



Department of Health & Social Care

Shona Dunn

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Meg Hillier MP
Chair, Public Accounts Committee
House of Commons
London SW1A 0AA

4th October 2021

Dear Chair,

Designated Settings Indemnity Support (DSIS)

The Government is committed to ensuring the best possible care for people with COVID-19. For those admitted to hospital who need social care support, we have worked closely with local authorities (LAs) and the Care Quality Commission (CQC) over the last year to register certain adult social care (ASC) settings as “Designated Settings”. This is to ensure there are arrangements in place for the rapid and smooth discharge of patients who have tested positive and remain infectious from hospital into care homes. It continues to be our priority to ensure that people are discharged safely from hospital to the most appropriate setting, and that they receive the care and support they need. DHSC Ministers have therefore agreed to continue the Designated Settings scheme to ensure that health and social care systems are able to respond to demand for services over the upcoming winter period.

Whilst the insurance industry has continued to provide cover for Designated Settings where possible, we know of a number of care providers who have found it difficult or impossible to obtain cover, and have therefore been unable to take on this important role. On 18 January we announced the provision of temporary indemnity arrangements under the Designated Settings Indemnity Support (DSIS). This provides state-backed cover for clinical negligence, employers’ liability and public liability as needed, and fills gaps where Designated Settings have been unable to secure sufficient insurance. The indemnity arrangements are supervised by DHSC, with any claims administered by NHS Resolution. DSIS initially provided cover for Designated Settings until 31 March 2021, and was subsequently extended until 30 September 2021.

To ensure continued indemnity support for these vital settings beyond 1 October, DSIS has now been extended to 31 March 2022, mirroring wider discharge arrangements over the winter period. The extension will benefit current DSIS participants, as well as any additional settings who may wish to apply for the support and who meet the criteria for inclusion.

Due to the need to act urgently to ensure continued indemnity support for those Designated Settings currently operational, I regret that it was not possible to provide Parliament with fourteen sitting days to consider the indemnity before making this extension. For the same reason, announcement of the DSIS extension needed to take place during Parliamentary recess. We have written to relevant ASC providers informing them of the extension. DHSC

will notify Parliament of the extension with a Written Ministerial Statement and Departmental Minute, which will include further information about the indemnity arrangements, as soon as possible following the return of the House on 18 October 2021.

We have had to work at pace to extend this indemnity offer for Designated Settings. In doing so we have, of course, continued to have due regard for the fundamentals of protecting the taxpayer and ensuring appropriate standards of public administration are followed. My agreement and approval of this extension are in part based on my assurance as Accounting Officer that approval has already been granted by the Secretary of State for Health and Social Care and the Chief Secretary to the Treasury.

I am writing in equivalent terms to Rt Hon Jeremy Hunt MP as Chair of the Health and Social Care Select Committee. A copy of this letter goes to Gareth Davies, Comptroller and Auditor General and to the Treasury Officer of Accounts.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shona Dunn', with a long horizontal flourish extending to the right.

Shona Dunn
DHSC Second Permanent Secretary