

National principles for sustainability and remobilisation payments to social care providers during COVID 19

31st August v4

This version of the principles sets out the transition arrangements for the national principles for sustainability payments and will be in place from September 2020 onwards. These principles will be kept under regular review to ensure the appropriate support for the sector remains in place. For reasonable additional costs incurred prior to September v3 of the principles still applies.

Providers should complete a supplier relief form and declaration to confirm they will;

- Use any national relief and business grants they are eligible for in the first instance and ensure that payments are not received that duplicate support.¹
- Consider where costs can be reduced in their business models such as redeployment of staff.
- Continue to employ and pay staff including for sickness or absence due to COVID in line with their expected income (see section on social care support fund)
- Ensure sub-contractors are paid.
- Agree an open book basis between commissioners and providers where sustainability payments have been made to ensure there is no duplication of support.
- On request, evidence that monies paid out have been used as intended. Where it has not monies paid out can be recovered by public bodies.
- Work with commissioners to consider any adaptations required to business or support models to ensure they remain sustainable.
- Raise issues in relation to financial sustainability locally to ensure appropriate support can be provided.

Payments cannot be made until a signed declaration form has been received.

Integration Authorities and Local Authorities will;

- Ensure transition arrangements are in place to support sustainability for the social care sector.
- Provide a contact detail for providers to ensure they can access support when required.
- Ensure fast, regular payments are made to support providers cash flow.
- Ensure any retrospective reconciliation is only completed where necessary and is done transparently and through discussion with providers.

¹ <https://findbusinesssupport.gov.scot/coronavirus-advice/sources-of-funding>

- Work collaboratively across areas to share information to prevent duplication for providers.
- Provide proactive support to providers and look at their local commissioning arrangements throughout the transition period and beyond to ensure they remain sustainable.
- Provide enhanced support in the result of a local outbreak of COVID or where social care providers have raised concerns about financial sustainability.

Care Home Occupancy

- Care Homes will continue to be supported by the Authority in the care homes boundary area and additional costs aligned to their mobilisation plans for a transitional period between September and November.
- Where a care home is impacted by a reduction in occupancy because it is clinically unsafe to admit people or due to a reduction in admissions caused by COVID 19 then a sustainability payment will be made to the care home.
- These payments will be tapered over a three-month transition period with 75% of claim for voids caused by COVID paid for the month of September, 50% for the month of October and 25% for the month of November.
- For care homes where the NCHC is in place, the payments will continue at 80% of the NCHC rate (this aligns with Clause A.7.1 and C.6 for temporary absence from a care home) The weekly payments are Residential Care - £508.63 per week and Nursing - £592 per week.
- These payments are made on the basis that care homes continue to admit residents where they are able to, where they choose not to for reasons that are not clinical, this will impact on the sustainability payments.
- These principles apply to voids caused by COVID 19 for places commissioned by the Local Authority or people funding their own care. No increased rate will be paid where a care home does not accept the NCHC rate or to account for care homes who charge higher self-funding fees.
- For other care home placements such as care homes for adults where the national arrangement is not in place a local agreement will be made using the same principles.
- The benchmark for occupancy will be calculated locally by using data submitted by providers to commissioners of average occupancy of the three-month period prior to 23rd March 2020.

Care at Home and Community based services

- The national approach to planned care will continue until the end of October to allow a period for services to remobilise.
- Commissioners and providers should work together to enable services to be fully re-started where it is safe to do so.
- Additional costs related to the reopening of day care and respite services, following Scottish Government guidance, can be met through this process.

Additional Costs for all social care providers

- The only additional costs that can be reclaimed from September onwards through the current mechanisms, that are not stipulated in the principles document, are infection prevention control, PPE and additional staffing costs as stipulated in Public Health Scotland guidance for COVID in social care settings.²
- Costs incurred during the period prior to September can be recovered in line with v3 of the principles for sustainability payments.
- Providers should identify and submit these additional costs on a template provided by the Authority.
- Authorities should work with neighbouring areas to use the same cost template to reduce burden on providers.
- Providers will continue to be supported for additional costs by the Authority where they are registered, providing there is a contractual relationship in place.

Social Care Staff Support Fund

- Criteria and eligibility is set out in the Coronavirus (Social Care Support Fund) Regulations 2020 and accompanying guidance [here](#).
- Providers should pay staff who are absent from work as a result of COVID 19 their expected income (as defined by Employment Rights Act 1996).
- The current regulations are in place until the end of September, this is under review by Scottish Government.

Reimbursement to employers

- If paying staff their expected income in line with the guidance results in an additional cost, providers can reclaim this backdated to 23 March by submitting the cost template provided by the Authority.
- These costs are recovered by the same mechanism as other additional costs and the cost template provided should be used.
- Additional costs are costs that are over and above those already agreed and paid as part of contracted rates.
- Providers must ensure they only claim once for the same cost.
- Providers must be able to provide evidence and information on payments for the social care support fund on request.
- Providers should continue to reclaim statutory sick pay from the UK Government where eligible.³
- Eligible workers are staff in the agreed scope who would be entitled to less than their normal pay when absent from work.

² <https://www.hps.scot.nhs.uk/a-to-z-of-topics/covid-19/information-and-guidance-for-other-settings/#title-container>

³ <https://www.gov.uk/guidance/claim-back-statutory-sick-pay-paid-to-employees-due-to-coronavirus-covid-19>

Evidence

- Chief Finance Officers have a statutory responsibility to ensure public funds are accounted for and meet audit requirements.
- Providers must ensure they can evidence the additionality of any payments caused by COVID.
- A light touch approach should be taken where possible, but each part of the system is accountable to ensure public money is spent in the right way.
- Appropriate forms of evidence can be management accounts or a sample of invoices.
- Providers should ensure they keep evidence of spend as this may be required as part of reconciliation.
- The administrative burden to both commissioners and providers should be recognised and flexibility should be applied where appropriate.

Timeline for payments

To ensure that payments can be reclaimed through the local mobilisation fund mechanism, providers should submit all templates and evidence as per the guidance provided by the commissioning authority.

Where no deadline has been applied locally providers should ensure they;

- Submit all claims covering costs between April – June before the end of September 2020;
- Submit all claims covering costs between July to August before the end of October 2020;
- Thereafter claims should be made on a monthly basis.

If providers are unable to meet these timescales, then they should discuss with the commissioning authority who can provide support and local flexibility where necessary.

Commissioners will make their best endeavour to make payments quickly and reduce bureaucracy for providers.