

Telford and Wrekin - Care Act Easements 2020

This report has been published to support decision making within Adult Social Care relating to the implementation of the Coronavirus Act 2020 (which allows easement of some Care Act 2014 duties). The government has issued guidance relating to the Coronavirus Act 2020; Telford & Wrekin Council are operating flexibilities under the pre-amendment Care Act and, therefore, are at Stage 2 as set out within the guidance.

Stage 2 Flexibilities under the pre-amendment Care Act

Stage 2 flexibilities under the pre-amendment Care Act are required due to the impact on service types and usual duties that have been changed, delayed or cancelled short term. It outlines decisions made for individuals, families, carers who ordinarily use the service or duties to be advised. Each easement permitted under the legislation and the flexibility applied by Telford and Wrekin Council is highlighted below:

Easement:

We will not need to carry out detailed assessments of individuals care and support needs, as per Care Act requirements, but will respond in a timely way and make an assessment of what care and support is needed. We will continue to involve the people who are important to the individual in this process, this will include families, carers, current care and support teams, and/or other agencies.

Flexibility and Impact:

We have made adjustments to the way we carry out Care Act assessments and Carers assessments as we have suspended all non-essential visits. All staff will need to complete pre-visit questionnaires where visits are required, including all AMHP assessments to support government guidelines around social distancing.

This may impact on the details captured within an assessment and our ability to operate in a strength based way may also be effected.

We will use a variety of ways to carry out assessments including video calling, the telephone, and/or email(s). This will ensure we are able to gather information to carry out assessments. Pre-easement business processes should be followed, there have been no amendments to assessment paperwork.

Easement:

Local Authorities will not have to carry out financial assessments in compliance with pre-amendment Care Act requirements. They will, however, have powers to charge people retrospectively for the care and support they receive during this period, subject to giving reasonable information in advance about this, and a later financial assessment.

Flexibility and Impact:

A 3-month suspension of client contribution for all care and support delivered to any individuals in the community (this does not include those who are already in, or placed in, residential or nursing care during this period), this does include all individuals who are receiving or start care and support in the community during this period.

All financial assessment activity will continue during this period, including front line workers following business as usual processes. Requests for financial information from individuals or their representatives will also continue. It is however, recognised that there will be a delay in the client contribution being communicated with the individual – this will be communicated at the earliest point.

Easement:

Local Authorities will not have to prepare or review care and support plans in line with the pre-amendment Care Act provisions. They will however still be expected to carry out proportionate, person-centred care planning which provides sufficient information to all concerned, particularly those providing care and support, often at short notice.

Flexibility and Impact:

Scheduled reviews will continue to be completed, however these will be completed remotely where possible. Information should be gathered from the provider, all people important to the individual and consideration be given to an earlier review period if necessary to follow up any actions, particular that promote independence using a strength based approach, that are unable to be followed up at this time due to social distancing. Pre-easement business processes should be followed, there have been no amendments to review paperwork.

Easement:

The duties on Local Authorities to meet eligible care and support needs, or the support needs of a carer, are replaced with a power to meet needs. Local Authorities will still be expected to take all reasonable steps to continue to meet needs as now. In the event that they are unable to do so, the powers will enable them to prioritise the most pressing needs, for example enhanced support for people who are ill or self-isolating, and to temporarily delay or reduce other care provision.

Impact:

This would allow Adult Social Care to temporarily remove and reduce support in order to allow the market to support those with the most pressing needs. We have had no need at this stage, to implement this easement. We have not experienced an impact on front line staff or a surge in demand which has impacted the care market.

Any decisions to implement this easement would involve contact with all those individuals, carers and families this would impact on.

Additional activity:

Where people decide to cancel or suspend their own care and support and manage alone or with support of their own family and community networks, this will mostly be for the person to decide themselves. However, where there are concerns that this may lead to unmanageable risk or safeguarding issues, practice oversight is applied.

This is not to undermine the views of the individual making the decisions about their care, but to ensure that where necessary, in conjunction with the practitioner, the individual and their family have considered the possible consequences and the principles of safeguarding have been upheld.

We have introduced a system of welfare checks for individuals known to ASC that require monitoring calls or well-being checks. This has included the following:

- Direct Payment recipients
- Identified vulnerable individuals on Special Factors list
- Carers over 50 years old
- Everyone receiving a service from My Options Learning Disability service
- Those identified with Autism diagnosis
- Those identified with a Dementia diagnosis
- Awaiting Occupational Therapy involvement

There has been increased multi-agency working across all partners to ensure a seamless approach to information sharing, communication with individuals, their families and carers and efficient response time to additional care and support. This has included:

- a) Two, weekly Learning Disability multi-disciplinary meetings
- b) Weekly multi-agency Mental Health meetings
- c) Continuation of a virtual Calm Café to support people with their mental health
- d) Integrated Discharge HUB to support acute hospitals
- e) Contact with individuals known to Adult Social Care, cross referenced to individuals known to Midlands Partnership Foundation Trust – Mental Health and Learning Disability Teams and the Clinical Commissioning Group – Complex Care Team, and third sector partners.

