Report of the Director of Corporate and Adult Services

Workforce Planning Policy for Adult Social Care

RECOMMENDATIONS

1.1 To agree the Workforce Planning Policy for Adult Social Care attached as Appendix 2 to this report.

SUPPORTING INFORMATION

2.1 The Employment Equality, Age, Regulations came into effect on 1 October 2006.

2.2 The Regulations allow employers to set a default retirement age of 65 years. At this age employers are allowed to dismiss an employee on the grounds of retirement provided they have followed a planned retirement procedure and the dismissal will be deemed to be fair.

2.3 The Regulations do not require the employer to give reasons for their decision to retire an employee. However, recent appeals to elected members have made it clear that in considering a department's decision to retire an employee, they expect an explanation as to why the retirement is necessary.

2.4 Adult Social Care needs to be able to use retirement as a legitimate means to achieve its workforce planning strategy. The reasons for this are outlined in the policy attached at Appendix 2.

2.5 The adoption of the policy will enable a uniform approach across Adult Social Care and give clarity to managers in Adult Social Care about how they should respond to requests to work beyond the age of 65. It will also put in place a policy framework for elected members hearing appeals against retirement.

For more information contact: Dave Parnham 01332 258432 e-mail dave.parnham@derby.gov.uk
Background papers: None
List of appendices: Appendix 1 – Implications
Appendix 2 – Workforce Planning Policy
Appendix 3 – Equality Impact Assessment

IMPLICATIONS

Financial

1.	The policy will help Adult Social Care to reduce budget deficits.

Legal

2.	Retiring employees at the default age is allowed for in the Age Regulations.

Human Resources

3.	The policy will help Adult Social Care to manage its workforce and budget priorities without recourse to compulsory redundancies.

Equalities Impact

4.	An Equality Impact Assessment on the policy is attached at Appendix 3.

Workforce planning policy for Adult Social Care

This policy statement is designed to address the Council's particular needs as an employer of Adult Social Care staff. It identifies particular workforce planning considerations unique to this area of Council employment. The policy has regard to the Employment Equality (Age) Regulations and to the Council's wider policy and its duty to eliminate discrimination on grounds of age.

The factors and pressures that we have taken into account are as follows…

1. The Council has a duty to ensure the quantity and quality of Adult Social Care provision locally, irrespective of who the providers are.

2. The Council meets some of the existing demand with its own directly-employed workforce but services are also delivered by external providers. The Council is in the process of refocusing some Direct Service provision to reflect the need to provide service in a more cost effective way. In the case of home care it intends to purchase more home care service from the Independent Sector and keep a smaller but more specialist in-house provision.

3. The Council has made a commitment to avoiding compulsory redundancy as a means of reducing its home care workforce. It also wishes to minimise possibilities of redundancy amongst care home employees should the strategic review of Care Homes result in any closures of homes following public consultation.

4. The Council has a duty to ensure there is an appropriate Social Care Workforce across all sectors. It must find ways to encourage more people to enter the Adult Social Care labour market at the beginning of their working lives to ensure robust succession planning

Retirement is an important factor in enabling the Council to reduce the size of parts of its own workforce without recourse to redundancy.

Retirement from Council employment potentially creates opportunities across the whole Adult Care Sector for people to start careers and addresses Social Care succession planning requirements.

Therefore, as a general rule, in Adult Social Care, the Council will make use of a default retirement age of 65. Employees in Adult Social Care who request to work beyond age 65 should not be permitted to do so, except where there are genuine, objective, workforce planning-related reasons to make individual exceptions to this policy.

Examples of exceptions may include . . .

> Where there is evidence that a post vacated by retirement at 65 would be difficult to fill, in any sector of the market.

Or,

When allowing a post-holder to postpone retirement would avoid the need for the recruitment of short-term, temporary staff; for example, if the post itself is either scheduled for deletion in the near future or if it could provide a redeployment opportunity for another existing employee at risk of redundancy within a foreseeable period.

Equality impact, needs and requirements assessment form

Please use this form to record your findings, proposed actions, equality objectives and targets. Use the guidance notes to help you do the assessment or contact the Equality Standard Project Manager if you need some advice

About the policy, practice, service or function you are assessing

Name of policy, practice, service or function: Workforce Planning in Adult Social Care

Assessment team leader name: Dave Parnham

Date of assessment: 19 August 2008

Department responsible: Corporate and Adult Services   Service Area: Adult Social Care

Other members of assessment team:

Name	Position	Area of expertise	Comments
Ann Webster	Equality and Diversity Manager	Equalities	
Simon Fogell	Project Manager	Adult Social Care	
Gloria Glasby	Branch Secretary - Unison	Industrial relations	

Question	Response/ findings
What are the main aims and objectives or purpose of the policy, practice, service or function that you are assessing?	This policy has been produced to address budget pressures in this particular area of operation by reducing its own directly employed workforce while at the same time responding to the national agenda to make social care a more attractive career for younger people by creating opportunities for new entrants.
Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person, team, department, or body – and include any outside organisations who deliver under procurement arrangements	Service managers in adult social care
Who is affected by the policy, practice, service or function, or by how it is delivered? Such as, who are the external and internal customers, groups, or communities?	Potential job applicants for this area of work and employees in Adult Social Care who have reached the statutory retirement age of 65 or over
What outcomes do we want to achieve, why and for whom? For example, what do you want to be providing, how well, what changes or improvements, and what should the benefits be for customers, groups or communities?	The Council must address the budget pressures in this area of operation by reducing its own directly employed adult social care workforce while at the same time responding to the national agenda to make social care a more attractive career for people by creating opportunities for new entrants.

