open these by early October 2020. Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, this plan will allow for approximately a 35% capacity. Work is now underway to explore who should access this capacity, the activities to be offered and the co-dependency of transport arrangements. Consideration is being given as to how we can use our existing day services to provide non-building based, activities in local communities for those unable to attending day centres.</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. • The Parkwood Centre in Alfreton, Whitemoor in Belper and the Outlook Centre in Long Eaton have been providing very limited emergency day service provision for those people for whom it has been identified as being appropriate to do so, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE). In the North East, Carter Lane has been used by two people to prevent crisis and a breakdown of the care at home. In the High Peak two people again have been supported within the Alderbrook building in order to prevent crisis. • 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. • Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments.
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	<p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that a working group has continued to explore options for the future of these services. A temporary 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers.</p> <p>Detailed risk assessments have now been completed recognising 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>Many of the buildings used as day centres have not been designed with social distancing in mind. Social distancing, even with the current relaxation, will remain a feature within the Country for some time which indicate building.</p> <p>Options have been explored with the potential of opening three-day service buildings for people with a Learning Disability across the County. The aim is to open these by early November 2020. Taking into consideration government guidance regarding distancing and gatherings within indoor spaces, this plan would allow for approximately a 35% capacity. Work continues to explore prioritise who should access this capacity, the activities to be offered and the co-dependency of transport arrangements. Consideration is being given to how we can use our existing day services to provide non-building based, activities in local communities for those unable to attend day centres.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p>
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- Regular review of people with a learning disability or autism, and where appropriate care packages have been adjusted.
- The Parkwood Centre in Alfreton, Whitemoor in Belper and the Outlook Centre in Long Eaton have been providing very limited emergency day service provision for those people for whom it has been identified as being appropriate to do so, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE). In the North East, Carter Lane has been used by two people to prevent crisis and a breakdown of the care at home. In the High Peak two people again have been supported within the Alderbrook building in order to prevent crisis.
- 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.
- Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments.

The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.

Review by SMT on week beginning 05 October 2020 notes that

a working group has continued to explore options for the future of these services. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.

Three day centres are being considered in the first phase. A 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer

	<p>with people with learning disability/Autism, their families and carers. This group of practitioners are now actively working with 71 people with a learning disability and/or who are autistic.</p> <p>Property Services and Health and Safety are working towards the buildings being “Covid” compliant by October, but it is likely to be some weeks after that before we can safely have people using the facilities. This is especially important as we know that many people that we support within day services are very vulnerable, live with vulnerable carers and are often unable to comply with many of the other requirements that are being used to ensure social distancing and infection control. For example; staying 2 metres apart, wearing face masks, queuing, waiting outside a room or building and covering a cough or sneeze.</p> <p>Ensuring the buildings are COVID -19 compliant is only one aspect. Detailed risk assessments are being compiled which include the following examples; the recognition of regular cleaning regimes such as surfaces and toilets and the need to train staff to complete this, the creation of individual activity boxes, the creation of groups of staff to create “bubbles”, ensuring staff are able to change from outdoor clothing into clothing just to be worn within the centre and laundry of this clothing.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are also exploring transport which has also seen a significant reduction in capacity, requires cleaning and has interdependencies with ensuring children and young people with disabilities are able to attend school.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p>
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- Regular review of people with a learning disability or autism, and where appropriate care packages have been adjusted.
- The Parkwood Centre in Alfreton, Whitemoor in Belper and the Outlook Centre in Long Eaton have been providing very limited emergency day service provision for those people for whom it has been identified as being appropriate to do so, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE). In the North East, Carter Lane has been used by two people to prevent crisis and a breakdown of the care at home. In the High Peak two people again have been supported within the Alderbrook building in order to prevent crisis.
- 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.
- Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments.

The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020

Review by SMT 19 October 2020 notes that a working group has continued to explore options for the future of these services. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.

