

**DERBYSHIRE COUNTY COUNCIL**

**CABINET MEMBER**

**1 April 2021**

**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 18 March 2021. All review decisions to date have been discussed with the Executive Director and Cabinet Member following review by Senior Management Team.

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

**Table 1: Summary of officer decision record reviews.**

Officer Decision	Review notes and recommendation
Adult Social Care Residential Homes for Older People, closure to visitors (ASCODR1)	This decision has been previously reviewed on twenty six occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member. On 11 March 2021 a Cabinet report was submitted seeking to remove this original urgent decision from the Officer Decision record bi-weekly review process. As a result, cabinet recommended withdrawal of the three specific decisions from bi-weekly officer and Cabinet Member review as they were now subject to Government guidance, and some progress had been made since the original decisions. These decisions initially included temporary cessation of care home visiting and more recently permitted restricted visits, subject to specific conditions being met. As such this decision has now been removed from the review process and record.
Closure of Older Adults Day Centres and Cessation of service delivery for over 70's in learning disability day Services (ASCODR2)	This decision has been previously reviewed on twenty six occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member. On 11 March 2021 a Cabinet report was submitted seeking to remove this original urgent decision from the Officer Decision record bi-weekly review process. As a result, cabinet recommended withdrawal of the three specific decisions from bi-weekly officer and Cabinet Member review as they were now subject to Government guidance, and some progress had been made since the original decisions. These decisions included temporary Closure of Older Adults Day Centres and Cessation of service delivery for over 70's in learning disability day Services. As such this decision has now been removed from the review process and record.

<p>Closure of building based Day Centres for people with a Learning Disability (ASCODR3)</p>	<p>This decision has been previously reviewed on twenty six occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member. On 11 March 2021 a Cabinet report was submitted seeking to remove this original urgent decision from the Officer Decision record bi-weekly review process. As a result, cabinet recommended withdrawal of the three specific decisions from bi-weekly officer and Cabinet Member review as they were now subject to Government guidance, and some progress had been made since the original decisions. These decisions included temporary Closure of building based Day Centres for people with a Learning Disability. As such this decision has now been removed from the review process and record.</p>
<p>Cessation of planned respite breaks services for Older Adults and people with a Learning Disability (ASCODR4)</p>	<p>This has been reviewed on twenty seven occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on week beginning 22 March 2021 notes that following ongoing work by officers the current position is that most building-based planned respite services continue to remain closed. Emergency respite provision has been offered, both through building-based services or through outreach services to an individual's home where safe and appropriate to do so.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so.</p> <p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision.</li> <li>• 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.</li> </ul> <p>As part of the Governments roadmap to ease lockdown restrictions from 8 March 2021 onwards, Adult Social care is beginning to review its approach to re-opening respite.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 5 April 2021.</p>

Fire Risk Mitigation Work (ASCODR6)	<p>This has been reviewed on twenty six occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member.</p> <p>On 11 March 2021 a Cabinet report was submitted seeking to remove this original urgent decision from the Officer Decision record bi-weekly review process. As a result, cabinet recommended withdrawal of this specific decision as it is no longer required moving forward in relation to Fire Risk Mitigation Work as all essential work is now complete. As such this decision has now been removed from the review process and record.</p>
Financial Charging	<p>This has been reviewed on twenty seven occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on week beginning 22 March 2021 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. This position continues to remain unchanged.</p> <p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 5 April 2021.</p>
Shared Lives carers additional payments	<p>This has been reviewed on twenty seven occasions by Adult Social Care and Health Senior Management Team and a discussion between the Executive Director and Cabinet Member.</p> <p>The latest review on week beginning 22 March 2021 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 recently 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 are liaising with carers who have returned to work to consider if any</p>

	<p>additional support needs to be put in place instead of providing this payment. For full time carers we are seeking to liaise with them in terms of accessing respite provision if required. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres.</p> <p>This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 5 April 2021.</p>
Reduction / suspension of individual home care services.	<p>This is a relatively new decision agreed on 2 February 2021. This has been reviewed on two occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member.</p> <p>The latest review on week beginning 22 March 2021 notes that the decision did consider the temporary reduction or suspension of individual homecare support for individuals who feel able to continue to manage safely in the short term. This was considered to free up capacity to support the pressures on hospital discharge and hospital admission avoidance as a result of the increased Covid-19 infection rates early in the year. At this time no temporary reductions or cessations have needed to take place and given the current reductions in Covid cases and associated reductions in demand this decision will be withdrawn.</p>
Distribution of two Department of Health and Social Care (DHSC) Grants to eligible care providers	<p>This was a one-off urgent decision that was required to be undertaken, enabling the Council to distribute the following two Department of Health and Social Care (DHSC) Grants to eligible care providers:</p> <ul style="list-style-type: none"> <li>• Adult Social Care Rapid Testing Fund</li> <li>• Workforce Capacity Grant for Adult Social Care</li> </ul> <p><b>Adult Social Care Rapid Testing Fund</b></p> <p>The main purpose of this funding has been to support additional rapid testing of staff in care homes, and to support visiting professionals and enable indoors, close contact visiting where possible.</p> <p>A deadline of Friday 12 February 2021 was set for receipt of declarations and that any balance remaining (unallocated) will be distributed to Care Home providers based on the per bed rate allocation from the initial 80% allocation. Any underspend at 31 March 2021 will have to be returned to DHSC.</p>

