



## INTEGRATION JOINT BOARD

<b>Date of Meeting</b>	09 June 2020
<b>Report Title</b>	National Principles for Sustainability Payments to Social Care Providers during Covid19
<b>Report Number</b>	HSCP.20.004
<b>Lead Officer</b>	<i>Sandra Macleod</i>
<b>Report Author Details</b>	<i>Sandra Macleod Chief Officer samacleod@aberdeencity.gov.uk</i>
<b>Consultation Checklist Completed</b>	Yes
<b>Directions Required</b>	Yes
<b>Appendices</b>	Direction to Aberdeen City Council

### 1. Purpose of the Report

- 1.1. The purpose of the report is to provide the Integration Joint Board (IJB) with information on the development of a consistent set of principles to ensure that the social care sector remains sustainable during the emergency response to COVID 19. These principles may result in a change to payment processes; all other contract and operational processes will remain in place.

### 2. Recommendations

- 2.1. It is recommended that the Integration Joint Board:

- a) note the principles agreed nationally to support social care providers (as detailed in the report);
- b) agree to support the social care providers and fund this additional financial support from the initial mobilisation payment;
- c) agree to support payments above the available confirmed funding level of £1.018 million, providing the Chief Finance Officer is satisfied that additional funding will be recovered through the mobilisation plan; and



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- d) issue a Direction (as detailed in the Appendix to this report) to Aberdeen City Council to make the payments to the social care suppliers on the basis of the nationally agreed principles.

### 3. Summary of Key Information

- 3.1. Social Care Providers are facing considerable operational and financial challenges during the current COVID-19 pandemic. In order to protect social care providers financially, principles have been developed by Chief Finance Officers and agreed by COSLA Leaders and Scottish Government. They are based on the agreement from the Scottish Government that they will meet all reasonable additional provider costs as they are aligned to mobilisation plans. These principles will apply till the end of June 2020 when they will be reviewed. The reconciliation process will identify the payments which need to be made.

At this point, confirmation has not been received as to the level of funding which the Scottish Government will provide to fund these additional costs, although £50 million was distributed nationally to IJBs, via the NHS, on the 12 May 2020 using the NRAC\GAE formula. For Aberdeen City this amounts to £1.856 million. The funding letter from the Cabinet Secretary for Health and Sport indicates that these funds *'will support sustainability across the sector and ongoing provision of social care, while further work is undertaken to provide me with the necessary assurance for further allocations of funding to support additional costs'*.

It is proposed that these payments be funded from the £1.856 million which has been allocated initially to support social care, although this amount will be reduced by £838,000 in relation to the costs predicted to be spent over the first three months on additional care home capacity. This will leave £1.018 million available to support these payments.

At present there is uncertainty about the level of funding which will be provided to cover the mobilisation plans, which these costs form part of. In normal circumstances we would come back to the IJB and seek approval to increase this amount once the funding had been confirmed. However, in this case it is likely that funding will not be confirmed before the payments



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are made, although it is likely that direct costs such as these will be funded given the nationally agreed principles. Therefore, it is proposed that approval be provided for funding about the level of confirmed funding, on the understanding that the Chief Finance Officer is satisfied that these costs will be recovered fully through the mobilisation plan.

- 3.2.** Contained in the principles are details of what Providers, Integrated Authorities, Local Authorities, Care at Home and community-based services are required to progress, as well as details on the effect that Covid19 has had on care home occupancy.

In terms of Providers, the principles outline that they are expected to complete a supplier relief form and declaration to confirm they will;

- Use any national relief and business grants they are eligible for in the first instance and ensure that payments are not received that duplicate support (<https://findbusinesssupport.gov.scot/coronavirus-advice/sources-of-funding>.)
- Consider where costs can be reduced in their business models such as redeployment of staff.
- Continue to employ and pay staff including for sickness in line with their organisations terms and conditions and ensure sub-contractors are paid.
- Agree an open book basis between commissioners and providers where sustainability payments have been made to ensure there is no duplication of support.
- On request, evidence that monies paid out have been used as intended. Where it has not monies paid out can be recovered by public bodies.

- 3.3.** In relation to Integration Authorities and Local Authorities the principles outline that they will;

- Ensure arrangements are in place to support sustainability for the social care sector until the end of June when a further review will be undertaken.
- Ensure fast, regular payments are made to support providers cash flow.



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- Ensure any retrospective reconciliation is only completed where necessary and is done transparently and through discussion with providers.
- Work collaboratively across areas to share information to prevent duplication for providers.

### 3.4. In terms of Care Home Occupancy, the principles outline:

- The National Care Home Contract (NCHC) is a spot purchased contract with a payment made per resident per week, it does not contain any clauses to protect providers from financial unsustainability during COVID 19.
- Care Homes will be supported for sustainability by the Local Authority in the care homes boundary area and additional costs aligned to their mobilisation plans.
- Where a care home is impacted by a reduction in occupancy because it is clinically unsafe to admit people or due to a reduction in admissions caused by COVID 19 then a sustainability payment will be made to the care home.
- These payments are made on the basis that care homes continue to admit residents where they are able to.
- For care homes where the NCHC is in place, the payment will be made on the basis of 80% of the NCHC rate (this aligns with Clause A.7.1 and C.6 for temporary absence from a care home) excluding any provision for return for the provider or costs that can be reduced. The weekly payments are Residential Care - £508.63 per week and Nursing - £592 per week.
- These principles apply to voids caused by COVID 19 for places commissioned by the Local Authority or people funding their own care. No increased rate will be paid where a care home does not accept the NCHC rate or to account for care homes who charge higher self-funding fees.
- For other care home placements such as care homes for adults where the national arrangement is not in place a local agreement will be made using the same principles.
- Occupancy will be calculated locally by using data submitted by providers to commissioners of average occupancy of the three-month period prior to 23rd March 2020.