A 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers. This group of practitioners are now actively

	<p>working with people with a learning disability and/or who are autistic.</p> <p>Four-day centres have been considered in the first phase.</p> <p>Parkwood, Newhall, Alderbrook and additionally No limits. Property Services and Health and Safety have ensured the buildings are COVID -19 complaint. Detailed risk assessments have been compiled which include the following examples ; the recognition of regular cleaning regimes such as surfaces and toilets and the need to train staff to complete this, the creation of individual activity boxes, the creation of groups of staff to create “bubbles”, ensuring staff are able to change from outdoor clothing into clothing just to be worn within the centre and laundry of this clothing.</p> <p>The work we have done to prepare for this has revealed that; due to safety measures, there will be a significant impact on the capacity of each centre which is currently looking like only 35% of people who attended historically will be able to attend on any one day. We are also exploring transport which has also seen a significant reduction in capacity, requires cleaning and has interdependencies with ensuring children and young people with disabilities are able to attend school.</p> <p>It is anticipated that these centres will be able to open to reduced numbers on the 2 of November however exploration is now needed to explore the impact of Tier 2 and Tier 3 local restrictions on these arrangements.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 2 November</p> <p>Review by SMT week beginning 02 November 2020 notes that Parkwood, Newhall and No limits are now open to reduced numbers with Alderbrook planning to open as soon as building repair work has been completed to fix damage from a significant leak.</p>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that a working group has continued to explore options for the future of these services. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>A 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers. This group of practitioners are now actively working with people with a learning disability and/or who are autistic.</p> <p>Following intensive risk assessments, the day centres that are Covid safe and currently open to small numbers of people with a learning disability are; Newhall, Parkwood, No Limits, Whitemoor and Outlook; with Alderbrook opening shortly.</p> <p>The work we have done to enable this has revealed that due to safety measures, there is a significant impact on the capacity of each centre. In addition, recent updated Government guidance will allow for no more than 15 service Users on any day to access individual services unless in completely separate 'bubbles' of 15 using separate areas of a building with separate facilities such as entrances/exits and toilet facilities. This is possible at some of the larger centres such as Outlook in Long Eaton.</p> <p>Based on advice from our legal services; by opening the above day services to small groups of People; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/ukqi/2020/1200/pdfs/ukqi_20201200_en.pdf</p>
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	<p>We are discussing with all who attend that have health conditions which mean they are clinically vulnerable and clinically extremely vulnerable; that whilst it is perfectly lawful for DCC to run the service and for them to leave their homes to attend, there remains increased risks to them should they contract Covid 19 and Government Guidance is for them to minimise contacts with others.</p> <p>Consequently, we are reminding them of the risks and the judgment that they must make whether to continue to attend the service or not.</p> <p>Given several people who attend our day services may not have the capacity to make this decision, Mental Capacity Assessments are being completed and Best Interest Decisions made. Additional risk assessments will also be completed for those who are either Clinically vulnerable or extremely clinically vulnerable that wish to attend. For those who choose not to attend or it is deemed not in their best interests to attend; their place will be held for this period of time.</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. • In addition to the small amount of centres which have opened; staff from other centres continue to provide outreach services to people in places where buildings have not opened, (and in doing so following appropriate guidelines about use of PPE). • A small number of people with a learning disability who use building-based day services have previously 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
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	<p>centre provision being closed and carers emergency plans are being offered.</p> <ul style="list-style-type: none"> • Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that This has been reviewed on nineteen 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 week beginning 30 November 2020 notes that a working group has continued to explore options for the future of these services. This review has taken account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p>A 'hub' of practitioners was established on the 17 August to progress reviews and assessments, but also co-produce the new offer with people with learning disability/Autism, their families and carers. This group of practitioners are now actively working with people with a learning disability and/or who are autistic.</p> <p>Based on advice from our legal services; by opening the above day services to small groups of People; we are following Regulation 11(9) of <i>The Health Protection (Coronavirus, Restrictions) (England)(No. 4) Regulations 2020</i>, which enables the continuation of day care as a permitted exception to an indoor gathering: https://www.legislation.gov.uk/ukxi/2020/1200/pdfs/ukxi_20201200_en.pdf</p> <p>Following intensive risk assessments, the day centres that are Covid safe and currently open to small numbers of people with a learning disability are; Newhall, Parkwood, No Limits, Whitemoor</p>
