

# Sleep-ins - A tipping point?

An independent survey to assess  
the impact of the sleep in pay crisis  
on the future of social care



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## Introduction

This report sets out the results from the independent survey to assess the impact of the sleep in pay crisis on the future of social care.

The survey was commissioned by the Solve Sleep-ins Alliance that represent providers who provide overnight 'sleep in' support. The alliance is comprised of the Association for Real Change, Care England, Learning Disability England, Learning Disability Voices and the Voluntary Organisations Disability Group (VODG).

This research was undertaken by Agenda Consulting and Trowers & Hamlins.

The survey was designed in conjunction with a Steering Group of representatives from umbrella bodies and provider organisations. Annex B sets out the full survey questionnaire.

The survey was available to complete between 19 February and 9 March 2018, an elapse time of three weeks and in total 109 organisations responded.

## Aims

The aim of the survey was to assess the current and future impact of sleep in payments on service arrangements, workforce issues and stability in the not-for-profit social care sector.

## Confidentiality

No information is attributed to individual organisations in this Report. We report only aggregated results for the sample. Where open questions are reported we have reproduced individual responses and have anonymised any responses which identify the organisation of the author.

## Foreword

We are very proud to present the results of this survey. They are the outcome of the most comprehensive overview of the sleep in pay crisis undertaken. Agenda Consulting and Trowers & Hamblins carried out an independent survey between 19 February and 9 March 2018, to which 109 organisations responded.

This supplements our survey last year on sleep in shifts. HMRC set up its Social Care Compliance Scheme (the SCCS) in November 2017 and the comparative data we have shows that the landscape has changed dramatically during the last year. The survey shows an increased awareness of the sleep-in issue, but also highlights the potentially damaging costs and consequences for providers, many of whom simply do not have the funds to make up the NMW shortfall in their sleep in payments or to tackle the issue of back pay.

Tim Walters of Agenda Consulting says, "We are delighted to have partnered with Trowers & Hamblins on this piece of research to understand and measure the impact of the sleep in pay crisis on the future of social care. We know this is one of the critical challenges social care organisations face in the coming years and we hope that this research can contribute to the way forward."

Emma Burrows of Trowers & Hamblins reports, "Having worked with many care providers on this tricky issue, it is useful to have some excellent factual data that show the extent of the funding gap of sleep-ins, the difficulty that many providers are now in, and the need for solutions to be found as soon as possible."

## Overview

The respondents to the survey are employers of 7.4% of those working in social care. The expected income of those providers who responded to the survey for 2017-18 is £2342 million, with an expected payroll of £1537 million. There are 91,015 staff (24,738 staff carry out sleep-ins) supplying services to 60,727 service users. 6,124 services are currently being operated by those who responded to the survey, with the total value of the service contracts amounting to £1,964 million.

## Current system and payment for sleep-ins

Just over half of the staff of responding organisations who supplied enough data (54%) carry out sleep ins. The total number of sleep in shifts to be carried out in 2018-19 (all of which the providers are contractually obliged to carry out) will amount to 1,291,492.

There is evidence of higher compliance paying the minimum wage for sleep ins than there was a year ago, when we carried out our last survey. The percentage of those providers paying at the NMW rate for sleep ins, has doubled to 50% (in the previous survey it was 25%). Those who pay above the NMW amount to 11% (previously this was 9%), and those who pay below the NMW has fallen from the previous figure of 66% to 39%.

The move to paying the minimum wage is likely to continue; 56% of those surveyed who do not already pay plan to start paying sleep ins at the NMW or above while those who do not have fallen from the previous survey's figure of 68% to 44%.

