



Council Offices, Almada Street  
Hamilton, ML3 0AA

Tuesday, 11 December 2018

Dear Councillor

## **South Lanarkshire Council**

The Members listed below are requested to attend a meeting of the Council to be held as follows:-

**Date:** Wednesday, 19 December 2018  
**Time:** 11:30 (or immediately following the Executive Committee, whichever is the later.)  
**Venue:** Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

<b>Members are reminded to bring their fully charged tablets to the meeting</b>
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Yours sincerely

**Lindsay Freeland**  
**Chief Executive**

### **Members**

Ian McAllan (Provost), Collette Stevenson (Depute Provost), Alex Allison, John Anderson, John Bradley, Walter Brogan, Robert Brown, Archie Buchanan, Jackie Burns, Janine Calikes, Stephanie Callaghan, Graeme Campbell, Andy Carmichael, Maureen Chalmers, Gerry Convery, Margaret Cooper, Poppy Corbett, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Isobel Dorman, Fiona Dryburgh, Joe Fagan, Allan Falconer, Alistair Fulton, Geri Gray, George Greenshields, Lynsey Hamilton, Ian Harrow, Eric Holford, Graeme Horne, Mark Horsham, Martin Grant Hose, Ann Le Blond, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Hugh Macdonald, Julia Marrs, Monique McAdams, Catherine McClymont, Kenny McCreary, Colin McGavigan, Mark McGeever, Jim McGuigan, Davie McLachlan, Gladys Miller, Lynne Nailon, Richard Nelson, Carol Nugent, Mo Razzaq, John Ross, Graham Scott, David Shearer, Bert Thomson, Margaret B Walker, Jim Wardhaugh, Sheena Wardhaugh, Jared Wark, David Watson, Josh Wilson

## BUSINESS

- 1 Sederunt and Declaration of Interests**
- 2 Minutes of Previous Meeting** 5 - 8  
Minutes of the meeting of the South Lanarkshire Council held on 26 September 2018 submitted for approval as a correct record. (Copy attached)
- 3 Minutes of the Risk and Audit Scrutiny Committee** 9 - 14  
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 18 September 2018 submitted for noting. (Copy attached)

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### Item(s) for Decision

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- 4 Modern Day Slavery Charter** 15 - 20  
Report dated 21 November 2018 by the Executive Director (Finance and Corporate Resources). (Copy attached)
- 5 Amendments to Memberships of Committees, Forums and Joint Boards/Outside Bodies** 21 - 26  
Report dated 26 November 2018 by the Executive Director (Finance and Corporate Resources). (Copy attached)
- 6 Notice of Motion - Enhanced Support for Veterans** 27 - 28  
Motion received in terms of Standing Order No 19 on 27 November 2018, proposed by Councillor McGeever and seconded by Councillor Nailon. (Copy attached)
- 7 Notice of Motion - Suspension of Testing Primary 1 Pupils** 29 - 30  
Motion received in terms of Standing Order No 19 on 3 December 2018, proposed by Councillor Nelson and seconded by Councillor Hose. (Copy attached)
- 8 Notice of Motion - Early Learning and Childcare (ELC)** 31 - 32  
Motion received in terms of Standing Order No 19 on 3 December 2018, proposed by Councillor S Wardhaugh and seconded by Councillor Burns. (Copy attached)
- 9 Notice of Motion - Investment by Local Government Pension Funds** 33 - 34  
Motion received in terms of Standing Order No 19 on 4 December 2018, proposed by Councillor Fagan and seconded by Councillor Devlin. (Copy attached)
- 10 Notice of Motion - Unison Ethical Care Charter** 35 - 48  
Motion received in terms of Standing Order No 19 on 4 December 2018, proposed by Councillor Dryburgh and seconded by Councillor Fagan. (Copy attached)

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### Urgent Business

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- 11 Urgent Business**  
Any other items of business which the Provost decides are urgent.

***For further information, please contact:-***

Clerk Name: Susan Somerville

Clerk Telephone: 01698 454197

Clerk Email: [susan.somerville@southlanarkshire.gov.uk](mailto:susan.somerville@southlanarkshire.gov.uk)



Minutes of meeting held in the Council Chamber, Council Offices, Almada Street, Hamilton on 26 September 2018

**Chair:**

Provost Ian McAllan

**Councillors Present:**

Alex Allison, John Anderson, John Bradley, Walter Brogan, Robert Brown, Archie Buchanan, Jackie Burns, Janine Calikes, Stephanie Callaghan, Graeme Campbell, Maureen Chalmers, Gerry Convery, Margaret Cooper, Poppy Corbett, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Isobel Dorman, Fiona Dryburgh, Joe Fagan, Allan Falconer, Alistair Fulton, Geri Gray, George Greenshields, Ian Harrow, Eric Holford, Graeme Horne, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Monique McAdams, Catherine McClymont, Kenny McCreary, Hugh Macdonald, Colin McGavigan, Mark McGeever, Jim McGuigan, Julia Marrs, Gladys Miller, Lynne Nailon, Richard Nelson, Carol Nugent, Mo Razzaq, John Ross, Graham Scott, David Shearer, Collette Stevenson (Depute), Bert Thomson, Margaret B Walker, Jim Wardhaugh, Sheena Wardhaugh, Jared Wark, David Watson, Josh Wilson

**Councillors' Apologies:**

Andy Carmichael, Lynsey Hamilton, Ann Le Blond, Davie McLachlan

**Attending:****Chief Executive's Service**

L Freeland, Chief Executive

**Community and Enterprise Resources**

M McGlynn, Executive Director

**Education Resources**

T McDaid, Executive Director

**Finance and Corporate Resources**

P Manning, Executive Director; G Bow, Administration Manager; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager

**Housing and Technical Resources**

D Lowe, Executive Director

**Social Work Resources/Health and Social Care**

L Purdie, Head of Children and Justice Services

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**1 Declaration of Interests**

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No interests were declared.

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**2 Minutes of Previous Meeting**

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The minutes of the meeting of the South Lanarkshire Council held on 20 June 2018 were submitted for approval as a correct record.

**The Council decided:** that the minutes be approved as a correct record.

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### 3 Representation on Joint Boards and Partnership Bodies

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A report dated 11 September 2018 by the Executive Director (Finance and Corporate Resources) was submitted on proposed amendments to the elected member representation on the Board of South Lanarkshire Leisure and Culture Limited and Strathclyde Partnership for Transport Board.

**The Council decided:**

- (1) that Councillor McLachlan be replaced by Councillor Convery as a Council representative on the South Lanarkshire Leisure and Culture Limited Board; and
- (2) that Councillor Falconer be replaced by Councillor Devlin as a Council representative on the Strathclyde Partnership for Transport Board.

