

# To seek approval from the Director of Adults and Health to allocate funding for the Time for Carers Scheme and to direct award a grant to Carers Leeds

Date: 24<sup>th</sup> April 2024

Report of: Interim Deputy Director of Adults and Health (Integrated Commissioning)

Report to: Director of Adults and Health

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

Short breaks are one of the ways that we meet our statutory duties towards carers and are known to promote carer wellbeing and reduce the inequalities they experience. This can mean that carers are more able to continue caring and balance their caring role with a life of their own which in turn can prevent and/or delay the point at which they and/or the person they care for access and become more dependent on the health and care system.

The purpose of this report is to seek authority from the Director of Adults and Health to allocate £142,500 pa to the Time for Carers Scheme for a period of two years commencing 1st April 2024 and to award a grant to Carers Leeds with a value of £285,000 for the period 1st April 2024 to 31st March 2026.

## Recommendations

- a) The Director of Adults and Health is recommended to allocate £142,500 pa to the Time for Carers Scheme for a period of two years commencing 1st April 2024
- b) The Director of Adults and Health is recommended to approve the award of a grant to Carers Leeds with a value of £285,000 for the period 1st April 2024 to 31st March 2026.
- c) The Director of Adults and Health is recommended to note the Head of Commissioning (Integration) will be responsible for implementing this decision

## What is this report about?

- 1 Unpaid carers make a vital contribution to the supply of care in Leeds. However, we know that caring impacts negatively on the health and wellbeing, employment opportunities, finances and social and leisure activities of those people providing it.
- 2 The Time for Carers Scheme provides carers with a small one-off payment, based on a self-assessment, in order that they can take a short break from caring.
- 3 The purpose of this report is to seek authority from the Director of Adults and Health to allocate £142,500 pa to the Time for Carers Scheme for a period of two years commencing 1st April 2024 and to award a grant to Carers Leeds with a value of £285,000 for the period 1st April 2024 to 31st March 2026.

## What impact will this proposal have?

- 4 Short breaks are one of the ways that we meet our statutory duties towards carers and are known to promote carer wellbeing and reduce the inequalities they experience. This can mean that carers are more able to continue caring and balance their caring role with a life of their own which in turn can prevent and/or delay the point at which they and/or the person they care for access and become more dependent on the health and care system. A short break can range from an informal relationship where a family member or friend takes over caring, to more formal care arrangements.
- 5 Time for Carers is an established and effective scheme, which is administered by Carers Leeds, on behalf of Adults and Health, and is one of the ways that we support carers to take a short break from caring.
- 6 Applicants are required to complete a self-assessment and in doing so are invited to request additional support from Carers Leeds, for example contact from a Carer Support Worker, information about support groups, receive a quarterly newsletter. Around 50% of grant recipients go on to receive additional support from Carers Leeds which can further reduce demand on statutory health and care services.
- 7 Each self-assessment must be supported by a professional who knows the carer and can provide assurance that the self-assessment is an accurate reflection of the caring situation.
- 8 The Time for Carers scheme will enable a minimum of 125 carers per quarter to take a short break from caring. Examples of how carers have taken a short break include weekend breaks, day trips, gym memberships, relaxation therapies, accessing further education, hobbies, purchase of digital equipment.
- 9 The number of Time for Carers recipients contributes to the Adult Social Care reported number of carers receiving direct support as a direct payment, part direct payment, or personal budget.
- 10 Based on previous data, around 23% of carers receiving a Time for Carers payment are from ethnically diverse communities, 5% are male and 84% are carers of working age.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 11 Increasing the number of carers who have a short break from caring is a key objective in the Leeds Carers Partnership Strategy "Putting carers at the heart of everything we do" which in turn supports the Leeds Health and Wellbeing Strategy 2023-2030 priority to create a Carer Friendly City.

## What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?       Yes                       No

- 12 Feedback from carers who receive a Time for Carers payment is overwhelmingly positive. In addition, Carers Leeds state that “The Time for Carers scheme makes a huge difference to the lives of carers across Leeds. By carers applying for this funding to help them get a break from their caring responsibilities, we can welcome and engage the carer into our service. So, not only does the funding benefit carers wellbeing it is also a very useful ‘door opener’ for carers to get to know about Carers Leeds and the scope of the services and support we offer”.
- 13 Leeds City Council’s Head of Finance has confirmed there is sufficient budgetary provision.
- 14 The Service Provider has indicated their willingness to continue to provide the service from 1st April 2025.
- 15 The Executive Member for Executive Member for Adult Social Care, Public Health and Active Lifestyles will be briefed on the contents of this report.