## How are providers funded to pay current service sleep-ins?

The survey last March showed that commissioners had only agreed to fund 14% of services at NMW rates, and refused to pay or refused to even engage with the issue on 67% of services. The results of the latest survey show that there has been a significant rise in the number of services the commissioners have agreed to fund at the NMW from 14% to 49%. However, only 7% have agreed to fund sleep-ins at the NMW together with all on-costs. Those commissioners who have refused to pay, or engage, have been slashed by half to 30%. Although this is an impressive reduction, 30% is still a significant proportion of commissioners, and their refusal to pay may well have very serious repercussions (as the results of this survey show) on the ability of providers to continue providing their services.

37% of providers have asked commissioners to fund the historical NMW liability. The majority of those have found that the commissioners do not want to even discuss funding the historical liability.

## The SCCS and back pay

Since the SCCS was set up on 1 November 2017 61% of those providers who have responded to the survey have signed up. Of those who haven't yet joined the SCCS, 40% will if invited, 19% will do so voluntarily while the rest do not intend to join. This may mean that only 20% of the respondents are not intending to join up.

The impact of back pay liability is potentially very serious. Nearly 70% of providers feel that there is a threat to the viability of their businesses. 34% of those surveyed said that there would be a threat to the viability of their organisation if there's a requirement from HMRC to back date payments to staff for 2 years, with this figure rising to 68% if the requirement is to back date for 6 years.

As one respondent to the survey put it,

*“...if we are at some point expected to pay back pay for any period we have no resources to do so and this would...result in the closure of the services we provide. Any closure would result in redundancies and rehoming of service users (majority of which have been with us for over 15 years). The effect of rehoming the service users would be detrimental to their health and wellbeing as already witnessed with those that we have already had to rehome.”*

## How are providers going to pay back pay?

Those providers who have estimated their back pay liability place it at a total of £102.88 million and 50% of responding organisations have a back pay liability per member of staff of at least £4231. The respondents to the survey are employers of an estimated 7.4% of those working in social care. While 35% of providers have sufficient free reserves to cover the back payment, 39% do not, and 26% don't know whether they do or not. Only 6% of providers have budgeted for back pay liability.

As anticipated the logistics of working out liability is a major headache; of the 44% of those providers surveyed having taken on staff with TUPE liability, over 75% of these do not hold complete records on these staff. Most providers will need to budget over £43,000 simply for administration.

22% of those surveyed said that they would have to sell properties to cover the shortfall, while 31% stated that they might have to. 21% stated that they would have to sell other investments to meet the liability.

21% of those surveyed will breach covenants, such as loans or pension fund guarantees, if their reserves are reduced due to back pay liability, while 46% of providers will need to take out, or increase, borrowing to meet their cashflow requirements. In terms of funding new investment, 47% would have to take out, or increase, borrowing.

So far providers have decided not to bid or negotiate for 273 new contracts because of their financial situation.

This issue is going to change the face of social care unless other funding becomes available.

## Those who do not intend to join the SCCS

Some of those providers who do not intend to join the SCCS have either made this decision because their risk exposure is small and they've been paying the NMW for sleep ins for a while, or because they are waiting to see the development of case law (and in particular the Mencap appeal).

Others can not join the SCCS as to do so "crystallises the liability"; they do not have sufficient reserves and they are avoiding insolvency.

For one provider, signing up to pay back pay

*“would result in our organisation having to declare bankruptcy and closure (causing redundancies and service users to be rehomed).”*

## Reduction in reserves and the ability to bid for new work

The survey asked how any reduction in reserves would affect the ability of providers to bid for new work. For many providers the answer was simple; to bid for unviable work would put organisations into an unsustainable position, and even lead to bankruptcy.

Another provider pointed out that the financial viability test applied by commissioners related to the strength of an organisation's balance sheet and its liquidity and that a reduction in reserves would mean that local authorities would not want to risk giving it new business. For another provider the inability to build a reserve, due to "continuous difficulties getting sufficient fees from local councils" has meant that their previously good Care Quality Commission (CQC) rating has dropped to requires improvement, "Therefore preventing any new contracts as a rating of Good or Excellent is required".

