

**PERTH AND KINROSS COUNCIL**

**Executive Sub-Committee of Housing and Health Committee**

**16 April 2014**

**Care Homes Redesign**

**Report by Executive Director (Housing and Community Care)**

**PURPOSE OF REPORT**

Following an extended period of consultation and engagement, this report recommends the redesign of the Local Authority Care homes. It also seeks agreement from Elected Members to move to the final implementation stage of the new Model of Care.

**1. BACKGROUND**

- 1.1 There are three local authority care homes run by Perth & Kinross Council; Beechgrove House in Perth city, Dalweem in Aberfeldy and Parkdale in Auchterarder. With the exception of Parkdale, occupancy levels in the care homes have decreased over the past three years with Beechgrove and Dalweem running at 60% occupancy. The impact of this results in the Council subsidising the three care homes to the sum of £550k per year. In 2010 Council approved the report 'Securing the Future – Towards 2015 and Beyond' (Report No 10/357 refers). Subsequently savings were identified at Council on 17 February 2011 (report 11/56 refers). This report described a number of transformation projects including the redesign of Local Authority Care Homes to place them on a sustainable footing in the future.
- 1.2 As people are increasingly being supported to remain in their own homes for as long as possible, the dependency levels of clients when they do come into residential homes are steadily increasing. In response to this challenge, this Council will wish to ensure that our Residential Care Homes are as efficient and effective as possible. There is also a requirement to bring the costs of running these homes into line with the National Care Home Contract to maintain viability in a competitive market and make sure the homes are fit for purpose in the future. As part of our wider strategy we have taken steps to identify an optimum occupancy level which acknowledges that 2 of our Care Homes have been running at 60% occupancy for the last 2 years.
- 1.3 While it is necessary to have sufficient staff on duty to meet registration requirements, the level of demand for staff varies throughout the day. The current rota pattern does not lend itself to the flexibility required to meet the needs of the residents at specific times of the day. The change in the rota will also increase the efficient use of resources within the homes and enable the homes to be prepared for further levels of increased dependency in the future. There is currently an inequity in terms of the shift pattern which attracts additional payment for staff on permanent night duty.

## **2. METHODOLOGY – MANAGING WORKFORCE CHANGE**

- 2.1 The review has been carried out in accordance with the Council's Framework for Managing Workforce Change. There has been extensive collective and individual consultation with a view to reaching agreement over almost a two year period. Housing & Community Care Senior Management Team, supported by Human Resources, delivered a series of roadshows for care homes staff in September 2012 and again in June 2013. Individual consultation meetings took place with staff in July/August 2013 with follow up team and individual meetings in December 2013 and January 2014. The recognised trade unions have been involved and consulted throughout.
- 2.2 The information gathered during the consultation process has been analysed by the project team as have alternative rotas which were submitted by staff. However, no alternative to the 12 hour rolling shift pattern was identified that ensured effective service delivery and achieved the agreed budget saving. The information gathered from staff will be used to ensure, wherever possible, that individual circumstances can be taken into account. For example, using opposite shifts for family members to cover childcare commitments, and flexibility regarding starting times to accommodate public transport timetables.

## **3 CARE HOME REDESIGN**

- 3.1 The proposals in relation to pattern of work are that:-
- There should be one rota format for all three homes
  - This should be a 6 week rolling rota with no separate day and night duty workers
  - For each member of staff there will be 4 weeks of day duty and 2 weeks of night duty within the 6 week rota
  - On average, staff should work 2 weekends out of 6
  - Each shift will be for 12 hours
  - Additional tea break to be introduced

The implications for staff are:

- Move from either day or night duty to a mixture of both
- Shift allowance will be payable to all staff
- Reduction in night duty payment earnings for night duty staff
- All weekly hours to fit the 12 hour rota and, therefore, some staff will have their daily hours increased to 12 hours; while some will have their weekly hours increased to fit the revised rotas. For example, if someone currently works 22 hours a week their hours may be increased to 24 a week to fit in with the rota – their pay would obviously increase in line with this.

### **3.2 Sleepovers**

Current working practice of senior staff undertaking sleepover duties within the Local Authority care homes, is contrary to and in breach of the Working Time

Directive. The following proposals are, therefore, designed to address this and remove the risk to the Council of breaking the Working Time Directive.

The proposals relating to sleepovers are:

- Sleepovers will cease
- The role of the nominated person will be introduced into the homes
- Clear protocols for dealing with issues that may arise on night duty will be produced

### 3.3 The implications for staff are:

- The loss of sleepover payments for those staff who currently undertake sleepovers
- All SCO staff will be expected to take on the role of nominated person as and when required. Training and support will be given to staff to enable them to do this. Following an evaluation of the responsibility this has not resulted in changes to pay grading.

3.4 Overall, the revised working arrangements will have a neutral or positive financial impact for the vast majority of staff; however, there will be a negative financial impact on 20 of the 90 staff currently employed in the care homes through loss of allowances or a reduction in hours available to work. Steps have been taken to mitigate the financial impact and facilitate the change by offering additional hours of work and offering a transition payment which will compensate staff for the loss of allowances for 1 year through the change in work pattern and arrangements for sleepovers.