	<p><b>Workforce Capacity Grant for Adult Social Care</b></p> <p>The purpose of this funding is to enable local authorities to deliver measures to supplement and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved. DHSC's expectation is that the grant will be fully spent on staffing capacity measures and that the expenditure be incurred between 16 January and 31 March 2021.</p> <p>It is recommended that when the Council receives the remaining 30% balance of the grant, that this is combined with any unclaimed element of the first 70% allocation, to be distributed in March 2021 to all providers who completed the declaration by the specified deadline.</p> <p>Although this was a 'one off' decision, it remains current within this report for this specific review period, because although the deadline for receiving grant applications has passed; late applications continue to be made and accepted due to the requirement for funds to be allocated up until 31 March 2021. Due to this, the decision will remain within this report for the following review period by the Adult Care Senior Management Team in the week beginning 22 March 2021.</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: 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 <b>when it will be (further) reviewed</b> ):	<p>Cessation of planned respite breaks services for Older Adults and people with a Learning Disability with effect from 23/03/2020</p> <p><b>Review process</b> 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	<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>	

how this has been taken into consideration.	<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?	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 peoples care packages brings with it the potential for further risks to those who make use of the service. However, this risk needs to balance with

	<p>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 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>
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<p>Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))</p>	<p>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> <p><b>Feedback on original Officer Decision:</b></p> <p><b>Legal</b> Decision is not time limited, if the problem persists in the longer term 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&amp;P teams every two weeks.</p> <p><b>Finance</b> There are no additional financial considerations in relation to this proposal.</p> <p><b>Principal Social Worker</b> 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'.</p>
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	<p>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>
<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</p> <p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee <u>11/06/2020</u>, <u>25/06/2020</u>, <u>9/07/2020</u>, <u>24/07/2020</u> and <u>6/8/2020</u>, <u>3/09/2020</u>, <u>17/09/2020</u>, <u>1/10/2020</u>, <u>15/10/2020</u>, <u>12/11/20</u>, <u>26/11/2020</u>, <u>10/12/2020</u>, <u>21/12/2020</u>, <u>7/01/2021</u>, <u>21/01/2021</u>, <u>4/02/2021</u>, <u>18/2/2021</u>, <u>3/03/2021</u>, <u>18/03/2021</u>, <u>1/04/2021</u></p>
<p>Decision:</p>	<p>Agreed</p> <p><b>Review agreed by CMT 7/04/2020 and SMT 8/04/2020</b></p> <p><b>Review by SMT 22/04/2020, 6/05/2020, 21/05/2020, 4/06/2020, 18/06/2020 and 2/07/2020:</b> 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</p>

	<p>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><b>Review by SMT 16/07/2020:</b> 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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Review by SMT 30/07/2020 notes:</b> 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>
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	<p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Review by SMT 12/8/2020 notes:</b> 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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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).</li> <li>• Derbyshire Carers Association has continued to offer support to carers who may have seen their</li> </ul>
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	<p>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> <p><b>Review by SMT on week beginning 24 August 2020 notes that</b> 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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> <li>• 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.</li> </ul>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p> <p><b>Review by SMT on week beginning 7 September 2020 notes that</b> 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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> </ul> <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><b>Review by SMT on week beginning 21 September 2020 notes that</b> 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>
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	<p>The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> </ul> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 5 October 2020.</p> <p><b>Review by SMT on week beginning 5 October 2020 notes that</b> 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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted</li> <li>• 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.</li> </ul> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week</p>
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	<p>beginning 19 October 2020 and will take account of the newly published Adult Social Care: COVID Winter Plan 2020- 2021.</p> <p><b>Review by SMT 19 October 2020 notes that</b> 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><b>Review by SMT week beginning 2 November 2020 notes that</b> 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 16 November 2020.</p> <p><b>Review by SMT week beginning 16 November 2020 notes that</b> 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>
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	<p>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> <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><b>Review by SMT week beginning 14 December 2020 notes that</b> Currently officers are working towards re-opening a centre within the County to offer respite in a Covid-secure environment. This planning continues to remain in the preliminary stages and a location is yet to be fully finalised. The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 28 December 2020.</p> <p><b>Review by SMT week beginning 28 December 2020 notes that</b> the position remains unchanged in that currently officers are working towards re-opening a centre within the County to offer respite in a Covid-secure environment. This planning continues to remain in the preliminary stages and a location is yet to be fully finalised.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 11 January 2021.</p> <p><b>Review by SMT week beginning 11 January 2021 notes that</b> 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, however we are reviewing the safety of continuing this during the new national lockdown.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so. This planning continues to remain in the</p>
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	<p>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"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision.</li> <li>• 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.</li> </ul> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 25 January 2021.</p> <p><b>Reviewed by SMT week beginning 25 January 2021</b></p> <p>The latest review on week beginning 25 January 2021 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, however we are reviewing the safety of continuing this during the new national lockdown.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so. The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision.</li> </ul>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 22 February 2021.</p> <p><b>Review by SMT week beginning 22 February 2021 notes that</b> 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, however we are reviewing the safety of continuing this during the new national lockdown.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so. The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision.</li> <li>• 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.</li> </ul> <p>The position in relation to respite remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 8 March 2021.</p> <p><b>Review by SMT week beginning 8 March 2021 notes that</b> following ongoing work by officers the current position is that most building-based planned respite services continue to remain closed. Emergency respite provision has been offered, both through building-based services or</p>
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	<p>through outreach services to an individual's home where safe and appropriate to do so.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so. The following mitigations have been put in place since the original decision was approved, including:</p> <ul style="list-style-type: none"> <li>• Regular review of people who need to access respite provision, and where appropriate care packages have been adjusted to reflect the additional care provision.</li> <li>• 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.</li> </ul> <p>As part of the Governments roadmap to ease lockdown restrictions from 8 March 2021 onwards, Adult Social care will begin to review its approach to re-opening respite.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 22 March 2021.</p> <p><b>Review by SMT week beginning 22 March 2021</b>  <b>notes that</b> following ongoing work by officers the current position is that most building-based planned respite services continue to remain closed. Emergency respite provision has been offered, both through building-based services or through outreach services to an individual's home where safe and appropriate to do so.</p> <p>Officers will continue working towards re-opening a centre within the County to offer respite in a Covid-secure environment when it is safe to do so. The following mitigations have been put in place since the original decision was approved, including:</p>
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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):	<p>That client charging for specific scenarios will be as outlined in the attached appendix.</p> <p>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.</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.	A number of services have now been closed and some people are prevented from accessing other services. In these circumstances, guidance is required to outline which charging regime applies in these different scenarios.
Alternative Options Considered (if appropriate) and	The only alternative option would have been to continue to charge people, which we could technically have done under our current co-funding

