

12 November 2020

Dear Care Home Provider,

Adult Social Care Infection Control Fund Ring-Fenced Grant 2020

Round 2 – October 2020

Further to the Government announcement of the extension of the Adult Social Care Infection Control Fund, I am writing to set out the arrangements for distributing that fund to Birmingham care homes.

This letter forms the Grant Agreement and sets out further details of the administration of the Grant, its purpose, conditions and reporting requirements. Please read this carefully and ensure that you comply with the conditions, reporting requirements and instructions contained within.

Grant Agreement, Conditions of Payment and Assurance Statement

Section 1 - Background

The Adult Social Care Infection Control Fund was initially worth £600 million, this has now been extended to March 2021, with an extra £546 million of funding. The primary purpose of this fund is to support adult social care providers, including those with whom the local authority does not have a contract, to reduce the rate of COVID-19 transmission in and between care homes and support wider workforce resilience.

The Council and partners, have set out our Care Homes Support Plan which was published on 29 May 2020 and is available at:

https://www.birmingham.gov.uk/downloads/file/16356/minister_of_state_for_care_response_-_birmingham

Section 2 - The Grant

Birmingham City Council's allocation of round 2 funding is £8,693,212. 80% of the funding is to be allocated to care homes and community care providers. The remaining 20% will be spent by the Council on other Infection Control measures. The amount of the Grant to be allocated to care homes and community care providers is £6,954,569. The grant will be paid to care homes in two equal instalments:

Payment 1: November 2020

Payment 2: December 2020

Birmingham City Council shall issue, in two equal instalments, a total £5,035,589 of compliant care homes within its local authority boundary on a 'per beds' basis, i.e. the

number of beds each care home is registered to provide by the Care Quality Commission as at September 2020, and recorded in the CQC September 2020 Care Directory dataset.

The amounts to be paid have therefore been calculated (with rounding) as follows:

Total Birmingham allocation	£8,693,212
Allocation for care homes	£5,035,589
Actual CQC Registered Beds of Grant Conditions compliant care homes	6,916
Total Per Bed	£728.11
Payment 1 Per Bed Amount	£364.06
Payment 2 Per Bed Amount	£364.05

Of the remainder, £1,918,980 will be issued to Community Care providers and £1,738,643 will be used by the Council for other infection control measures.

Section 3 - Grant Purpose

The Grant is allocated to support the following measures in care homes:

1. Ensuring that staff who are isolating in line with government guidance receive their normal wages while doing so. At the time of issuing the grant circular, this includes:
 - staff with suspected symptoms of COVID-19 waiting for a test
 - where a member of the staff's household has suspected symptoms of COVID-19 and are waiting for a test
 - where a member of the staff's household has tested positive for COVID-19 and is therefore self-isolating
 - any staff member for a period of at least 10 days following a positive test
 - if a member of staff is required to quarantine prior to receiving certain NHS procedures (generally people do not need to self-isolate prior to a procedure or surgery unless their consultant or care team specifically asks them to)
2. Limiting all staff movement between settings unless absolutely necessary, to help reduce the spread of infection. This includes staff who work for one provider across several care homes, staff that work on a part-time basis for multiple employers in multiple care homes or other care settings (for example in primary or community care). This includes agency staff (the principle being that the fewer locations that members of staff work in the better). Where the use of agency staff is absolutely necessary, this should be by block booking.
3. Limiting or cohorting staff to individual groups of residents or floors/wings, including segregation of COVID-19 positive residents.
4. To support active recruitment of additional staff (and volunteers) if they are needed to enable staff to work in only one care home or to work only with an assigned group of residents or only in specified areas of a care home, including by using and paying for staff who have chosen to temporarily return to practice, including those returning through the NHS returners programme. These staff can provide vital additional support to homes and underpin effective infection control while permanent staff are isolating or recovering from COVID-19.
5. Steps to limit the use of public transport by members of staff (taking into account current government guidance on the safe use of other types of transport by members of staff).

6. Providing accommodation for staff who proactively choose to stay separately from their families in order to limit social interaction outside work.
7. Supporting safe visiting in care homes, such as dedicated staff to support and facilitate visits, additional IPC cleaning in between visits, and capital-based alterations to allow safe visiting such as altering a dedicated space.
8. Ensuring that staff who need to attend work for the purposes of being tested (or potentially in the future, vaccinated) for COVID-19 are paid their usual wages to do so.