Following of extensive consultation in accordance with the Council's Framework for Managing Workforce Change, we have reached agreement on some issues, but have been unable to achieve consensus on all.

3.5 The following points remain outstanding as far as the trade unions are concerned, the main ones being the rota and the 12 hour shifts.

- Seeking transition payment based on 3 years preservation (rather than 1 year)
- Staff who wish to can remain on night shift or day shift
- Redeployment for staff who can't work new rotas
- Payment for being the nominated person at night
- Scrapping the 12 hour shifts, because they are too long

3.6 The majority of staff accept the need for the proposed changes and staff feedback would suggest that a number would welcome them. Another group accept the changes and are keen to implement them immediately.

There are approximately 30 staff who will gain financially. Notwithstanding that, there are also staff who are prepared to give the new arrangements a

chance to work with the understanding that an evaluation will take place to assess the impact on service users.

- 3.7 In order to sustain the increasing levels of dependency with the proposed new staff rotas – and taking into account the reduced occupancy levels noted at paragraph 1.2 – it is necessary to reduce the bed capacity within each of our homes, with some flexibility, as described at Figure 1 below.

	<b>PARKDALE</b>	<b>BEECHGROVE</b>	<b>DALWEEM</b>
Current	48	48	32
Proposed	40	32	16

#### **4. PROPOSALS**

- 4.1 The consultation process is now concluded and it is proposed that we move to implement the redesign of Local Authority care homes with an agreed implementation date of 1 May 2014.
- 4.2 This will involve writing to all staff in the care homes advising them that the consultation period is over and seeking their agreement to the revised working arrangements, changes in pay and transition payments which will mitigate the financial impact. This step will identify those who will agree to a variation in their contracts of employment and those who will not.
- 4.3 Staff who do not agree to vary their contracts of employment will be advised that they will be served notice that their employment will be terminated with the offer to be re-engaged on the revised terms and conditions. This was the position adopted by Perth & Kinross Council when the new pay and grading structure was implemented as part of the Single Status Agreement.

#### **5. CONCLUSION AND RECOMMENDATION**

- 5.1 The measures described within this report address the twin challenges of achieving an economic model of residential care provision and meeting the needs of increasingly frail older people at times when support is needed most.
- 5.2 When taken in conjunction with parallel measures to achieve an economic level of occupancy they will also support the sustainability of the Council's 3 Care Homes.
- 5.3 It is recommended that the Sub-Committee accepts the proposals detailed in section 4 of this report.


#### **Author**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Colin Johnston	Service Manager, Housing and Community Care	<a href="mailto:Colinjohnston@pkc.gov.uk">Colinjohnston@pkc.gov.uk</a> 01738 476754

#### **Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
John Walker	Executive Director (Housing and Community Care)	11 April 2014

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 Council Text Phone Number 01738 442573

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed. Where the answer is 'no', the relevant section(s) should be marked 'not available (n/a)'.

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>Yes</b>
Asset Management (land, property, IST)	<b>No</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>No</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>None</b>
Risk	<b>Yes</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 This paper contributes to the delivery of Perth and Kinross Community Plan / Single Outcome Agreement in terms of the following priorities:

- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

#### Corporate Plan

1.2 This paper contributes to the achievement of the Council's Corporate Plan Priorities:

- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

## **2. Resource Implications**

### Financial

The Care Home Redesign delivers the agreed £380k transformation budget saving as per report (11/56).

### Workforce

The workforce implications are described in the report.

### Asset Management

Not applicable.

## **3. Assessments**

### Equality Impact Assessment

The Equality Impact Assessment that was completed recognises a negative impact on what is a predominately female workforce and although the 1 year transition payment will reduce the financial impact, implementation will not address any work/life balance implications. Wherever possible, arrangements will be made to accommodate individual preferences due to caring commitments or due to health reasons as long as the required staff numbers are on duty at all times. Such steps will mitigate some of the adverse impact on staff but is unlikely to eliminate it.

### Risks

The care needs of people moving into our care homes has increased significantly over the past years. As dependency levels of our residents have increased we require an alternative staffing model to meet their needs. If the proposed changes are not introduced our care homes will be unable to safely care for the current resident population.

Perth & Kinross has a large care home market and there is significant over capacity in this market. Unless we reduce costs we may be unable to continue to compete with the private sector in this area.

Longer term, without these changes then the viability of our 3 care homes are at risk. There is the potential risk in the future that it will be necessary to close the local authority care homes.

## **4. Consultation – Internal and External**

There has been a protracted period of consultation and engagement which has not achieved an agreed way forward with the trade unions. Although a significant number of staff would accept the changes, it is unlikely that the trade unions would withdraw their opposition to our proposals and there may be subsequent challenges through industrial action or employment tribunals.

Finance, HR and Legal colleagues have also been consulted. The Modernising Governance Member Officer Working Group agreed that a report

on the transformation of the Council's Care Homes be submitted to a future meeting of the Housing & Health Committee.

**5. Communication**

There is a Communication Plan associated with this Redesign Project.