

Leaders' Committee

Report from the Greater London Employment Forum – 9 July 2015

Item no:

Report by: Selena Lansley **Job title:** Head of London Regional Employers Organisation
Date: 9 July 2015
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Summary: Summary of the minutes of the Greater London Employment Forum held on 9 July 2015

Recommendations: For information.

1. Attendance: Cllr Colin Tandy (Bexley), Cllr Tim Stevens (Bromley), Cllr Alison Kelly (Camden), Cllr Simon Hall (Croydon), Cllr Doug Taylor (Chair) (Enfield), Cllr Katherine Dunne (Hounslow), Cllr Andy Hull (Islington), Cllr Adrian Garden (Lambeth), Cllr Kevin Bonavia (Lewisham), Cllr Mark Allison (Merton), Cllr Fiona Coley (Southwark), Cllr Richard Clifton (Sutton), Cllr Guy Senior (Wandsworth), Cllr Angela (Westminster), April Ashley (UNISON), Sean Fox (UNISON), Sue Plain (UNISON), Kim Silver (UNISON), Simon Steptoe (UNISON), Vicky Easton (UNISON), Kevin Simmons (Unite) and Vaughan West (GMB).

2. In Attendance: Selena Lansley (London Councils), Debbie Williams (London Councils), Mehboob Khan (Political Advisor to the Labour Group, London Councils), Jade Appleton (Political Advisor to the Conservative Group, London Councils) and Helen Chater (UNISON).

3. Apologies for Absence: Apologies were received from Cllr Irma Freeborn (Barking & Dagenham), Cllr Theo Blackwell (Camden), Cllr Tony Newman and Cllr Toni Letts (Croydon), Cllr Yvonne Johnson (Ealing), Cllr Chris Kirby (Greenwich), Cllr Sophie Linden (Hackney), Cllr Jason Arthur (Haringey), Cllr Osman Dervish (Havering), Cllr Scott Seaman-Digby (Hillingdon), Cllr Joanna Gardner (Kensington & Chelsea), Cllr Eric Humphrey (Kingston), Cllr Paul McGlone (Lambeth), Cllr Ken Clark (Newham), Esther Rey (UNISON), Helen Steel (UNISON), Kathy Smith (Unite), Dave Powell (GMB), Wendy Whittington (GMB), Peter Murphy (GMB).

4. Election of Chair and Vice-Chair for 2015-16: Cllr Doug Taylor (Enfield) was elected Chair of GLEF for 2015-16. Vaughan West (GMB) was elected Vice Chair.

5. Confirmation of GLEF Membership 2015-16: GLEF membership for 2015-16 was agreed.

Borough	Rep	Party
Barking & Dagenham	James Ogungbose	Lab
Barnet	Richard Cornelius	Con
Bexley	Colin Tandy	Con
Brent	Michael Pavey	Lab
Bromley	Tim Stevens J.P.	Con
Camden	Theo Blackwell	Lab
Croydon	Toni Letts	Lab
Ealing	Yvonne Johnson	Lab
Enfield	Doug Taylor	Lab
Greenwich	Chris Kirby	Lab
Hackney	Sophie Linden	Lab
Hammersmith & Fulham	Ben Coleman	Lab
Haringey	Jason Arthur	Lab
Harrow	Kiran Ramchandani	Lab
Havering	Osman Dervish	Con
Hillingdon	Scott Seaman-Digby	Con
Hounslow	Katherine Dunne	Lab
Islington	Andy Hull	Lab
Kensington & Chelsea	Joanna Gardner	Con
Kingston upon Thames	Eric Humphrey	Con
Lambeth	Paul McGlone	Lab
Lewisham	Kevin Bonavia	Lab
Merton	Mark Allison	Lab
Newham	Ken Clark	Lab
Redbridge	Kam Rai	Lab
Richmond upon Thames	Tony Arbour	Con
Southwark	Fiona Colley	Lab
Sutton	Richard Clifton	LD
Tower Hamlets		
Waltham Forest	Peter Barnett	Lab
Wandsworth	Cllr Guy Senior	Con
Westminster	Angela Harvey	Con
City of London	Revd Stephen Decatur Haines MA Deputy	

