

## **DUNDEE CITY COUNCIL**

**REPORT TO:** SOCIAL WORK AND HEALTH COMMITTEE - 28TH APRIL 2008

**REPORT ON:** IMPLICATIONS OF THE NATIONAL CARE HOME CONTRACT - FEE LEVELS FOR 2008/09

**REPORT BY:** DIRECTOR OF SOCIAL WORK

**REPORT NO:** 220 - 2008

### **1.0 PURPOSE OF THE REPORT**

- 1.1 This report informs members of the outcome of negotiations between COSLA, the Scottish Government and care home providers in relation to the ongoing development of a national care home contract.
- 1.2 This report also recommends payment rates for 2008/09 for independent sector care homes as outlined in the national care home contract negotiations.

### **2.0 RECOMMENDATIONS**

It is recommended that:

- 2.1 Members note the outcome of the national care home contract negotiations, particularly the increased quality levels expected of care homes in order to receive higher weekly payments.
- 2.2 Payments made to independent sector care homes are increased in line with the detailed recommendations attached as Appendix 1.

### **3.0 FINANCIAL IMPLICATIONS**

- 3.1 The Scottish Government has provided £6m nationally for the implementation of the increased level of fee rates for 2008/09 linked to increased quality standards. This funding has been distributed to local authorities under the local government finance settlement and will fully fund the increased quality element of the weekly fee. Provision for inflation has already been included within the Social Work Departments Revenue Budget 2008/09.

### **4.0 MAIN TEXT**

- 4.1 It is the responsibility of local authorities to fund placements in independent sector care homes where service users are assessed as being unable to meet the full costs of their placements. Local authorities are also obliged to ensure that personal and nursing care is provided free of charge to eligible residents.
- 4.2 In Report 190/2007 (March 2007) members were informed of progress regarding the national review of fee rates for care homes for older people which was initiated in 2001/02. The review was instigated to address care home owners concerns regarding the increased cost of providing care, mainly due to factors outwith their control (e.g. requirements of national care standards).

The review has taken place over a number of stages with increases in fees agreed nationally for the provision of care home services. The negotiations that took place during 2006/07

attempted to link for the first time, increased fees to quality provision above that required for basic compliance with registration conditions. The agreed position was the offer of a higher fee rate for care homes for older people (including a "quality award element"), in return for a new contractual framework and the meeting of certain quality criteria. The criteria included for example a target of 40% of care being delivered by staff who are qualified at SVQ2 in Care (or above) and a further 10% of care being delivered by staff who are registered for a recognised SVQ2 in Care and actively working towards the award within an appropriate timescale.

The latest negotiations have resulted in agreement to continue to build on these quality standards and in return for the "quality award" element of the fee (£18.62 per week), the following conditions will need to be fulfilled:

- On 30th September 2008 all care homes will have to provide evidence that all supervisory staff are registered with the Scottish Social Services Council (SSSC) (or another appropriate body) and that arrangements are in place for appropriate training to take place (if necessary and as defined by the SSSC)
- On 31st March 2009 all homes will have to provide evidence that 55% of care is being delivered by staff, who have achieved SVQ2 in Care (or above), and a further 10% of care is being delivered by staff who are registered for a recognised SVQ2 in Care and actively working towards the award within an appropriate timescale

4.3 To further develop the care home sector, the Scottish Government has made available additional funding of £6m for quality measures in 2008/09. The aim of the Additional Quality Award is to enhance the service user experience through promoting inputs that will achieve outcomes of benefit to individual service users. The Additional Quality Award elements of the fee (£6.81 for nursing care and £1.76 for residential care per week) will be dependant on care homes submitting a declaration to commit to:

- Accept a system, whereby a low grading (i.e. 1 or 2) on the Care Commission's Quality Assessment Framework (QAF) will trigger a review / discussion by a local authority with the care home which could include a review of funding.
- Demonstrate that it has a programme of dementia awareness training for staff.
- Working with councils to ensure that information from complaints / concerns raised by or on behalf of residents is used to improve services.
- Working with councils to ensure that information about independent advocacy services is regularly provided and that service users / relatives / representatives are encouraged to access such services where appropriate.
- Ensure that a 'nutrition policy' is in place which complies with the recommendations of the 'Eating Well for Older People' report by the Caroline Walker Trust (<http://www.cwt.org.uk/>), and specifically that there are i) nutrition assessments on admission, ii) individualised nutrition care plans in place (where appropriate) and iii) six monthly reviews.

4.4 While all care home providers will receive the entire uplift from 7th April 2008 (or where otherwise agreed by local arrangement):-

- The element that relates to registration of supervisory staff and is given in the first 6 months to fund the achievement of that measurable quality standard will be withdrawn if that standard is not met.
- The element that relates to care staff working towards and/or achieving qualifications is given for the whole year; failure to meet the target on 31 March 2009 will result in any care staff training element of the 2009/10 award being withheld.

- 30% of the quality payment (£5.59) will be dependent on the supervisory staff registration and training requirement, and 70% (£13.03) will be dependent on the care staff qualification and training requirement.

4.5 As a result of the negotiations with care home providers, there are now in effect three different fee rates for both nursing and residential homes (weekly fees shown in Appendix A)

- Below the national contract (i.e. where the national contract is not in place by the deadlines, or enforcement action is being taken, or for rooms for three or more).
- The national contract is in place but there is no quality award because homes have failed to meet the pre-conditions or targets.
- The national contract rate with Quality Award.

4.6 The Social Work Department's Contracts Section shall monitor the extent to which providers meet the agreed quality framework and shall recommend the appropriate fee rates payable to providers based on the criteria set out in the report.

4.7 Social Work and Health Committee agreed at its meeting on the 10 December 2007 (AN 290-2007) to remove the distinction between care home fees for older people and the historically lower rate for adults. It is recommended that although the national negotiations relate to older people, should care homes providing services to adults meet the quality standard set outlined above, then they would be entitled to the relevant fee rate.

## **5.0 POLICY IMPLICATIONS**

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

## **6.0 CONSULTATION**

6.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and the Head of Finance have been consulted in the preparation of this report.

## **7.0 BACKGROUND PAPERS**

None.

Alan G Baird  
Director of Social Work

Date: 28th March 2008



**RECOMMENDATIONS**

It is recommended that the Social Work Committee approves rates (£ per week) for payment to independent sector care home providers in 2008/09 as outlined below

	Registered homes without nursing care £ per week	Registered homes with nursing care £ per week
All Client Groups- Below the National Contract Level	£388.8	£456.54
National Contract fee Level but without the quality award (Dual shared room)	£431.83 (£406.83)	£504.73 (£479.73)
National Contract fee level with the quality award (Dual shared room)	£450.45 (£425.45)	£523.35 (£498.35)

These rates will be effective from 7th April 2008 and will apply regardless of the local authority area in which the home is situated.

These rates are all inclusive: no supplements will be paid.