



**Parliamentary Wrap-up
April 2021**

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1. **Government Announcements:** on 14 April Rt Hon Matt Hancock MP, Secretary of State for Health & Social Care, announced a five week consultation on mandatory COVID vaccinations for care home workers in care homes for older people.

<https://questions-statements.parliament.uk/written-statements/detail/2021-04-14/hcws917>

2. **Queen's Speech:** will take place on 11 May.
3. **Meetings:** Throughout the pandemic Care England has met Cabinet Ministers, Ministers, Opposition Spokespeople, Special Advisers, Senior officials and other Whitehall officials thereby continually keeping the pressure on to ensure that adult social care is recognised and understood.

4. **Debates**

Occupancy: on 28 April Baroness Greengross (CB) will introduce a short debate on care home occupancy rates.

Pay and Conditions: on 13 April Jon Trickett MP (Lab) Hemsworth asked what steps were being taken to increase pay and improve working conditions in the social care sector. The Care Minister, Helen Whately MP, said that whilst the Government did not have direct responsibility for pay in adult social care it wanted care providers to reward and support their staff appropriately for the vital work that they do. The Minister said that during the pandemic care providers had been asked to pay staff full pay when they needed to self isolate and that the Government provided over £1.4 billion of extra funding to support the cost of this and other infection control measures.

Jon Trickett mourned the 364 care workers who had died in public service since COVID began. He said that care workers felt undervalued by the fact that their average salary was only £17,200 and suggested that very few Ministers could live on that kind of salary. He highlighted the inequity when the Government was paying nine times the social care salary to Test and Trace consultants. He urged the Minister to say how she would show that social care workers were valued by doing three things (1) ending privatisation (2) insist on a proper

salary rise (3) ensure that a professional career structure was instituted which recognised and rewarded the professionalism, talent and commitment of these essential workers. The Minister responded saying that she was determined to come up with a workforce strategy that would improve the opportunities for those working in social care to develop their careers with a real career progression and that this would be part of the Government's social care reform proposals.

Liz Kendall MP (Lab) Leicester West said that despite repeated promises, the truth was that someone would be better off stacking shelves at Morrisons than caring for older or disabled people. She asked the Minister to confirm that the Government's COVID infection control fund had to be used to improve pay so that staff did not have to work for more than one care home and could actually afford to self isolate.

<https://hansard.parliament.uk/commons/2021-04-13/debates/F8129FC1-0FE9-4CB3-9CA2-F85905E2B3D4/OralAnswersToQuestions>

Resuscitation Orders: on 24 March the Lord Bishop of Newcastle introduced a short debate on CQC's report Protect, Respect, Connect – Decisions about Living & Dying Well During COVID-19 concerning the decisions about do not attempt cardiopulmonary resuscitation orders for care home residents and people with learning disabilities. The Bishop focused on unprecedented pressure on care providers and blanket DNACPR requesting that a Ministerial oversight group would be implemented as recommended in the report.

Baroness Hollins (CB) stated that given the significantly higher number of excess deaths among people with LD last year would the Minister commit to finding out what proportion of those deaths were associated with DNACPRs. She also asked whether the Minister agreed that the blanket use of DNACPRs for people with LD was an indication of the extent of the lack of confidence and competence amongst healthcare staff to accommodate their needs, and was another reason that the Oliver McGowan mandatory training to be more widespread.

Baroness Thornton (Lab) said that the solution must lie in completely clear, unambiguous policy to advance care planning and DNACPR decisions and a consistent use of accessible language, communication and guidance to enable clear understanding by commissioners, providers and the public to which Lord Bethell said that training was the issue, and that front line workforce needed the skills to apply the delicate but critical interactions.

Lord Scriven (Lib Dem) proposed that the report, as suggested by Age UK, was the tip of the iceberg and required the Government to bring forward proposals as part of a complete overhaul of the advance care planning system. The Minister did not accept this assertion.

Lord Flight (Con) questions echoed the above concerns as did Baroness Watkins of Tavistock (CB), a nurse involved with the Outcomes First Group which supports people with LD, appealed for the Government to ensure that healthcare workers had sufficient time to undertake proper assessment of individuals with cognitive impairment and LD as part of their routine care planning which should be recorded and reviewed at least biannually.

Baroness Jolly (Lib Dem) asked whether the Government was confident that such events would not happen again. A number of other concerns were raised by Baroness Uddin (Ind) and Baroness Meacher (CB), Chair of Dignity in Dying.

<https://hansard.parliament.uk/lords/2021-03-24/debates/2B9075C0-0EC1-479D-B56D-FFEF31F5BFBB/Covid-19ResuscitationOrders>

5. Parliamentary Questions

Visiting in Private Care Homes: on 15 April Ian Mearns MP (Lab) Gateshead asked what assessment had been made of the implications for DHSC's policies on care home visiting and the restriction of some private sector care homes of visits to residents by friends and families despite guidance that visits are permitted and what steps DHSC would take to ensure that all care homes allow visits unless there was a reasonable reason not to. Unfortunately the question was not answered by DHSC.