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	<p>and Outlook. Alderbrook has just opened, and Carter Lane will be opening soon.</p> <p>The work we have done to enable this has revealed that due to safety measures, there is a significant impact on the capacity of each centre. In addition, recent updated Government guidance will allow for no more than 15 service Users on any day to access individual services unless in completely separate 'bubbles' of 15 using separate areas of a building with separate facilities such as entrances/exits and toilet facilities. This is possible at some of the larger centres such as Outlook in Long Eaton.</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. • In addition to the small amount of centres which have opened; staff from other centres continue to provide outreach services to people in places where buildings have not opened, (and in doing so following appropriate guidelines about use of PPE). • A small number of people with a learning disability who use building-based day services have previously 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. • Day centre staff have either supported outreach work or have been redeployed to Older Adults residential establishments.
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	The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.
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 <u>11/06/2020</u>, <u>25/06/2020</u>, <u>09/07/2020</u>, <u>24/07/2020</u> and <u>06/08/2020</u>, <u>03/09/2020</u>, <u>17/09/2020</u>, <u>01/10/2020</u>, <u>15/10/2020</u>, <u>12/11/20</u>, <u>26/11/2020</u>, <u>10/12/2020</u></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
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	<ul style="list-style-type: none"> • 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 period of respite during the day to support Carers as far as is possible to do currently. • 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>Review by SMT 12/08/2020 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, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE). • 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.
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	<p>Review by SMT on week beginning 24 August 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). There is currently no change to this position.</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 • Five building based day services across the County for people with a learning disability have been providing emergency day service provision for those people for whom it has been identified as being appropriate to do so, with staff from other centres providing outreach services to people in place of opening a building (and in doing so following appropriate guidelines about use of PPE) in order to provide an element of respite to support Carers in their increased role. The bungalow at Newhall, which is a learning disability resource has also supported one individual with respite care. • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p>
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	<p>Review by SMT on week beginning 7 September 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). There is currently no change to this position.</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 • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 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). There is currently no change to this position.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p>
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	<ul style="list-style-type: none"> • Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p> <p>Review by SMT on week beginning 05 October 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). There is currently no change to this position.</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 • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans are being offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020 and will take account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p>
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	<p>Review by SMT 19 October 2020 notes that following ongoing work by officers the current position is that building-based planned respite services will continue to remain closed.</p> <p>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). There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 2 November.</p> <p>Review by SMT week beginning 02 November 2020 notes that</p> <p>There is currently no change to this position The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that following ongoing work by officers the current position is that most 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>Currently officers are working towards re-opening a centre within the County to offer respite in a Covid-secure environment. This planning is currently in the preliminary stages and a location is yet to be fully finalised.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p>
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	<ul style="list-style-type: none"> • Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision. • 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 reduce as a result of day centre provision being closed and cessation of planned respite within residential care. Carers emergency plans have been offered. <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that following ongoing work by officers the current position is that most 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>Currently officers are working towards re-opening a centre within the County to offer respite in a Covid-secure environment. This planning remains in the preliminary stages and a location is yet to be fully finalised.</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 to reflect the additional care provision. • 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 reduce as a result of day centre provision being closed and cessation of
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	<p>planned respite within residential care. Carers emergency plans have been offered. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 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		<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</p>	