One provider stated

*“we will not be bidding any new work without clarity of sleep-in liabilities and/or indemnities from local authorities as provide indemnity will be worthless in the event of business failure.”*

## Impact on ongoing contracts

Soberingly, the mean proportion of all services which will become unviable within the next year across those who gave data is 52% which is 564 services. This will affect 30% of people who rely on services from these providers.

According to those surveyed, 375 services would have to be handed back to commissioners if they became unviable over the next 12 months. The total value of the contracts of unviable services that providers would seek to hand back would amount to £400.7 million.

Nearly half (46%) of those providers who responded to the survey would have to make redundancies, with 19.7% of staff facing redundancy. Those hit hardest by any redundancies would be those occupying front line delivery posts.

67% of those who responded expect to have a budget shortfall in the coming financial period, with 62% planning to fund the shortfall through reserves. Out of those considering different approaches to address the potential shortfall in funding, 70% are considering a renegotiation of contracts with commissioners, and 56% are considering handing services back. Other options being considered include the use of technology as an alternative for sleep ins (57%), a redesign of sleep in services alongside other services (50%), closing down services (47%), and ensuring that no sleep ins are carried out where there is no contractual requirement for them (34%). Others are considering merger and sharing services with other care providers. Change in the way that ongoing services are provided are inevitable.

## The effect on care

The pressure on the social care system is nothing new. Care providers commissioned to deliver the services have over the last 10 years faced an ever-increasing pressure on cost over quality (and even, in some instances, safety).

Is the sleep in pay issue a tipping point? At some point funds will get so squeezed that the sector will be unable to operate effectively. In view of the number of providers handing back contracts to commissioners or terminating unviable contracts, the answer may well be yes.

As one of the respondents to the survey pointed out,

*“I think it is worth highlighting the hidden ‘cost’ here also - that of the time this is taking away from the provision and development of high quality services for people with disabilities.” Another respondent stated, “All I ever wanted to do was make a positive difference and it’s heart breaking to think what changes may lay ahead for [the people we support]”.*

Whatever the outcome of the much-needed debate into the future of care services, it seems clear that a solution will have to be found sooner rather than later.



# Survey Results



## Current sleep in practice

For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night.

**Table 1.01 Number of staff undertake sleep ins (headcount)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
90	10	51	232	24,738

**Table 1.02 Staff who undertake sleep ins as a percentage of all staff (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
81	22	39	64	54

**Table 1.03 Number of sleep in shifts expect to operate in the year 2018-19 (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
90	365	3,700	14,783	1,291,492

**Table 1.04 Number of sleep in shifts per sleep in staff (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
81	45	61	73	72

**Table 1.05 Average number of sleep in shifts per service users (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
80	15	33	61	49

**Table 1.06 Percentage of all sleep in shifts which are contractually obliged (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)
77	100	100	100

**Table 1.07 Hourly rate generally paid for undisturbed sleep ins (%)**

Number of responses	Below the NMW rate <sup>1</sup>	At the NMW rate	Above the NMW rate
92	39%	50%	11%

**Table 1.08 Number of ET or breach of contract claims related to sleep in payments received in the last year (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean	Total
92	0	0	0	0.6	56

**Table 1.09 ET or breach of contract claims related to sleep in payments per 1,000 sleep in staff (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
83	0	0	0	6.4

**Table 1.10 Number of grievances related to sleep in payments received in the last year (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean	Total
93	0.0	0.0	1	2.2	203

<sup>1</sup> Free text responses from respondents appear to suggest that this contains a mixture of those who pay below the minimum wage as a marginal rate for sleep ins but top up or otherwise average to at or above the minimum wage, and those who fail to pay the minimum wage rate at average for staff who perform sleep ins.

**Table 1.11 Grievances related to sleep in payments per 1,000 sleep in staff (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
83	0.0	0.0	1.8	8.8

**Table 1.12 Do you plan to start paying sleep ins at the NMW rate or above? (%)**

This measure is based only on responses from respondents indicating that they generally pay below NMW for undisturbed sleep ins.