*[Reference: Minutes of the Executive Committee of 27 June 2017 (Paragraph 17)]*

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### 4 Notice of Motion - Planning (Scotland) Bill

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In terms of Standing Order No 19, a motion proposed by Councillor Scott, seconded by Councillor Brogan, was submitted as follows:-

“That South Lanarkshire Council:-

- ◆ Notes the progress of the Planning (Scotland) Bill through the Scottish Parliament
- ◆ Notes that the draft Bill makes no provision for reforming or equalising rights of appeal, despite this being a key concern for local communities and key groups engaged in the planning system
- ◆ Acknowledges that Planning Democracy Scotland advocates equalising rights of appeal by extending a limited right of appeal to communities **in certain circumstances where developments are approved which are not in accordance with the development plan, and limiting the developer right of appeal to ensure a plan-led system**
- ◆ Believes that such an approach would help ensure that the voice of communities is strengthened and that the planning process operates in the wider public interest
- ◆ Council therefore commits to write to the Minister for Local Government and Housing and to the LGCC of the Scottish Parliament urging them to support amendments to the Bill which would bring about more equal rights of appeal.”

In moving the motion, Councillor Scott referred to a statement by the Minister for Local Government, Housing and Planning, and intimated that he considered the planning process should be participatory to involve the community. Councillor Brogan seconded the motion.

Councillor Fulton, seconded by Councillor Ross, moved as an amendment that the last bullet point of the motion be amended to read as follows:-

“Council therefore commits to write to the Minister for Local Government and Housing and to the LGCC of the Scottish Parliament urging them to consider a Bill which would bring about more equal rights of appeal.”

In moving his amendment, Councillor Fulton intimated that he did not wish the Council to be committed to supporting and scrutinising every amendment to the Bill.

In response to a member’s request, the Executive Director (Community and Enterprise Resources) outlined current practice and the potential implications for the Council should appeal rights be changed.

On a vote being taken by a show of hands, 41 members voted for the amendment and 18 for the motion. The amendment was declared carried.

**The Council decided:**

- (1) that the progress of the Planning (Scotland) Bill through the Scottish Parliament be noted;
- (2) that it be noted that the draft Bill made no provision for reforming or equalising rights of appeal, despite this being a key concern for local communities and key groups engaged in the planning system;
- (3) that it be acknowledged that Planning Democracy Scotland advocated equalising rights of appeal by extending a limited right of appeal to communities in certain circumstances where developments were approved which were not in accordance with the development plan, and limiting the developer right of appeal to ensure a plan-led system;
- (4) that it be noted that such an approach would help ensure that the voice of communities was strengthened and that the planning process operated in the wider public interest; and
- (5) to write to the Minister for Local Government, Housing and Planning and to the Local Government Communities Committee of the Scottish Parliament to urge them to consider a Bill which would bring about more equal rights of appeal.

*Councillor Marrs entered the meeting during this item of business*

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**5 Notice of Motion - Political Management and Decision-Making Arrangements**

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In terms of Standing Order No 19, a motion proposed by Councillor Fagan, seconded by Councillor Brown, was submitted as follows:-

“That the Council asserts the importance of openness, transparency and democratic accountability in our political management and decision-making arrangements; believes that full meetings of the Council should be strengthened as a forum for political debate and decision and, to that end, agrees:

- 1) That, as a priority, Officers be asked to review the Terms of Reference for Council, Committees and Forums and other procedural documentation and advise of any changes which would be required in order to reserve the power to approve the annual savings package to the Council in addition to all Revenue and Capital Budgets. This advice to be provided in the form of a report to Council by December 2018 for formal determination.
- 2) That the Standing Orders, Terms of Reference for Committees and Forums and other procedural documentation be reviewed, including any enhancements to the role of the Council, by the Standards and Procedures Advisory Forum and its recommendations be reported in the first instance to the Executive Committee, as parent committee of the Standards and Procedures Advisory Forum, prior to any referral to Council.
- 3) That, as part of said review, recommendations be made on how the Standing Orders, Terms of Reference for Committees and Forums and other procedural documentation be amended to enhance the role of the Council on key policy initiatives and other issues the Standards and Procedures Advisory Forum considers appropriate.”

In moving the motion, Councillor Fagan stated that he considered the Standing Orders were an important part of democracy and he was seeking cross-party support to ensure the annual savings package was remitted to the Council. Councillor Brown seconded the motion.

Councillor Ross, seconded by Councillor Craig, moved as an amendment that Point 1 of the motion be deleted and replaced and that a further point be added after Point 3. The amended Point 1 to read as follows:-

“The Council will ask the existing Standards and Procedures Advisory Forum to review the Council’s Terms of Reference and procedural documentation for the full Council, Committees and Forums, in time for the mid-term Standing Orders Review.”

The additional point to read as follows:-

“The review process will also consider arrangements for Elected Members on maternity, paternity or adoptive leave and for those on an extended leave of absence.”

In moving his amendment, Councillor Ross advised that he had been working with the Improvement Service to discuss improvements to Standing Orders to achieve better governance and also in relation to arrangements for elected members on special leave.

Councillor Brown intimated that he concurred with the point in relation to special leave and, with the agreement of Councillor Fagan, the motion was duly amended to reflect its inclusion.

On a vote being taken by a show of hands, 31 members voted for the amendment and 29 for the motion. The amendment was declared carried.

**The Council decided:**

- (1) that, as part of the mid-term review, the Standards and Procedures Advisory Forum review the Council’s Terms of Reference and procedural documentation for the full Council, Committees and Forums, including any enhancements to the role of the Council in relation to key policy initiatives and other issues the Forum considered appropriate, and its recommendations be reported in the first instance to the Executive Committee, as parent committee, prior to any referral to the Council; and
- (2) that, as part of the review process, arrangements be considered for elected members on maternity, paternity or adoptive leave and for those on extended leave of absence.

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## **6 External Auditor’s Annual Report to South Lanarkshire Council**

A report dated 13 September 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the External Auditor’s, Audit Scotland, Annual Report to the Council for 2017/2018.

**The Council decided:** that the External Auditor’s Annual Report 2017/2018 to the Council be noted.

*[Reference: Minutes of the Risk and Audit Scrutiny Committee of 18 September 2018 (Paragraph 3)]*

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## **7 Urgent Business**

There were no items of urgent business.



## RISK AND AUDIT SCRUTINY COMMITTEE

3

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 18 September 2018

**Chair:**

Councillor Graeme Campbell

**Councillors Present:**

Mary Donnelly, Mark Horsham, Carol Nugent, Bert Thomson (*substitute for Councillor Devlin*), Jim Wardhaugh, Jared Wark (*substitute for Councillor Corbett*)

**Councillor Also Present:**

John Ross

**Councillors' Apologies:**

Poppy Corbett, Maureen Devlin, Martin Lennon, Julia Marrs, Margaret B Walker

**Attending:**

**Finance and Corporate Resources**

P Manning, Executive Director; Y Douglas, Audit and Compliance Manager; P MacRae, Administration Officer; J Taylor, Head of Finance (Strategy)

**Also Attending:**

**Audit Scotland**

F Mitchell-Knight and R Smith, External Auditors

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### 1 Declaration of Interests

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No interests were declared.