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

	<p><i>financial contributions they are asked to make, including signposting to sources of independent financial information and advice.</i></p> <p><i>Legal approved – 07/04</i>  <i>No comments on ODR received from HR and Corporate Finance</i></p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	<p>Consultation with Cllr Wharmby on Review 19/05/2020</p> <p>Consultation with Cllr Wharmby on Review 27/05/2020</p> <p>Consultation with Cllr Wharmby at Cabinet Member Committee <u>11/06/2020</u>, <u>25/06/2020</u>, <u>9/07/2020</u>, <u>24/07/2020</u> and <u>6/8/2020</u>, <u>3/09/2020</u>, <u>17/09/2020</u>, <u>1/10/2020</u>, <u>15/10/2020</u>, <u>12/11/2020</u>, <u>26/11/2020</u>, <u>10/12/2020</u>, <u>21/12/2020</u>, <u>7/01/2021</u>, <u>21/01/2021</u>, <u>4/02/2021</u>, <u>18/2/2021</u>, <u>3/03/2021</u>, <u>18/03/2021</u>, <u>1/04/2021</u></p>
Decision:	<p><b>SMT Review 22/04/2020, 6/05/2020, 21/05/2020, 4/06/2020, 18/06/2020 and 2/07/2020:</b> 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><b>Review by SMT 16/07/2020:</b> 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><b>Review by SMT 30/07/2020:</b> Following review by Cabinet Member and ongoing work by officers the current position is that the majority of scheduled work has taken place across the homes for older people estate, with only a small number of tasks 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><b>Review by SMT 12/8/2020</b> 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><b>Review by SMT on week beginning 24 August 2020 notes that</b> 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>
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	<p>The next review of this decision will take place by Adult Care Senior Management Team on 10 September 2020.</p> <p><b>Review by SMT on week beginning 7 September 2020 notes</b> 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 21 September 2020.</p> <p><b>Review by SMT on week beginning 21 September 2020 notes that</b> 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 5 October 2020.</p>
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	<p><b>Review by SMT on week beginning 5 October 2020 notes that</b> 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 19 October 2020.</p> <p><b>Review by SMT 19 October 2020 notes that</b> 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 2 November 2020.</p> <p><b>Review by SMT week beginning 2 November 2020 notes that</b></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><b>Review by SMT week beginning 16 November 2020 notes that</b> 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><b>Review by SMT week beginning 30 November 2020 notes that</b> there is no change to this position and there is not anticipated to be for some time to come.</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 14 December 2020.</p> <p><b>Review by SMT week beginning 14 December 2020 notes that</b> this position remains unchanged.</p> <p><b>Review by SMT week beginning 28 December 2020 notes that</b> 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. This position continues to remain unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 11 January 2021.</p> <p><b>Review by SMT week beginning 11 January 2021 notes that</b> 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, and the new national lockdown. The position continues to remain unchanged.</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 25 January 2021.</p> <p><b>Reviewed by SMT week beginning 25 January 2021</b></p> <p>The latest review on week beginning 25 January 2021 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, and the new national lockdown.</p> <p>The position continues to remain unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 8 February 2021.</p> <p><b>Review by SMT week beginning 8 February 2021</b></p> <p><b>notes that</b> 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, and the new national lockdown.</p> <p>This position continues to remain unchanged.</p>
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	<p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 22 February 2021.</p> <p><b>Review by SMT week beginning 22 February 2021 notes that</b> 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, and the new national lockdown.</p> <p>This position continues to remain unchanged.</p> <p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 8 March 2021.</p> <p><b>Review by SMT week beginning 8 March 2021 notes that</b> 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.</p> <p>This position continues to remain unchanged.</p> <p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 22 March 2021.</p>
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	<p><b>Review by SMT week beginning 22 March 2021</b>  <b>notes that</b> 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.  This position continues to remain unchanged.</p> <p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 5 April 2021.</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"> <li>• Pay full time Shared Lives carers an additional £40 per week.</li> <li>• Pay short break and day support Shared Lives carers the amount which they ordinarily would have earned.</li> </ul> <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"> <li>• three days daytime breaks per week between 9am to 5pm</li> <li>• four weeks residential short breaks</li> </ul> <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 a 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 placed 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	No

