

Strategic Commissioning Board			
Meeting Date	08 December 2021	Action	Approve
Item No.	7	Confidential	Choose an item.
Title	Distribution of Adult Social Care Workforce Capacity Fund		
Presented By	Will Blandamer, Executive Director of Strategic Commissioning		
Author	Matthew Logan – Strategic Lead Integrated Commissioning		
Clinical Lead			

Executive Summary
<p>The Department of Health and Social Care have further extended the Workforce Recruitment and Retention Fund. Bury Council will soon receive a combined total of £552,981. The main purpose of the Workforce Recruitment and Retention Fund is to support local authorities address workforce capacity pressures in their geographical area this winter through recruitment and retention activity.</p> <p>The core aims of this fund are to:</p> <ul style="list-style-type: none"> • support providers to maintain the provision of safe care and bolster capacity within providers to deliver more hours of care • support timely and safe discharge from hospital to where ongoing care and support is needed • support providers to prevent admission to hospital • enable timely new care provision in the community • support and boost the retention of staff within social care <p>The monies will be paid in two instalments, 60% (c.£332k) in November and 40% (c.£221k) in January.</p> <p>Bury Council have not yet received this money, however, given the timescales involved and need to adhere to strict Department of Health and Social Care deadlines for the dissemination of money, permission is being sought to distribute the first instalment of the grant fund as outlined below.</p> <p>Previous tranches of Workforce Recruitment and Retention Fund monies have had to be agreed by Urgent Decision owing to the strict timelines for disseminating funds not corresponding with SCB or Council Cabinet meeting dates. To avoid the problems in meeting Committee deadlines whilst also meeting the timelines set by the Department of Health and Social Care for the dissemination of these monies, permission is also sought for the Executive Director of Strategic Commissioning to be delegated authority to agree to the future dissemination of any Workforce Support Grants provided to support care providers during the remainder of the pandemic.</p>

This paper seeks permission to distribute the first tranche of monies as follows:

- 45% of the Workforce Recruitment and Retention Fund to Care Homes, Supported Living Care at Home and the hospice.
- 25% of the Workforce Recruitment and Retention Fund specifically to support Nursing Homes in the borough.
- 3% to fund the pilot of the Heads Up Wellbeing and Resilience Training for those Care Homes involved.
- 27% to fund the initiatives by Workforce Hub to support large scale recruitment for Adult Social Care vacancies.

This is in line with the grant conditions set by the Department of Health and Social Care that also requires Local Authorities to disseminate the above within 20 days of receipt.

The care provider element of the fund will be apportioned out between the relevant providers based on the number of CQC registered beds in the case of Care Homes, and the number of Bury customers supported in respect of Care at Home and Supported Living.

Recommendations

- SCB approve the request to disseminate the above grant monies in line with Department of Health and Social Care Grant requirements.
- SCB approve for the Executive Director of Strategic Commissioning to be delegated authority to agree the dissemination of any future Workforce Support Grants, in line with grant conditions, provided to support care providers during the remainder of the pandemic to ensure strict timescales are met.

Links to Strategic Objectives/Corporate Plan	Choose an item.
Does this report seek to address any of the risks included on the Governing Body / Council Assurance Framework? If yes, state which risk below:	Choose an item.
<i>Add details here.</i>	

Implications						
Are there any quality, safeguarding or patient experience implications?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Has any engagement (clinical, stakeholder or public/patient) been undertaken in relation to this report?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Have any departments/organisations who will be affected been consulted ?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any conflicts of interest arising from the proposal or decision being requested?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

Implications						
Are there any financial implications?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any legal implications?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any health and safety issues?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
How do proposals align with Health & Wellbeing Strategy?						
How do proposals align with Locality Plan?						
How do proposals align with the Commissioning Strategy?						
Are there any Public, Patient and Service User Implications?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
How do the proposals help to reduce health inequalities?						
Is there any scrutiny interest?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
What are the Information Governance/ Access to Information implications?						
Is an Equality, Privacy or Quality Impact Assessment required?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
If yes, has an Equality, Privacy or Quality Impact Assessment been completed?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
If yes, please give details below:						
Financial Implications - Additional expenditure as detailed below will be required from NHSE funding available to support the COVID-19 Hospital Discharge Guidance						
If no, please detail below the reason for not completing an Equality, Privacy or Quality Impact Assessment:						
Are there any associated risks including Conflicts of Interest?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are the risks on the CCG /Council/ Strategic Commissioning Board's Risk Register?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Additional details						