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### 2 Minutes of Previous Meeting

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The minutes of the meeting of the Risk and Audit Scrutiny Forum held on 13 June 2018 were submitted for approval as a correct record.

**The Committee decided:** that the minutes be approved as a correct record.

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### 3 External Auditors' Annual Report to South Lanarkshire Council 2017/2018

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The following documents were submitted by Audit Scotland, the Council's external auditors:-

- ◆ letter and appendices relating to the 2017/2018 Annual Audit report on South Lanarkshire Council and registered charities administered by South Lanarkshire Council
- ◆ 2017/2018 South Lanarkshire Council proposed Annual Audit report to members of the Council and the Controller of Audit

The Audit Director, Audit Scotland, introduced the report and the Senior Auditor, Audit Scotland, spoke on the Annual Audit report and highlighted the following:-

- ◆ the audit of the 2017/2018 Annual Accounts

- ◆ financial management
- ◆ financial sustainability
- ◆ governance and transparency
- ◆ best value
- ◆ key messages
- ◆ 2017/2018 action plan on recommendations for improvement
- ◆ significant audit risks identified during planning of the audit

The Senior Auditor also referred to significant findings from the audit of financial statements in relation to:-

- ◆ capitalisation of expenditure on council dwellings
- ◆ capitalisation of grouped expenditure
- ◆ building valuation
- ◆ holiday pay accrual
- ◆ credit balances included in the debtors' balance
- ◆ revised estimated pension liability

The external auditors' opinion on the Council's Annual Accounts 2017/2018 and those of the 3 charities administered by the Council was unqualified.

The external auditors and officers responded to members' questions on various aspects of the report.

**The Committee decided:** that the report be noted.

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#### **4 Audited Annual Accounts 2017/2018**

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A report dated 7 September 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the:-

- ◆ Council's Certified Annual Accounts and Charitable Trusts' Accounts for 2017/2018, which had received a clear audit certificate from the Council's external auditors, Audit Scotland
- ◆ requirement to approve the Annual Accounts 2017/2018 for signature in terms of both the Council's accounts and related charitable trusts

The accounts covered the Council as well as 3 Charitable Trusts managed by the Council, namely South Lanarkshire Council Educational Trust, South Lanarkshire Council Charitable Trust and the East Kilbride Information Technology Trust. A clean audit certificate had been received for each and no specific actions were required.

The Annual Accounts would be advertised as being available for public inspection in Finance Services, Floor 4, Council Offices, Almada Street, Hamilton and also on the Council's website.

**The Committee decided:**

- (1) that the South Lanarkshire Council Annual Accounts 2017/2018 and the Charitable Trusts' Accounts, which had received a clean audit certificate from the Council's external auditors, Audit Scotland, be approved for signature; and
- (2) that it be noted that the external auditors' report would be referred to a future meeting of South Lanarkshire Council for noting.

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## 5 Internal Audit Activity as at 29 August 2018

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A report dated 29 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on work completed by Internal Audit during the period 19 May to 29 August 2018.

Details were given on the progress of audit assignments and the performance of Internal Audit which highlighted that:-

- ◆ 67% of assignments had been delivered within budget against a target of 80%
- ◆ 80% of draft reports had been delivered on time against a target of 80%
- ◆ 69% of the 2018/2019 Internal Audit Plan had commenced
- ◆ 86% of audit assignments had been concluded to a signed action plan within 4 weeks of the issue of a draft report against a target of 80%
- ◆ 98% of Internal Audit recommendations had been delivered on time against a target of 90%

The findings from assignments completed in the period 19 May to 29 August 2018 were detailed in Appendix 2 to the report. Significant assignments completed in the period were detailed in Appendices 3, 4 and 5 to the report.

Internal Audit had also facilitated a self-assessment by the Information Governance Board of progress with actions to ensure compliance with the General Data Protection Regulation (GDPR). Follow up action would be undertaken by the end of September 2018 to assess progress with the completion of remaining actions.

Officers responded to a member's question on LED lighting.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 13 June 2018 (Paragraph 3)]*

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## 6 The National Fraud Initiative 2016

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A report dated 29 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the 2016 National Fraud Initiative (NFI).

The NFI matched similar data in different public sector systems and identified possible inconsistencies. Those inconsistencies, known as matches, required to be investigated by local authorities with a view to detecting fraud. Until 2014, the focus of the initiative had alternated annually between a limited and a full exercise. The full exercise continued to be undertaken every 2 years, however, the limited Single Person Discount (SPD) exercise, where the electoral register and council tax data were compared to detect cases where Single Person Discount was being claimed and there was more than 1 person over 18 in the household, could now be carried out annually. The 2016 NFI had been a full exercise and involved Council wide comparisons including:-

- |             |                                  |
|-------------|----------------------------------|
| ◆ benefits  | ◆ insurance claims               |
| ◆ payroll   | ◆ blue badge holders             |
| ◆ creditors | ◆ recipients of direct funding   |
| ◆ licences  | ◆ private nursing home residents |

In addition, records had also been matched to the Department for Work and Pensions' deceased persons' records and those of the UK Border Agency (UKBA). The 2016 NFI exercise had included additional matches carried out on existing data sets and had introduced 3 new data sets.

Details were given on the results of the 2016 exercise which, for the Council, highlighted that:-

- ◆ excluding the new matches, there had been a reduction of 2,636 matches (19%), compared with the previous exercise in 2014. This decrease was considered to reflect the success of previous exercises and the improvements made to the quality of data provided by the Council
- ◆ excluding the Single Person Discount (SPD), the Council had recorded approximately £0.045 million of outcomes from the 2016 exercise to date. This represented a decrease of £0.042 million (48%) from the previous exercise
- ◆ the Council was taking recovery action for approximately £0.030 million (64%) of SPD outcomes and £0.034 million (76%) of other outcomes identified

External auditors had reviewed the effectiveness of local arrangements in terms of the NFI exercise. As a result of those reviews, Audit Scotland had prepared a report which contained 5 recommendations to be considered by NFI participants. Details of those recommendations, together with the Council's response and further action required, were given in Appendix 1 to the report.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 20 September 2017 (Paragraph 8)]*

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## **7 Fraud Statistics Annual Report 2018**

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A report dated 31 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on fraud statistics for the year to 31 March 2018 and comparing those figures with the previous year's statistics.