- f) Introduction of Telford and Wrekin unpaid Carers and Direct Payment Personal Assistance card to recognise the essential visits they will carry out during this time.
- g) Updated advice and information on Live Well Telford and various social media platforms.
- h) Increased contact with Well-being Independence Partnership (WiP) and individual partners within the consortium
- i) Twice weekly legal meetings for urgent Court of Protection applications
- j) Training available to front line workers through Zoom, to continue to support Continued Professional Development

One of the Council's strategic objectives for management of the immediate impact of the coronavirus COVID-19 epidemic is to: ensure sustainability of Adult Social Care during the coronavirus COVID-19 epidemic, and that planning and actions to sustain Adult Social Care link with planning and actions in the NHS. In order to achieve this we will need to:

- a) Manage demand and redirect front line staff to support the coronavirus COVID-19 hospital discharge pathway, 8.00am to 8.00pm 7 days per week.
- b) Reduce the risk of spreading by identifying key provisions to be delivered in a different way.
- c) Reduce the risk of spreading infection by reducing staff-client contacts.

Governance

The decision-making process for approving the use of flexibilities is set out in the government guidance. The final decision rests with the statutory Director for Adult Social Services (in this case the Executive Director of Adults Social Care and Health & Wellbeing) following consultation with the Principal Social Worker and the Director: Adult Social Care.

The decision to implement Stage 2 Flexibilities under the pre-amendment Care Act will be communicated with key partner agencies, including the Clinical Commissioning Groups.

Additionally once flexibilities are approved the following will be notified:

- Health and Well-being Board co-chairs

- Department of Health and Social Care

Key Decisions and rationale impacting on services

Nature of Change	Temp. suspension of internal Learning Disability day activities provision
Steps taken to mitigate the need for change	<p>Due to the nature of the provisions, the number of people accessing the services and set up of building bases it was not possible to manage social distancing or reduce physical contact between people attending, and the staff supporting.</p> <p>Furthermore, a significant amount of the activities were provided were individuals, with staff support accessing the community as part of their weekly timetabled support.</p> <p>The majority of these activities were to meet the assessed need to reduce social isolation, or relieve carer pressures to support carers in their caring roles</p>
Impact of Measure	<p>This has impacted on people, families and carers as day activities are temp unavailable.</p> <p>Families and Carers are now supporting people on a full time basis, in their own home.</p> <p>A small amount of individuals were accessing the day activities while residing in residential or supported living, these individuals are now supported by their residential or supported living providers.</p>
How change will help to avoid breaches of Human Rights at a population level	<p>These changes were felt necessary due to Covid-19 risks and the measures required to reduce the spread of Coronavirus.</p> <p>There are a significant number of individuals accessing these services who also identify as the vulnerable group which required isolation during this time.</p> <p>Every person identified was contacted, all carers and family members that were impacted were also contacted to firstly confirm what alternative arrangements could be made or would be needed to support the individual and carer.</p>
Individuals involved in Decision Making	<p>Jonathan Rowe – Executive Director - DASS</p> <p>Sarah Dillon – Director of Adult Social Care</p> <p>Amardeep Grewal – Principal Social Worker – Service Delivery Manager</p> <p>Deb Williams – Service Delivery Manager</p>
Review and Monitoring point of Decision	<p>Weekly contact made with all those individuals, families and carers impacted on the closure</p> <p>Virtual MDT’s held with specialist health staff to support monitoring.</p>
Communication	<p>CCG, Midlands Partnership Foundation Trust (Specialist Health Learning Disability Service), Carers Centre, Wellbeing Independence Partnership (Advice and Information service) , Pohwer (direct payments support service), Front Line Social Work Teams.</p>

