

## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ADULT CARE AND HEALTH SERVICES

<b>TO:</b>	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
<b>DATE:</b>	11 DECEMBER 2018	<b>AGENDA ITEM:</b>	11
<b>TITLE:</b>	ETHICAL CARE CHARTER UPDATE NOVEMBER 2018		
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#### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides the Committee with an update on the National Ethical Care Charter, in Reading, providing further update, as care providers work towards its implementation.
- 1.2 To note that a Report went to ACE regarding signing the Ethical Care Charter in August 2014.

#### 2. RECOMMENDED ACTION

- 2.1 That the continued progress made by local care providers towards full compliance with the National Ethical Care Charter be noted.
- 2.2 That the National Ethical Care Charter promotes best practice in contracting employment terms for carers and in paying the National Living Wage (prior known as the National Minimum Wage) be noted.

#### 3. POLICY CONTEXT

- 3.1 UNISON conducted an online survey between June and July 2012 of homecare workers entitled "Time to Care" which was designed to help address the imbalance and to illustrate the reality of homecare work. The online survey was open to homecare workers who were either UNISON members or non-members and attracted 431 responses.
- 3.2 The responses stated a committed, but poorly paid and treated workforce which was doing its best to maintain good levels of quality care in a system that was in crisis. The report highlighted how poor terms and conditions for workers can help contribute towards lower standards of care for people in receipt of homecare services.

- 3.3 The over-riding objective behind the National Ethical Charter is to establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which:
- a) do not routinely short change people who access services
  - b) ensure the recruitment and retention of a more stable workforce through more sustainable pay, conditions and training levels.
- 3.4 Reading Borough Council in August of 2014 signed the National Ethical Charter and further agreed in 2015, to be a Living Wage Foundation Employer as a matter of Policy in supporting low paid workforce across Reading.
- 3.5 Ongoing work has continued since the implementation of the National Ethical Care Charter, as detailed in Reading's Care Providers Contract dated 2015, work continues to imbed the standards expected. This is in keeping with the phased approach adopted, which will end January 2019. Reviewing compliance with the charter continues to form part of the on-going quality monitoring undertaking by the Councils commissioning team.
- 3.6 It is important to note that only a handful of Councils with social services responsibilities across the South East have signed the charter. This supports the best practice for the care workforce's terms and conditions of employment, by agreeing a number of key commitments. Reading remains proud in supporting best practice for staff who offer such valuable support to some of the most vulnerable people in our communities across Reading.
- 3.7 These commitments remain solid today and are set out in all Reading care contracts, where providers are paying the National Living Wage, and delivering what is expected in the National Ethical Care Charter. See below

<https://www.unison.org.uk/content/uploads/2013/11/On-line-Catalogue220142.pdf>

#### **4 . PROGRESS REPORTING**

- 4.1 Work continues to support domiciliary care providers in Reading to work towards the National Ethical Care Charter standards as part of a phased approach, and stage three regarding the National Living Wage previously known as the "National Minimum Wage".
- 4.2 Monitoring undertaken by Reading Borough Council's Commissioners, including market information that comes from a range of sources; indicates there are no new concerns to report.
- 4.3 To note - 6 out of 7 Homecare providers implemented the National Ethical Care Charter Standards and one provider progressed with an action plan which we continue to monitor, however we are pleased to report that they have now indicated that they are making good progress in this and once a formal review is completed, it is expected that they will be deemed compliant.
- 4.4 **We are confident the providers on the Homecare Framework in Reading will be 100% compliant by January 2019, aligned with the National Ethical Charter, including paying the Foundation Living Wage of £9 per hour. Spot purchase care providers in Reading pay the National Living Wage which is the legal**

minimal requirement within the National Ethical Charter, representing 50% of the market. The new tender that commences March 2019, will draw all Homecare and Supported Living providers under one dynamic framework that will see all staff being paid the Living Wage Foundation rate, in complying with the Councils Policy decision made in August 2015.

