

CONFIDENTIAL



Workforce Board

22 January 2013

Item 5

Unison's ethical care charter

Purpose of report

For information.

Summary

In November 2012 Unison published an *Ethical Care Charter*. This was sent to the LGA's Chairman, asking that the LGA supports its call to improve the homecare system across the UK. It was agreed that the charter would be brought to the attention of the Workforce Board. However, it should be noted that the vast majority of home care provided by councils is commissioned rather than directly delivered.

Recommendations:

Members are asked to:

- Note the key points of the charter; and
- Identify any issues of which they would wish the Community Wellbeing Board to be made aware when it considers the charter.

Action

Officers to action as advised.

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Unison's ethical care charter

Background

1. In November 2012 Unison published its *Ethical Care Charter* which concerns pay and working practices in the home care sector. A copy of the Charter was sent to the LGA's Chairman and it was agreed that it should be brought to the attention of the Workforce Programme Board. The Charter is attached as **Annex A** to this report. "Time to Care", the full Unison report that accompanied it can be found at <http://www.unison.org.uk/localgov/timetocare.asp>.
2. The report covers both the workforce directly employed by local authorities and those in commissioned services. As the vast majority of home care is now provided by the independent sector (see 3.3 below), this is increasingly an issue regarding commissioning, therefore the Charter also will be brought to the attention of the Community Wellbeing Board.
3. The United Kingdom Home Care Association's document *An Overview of the UK Domiciliary Care Sector* published in September 2012 includes the following key statistics:
 - 3.1 87 per cent of publicly funded homecare in England is now provided by the independent sector, compared to 5% in 1993;
 - 3.2 Local authorities purchase 80% of the hours of care provided by the independent sector; and
 - 3.3 In 2010 the total domiciliary care workforce in England was about 350,000. Of these about 36,000 were employed by local authorities.

The *Time to Care* report

4. The report summarises the findings of a survey¹ of workers in the sector and was open to all workers, not just Unison members. Unison's key concerns arising from the survey included: low rates of pay (particularly in the private and voluntary sectors); a significant proportion of workers not being paid for travelling time (81 per cent private and voluntary sectors, 10.6 per cent local authorities); too little time being allocated for each client; lack of care continuity for many clients; isolation of workers; and lack of specialist training to deal with clients' needs.

¹ June-July 2012 431 Respondents

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Key elements within the charter

5. The report by Unison recognises that the vast majority of home care is outsourced and it focuses on achieving certain minimum standards through the commissioning processes.
6. It identifies a 3 stage process. The elements required at stage 1 include (for example): the avoidance of visits that are as short as 15 minutes; workers being paid for travelling time; and eligible workers to be paid statutory sick pay.
7. Examples of what is additionally required at stage 2 include: clients being allocated the same worker(s) wherever possible; non-use of zero hours employment contracts; regular opportunities to meet and share practice with co-workers.
8. Stage 3 requirements are paying all workers the relevant Living Wage (i.e. London or national) and all workers to be covered by an occupational sick pay scheme.
9. On some of these issues some authorities have previously considered the extent to which the matter can be dealt with lawfully within procurement arrangements; the consideration given to including the Living Wage in contract tenders is one clear example of this. Authorities would need to get their own legal advice on whether in a particular set of circumstances it would be permissible to cover some/all of these issues with a tendering exercise.