Question	Response/ findings
What existing or previous inspections of the policy, practice, service or function are there? For example, Best Value Inspections, policy reviews, research into the effects of a policy or practice. What did they tell you?	None this is a new policy applicable to adult social care only.

Identifying potential equality issues and factors

Question	Response/ findings
What do you already know about the equality impact or need? For example, from research, feedback, consultation or any performance monitoring	The majority of employees approaching age 65 are white women so there will be an adverse impact on this group. However creating an opportunity for new entrants should enable the department to create a more diverse workforce.
Is there any evidence of higher or lower take up under the policy or practice, or of the service or function for any particular groups? For example, who uses the service, who doesn't and why not?	We are finding it really difficult to attract applicants to this area of work, particularly younger people who want to make social care their career. All applications to work over 65 received so far are from white women
Have there been any important demographic changes or trends locally? For example is the population changing, and if so, how and what might that mean for the service or function?	The make up of the community is changing and becoming more diverse, particularly with people from Eastern Europe. We want to encourage people from our diverse community to work in social care and in particular those at the start of their career.
Is there an indication that any of the policies or practices involved with the service or function creates particular problems or difficulties for any groups of customers or communities?	This new policy will have a positive effect on people wanting to make a career in social care, but may cause problems for those people aged 65 or over who want to stay on at work for longer, but who do not meet one of the two reasons for extending someone's employment.

Question	Response/ findings
What information or data exists? For example, statistics, customer feedback, complaints, research, monitoring – who keeps it and can you get hold of it?	We have employment statistics which include the current workforce profile and also recruitment statistics. These are on the Council's website
Does any equality or diversity objectives already exist? If so, what are they and what is current performance like against them?	Yes. To have a workforce which is more representative of our diverse community. The current workforce in Adult Social Care is largely white female. There are a range of equality employment objectives for this department in our latest employment statistics, which can be found on the council's equality web pages at www.derby.gov.uk under community and living and equality and diversity.
Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?	No. Customers receive care according to their needs and we aim to have a workforce that reflects the community and this workforce planning policy aims to address this.

Collecting the information and data about how the policy, practice, service or function, impacts on communities

Please record your information and data in this table and think about:

- what information or data you will need
- using both quantitative and qualitative data
- making sure that where possible there is information that allows all perspectives to be considered
- identifying any gaps in the information/ data and what it can tell you.

Data or information	When and how was it collected?	Where is it from?	What does it tell you? You need to consider all six equality strands where you can	Gaps in information
Customer feedback and complaints				This is a new policy and so this information is not yet available, apart from our employment statistics report mentioned earlier
Consultation and community involvement				
Performance information including Best Value				

Data or information	When and how was it collected?	Where is it from?	What does it tell you? You need to consider all six equality strands where you can	Gaps in information
Take up and usage data				
Comparative information or data where no local information				
Census, national or regional statistics				
Access audits or assessments such as DDA assessments				
Workforce profile				
Where service delivered under procurement arrangements – workforce profile for deliverers				
Monitoring and scrutiny outcomes				

Analysing the information and data and setting equality objectives and targets

Please give your detailed findings in this table

Service or function	Policy or practice	Findings	Which groups are affected and how	Whose needs are not being met and how?
Employment	Workforce planning policy	Budget restraints and an aging workforce mean we need to address this for the future	Employees in Adult Social Care who reach the statutory retirement age of 65 or those over 65	People who want to stay on at work in Adult Social Care after the statutory retirement age of 65

Objectives - process, impact or outcome based

Please give your proposed objectives/ targets in this table

Objective/Target:	Reduce budget overspend in adult social care
Specific	Yes – evidence from annual budget monitoring
Measurable	Yes – annual budgets
Achievable	It has to be as part of the Council's overall budget strategy
Relevant	Key to our priority of services which give value for money
Timed	Budgets are reviewed against targets on an annual basis

Objective/Target:	Create a more diverse workforce through the creation of employment opportunities in adult social care
Specific	Yes – these are highlighted in our annual employment statistics report mentioned earlier
Measurable	Yes – these will be measured against the workforce profile
Achievable	Yes, we hope so!
Relevant	Absolutely, to make sure we develop a diverse workforce in adult social care
Timed	November 2008

Objective/Target:	
Specific	
Measurable	
Achievable	
Relevant	
Timed	

Monitoring and reviewing - incorporating into performance management

Please summarise your objectives and targets in this table with your proposed monitoring and reporting arrangements

Objective	Planned action	Target performance			Responsible lead officer	Reporting cycle, for example, quarterly
		2008/2009	2009/2010	2010/2011		
Reduce budget overspend	Require employees reaching the default age of 65 to retire				Sheila Downey	Annual budget statements
Create a more diverse workforce in adult social care by creating opportunities for new entrants	A range of equality employment objectives are included in our workforce statistics mentioned earlier				David Brown	November 2008 – all equality employemtn objectives will be reported on to our three Diveristy Forums and employee networks