communicate the decision	
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><b>Feedback on original Officer Decision:</b></p> <p><b>Finance</b>  The weekly costs of these proposals are estimated to be:</p> <ul style="list-style-type: none"> <li>• Full Time Carers - £1,800</li> <li>• Respite Carers - £1,500</li> </ul> <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><b>Principal Social Worker</b>  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><b>Legal</b>  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>



<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p><u>Approval of ODR by Cabinet Member 25/06/2020</u>          Consultation with Cllr Wharmby on decision 27/05/2020.          Consultation with Cllr Wharmby at Cabinet Member Committee <u>11/06/2020 ,25/06/2020, 9/07/2020, 24/07/2020 and 6/8/2020 , 3/09/2020, 17/09/2020, 1/10/2020, 15/10/2020, 12/11/2020, 26/11/2020, 10/12/2020, 21/12/2020, 7/01/2021, 21/01/2021, 18/2/2021, 3/03/2021, 18/03/202, 1/04/2020,</u></p>
<p>Decision:</p>	<p>Agreed by CMT 22/05/2020.</p> <p><b>Review by SMT 4/06/2020, 18/06/2020 and 2/07/2020:</b> Due to the lack of day and residential short breaks being available to shared lives carers, individuals are in effect being asked to provide unpaid care for 3 days per week 9 to 5 plus and this needs to be recognised formally via additional payments.</p> <p>Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we are seeking to liaise with them in terms of accessing respite provision if required. It is proposed that this arrangement continues.</p> <p><b>Review by SMT 16/07/2020:</b> 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</p>

	<p>ongoing requirements in relation to social distancing which means that day centres cannot operate at fully capacity.</p> <p>Officers are liaising with carers who may be returning to work to consider if any additional support needs to be put in place instead of providing this payment and for full time carers we are seeking to liaise with them in terms of accessing respite provision if required.</p> <p><b>Review by SMT 30/07/2020:</b> 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><b>Review by SMT 12/8/2020:</b> 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><b>Review by SMT on week beginning 24 August 2020 notes that</b> 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</p>
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	<p>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 on 10 September 2020.</p> <p><b>Review by SMT on week beginning 7 September 2020 notes</b> 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><b>Review by SMT on week beginning 21 September 2020 notes that</b> 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</p>
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	<p>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 5 October 2020.</p> <p><b>Review by SMT on week beginning 5 October 2020 notes that</b> 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><b>Review by SMT 19 October 2020 notes that</b> 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 2 November 2020.</p> <p><b>Review by SMT week beginning 2 November 2020 notes that</b> 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><b>Review by SMT week beginning 16 November 2020 notes that</b> there is no change to this position.</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 30 November 2020.</p> <p><b>Review by SMT week beginning 30 November 2020 notes that</b> 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> <p><b>Review by SMT week beginning 14 December 2020 notes that</b> 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. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 28 December 2020.</p> <p><b>Review by SMT week beginning 28 December 2020 notes that</b> 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 are liaising with carers who have returned 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. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</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 11 January 2021.</p> <p><b>Review by SMT week beginning 11 January 2021 notes that</b> 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 are liaising with carers who have returned 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. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 25 January 2021.</p> <p><b>Reviewed by SMT week beginning 25 January 2021</b></p> <p>The latest review on week beginning 25 January 2021 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 are liaising with carers who have returned to work to consider if any additional support needs to be</p>
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	<p>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. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 8 February 2021.</p> <p><b>Review by SMT week beginning 8 February 2021 notes that</b> 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 are liaising with carers who have returned 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. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 22 February 2021.</p> <p><b>Review by SMT week beginning 22 February 2021 notes that</b> 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>
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	<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 are liaising with carers who have returned 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. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 8 March 2021.</p> <p><b>Review by SMT week beginning 8 March 2021 notes that</b> 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 recently 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 are liaising with carers who have returned to work to consider if any additional support needs to be put in place instead of providing this payment. For full time carers we are seeking to liaise with them in terms of accessing respite provision if required. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres. This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 22 March 2021.</p> <p><b>Review by SMT week beginning 22 March 2021 notes that</b> following ongoing work by officers the</p>
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	<p>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 recently 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 are liaising with carers who have returned to work to consider if any additional support needs to be put in place instead of providing this payment. For full time carers we are seeking to liaise with them in terms of accessing respite provision if required. Payments are also being reviewed as and when people with a learning disability and or are autistic return to the day centres.</p> <p>This position remains unchanged.</p> <p>The next review of this decision will take place by Adult Care Senior Management Team in the week beginning 5 April 2021.</p>
Signature and Date: Helen Jones 22/05/2020	

