FREEDOM OF INFORMATION REQUEST – 154/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request/Response:

1. Do you directly provide any care services in which care staff perform sleep-in shifts?

   Answer: Yes

2. If yes, are the care workers paid a lump sum for the sleep-in shifts or are they paid an hourly rate?

   Answer:

   Rutland County Council pays a supplementary sleep in allowance per ‘sleep in’

3. If they are paid a lump sum, what steps do you take to ensure that their average hourly wage - when all their working time is taken into account - is compliant with the National Living Wage?

   Answer: We undertake an assessment of hours worked during the month and compare against the National Living Wage (NLW).

4. Do you commission care employers who employ care workers on sleep-in shifts?

   Answer: There are currently no packages in the community incorporating sleep in staff.

5. Are those providers required by you to pay care workers who work sleep-in shifts at an hourly rate, as opposed to a lump sum?

   Answer: There are no care packages in the community in Rutland. If it was to be required our contractual arrangements with the provider as outlined in the answer to question 6 would apply.

6. Do you carry out any checks to ensure that those care workers contracted by your council are paid at least the National Living Wage?
Answer: Our contract states that provider must comply with the provisions of the National Minimum Wage Act 1998 (as amended therefore NLW) in relation to the payment of its staff and we may request information to ensure compliance with this. We do not do this as standard in our compliance monitoring.

7. Have you given any guidance to your care providers who employ workers on sleep-in shifts about ensuring compliance with the National Living Wage?

Answer: Not specific guidance but NLW has been discussed with providers at forums.

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If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP

You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
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Tel: 01625 545700

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council