North Yorkshire County Council

Executive

11 January 2022

GRANTS TO CARE PROVIDERS TO SUPPORT WORKFORCE RECRUITMENT AND RETENTION

Report of the Corporate Director – Health and Adult Services

1.0	**Purpose of Report**
1.1	To detail the proposed approach for the distribution of grants to Care Providers utilising money from Government and the NHS with the aim of supporting recruitment and retention to the care provider workforce during the Winter period December 2021 to March 2022.

2.0 Background

2.1 Under his delegated decision making powers in the Officers' Delegation Scheme in the Council's Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed in February 2022.

2.2 From the outset of the pandemic, the Government has distributed additional funds to the care provider market through grants to local authorities. These grants have specific conditions attached to which providers must adhere in order to become eligible for payment. Grants support areas such as infection prevention control, safe visiting of care settings and workforce sustainability. In addition, local authorities have been provided with additional funding to enable them to respond to the impact of COVID 19 and respond to the pandemic via the Contain Outbreak Management Fund (COMF)

2.3 During 2021 it has become clear that workforce issues, specifically difficulty in recruiting and retaining front line care workers are becoming a significant issue not only for social care but also having a knock-on effect for the NHS, both in terms of 1) the continuing health care services which it funds and 2) in relation to availability of care to enable safe and timely hospital discharge.

3.0 The Proposals

3.1 **Care sector pay**
In response to the fierce competition within the labour market for the care workforce, nationally and regionally, the NHS, via the Integrated Care Systems (two of which cover North

Yorkshire: Humber, Coast and Vale and West Yorkshire), and supported by local CCGs, has worked with Adult Social Care leads to provide additional one-off funding to support the care workforce via a payment in lieu of bringing forward the national minimum/living wage increase by four months for 2022.

3.2   To maximise the impact of additional NHS funding in North Yorkshire, the County Council has identified additional Government grant monies that can match this NHS contribution. As a result, there are two proposals set out below which will support providers and their employees.

3.3   The first proposal combines the NHS additional funding and an element of the national Workforce Retention Fund distributed to local authorities by the Government. Eligibility for payment of this grant is that it must be passed to the (up to) 16,000 front line care workers in North Yorkshire providing CQC regulated activity. The local grant will be paid directly to employees within the eligible care workforce via their employers in two stages, one payment in January 2022 and one in March 2022. On-costs to employers, (estimated average 17%), are included, with the remaining grant issued directly to workers via payroll. Eligibility for the grant will be those workers both employed on the 1 December 2021 and who remain employed on 31 March 2022. This element of the grant is to enable employers to bring forward the expected national living wage / national minimum wage (or equivalent average %) pay increase from April 2022 to December 2021 and also includes a "thank you" element payment from North Yorkshire County Council. This sum, paid in two instalments between January and March 2022, should amount, on average to an extra £375 per head gross. Each employer will then need to deduct their National Insurance and any pension contributions before passing on the remainder in full to each employee. For example, if those National Insurance and pension contributions amount to 17%, then the employee would receive approximately £320 (before tax).

3.3   Care providers will be required to passport this one-off pay uplift directly to their frontline care workforce. The Council and the NHS will administer it via a grant system and will undertaken proportionate audits to ensure that the relevant pay uplift is passed on to frontline care workers.

3.4   **Additional targeted support to care providers on workforce issues**
The second proposed grant combines the remaining Workforce Retention funding and, also, an element of COMF (Contain Outbreak Management Fund) funding allocated to the Council. This funding will be paid directly to all providers delivering regulated social care activity in accordance with Care Quality Commission (CQC) regulations.

3.5   The second grant will need to be applied for via the Council, through a simple application process, identifying how the care provider intends to spend the allocation and what outcomes in relation to increasing, or retaining, workforce will be achieved.