Number of responses	Yes	No
36	56%	44%

**Table 1.13 When do you plan to start paying sleep ins at the NMW rate or above? (%)**

This measure is based only on responses from respondents indicating that they generally pay below NMW for undisturbed sleep ins and intend to start paying at the NMW rate or above in the future.

Number of responses	2018	2019	2020	Later (please specify)
19	90%	10%	0%	0%

**Table 1.14 When did you start paying at or above the NMW rate? (%)**

This measure is based only on responses from respondents indicating that they generally pay at or above NMW for undisturbed sleep ins.

Number of responses	2011 or before	2012	2013	2014	2015	2016	2017	2018
53	9%	0%	0%	2%	9%	25%	51%	4%

## Commissioners and ongoing practice

**Table 2.01 Percentage of service income where commissioners (%):**

<b>Number of responses</b>	
Have agreed to fund sleep ins at NMW	49%
Have agreed to fund sleep ins at the NMW and all on-costs	7%
Have recognised that it needs to be funded and are engaging to find a way forward	14%
Accept that NMW applies but state that it is providers' problem	15%
Are refusing to engage at all	15%

## The Social Care Compliance Scheme (SCCS)

**Table 3.01 Are you signed up to the SCCS? (%)**

Number of responses	Yes	No
92	61%	39%

**Table 3.02 Were you invited to join or did you volunteer independently? (%)**

This measure is based only on responses from respondents indicating that they are signed up to the SCCS.

Number of responses	Invited	Volunteered
36	86%	14%

**Table 3.03 Do you intend to join the SCCS? (%)**

This measure is based only on responses from respondents indicating that they are **not** signed up to the SCCS.

Number of responses	Yes, voluntarily	Yes, if invited	No
52	19%	40%	40%

**Table 3.04 Why do you not intend to join the SCCS? (open question)**

This measure is based only on responses from respondents indicating that they are **not** signed up to the SCCS and **do not** intend to join.

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
No benefit to SCCS	7
Wait and see	5
Risk to survival of joining SCCS	5
Miscellaneous	2

**Table 3.05 Have ET or breach of contract claims encouraged you to consider joining the SCCS? (%)**

This measure is based only on responses from respondents indicating that they are **not** signed up to the SCCS.

Number of responses	Yes	No
50	8%	92%

## Back pay liability and impact

**Table 4.01 How many years do you hold records of pay and hours for the majority of your staff? (%)**

Number of responses	1 year or less	2 years	3 years	4 years	5 years	6 years or more
91	0%	2%	14%	4%	1%	78%

**Table 4.02 Have you received any new staff through a "Transfer of Undertakings Protection of Employment" (TUPE) transfer in the past six years? (%)**

Number of responses	Yes	No
95	44%	56%

**Table 4.03 Number of existing staff inherited under TUPE in the last six years? (headcount)**

This measure is based only on responses from respondents indicating that they have received new staff through a TUPE transfer in the past six years.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
33	8	42	190	5,968

**Table 4.04 Staff inherited under TUPE in the last six years as a percentage of all staff? (%)**

This measure is based only on responses from respondents indicating that they have received new staff through a TUPE transfer in the past six years.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
33	2	6	25	21

**Table 4.05 Percentage of TUPEd staff received: (%)**

This measure is based only on responses from respondents indicating that they have received new staff through a TUPE transfer in the past six years.

Number of responses	1 year ago or less	2-3 years ago	3-4 years ago	4-5 years ago	5-6 years ago
33	5%	27%	18%	2%	1%

**Table 4.06 Percentage of TUPEd staff for whom pay and hours records dating to before their transfer are held (%)**

This measure is based only on responses from respondents indicating that they have received new staff through a TUPE transfer in the past six years.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
30	0.0	0.0	0.0	16.9

**Table 4.07 How long are you considering paying back pay for? (%)**

Number of responses	Not considering back pay	Up to 1 year	2 years	3 years	4 years	5 years	6 years or more
81	38%	6%	6%	5%	3%	3%	40%

**Table 4.08 Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 2 years? (%)**

Number of responses	Yes	No
88	34%	66%

These responses were not significantly correlated with size of organisation, ratio of staff performing sleep ins, nor number of service users.