how this has been taken into consideration.	<p>from the risk of infection and had suggested that 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 <u>Cabinet 23/04/2020 and 30/07/2020</u> 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 <u>11/06/2020, 25/06/2020, 09/07/2020, 24/07/2020 and 06/08/2020, 03/09/2020, 17/09/2020, 01/10/2020, 15/10/2020, 12/11/20, 26/11/2020, 10/12/2020</u></p>

Decision:	<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 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>Review by SMT 12/08/2020 notes that 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 2 areas of work outstanding – a fire alarm replacement at one establishment (to be completed 04/09/2020) and replacement of fire doors at another (date to be confirmed). This work relates to tasks that have been delayed due to</p>
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	<p>disruption with the supply chain for key supplies due to the COVID-19 pandemic.</p> <p>Technical Fire Risk assessments will be undertaken in August and early September to ensure all mitigations have been put in place.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works.</p> <p>Review by SMT on week beginning 24 August 2020 notes that 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 2 areas of work outstanding – a fire alarm replacement at one establishment (to be completed 04/09/2020) and replacement of fire doors at another (date to be confirmed). 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>Technical Fire Risk assessments will be undertaken throughout August and early September to ensure all mitigations have been put in place.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. Currently staffing levels are at a safe level. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020</p> <p>Review by SMT on week beginning 7 September 2020 notes that 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 2</p>
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	<p>areas of work outstanding – a fire alarm replacement at one establishment (to be completed 4 September 2020) and replacement of fire doors at another (date to be confirmed). 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>Technical Fire Risk assessments continue to be undertaken to ensure all mitigations have been put in place.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. Currently staffing levels are at a safe level. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that following ongoing work by officers. The current position is that the majority of scheduled work in 'Phase One' has taken place across the homes for older people estate, with only 2 areas of work outstanding – a fire alarm replacement at one establishment where installation work is due to be completed week commencing 14.09.20, both the old and new fire alarm systems will be run in tandem for a testing period until there is confidence that the new system can be signed off as fully operational. In addition, a replacement of fire doors at 2 other homes (date to be confirmed). 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>Technical Fire Risk assessments continue to be undertaken to ensure all mitigations have been put in place.</p>
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	<p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. Currently staffing levels are at a safe level. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>As part of the mitigation works, Fire Risk Assessors have been instructed to check off the phase 1 works and also highlight any further 'wear & tear' issues, so these can also be addressed. This has been completed and any additional items have been issued to the Business Unit for action.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p> <p>Review by SMT on week beginning 05 October 2020 notes that following ongoing work by officers. The current position is that the majority of scheduled work in 'Phase One' has taken place across the homes for older people estate.</p> <p>Technical Fire Risk assessments continue to be undertaken to ensure all mitigations have been put in place.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. Currently staffing levels are at a safe level. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>As part of the mitigation works, Fire Risk Assessors have been instructed to check off the phase 1 works and also highlight any further 'wear & tear' issues, so these can also be addressed. This has been completed and any additional items have been issued to the Business Unit for action.</p> <p>Although most homes are now moving into phase 2 of works to be completed, the completion dates</p>
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	<p>are estimates. Our Covid risk assessments allow the home time to deep clean and relocate the residents as progress is made from wing to wing at each Home. This process leads to standing time of at least 72 hours at each home, but can be nearer a week, which in turn delays the completion date. There obviously may also be outbreaks of Covid in the Homes which again delay completion. Phase 2 follows on from the revised Technical Fire Risk Assessment's and any work identified in these.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020.</p> <p>Review by SMT on week beginning 19 October 2020 notes that following ongoing work by officers. The current position is that the majority of scheduled work in 'Phase One' has taken place across the homes for older people estate.</p> <p>Technical Fire Risk assessments continue to be undertaken to ensure all mitigations have been put in place.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>As part of the mitigation works, Fire Risk Assessors have been instructed to check off the phase 1 works and also highlight any further 'wear & tear' issues, so these can also be addressed. This has been completed and any additional items have been issued to the Business Unit for action.</p> <p>Although most homes are now moving into phase 2 of works to be completed, the completion dates are estimates. Our Covid risk assessments allow the home time to deep clean and relocate the residents as progress is made from wing to wing at each Home. This process leads to standing</p>
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	<p>time of at least 72 hours at each home, but can be nearer a week, which in turn delays the completion date. Discussion is currently ongoing as to whether this is necessary and whether it is aligned with current Government guidance.</p> <p>There obviously may also be outbreaks of Covid in the Homes which again delay completion. Phase 2 follows on from the revised Technical Fire Risk Assessment's and any work identified in these. There was 1 identified home where fire doors were still to be completed, which is Rowthorne HOP in Swanwick There is now an estimated completion date for the fire doors of 18 December 2020. All fire alarms in phase 1 are completed and staffing continues to be maintained at safe levels.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 02 November 2020.</p> <p>Review by SMT week beginning 02 November 2020 notes that</p> <p>There is no change to this position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that following ongoing work by officers, the fire doors at Rowthorne HOP are not yet completed, however the work continues to have an expected completion date of 18 December 2020.</p> <p>The homes in the north of the County have only low risk tasks from the phase 2 works which remain incomplete to date, such as follow ups on the Technical Fire Risk Assessments.</p> <p>There are some slightly higher risk issues to resolve in the homes situated in the south of the County. It is envisaged that all outstanding issues will be actioned and resolved by Christmas 2020.</p>
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	<p>All the outstanding fire alarm issues have now been resolved and electrical testing is almost complete. Operationally, all homes confirm they can affect an evacuation relating to the highest need compartmentation within 2.5 minutes.</p> <p>There are still some management staff whose fire management training is now outstanding, however as this is now available online any outstanding issues will be addressed over the next few weeks.</p> <p>A review of night staff arrangements has also been undertaken to ensure that safe staffing levels can be maintained during planned works. These levels are being reviewed weekly with Service Managers and Group Managers responsible for the establishments.</p> <p>Finally, the risk evaluation exercise is underway, and it is anticipated that within the next 2 weeks it will be completed on all homes which have required a rewire.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that following ongoing work by officers, the fire doors at Rowthorne HOP are not yet completed, however the work continues to have an expected completion date of 18 December 2020.</p> <p>All the outstanding fire alarm issues have now been resolved and electrical testing is complete. Operationally, all homes confirm they can affect an evacuation relating to the highest need compartmentation within 2.5 minutes.</p> <p>The risk evaluation exercise is now complete, and the findings are that all homes that have had work carried out are now at considerably lower risk because of new fire alarms, fire doors and re-wiring. There remains some non-urgent work that could still be carried out to improve the risk scores</p>
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	<p>further. It is work which does not involve or rely on rewiring; such as replacing kitchen ventilation but that will generally be part of the longer-term maintenance programme over the next 1 to 2 years.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</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 scheme. But as individuals are no longer receiving

