

**Committee Name and Date of Committee Meeting**

Cabinet – 20 March 2023

**Report Title**

Cabinet Response to Spotlight Scrutiny Review on COVID-19 Care Home Safety

**Is this a Key Decision and has it been included on the Forward Plan?**

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

**Report Author(s)**

Ben Anderson, Director of Public Health

[Ben.anderson@rotherham.gov.uk](mailto:Ben.anderson@rotherham.gov.uk)

Steph Watt, Head of Adults Commissioning (Joint Commissioning), SYICB  
(Rotherham Place) / RMBC

[steph.watt@nhs.net](mailto:steph.watt@nhs.net)

Karen Smith, Strategic Commissioning Manager (Joint Commissioning), RMBC /  
SYICB (Rotherham Place)

[karen-nas.smith@rotherham.gov.uk](mailto:karen-nas.smith@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report provides a Cabinet response to the recommendations from the spotlight review carried out by Health Select Committee on Covid-19 Care Home Safety.

**Recommendations**

1. That Cabinet endorses this response to the Health Select Commission's spotlight review and accepts the recommendations.

**List of Appendices Included**

Appendix 1 - Cabinet Response to Scrutiny Review – COVID-19 Care Home Safety

Appendix 2 - Part A - Initial Equality Screening Assessment

Appendix 3 - Carbon Impact Assessment

**Background Papers**

Covid-19 Care Home Safety: January 2023 Cabinet Report of Health Select Commission Spotlight Review.

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Cabinet Response to Spotlight Scrutiny Review on COVID-19 Care Home Safety**

### **1. Background**

- 1.1 Health Select Commission undertook a Spotlight Review of Covid-19 Care Home Safety and presented the following recommendations to Cabinet on 23<sup>rd</sup> January 2023:
- 1.2 1. That the following recommendations from the review be received:
- a) That the learning from the pandemic and ongoing needs in respect of care home safety be noted.
  - b) That the service consider how the Council may help support recruitment and retention within the care sector.
  - c) That consideration be given to how best to retain, where possible, the benefits of supportive models such as regular engagement, access to training/guidance and the IMT approach, which were adopted during the pandemic.
  - d) That outcomes of forthcoming reviews by the Health and Wellbeing Board on learning from the Pandemic be considered for scrutiny.
2. That Cabinet formally consider its response to the above recommendations by March 2023, in accordance with the Overview and Scrutiny Procedure Rules.
- 1.3 In response to Recommendation 2 above and in line with the Overview and Scrutiny Procedure Rules this paper provides response to the Spotlight Review Recommendations 1(a) to 1(d).
- 1.4 It should be noted that Rotherham maintains a mixed Care Home market. A significant majority of Care homes (94%) in Rotherham are run by independent sector providers, and while the Council works closely with those providers and can influence the market, there are other commercial and regulatory influences on them. The Council has a legal duty under the Care Act 2014 to carry out market shaping to understand the local market and stimulate a diverse range of care and support services to ensure that people and their carers have choice over how their needs are met. This also ensures that the care market remains vibrant and stable.
- 1.5 Historically the Council was the dominant purchaser of care home places. However, over the last 5 years the position has shifted substantially, and the Council is now financially supporting 35% of placements. This has happened due to an increase in the number of Continuing Health Care fully funded placements, self-funders, out of borough placements and NHS commissioned step-down beds.
- 1.6 As part of the mixed market in Rotherham, the Council is also a provider of Care Home facilities. This proved extremely valuable during the pandemic, giving greater flexibility in terms of our response to the pressures faced by the system.

## **2. Key Issues**

### **2.1 Learning from the Pandemic and Ongoing Needs**

In response to recommendation 1(a) Cabinet notes the Health Select Commission Spotlight Review and the learning from the pandemic and ongoing needs in respect of care home safety.

### **2.2 Recruitment and Retention within the Care Home Sector**

In response to Recommendation 1(b) Cabinet can report that the adult social care workforce training programme will continue in 2023/24 including running sector-based academy recruitment programmes involving Job Centre Plus, Free2Learn, Princes Trust and the Housing Inspire and Pathways Team. As part of the academy, where potential candidates express an interest in working in adult social care, employers are invited to talk about their organisation's job vacancies and job interviews are held.

### **2.3 Communication and Ongoing Support for Care Homes**

In response to Recommendation 1(b) Cabinet can also report that the Adult Social Care Commissioning and Finance Team have undertaken work on the Fair Cost of Care exercise and developed a draft Market Sustainability Plan. The final Market Sustainability Plan will be completed and submitted to the Department of Health and Social Care by 27<sup>th</sup> March 2023.

2.4 The Market Sustainability and Fair Cost of Care Fund was announced by Central Government on 16<sup>th</sup> December 2021. The primary purpose of the fund is to support Local Authorities to prepare their markets, including the care home market, for reform and to support Local Authorities to move towards paying providers a fair cost of care. The funding provided to the care home market of £305k for 2022/23 also contributed towards recruitment and retention within the care sector.