<https://questions-statements.parliament.uk/written-questions/detail/2021-04-12/179034>

Visiting: on 14 April Andrew Rosindell MP (Con) Romford asked what assessment DHSC had made of the effectiveness of the COVID-19 safety measures put in place to allow visitors to care homes. In response the Care Minister, Helen Whately MP, said that the decision to resume indoor care home visiting was a clinically led approach taking into account the surveillance of COVID-19 and the risks of transmission and infection. The Minister commented that enhanced data collection had been put in place to monitor the impact of visits and to ensure that any adverse impacts across the system were rapidly detected. She went on to say the SAGE Social Care Working Group would be undertaking an assessment of how well the overall suite of safety measures had worked which would be used by DHSC to inform future policy.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-24/174741>

Social Care Reform: on 13 April Rt Hon Jeremy Hunt MP (Con) SW Surrey & Chair of the Health and Social Care Select Committee reminded Matt Hancock that three weeks ago the Prime Minister confirmed that there would be a ten year plan for the social care sector, like that of the NHS, to fix the crisis in social care. He asked the Secretary of State to state what he felt was needed in that ten year plan and whether organisations such as Care England would be able to contribute to the Government's thinking on the plan and if so, when.

In response Matt Hancock MP said that he was working hard, including with stakeholders, and wanted it to be an open and broad programme to ensure that the right answers were secured to those long standing questions.

<https://hansard.parliament.uk/commons/2021-04-13/debates/F8129FC1-0FE9-4CB3-9CA2-F85905E2B3D4/OralAnswersToQuestions>

Human Rights and Visiting: on 6 April Baroness Hayman of Ullock (Lab) asked what plans the Government had to lay before Parliament the Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2021 drafted by the Joint Committee on Human Rights. In response Lord Bethell said that the Government had decided to pursue non legislative routes and were taking a carefully balanced, step by step approach to opening up more visiting opportunities. The Minister said that the guidance made clear that care homes should support the guidance by default and that DHSC was working with the care home sector to encourage and enable care homes to do so.

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-04/HL12997>

Testing: on 7 April Lord Willis of Knaresborough (Lib Dem) asked when testing of all care home staff for COVID-19 commenced. Lord Bethell said that DHSC began piloting testing of care homes on 1 May 2020 and launched the portal for all staff and residents on 11 May.

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-22/HL13544>

Vaccinations for Relatives: on 7 April Fleur Anderson MP (Lab) Putney enquired about the potential merits of prioritising COVID-19 vaccinations for relatives of care home residents to enable those relatives to be able to resume visits to those residents. In response Nadhim Zahawi MP, Vaccine Minister, said that vaccination was not a condition of visiting

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-03/148936>

Sleep Ins: on 1 April Lord Pendry (Lab) asked if the Prime Minister would invest massively in care homes and care workers further to the Mencap v Tomlinson-Blake case and what plans there were to legislate to provide that care workers were paid at least the NMW for the entirety of a sleep in shift. In response Lord Bethell said that the Government was considering implications of the judgement with care commissioners and providers to consider what action, if any was needed. He announced that there were no plans to bring forward legislative proposals to amend NMW regulations at this time.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-23/HL14530>

Visiting: on 30 March Rachael Maskell MP (Lab) York Central asked for a timetable for the re-introduction of close contact care homes visits. Care Minister, Helen Whately MP, said step two of the roadmap would be to assess the data and take a decision on opening up further opportunities for visiting.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-08/164531>

Lateral Flow Tests: on 30 March Justin Madders MP (Lab) Ellesmere Port & Neston asked what discussion the DHSC had had with representatives of care homes on the reliability of lateral flow tests. In response Helen Whately MP, Care Minister, said that the DHSC had regular discussions with care sector stakeholders including Care England regarding the use of lateral flow testing.

<https://questions-statements.parliament.uk/written-questions/detail/2021-01-19/140148>

Recruitment: on 30 March Sir Mark Hendrick MP (Lab) Preston asked what steps the DHSC was taking to encourage the recruitment of care workers. The Care Minister, Helen Whately MP, outlined the Care for Others, Make a Difference campaign and said that DHSC was working with DWP to provide resources to work coaches to help them promote adult social care careers to jobseekers.

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-19/154774>

Safety: on 26 March Lord Hunt of Kings Heath (Lab) asked which national body or agency was responsible for conducting overarching, independent investigations into patient safety in residential care homes in England. In response Lord Bethell said that the Healthcare Safety Investigation Branch (HSIB) could investigate individual safety concerns in care homes

if the patient's care was NHS funded and the referral met their investigation criteria. He laid out CQC's responsibilities concerning safety and said that complaints could also be investigated by the Health and Safety Executive, Health Service Ombudsman or the Local Government Ombudsman.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-17/HL14319>

Sleep Ins: on 25 March Barbara Keeley MP (Lab) Worsley & Eccles South asked if further to the Sleep In judgement by the Supreme Court the Government had plans to bring forward legislative proposals to amend NMW regulations to clarify that sleep in shifts for care staff should be counted for the purposes of calculating the minimum wage. In response Paul Scully MP, BEIS Minister, said that the Government welcomed the legal clarity and was considering the implications of the judgement with care commissioners and providers to consider what action, if any, was needed.

