

## CAS-1953774-K3W8N7 -Domiciliary Care Providers

1. What is the hourly rate and standard rate that you paid to independent domiciliary providers for the years 2016/2017 and 2017/2018?

Shropshire Council operates bandings between which it will accept quotes for new care packages:

2016/17 £13.68 - £17.56

2017/18 £14.08 - £18.08

2. How many providers do you commission domiciliary care from?

As at April 2019 we have 95 providers on our accredited list

3. What does the council do about providers who instruct their care staff to clip calls because the care provider has back to back rotas with no travel time - which is clearly because they do not pay their care workers for travel between calls. As you are aware the government clearly states online that care worker's travel time is working time and must be paid at least NMW. Link to Government Minimum Wage page <https://www.gov.uk/minimum-wage-different-types-work>.

The Council uses a risk approach to this which is informed by notifications that we receive from services users, their family members, staff and other agencies about provider services. Clipping care calls is not something that the council condones and when we are notified it will result in discussion/monitoring with the provider concerned with the requirement that the situation is addressed. The council has a formal complaint process which will deal formally with any complaint received from service users who have not received calls as planned. The council also has an electronic call monitoring system for some contracts through which it can monitor if calls have been delivered as scheduled.

4 Does the council expect domiciliary care workers to stay for the full length of the service users call time, such as the full 30 minutes/45 minutes/one hour or, and if not what is the maximum time the council allows care calls to be cut ?

The Council does expect care workers to stay for the full length of commissioned call time. The only exceptions are where the person receiving the service has specifically asked the care worker to leave early.

5. How and what stringent, robust checks does the council carry out to check that domiciliary providers do not breach minimum wage and pay their care workers for their travel time between service user calls and do not cram calls with no travel time, meaning some care staff are often left with little or no choice but forced to cut service users care calls?

The council requires all of its contracted providers to comply with employment law. Where we are notified that contractors are not complying with employment law we will investigate this. We are not able to access detailed pay details of all staff who are employed by our contractors, therefore we rely on staff addressing their concerns directly to their employers in the first instance and also with by HMRC. For the second part of this question see response to question 3.

I now refer specifically to the provider J K Caring For You and draw to your attention the following statement by CQC in their latest inspection reported dated and published 18 January 2019: "The provider had failed to ensure people received their prescribed medicines safely. One person told us care staff had not given them their medicine during a recent care call. They told us, "One missed lot

wouldn't matter." This person went on to tell us the care staff on this day had told them their care call was 15 minutes despite them having a planned 30-minute care call". The provider had not ensured there were sufficient staff to keep people safe. Twelve people told us they had experienced missed and late calls.

One person told us care staff were often late and sometimes up to one and a half hours late. They had been left wet, in bed, due to care staff being late. Twelve people told us they had experienced missed and late calls. One person told us, "I phoned the office to say I had been missed and the office staff did not know who I was. It's just one call a day I have, if they turn up." They went on to tell us, "I have been missed but I still have to pay."

Link to CQC report referred to for your guidance in this FOI <https://www.cqc.org.uk/location/1-743147701>

6. What has Shropshire Council done to address this failing company?
7. How is the council monitoring this failing provider?
8. What has the council done about call-clipping by JK Caring for You?
9. How many safe-guarding complaints have been raised with the council concerning JK Caring for You?

In answer to the questions 6 to 9 we are not able to provide comments on any single contracted provider as this is commercially sensitive information, but we confirm the Council's approach as follows - Where failings of local contracted care providers are identified the Council's procedure is to work with the provider to ensure that they are addressing matters. This will mean liaising with them, regularly if necessary, to monitor progress. Where the concerns are significant Council officers will hold meetings with the care provider to review any management, staffing or other issues which have had a bearing on the concerns raised. This may, depending on the level of concerns, result in a suspension of referrals to the provider until the Council is assured that matters have improved

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