reasons for rejection of other options	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 financial contributions they are asked to make,</i></p>

	<p><i>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 <u>11/06/2020</u>, <u>25/06/2020</u>, <u>09/07/2020</u>, <u>24/07/2020</u> and <u>06/08/2020</u>, <u>03/09/2020</u>, <u>17/09/2020</u>, <u>01/10/2020</u>, <u>15/10/2020</u>, <u>12/11/2020</u>, <u>26/11/2020</u>, <u>10/12/2020</u></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</p>

	<p>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>Review by SMT 12/08/2020 notes that 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 on week beginning 24 August 2020 notes that 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. There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p> <p>Review by SMT on week beginning 7 September 2020 notes following ongoing work by officers, the</p>
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	<p>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. There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that 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. There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p> <p>Review by SMT on week beginning 05 October 2020 notes that 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</p>
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	<p>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. There is currently no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020.</p> <p>Review by SMT 19 October 2020 notes that there is no change to the above position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 02 November 2020.</p> <p>Review by SMT week beginning 02 November 2020 notes that</p> <p>There is no change to this position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that there is no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that there is no change to this position and there is not anticipated to be for some time to come.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.</p>
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	<p>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.</p> <p>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.</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 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 <u>11/06/2020</u> , <u>25/06/2020</u> , <u>09/07/2020</u> , <u>24/07/2020</u> and <u>06/08/2020</u> , <u>03/09/2020</u> , <u>17/09/2020</u> , <u>01/10/2020</u> , <u>15/10/2020</u> , <u>12/11/2020</u> , <u>26/11/2020</u> , <u>10/12/2020</u>
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. 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</p>