## 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)	To temporarily reduce or suspend individual homecare support for individuals who feel able to continue to manage safely in the short term in order to free up capacity to support current pressures on hospital discharge and hospital admission avoidance as a result of the current increased Covid-19 infection rates, increased pressure on acute hospital services and adults social care community support services. Such changes of service would only be undertaken with the consent of the person in receipt of the service and/or their carers and, in the case of those persons who lack capacity, only in the event that this decision was consistent with the individual's best interests	
Is this a review of a decision? If so, what was the date of the original decision?	No	
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 <b>when it will be (further) reviewed</b> ):	With the consent of the person in receipt of the service and/or their carers, to temporarily reduce or suspend individual homecare support for individuals who feel able to continue to manage safely in the short term in order to free up capacity to support current pressures on hospital discharge and hospital admission avoidance as a result of the current increased Covid-19 infection rates, increased pressure on acute hospital services and adults social care community support services.	

<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> <p>Where the decision is subject to statutory guidance please state how this has been taken into consideration.</p>	<p>To enable a flexible approach to local and strategic contingency planning to ensure that we are able to maintain a key services response that will:</p> <ul style="list-style-type: none"> <li>• Protect and sustain the wellbeing of the most vulnerable members of the community</li> <li>• Respect and facilitate the rights of people to make their own arrangements which will reduce footfall in their homes in the face of the emergence of more virulent strains of Covid 19</li> <li>• Maximise our homecare service capacity to prevent admissions and support through flow in NHS acute settings</li> </ul>
<p>Alternative Options Considered (if appropriate) and reasons for rejection of other options</p>	<p>Alternative options considered were to take no action and continue to maintain the current position, doing this would very swiftly lead to a critical lack of capacity to deliver to urgent and essential current commitments for people living in the community and also cause a blockage on hospital discharge. We also considered moving current staff from other work settings to support homecare staffing capacity but despite having made a call for volunteers across the department and into the Corporate Business Continuity Group (BCG) we have not had sufficient people volunteer to support this approach. Finally we considered enacting the Care Act easements at level 4 - Last Spring we enacted the Care Act easements at level 4 through undertaking a social work led review of all current recipients of homecare services and identifying, through risk assessment instances where service could temporarily be reduced or ceased. This approach significantly improved our capacity to respond to demand and supported us and the wider system to</p>

	<p>effectively respond to the initial pandemic peak and what was a rapidly changing situation.</p> <p>Although we now face another significant increase in infection rates and extreme pressure on capacity across the system having worked through the last ten months responding to the pandemic we are more able to anticipate and respond to the changing situation and having reviewed the approach taken last time and recognized that many of the recipients of homecare services at that time made a conscious independent decision to reduce or cancel their homecare calls. This freed up a significant number of hours which in turn enabled us to manage the increase in demand and reduction in staff availability. The current strategy provides for individual service type decisions, by consent, to prioritise short-term allocation of care and support using current flexibilities with the Care Act 2014.</p>
Has a risk assessment been conducted- if so what are the potential adverse impacts identified and how will these be mitigated	<p>This approach allows for the exploration of risk on an individual basis with those people potentially affected and their careers.</p> <p>It is a time limited approach with a clear end date which will be kept under review in light of progress made and the wider impact of the roll out of vaccinations on staff availability</p> <p>The risk to the authority is that if we are not able to create sufficient capacity by this approach then we would need to move to stages 3 and 4</p>
Would the decision normally have been the subject of consultation with service users	No, this is not a decision which would be taken in any normal circumstance and is a temporary arrangement to release

and the public? If so, explain why this is not practicable and the steps that have or will be taken to communicate the decision	capacity to meet urgent demand pressures.
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	An Equalities Impact Analysis (EIA) is attached to this ODR and taken into account when this decision was made. It is not envisaged that there will be a differential impact between groups with protected characteristics under the Equality Act (2010). The EIA however, will be kept under review
Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))	<p>Since the turn of the year there has been a significant increase in demand on the domiciliary care market primarily to support hospital discharges to free-up acute bed capacity for Covid 19 patients. This has also been accompanied in the same period by a significant increase in staff absences within DCC homecare which appears primarily associated with the introduction of Lateral Flow Testing for care worker community cohort (CWC) which in turn has resulted in absences levels when combined with that arising from leave and regular sickness in some areas of the county in the region of 35%.</p> <p>Health colleagues are now taking emergency steps to maintain the acute hospital services and members of the armed forces are now operating alongside clinical staff to maintain operating capacity in the acute hospitals.</p> <p>Adult care are already supporting discharge activity through the use of designated beds across the authority and through use of our short term bedded services but we are reaching a point where the current arrangements will be insufficient and we need to take steps to free up additional domiciliary capacity where we can.</p>