Ms Keeley asked a further question as to whether the Government would take steps to prevent care staff working on sleep in shifts from having their wages reduced but unfortunately the Government was not able to answer.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-22/172953>
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Designated Care Settings: on 25 March the Care Minister, Helen Whately MP, gave a statement to the Commons regarding designated settings indemnity support to be extended until 30 June 2021. A further review will take place in early June.

<https://hansard.parliament.uk/commons/2021-03-25/debates/21032530000020/TemporaryIndemnityForDesignatedCareHomeSettingsContingentLiability>

Road Map for Visiting: on 25 March Munira Wilson MP (Lib Dem) asked when a roadmap for the return of close contact care home visits would be published. The Care Minister, Helen Whately MP, said that data would be assessed in mid April with a view to taking a decision on opening up further opportunities for visiting, setting out a plan for the next phase of visits for people in residential care.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-16/169967>

Lateral Flow Tests: on 25 March Caroline Lucas MP (Green) asked whether high risk residential care providers specifically in Brighton were receiving an uninterrupted supply of lateral flow tests from the DHSC Winter Plan supply. Care Minister, Helen Whately MP, replied saying that the National Testing Programme gave all care homes and high risk extra care & SL settings access to weekly PCR testing and twice weekly LFD testing for staff and weekly PCR for residents. Stocks could be replenished by visiting <https://www.gov.uk/apply-coronavirus-test-care-home>

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-05/149740>

Social Care Coronavirus Life Assurance Scheme: on 24 March Baroness Sherlock (Lab) asked whether CQC held or published data identifying nursing homes where residents had died from COVID-19 during the pandemic and furthermore whether CQC shared that data with

those who processed claims to the NHS and Social Care Coronavirus Life Assurance Scheme. In response Lord Bethell said that the CQC regularly shared data on notifications of deaths in individual care homes with DHSC and other partners, including the ONS, in order to monitor, plan and respond to the pandemic. He said that the CQC did not publish mortality data by location. With regards to the NHS and Social Care Coronavirus Life Assurance Scheme the Minister said that it did not cover residents of care homes and did not receive data regarding care home resident deaths.

<https://questions-statements.parliament.uk/written-questions/detail/2020-11-04/HL10016>

6. Select Committees

Public Accounts Committee: on 19 April the Public Accounts Committee heard evidence from the following people for its inquiry into adult social care markets:

- Sir Chris Wormald, Permanent Secretary, DHSC
- Michelle Dyson, Director General, Adult Social Care, DHSC
- Professor Deborah Sturdy OBE, Chief Nurse for Adult Social Care, DHSC
- Catherine Frances, Director General, HCLG
- Ian Trenholm, Chief Executive, CQC.

<https://committees.parliament.uk/event/4088/formal-meeting-oral-evidence-session/>
<http://www.careengland.org.uk/news/operation-adult-social-care-market>

The inquiry will focus on:

- how adult social care is currently provided and structured
- DHSC's effectiveness in overseeing the market and holding providers to account; and its understanding of future demand, costs and alternative delivery models

Joint Committee on Human Rights: On 14 April Martin Green gave evidence to the Joint Committee on Human Rights Select Committee's inquiry into human rights implications of long lockdown. Martin, together with other witnesses from Rights for Residents and Mencap, was questioned about blanket visiting policies, visiting out, guidance, and other concerns.

<https://committees.parliament.uk/event/4186/formal-meeting-oral-evidence-session/>

There will be a further evidence session on 21 April where the Committee will hear from:

- Peter Wyman CBE DL, Chair, CQC
- Kate Terroni, Chief Inspector of Adult Social Care, CQC
- Helen Whately MP, Care Minister

<https://committees.parliament.uk/event/4281/formal-meeting-oral-evidence-session/>

Commons Liaison Committee: on 24 March the Prime Minister gave evidence to the Commons Liaison Committee and hinted that social care reform would be included in the Queen's Speech 2021 <https://committees.parliament.uk/event/3928/formal-meeting-oral-evidence-session/>

Health & Social Care Select Committee: on 13 April the Committee took evidence for its inquiry into improving the treatment of disabled and autistic people.

<https://committees.parliament.uk/work/1026/treatment-of-autistic-people-and-individuals-with-learning-disabilities/>

Housing, Communities and Local Government Select Committee: Care England has submitted evidence to the Committee's inquiry into the long term funding of adult social care.

<https://committees.parliament.uk/work/1080/long-term-funding-of-adult-social-care/>

7. Care Home Parliamentary Network

We are extremely sad to note that Rt Hon Dame Cheryl Gillan MP (Con) Chesham & Amersham, a member of the Care Home Parliamentary Network, has died.