	<p>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>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> <p>Review by SMT 12/08/2020: The latest review on 12 August 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>Review by SMT on week beginning 24 August 2020 notes that 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 carers 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</p>
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	<p>accessing respite provision if required. There is no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p> <p>Review by SMT on week beginning 7 September 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 carers 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. There is no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 21 September 2020.</p> <p>Review by SMT on week beginning 21 September 2020 notes that 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 carers 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. There is no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 05 October 2020.</p>
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	<p>Review by SMT on week beginning 05 October 2020 notes that 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 carers 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. There is no change to this position.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 19 October 2020</p> <p>Review by SMT 19 October 2020 notes that there is no change to the above position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 02 November 2020.</p> <p>Review by SMT week beginning 02 November 2020 notes that</p> <p>There is no change to this position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 16 November 2020.</p> <p>Review by SMT week beginning 16 November 2020 notes that there is no change to this position. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 30 November 2020.</p> <p>Review by SMT week beginning 30 November 2020 notes that there is no change to this position and there is not anticipated to be for some time to come.</p>
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	The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 14 December 2020.
Signature and Date: Helen Jones 22/05/2020	

Agenda Item No:

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER

8 December 2020

Report of the Executive Director for Adult Social Care and Health

ADULT SOCIAL CARE INFECTION CONTROL FUND ROUND 2

ADULT CARE

1. Purpose of the Report

To seek Cabinet Member approval to:

- to redistribute the unallocated funds of £0.344m designated for care homes from Payment 1 (see 2.3.1 below) with a contribution of £0.106m from the 20% discretionary element from the Payment 1 of the October Infection Control Fund so that all community based services receive the grant of £336.03 per client as specified by Department of Health and Social Care.
- distribute the remaining balance 20% of Payment 1 of the second round of the 2020 infection control fund allocation to meet the Covid 19 staff cost incurred by direct payments recipients, and those unexpected staff costs experienced by eligible home care and care home providers in addressing Covid-19 infection control measures.
- distribute 20% of Payment 2 of the second round of the infection control fund allocation, in combination with any underspend from Payment 1 to be shared between eligible care homes and home care providers to further assist with meeting the costs associated with provision of infection prevention and control procedures.

2. Information and Analysis

2.1 Background

A second round of the Infection Control Fund (ICF) has now been made available to cover the period 1 October 2020 to 31 March 2021. Payments to the Council will be made in two equal instalments, one in October 2020

(already received and distributed to Care Homes as per grant conditions) and another in December 2020.

Pursuant to section 31(4) of the Local Government Act 2003 the Secretary of State attached conditions to the payment of the grant, which are set out in Annex C of the local authority circular which is shown at this hyperlink.

[Adult Social Care Infection Control Fund – round 2: local authority circular - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464242/adult-social-care-infection-control-fund-round-2-local-authority-circular.pdf)

These conditions specified that all funding must be used for COVID-19 infection prevention and control measures and local authorities are required to pass 80% of each instalment to care homes within the local authority's geographical area on a 'per beds' basis and to CQC-regulated community care providers within the local authority's geographical area on a 'per user' basis, including to social care providers with whom the local authority does not have existing contracts. All providers are required to have completed the care tracker, to report on spending incurred and their future anticipated spend. All funding provided must be spent in line with the infection prevention control measures specified in Annex C of the Circular and have been spent by specific timescales.

However, the local authority has discretion to use the remaining 20% of each payment on other COVID-19 infection control measures, including providing support to other care settings, and wider workforce measures in relation to COVID-19 infection control. This paper will consider proposals of how to distribute the 20% of funds and following agreement a paper will be presented to Cabinet Member for Adult Care to report on the payments, confirming that they will meet the grant criteria.