	<p>This approach has been shared with and scrutinised by ASC legal and our principle Social worker and amended in line with their comments.</p> <p>We will be communicating this approach to people who utilise our services and their carers on an individual basis supported by script of the key message and to be asked which will be available on our public facing systems.</p> <p>We will also ensure that our Stakeholder engagement group is briefed and we are able to manage enquiries.</p> <p>As this approach is at stage 2(pre-easement) it is not notifiable to the Department of Health and Social Care (DHSC)</p> <p><b>Legal considerations</b> 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."</p> <p>The Improvement and Scrutiny Procedure Rules states: "13(6) The call-in procedure set out above shall not apply where the decision being taken by Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process</p>
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	<p>would seriously prejudice the Council's or the public interest. All reports recommending that decisions be taken should say whether or not it is proposed that call-in be waived. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the appropriate</p> <p>Improvement and Scrutiny Committee should agree both the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency should be reported to the next available meeting of the Council, together with the reasons for urgency."</p> <p>In accordance with the Access to Information Procedure Rules, where it is intended to make a key decision in cases of special urgency, then the key decision can only be taken if the decision maker obtains the agreement of the chairman of a relevant Improvement and Scrutiny Committee that the taking of the decision is urgent cannot be reasonably deferred. The decision making is in keeping with Stage 2 of the Easements, applying flexibilities under the pre-amendment Care Act 2014.</p>
Consultation with relevant Cabinet Member (s) – please note this is obligatory.	Discussed and agreed with Cllr Jean Wharmby, portfolio holder for ASC. Consultation with Cllr Wharmby at Cabinet Member Committee <u>3/03/2021, 18/03/2021, 1/04/2021</u>
Approval of Chair of appropriate Improvement and Scrutiny Committee where call in is intended to be waived and key decision to be made without	Councillor Musson, Chair of Improvement and Scrutiny Committee – People has approved the waiver of the call in due to the urgent nature of the decision required; has agreed special

requisite notice – please note this is obligatory in those circumstances	urgency applies and the notice of key decision is not required; and supports the action being taken.
Decision:	<p>CMT agreed 28/01/2021</p> <p><b>Review by SMT week beginning 8 March 2021 notes that</b> this is a relatively new decision agreed on 2 February 2021 and reviewed for the first time by Adult Social Care Senior Management team week beginning 22 February 2021. The decision concerns the temporary reduction or suspension of individual homecare support for individuals who feel able to continue to manage safely in the short term. In doing so this will free up capacity to support current pressures on hospital discharge and hospital admission avoidance as a result of the current increased Covid-19 infection rates, increased pressure on acute hospital services and adults social care community support services.</p> <p>Such changes of service are only undertaken with the consent of the person in receipt of the service and/or their carers. In the case of adults who lack capacity to make this decision, a decision will only be made if the decision is consistent with the individual's best interests.</p> <p>The position remains unchanged and we are continuing to monitor our homecare position which has seen a slight improvement.</p> <p>The next review of this decision will take place by the Adult Care Senior Management Team in the week beginning 22 March 2021.</p> <p><b>Review by SMT week beginning 22 March 2021 notes that</b> This is a relatively new decision agreed on 2 February 2021. This has been reviewed on two occasions by Adult Social Care and Health Senior Management Team and a discussion held between the Executive Director and Cabinet Member.</p> <p>The latest review on week beginning 22 March 2021 notes that the decision did consider the temporary reduction or suspension of individual homecare support for individuals who feel able to continue to manage safely in the short term. This was considered to free up capacity to support the pressures on hospital discharge and hospital admission avoidance as a result of the increased</p>



	Covid-19 infection rates early in the year. At this time no temporary reductions or cessations have needed to take place and given the current reductions in Covid cases and associated reductions in demand this decision will be withdrawn.
Signature and Date: Helen Jones 02/02/2021	

## 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)	Agreement required to enable the Council to distribute the following two Department of Health and Social Care (DHSC) Grants to eligible care providers: <ul style="list-style-type: none"> <li>• Adult Social Care Rapid Testing Fund</li> <li>• Workforce Capacity Grant for Adult Social Care</li> </ul>	
Is this a review of a decision? If so, what was the date of the original decision?	No	
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 <b>when it will be (further) reviewed</b> ):	<p>Approval that the Council can distribute the two Department of Health and Social Care (DHSC) Grants to eligible care providers:</p> <ul style="list-style-type: none"> <li>• Adult Social Care Rapid Testing Fund</li> <li>• Workforce Capacity Grant for Adult Social Care</li> </ul> <p><b>Adult Social Care Rapid Testing Fund</b> The main purpose of this funding is to support additional rapid testing of staff in care homes, and to support visiting professionals and enable indoors, close contact visiting where possible.</p> <p>A deadline of Friday 12 February has been set for receipt of declarations and it is recommended that any balance remaining (unallocated) will be distributed to Care Home providers based on the per bed rate allocation from the initial 80% allocation. Any underspend at 31 March 2021 will have to be returned to DHSC.</p>	