Governance and Reporting		
Meeting	Date	Outcome
CCMT	23/11/2021	Approved

Background

- 1.1 The Workforce Recruitment and Retention Fund was first introduced in January 2021. First committing an extra £120 million funding to support local authorities to manage workforce pressures, this extension of the fund allocates a further £162.5m across Local Authorities.
- 1.2 The core aims of this fund are to:
 - Support providers to maintain the provision of safe care and bolster capacity within provider to deliver more hours of care.
 - Support timely and safe discharge from hospital to where ongoing care and support is needed
 - Support providers to prevent admission to hospital
 - Enable timely new care provision in the community
 - Support and boost the retention of staff within social care
- 1.3 The funding will be paid in 2 tranches. The first 60% of the fund will be paid to Local Authorities in November 2021. The remaining 40% of the fund will be paid in January 2022. All funding must be used for the measures outlined in the Appendix 1.
- 1.4 Subject to the grant conditions being satisfied, local authorities can choose to pass some or all of their funding to care providers within the local authority's geographical area to meet unprecedented levels of pressure on staff capacity due to winter pressures.

The allocation to care providers that Bury is proposing is based on 1844 registered CQC beds at November 2021 and includes 57 care homes and 1232 Community Care Users at October 2021, using the Capacity Tracker Service User data

2 Financial implications

- 2.1 Bury's total allocation of the new Workforce Recruitment and Retention Fund has just been announced with Bury receiving £552,981 in total for the period 1st November to 31st March 2022. £331,788.60 will be paid in November 2021 and £221,192.40 will be paid in January 2022.
- 2.2 This paper seeks permission to distribute the first tranche of the monies as follows:
 - 45% of the Workforce Recruitment and Retention Fund to Care Homes, Supported Living Care at Home and the hospice. They will be able to spend this in line with the grant conditions but at their discretion. Examples of how this could be used by providers to support the recruitment and retention of staff and sustainability of service are:
 - Covering agency staff costs

- Provider recruitment initiatives
- Staff retention offers including:
 - Blue Light Card
 - Health Insurance
 - Life insurance
 - Childcare costs
 - Increased overtime rates
- 25% of the Workforce Recruitment and Retention Fund specifically to support Nursing Homes in the borough. They will be able to spend this in line with the grant conditions but at their discretion. Examples of how this could be used by providers to support the recruitment and retention of staff and sustainability of service are:
 - Covering nursing agency costs and allowing long term booking of agency staff
 - Pay for the transfer of agency staff to permanent
 - Staff retention offers including:
 - CPD and clinical courses
 - NMC Membership
 - Pay home office fee to support the recruitment of overseas nurses

Rather than target individual Nursing Homes, the greater benefit and to ensure equability was to provide the additional 25% gran monies to all Bury Nursing Homes.

- 3% to fund the pilot of the Heads Up Wellbeing and Resilience Training for those Care Homes involved.
- 27% to fund the initiatives by Workforce Hub to support large scale recruitment for Adult Social Care vacancies. This will include but is not limited to:
 - Support larger scale internal recruitment model for Adult Social Care vacancies. They will test a co-ordinated large scale recruitment model in preparation for bringing in independent providers
 - Recruitment support to Integrated Neighbourhood Teams for temporary social work team capacity where needed e.g. admin
 - Scope role requirements for complex cases in Integrated Neighbourhood Teams and test out with temporary recruitment
 - Commission wellbeing and resilience support for providers
 - Recruitment event for care workers preparation
 - Streamline conversion of agency to permanent role

The below table outlines the figures that will be disseminated to each provider sector.

	Workforce Recruitment and Retention Fund			
Bury allocation 1 st Tranche	£331,788.60			
Bury Split %s	45%	25%	3%	27%
Bury Split Allocation	£148,608	£83,178	£10,615	£89,387
Receiving service	Care Homes, Care at Home, Supported Living and Hospice	Nursing Homes	Heads Up Pilot	Workforce Hub

This is in-line with the grant conditions set by the Department of Health and Social Care that require Local Authorities to disseminate the above within 20 days of receipt. Bury Council is yet to receive these monies.

The percentage splits were determined based on the impact the monies would have on the particular provider sectors. £148,608 between all care providers will ensure each provider receives approx. £42 per customer/per bed. Previous allocations have resulted in lower amounts per customer/per bed, minimising the impact the monies can have on supporting providers with the recruitment and retention of staff. £83,178 between all nursing homes will ensure they receive approx. £111 per bed. This takes into account the increased costs, especially in the recruitment of agency staff, that nursing homes encounter.