The number, types, outcomes and costs of fraud investigations, together with performance measures for the year to 31 March 2018, were detailed in the report. A comparison to the statistics for the same period in the previous year was also provided. Those statistics highlighted that:-

- ◆ 123 fraud investigations with a total value of £333,000 had been reported in the period, representing an increase in both number and value from the previous year
- ◆ 82% of cases investigated were founded
- ◆ 99% of founded cases related to benefit fraud or fraud committed by a third party

On conclusion of all internal investigations, an assessment was made on whether improvement actions were necessary. 4 action plans had resulted from fraud investigations issued and agreed during the year to 31 March 2018. 74 actions had been included in those plans and all high priority actions would be followed up in 2018/2019 in line with Internal Audit procedures.

Officers responded to a member's question on a high value Internal Audit investigation included in the 2017 statistics.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 20 September 2017 (Paragraph 7)]*

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## **8 Forward Programme for Future Meetings**

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A report dated 4 September 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the outline forward programme for the meeting of the Risk and Audit Scrutiny Committee to 14 November 2018.

As part of future arrangements, members were invited to suggest topics for inclusion in the Committee's forward programme.

**The Committee decided:** that the outline forward programme for the Risk and Audit Scrutiny Committee to 14 November 2018 be noted.

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## **9 Urgent Business**

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There were no items of urgent business.



# Report

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Report to:	<b>South Lanarkshire Council</b>
Date of Meeting:	<b>19 December 2018</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Modern Day Slavery Charter</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- request approval for the adoption of the Modern Day Slavery Charter

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that adoption of the Modern Day Slavery Charter be approved; and
- (2) that the contents of the report outlining the approach to be taken in relation to the implementation of the Charter be noted.

## 3. Background

- 3.1. The Modern Slavery Act 2015 provides law enforcement tools to fight modern slavery, ensure perpetrators receive suitably severe punishments for these crimes and enhance support and protection for victims.
- 3.2. Section 54 of the Modern Slavery Act 2015 requires commercial organisations with a turnover greater than £36m to develop a slavery and human trafficking statement each year. This would apply to companies contracting with the council.
- 3.3. This statement must set out what steps they have taken during the financial year to ensure that modern slavery is not occurring in their supply chains and in their own organisation.
- 3.4. The Modern Slavery Act requires a slavery and human trafficking statement to be approved and signed by an appropriate senior person in the business.
- 3.5. The Act requires each organisation to publish a slavery and human trafficking statement on their website and include a link in a prominent place on its homepage. For those organisations that do not have a website, a copy of the statement is to be provided to anyone who requests one in writing.
- 3.6. If an organisation fails to produce a slavery and human trafficking statement for a particular financial year, the Secretary of State may seek an injunction through the High Court (or, in Scotland civil proceedings for specific performance of a statutory duty under section 45 of the Court of Session Act 1988) requiring the organisation to comply. If the organisation fails to comply with the injunction, they will be in contempt of a court order, which is punishable by an unlimited fine.

#### **4. Current position**

- 4.1. The Council currently takes a number of steps to limit the potential for human exploitation in the supply chain and also to improve the employment conditions for those employed by suppliers.
- 4.2. A Modern Slavery Act Declaration is included in all tenders. The declaration requires contractors to produce an annual slavery and trafficking statement as required in terms of the Modern Slavery Act 2015 and to acknowledge that the Council will be entitled to terminate the contract and to recover from them the amount of any associated loss resulting from such termination if they have failed to comply with the requirements of the Act. The declaration requires to be completed and returned by all commercial organisations.
- 4.3. In addition, the Council's terms and conditions of contract place a statutory obligation on contractors to comply with the standards and all applicable law in performing its obligations under the contract.
- 4.4. Existing procurement legislation also requires the Council to investigate abnormally low cost tenders.
- 4.5. Section 9 of the Procurement Reform (Scotland) Act 2014 asks councils to consider how they can improve the economic, social and environmental wellbeing of the authority's area, including consideration of policies to promote Fair Work Practices in relevant public contracts.
- 4.6. In assessing the relevance of Fair Work Practices to the contract, the Council considers whether there is any previous experience of poor or exploitative work practices in the sector or evidence that low pay make staff recruitment and retention difficult.

#### **5. Proposal**

- 5.1. The Co-operative Party have launched a Modern Day Slavery Charter and are looking to roll this out across UK councils. A number of Scottish Councils have already adopted the Charter including Renfrewshire, Dundee City Council, North Ayrshire and the City of Edinburgh.
- 5.2. The Charter commits the Council to:
  1. Train its Procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply (CIPS) online course on Ethical Procurement and Supply.
  2. Require its contractors to comply fully with the Human Trafficking and Exploitation (Scotland) Act 2015 and the Modern Slavery Act 2015 wherever they apply, with contract termination as a potential sanction of non-compliance.
  3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
  4. Highlight to suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
  5. Publicise its whistle-blowing policy for staff to report any suspected examples of modern slavery.



6. Encourage tendered contractors to adopt a whistle-blowing policy which enables their staff to report any suspected examples of modern slavery.
7. Review the contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.
11. Ensure close cooperation with Police Scotland and other relevant Scottish and UK Government Agencies.

5.3. Appendix 1 provides further detail on each of the commitments in the Charter and how they will be implemented.

## **6. Employee Implications**

6.1. Procurement staff will be required to complete the CIPS training and ensure sufficient time is allocated to the monitoring and reporting arrangements associated with the adoption of the Charter.

## **7. Financial Implications**

7.1. There are no direct financial implications.

## **8. Other Implications**

8.1. The risk of procuring services from contractors engaged in the practices of modern slavery is reduced through the existing use of the Modern Slavery Act Declaration. The adoption of the Modern Day Slavery Charter will further reduce this risk.

8.2. In addition, the approach taken should provide a significant deterrent effect to those companies engaged in modern slavery from participating in Council procurement exercises.

## **9 Equalities Impact Assessment and Consultation Arrangements**

9.1. An Equality Impact Assessment has been carried out and no negative impact on any specific equality group has been identified.

9.2. Consultation and engagement with Council Officers and relevant agencies has taken place in the preparation of this report.

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

21 November 2018

**Link(s) to Council Values/Improvement Themes/Objectives**

- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self aware and improving
- ◆ Focused on people and their needs

**Previous References**

- ◆ None.