UNISON

April Ashley
 George Binette
 Sean Fox
 Bridget Galloway
 Jennifer Kingaby
 Mary Lancaster
 Jackie Lewis
 Faiza Lotfi
 Simone McKoy
 Sue Plain
 Monica Powell
 Esther Rey
 Jon Rogers
 Kim Silver
 Helen Steel
 Simon Steptoe
 Vicky Easton
 Helen Chater (in attendance)

UNITE

Onay Kasab
Danny Hogan
Kathy Smith
Susan Matthews
Kevin Simmons
Sean Ramsden
Nick Long

GMB

Dave Powell
Eileen Theaker
Jackie Nield
Wendy Whittington
Penny Robinson
Peter Murphy
Vaughan West

6. Minutes of the GLEF meeting held on 9 February 2015: The minutes of the joint meeting of the 9 February 2015 were agreed as a correct record. The following were noted:

- Cllr Alison Kelly (Camden) was omitted from the attendance list for the 9 February 2015 meeting but did attend.
- Cllr Toni Letts (Croydon) is the representative for GLEF and not the deputy.

7. Matters Arising: Item 6 – Collective Investment Vehicle (CIV): Vicky Easton (UNISON) requested an update on the following:

- The trade union side understand that CIV have recently let a tender to Capita and asked why this had not been awarded in-house?
- Which boroughs have now joined CIV?

The Employers Secretary agreed to email the unions responses to the above.

There were no further matters arising from the minutes of the 9 February 2015.

8. Care Act 2014 and Workforce Related Aspects: Phil Porter, in his role as ADASS National Workforce and Strategic Director for Adult Social Services, LB Brent, presented a summary of the regional work undertaken in supporting London boroughs in implementing the Care Act (2014). The key focus was on the workforce related aspects.

Overview: Social care comprises personal care and practical support for adults with physical disabilities, learning disabilities, or physical or mental illnesses, as well as support for their carers. Services aim to enhance adults' quality of life, delay and reduce the need for care, ensure positive care experiences, and safeguard adults from harm.

Publicly funded care makes up only a minority of the total value of care, and this proportion is decreasing. Most care and support is provided unpaid by family, friends and neighbours ('informal care'), while many adults pay for some or all of their formal care services. Local authorities provide a range of universal and preventative services, many of which are available without assessment of need. Local authorities commission most care from the private and voluntary sectors, with home care and care homes the most common services.

Legislative and other changes are increasing the role of adults' in shaping their own care and support, diversifying the types of care available and changing how adults access it. The Care Act aims to rationalise local authorities' obligations, to introduce new duties based on individual wellbeing and to

mitigate pressures on self-funders and carers.

The Future Care Workforce¹ noted that the adult social care sector in England will need to add approximately 1 million workers by 2025 in response to population ageing and the implied increase in the numbers of people with disabilities. The workforce will also have to be increasingly diverse in order to deliver a more personalised service to those in need of care and support.

Social care workforce in London²: The London region has a large spread of different social care services, the majority of which are care homes without nursing (46%), with nursing (14%) and domiciliary care (40%). The majority (76%) of establishments in the London region are in the independent sector, local authorities make up only 8% of the establishments with the rest (15%) from other sectors.

The workforce in the London region includes 185,000 people working in 195,000 jobs (some workers have jobs with more than one employer). The majority of these jobs (76%) and workers (78%) are in the independent sector. Local authorities have a much smaller workforce with an estimated 11% of jobs and workers.

The private sector is by far the largest employer in the London region, employing over two thirds (or 110,000) of all adult social care workers. The voluntary sector employs a fifth of all workers (39,000) while the statutory (local authority) sector employs approximately 15,000 workers.

