Introduction

With the introduction of the Social Care (Self-directed Support)(Scotland) Bill (2012) voluntary sector care and support providers are facing significant changes to the way that they design and deliver services. The shift towards providing more personalised and individualised services is creating demands to provide a more flexible workforce, whilst downward pressure on budgets is creating the need to make changes to staff terms and conditions, introduce flexible working and change the way they recruit, train and manage staff.

Purpose

The aim of the event was to support providers to:

- Understand the implications of employment and health & safety law when implementing changes to terms and conditions, employment contracts, flexible working and pay.
- Understand how to develop and motivate the workforce for the move towards providing more individualised and personalised services.
- Learn about the importance of developing positive employee relations whilst implementing organisational change.
- Discuss the challenges and issues related to developing the workforce for the implementation of Self-directed Support and the move from funding via block contracts to individual contracts.
- Share good practice in leadership skills, staff management and HR practices and
- Provide an opportunity for providers to receive free expert advice on employment issues from Law at Work.

Background

The personalisation agenda is not new and many providers are already delivering personalised support to their service users. Providers have been developing new and innovative ways of delivering flexible, personalised services and making changes to prepare the workforce for the personalisation agenda.

Providers are considering various changes to the workforce including developing new roles for staff, matching individual staff to service users, creating more flexible and part-time contracts and training staff in the principles of self-directed support. Support staff are becoming more accountable to the individuals they support and therefore are often taking on roles which require them to take on more responsibility, decision making and creativity. At the same time, providers are facing budget cuts and are being forced to make cuts to staff pay, terms and conditions and hours.

Many voluntary sector providers are clear that they want to protect Terms and Conditions and to maintain a permanent, well trained, experienced workforce that is fit to meet the demands of personalisation. The majority of providers are reluctant to move towards more radical ways of working such as zero hour contracts, casualization of the workforce and temporary employment contracts. There is recognition that these kinds of measures can affect staff morale, create difficulties with recruitment and impact on the quality of support provided to individuals.

About the events

P&P and Law at Work hosted 3 events over the duration of a week in Edinburgh, Glasgow and Aberdeen which were attended by 90 participants. The events ran over a full day with a range of speakers providing expert knowledge and an opportunity for discussion and practical work during the workshops.

At each event, a provider was invited to speak about their organisational strategy for preparing the workforce for personalisation. Law at Work gave expert input on the legal issues around changing terms and conditions, negotiating contracts, potential areas of discrimination, health and safety law and maintaining positive employee relations. Providers gave information
on various different strategies for dealing with budget cuts and workforce issues.

All presentations from the event can be downloaded from the P&P website:

www.cccpscotland.org/providers-and-personalisation/past-events

Provider Perspectives

Providers brought a range of concerns and issues to the event. There are some fears amongst voluntary sector providers that it is difficult to maintain good pay and terms and conditions whilst facing significant budget cuts.

Participants highlighted the following Challenges for the workforce:

• Recruitment – how to attract staff with the right values, attitude, flexibility and skills to deliver on personalisation, when pay and terms and conditions are being downgraded. How to involve service users in recruitment process.
• Discrimination – how to match staff to service users and give service users choice about who supports them, whilst avoiding discrimination against employees with protected characteristics.
• Job Roles – how to change job descriptions, contracts, introduce flexible working and manage the expectations of staff and service users.
• Positive employee relations – how to ensure staff feel valued and respected whilst changing terms and conditions and expecting more from support staff.
• Pay, Terms and Conditions – how to implement changes to pay and terms and conditions whilst maintaining staff morale and good employee relations.
• Quality of Service Provision - Reduction in time and money lessens opportunities to be innovative in delivering services which impacts on service provision.

Feedback from the Events

Edinburgh
• Importance of involving service users in recruitment but need to be clear that the provider is still the employer.
• Recruit staff who have the right values, attitude and have a flexible approach.
• Good pay, terms and conditions depend on adequate funding.
• Assessments for individuals are based on outcomes but funding from local authorities is still by hourly rates.

Glasgow
• Direction is towards reducing support and budgets, increase in number of staff on short term, temporary contracts. Impact on job security, pay and staff morale.
• Need to balance expectations of service users and of staff.
• Flexible working may be attractive to some staff but not others.
• How do we pay staff for downtime, training time, holidays, sick pay and travel time, when local authorities only fund for the actual hours of support provided.
• Difficulty of having support workers on different pay rates, terms and conditions when working for different service users and carrying out identical roles.
• Downgrading of pay and conditions increases turnover of staff and increased recruitment costs.

Aberdeen
• Challenge of recruitment and retention of qualified staff to provide continuity for service users. The Aberdeen area has a high employment rate which makes this particularly challenging.
• Keeping staff motivated under increasing financial pressures.
• Difficulty of managing complex change to processes, people and systems.
• Lack of communication from local authority to provider and service users about how change will happen.
• Capped hourly rates and surviving in the market place.

Participants also highlighted the following issues and challenges:

• Contracting with individuals and using employment contracts with individuals can raise difficulties around accountability.
• Change focus of support and supervision for staff to outcomes focus
• Challenge of costing services and support and winning contracts. Cheaper services often have low paid, untrained, unsupported staff but still win the contract based on low cost.
• Context of hourly rates and competitive tendering impacts on Terms and Conditions.

Next Steps
• Participants identified the following issues as being a priority for their organisation to take forward in relation to the workforce:
• Joint problem solving – work with all staff to find solutions to change towards delivering personalised support and dealing with budget cuts.
• Find out what the local authority’s strategy for implementation of SDS is.
• Seek out information and support from P&P and Law at Work.
• Set up a working group; appoint staff as ambassadors for SDS to skill other staff up for personalisation.
• Need to anticipate further downward pressure on budgets and plan for how this will impact on staff.
• Balance for low wage workers, will they lose out on tax credits and benefits during welfare reforms?
• Work with others to share ideas around workforce issues.
• Focus on procedures for recruitment, disciplinary, appraisal and rewards and make sure these fit in with personalisation and SDS.

About P&P

P&P is a four year policy and practice change programme supporting providers to prepare for, and showcase good practice in the journey to Self-directed Support. P&P is open to all third sector care and support providers.

P&P is hosted by CCPS, the Coalition of Care and Support Providers in Scotland, with financial support from the Scottish Government.

CCPS is a company limited by guarantee registered in Scotland No. 279913, registered with the Office of the Scottish Charity Regulator as Charity No.SCO29199. The company’s registered office is at Norton Park, 57 Albion Road, Edinburgh. EH7 5QY.