**Table 4.09 Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 3 years? (%)**

Number of responses	Yes	No
86	48%	54%

These responses were not significantly correlated with size of organisation, ratio of staff performing sleep ins, nor number of service users.

**Table 4.10 Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 6 years? (%)**

Number of responses	Yes	No
87	68%	32%

These responses were not significantly correlated with size of organisation, ratio of staff performing sleep ins, but was significantly correlated (to the 5% level) with number of service users. Organisations reporting "No" had a mean number of service users of 1080, while those reporting "Yes" had a mean number of service users of 492.

**Table 4.11 Have you estimated your back pay liability? (%)**

Number of responses	Yes	No
87	64%	36%



**Table 4.12 Total back pay liability? (£m)**

This measure is based only on responses from respondents indicating that they have estimated their back pay liability.

Number of responses	Lower quartile (25%)	Median (25%)	Upper quartile (75%)	Total
46	0.13	0.49	1.55	102.88

**Table 4.13 Total back pay liability as a percentage of organisation payroll? (%)**

This measure is based only on responses from respondents indicating that they have estimated their back pay liability.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
43	2.8	7.8	13.3	11.9

**Table 4.14 Back pay liability per sleep in staff (£)**

This measure is based only on responses from respondents indicating that they have estimated their back pay liability.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
45	1,442	4,231	8,402	6,477

**Table 4.15 Do you have sufficient free reserves to cover the back payment? (%)**

Number of responses	Yes	No	Don't know
88	35%	39%	26%

**Table 4.16 Would you need to sell properties to meet the liability? (%)**

Number of responses	Yes	No	Don't know
85	22%	47%	31%

**Table 4.17 Would you need to sell other investments to meet the liability? (%)**

Number of responses	Yes	No	Don't know
85	21%	47%	32%

## Provisions in accounts

**Table 5.01 In your most recent statutory accounts have you made a provision for the liability? (%)**

Number of responses	Yes	No	Don't know
86	6%	89%	5%

**Table 5.02 In your most recent statutory accounts have you made a contingent liability? (%)**

Number of responses	Yes	No	Don't know
85	15%	81%	4%

**Table 5.03 In your most recent statutory accounts have you not referred to the liability? (%)**

Number of responses	Yes	No	Don't know
81	58%	36%	6%

## Reserves and administration costs

**Table 6.01 How will any reduction in reserves affect your ability to bid for new work (e.g. pass the financial viability tests commissioners apply)? (open question)**

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
No impact	28
No new bids	11
Threat to survival	10
Unsure	10
Miscellaneous negative outcomes	8

**Table 6.02 How will any reduction in reserves affect your ability to invest in your work? (open question)**

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
Miscellaneous negative outcomes	30
Cuts to investment	23
No impact	11
Threat to survival	5
Unsure	4

**Table 6.03 Will any reduction in reserves mean that you breach covenants (e.g. loans or pension fund guarantees)? (%)**

Number of responses	Yes	No	Don't know
77	21%	66%	13%

**Table 6.04 Will you need to take out/increase borrowing to meet your cashflow requirements? (%)**

Number responses	of	Yes	No	Don't know
76		46%	36%	18%

**Table 6.05 Will you need to take out/increase borrowing to fund new investment? (%)**

Number responses	of	Yes	No	Don't know
75		47%	25%	23%

**Table 6.06 Number of new contracts and opportunities declined to bid or negotiate for as a result of any reduction in reserves? (Number)**

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
61		0	0	1	273

**Table 6.07 Estimated cost to administer the back payments, including tracking down ex-employees (£000s)**

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
55		20	43	100	13,662

**Table 6.08 Sum of estimated cost to administer the back payments, including tracking down ex-employees plus estimated back pay liability (£000)**

