

APPENDIX 1

CONSULTATION

CONSIDERATION OF FEEDBACK FROM PROVIDERS

The following aspects of the marketplace have been consulted with:

- Residential and nursing care
- Supported living
- Extra care
- Domiciliary Care

Feedback and comments were received from the following number of providers:

- Residential and nursing care: 14
- Supported living: 13
- Domiciliary Care: 1

In total, 28 providers responded to the consultation.

Some providers sent multiple comments; therefore, the actual number of responses in the table (overleaf) does not agree to the above breakdown of providers who responded.

As part of the 2021-22 fee Setting process the Council commissioned consultants (C.co) to undertake an independent and objective Cost of Care Exercise to provide assurance on both the approach taken to setting local rates and costs to be considered.

The exercise found that the Council has a robust and comprehensive costing model for the in-scope types of care (which included Residential and Nursing Care) that supports the calculation of care fees and meets legislative and market requirements.

Ref	Comment	Qty	Response
1	<u>Residential/Nursing</u>		
1.1	In 2020-21, an enhanced fee rate has been offered since 1 May 2020, to enable providers to pay their employees the Real Living Wage (RLW). Is this enhanced rate expected to continue in 2021-2022?	11	The Council has agreed to continue to offer an enhanced fee rate for those providers who are committed to paying all staff the Real Living Wage in 2021-22.
1.2	Does accepting the standard fee rate exclude or restrict us from any COVID funding from April 2021?	2	Any future COVID funding that may come to the Council to distribute in the form of a grant, e.g. Infection Prevention grants, would still be accessible to providers irrespective of the fee rate paid.
1.3	The model uses a pay rate for Management and Admin which is not reflective of the amount which needs to be paid by providers.	1	The pay rates used within the 'Management Allowance' figure, which include managerial and admin posts, is derived from current market data and are considered to be a reasonable allowance. This has been verified by the work of CIPFA C.CO.
1.4	We employ more staff than your fee model allows.	1	The Council recognises that there will be variance in the marketplace in terms of the staffing structure employed, with some homes employing more staff than others. The staffing levels used within the fee models were derived from the independent work of CIPFA C.co.
1.5	The total rate offered is insufficient.	5	The Council's fee model complies with the requirement to give consideration to providers' actual costs of care and provides sufficiently for each provider to fulfil its legal duty to pay the NLW and/or RLW.
1.6	The number of care hours per resident are not representative of the actual position in care homes.	1	The care hours in the fee model allows for between 19 and 24 hours of direct care per resident per week, which is based on the independent work of CIPFA C.co.

1.7	Will the Council continue to offer financial support to assist providers with the COVID-19 response?	2	<p>The Council has passported various grants to providers over the past year. This included assistance with PPE, food supplies, Workforce Capacity Grants, and Infection Control Funding. There has also been assistance with rapid testing and vaccinations of sector staff/residents.</p> <p>We have recently received notification of a further round of IPC grant, and this will be distributed to the market shortly.</p>
1.8	Extra operational costs.	1	Operational costs have been amended to reflect the relevant inflation rate and/or the feedback received from providers during the independent review of our fee models.

2	Supported Living	
2.1	<p>Sleep in Costs (Supreme Court Ruling Appeal (Mencap V Tomlinson))</p> <p>Waking Nights Costs – these shifts can be a core element to our business and requires the same management, training, cover etc. We feel there should be no difference between day and night fees as is the case with most local authorities.</p>	<p>Following the judgement of the appeal, Wirral is not looking to move from the position that we outlined in our proposed rates and fees model.</p> <p>We have continued to respond to feedback providers gave to the Council as part of the engagement exercise with Cipfa C.co and based on our rate for overnight on actuals submitted as part of the exercise. Whilst we acknowledge that the rate does not go all the way to meet the full hourly rate, we do feel the increase represents a significant step and does cover NMW plus on costs. The increase in the NLW/NMW has been reflected in the proposed model.</p>
2.2	<p>In 2020-21, an enhanced fee rate has been offered by the Council since 1 May 2020, to enable providers to pay their employees the Real Living Wage (RLW). Is this enhanced rate expected to continue in 2021-2022?</p>	<p>The Council has agreed to continue to offer an enhanced fee rate for those providers who are committed to paying ALL staff the Real Living Wage in 2021-22.</p>
2.3	<p>National Minimum/ Living Wage increased from 1 April 2021. Leading to enhanced labour costs for all providers.</p>	<p>The Council's fee model complies with the requirement to give consideration to providers' actual costs of care and provides sufficiently for each provider to fulfil its legal duty to pay the National Living Wage.</p>
2.4	<p>Sickness cover is understated</p>	<p>The sickness cover used in the model has been amended to reflect the relevant feedback received from providers during the independent review of our fee models.</p>
2.5	<p>Agency costs are understated</p>	<p>The Agency costs used in the model have been amended to reflect the relevant feedback received from providers during the independent review of our fee models.</p>

2.6	The Return on Activity (ROA) offered in the model is below the market average.		The return percentage used in the model has been amended to reflect the relevant feedback received from providers during the independent review of our fee models.
2.7	Supporting People Funding – This funding has continued to be frozen, and no expectation was given as to this review taking place. It is concerning that there is a two-tiered support worker approach from two different funding pots.	2	We are looking to do a review of Supporting People funding for Wirral during the 2021-2022 financial year, However, we are not looking at changing the rate that is currently in place for this year.
2.8	COVID Costs – We would ask for confirmation from Wirral Council on their continued support for PPE supplies and other associated costs regarding the COVID-19 situation.	1	Our understanding is that the portal will continue for the foreseeable future, the Council can provide PPE in exceptional circumstances if supply is not available. We have recently received notification of a further round of IPC grant (3) and will distribute this to the market shortly.

3	Domiciliary Care		
3.1	In 2020-21, an enhanced fee rate has been offered by the Council since 1 May 2020, to enable providers to pay their employees the Real Living Wage (RLW). Is this enhanced rate expected to continue in 2021-2022?	1	The Council has agreed to continue to offer an enhanced fee rate for those providers who are committed to paying ALL staff the Real Living Wage in 2021-22.
3.2	What is the Implementation date for new fee rates?	1	The period of the current engagement ends on 11 April 2021. Officer recommendations will then be discussed and agreed at Adult Social Care and Public Health Committee on 7 June 2021, once agreed the rates will be backdated to 1 April 2021.
3.3	Recruitment and stability.	1	By offering the RLW to staff we hope that this would help with recruitment within the sector and staff are rewarded for the work they do.