Section 4 - Specific Conditions

Pursuant to section 31(4) of the Local Government Act 2003 the Secretary of State has attached conditions to the payment of the grant, and no payments shall be made unless certain conditions are met, including the local authority being satisfied that the funding is being used for infection control purposes. Clawback provisions apply, including that the provider must repay any amounts not used for infection control measures.

The grant funding is allocated to recipient care providers, and recipient care providers accept the funding on condition that the care provider:

1. uses it for the measures outlined in Section 3 only;
2. will provide the local authority with the attached Care Provider Assurance Statement by 26 November 2020 and commits to reporting to the Council on a monthly basis when requested which measures it has used the funding for. The Council will require care homes to complete an online form detailing which measures they have spent the Grant on, and the year-end forecast spend percentage by each measure. Links to the online form shall be distributed on a monthly basis via the Council Commissioning Team's weekly communication bulletin;
3. will provide the local authority with a statement certifying that that they have spent the funding on those measures by 30 April 2021;
4. if requested to do so will provide the local authority or DHSC with receipts or such other information as they request to evidence that the funding has been so spent;
5. provide DHSC or the local authority with an explanation of any matter relating to funding and its use by the recipient as they think necessary or expedient for the purposes of being assured that the money has been used in an appropriate way in respect of those measures;
6. will return any amounts which are not spent on those measures;
7. has completed the Capacity Tracker on 2 consecutive weeks between 1 and 28 October 2020 and has committed to completing the Tracker on a minimum weekly basis to receive the first month's funding;
8. Has consistently completed the Capacity Tracker to receive the second month's funding. By consistently we mean at least once every 7 days from 1 October 2020;
9. will repay the money to the local authority if it is not used for the infection control purposes for which it has been provided;
10. must ensure that (a) there is no increase in any relevant rates (except those relating to hourly rates of pay to ensure staff movement from one care home to another care home is minimised) from the existing rates (b) third party charges (for example, of costs to avoid the use of public transport) are paid at the normal market rates and (c) in no circumstances is any element of profit or mark-up applied to any costs or charges incurred
11. must account for all payments paid out of the 'per beds' allocation and keep appropriate records. In so far as a provider does not use the entirety of the 'per beds'

allocation in pursuit of the infection control measures any remaining funds must be returned to the local authority.

Section 5 – How the money will be paid

The Council will prioritise distribution of the fund and take all reasonable steps to make payments within twenty working days of receipt of the funding from Government. Where the Council holds a contract with a care home, it will use the latest vendor and payment details to make the Infection Control Fund payments.

Where the Council does not hold a contract with a care home, but is currently funding a placement/placements on a spot purchase basis, the latest vendor and payment details will be used to make the Infection Control Fund payments.

Where the Council does not hold any vendor or bank details, we will take all reasonable steps to obtain those details and process payments as promptly as possible.

Section 6 – Reporting Arrangements

The Council will publish details of the amount of money distributed from the Infection Control Fund via its website. The first report will be published no later than 29 January 2021. The second report will be published by 30 April 2021.

As set out above, you will be required to submit:

- A signed Assurance Statement by 26 November 2020
- A monthly report to the Council setting out which measures you have used the funding for. Links to the online form shall be distributed on a monthly basis via the Council Commissioning Team's weekly communication bulletin which can also be found at:

<https://www.birmingham.gov.uk/blog/stm-bulletin>

Section 7 - State Aid

State Aid includes grants or financial assistance provided by local authorities or central government. This may be particularly relevant to those premises that are part of a large chain, where the cumulative total of grant funding received could exceed the State Aid thresholds.

The Adult Social Care Infection Control Fund is being given as aid under the Services of General Economic Interest de minimis Regulations for State aid measures to support the economy in the current Covid-19 outbreak published on 19 March 2020.

You can receive no more than €500,000 over any 3-year fiscal period under the Services of General Economic Interest de minimis Regulations. If you do not comply with the threshold for the Services of General Economic Interest de minimis Regulations, then please contact us immediately as a separate legal process will be necessary to deal with payments to those providers receiving total payments greater than this de minimis threshold.

For further information on State Aid please go to www.gov.uk/guidance/state-aid.

If you believe your organisation (as registered with Companies House) has received more than €500,000 in state aid under the above regulations, please notify us immediately by email at marketintelligence@birmingham.gov.uk

We will then contact you to discuss the next steps and any further action required.

Section 8 – Care Provider Assurance Statement

Please complete Appendix 1 'Section 8 – ICF Round 2 Care Provider Assurance Statement' return this by email to marketintelligence@birmingham.gov.uk by 26 November 2020.

Yours sincerely,



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