## What are the resource implications?

- 16 The total value of the grant over the two-year period is £285,000. Funding is contained within the adult carer’s budget.
- 17 This is a 5% reduction on the previous grant to support the savings target set against the review of 3<sup>rd</sup> sector grants and contracts

## What are the key risks and how are they being managed?

- 18 Should the Time for Carers scheme end, the numbers of carer taking a short break would reduce as would the Adult Social Care reported number of carers receiving direct support as a direct payment, part direct payment, or personal budget.
- 19 This would most likely have a knock-on effect on other parts of the health and care system. For example, the costs of supporting a carer to have a short break through the Time for Carers scheme is significantly less than providing long-term support for the person they care for should the caring relationship break down. Additional costs to support the carer (e.g. GP appointments, hospital admission, carers assessment, prescription costs) are also likely should the carer ‘burn-out’ and be unable or unwilling to continue to provide care.

## What are the legal implications?

- 20 The decision highlighted in this report will be taken by the Director of Adults and Health in line with the officer delegation scheme as detailed in Part 3 of the Council’s Constitution.
- 21 The decision will be classed as a Significant Operational Decision and will be required to be signed-off by the Director of Adults and Health.
- 22 The decision will be published to ensure transparency and accountability in relation to decision making within the authority.
- 23 There are no grounds for treating the contents of this report as confidential under the Council’s Access to Information rules.
- 24 As the Council would be entering into a grant arrangement with Carers Leeds who wish to operate the “Time for Carers Grant” the Council will have no contractual control over enforcement of the terms with third party recipients. The only sanction available for the Council

is to claw-back unspent or misappropriated grant funding under the provisions of the Grant Agreement.

- 25 There is a risk of challenge that a grant payment is not a grant. Legally there is some confusion about when a grant can and cannot be used as there is a fine line between a grant (which is not caught by the procurement rules) and a contract for services (which is caught by the procurement rules). Although no longer directly applicable to the UK's departure from the European Union the preamble to EU Procurement Directive 2014/24/EU (from which the Public Contracts Regulations 2015 were transposed into English law) is still persuasive and the directive makes it clear at paragraph (4) that "the mere financing, in particular through grants, of an activity, which is frequently linked to the obligation to reimburse the amounts received where they are not used for the purposes intended, does not usually fall within the scope of the public procurement rules".
- 26 As such, unconditional grants are unlikely to meet the definition of a contract set out in the Public Contracts Regulations 2015 (PCR 2015). However, where grants are used with strict qualification criteria and an obligation to pay back money if certain targets are not reached, the position is less straightforward and it is possible that an arrangement referred to as a grant could actually meet the definition of a contract set out in the PCR 2015 and, if it does, the PCR 2015 may apply. It is therefore extremely important to ensure that, if providing grants, the process followed does not fall within the definition of a "public contract" as set out in PCR 2015 which states –"contracts for pecuniary interest concluded in writing between one or more economic operators and one or more contracting authorities and having as their object the execution of works, the supply of products or the provision of services"
- 27 It is unlikely that the grant payments proposed will fall foul of the subsidy control rules.
- 28 Funding from which any grant payment is made must be designated as "grant" money. If the Council wish to make a grant, the money must be in the "grant" block. If it is not, it can normally be moved from other blocks in the Council budget into the grant block.
- 29 As this is a grant it is not subject to the council's Contracts Procedure Rules or within the Public Contracts Regulations 2015, but good practice and transparency will be observed throughout.
- 30 There is no overriding legal obstacle preventing the award of the grants and the contents of this report should be noted. In making their final decision, the Director of Adults and Health should be satisfied that the course of action chosen represents best value for the Council.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 31 Carers Leeds are a key third sector partner and have a contract with Leeds City Council to deliver information, advice and support services for adult and parent carers until 31st March 2026 (DN358659). Administration of the Time for Carers Scheme is included in the specification for this service. The specification reads "The service will provide administration of the Time for Carers Grant which can provide a cash sum for a carer to promote their own health and wellbeing. The amount of funding available, the maximum grant award and grant criteria will be agreed each year with the lead commissioning manager for carers". As such, no other service provider is being considered.
- 32 Ending the Time for Carers scheme is not recommended for the reasons set out in this report.

### **How will success be measured?**

- 33 Each quarter Carers Leeds will provide quantitative information
- Number of carers receiving a Time for Carers payment
  - Personal details of carers receiving a Time for Carers payment
  - Amount awarded

- Number of carers receiving a payment who were previously unknown to Carers Leeds
- Numbers of carers who receive additional support from Carers Leeds

34 In addition, Carers Leeds will provide brief case studies on a quarterly basis to demonstrate the positive impact of the Time for Carers Scheme

**What is the timetable and who will be responsible for implementation?**

35 The grant will commence 1st April 2024. The infrastructure within Carers Leeds to administer the grant is in place.

**Appendices**

- Equality, Diversity, Cohesion & Integration (EDCI) Screening

**Background papers**

- None