An estimated half (76,000) of all adult social care workers are employed in domiciliary care settings while a further 36% (or 58,000) are employed in residential care settings. The remaining 28,500 workers are employed in adult community care, adult day care and other care settings.

Almost three quarters of the workforce are estimated to be working in a direct-care providing role, this equates to over 120,000 workers, 98,000 of these being care workers. An estimated 15,000 are working in a managerial or supervisory role while 9,500 are working in a professional role (e.g. social workers 2,900 and registered nurses 5,700). Lastly, there are around 17,000 people working in an 'other' role which includes administrative staff and ancillary staff.

Workers in the main services in the London region are on a variety of contract types, the majority are on a zero hours contract (52,000). In terms of contract types by sector, the private sector care have the highest percentage of workers who are on zero hours contract (39%). The statutory local authority sector have the largest percentage of workers operating on flextime arrangements (30%) and the voluntary sector has the largest percentage who are on annualised hours contracts (36%).

Care Act (2014): The Care Act (2014) received Royal Assent on 14 May 2014 and is the biggest change to adult social care law in over 60 years. The Act simplifies obligations on local authorities and introduces new social care duties based on individual wellbeing.

Most of the Act's changes took effect in April 2015. However, the major reforms to the way social care is funded, including the care cap and care account and new power to establish an appeals mechanism, will not come into operation until April 2016.

The Act is built around people, it:

- Ensures that people's well-being, and the outcomes which matter to them, will be at the heart of every decision that is made;
- Puts carers on the same footing as those they care for;
- Creates a new focus on preventing and delaying needs for care and support, rather than only intervening at crisis point, and building on the strengths in the community;
- Embeds rights to choice, personalised care plans and personal budgets, and ensuring a range of high quality services are available locally.

The Act makes care and support clearer and fairer, it:

¹ [Franklin, B \(2014\)](#)

² [Skills for Care \(2015\)](#)

- Extends financial support to those who need it most, and protects everyone from catastrophic care costs through a cap on the care costs that people will incur;
- Ensures that people do not have to sell their homes in their lifetime to pay for residential care, by providing for a new universal deferred payments scheme;
- Provides for a single national threshold for eligibility to care and support;
- Supports people with information, advice and advocacy to understand their rights and responsibilities, access care when they need it, and plan for their future needs;
- Gives new guarantees to ensure continuity of care when people move between areas, to remove the fear that people will be left without the care they need;
- Ensures markets are developed to meet individuals' needs;
- Includes new protections to ensure that no one goes without care if their provider fails, regardless of who pays for their care.

The most significant areas of concern include:

- Unknown demand from carers and the associated costs;
- Unknown demand from self funders and potential impact of market equalisation;
- Staffing capacity to meet increased demand;
- Legal challenges – there is a concern about a potential increase in legal challenges as people test the Care Act legal framework.

Although not directly related to the Care Act, local authorities are facing £300 - £500k additional costs following the 'Cheshire West' judgement concerning the living arrangements of three mentally incapacitated individuals. It decided that all three were subject to a deprivation of their liberty. This judgment is important because it clarified the law around Deprivation of Liberty Safeguards (DoLS) and introduced an 'acid test' to work out whether or not a deprivation of someone's liberty is taking place.

Work undertaken regionally to support the workforce in implementing the Care Act:

LondonADASS supported local authorities preparation for implementing April 2015 changes through a workforce development fund. All London local authorities bid for the monies and were successful. Local authorities reported that the monies helped significantly in supporting them to deliver Care Act training in a short period of time. The monies helped local authorities to communicate and engage with staff (from all disciplines / areas) and provided local authorities with assurance that staff were equipped to perform their roles in accordance with the requirements of the Care Act. This reduced the risk of legal challenge and helped ensure that clients benefit from the provisions of the Care Act.

