

PLEASE NOTE THAT THIS DOCUMENT IS INTERIM GUIDANCE ISSUED IN DECEMBER 2021, PENDING CONSIDERATION OF AN OVERALL DECISION MAKING FRAMEWORK BY THE COUNCIL’S EXECUTIVE MEMBERS IN EARLY 2022. IT SHOULD BE USED TO INFORM PRACTICE AND RECORDING AND WILL BE UPDATED/FINALISED FOLLOWING RELEVANT COUNTY COUNCIL EXECUTIVE DECISIONS

ETHICAL DECISION MAKING FRAMEWORK – DECISION TREE AND GOVERNANCE

	CRITERIA	CASE EXAMPLES	RECORDING	ASSURANCE/REVIEW	ESCALATION
OPERATIONAL (INDIVIDUAL)	<ul style="list-style-type: none"> Limited market availability and unable to fully meet needs and customer choice Unable to source preferred package of support Delay in securing preferred packaged of support Need to prioritise demand and supply 	<ul style="list-style-type: none"> Care flowing into bed-based services because of an absence of domiciliary care Requires 4 calls a day, we can source 2 and ask family to support 2 visits Needing to respond to an urgent community safeguarding response rather than dealing with a discharge 	<ul style="list-style-type: none"> LLA Unsourced Packages of Support LLA Structure Case note recording decision making 	<ul style="list-style-type: none"> Weekly review of outstanding solutions by brokerage Review period agreed Transfer to appropriate package of support as solution becomes available Weekly review in ASCLT 	<ul style="list-style-type: none"> Case worker to manager discussion Where the person does not accept the proposed solution escalation to Service Manager for Ethical Decision Record to be completed. To be both uploaded to LLA and sent to specific Governance email address. In the short term refer to daily Ethics Review Group for consideration Comms - Outcome communicated back to the person in writing.
TACTICAL (GROUP/COHORT)	<ul style="list-style-type: none"> Potential risk of not maintaining a safe service Multiple people for limited specialist provision Unable to secure potential solution the 	<ul style="list-style-type: none"> People with complex needs where local/immediate solutions are not available Closure of care setting 	<ul style="list-style-type: none"> Individual case recording using 'Unsourced Packages of Support' LLA Completion of Ethical Decision Record by the 	<ul style="list-style-type: none"> Weekly review of outstanding solutions by brokerage Case MDT Discussion at daily Ethics Review Group Review period agreed 	<ul style="list-style-type: none"> HAS Daily for information and consideration Referral to System Ethic Panels for further consideration (if unresolved locally).

	CRITERIA	CASE EXAMPLES	RECORDING	ASSURANCE/REVIEW	ESCALATION
	<ul style="list-style-type: none"> person remains at risk Multiagency solutions are unsuccessful Market failure 	<ul style="list-style-type: none"> Providers handing back of home care packages of support 	<ul style="list-style-type: none"> service manager in conjunction with Brokerage and case worker 	<ul style="list-style-type: none"> Weekly review by ASCLT Records to be collated and reviewed by Governance (via central email) weekly. 	<ul style="list-style-type: none"> Weekly report to HASLT around market failure/market impact Systems MDT if required Comms - Provider bulletin
STRATEGIC (SERVICE)	<ul style="list-style-type: none"> Unable to maintain safe service Ceasing of Service may be necessary Re-profiling of services (asking services to change the way they work) Limiting access to care services due to lack of capacity Market intervention required Reputational risks to NYCC Changes to local constitution required 	<ul style="list-style-type: none"> Reprofiling reablement to deliver domiciliary care Halting of day services and flowing staff into residential settings Delivering needs/package of care without assessment Payments to providers through hardship/sustainability Procedural changes required (e.g. flexing Direct Payments to pay carers) 	<ul style="list-style-type: none"> Decision Record completed by the Leadership team Record made in HAS Daily Dedicated discussion point & recorded in HASLT 	<ul style="list-style-type: none"> Review period agreed Update of business continuity plans Checks with CQC, Insurance, Legal Question at this point as to whether this is a major incident? 	<ul style="list-style-type: none"> Management Board Executive System Leadership LRF Referral to System Ethic Panel for consideration and view. Comms (Public)
SYSTEM (MULTI AGENCY)	<ul style="list-style-type: none"> Wider system impact on the delivery of safe care Re-provision of services with wider system implications 	<ul style="list-style-type: none"> Reprioritising staff from discharge hubs to community to deal with demand Unable to secure designated settings for 	<ul style="list-style-type: none"> Decision Record completed by the Leadership Team in HASLT 	<ul style="list-style-type: none"> Leadership and Executive assurance via Management Board SLE Meeting (weekly or extraordinary) 	<ul style="list-style-type: none"> LRF Referral to System Ethic Panel for consideration and view. Comms Strategy (Public)

	CRITERIA	CASE EXAMPLES	RECORDING	ASSURANCE/REVIEW	ESCALATION
		Covid+ people from hospitals <ul style="list-style-type: none"> • Significant deterioration in our ability to delivery community services due to staffing 		<ul style="list-style-type: none"> • Question at this point as to whether this is a major incident? 	