	<p><b>Workforce Capacity Grant for Adult Social Care</b></p> <p>The purpose of this funding is to enable local authorities to deliver measures to supplement and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved.</p> <p>DHSC's expectation is that the grant will be fully spent on staffing capacity measures and that the expenditure be incurred between 16 January and 31 March 2021.</p> <p>It is recommended that when the Council receives the remaining 30% balance of the grant, that this is combined with any unclaimed element of the first 70% allocation, to be distributed in March 2021 to all providers who completed the declaration by the specified deadline.</p> <p><u>Review process</u> SMT and CMT will be advised of the final allocation of funds before reporting back to DCHS.</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)</p> <p>Where the decision is subject to statutory guidance please state how this has been taken into consideration.</p>	<ul style="list-style-type: none"> <li>• Adult Social Care Rapid Testing Fund</li> <li>• Workforce Capacity Grant for Adult Social Care</li> </ul> <p>A decision is required to enable the Council to distribute the funds from these two grants before 31 March 2021. These funds are required to be distributed to providers so that they can use the funds before this deadline otherwise any underspend will need to be returned to DCHS.</p> <p>Both sets of funds will contribute to helping local social care providers being able to respond positively to challenges of COVID 19 and the impact on service delivery.</p> <p>Due to the tight timescale involved, it is recommended that a declaration form be sent to all care providers with a deadline of Friday 26 February and that the 70% proportion, less</p>

	<p>the £378,944 for the above DCC measures, is distributed using the Government apportionments.</p> <p>It is recommended that when the Council receives the remaining 30% balance of the grant, that this is combined with any unclaimed element of the first 70% allocation, to be distributed in March 2021 to all providers who completed the declaration by the specified deadline.</p>
Alternative Options Considered (if appropriate) and reasons for rejection of other options	DHSC has specified the Grant Conditions for both funds and the Council is therefore unable to propose alternatives.
Has a risk assessment been conducted - if so what are the potential adverse impacts identified and how will these be mitigated	<p>Yes</p> <p>Failure to distribute the funds will result in</p> <ul style="list-style-type: none"> <li>• Paying all the grant back to DHSC</li> <li>• This would require explanation to Government Department</li> <li>• Failure to pay Providers that have been publicly assured the funding will be shared with them to assist with managing impact of COVID 19 would result in complaints and media interest.</li> <li>• Potentially undermine the effectiveness of the market, potentially resulting in greater service risk.</li> </ul>
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>No</p> <p>Distribution of Grants following Government Guidance</p>
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?	<p>No</p> <p>Funds will be evenly distributed between providers using a methodology described within the guidance. For care homes this is a standard payment per registered care bed for home care this is a standard payment per recorded client.</p>

<p>Background/Reports/Information considered and attached (including Legal, HR, Financial and other considerations as required))</p>	<p><b>Adult Social Care Rapid Testing Fund</b></p> <p>The main purpose of this funding is to support additional rapid testing of staff in care homes, and to support visiting professionals and enable indoors, close contact visiting where possible.</p> <p>This includes adult social care providers with whom the local authority does not have a contract.</p> <p><b>Workforce Capacity Grant for Adult Social Care</b></p> <p>The purpose of this funding is to enable local authorities to deliver measures to supplement and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved.</p> <p>The first payment of £1,269,557 (70%) has been received and the balance of £544,096 (30%) is due in March on the condition that the Council has completed a return to the DHSC by 12 February.</p> <p>DHSC's expectation is that the grant will be fully spent on staffing capacity measures and that the expenditure be incurred between 16 January and 31 March 2021.</p> <p>The funding must be used to deliver new or additional measures which support the purpose of the fund. The funding can be used to increase activities which deliver additional workforce capacity where these exist within the local authority or with social care providers.</p> <p>Local authorities can use this funding to deliver measures that help all providers of adult social care in their geographical area, this includes care home and home care, and with organisations providing care who may not be registered with the Care Quality Commission (CQC).</p>
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	<p>Local authorities can also choose to passport funding directly to a care provider to deliver measures that increase staffing capacity within their organisation, however they should ensure funding is only given to a provider that is registered with the CQC.</p> <p>As with the other grant, any underspend as at 31 March will have to be returned to the DHSC.</p> <p>Following Adult Social Care SMT it is recommended that the Council should spend part of the funding on the following:</p> <ul style="list-style-type: none"> <li>• Increase the number of designated care beds at Castle Court by 3 to enable the Council to support people who are COVID 19 Positive whilst they undertake the self-isolation period.</li> <li>• Increase the Community Care offer by 6 beds (2 each in The Grange, Oaklands and Thomas Fields)</li> <li>• Create 18 overflow beds (10 at Ada Belfield and 8 at Whitestones)</li> <li>• Block booking agency staff for the remainder of 2020/21</li> <li>• Social Media campaign to attract people to work in social care</li> </ul> <p>It is estimated that the above measures will cost £378,944.</p> <p><b>Equality implications</b> 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.</p> <p><b>Principal Social Worker</b> Satisfied that these decisions have been made with due regard for the Department of Health and Social Care Ethical Framework. Funds will be evenly distributed and will help adult social care provide necessary and statutory services and promote safe contact to support the wellbeing of those in care settings.</p>
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## Finance

