

**Neath Port Talbot County Borough Council**  
**Cyngor Bwrdeistref Sirol Castell-nedd**

**Democratic Services**  
**Gwasanaethau Democrataidd**

## **Decision Notice**

### **SOCIAL CARE, HEALTH AND WELLBEING CABINET BOARD - URGENCY ACTION , WEDNESDAY, 23RD MARCH, 2022**

Please see below approval of decision as follows:

1. **Fee Uplifts to Support the Sustainability of Specialist Care Home Services and Specialist Day Opportunity Services - 105TD - Urgency Action (Pages 3 - 20)**

Having had due regard to the integrated impact assessment it be agreed that the Director of Social Services, Health and Housing is granted delegated authority to implement an 11% uplift to the current contract price for Specialist Care Home and Specialist Day Opportunity Services commissioned, by Neath Port Talbot County Borough Council for the 2022/2023 financial year.

**For Immediate Implementation**

Yours sincerely

Tammie Davies

p.p Chief Executive

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Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **NEATH PORT TALBOT SOCIAL CARE HEALTH & WELL-BEING CABINET BOARD**

**22 March 2022**

#### **Report of the Director Social Services Health and Housing**

#### **Matter for Decsion**

#### **Wards Affected:**

All Wards

#### **Fee Uplifts to Support the Sustainability of Specialist Care Home Services and Specialist Day Opportunity Services**

#### **Purpose of the Report:**

For the Director of Social Services, Heath and Housing to receive delegated authority to implement an 11% uplift to the fees paid to providers contracted by Neath Port Talbot County Borough Council ("the Council") for the delivery of Specialist Care Home Services and Specialist Day Opportunity Services.

#### **Executive Summary:**

The social care market is currently experiencing unprecedented challenges in meeting the ongoing demand for delivering services. The current instability of the social care market is significantly impacting on the Council's ability to purchase suitable services to meet peoples assessed needs. Furthermore Welsh Government have committed to ensuring registered workers will receive Real Living Wage from 1<sup>st</sup> April 2022.

In order to increase sustainability within Specialist Care Home and Specialist Day Opportunity Services, it is proposed that the Council implements an 11% uplift for the 2022/23 financial year.

### **Background:**

The social care market is currently facing significant and unprecedented challenges, which is negatively impacting on the Council's ability to offer timely and sustainable services to those assessed as requiring community services.

Commissioned providers are increasingly finding themselves in situations where they are unable to deliver services in line with their contract. In addition, the Council is finding it increasingly difficult to attract providers to take on additional contracts to provide services to those that need support to remain safe.

Officers are experiencing ongoing situations were Providers have been unable to take new placements due to a lack of workforce. To date Officers have been successful in sourcing alternative placements; however there is significant concern that this ongoing issue will eventually become unmanageable and people will need to be placed out of county, or that there will be increasingly unacceptable waiting times to commence a service.

Officers meet regularly with social care providers and have undertaken significant work to understand the reasons why the sector has become destabilised. The key factor behind the current situation is that providers are experiencing significant challenges with retaining and recruiting staff. Providers have seen extremely high levels of staff resigning from their posts and have been unable to recruit into the vacancies at sufficient levels.

Rates of pay within the care service sector are not comparable with other relevant sectors and providers are finding it increasingly challenging to attract and retain staff in the current competitive environment. Most providers are only able to pay carers around the National Living Wage and offer significantly less than both the rates of pay offered by the Councils in-house services and healthcare assistants employed by Swansea Bay University Health Board.

Welsh Government have announced that they will be making funds available to Local Authorities to enable them to commission providers at a rate that allows providers of social care services to pay Real Living Wage of £9.90 to members of their workforce that are registered with Social Care Wales (or plan to become registered).

Social care employees providing day opportunities are not classified as registered employees in the context of the above Welsh Government initiative. However, Officers recommend implementing an uplift to the contracts for the provision of day opportunity services that will enable these providers to also implement Real Living Wage. This is in order to reduce the risk of these employees moving from their current employment to work in other social care services, which could destabilise the Specialist Day Opportunity Service provision, and to ensure that providers of this essential social care service can compete on the job market with other providers of social care services.