- 4.5 The Cost of Care Review for Homecare was undertaken 2017/18 resulting in the new fees being set and through this process; the impact on cost to the Council was low.
- 4.6 The Council made a policy decision March 2015 to sign the Living Wage Foundation (previously known as the London Real Living Wage) Being a Living Wage Foundation employer is not a National Ethical Charter legal requirement explicitly.
- 4.7 Only three Councils with social services functions have signed the Living Wage Foundation across the South East. 50% of providers on the Councils Framework adopt the Living Wage Foundation in Reading and 50% of care provider on spot purchasing arrangements pay the National Living Wage.

#### **4.1.1 Next Steps and Quality Monitoring Assurances**

The current Homecare and Supportive Living Frameworks will be end May 2019, however through corporate procedure board waiver rules the contract has been extended by six months, in line with the intended procurement process of 14 months. Therefore work is currently on-going to recommission and market shape Care and Support at Home in Reading. It will be driven towards self- directed support, and working with wider Councils and Berkshire West Clinical Commissioning Group.

#### **4.2. 1 Approach to Co-production and Market Engagement**

We continue to work with the care market regarding the monitoring of core standards including the National Ethical Care Charter and engage with Skills for Care in terms of reporting care workforce performance through the National Minimum Data Set. See Information Link below.

<https://www.skillsforcare.org.uk/NMDS-SC-intelligence/Workforce-intelligence/Home.aspx>

Commissioning have undertaken and planned a number of market engagement events with care and support partners, to engage the new way of working, focused on self-directed care.

### **5. THE PROPOSAL**

#### **5.1 Other Options Considered**

To note this report is for information only as a means of updating members on the progress made by care providers commissioned under the Councils Framework Agreement which continues to be monitored against the National Ethical Care Charter.

### **6. CONTRIBUTION TO STRATEGIC AIMS**

6.1 In agreeing the National Ethical Charter in Reading under the Homecare Framework, we continue to contribute towards the following corporate priorities:

1. Safeguarding and protecting those that are most vulnerable;
5. Providing infrastructure to support the economy; and
6. Remaining financially sustainable to deliver these service priorities.

6.2 The National Ethical Charter means that care workers across Reading have improved terms and conditions of employment, better support from their employers including ensuring they are paid a fair pay, thus resulting in a more stable market and more satisfied people who access care.

## **7. COMMUNITY ENGAGEMENT AND INFORMATION**

7.1 The Council continue to consult and engage with people who access homecare services, so to ensure they receive the best quality of care.

7.2 The Council published its agreement as a Living Wage Foundation Employer at that time and people and staff, continue to be informed, also forming part of the Council's overall recruitment and selection process.

## **8. EQUALITY IMPACT ASSESSMENT**

8.1 EIA was undertaken 2014 when the Council took the decision to agree the National Ethical Charter and again when the Council decided to become a Living Wage Foundation Employer. Commissioning is in the process of undertaking a refresh.

## **9. LEGAL IMPLICATIONS**

9.1 The National Ethical Charter continues to promote best practice in the industry for care workers, supporting care staff through terms and conditions of employment.

## **10. FINANCIAL IMPLICATIONS**

10.1 The Councils investment in becoming a Living Wage Employer and in signing the National Ethical Charter continues to promote best practice standards for care workers across Reading, as well as supporting a more stable market place. The National Living Wage for 2018/19 is £8.91 and the Living Wage Foundation £9 per hour. The view nationally is that these rates will be more closely aligned by 2020.

10.2 It's important to note that the Living Wage Foundation is set each year by the National Living Foundation Trust. The Council have not been informed of any rate increase for 2019/20, however there may still be an increase. As part of budget setting for 2019/20 - 2021/22, annual staffing cost increases of between 3.31% and 3.5% have been built into the budget for Adults Services.

## **11. BACKGROUND PAPERS**

11.1 *Ethical care charter as at*

<https://www.unison.org.uk/content/uploads/2013/11/On-line-Catalogue220142.pdf>

- 11.2 Skills for care Workforce Intelligence Document  
<https://www.skillsforcare.org.uk/NMDS-SC-intelligence/Workforce-intelligence/Home.aspx>