Legal training – LondonADASS ran two legal training events (repeated due to demand) that were sponsored by the national Programme Management Office. A total of 170 attended over the two events, mainly local authority lawyers. Excellent feedback was received from attendees and the work is now taken forward by the regional Care Act lawyers group.

Development of commissioning staff - Estimated 700 staff across London, development need identified by the commissioning network, and being tackled through the national work and close working with the London commissioning network.

LondonADASS has continued to work with regional colleagues to agree an architecture for delivering the workforce agenda through a series of networks. Our main goal over the next weeks is to agree a pan-London workforce plan.

Future challenges and next steps: London Living Wage (LLW) and UNISON Ethical Care Charter:

These are issues that are important for a number of boroughs, and LondonADASS is interested to identify the evidence base for these two areas specifically in relation to improving outcomes and managing overall costs (in other words, you may pay a little more per hour, but your system wide costs go down).

The national ADASS Workforce Development Network is holding a priorities setting workshop on 3rd July 2015. A wide range of participants including service users, providers, local authority representatives and care staff have been invited to help inform the work of the network. The output of this work will then be used to shape the pan-London workforce plan.

We have continued to use the results from the national stocktakes to inform how best to add value regionally. Phil Porter (London ADASS workforce lead) acts as the fulcrum for overseeing the picture in London in relation to implementation, identification of risks and sharing good practice.

The union side raised concerns around the Care Certificate as this is self-accredited and some people are being asked to pay for the accreditation themselves.

The certificate has been developed with a set of minimum standards for induction training before care and support workers are allowed to work unsupervised. People need to be properly inducted to a job not just put through a tick-box exercise.

The union side made colleagues aware of UNISON's "Save Care Now Campaign" - <http://www.savecarenow.org.uk/> - to raise the voices of homecare workers and improve the homecare sector.

UNISON are calling on councils to sign UNISON's Ethical Care Charter, a set of commitments that together ensure the health, safety and the dignity of the UK's most vulnerable people.

Cllr Doug Taylor (Chair) thanked Phil Porter for an excellent presentation. Cllr Angela Harvey (Westminster) also thanked Phil and asked that colleagues have an update at a future GLEF meeting in either February or July 2016.

9. Update on National Pay Negotiations 2016/17: Sue Plain reported that the unions understood that the pay roadshows have slipped from August to September 2015. The Employers Secretary responded that London was the last scheduled roadshow on 2 October 2015.

10. Update on London Living Wage (LLW): Vicky Easton (UNISON) stated that it was the unions understanding that RB Kingston had recently agreed to pay the LLW.

11. GLPC Job Evaluation Scheme: Selena Lansley (Employers Side Secretary) informed colleagues on behalf of the joint secretaries that this was an information item.

The GLPC Job Evaluation Scheme is a product that was developed in 2000 in the main to support implementation of single status in response to the needs around addressing any potential equal pay risks. The scheme is accompanied by a code of good practice and a framework procedure to inform local arrangements.

The Joint Secretaries recently agreed that a light touch of the scheme's conventions be updated in terms of language.

In summary:

- Face validity of the scheme as some of the examples and the language is no longer common practice. The scheme is 15 years old.
- The London Agreement states that the scheme will be maintained and reviewed by GLPC.

It was agreed that an update would be provided at the GLEF meeting scheduled for 12 February 2016.

12. Any Other Business: Vaughan West (Vice-Chair) enquired whether following yesterday's emergency budget any analysis had been undertaken on funding for London local government?

The Employers Secretary responded that no analysis had been seen as yet.

Vaughan West (Vice-Chair) informed colleagues that this was the last meeting for Kevin Simmons (Unite). Cllr Doug Taylor (Chair) gave thanks for all the support and hard work Kevin has given the committee over the years and wished him well for the future.

There was no further business.

The meeting was concluded at 12.38pm

13. Date of Next Meeting

Thursday 11 February 2016

Party Group meetings: 10am

Employers Side meeting: 10.45am

Joint Meeting: 11.30am

Venue: London Councils offices