2.5 The Government requires local authorities to prepare markets for wider charging reform and thereby increase market sustainability. As a condition of receiving future funding, local authorities will need to evidence the work they are doing to prepare their markets. Adult Social Care have now submitted cost of care reports including a provisional Market Sustainability Plan to the Department of Health and Social Care on 14<sup>th</sup> October 2022.

2.6 Meetings have also been held with owners / directors of companies between May 2022 and January 2023 which gives providers an opportunity to provide feedback on proposed fee rates and the draft market sustainability plan.

### **2.7 Good Practice and Regular Engagement**

In response to Recommendation 1(c) Cabinet can give assurance to Health Select Committee that consideration has been given to the best ways to retain good practice from the pandemic response. Relationships with Care Homes and Registered Care Home managers were strengthened during the pandemic and these stronger relationships continue to be built on as we face other issues together for the care sector. Maintaining those

relationships and regular engagement with the sector is helping to address the ongoing challenges.

- 2.8 Provider forums with registered managers and meetings with owners / directors are held to contribute to development initiatives, influence new policy, provides an opportunity to discuss strategic and operational concerns / issues, agree actions and share good practice with each other and key stakeholders.
- 2.9 Similarly, the approach to Covid-19 outbreak management developed through the pandemic continues to be followed both in response to Covid-19 and to other communicable disease outbreaks in care homes.
- 2.10 At present due to low prevalence rates, Incident Management Team (IMT) meetings have been stood down, although a range of measures and thresholds have been developed for meetings to reconvene if this is required. This includes prevalence rates higher than 2%, where there is a point at which the Trust are no longer able to cohort patients safely, 10% of care homes beds are closed due to outbreaks and three or more commissioned homes providing step-down beds have outbreaks leading to discharge pressures. Public Health respond to requests to set up IMT's if these thresholds are met and deemed necessary.
- 2.11 **Forthcoming Reviews of the Pandemic**  
In response to Recommendation 1(d) Cabinet agrees that any forthcoming Health and Wellbeing Board reviews of the pandemic or pandemic learning to be considered for scrutiny.

### **3. Options considered and recommended proposal**

- 3.1 Cabinet endorses this response to the Health Select Commission's spotlight review.

### **4. Consultation on proposal**

- 4.1 Public Health, Commissioning, Finance, Legal and Learning and Development have contributed towards this report.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The accountability for implementing recommendations arising from this report will sit with Cabinet and relevant officers.

### **6. Financial and Procurement Advice and Implications**

- 6.1 There are no financial implications directly arising from this report. Fee rates provided to care homes have been informed by discussions with providers and the fair cost of care exercise and completed as part of the budget setting process.
- 6.2 There are no procurement implications directly arising from this report.

## **7. Legal Advice and Implications**

7.1 Under s5 of the Care Act 2014 the Council has a statutory duty to promote an effective and efficient market of care and support services, also referred to as 'market shaping'. This includes both ensuring the sustainability of the market and fostering a workforce able to deliver high quality services.

## **8. Human Resources Advice and Implications**

8.1 There are no human resources implications directly arising from the report.

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 There are no implications for Children, Young People, and Vulnerable Adults directly arising from the report.

## **10. Equalities and Human Rights Advice and Implications**

10.1 The recommended proposals have positive outcomes on equalities for residents in care homes. These proposals will ensure safe, quality and sustainable services can continue to be delivered.

## **11. Implications for CO2 Emissions and Climate Change**

11.1 There are no climate or emissions implications directly associated with this report.

## **12. Implications for Partners**

12.1. There are no implications for partners directly arising from this report.

## **13. Risks and Mitigation**

13.1 There are no risks identified within this report.

## **14. Accountable Officers**

Ben Anderson, Director of Public Health  
Steph Watt, Head of Adults Commissioning (Joint Commissioning), SYICB (Rotherham Place) / RMBC  
Karen Smith, Strategic Commissioning Manager (Joint Commissioning), RMBC / SYICB (Rotherham Place)

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	06/03/23
Strategic Director of Finance & Customer Services	Judith Badger	02/03/23

(S.151 Officer)		
Assistant Director of Legal Services (Monitoring Officer)	Phillip Horsfield	20/02/23

*Report Author(s):*

Ben Anderson, Director of Public Health  
[Ben.anderson@rotherham.gov.uk](mailto:Ben.anderson@rotherham.gov.uk)

Steph Watt, Head of Adults Commissioning (Joint Commissioning), SYICB  
(Rotherham Place) / RMBC  
[steph.watt@nhs.net](mailto:steph.watt@nhs.net)

Karen Smith, Strategic Commissioning Manager (Joint Commissioning), RMBC  
/ SYICB (Rotherham Place)  
[karen-nas.smith@rotherham.gov.uk](mailto:karen-nas.smith@rotherham.gov.uk)

This report is published on the Council's [website](#).