3.6   Providers will be placed within one of four categories that will set an upper limit on the maximum grant allocated. The four categories are based on the total number of employees each provider employs as follows

No of Employees	Maximum Grant Allocation
0 to 9	£1,000
10 to 19	£5,000
20 to 49	£10,000
50 to 99	£20,000
100 plus	£40,000

3.7 All considerations for allocation of eligibility will be made in liaison with the Independent care Group (the umbrella organisation for most care providers in North Yorkshire and York) for transparency.

3.8 **Reporting and monitoring**
Periodic reporting to central government and NHS organisations on grant allocation and take-up will be completed in line with grant conditions for the respective grants. Proportionate audits may be undertaken to ensure appropriate spend.

4.0 Financial Assumptions

4.1 The financial implications for each proposal are set out below:

1. Grant to providers based on number on employees
   - with instruction to providers that other than an amount for on-costs, full amount must be passed on to employees
   - £3m from NHS plus matched funding from Workforce Recruitment and Retention Grant
   - assume 16,000 employees
   - works out as £375 per head, which means that the amount to each employee (before tax) should be at least £300 once employer on-costs, National Insurance and tax are deducted
   - pay in two instalments: half now and the remainder in March (to reward retention)

2. Grants for which providers can bid – up to £40k
   - £1.6m from Workforce Recruitment and Retention Grant
   - £1.6m matched funding from COMF

Summary:

All figures £000	Funded by			
	NHS	WRRF	COMF	Total
Payment to employees	3,000	3,000		6,000
Grants to providers		1,600	1,600	3,200
	3,000	4,600	1,600	9,200

5.0 Equality Impact Assessment

5.1 DPIA and EIA screening tools attached to this report. We do not expect this proposal to have any impact on any staff or users of the facility as no person-identifiable information is used in the collation of this grant.

6.0 Legal Implications

6.1 All grants issued in accordance with guidance and agreements set out in grant conditions issued by government therefore we do not expect any additional legal implications relating to North Yorkshire County Council outside of these conditions.

7.0 Recommendations

7.1 Executive Members are asked to recommend to the Chief Executive Officer that using his emergency delegated powers, he:
   i. Approve the allocation and issue of grants as detailed in this report, and

ii.   Delegate any decisions associated with this approval to the Corporate Director Health and Adult Services, in consultation with the Corporate Director - Strategic Resources

Appendices:
Appendix A – EIA Screening Tool
Appendix B – DPIA Screening Tool

APPENDIX A – EIA Screening Tool

Initial equality impact assessment screening form	
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.	
Directorate	Health and Adult Services
Service area	Adult Social Care
Proposal being screened	Workforce grant payments to regulated social care providers
Officer(s) carrying out screening	Dale Owens Assistant Director Prevention & Service Development
What are you proposing to do?	We are proposing to passport government and national grants to social care regulated providers to assist with the retention and recruitment of workforce.
Why are you proposing this? What are the desired outcomes?	There is growing evidence that it is increasingly more difficult to recruit staff in front line roles and existing staff are leaving the sector.
Does the proposal involve a significant commitment or removal of resources? Please give details.	The proposal involves distribution or pass porting or designated grants through the local authority. There is not implications for core budget funding on behalf of the Council

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.

Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	**No**	
Age		x	
Disability		x	
Sex		x	
Race		x	

Sexual orientation		x	
Gender reassignment		x	
Religion or belief		x	
Pregnancy or maternity		x	
Marriage or civil partnership		x	
NYCC additional characteristics			
People in rural areas		x	
People on a low income	x		
Carer (unpaid family or friend)		x	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No these grants are made to whole workforce for the relevant sector		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposal is aimed at increasing workforce availability but will not have a direct impact on other organisations funding criteria		

Decision (Please tick one option)	EIA not relevant or proportionate:	x	Continue to full EIA:	
Reason for decision	The grant process is based on whole workforce for relevant sector and improves pay and conditions for low paid so no adverse effects applicable.			
Signed (Assistant Director or equivalent)	D Owens			
Date	22/12/21			

Data Protection Impact Assessment (DPIA) – Screening Questions

Overview

A Data Protection Impact Assessment (DPIA) is essential to ensure that new systems and processes are compliant with Data Protection Legislation (GDPR and the Data Protection Act 2018). A DPIA is mandatory when introducing new technology or where the processing operation is "likely to result in a high risk to the rights and freedoms of natural persons". The risk is considered high when processing personal information about a living person. Failure to carry out a DPIA, or failure to carry one out correctly when the risk is high, may result in a large fine.