In addition to the challenges facing providers in relation to the workforce, it has been well documented that the nation is anticipating

a significant cost of living increase in 2022/23, which will directly impact on Provider finances.

It is the view of Officers that without intervention, the care sector will continue to destabilise and that this ongoing destabilisation will present a significant risk to the Councils ability to continue meeting peoples statutory care needs.

As such, it is proposed that the Council implements an 11% uplift to the current contractual rate for services delivered by Specialist Care Home providers and Specialist Day Opportunity providers for the 2022/2023 financial year.

This proposed uplift will be granted to providers on condition that the money is used to increase employee rates of pay to the level of the Real Living Wage from 1<sup>st</sup> April 2022, thereby supporting the sector in offering comparative rates with other employers.

### **Financial Impacts:**

The total cost of implementing an 11% uplift for commissioned Specialist Care Home and Specialist Day Opportunity Services for the 2022/2023 financial year will be £1m. £600k has already been identified in the 22/23 budget, £400k will be funded from social services reserves.

There is sufficient provision within the Social Services equalisation reserve to meet this additional cost whilst discussions remain ongoing with Welsh Government regarding long term sustainable funding for the Social Care sector.

### **Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix 1, has indicated that a more in-depth assessment is not required. A summary is included below.

### Service Users

- This proposal will have a positive impact on service users that have a protected characteristic of age and/or disability by ensuring the sustainability of services they require to help them meet their identified outcomes.
- This proposal has no impact on service users due to other protected characteristics as a person would not be in receipt of these services due to those protected characteristics. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way, which takes into account a person's protected characteristics.
- This proposal has no impact on Welsh Language as it does not change the requirements for people to receive a service in their language of choice.
- The proposal embraces the sustainable development principles, as it will help to ensure more sustainable services that help service users to remain independent in their own homes and communities.

## Care Staff

- This proposal will have a positive impact of staff that have a protected characteristic of age and/or sex as increased pay will help improve their economic and socio-economic situation.
- This proposal has no impact on staff due to other protected characteristics as it relates to rates of pay and does not have an impact on other workforce terms and conditions, such as equalities.
- This proposal has no impact on Welsh Language as it relates to rates of pay and does not have an impact on other workforce terms and conditions, including the use of Welsh Language.
- This proposal embraces the sustainable development principles, as it helps improve rates of pay for a low paid sector, which will help support longer progression of term socio-economic benefits.

### **Valleys Communities Impacts:**

Valley communities are traditionally harder areas to source social care services due to the challenges of attracting staff from these areas. As such, some valley communities are at higher risk of providers no longer being able to deliver existing services.

This proposal will help to support workforce retention and recruitment, thereby promoting sustainability of services within valley communities.

### **Workforce Impacts:**

No implications



**Legal Impacts:**

No implications as our existing contracts allow the Council to implement uplifts to the contract price.

**Risk Management Impacts:**

This proposal is to help mitigate the current risks to the Council in discharging its statutory duties to people with assessed care needs through the provision of Specialist Care Home and Specialist Day Opportunity Services.

**Consultation:**

There is no requirement for external consultation on this item. However, significant work has been undertaken with the relevant providers of social care services in the development of this proposal.

**Recommendations:**

Having had due regard to the integrated impact assessment it is recommended that the Director of Social Services, Health and Housing is granted delegated authority to:

- Implement an 11% uplift to the current contract price for Specialist Care Home and Specialist Day Opportunity Services commissioned by Neath Port Talbot County Borough Council for the 2022/2023 financial year.

**Reasons for Proposed Decision:**

To help re-stabilise the social care market.

**Implementation of Decision:**

This is an Urgency Action Report, and the decision will be implemented after approval from the relevant Members.

