

**REPORT TO:** Health Policy & Performance Board

**DATE:** 23rd November 2021

**REPORTING OFFICER:** Strategic Director, People

**PORTFOLIO:** Health and Wellbeing

**SUBJECT:** Update on the implementation of Mandatory Vaccination Regulations in Adult Care Homes

**WARD(S):** Borough-wide

## 1.0 PURPOSE OF REPORT

- 1.1 To provide the HPPB with an update report in relation to the risks associated with the recent Government legislation published on the need to vaccinate people working or deployed in care homes. This original report was submitted to HPPB on 28.09.21

## 2.0 RECOMMENDATION

***RECOMMENDED: That the Board***

***(1) Note contents of the report.***

## 3.0 SUPPORTING INFORMATION

### 3.1 Background

The implications of implementing the regulations identified in the original report were that those staff who work within care homes, or are required to visit care homes as part of their role who were not fully vaccinated or refused to be vaccinated by 11 November 2021, could not continue to be employed in that role.

This report provides an update on the actions taken so far to implement the regulations and monitor and mitigate, where appropriate the consequential risks associated with possible workforce reductions after 11 November 2021

### 3.2 HBC Care Home Vaccinations Implementation Group

The group which is chaired by The Director of Adult Social Services, includes Adult Social Care Divisional Managers, Human resources Managers and Union Representatives. The group has been meeting weekly since the beginning of August. The group has agreed and followed a full implementation plan which has included the production and distributed of comprehensive information required for staff working in and those professionals visiting care homes. The group has also

taken legal advice where appropriate and has now produced a full set of HR procedures, letters for individual staff, schedules for dismissal hearings and an appeals process. A full communications plan has also been implemented with all the information published and shared with all Care Homes staff, wider HBC staff and partners included.

### 3.3 **Independent Care Providers**

As at 13 August 2021 there were an estimated 920 staff working within Halton Care Homes. the headline vaccination rates at that time were 765 (81 %) of staff having received an initial vaccine dose and 722 (76%) of staff being fully vaccinated. As at 5 October 2021 there were 8 identified staff members within the independent sector within Halton that had not been fully vaccinated. An update to this figure will be provided at the board meeting.

### 3.4 **HBC Care Homes**

As the figures for both the independent sector and HBC Care homes are now changing daily, a short presentation will be made to the board at the meeting which will include updated numbers of HBC staff vaccinated and numbers that refused vaccination. This presentation will also hopefully include further details related to the outcome of the recent consultation regarding mandatory vaccinations in the wider health and social care sector.

### 3.5 **Statement of Risks**

Five risk areas were originally identified if care home staff are not fully vaccinated against Covid-19.

- a. **The “employment” risk**- Unvaccinated staff are at risk of losing their jobs because they are unable to be deployed within care homes ;
- b. **The “workforce” risk** - Care Homes are at increased risk of staffing shortages due to their inability to deploy unvaccinated staff;
- c. **The “commissioning” risk** - Staffing shortages may force care homes to reduce bed capacity and limit their ability to accept new residents, making it much more difficult for people to access residential and nursing care;
- d. **The “continuity of care” risk** - Severe staffing shortages may compromise the ability of care homes to maintain safe staffing levels for existing residents, forcing the relocation of some residents;
- e. **The “viability” risk** - Prolonged curtailment of operations due to below optimal occupancy levels will limit the revenues of care home operators and increase the risk of provider failure due to financial pressures

### 3.6 **HBC Revised Impact Assessment**

An updated risk assessment has been carried out against the 5 risk areas outlined above, as follows:-

- a. **Employment Risk** – This has been dramatically reduced since August after all the relevant information and implications were provided to staff in both HBC Care Homes and Independent Care Homes.
- b. **Workforce Risk** – Homes will hopefully be able to adjust to small staffing reductions without significant detriment as most or all of their staff are now fully vaccinated. There is still a reduced risk within some HBC Care Homes, namely Millbrow Care Home, but the risk is being managed by HBC. Measures have been put in place to ensure all agency staff employed through the Council Matrix system are fully vaccinated in order to register
- c. **Commissioning Risk** – This risk is again dramatically reduced as most staff have been vaccinated with the likelihood of Care Homes contracting their bed capacity in order to ensure that the staffing ratios required to maintain safe standards of care can be met are decreased. The ability to place care home residents being discharged from hospital, will hopefully not be impacted.
- d. **Continuity of Care Risk** – This risk has been dramatically reduced as the maximum workforce reduction as at 15.10.21 is 8 staff within the independent sector and 12 staff within HBC care Homes. An update will be provided at the meeting.
- e. **Viability Risk** – Although some homes have been operating with low levels of occupancy for many months. The overall reduced workforce of 8 staff across the independent sector should reduce the viability risk linked to vaccinations. It should still be noted that any further reductions can still impact Care Homes just at the point that annual winter pressures are beginning to accelerate. This will continue to be monitored through HBC Quality assurance mechanisms.

### 3.7 **Mitigating the remaining Risks**

HBC will continue to review the business contingency plans for Council run care homes and the numbers vaccinated are now being monitored daily.

HBC will continue to use all means available to encourage uptake and to ensure that providers continue to accurately and regularly report the vaccination status of their staff.

## 4.0 **POLICY IMPLICATIONS**

- 4.1 Associated changes in Human Resources and Care Home processes have been implemented to support the introduction of this legislation and are monitored weekly through the Implementation Group. A new vaccination Policy for Adult Care Homes has also been developed and will be published before 11 November 2021 implementation deadline.

## 5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 There are reduced financial issues linked to the Care Market as so many staff have now been fully vaccinated.

## 6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**  
None identified.

6.2 **Employment, Learning & Skills in Halton**  
Full Vaccination status has been included as a requirement for all new employee contracts within Care Homes.

6.3 **A Healthy Halton**  
The availability of an effective Care Home market in Halton is directly linked to this priority.

6.4 **A Safer Halton**  
None identified.

6.5 **Halton's Urban Renewal**  
None identified.

## 7.0 **RISK ANALYSIS**

7.1 This report specifically focuses on the risks associated with the introduction of the new legislation.

## 8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 None identified.

## 9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

9.1 None associated with this report.