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Date: 29 May 2020



Rosamond Roughton
Director-General for Adult Social Care
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

Dear Ros

Re: Infection Prevention and Control Fund - Grant Conditions

I am writing with regard to the IPC fund that is being awarded to care homes.

Whilst Leicester City Council fully supports the additional payments to the care home sector during the pandemic, I would like to raise concerns about the inflexibility of the current IPC funding conditions. This has been highlighted by a problematic situation that has occurred with a care organisation operating in Leicester and Leicestershire. In essence, the requirement that the grant be paid to care homes on a strict 'per bed' basis is resulting in a significant amount of money being paid to a care provider that is in the midst of cutting back the terms and conditions of its staff, quite contrary to the spirit of the grant.

In brief, some 5 years ago, both Leicestershire County Council and Leicester City Council sold a total of 13 care homes to a private company, Leicestershire County Care Limited (LCCL). LCCL's primary CQC registration is for older persons' residential care with dementia. At the time, TUPE legislation applied and a large number of Council staff duly transferred to LCCL on their existing employment terms and conditions. However, over the last 6 weeks, LCCL have been consulting with the remaining 98 ex-Council TUPE'd staff on proposals to remove their existing enhancements, including overtime and Bank Holiday payments. This would inevitably result in those staff receiving lower wages.

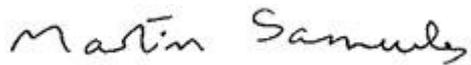
It appears that the consultation has very recently been concluded, with the reduction in pay rejected by the staff affected. This has resulted in LCCL issuing a letter to Leicester City Council advising that it will be dismissing all 98 staff members, around half of whom work in homes within the city, representing roughly one in seven of the company's entire workforce.

LCCL claim the dismissal is unlikely to have any impact on the quality of care provided, because the company will be able to use agency staff and extend working hours for existing staff in order to cover the gaps. However, this suggested method of reducing the impact of losing so many staff is a significant concern to the Council. This is especially the case at a time when care home staff are being tested for Covid-19 and this may result in large numbers having to self-isolate. Whilst Leicester City Council has contingencies in place to cover staff shortages via the use of mutual aid from some of the local domiciliary providers, such a large loss of care workers could destabilise the local market and put over 100 older vulnerable people at risk in the City alone.

Given that the IPC Fund is expressly designed to support care homes to enhance and stabilise their staffing, it is disappointing that the grant conditions require the local authority to make payments to all homes, regardless of any concerns about the quality of care being delivered. This is especially troubling in this case, given that the Council's concerns are linked what can only be described as very poor treatment of staff, who find themselves now being threatened with dismissal if they refuse to accept a reduction in their allowance rates, yet are being expected to make significant personal sacrifices in order to provide care for many vulnerable elderly residents who are at potential risk from Covid-19.

Under the circumstances, Leicester City Council ask that the Department of Health and Social Care vary the grant conditions to enable local authorities to impose additional conditions on the next tranche of monies to be paid to the care homes, in order to prevent providers receiving funding if any reductions are being made in staff terms and conditions during this period of national crisis.

Yours sincerely

A handwritten signature in black ink that reads "Martin Samuels". The signature is written in a cursive, slightly slanted style.

Martin Samuels
Strategic Director for Social Care & Education