What is Personal Data?
"personal data' shall mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity."

It may be that a single piece of information can identify an individual, or it may be that it requires a combination of information to identify them. The following information would be considered personal data:

- Name
- Address
- Date of birth
- Email address (personal and work)
- NI number
- Bank details

Personal data also extends to items such as a photo, posts on social media or an IP address.

What is Special Category Data?
"personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and data concerning health or sex life."

The following information would be considered special category data:

- Age
- Religion
- Ethnicity
- Sexual orientation
- Health information
- Criminal history
- Biometric data

In order to determine whether a DPIA is necessary, insert the required information into the table below and complete the checklist.

If the answer is **YES** to any of the screening questions in the checklist then a DPIA must be carried out.

Project/Process Title	GRANTS TO SOCIAL CARE PROVIDERS TO SUPPORT WORKFORCE RECRUITMENT AND RETENTION		
Overview of Project/Process (brief details)	Issue of one off grants to social care regulated workforce via existing employer / worker relationships. Information on numbers only collated through National Capacity Tracker – no personal details shared.		
Project Sponsor	Abigail Barron, Head of Service Development		
Directorate / Service Area	Health and Adult Services / Service Development		
Date of Assessment	22/12/2021		
Assessment Criteria	**Yes/No**		**Justification for answer**
Are you introducing new technology? *Example where the answer would be YES:* *Moving from a paper based data capture system to hand held portable devices where you are processing personal data*	No		Aggregate information only collated from nation capacity tracker in line with reported use.
Will there be a need to collect new information about individuals? *Examples where the answer would be YES:* *This a new system/process processing personal data that has not been previously collected* *This is an existing system/process processing personal data but additional data must be collected due to a change in scope of the system/process*	No		No new information needed and no personal information collected.
Will there be a need to ask individuals to provide personal information about themselves? *Example of where the answer would be YES:* *A change in the scope of a system/process requires contacting individuals to ask for personal data*	No		No existing employer / employee mechanisms will be used with nothing shared via third party
Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information? *Example of where the answer would be YES:* *There is a requirement to share information with an external 3rd party who has not previously had access to the data. This would also result in the need for a Data Sharing Agreement (DSA)*	No		
Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used? *Example of where the answer would be YES:* *Matching information from different systems/data sources, where purpose/lawful basis of original data collection may differ*	No		

Details of the Information Asset in question will be contained within NYCC's Information Asset Register (IAR) and the purpose for processing, along with the legal basis for processing will be recorded. The way information will be used in this new system/process must match the existing purpose/legal basis, otherwise a DPIA is required		
Does the new system or process involve using new technology that might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.	No	No new process, system or technology is being introduced.
Will introduction of the new system or process result in you making decisions or taking action against individuals in ways that can have a significant impact on them? *This is in terms of the impact of processing their personal data*	No	No new process or system is being introduced.
Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? *For example, health records, criminal records or other information that people would consider to be private (special category data)*	No	No personal information shared with Third Party
Will you need to contact individuals in ways that they may find intrusive? *By phone, by email or by post, where they have not be informed that this contact will take place*	No	

If you have answered **YES** to **ANY** of the above screening questions then contact the Data Governance Team for the full DPIA documentation or download a copy from the Data Governance Intranet site.

If you have answered **NO** to **ALL** of the above screening questions then a DPIA is not necessary. Please complete the declaration below and email a copy to the Data Governance Team, email: datagovernance@northyorks.gov.uk.

Project Sponsor Name	Dale Owens	**Data Governance Officer Name**	
Project Sponsor Signature	D Owens	**Data Governance Officer Signature**	
Date of Declaration	22/12/2021	**Date of Approval**	

Note: If the scope of work changes in any way then the pre-assessment MUST be repeated.