3 Reporting

3.1 Local authorities must distribute the money in line with the grant circular and are required to provide 2 returns to the Department of Health and Social Care by the dates below:

- Reporting point 1: 14 January 2022
- Reporting point 2: 29 April 2022

4. Recommendations

4.1. SCB approve the request to disseminate the above grant monies in line with Department of Health and Social Care Grant requirements.

4.2. SCB approve for the Executive Director of Strategic Commissioning to be delegated authority to agree the dissemination of any future Workforce Support Grants, in line with grant conditions, provided to support care providers during the remainder of the pandemic to ensure strict timescales are met.

Coronavirus (COVID-19) (/coronavirus) Guidance and support

1. [Home \(https://www.gov.uk/\)](https://www.gov.uk/)
 2. [Coronavirus \(COVID-19\) \(https://www.gov.uk/coronavirus-taxon\)](https://www.gov.uk/coronavirus-taxon)
 3. [Healthcare workers, carers and care settings during coronavirus \(https://www.gov.uk/coronavirus-taxon/healthcare-workers-carers-and-care-settings\)](https://www.gov.uk/coronavirus-taxon/healthcare-workers-carers-and-care-settings)
 4. [Workforce Recruitment and Retention Fund for adult social care \(https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care\)](https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care)
- [Department of Health & Social Care \(https://www.gov.uk/government/organisations/department-of-health-and-social-care\)](https://www.gov.uk/government/organisations/department-of-health-and-social-care)

Guidance

Annex B: grant conditions

Published 3 November 2021

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This publication is available at <https://www.gov.uk/government/publications/workforce-recruitment-and-retention-fund-for-adult-social-care/annex-b-grant-conditions>

Grant conditions

In this grant determination:

- 'the department' means the Department of Health and Social Care
- 'grant' means the amounts set out in the adult social care (ASC) Workforce Recruitment and Retention Fund grant determination 2021 to 2022
- 'upper tier and unitary local authorities' means:
 - a county council in England
 - a district council in England, other than a council for a district in a county for which there is a county council
 - a London borough council
 - the Council of the Isles of Scilly
 - the Common Council of the City of London

The main purpose of the Workforce Recruitment and Retention Fund is to support local authorities to address adult social care workforce capacity pressures in their geographical area this winter, in order to:

- support providers to maintain the provision of safe care and bolster capacity within providers to deliver more hours of care
- support timely and safe discharge from hospital to where ongoing care and support is needed
- support providers to prevent admission to hospital
- enable timely new care provision in the community
- support and boost the retention of staff within social care

This allocation of the grant must only be used to deliver measures that address local workforce capacity pressures in adult social care between 21 October 2021 and 31 March 2022 through recruitment and retention activity. We expect local authorities to work closely with providers to determine how funding should best be spent, including passporting funding directly to providers where appropriate. It will be important to retain existing staff capacity as well as encourage new and returning entrants.

Examples of this include, but are not limited to:

- supporting payments to boost the hours provided by the existing workforce – including childcare costs and overtime payments
- investment in measures to support staff and boost retention of staff within social care – including occupational health, wellbeing measures, incentive and retention payments

- the creation and maintenance of measures to secure additional or redeployed capacity from current care workers – for example:
 - shared staff banks
 - redeploying local authority staff
 - emergency support measures
 - overtime payments
- local recruitment initiatives
- activities to support hospital discharge or to prevent or address delays as a result of workforce capacity shortages (distinct from enhanced [guidance on finance and contracting arrangements for H2 2021 to 2022](https://www.england.nhs.uk/publication/guidance-on-finance-and-contracting-arrangements-for-h2-21-22/) (<https://www.england.nhs.uk/publication/guidance-on-finance-and-contracting-arrangements-for-h2-21-22/>) discharge funding agreed in H2 2021 to 2022 settlement)
- activities which support the recruitment of local authority employed social care staff, or which enhance or retain the capacity of existing local authority employed social care staff
- local authorities and, where funding has been passported, providers to use the grant to cover reasonable administrative and/or set up costs they incur for new measures that deliver additional staffing capacity through recruitment and retention activity

Further examples can be found in the grant guidance.

Where local authorities and, where funding has been passported, providers are already using such approaches, the funding can be used to increase the scale of activity.

We expect local authorities to work closely with providers to determine how funding should best be spent, including passporting funding directly to providers where appropriate.

Local authorities are encouraged to look at other local authority strategies and where appropriate replicate their approaches to successfully retain existing capacity or deliver additional staffing capacity through recruitment and retention activity (see Workforce Recruitment and Retention Fund guidance). This includes learning from the deployment of the [Workforce Capacity Fund](https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care) (<https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care>) between January and March 2021, the national evaluation of which is available at <https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care>. It is important to acknowledge that workforce capacity pressures are different now compared with those of January to March 2021. Therefore, local authorities and providers may wish to spend their Workforce Recruitment and Retention Fund allocations on different forms of allowable activity than they did with the Workforce Capacity Fund.