**List of Background Papers**

- ◆ None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Craig Fergusson, Head of Finance (Transactions)

Ext: 4951 (Tel: 01698 454951)

E-mail: [craig.fergusson@southlanarkshire.gov.uk](mailto:craig.fergusson@southlanarkshire.gov.uk)

## Modern Day Slavery Charter

<b>No</b>	<b>Commitment</b>	<b>Implementation</b>	<b>Timescale</b>	<b>Responsibility</b>
<b>1</b>	Train its Procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply (CIPS) online course on Ethical Procurement and Supply.	This will be progressed through the Councils Procurement Forum and extended to key contract staff in Resources where appropriate.	March 2019	Head of Finance (Transactions)
<b>2</b>	Require its contractors to comply fully with the Human Trafficking and Exploitation (Scotland) Act 2015 and the Modern Slavery Act 2015 wherever they apply, with contract termination as a potential sanction of non-compliance.	No further action required as this is already covered via the Modern Slavery Declaration included in tenders and terms and conditions.	N/A	Head of Admin and Legal Services
<b>3</b>	Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.	No further action required as this is already undertaken by the Procurement Team and Legal Services.	N/A	Head of Finance (Transactions) / Head of Admin and Legal Services
<b>4</b>	Highlight to suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.	Bidders will be referred to the charter in tender documentation.	February 2019	Head of Finance (Transactions) / Head of Admin and Legal Services
<b>5</b>	Publicise its whistle-blowing policy for staff to blow the whistle on any suspected examples of modern slavery.	Existing whistle-blowing policy to be updated to reflect the commitment with communication to staff and publication on internet to then follow.	February 2019	Internal Audit Manager
<b>6</b>	Encourage tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.	Bidders will be referred to the charter in tender documentation.	March 2019	Head of Finance (Transactions) / Head of Admin and Legal Services
<b>7</b>	Review the contractual spending regularly to identify any potential issues with modern slavery.	Contractual spending is reviewed on a regular basis.	Ongoing	Head of Finance (Transactions) / Resource

				Contract Managers
<b>8</b>	Highlight for suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.	The highlighting of risks to suppliers and the provision of information on the appropriate agencies to them would be actioned by Procurement.	As required	Head of Finance (Transactions)
<b>9</b>	Refer for investigation via the National Crime Agency's national referral mechanism any contractors identified as a cause for concern regarding modern slavery.	Referrals to the National Crime Agency be actioned by Internal Audit.	As required	Internal Audit Manager
<b>10</b>	Report publicly on the implementation this policy annually.	An update will be provided in the Council's Annual Procurement report.	Annual	Head of Finance (Transactions)
<b>11</b>	Ensure close cooperation with Police Scotland and other relevant Scottish and UK Government Agencies.	The Council participates in a number of multi-agency groups with Police Scotland and other partners. The Strategic Group currently chaired by the Council would consider areas of concern in relation to modern slavery raised by the Council or contractors.	Ongoing	Head of Finance (Transactions)

# Report

5

Report to:	<b>South Lanarkshire Council</b>
Date of Meeting:	<b>19 December 2018</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Amendments to Memberships of Committees, Forums and Joint Boards/Outside Bodies</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval for proposed amendments to the membership of various Committees, Forums, Joint Boards and Outside Bodies following a change in the political composition of the Council

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that, to reflect the current political composition of the Council:-
  - ◆ amendments to the committee/forum memberships, as detailed in paragraphs 3.3 and 3.4 and Appendix 2, be approved;
  - ◆ amendments to the memberships of certain Joint Boards/Outside Bodies, as detailed in Appendix 4, be approved; and
- (2) that authority be delegated to the Chief Executive, in consultation with the Leaders of the political/independent groups and independent member, to finalise memberships.

## 3. Background

- 3.1. At the statutory meeting of the Council held on 18 May 2017, committee and forum membership details were approved and authority delegated to the Chief Executive, in consultation with the Leaders of the political groups, to finalise membership of Committees and Forums on the basis of the number of members and associated political composition approved by the Council. Since that meeting, any changes to committee memberships have been reported to either the Executive Committee or Council.
- 3.2. While there is no statutory requirement in terms of membership places, the Council endeavours to reflect the overall political balance in the membership of its committees, forums, Joint Boards and Outside Bodies insofar as is reasonably practicable. The current composition is detailed at Appendices 1 and 3 to the report.
- 3.3. As a consequence of a change in the political make-up of the Council, it is proposed that the composition of Committees be as detailed in Appendix 2.

3.4. In relation to Forums, it is proposed that the composition be on the following basis:-

Total Membership	SNP	Labour	Con	Ind Group	Lib Dem	Ind
10	4	3	2	1		

3.5. In respect of Joint Boards and Partnership/Outside Bodies, it is proposed that changes to certain memberships be as detailed in Appendix 4.

#### **4. Employee Implications**

4.1. There are no employee implications arising from this report.

#### **5. Financial Implications**

5.1. There are no financial implications associated with the proposals contained in this report.

#### **6. Other Implications**

6.1. There are no risks to the Council in relation to the recommendation contained in this report.

6.2. There are no issues in terms of sustainability in relation to the recommendations contained in this report.

#### **7. Equality Impact Assessment and Consultation Arrangements**

7.1. No equality impact assessment was required in respect of the proposals contained in this report.

7.2. No formal consultation was required.

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

26 November 2018

#### **Link(s) to Council Objectives/Values**

◆ Accountable, Effective. Efficient and Transparent

#### **Previous References**

South Lanarkshire Council 18 May 2017

Executive Committee of 28 February 2018

#### **List of Background Papers**

None

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Geraldine McCann, Head of Administration and Legal Services

Ext: 4658 (Tel: 01698 454658)

E-mail: geraldine.mccann@southlanarkshire.gov.uk

## South Lanarkshire Council

### Current Breakdown of Committee Memberships

**Council Breakdown:**

**Scottish National Party 25 (39.06%), Labour 18 (28.12%), Conservative 14 (21.87%), Independent Group 6 (9.37%), Liberal Democrat 1 (1.56 %)**

Committee	Total Membership	Leader ex officio	SNP	Labour	Con	Ind Group	Lib Dem
<b>Resource Committees; Planning and Licensing Committees</b> [Provision for up to 4 substitutes from individual groups]	26	1	11	7	5	2	
<b>Executive Committee</b> [Provision for up to 4 substitutes from individual groups]	28	1	10	8	6	2	1
<b>Recruitment Committee</b> To be chaired by Leader of the Council [Facility for named substitutes]	6	-	3	2	1	-	
<b>Planning Local Review Body</b> [Facility for named substitutes]	10	-	4	3	2	1	
<b>Conference Allocation Committee</b> Depute Leader and Business Manager of Ruling Administration + 1 other Ruling Group representative, Depute Leader and Business Manager of Largest Opposition Group + 1 other Opposition Group member (not from the Largest Opposition Group)	6		3	2	1	-	

## South Lanarkshire Council

### Proposed Breakdown of Committee Memberships (as at December 2018)

**Council Breakdown:**

Scottish National Party 24 (37.50%), Labour 17 (26.56%), Conservative 14 (21.87%), Independent Group 7 (10.94%), Liberal Democrat 1 (1.56 %), Independent 1 (1.56%)

