



## Report to the Leader (Adult Social Care portfolio)

**Reference number:** ASC02.20

**Title:** Income Loss - client contributions and other loss of income during the COVID-19 Emergency

**Executive Director** Gillian Quinton

**Relevant councillor(s):** Angela MacPherson

**Author and/or contact officer:** Falil Onikoyi, Finance Business Partner Adults, Health and Housing

**Ward(s) affected:** All

**Recommendations:** The Leader/Cabinet Member is asked to agree not to charge clients who have been provided with new, additional or changes to their long term care packages during the emergency Covid period. Although there has been no specific guidance on when the emergency will end, the expectation is for it to last at least 12 weeks in line with guidance on shielding vulnerable members of the public. Current modelling assumes the emergency will be ongoing until 30<sup>th</sup> June 2020. NHS England has agreed to meet the cost of those affected from the £1.3b NHS fund during the period in supporting the enhanced discharge process, meaning Buckinghamshire Council will not be financially impacted during that time.

However, once the emergency period has concluded, the expectation is for those clients to start contributing to the cost of their care as part of business as usual. Income loss becomes a material risk due to the need for a full assessment of ongoing care needs for impacted clients, which would require a multi-disciplinary team including NHS partners in some instances. The risk will be included on the council's risk register and is being managed as part of the process of capturing and monitoring client activity, providing visibility of those impacted by the decision. This information will be used to guide strategy as part of the recovery plans, ensuring impacted clients are assessed and only clients with ongoing social care needs are incorporated into the business as usual operations following the emergency period.

The following table highlights how clients would be affected by the decision

	During Emergency Mar 19th to 30th June - note 1		Post Emergency period - July 1st Onwards - note 2	
	Policy guidance	Funding source	Policy Guidance	Funding Source
1 All existing clients whose service has not been impacted	Clients continue to be Charged	N/A	Clients continue to be Charged	N/A
2. All clients being discharged either from hospitals or Discharge to Assess beds 3. Where care has increased due to COVID-19 4. Reduced Funders to remain in current placement rather than move to block bed 5. Where support has stopped due to COVID-19,	Clients NOT be charged  Clients NOT charged for <b>Additional</b> care No additional charge  Clients will NOT be charged	NHS  NHS  NHS	Clients charged from end of Emergency period	MHCLG - for any loss of income
6 Where there is a delay in finalising client affairs to settle debt (incl deferred charge interest)	No additional charge for covid related delays	MHCLG	Charge effective from end of emergency period	MHCLG - for any loss of income

**Notes:**

- (1) There is no financial implication to Buckinghamshire Council during the emergency; all additional client related expenditure will be met from the NHS £1.3b fund.
- (2) The Council will become liable for client care and support expenditure once the emergency has concluded, with any loss from recoverable income negatively affecting the council.

**Reason for decision:**

Finance guidance issued on 8<sup>th</sup> April by NHS England and NHS Improvement titled “COVID 19 hospital discharges and out of hospital work – “Guidance & FAQs - Finance Support and Funding Flows” - has provided the outline for reimbursing Local Authorities for their role in supporting the Enhanced Discharge process during the emergency period. The reimbursement of eligible costs means Buckinghamshire Council is not able to charge affected clients because any additional costs will be borne by the NHS fund during the period of emergency.

**Other options considered**

- 1.1 The other option explored is to charge all clients during the period.

- a. The option would benefit some clients but place others at a disadvantage.
- b. There is some risk the option may significantly slow down the discharge process.
- c. Buckinghamshire Council is receiving financial compensation for the cost of this care. If client contributions are collected then they will have to be refunded to the NHS, creating additional administrative burden.

## Legal and financial implications

1.2 The following table summarises estimates of the financial impact of the recommendations (including funding source):

	Financial Implications						
			NHS Funded		MHCLG		
	3	12	3	12	3	12	
	Mths	Mths	Mths	Mths	Mths	Mths	
		£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
1 Existing clients with no change to their service provision	0	0	0	0	0	0	
<b><u>Supporting Hospital Discharge</u></b>							
2 All clients discharged from hospitals or Discharge to Assess beds							
3 Support has stopped due to COVID-19 but Bucks Council continues to Pay providers ie Day Centre Closure. <small>Note: Decision already agreed</small>	0	2,993	0	0	0	2,993	
4 Client Care needs have temporarily increased due to COVID-19							
5 Reduced funders (self funders) remain in more expensive care provision.							
<b><u>Existing ASC clients - other impacts</u></b>							
6 COVID related delay in finalising client affairs ie Sale of Property to cover deferred payments.	8	30			8	30	
	8	3,023	0	0	8	3,023	

1.3 Although the above table shows nil financial impact on income during the initial 3 months of the emergency in supporting hospital discharge, the council will incur additional expense during the period, currently estimated at approximately £3.438m, which will be reimbursed from the £1.3bn NHS fund. As a consequence, affected clients are not expected to make a contribution because their care will have been funded.

- 1.4 Work is ongoing to ensure actual impact is captured and tracked, with any updates as a result of material financial changes reported to the internal management board and Members.
- 1.5 Local Authorities are required to undertake a Financial Assessment of clients who go on to receive long term care to determine their ability to contribute towards the cost of care under the Care Act 2014, subsequently superseded in the Coronavirus Act 2020; associated Guidance and relevant regulatory body requirements. The March 2020 Easement Guidance provided Local Authorities the powers to operate a less stringent Care and Financial Assessment however, Buckinghamshire Council has already approved the decision to continue with existing arrangement for Financial Assessments.

### Corporate implications

- 1.6 This decision is in line with the corporate plan priority of protecting the vulnerable. There are no other corporate implications.

### Consultation and communication

- 1.7 The Cabinet Member for Adult Social Care has been involved in the development of this report
- 1.8 Comprehensive information will be provided for any people (clients and families) discharged from hospital or having changes to their care as a result of COVID-19.

### Next steps and review

Once this is agreed, clear communications to social workers will be given. Processes for capturing the different costs are being developed and will be put in effect, with claims made on a monthly basis.

### Background papers

NHS England and NHS Improvement Finance guidance - "COVID 19 hospital discharges and out of hospital work – Guidance & FAQs - Finance Support and Funding Flows"

### Your questions and views (for key decisions)

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)