Additionally, local authorities are encouraged to consider where regional or joined up approaches across multiple authorities could be utilised to maximise the impact of their activity.

The grant may be used to fund alternative approaches not specified above on the condition that such measures retain existing capacity or generate additional ~~ASC~~ workforce capacity through recruitment and retention activity, such as employing more people, where shortages arise due to winter pressures in adult social care.

Any funding should be spent only on time-limited activity during the 21 October 2021 to 31 March 2022 period.

We expect local authorities to work closely with providers to determine how funding should best be spent, including passporting funding directly to providers where appropriate. Subject to the grant conditions being satisfied, local authorities can choose to pass some or all of their funding to care providers within the local authority's geographical area to meet pressure on staff capacity due to winter pressures.

To ensure maximum productivity of any payments to providers, local authorities should be mindful of time pressures. Therefore, if a local authority chooses to make payments to providers, where possible, they should endeavour to passport funds as early as possible during the grant period to ensure that providers have time to use the resources to maximum effect.

If the local authority chooses to make payments to providers financed by this grant they must ensure that providers will use the funding to support genuinely new expenditure that delivers additional staffing capacity or retains existing capacity through recruitment and retention activity and has not already been funded by other sources of public funding. This means the grant cannot be used on expenditure which does not produce new capacity or retains existing capacity – for example, for ensuring that staff who are isolating in line with government guidance receive their normal wages (which can instead be funded through the [Infection Control and Testing Fund \(https://www.gov.uk/government/publications/adult-social-care-infection-control-and-testing-fund-round-3\)](https://www.gov.uk/government/publications/adult-social-care-infection-control-and-testing-fund-round-3)).

Local authorities can use funding directly to deliver measures that help all providers of adult social care in their geographical area. This includes:

- care home and domiciliary care
- care providers with which local authorities do not have contracts
- organisations providing care and support who may not be registered with the Care Quality Commission (CQC)
- day care, and short stay care services and supporting the capacity of the personal assistant workforce

However, if a local authority chooses to passport funding directly to a care provider, they should ensure funding is only given to a CQC-registered provider. A provider is legally required to register with the CQC if it carries out a regulated activity set out in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

If a local authority chooses to transfer funding to a CQC registered care provider they should ensure that funding is allocated on condition that:

- the local authority has in place appropriate oversight of deliverables and outputs from any amount of grant passed to a provider. This should be sufficient to ensure the funding is spent in line with the intended purpose and allow a local authority to verify or monitor the accuracy of reporting
- the local authority has due regard to their responsibilities with respect to international agreements on subsidy control

Additionally, the local authority should work constructively and collaboratively with providers receiving passported funds to ensure that it imposes conditions on the provider requiring that:

- the recipient care provider uses it for new expenditure that delivers additional staff capacity or retains existing capacity where the expenditure or activity has not already been funded by the Infection Control and Testing Fund or other sources of public funding
- the provider will return any grant amount to the local authority that is not spent on those measures
- if requested to do so, the care provider should provide the local authority or the department receipts or such other information as they request to evidence that the funding has been spent in accordance with the measures above
- if requested to do so, the care provider should provide the department or the local authority with an explanation of any matter relating to funding and its use by the recipient as they think necessary or expedient for the purposes of being assured that the money has been used in an appropriate way in respect of those measures
- the local authority must provide a final value of unspent funding and updated final spending report by no later than 30 June 2022, after which time the local authority may no longer amend this value. We expect local authorities to return unspent amounts to the department promptly after this date. In July 2022, the department will send letters to all local authorities advising them on how to return any unspent or misspent amounts. We ask that all local authorities make arrangements prior to this point to recoup any unspent amounts from providers in their local area

The grant must not be used for fee uplifts, expenditure already incurred or activities for which the local authority has earmarked or allocated expenditure or for activities which do not support the primary purpose of the Workforce Recruitment and Retention Fund which is to deliver additional staffing capacity in adult social care through recruitment and retention activity during the 21 October 2021 to 31 March 2022 period.