Committee	Total Membership	Leader ex officio	SNP	Labour	Con	Ind Group	Lib Dem	Ind
<b>Resource Committees; Planning and Licensing Committees</b> [Provision for up to 4 substitutes from individual groups]	26	1	9	7	5	3	1	
<b>Executive Committee</b> [Provision for up to 4 substitutes from individual groups]	28	1	10	7	6	3	1	-
<b>Recruitment Committee</b> To be chaired by Leader of the Council [Facility for named substitutes]	6	-	2	2	1	1	-	
<b>Planning Local Review Body</b> [Facility for named substitutes]	10	-	4	3	2	1	-	
<b>Conference Allocation Committee</b> Depute Leader and Business Manager of Ruling Administration + Depute Leader and Business Manager of Largest Opposition Group + 2 other Opposition Group members (1 from the Conservative Group and one from the Independent Group)	6		2	2	1	1	-	



## South Lanarkshire Council

### Current Representation on Joint Boards and Partnership/Outside Bodies

Body	Total Membership	SNP	Labour	Con	Ind Group	Lib Dem
<b>Lanarkshire Valuation Joint Board</b> [Provision for substitutes from individual groups]	<b>8</b>	<b>3</b>	<b>3</b>	<b>2</b>	-	
<b>Economic Growth Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	-	
<b>Getting It Right for South Lanarkshire Children's Partnership (GIRFEC)</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	-	
<b>Safer South Lanarkshire Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	-	
<b>Convention of Scottish Local Authorities (COSLA)</b> [Provision for substitutes from individual groups]	<b>6</b>	<b>3</b>	<b>2</b>	<b>1</b>	-	

## South Lanarkshire Council

### Proposed Representation on Joint Boards and Partnership/Outside Bodies (as at December 2018)

Body	Total Membership	SNP	Labour	Con	Ind Group	Lib Dem	Ind
<b>Lanarkshire Valuation Joint Board</b> [Provision for substitutes from individual groups]	8	3	2	2	1	-	
<b>Economic Growth Board</b>	5	2	1	1	1	-	
<b>Getting It Right for South Lanarkshire Children's Partnership (GIRFEC)</b>	5	2	1	1	1		
<b>Safer South Lanarkshire Board</b>	5	2	1	1	1		
<b>Convention of Scottish Local Authorities (COSLA)</b> [Provision for substitutes from individual groups]	6	2	2	1	1		

## **Enhanced Support for Veterans**

### **Notice of Motion**

Motion received in terms of Standing Order No 19 on 27 November 2018, proposed by Councillor Mark McGeever, seconded by Councillor Lynne Nailon, as follows:-

“On the occasion of its first meeting since the centenary of the 1918 armistice, South Lanarkshire Council notes:-

- ◆ That while most veterans successfully transition from military service to civilian life, doing so has historically been a challenge and remains a source of considerable difficulties for many;
- ◆ That working age veterans have been found to be up to twice as likely to be unemployed as their non-veteran contemporaries;
- ◆ That differences between civilian and military qualifications, career structures, application processes, and experiences can disadvantage veterans seeking employment; and
- ◆ That where skilled and experienced veterans are deterred or disadvantaged by civilian application processes, employers can miss out on candidates who would excel at interview.

Therefore, in accordance with its sincere commitment to military families and the Armed Forces Covenant, its desire to provide enhanced support to those returning to civilian life in South Lanarkshire, seeking to ensure it does not lose out on people who would be valuable members of staff, and as a fitting addition to the area’s commemorations of the First World War, this Council:-

- 1) Resolves to create a guaranteed interview scheme for ex-armed forces personnel who apply for vacancies with the authority and meet the essential criteria for the post.
- 2) Instructs the chief executive to consult Lanarkshire Firm Base Group, the Career Transition Partnership, and other appropriate external organisations, regarding how such a scheme could provide greatest benefit; and
- 3) Requires that a report detailing options available for the implementation and operation of such a scheme be presented to the full Council at its meeting in March 2019, for members to select from and approve.”



## **Suspension of Testing of Primary One Pupils**

### **Notice of Motion**

Motion received in terms of Standing Order No 19 on 3 December 2018, proposed by Councillor Richard Nelson, seconded by Councillor Martin Hose, as follows:-

“South Lanarkshire Council acknowledges the Scottish Parliament’s vote of 19 September to call on the Scottish Government to halt testing of children in their first year of primary school. Council notes that the parliamentary motion was informed by feedback from parents, children and the EIS teaching union in support of more play based learning.

While recognising that good-quality assessment is essential to raising educational standards, this Council understands the high levels of concern raised by teachers, other education professionals, parents and elected representatives regarding the introduction and delivery of new testing arrangements for primary one pupils. Council believes that formal standardised testing is essential in primary four and primary seven but cannot deliver the same meaningful results in primary one, and so should not be conducted at that stage.

Therefore, the chief executive is instructed to ascertain the options available to South Lanarkshire Council as an education authority, in relation to suspension of testing of primary one pupils, and to provide a report for consideration at the next meeting of the full council.”



## **Early Learning and Childcare (ELC)**

### **Notice of Motion**

Motion received in terms of Standing Order No 19 on 3 December 2018, proposed by Councillor Sheena Wardhaugh, seconded by Councillor Jackie Burns, as follows:-

“The Independent Group congratulates the Scottish Government on its commitment to Early Years Education (now entitled ELC), and on the expansion of ELC to 1140 hours by 2020 however regrets that it is not as effective as it could be because of “birthday discrimination” by which the date of a child’s birthday affects when that child can access ELC without fees – as is the case according to current South Lanarkshire Council (SLC) policy.

To help in closing the attainment gap and giving our children the best possible start ELC must be accessed as soon as a child is three.

To remove the barrier of “birthday discrimination” the Independent Group:-

- 1 calls on the SNP Administration to negotiate with the Scottish Government to achieve ring-fenced funding to allow children in South Lanarkshire to access ELC as soon as they are three;
- 2 until this negotiation is successful, calls on SLC to facilitate access to ELC as soon as a child is three within the SLC budget, as is the case in other nearby local authorities, and to change the admission policy to reflect this.

Change should take effect at the beginning of the 2019/2020 school session.

Report on progress to be given to the Council meeting in March.”





**Investment by Local Government Pension Funds**

**Notice of Motion**

Motion received in terms of Standing Order No 19 on 4 December 2018, proposed by Councillor Joe Fagan, seconded by Councillor Maureen Devlin, as follows:-

“That the Council asserts the importance of ethical, sustainable and socially responsible investment by local government pension funds; believes that local government pension funds such as the Strathclyde Pension Fund should seek to promote ethical and responsible behaviour among investees and in the wider economy through its investments, and to that end calls on Strathclyde Pension Fund to halt investment in:-

- (1) risky fossil fuels such as fracking;
- (2) the arms trade; and
- (3) companies benefiting from human rights abuses.”