2.2 Summary of Distribution of the October IPC Grant

The grant conditions specify that the Council must distribute 80% of the available grant to care homes on a “per bed” basis and CQC-regulated community care providers (domiciliary care, extra care and supported living) on a “per user” basis. The total October IPC grant allocation for Derbyshire provided by the Department of Health and Social Care (DHSC) is as shown in the table below. The allocation of £662.97 for Care Homes and £336.03 for Home Care Providers has been set by DHSC. These are the same values used for distribution in every local authority area.

	Total Allocation of October 2020 IPC Grant	Activity Beds/Users	Total Unit Allocation	1st Instalment
80% Care Homes	£5,065,069	7,640	£662.97	£331.48
80% Community	£1,954,343	5,816	£336.03	£168.01
20%	£1,754,853	n/a	n/a	n/a
Total	£8,774,265	n/a	n/a	n/a

The allocation of funding for community services will likely be substantially smaller than £336.03 per client, as the figures used by DCHS in making this calculation are based on historical information they have obtained from the Care Quality Commission (CQC). Our records show that there are 7,154 community clients compared with the 5,816 used by DHSC. This has left the Council with a shortfall of £0.450m of the 80% community allocation of the grant if it wants to pay all community providers at the designated level of £336.03 per client.

The Council have had to contact all eligible providers (CQC registered offices in Derbyshire), whether the Council know them or not to obtain their client numbers and the bank details of the provider so that the Council can make the grant payments. It is worth noting that client numbers will include people who do not live in Derbyshire as it is the number of people supported by a Provider from the location of their CQC registered office.

The Council is therefore reliant on other Local Authorities treating providers similarly to ourselves and making contributions to providers in their localities that operate in Derbyshire.

The Local Authorities in the East Midlands region have confirmed that they will operate the same approach to the one the Council have adopted. They have also identified that the numbers of people supported by community providers in their locality are substantially greater than figures used by DHSC in their calculation. These Local Authorities have advised that it is their intention to use part of the 20% discretionary allocation and any underspend (where homes have declined the grant payment) associated with the 80% allocation to care homes. They plan to use these funds to make up the available funding to ensure community providers receive the £336.03 as planned by DHSC. It is

proposed that the Council follows the same approach to increase the payment to providers by using underspend of the grant destined to be paid to Care Homes and funding from the 20% discretionary element of the grant.

Other bordering authorities outside of the East Midlands will be challenged to fund at the same level as Derbyshire if we are notified of any variance from the Grant conditions.

As noted, local authorities may use 20% of the grant on other COVID-19 infection control measures to support the care sector. This could include, for example, additional financial support for the purchase of PPE by providers or by the local authority directly (although not for costs already incurred) on COVID-19 infection activity.

2.3 Distribution of December 2020 Payment 2 Grant Payment

The Council expects to receive Payment 2 of the Grant Payment in December 2020. 80% of the grant payment will be distributed to Providers as described earlier in this report. It is recommended that the remaining 20% of Payment 2 funds will, in combination of any underspend from Payment 1 be shared between care homes and home care providers to further assist with meeting the costs associated with Personal Protective Equipment, Staffing Costs and to help with facilitating improved visiting arrangements in their care home. Payments would be made on a per bed basis for care homes and per Council client for home care providers. Any un-allocated underspend will have to be repaid to DHSC.

3.3 Proposals

3.3.1 Distribution of Unallocated Funding from the Payment 1 of the 80% allocation

A number of Care Home providers did not accept their allocation the ICF grant having decided that the administrative burden was too great and the value of the grant of £331.48 per registered bed was too small. The Council made a number of attempts to encourage these providers to accept their allocation.