Key Decisions and rationale impacting on services

Nature of Change	Temp. suspension of internal Learning Disability respite provision
Steps taken to mitigate the need for change	To support respite or emergency provision in a separate environment to ensure minimum disruption to individual delivered care. Support individual decisions taken by individuals, carers and families to support individuals at home during this period.
Impact of Measure	This has impacted on people, families and carers as internal respite provision is not available for a temporary period. Families and Carers are now supporting people on a full time basis, in their own home.
How change will help to avoid breaches of Human Rights at a population level	These changes were felt necessary due to Covid-19 risks and the measures required to reduce the spread of Coronavirus. There are permanent residents within Lakewood Court residential home, who have profound physical and learning disabilities who would be in the high risk category should they contract coronavirus. Every person effected was contacted, all carers and family members that were impacted were also contacted to firstly confirm what alternative arrangements could be made or would be needed to support the individual and carer.
Individuals involved in Decision Making	Jonathan Rowe – Executive Director - DASS Sarah Dillon – Director of Adult Social Care Amardeep Grewal – Principal Social Worker – Service Delivery Manager Deb Williams – Service Delivery Manager – My Options
Review and Monitoring point of Decision	Weekly contact made with all those individuals, families and carers impacted on the closure Virtual MDT's held with specialist health staff to support monitoring. To support any urgent respite provision that may be required 2 flats and a house have been identified to support people in an emergency situation should the need arise. This will allow a smaller staff team to support on a 1:1 basis.
Communication	CCG, Midlands Partnership Foundation Trust (Specialist Health Learning Disability Service), Carers Centre, Wellbeing Independence Partnership (Advice and Information service), Front Line Social Work Teams.

Key Decisions and rationale impacting on services

Nature of Change	Extend the 12 week property disregard period
Steps taken to mitigate the need for change	Due to the impact of Covid-19 of the housing market properties are not selling within the 12 week period, consideration to be given to an extension period for individuals were properties are not selling within the 12 week timeframe.
Impact of Measure	Potential loss of income to the council.
How change will help to avoid breaches of Human Rights at a population level	Care would be delivered as per Care Act assessment and/or Care Act Review, there would be no breach of Human Rights
Individuals involved in Decision Making	Jonathan Rowe – Executive Director - DASS Sarah Dillon – Director of Adult Social Care Amardeep Grewal – Principal Social Worker – Service Delivery Manager Lee Higgins – Service Delivery Manager
Review and Monitoring point of Decision	Monthly review Decision making on individual cases through Peer Review, with sign off at Practice Decision Forum
Communication	Internal Communications with financial Case Management team, brokerage and SDM's, Team Leaders, Senior Social Workers, front line Social Workers and Adult Practitioners Individuals, and/or their representatives on a 12 week property disregard

Key Decisions and rationale impacting on services

Nature of Change	Delay in DFG applications
Steps taken to mitigate the need for change	Urgent and high priority DFG applications are being completed, information is being gathered from previous information known about the environment and video assessments to be completed.
Impact of Measure	There will be a delay in works being carried out due to some contractors not working during this period.
How change will help to avoid breaches of Human Rights at a population level	Each person, or their appropriate representative, impacted will be informed and a part of the decision making to delay or go ahead with the works
Individuals involved in Decision Making	Jonathan Rowe – Executive Director - DASS Sarah Dillon – Director of Adult Social Care Amardeep Grewal – Principal Social Worker – Service Delivery Manager Heidi Minifie – Advanced Occupational Therapist
Review and Monitoring point of Decision	1 month
Communication	BiT team, all OT's and OTA's within the service

Key Decisions and rational impacting on services

Nature of Change	Assessment/provision of preventative equipment and minor adaptations
Steps taken to mitigate the need for change	In order to support social distancing guidelines and to reduce the risk of spread to vulnerable group home visits were reduced and consideration given to alternative support to ensure equipment and minor adaptations were installed. Some equipment and minor adaptations have continued to be provided if they have been deemed urgent or high priority. PPE has then be worn when required.
Impact of Measure	Delay in some equipment and minor adaptations being installed due to longer installation times
How change will help to avoid breaches of Human Rights at a population level	Each person impacted is contacted, or a household member, or carer (both informal and paid) can support the installation of kits to ensure the necessary equipment in place. Video assessments/ reviews are also to be trialled.
Individuals involved in Decision Making	Jonathan Rowe – Executive Director - DASS Sarah Dillon – Director of Adult Social Care Amardeep Grewal – Principal Social Worker – Service Delivery Manager Heidi Minifie – Occupational Therapist
Review and Monitoring point of Decision	1 month
Communication	Loan stores, all OT's and OTA's within the service

The Principal Social Worker has considered the flexibilities required and is in agreement with each documented. These will be reviewed and monitored to ensure impact on individual, carers/families and front line practice is minimal during the Stage 2 period.

In my capacity as the statutory Director of Adult Social Services, I confirm that the flexibilities outlined in this report can be implemented.

Signed:

Jonathan Rowe
Executive Director: Adults Social Care and Health & Wellbeing

Background documents

<https://www.gov.uk/government/publications/coronavirus-covid-19-changes-to-the-care-act-2014/care-act-easements-guidance-for-local-authorities#what-the-powers-actually-change>