## **Unison Ethical Care Charter**

### **Notice of Motion**

Motion received in terms of Standing Order No 19 on 4 December 2018, proposed by Councillor Fiona Dryburgh, seconded by Councillor Joe Fagan, as follows:-

“We call upon South Lanarkshire Council to adopt the Unison Ethical Care Charter.

The Charter sets minimum standards to protect the dignity and quality of life for people who need homecare.

It commits South Lanarkshire Council to the full implementation of the Charter for all South Lanarkshire Council employees and to the implementation of stage 1 with a plan to implementing stages 2 and 3 for home care contractors procured by the Council.

It is hoped that adopting the Charter will help improve staffing levels and enable care workers to build a sustainable career within the sector.

Making this commitment to decent employment conditions for care workers is all about improving the quality of life for the people they care for.

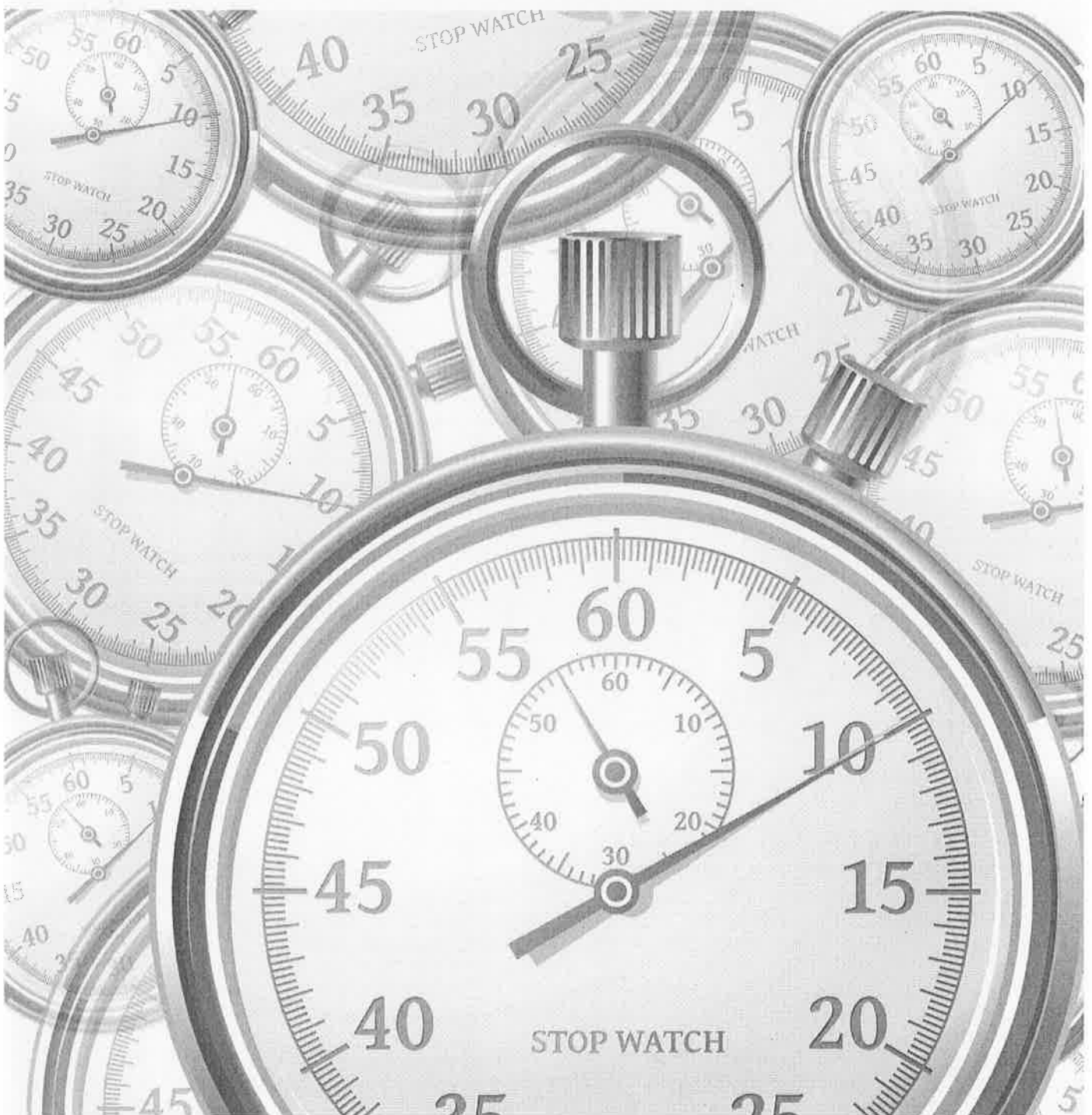
- ◆ Give workers the freedom to provide appropriate care and the time to talk to their clients;
- ◆ Allocate clients the same homecare worker(s) wherever possible;
- ◆ Schedule visits so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.”

Link to Ethical Care Charter.

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



# UNISON's ethical care charter





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## Introduction

1. The purpose of this charter is to set out the principles and standards that UNISON expects of all those who provide care services to its members.
2. This charter applies to all care services provided by UNISON members, whether they are employed by a public sector organisation, a private sector organisation, or a voluntary organisation.
3. The principles and standards set out in this charter are based on the values of respect, dignity, and autonomy, and the commitment to provide high quality care services to all those who need them.
4. This charter is a living document and will be reviewed regularly to ensure it remains relevant and up to date.



## Introduction

A number of reports from client organisations, consumer groups, and homecare providers have recently been produced which have been highly critical of the state of homecare services in the UK. Little consideration however has been given to the views of homecare workers themselves as to why there are so many problems in this sector.

UNISON, the largest public service union, conducted a survey of homecare workers entitled "Time to Care" to help address this imbalance and to illustrate the reality of homecare work. The online survey which was open to homecare workers who were either UNISON members or non-members attracted 431 responses between June and July of 2012.

The responses showed a committed but poorly paid and treated workforce which is doing its best to maintain good levels of quality care in a system that is in crisis. The report highlights how poor terms and conditions for workers can help contribute towards lower standards of care for people in receipt of homecare services.

