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 3. Healthcare workers, carers and care settings during coronavirus (<https://www.gov.uk/coronavirus-taxon/healthcare-workers-carers-and-care-settings>)
 4. Workforce Capacity Fund for adult social care (<https://www.gov.uk/government/publications/workforce-capacity-fund-for-adult-social-care>)
- Department of Health & Social Care (<https://www.gov.uk/government/organisations/department-of-health-and-social-care>)

Guidance

Annex A: grant determination letter

Updated 19 April 2021



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Determination under section 31 of the Local Government Act 2003 of a ring-fenced Workforce Capacity for Adult Social Care grant for 2020/21 no. 31/5338.

The Minister of State for Care ("the Minister of State"), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

1. This determination may be cited as the Adult Social Care Workforce Capacity fund 2020/21 No. 31/5338.

Purpose of the grant

1. The purpose of the grant is to help local authorities put in place measures that deliver additional staffing capacity for adult social care to:
 - support providers to maintain the provision of safe care;
 - support providers to restrict the movement of staff between care homes and other care settings;
 - support timely and safe discharge from hospital into care settings; and
 - to enable new admissions from the community into care services.
1. All expenditure financed by this grant should be incurred on or before the 31 March 2021. Any funds not used at this point will be recovered by the Department of Health and Social Care (the department).

Determination

1. The local authorities to which grants are to be paid and the amount of grants to be paid, are set out in Annex C.
2. The grant will be paid in two instalments with the first being made in early February 2021 and the second in March 2021. The second instalment will only be made if the authority has written to the department by 12 February 2021 confirming their plan for spending the grant, including a breakdown of their expected activity and estimated costs. The second instalment is contingent on the department being satisfied that the first instalment is being used in accordance with the conditions of the grant. If a local authority's estimated costs amount to less than the amount of funding allocated, then the department will withhold the difference between the local authority's estimated costs and funding allocation in annex C.

Grant conditions

1. Pursuant to section 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions in annex B.
2. The funding must only be used by the local authority for the specific additional COVID-19 measures that deliver additional staff capacity, as specified in the grant conditions in Annex B, beyond the measures the local authority is currently budgeting for.

3. Subject to the conditions in this grant determination (including the grant conditions set out in Annex B) being satisfied, local authorities can choose to pass some or all of their funding to care providers within the local authority's geographical area to deliver measures that increase staffing capacity within the organisation. If the local authority chooses to make payments to providers financed by this grant they must ensure that providers will use the funding to support new expenditure that delivers additional staff capacity and has not already been funded by other sources of public funding.
4. If at any point the local authority reasonably believes that the funding is not being used to deliver additional staffing capacity, or is being used for measures already funded by other sources of public funding, the local authority must take all reasonable steps to recover money that has not been used in accordance with the grant conditions.
5. Local authorities must ensure that care providers account for all payments paid out to them and keep appropriate records. If the local authority finds that the provider has not used the funding or any part of it to support the measures for which it was provided, the local authority must take all reasonable steps to recover the money that has not been used.
6. Local authorities must ensure that appropriate arrangements are in place to enable them, if necessary, to recover any overpayments. None of the funding provided is to be used for any purpose other than the specified measures outlined in annex B that are focused on delivering additional staffing capacity.

Treasury consent

1. Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Care, Helen Whately

Anna Boaden, Deputy Director for Adult Social Care Workforce, Department of Health and Social Care

28 January 2021

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