**Appendices:**

First Stage Impact Assessment

**List of Background Papers:**

None

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## Impact Assessment - First Stage

### 1. Details of the initiative

|  |
|--|
| <b>Initiative description and summary: Fee Uplifts to Support the Sustainability of Specialist Care Home Services and Specialist Day Opportunity Services</b> - For the Director of Social Services, Heath and Housing to receive delegated authority to implement an 11% uplift to the fees paid to providers contracted by Neath Port Talbot County Borough Council (“the Council”) for the delivery of Specialist Care Home Services and Specialist Day Opportunity Services. |
| <b>Service Area:</b> Adult Services  |
| <b>Directorate:</b> Social Care Health and Housing   |

### 2. Does the initiative affect:

|                                      | Yes | No |
|--------------------------------------|-----|----|
| Service users                        | x   |    |
| Staff                                | x   |    |
| Wider community                      |     | x  |
| Internal administrative process only |     | x  |

### 3. Does the initiative impact on people because of their:

|     | Yes | No | None/<br>Negligible | Don't<br>Know | Impact<br>H/M/L | Reasons for your decision (including evidence)/How<br>might it impact?   |
|-----|-----|----|---------------------|---------------|-----------------|--|
| Age | x   |    |                     |               |                 | <p><b>Service Users</b> – people residing in specialist care home or receiving specialist day opportunities are over the age of 18. This will have a positive impact by ensuring more sustainable services are delivered in order to continue meeting their identified outcomes.</p> <p><b>Staff</b> – staff will be working age. This will have a positive impact on staff as they will receive a pay increase, which</p> |

|                            |   |   |  |  |   |
|----------------------------|---|---|--|--|---|
|                            |   |   |  |  | will improve their economic and socio-economic situation.   |
| Disability                 | x |   |  |  | <p><b>Service Users</b> - People living in a specialist care home or receiving a specialist day opportunity service will have a disability. This will have a positive impact by ensuring more sustainable services are delivered in order to continue meeting their identified outcomes.</p> <p><b>Staff</b> – no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace.</p>  |
| Gender Reassignment        |   | x |  |  | <p><b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.</p> <p><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace.</p> |
| Marriage/Civil Partnership |   | x |  |  | <p><b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.</p> <p><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and</p>   |

|                     |  |   |  |  |  |   |
|---------------------|--|---|--|--|--|---|
|                     |  |   |  |  |  | has no impact on wider terms and conditions of employment, such as equality in the workplace.   |
| Pregnancy/Maternity |  | x |  |  |  | <p><b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.</p> <p><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace.</p> |
| Race                |  | x |  |  |  | <p><b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.</p> <p><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace.</p> |
| Religion/Belief     |  | x |  |  |  | <p><b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person</p>   |

|                    |   |   |  |  |  |  |
|--------------------|---|---|--|--|--|--|
|                    |   |   |  |  |  | centred way that takes into account a person's protected characteristics.<br><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace.  |
| Sex                | x |   |  |  |  | <b>Service Users</b> - A person would not live in a specialist care home or receive a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.<br><b>Staff</b> – the majority of care staff are female. This will have a positive impact on staff as they will receive a pay increase, which will improve their economic and socio-economic situation.                            |
| Sexual orientation |   | x |  |  |  | <b>Service Users</b> - A person would not be living in a specialist care home or receiving a specialist day opportunity service due to this protected characteristic. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way that takes into account a person's protected characteristics.<br><b>Staff</b> - no impact as all eligible staff would receive this pay rise. This proposal only impacts on rates of pay and has no impact on wider terms and conditions of employment, such as equality in the workplace. |

#### 4. Does the initiative impact on:

|   | Yes | No | None/<br>Negligible | Don't<br>know | Impact<br>H/M/L | Reasons for your decision (including evidence used) /<br>How might it impact?   |
|---|-----|----|---------------------|---------------|-----------------|---|
| People's opportunities to use the Welsh language            |     | x  |                     |               |                 | <b>Service Users</b> - This proposal does not change requirements for people to receive a service in their language of choice<br><b>Staff</b> – this proposal relates to rates of pay and does not have an impact on other workforce terms and conditions |
| Treating the Welsh language no less favourably than English |     | x  |                     |               |                 | <b>Service Users</b> - This proposal does not change requirements for people to receive a service in their language of choice<br><b>Staff</b> – this proposal relates to rates of pay and does not have an impact on other workforce terms and conditions |