## Key findings

- 79.1% of respondents reported that their work schedule is arranged in such a way that they either have to rush their work or leave a client early to get to their next visit on time. This practice of 'call cramming', where homecare workers are routinely given too many visits too close together, means clients can find themselves not getting the service they are entitled to. Homecare workers are often forced to rush their work or leave early. Those workers who refuse to leave early and stay to provide the level of care they believe is necessary, also lose out as it means they end up working for free in their own time.
  - 56% of respondents received between the national minimum wage of £6.08 an hour at the time of the survey and £8 an hour. The majority of respondents did not receive set wages making it hard to plan and budget. Very low pay means a high level of staff turnover as workers cannot afford to stay in the sector. Clients therefore have to suffer a succession of new care staff.
  - 57.8% of respondents were not paid for their travelling time between visits. As well as being potentially a breach of the minimum wage law, this practice eats away at homecare workers' already low pay.
  - Over half the respondents reported that their terms and conditions had worsened over the last year, providing further evidence of the race to the bottom mentality in the provision of homecare services.
  - 56.1% – had their pay made worse
  - 59.7% – had their hours adversely changed
  - 52.1% – had been given more duties
  - 36.7% of respondents reported that they were often allocated different clients affecting care continuity and the ability of clients to form relationships with their care workers. This is crucial, especially for people with such conditions as dementia.
  - Whilst the vast majority of respondents had a clearly defined way of reporting concerns about their clients' wellbeing, 52.3% reported that these concerns were only sometimes acted on, highlighting a major potential safeguarding problem.
  - Only 43.7% of respondents see fellow homecare workers on a daily basis at work. This isolation is not good for morale and impacts on the ability to learn and develop in the role.
  - 41.1% are not given specialist training to deal with their clients specific medical needs, such as dementia and stroke related conditions.
- The written responses to our survey paint a disturbing picture of a system in which the ability to provide some companionship and conversation to often lonely and isolated clients is being stripped away. Some recounted the shame of providing rushed and insufficient levels of care because of the terms and conditions of their job, whilst many detailed insufficient levels of training that they had been given to carry out the role. Others made the point that rushed visits are a false economy leading to a greater likelihood of falls, medication errors and deterioration through loneliness.

However the survey also showed the selflessness and bravery of homecare workers who, to their own personal cost, refused to accept the imposition of outrageously short visits and worked in their own time to ensure that their clients received good levels of care. Some homecare workers were doing tasks and errands for their clients in their spare time, despite the seemingly best efforts of the current care model to strip away any sense of personal warmth or humanity.

Homecare workers are personally propping up a deteriorating system of adult social care, but they are being pushed to breaking point. That they are still willing to deliver good levels of care in spite of the system is nothing short of heroic. For the system to work it needs to be underpinned by adequate funding and a workforce whose terms and conditions reflect the respect and value they deserve. Crucially they must be given the time to care.

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**“ I never seem to have enough time for the human contact and care that these people deserve. ”**

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**“ A lot of the people I care for, are old and lonely, they are not only in need of physical support, but they are also in need of company and someone to talk to. The times given to these people are the bare minimum to get the job done, no time for a chat, just in and out. ”**

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**“ People are being failed by a system which does not recognise importance of person centred care. ”**

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**“ We are poorly paid and undervalued except by the people we care for! ”**

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**“ I have worked as homecare worker for 15 years. Things have to change but not at the expensive of clients. It's appalling the care they receive now. ”**

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# Ethical care councils

In light of UNISON's findings, we are calling for councils to commit to becoming Ethical Care Councils by commissioning homecare services which adhere our Ethical Care Charter.

The over-riding objective behind the 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 clients and b) ensure the recruitment and retention of a more stable workforce through more sustainable pay, conditions and training levels. Rather than councils seeking to achieve savings by driving down the pay and conditions that have been the norm for council – employed staff, they should be using these as a benchmark against which to level up.

Councils will be asked to sign up to the Charter and UNISON will regularly publish the names of councils who do.

# Ethical care charter for the commissioning of homecare services

## Stage 1

- The starting point for commissioning of visits will be client need and not minutes or tasks. Workers will have the freedom to provide appropriate care and will be given time to talk to their clients
- The time allocated to visits will match the needs of the clients. In general, 15-minute visits will not be used as they undermine the dignity of the clients
- Homecare workers will be paid for their travel time, their travel costs and other necessary expenses such as mobile phones
- Visits will be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time
- Those homecare workers who are eligible must be paid statutory sick pay

## Stage 2

- Clients will be allocated the same homecare worker(s) wherever possible
- Zero hour contracts will not be used in place of permanent contracts
- Providers will have a clear and accountable procedure for following up staff concerns about their clients' wellbeing

- All homecare workers will be regularly trained to the necessary standard to provide a good service (at no cost to themselves and in work time)
- Homecare workers will be given the opportunity to regularly meet co-workers to share best practice and limit their isolation

## Stage 3

- All homecare workers will be paid at least the Living Wage (as of November 2013 it is currently £7.65 an hour for the whole of the UK apart from London. For London it is £8.80 an hour. The Living Wage will be calculated again in November 2014 and in each subsequent November). If Council employed homecare workers paid above this rate are outsourced it should be on the basis that the provider is required, and is funded, to maintain these pay levels throughout the contract
- All homecare workers will be covered by an occupational sick pay scheme to ensure that staff do not feel pressurised to work when they are ill in order to protect the welfare of their vulnerable clients.

## Guidance for councils and other providers on adopting the charter

### Seeking agreements with existing providers

1. Convene a review group with representation from providers, local NHS and UNISON reps to work on a plan for adopting the charter – with an immediate commitment to stage 1 and a plan for adopting stages 2 & 3
2. Start by securing agreement for a review of all visits which are under 30 minutes. The review will include getting views of the homecare workers and client (and/or their family) on how long the client actually needs for a visit and what their care package should be

### Looking for savings

3. Are providers' rostering efficiently – for example are there cases of workers travelling long distances to clients when there are more local workers who could take over these calls?
4. How much is staff turnover costing providers in recruitment and training costs?
5. How much are falls and hospital admissions amongst homecare clients costing the NHS and could some of these be prevented by longer calls and higher quality care?

6. Are there opportunities for economies of scale by providers collaborating around the delivery of training and networking/mentoring for workers?
7. Are there opportunities for collaboration between providers to achieve savings on procurement of mobile phones, uniforms and equipment for workers?

### The commissioning process

1. UNISON's evidence, along with that of other bodies such as the UKHCA, shows that working conditions are intrinsically bound up with the quality of care.
2. When councils are conducting service reviews and drawing up service improvement plans, the Charter will provide a helpful benchmark for ensuring service quality – whether for an improved in-house service or in relation to externally commissioned services.
3. Where a decision has been taken to commission homecare externally, identify how the elements of the charter will be included as service delivery processes, contract conditions or corporate objectives in the invitation to tender documents. It must explain how these are material to the quality of the service and achieving best value.

### **Service monitoring**

1. Work with providers and trade unions to agree how service quality will be monitored and compliance with the Charter assured
2. Build regular surveys of homecare workers into this process to gain their views and consider establishing a homecare workers panel from across local providers who can provide feedback and ideas on care delivery

**The provisions of this charter constitute minimum and not maximum standards. This charter should not be used to prevent providers of homecare services from exceeding these standards.**



UNISON has more than a million members delivering essential services to the public. Services that protect, enrich and change lives.

We want to see changes that put people before profit and public interest before private greed. Join our campaign to create a fairer society.

To find out more go to  
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