To be compliant with the conditions of this fund a recipient local authority must:

- only use the funding to support measures that address local workforce capacity pressures through recruitment and retention activity. This includes the measures set out above and can include passing some or all of the funding to care providers, subject to the grant conditions above being satisfied
- ensure that any payments to care providers are made on condition that it is used for measures that address local workforce capacity pressures through recruitment and retention activity. The provider should agree to report on expenditure as set out in the reporting section below and return any grant amount to the local authority that is not spent on those measures
- report on their spending as outlined in the reporting section below. This includes providing the department with a report by 14 January 2022 and subsequently on 29 April 2022
- provide the department with a return by 29 April 2022, certifying that their reported expenditure from this grant has been spent in compliance with the grant conditions (this can be found at annex E)

Local authorities may use a small amount of this funding (capped at 1% of their total Workforce Recruitment and Retention Fund allocation) for reasonable administrative costs associated with distributing and reporting on this funding.

Reporting

Local authority reporting requirements

The funding will be paid in 2 tranches. The first 60% of the fund will be paid to local authorities in November 2021. The remaining 40% of the fund will be paid in January 2022. We want local authorities to make use of this funding as quickly as possible to help increase the staffing capacity of the social care system.

We have streamlined reporting on the Workforce Recruitment and Retention Fund spend with wider reporting requirements on the Infection Control and Testing Fund Round 3.

Local authorities are required to provide the department with returns covering the information set out in annex D by the dates below.

- reporting point 1: 14 January 2022, covering expenditure from 21 October to 30 November 2021
- reporting point 2: 29 April 2022, covering expenditure for the entire whole grant period from 21 October 2021 to 31 March 2022

If local authorities have passed funding on to care providers, they must obtain the information they need from providers to complete the returns.

The second instalment will be conditional on local authorities having returned the first report to the department by 14 January 2022.

Any funding that is misspent or unspent at the close of the fund (31 March 2022) will need to be returned to the department. We will conduct an assurance process, to ensure that this funding is correctly spent by local authorities and providers.

In addition to the reporting metrics for the Infection Control and Testing Fund Round 3, we require additional reporting on:

- total funds spent directly
- total funds transferred to care providers
- list of measures or activities the fund is being used for
- funds spent on each measure or activity (including spending of transferred funding reported by providers)
- estimated total number of hours generated from the funded measures or activity since 21 October 2021
- estimated total number of hours generated from comparable local authority activities during the baseline period, September 2021
- total number of recruits generated from funded measures or activities since 21 October 2021

- total number of recruits generated from comparable local authority activities during the baseline period, September 2021
- how many staff have left care providers in the local authority area since 21 October
- how many staff left care providers in the local authority area during the baseline period, September 2021

The reporting template can be found at annex D.

We have noted local authority feedback on the Workforce Capacity Fund (which ran from January to March 2021) that the significant reporting burden reduced the effectiveness of the grant. Therefore, we have reduced the number of metrics required for reporting on this fund. However, to fully understand the impact of the fund, we will engage directly with local authorities and providers to understand in more detail how funding is being spent.

Following the closure of the fund, the department will undertake and subsequently publish an evaluation of the activities and spend conducted under the fund.

Financial management

A recipient authority and providers must maintain a sound system of internal financial controls.

Local authorities must ensure that appropriate measures are put in place to mitigate against the risk of fraud. This is particularly important for local authorities who choose to pass some or all of this funding to social care providers.

A number of different public funding streams have been made available during the pandemic. Local authorities should as far as possible put measures in place to ensure this funding is not used to support activity which has already been funded by an alternative source of public funding.

If a recipient authority has any grounds for suspecting financial irregularity in the use of any grant paid under this funding agreement or in the use of this funding, it must notify the department immediately, explain what steps are being taken to investigate the suspicion and keep the department informed about the progress of the investigation.

For these purposes 'financial irregularity' includes fraud or other impropriety, mismanagement, and the use of grant for purposes other than those for which it was provided. Examples of this include a provider falsely representing themselves as eligible for funding, or a provider using the funding for purposes outside of the grant conditions. The local authority must take all reasonable steps to recover the money that has been misspent.

Before passing funding on to third parties, local authorities should assure themselves that they are legitimate recipients of this funding.

Breach of conditions and recovery of grant

If the authority fails to comply with any of these conditions, or if any overpayment is made under this grant or any amount is paid in error, the Secretary of State may reduce, suspend or withhold grant payments or require the repayment of the whole or any part of the grant monies paid, as may be determined by the Secretary of State and notified in writing to the authority.

Such sum as has been notified will immediately become repayable to the Secretary of State who may set off the sum against any future amount due to the authority from central government including but not limited to the second instalment of this grant. An authority must submit returns by 14 January and 29 April 2022, as outlined above, specifying how the grant has been spent.

The template can be found at annex D.

These must be submitted to the department who may review the returns on behalf of the Secretary of State for Health and Care.

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