#### 5. Does the initiative impact on biodiversity:

|  | Yes | No | None/<br>Negligible | Don't<br>know | Impact<br>H/M/L | Reasons for your decision (including evidence) /<br>How might it impact? |
|--|-----|----|---------------------|---------------|-----------------|--|
| To maintain and enhance biodiversity   |     | x  |                     |               |                 | Not applicable   |
| To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc. |     | x  |                     |               |                 | Not applicable   |

**6. Does the initiative embrace the sustainable development principle (5 ways of working):**

|  | Yes | No | Details   |
|--|-----|----|---|
| <b>Long term</b> - how the initiative supports the long term well-being of people                                | x   |    | Will support sustainability of essential services that supports people with long term social care needs.<br><br>This will also improve rates of pay for a low paid sector, which will help support longer term progression of term socio- economic benefits.  |
| <b>Integration</b> - how the initiative impacts upon our wellbeing objectives                                    | x   |    | Will support sustainability of essential services that supports people with long term social care and wellbeing needs.<br><br>This will also improve rates of pay for a low paid sector, which will help support progression of term socio- economic benefits.  |
| <b>Involvement</b> - how people have been involved in developing the initiative                                  | x   |    | The proposal has been developed in collaboration with service providers.  |
| <b>Collaboration</b> - how we have worked with other services/organisations to find shared sustainable solutions | x   |    | This proposal has been developed in collaboration with service providers and also helps to support Welsh Governments requirement on Real Living Wage  |
| <b>Prevention</b> - how the initiative will prevent problems occurring or getting worse                          | x   |    | This proposal will support sustainability of essential services that supports people with long term social care needs, these services prevent escalation of health issues and prevents hospital admissions.<br><br>This will also improve rates of pay for a low paid sector, which will help support progression of term socio- economic benefits. |



**7. Declaration - based on above assessment (tick as appropriate):**

|  |   |
|--|---|
| A full impact assessment (second stage) <b>is not</b> required   | x |
| Reasons for this conclusion  |   |
| <p><b>Service Users</b></p> <p>This proposal will have a positive impact on service users that have a protected characteristic by way of age and/or disability by ensuring the sustainability of services they require to help them meet their identified outcomes.</p> <p>This proposal has no impact on service users due to other protected characteristics as a person would not be living in a specialist care home or receive a specialist day opportunity service due to those protected characteristics. The decision to implement this uplift to services has no impact on the person centred assessment process or requirements for the service to deliver care in a person centred way, which takes into account a person's protected characteristics.</p> <p>This proposal has no impact on Welsh Language as it does not change requirements for people to receive a service in their language of choice.</p> |   |

The proposal embraces the sustainable development principles, as it will help to ensure more sustainable services that help service users to remain safe and live fulfilling lives.

**Staff**

This proposal will have a positive impact of staff that have a protected characteristic by way of age and/or sex as increased pay will help improve their economic and socio-economic situation.

This proposal has no impact on staff due to other protected characteristics as it relates to rates of pay and does not have an impact on other workforce terms and conditions, such as equalities.

This proposal has no impact on Welsh Language as it relates to rates of pay and does not have an impact on other workforce terms and conditions, including the use of Welsh Language.

This proposal embraces the sustainable development principles, as it helps improve rates of pay for a low paid sector, which will help support longer progression of term socio- economic benefits.

|  |  |
|--|--|
| A full impact assessment (second stage) <b>is</b> required |  |
| Reasons for this conclusion                                |  |
|  |  |

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|  |
|--|

|               | <b>Name</b>         | <b>Position</b>                                    | <b>Signature</b> | <b>Date</b> |
|---------------|---------------------|--|------------------|-------------|
| Completed by  | Chelé Zandra Howard | PO Commissioning                                   | C.Z.Howard       | 21.03.22    |
| Signed off by | Andrew Jarrett      | Director of Social Services,<br>Health and Housing | A. Jarrett       | 21.03.22    |

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