This has left unallocated funding of £0.344m from Payment 1 of the grant that should have been paid to Care Homes. The grant guidance published on the 9th November 2020 allows the Council to add unallocated funding to the 20% allocation, to support the whole market. It is therefore suggested that this unallocated funding of £0.344m with a contribution of £0.106m from the 20% discretionary funding, is used to enable the Council to support the whole market by making a payment of £336.03 per client per to each community

provider. The grant guidance referred to can be accessed at the following hyperlink

<https://www.gov.uk/government/publications/adult-social-care-infection-control-fund-round-2/adult-social-care-infection-control-fund-round-2-guidance>

3.3.2 Distribution of the remainder of the 20% funds from the first Payment

If as suggested the Council use part of the 20% Payment 1 funding allocation to make up the unit cost for community providers, then this will leave £1.649m. It is proposed that the Council use this funding in the short term to assist with

- Direct Payment/Shared Lives allocate funds on a case by case basis to help cover additional costs associated with infection control especially those linked to maintaining wages of Personal Assistants (PAs) who need to isolate and use of alternative staff.
- To support providers to request emergency assistance to assist with exceptional costs associated with isolating staff and use of agency staff to cover those isolating. This offer would be only available to care homes services subject of Outbreak Control Team meetings to ensure service viability or to Home Care services where majority staff group are needing to self-isolate.
- To cover the costs of any Council staff needed to transfer to Provider services for short periods of time due to impact of COVID-19 on provider workforce.

3.3.3 Distribution of the 20% funds from the second Payment

It is recommended that the remaining 20% of Payment 2 funds will, in combination of any underspend from Payment 1 be shared between care homes and home care providers to further assist with meeting the costs associated with provision of infection prevention and control procedures. Payments would be made on a per bed basis for care homes and per Council client for home care providers.

4. Financial Considerations

The funding allocated to the Council is as follows:

80% Care Homes	£5,065,069
80% Community Care providers	£1,954,343
20% Other care Settings and IPC Measures	£1,754,853
Total Allocation	£8,774,265

Any portion of the grant that is unspent by 31 March 2021 will have to be repaid to the Department of Health and Social Care.

5. 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 together with the Department of Health & Social Care's Guidance: Adult Social Care Infection Control Fund – round 2: local authority circular (updated 9 November 2020) its accompanying annexes, and Adult Social Care Infection Control Fund – round 2: guidance (updated 9 November 2020)

The Department of Health and Social Care (DHSC) considers that the measures specified are covered by the Services of General Economic Interest Decision (SGEI) 2012/21/EU. 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. Due to their potential to limit the transmission of COVID-19 and therefore prevent loss of life, these measures are of particular importance to care users, workers and their families, as well as being in the general public interest. Furthermore, they are not being provided by the market at the level or quality required, and thus to secure their provision, compensation needs to be provided to incentivise an undertaking or set of undertakings. Local authorities can choose to rely on this Decision to make lawful payments of the aid but must ensure they comply with its requirements

From 1 January 2021, the government has announced that the UK will no longer be bound by the EU state aid rules. A new UK-wide subsidy control regime will be introduced based on WTO subsidy rules after the end of the transition period. Guidance is expected to be published before the end of the year for public authorities.

6. 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.

7. 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.

8. Key Decision

No

9. 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.

10. Officer's Recommendation

To support

- the allocation of government grant funding towards improved infection prevention and control procedures (IPC) as described in this report. It is proposed to redistribute the unallocated funds of £0.344m for care homes from the first Payment with a contribution of £0.106m from the 20% discretionary element from the first Payment of the October ICF Grant to make up the funding for community based services so that all receive the grant of £336.03 per client per Payment as specified by DHSC.
- That the remainder of 20% discretionary element from the first Payment, totalling £1.649m, is used to:
 - support people in receipt of Direct Payments and people in shared lives with any IPC costs,
 - assist providers subject to outcome control meetings where they adversely impacted by COVID-19
 - to cover the costs of any Council staff needed to transfer to Provider services for short periods of time due to impact of COVID-19 on provider workforce.
- That the 20% of Payment 2 grant, will in combination of any underspend from Payment 1 be shared between care homes and home care providers to further assist with meeting the costs associated with provision of infection prevention and control procedures. Payments would be made on

a per bed basis for care homes and per Council client for home care providers.

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

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