

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE : 22 MARCH 2007

ADULT RESIDENTIAL UNITS

Report by the Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Committee approval for proposals to amend the staffing structure within the two East Ayrshire residential units for adults with learning disabilities; Carrick View, Auchinleck and Kerrmuir, Hurlford.

2. BACKGROUND INFORMATION

- 2.1 Carrick View, Auchinleck and Kerrmuir, Hurlford are two ten-bedded residential units for adults with learning disabilities. The service is subject to the Regulation of Care (Scotland) Act 2001 and operates 24 hours per day, seven days per week.
- 2.2 Overnight staff cover in the units has traditionally been by sleepover, complimented by waking cover when required to meet the needs of residents.
- 2.3 The European Working Time Directive 1998, as amended, sets out the minimum conditions for employees' weekly working time, rest entitlements and annual leave entitlement. As a result of recent case law, the Social Work Service has reviewed arrangements for sleepovers in residential units.
- 2.4 In recent years the needs of adults with learning disability for accommodation has increasingly been met through allocation of mainline housing provision supplemented by individualised care supports.
- 2.5 At the same time, partly arising from the hospital re-provisioning programme, there is an identified need for the provision of intensive care and accommodation for adults with learning disability who have complex needs, often amounting to 24 hours per day care. The residential service increasingly has moved focus to provide care for the most vulnerable people.
- 2.6 To meet these revised requirements, sleepover arrangements will terminate on 31 March 2007 and be replaced with waking night shift cover. This obviously requires employees to be awake throughout the night to undertake normal social care residential duties.
- 2.7 In addition, existing staff rotas require to change to meet the European Working Time Directive and the Care Commission Staffing Schedules as a result of the increasing dependency levels of the service users.

3. POLICY/LEGAL IMPLICATIONS

- 3.1 The proposals will enable the Council to meet its legal requirements in respect of the European Working Time Directive and the Care Commission in terms of staffing levels.

4. PERSONNEL IMPLICATIONS

- 4.1 To fulfil this new arrangement and introduce waking night shift cover it will require an additional 6.03 w.t.e Social Care Workers posts.
- 4.2 The proposal has been agreed by the Trade Unions.

5. FINANCIAL IMPLICATIONS

- 5.1 The financial implications associated with the proposal amounts to £184,286(including employer's costs) which will be met from the allocation of new monies to Social Work for this purpose by the Council.

6. COMMUNITY PLANNING IMPLICATIONS

- 6.1 The provision of care and accommodation for adults with learning disability supports the Improving Health, and Improving Opportunities themes of the Community Plan.

7. RISK IMPLICATIONS

- 7.1 Failure to develop the residential infrastructure in line with employment regulations would put the Council at risk of legislative challenge and the service at risk of de-registration by the Care Commission.

8. RECOMMENDATIONS

- 8.1 Social Work Committee is asked to:-
- (i) refer the staffing implications to Corporate Governance Committee; and
 - (ii) otherwise note the content of this report.

Graham Short
Executive Director of Educational and Social Services
23 February 2007
Enc (0)

LIST OF BACKGROUND PAPERS

1. The Regulation of Care (Scotland) Act 2001

Anyone wishing further information should contact Eddie Fraser, Senior Manager
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