



Covid-19: Social and Domiciliary Care Debate on 23 April 2020

On 23 April 2020, Baroness Wheeler (Labour) is due to move that “this House takes note of the short term and long term impact of the Government’s approach to the Covid-19 pandemic on the provision and delivery of social and domiciliary care for disabled and vulnerable adults and children, and the urgent need to ensure the sustainability of social care services”.

Summary

The social and domiciliary care sector is under huge strain as it tries to meet the challenges posed by the coronavirus pandemic. The Government has introduced several measures, principally through the Coronavirus Act 2020, which it says are aimed to help the sector cope at such unprecedented times. However, concern has been expressed that the changes may have unintended negative consequences for some of the most vulnerable in society.

The provision of social and domiciliary care is a devolved matter. In England, the Coronavirus Act 2020 provides for a relaxation of local authority duties around the provision of care and support needs. For example, local authorities will only be under a duty to meet a person’s eligible needs where not doing so would breach their human rights. Similarly, in Wales, the Coronavirus Act [suspends provisions in the Social Services and Well-being \(Wales\) Act 2014](#) unless services are needed to protect an adult from abuse or neglect or a risk of abuse or neglect. In Scotland, the Act has [implemented changes to the assessments of care needs that local authorities are required to carry out](#). The Act has also introduced changes to provision in Northern Ireland, particularly concerning [mental capacity practice](#).

The UK Government contends it has taken such measures to enable local authorities to prioritise the social care services they offer to ensure that the most urgent and serious care needs are met. However, concerns have been expressed that [these changes could result in care standards being lowered, putting elderly and disabled people at risk](#).

Regarding vulnerable children and young people, the Government has published guidance outlining the measures being taken to safeguard them during this period. This includes allowing local authorities to depart from existing practice where there is a clear rationale for doing so. Again, however, this has been criticised by those who [contend the circumstances where this would be appropriate are unclear](#).

In the wider context of the pandemic, many social care homes continue to report significant issues in trying to protect their residents. These issues include a lack of personal protective equipment (PPE). There is also concern the true extent of the outbreak amongst social care facilities is still unknown. A number of care homes [have recently announced a significant number of fatalities](#) not included in previous mortality statistics. In an open letter to social care staff, the Health Secretary, Matt Hancock, said the Government was committed to doing “[whatever is needed](#)” to support the sector during this period.

James Tobin | 15 April 2020

A full list of Lords Library briefings is available on the research briefings page on the internet. The Library publishes briefings for all major items of business debated in the House of Lords. The Library also publishes briefings on the House of Lords itself and other subjects that may be of interest to Members. Library briefings are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, authoritative, politically balanced briefing on subjects likely to be of interest to Members of the Lords. Authors are available to discuss the contents of the briefings with the Members and their staff but cannot advise members of the general public.

Any comments on Library briefings should be sent to the Head of Research Services, House of Lords Library, London SW1A 0PW or emailed to purvism@parliament.uk.

Key information

- House of Commons Library, [Coronavirus: Access to Adult Social Care in England](#), 7 April 2020

Briefing analysing the duties and responsibilities of social care providers and the provisions in the Coronavirus Act 2020, which provide for a relaxation of local authority duties around the provision of care and support needs.

- House of Commons Library, [Coronavirus: Health and Social Care Key Issues and Sources](#), 7 April 2020

Analysis of the key issues facing the social and domiciliary care sector, including details of additional funding provided by the Government.

- Department of Health and Social Care, '[Care Act easements: guidance for local authorities](#)', 1 April 2020; and '[Covid-19: guidance on home care provision](#)', 6 April 2020

Guidance outlining the impact of the measures in the Coronavirus Act 2020 on the provision of social care and the responsibilities of local authorities in England. Separate guidance explains provision of domiciliary care during the pandemic.

- Department for Education, '[Coronavirus \(Covid-19\): guidance for local authorities on children's social care](#)', 3 April 2020; and '[Coronavirus \(Covid-19\): guidance on vulnerable children and young people](#)', updated 1 April 2020

Information for local authorities and local safeguarding partnerships on the provision of children's social care during the pandemic, and guidance about vulnerable children including those with a social worker and those children and young people up to the age of 25 with education, health and care plans.

Parliamentary questions

- House of Lords, '[Written Question: Coronavirus: Children](#)', 8 April 2020, HL2985

Press articles and comment

- Alzheimer's Society, Marie Curie, Age UK, Care England and Independent Age, '[Joint letter to the Secretary of State for Health and Social Care](#)', 13 April 2020
- British Association of Social Workers, '[The Coronavirus Act 2020 and social work practice—a briefing](#)', 1 April 2020
- Community Care, '[Covid-19: children's social care guidance criticised for 'unlawfulness' and approach to PPE](#)', 7 April 2020
- *Guardian*, '[Half of coronavirus deaths happen in care homes, data from EU suggests](#)', 13 April 2020; and '[UK coronavirus: care providers allege Covid-19 death toll underestimated](#)', 15 April 2020

- BBC News, '[Coronavirus: older people being 'airbrushed' out of virus figures](#)', 14 April 2020; and '[Coronavirus: more tests promised for care homes](#)', 15 April 2020
- Sky News, '[Coronavirus: care home outbreaks 'almost unavoidable' but tests 'ramping up'—minister](#)', 15 April 2020
- Department of Health and Social Care, '[Government sets out plan for national effort on PPE](#)', 10 April 2020

Further information

- Department of Health and Social Care, '[Coronavirus Bill: summary of impacts](#)', 23 March 2020; and '[Guidance for those who provide unpaid care to friends or family](#)', 8 April 2020
- Social Care Institute for Excellence, '[Coronavirus \(Covid-19\) advice for social care](#)', accessed 14 April 2020
- Scottish Government, '[Coronavirus \(Covid-19\): changes to social care assessments](#)', 8 April 2020
- Learning Disability Wales, '[Coronavirus Bill: suspension of Social Services and Well-being Wales Act \(2014\)](#)', 24 March 2020
- House of Commons Library, '[Local government responsibilities for public services, including social care](#)', 17 March 2020
- House of Commons Library, '[Coronavirus Bill: Health and Social Care Measures](#)', 20 March 2020
- Local Government Association, '[Social care provider resilience during Covid-19: guidance to commissioners](#)', 13 March 2020
- Disability Rights UK, '[Covid-19 and the rights of disabled people](#)', 7 April 2020