### Adult Social Care Rapid Testing Fund

The Council is in receipt of £1,424,978 from DHSC and are required to distribute this to providers that sign a declaration that they will spend the funds against the defined Grant criteria and maintain a record of the spend to facilitate external audit. Any failure to spend funds on eligible activity will be recovered by the Council and either redistributed to other eligible providers or returned to DHSC. We are currently in the process of distributing this grant funding to meet DHSC grant condition requirements; the current position is:

Distributed to Date	1,424,978
Pending Payments	117,924
Allocation with no declaration rec'd	<u>398,412</u> ###
Total 80% allocation	<b>1,941,318</b>
20% allocation - distribution to be decided	<u>485,329</u> ###
Total Grant	<b><u>2,426,647</u></b>
###Total currently Unallocated	883,745

The Total unallocated is expected to reduce over the next few days as late provider declarations are received noting their agreement to receive and spend the funds on eligible activity.

A deadline of Friday 12 February has been set for receipt of declarations and it is recommended that any balance remaining (unallocated) will be distributed to Care Home providers based on the per bed rate allocation from the initial 80% allocation. Any underspend at 31 March 2021 will have to be returned to DHSC.

### Legal considerations

The Council's Constitution provides that "notwithstanding any other provision of the Constitution Strategic Directors shall have the

	<p>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.”</p> <p>The Improvement and Scrutiny Procedure Rules states:</p> <p>“13(6) The call-in procedure set out above shall not apply where the decision being taken by Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council’s or the public interest. All reports recommending that decisions be taken should say whether or not it is proposed that call-in be waived. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the appropriate Improvement and Scrutiny Committee should agree both the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency should be reported to the next available meeting of the Council, together with the reasons for urgency.”</p> <p>In accordance with the Access to Information Procedure Rules, where it is intended to make a key decision in cases of special urgency, then the key decision can only be taken if the decision maker obtains the agreement of the chairman of a relevant Improvement and Scrutiny Committee that the taking of the decision is urgent cannot be reasonably deferred.</p>
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	<p>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 identify those persons identifying as asymptomatic whilst having Covid-19 and to thereby reduce the spread of the infection.</p> <p><b>Background documents:</b>  <a href="https://www.gov.uk/government/publications/adult-social-care-rapid-testing-fund/adult-social-care-rapid-testing-fund-guidance">https://www.gov.uk/government/publications/adult-social-care-rapid-testing-fund/adult-social-care-rapid-testing-fund-guidance</a>   <a href="https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care/workforce-capacity-fund-for-adult-social-care">https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care/workforce-capacity-fund-for-adult-social-care</a></p>
<p>Consultation with relevant Cabinet Member (s) – please note this is obligatory.</p>	<p>Julie Vollar Service Director, briefed Councillor Wharmby on 9/02/21 of the need to urgently agree the distribution of these two Government Grants. This recommendation to ask for urgent approval was agreed. Consultation with Cllr Wharmby at Cabinet Member Committee <u>3/03/2021, 18/03/2021, 1/04/2021</u></p>
<p>Approval of Chair of appropriate Improvement and Scrutiny Committee where call in is intended to be waived and key decision to be made without requisite notice – please note this is obligatory in those circumstances</p>	<p>Councillor Musson, chair of Improvement and Scrutiny Committee – People has approved the waiver of the call in due to the urgent nature of the decision required; has agreed special urgency applies and the notice of key decision is not required; and supports the action being taken.</p>
<p>Decision:</p>	<p>To distribute the Department of Health and Social Care (DHSC) Grants to eligible care providers:          Adult Social Care Rapid Testing Fund: to support additional rapid testing of staff in care homes, and to support visiting professionals and enable indoors, close contact visiting where possible.</p> <p>Workforce Capacity Grant for Adult Social Care: to enable local authorities to deliver measures to supplement</p>

	<p>and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved.</p> <p>Date of original decision by CMT: 11 February 2021 Review dates and by which decision making group: Weekly ASC SMT Gold reviews and reporting to CMT Gold.</p> <p><b>Review by SMT week beginning 8 March 2021 notes that</b> although this was a 'one off' decision, it remains current within this review report because although the deadline for receiving grant applications has passed; late applications continue to be made and accepted due to the requirement for funds to be allocated up until 31 March 2021. Due to this, the decision will remain within this report for the following period which extends until the next review of all emergency decision by the Adult Care Senior Management Team in the week beginning 22 March 2021.</p> <p><b>Review by SMT week beginning 22 March 2021 notes that</b> although this was a 'one off' decision, it remains current within this report for this specific review period, because although the deadline for receiving grant applications has passed; late applications continue to be made and accepted due to the requirement for funds to be allocated up until 31 March 2021. Due to this, the decision will remain within this report for the following review period by the Adult Care Senior Management Team in the week beginning 22 March 2021.</p>
<p>Signature and Date:15 February 2021 Simon Stevens, Service Director, Adult Social Care (Deputy DASS)</p>	