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- This will be reviewed on a monthly basis to ensure payments are responsive to changing occupancy levels in a care home.
- 3.5.** In terms of Care at Home and Community based services, the principles outline:
- As there is no national agreement for these services a local assessment will be undertaken to determine the impact of a reduction in payments to providers.
  - Sustainability payments will be based on a planned care approach to continue payments to providers in line with advice in SPPN5/2020 (<https://www.gov.scot/publications/coronavirus-covid-19-supplier-relief/>).
  - The payments will be agreed locally.
- 3.6.** In terms of Additional Costs for all social care providers, the principles outline:
- Providers will experience additional costs, most commonly increased staffing costs, sickness cost, infection control and Personal Protective Equipment.
  - Providers should identify and submit these additional costs on a template provided by the Authority.
  - Authorities should work with neighbouring areas to use the same cost template to reduce burden on providers.
  - Providers will be supported for additional costs by the Authority where they are registered.
  - Providers must ensure they can evidence the additionality of these payments.
  - Payment should be made in line with normal payment cycles with no delay to payment terms.
- 3.7.** In terms of retrospective reconciliation work, meetings have been held between representatives of the three Health and Social Care Partnerships, with the aim of having a consistent approach (as far as possible) to reconciliation of provider additional costs/sustainability payments. Officers have been working on a process that includes an application form, guidance for providers and a rationale for agreeing what will be paid. A joint Panel is to be set up to determine payments in the City and Shire. The process accords with all national guidance, including this document, COSLA



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guidance on commissioning during Covid, SPPN 04 and 05/2020  
([https://www.cosla.gov.uk/\\_data/assets/pdf\\_file/0026/15569/coslaguidanceforcommissionedservices170420.pdf](https://www.cosla.gov.uk/_data/assets/pdf_file/0026/15569/coslaguidanceforcommissionedservices170420.pdf) )

### 4. Implications for IJB

- 4.1. **Equalities** – there are no direct implications in relation to our duty under the Equalities Act 2010
- 4.2. **Fairer Scotland Duty** - there are no direct implications in relation to the Fairer Scotland Duty
- 4.3. **Financial** – These payments will be funded via the mobilisation plan, £1.856 million that has been allocated initially to support social care.
- 4.4. **Workforce** – there are no immediate workforce implications arising from this report.
- 4.5. **Legal** – there are no immediate legal implications arising from this report
- 4.6. **Other**- there are no other immediate implications arising from this report.

### 5. Links to ACHSCP Strategic Plan

- 5.1. This report is linked to the Strategic Plan, including the aims of prevention, personalisation and connections.

### 6. Management of Risk

#### 6.1 Identified risks

There is a risk that some providers in the City will be faced with financial instability through their continued response to Covid19, due to increased costs, reduced occupancy whilst maintaining staffing levels. There is a financial risk that the monies allocated to the payments will not be sufficient.



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### 6.2 Link to risks on strategic or operational risk register:

The main issues in this report directly link to the following Risks on the Strategic Risk Register:

1-There is a risk that there is insufficient capacity in the market (or appropriate infrastructure in-house) to fulfil the IJB’s duties as outlined in the integration scheme. This includes commissioned services and general medical services.

### 6.3 How might the content of this report impact or mitigate these risks:

This report details the mitigating action being taken to manage these risks, specifically the development of a consistent set of principles to ensure that the social care sector remains sustainable during the emergency response to COVID 19. The establishment of a joint Panel to determine payments in the City and Shire will also help mitigate the risks. In terms of the financial risk, it is proposed that approval be provided for funding regarding the level of confirmed funding, on the understanding that the Chief Finance Officer is satisfied that these costs will be recovered fully through the mobilisation plan.

Approvals	
	Sandra Macleod (Chief Officer)
	Alex Stephen (Chief Finance Officer)



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### APPENDIX

#### INTEGRATION JOINT BOARD

#### DIRECTION

ISSUED UNDER S26-28 OF THE PUBLIC BODIES (JOINT WORKING)  
(SCOTLAND) ACT 2014

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The **ABERDEEN CITY COUNCIL** is hereby directed to deliver for the Board, the services noted below in pursuance of the functions noted below and within the associated budget noted below.

Services will be provided in line with the Board's Strategic Plan and existing operational arrangements pending future directions from the Board.

**Related Report Number:** - HSCP.20.004

**Approval from IJB received on:** - tbc

**Description of services/functions:** -

**1. Care Home Services-Additional Payments made under the basis of National Principles for Sustainability Payments to Social Care Providers during Covid19**

**Reference to the integration scheme:** - Annex 2 Part 2-Services Currently Provided by Local Authority which are to be integrated-Care Home Services

**Link to strategic priorities (with reference to strategic plan and commissioning**

**plan):-**

This initiative ties closely with all 5 strategic aims for ACHSCP:  
prevention; resilience; enabling; connections; and communities.





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**Timescales involved: -**

Start date: - 09.06.2020

End date: - 30.06.2020-The Principles will be reviewed at this stage.

**Associated Budget: -**

The Scottish Government has allocated £50 million to be distributed nationally to IJBs, via the NHS, on the 12 May 2020 using the NRAC\GAE formula. For Aberdeen City this amounts to £1.856 million. It is proposed that these payments be funded from the £1.856 million which has been allocated initially to support social care, although this amount will be reduced by £838,000 in relation to the costs predicted to be spent over the first three months on additional care home capacity. This will leave £1.018 million available to support these payments.

Availability: - Confirmed