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
39		300	660	2080	106000

**Table 6.09 Sum of estimated cost to administer the back payments, including tracking down ex-employees plus estimated back pay liability as a percentage of paybill (%)**

<b>Number of responses</b>	<b>Lower quartile (25%)</b>	<b>Median (50%)</b>	<b>Upper quartile (75%)</b>	<b>Mean</b>
37	3	8	14	14

## Commissioners and liability

**Table 7.01 Have you asked your commissioners to fund the historical liability? (%)**

Number responses	of	Yes	No	Don't know
84		37%	57%	6%

**Table 7.02 Percentage of commissioners which have agreed to discuss funding the historical liability? (%)**

This measure is based only on responses from respondents indicating that they have asked commissioners to fund the historical liability.

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
19		0.0	0.0	14.3	5.9

**Table 7.03 Percentage of commissioners which have refused to pay the historical liability? (%)**

This measure is based only on responses from respondents indicating that they have asked commissioners to fund the historical liability.

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
19		0.0	5.0	33.3	23.5

**Table 7.04 Percentage of commissioners which have not responded to requests to discuss funding the historical liability? (%)**

This measure is based only on responses from respondents indicating that they have asked commissioners to fund the historical liability.

Number responses	of	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
19		14.3	60.0	85.7	46.9

## Impact on ongoing contracts

**Table 8.01 Estimated increase in paybill due to the introduction of the NLW (for day and night pay) (£m)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
61	0.13	0.40	3.53	126

**Table 8.02 Estimated increase in paybill due to the introduction of the NLW (for day and night pay) as a percentage of total paybill (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)
59	2	5	13

**Table 8.03 Number of services which would become unviable within the next 12 months if commissioners do not pay additionally for the total cost of sleeps ins at NMW of £7.83 per hour (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
50	1	3	11	564

**Table 8.04 Number of services which would become unviable within the next 12 months as a percentage of all services (%)**

Number of responses	Lower quartile (25%)	Median (25%)	Upper quartile (75%)	Mean
47	0	12	33	52

**Table 8.05 Estimated number of people supported by these services which would become unviable within the next 12 months (headcount)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
50	4.5	13.5	67.8	2,712

**Table 8.06 Estimated number of people supported by these services which would become unviable within the next 12 months as a percentage of all service users (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
51	2	15	38	30

**Table 8.07 Number of these unviable services providers would seek to hand back to commissioners within the next 12 months (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
45	0	1	8	375

**Table 8.08 Number of these unviable services providers would seek to hand back to commissioners within the next 12 months as a percentage of all services (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
42	0	4	18	15

**Table 8.09 Estimated number of people supported by these unviable services which providers would seek to hand back to commissioners within the next 12 months (headcount)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
50	0	11	41	1,410

**Table 8.10 Estimated number of people supported by these unviable services which providers would seek to hand back to commissioners within the next 12 months as a percentage of all service users (%)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
48	0	3	21	21



**Table 8.11 Total value of the contracts of these unviable services that providers would seek to hand back to commissioners within the next 12 months (£m)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
46	0.0	0.5	1.9	400.7

**Table 8.12 Total value of the contracts of these unviable services that providers would seek to hand back to commissioners within the next 12 months as a percentage of total value of all contracts (%)**

Number of responses	Lower quartile (25%)	Median (25%)	Upper quartile (75%)
42	0	6	51

**Table 8.13 Would you need to make redundancies? (%)**

Number of responses	Yes	No
70	46%	54%

**Table 8.14 Likely percentage decrease in workforce as a result of redundancies (%)**

This measure is based only on responses from respondents indicating that they would need to make redundancies.

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
25	10	25	75	39

**Table 8.15 Estimated redundancies**

This measure is based only on responses from respondents indicating that they would need to make redundancies.

Staff type	Number of responses	Median redundancies	Total redundancies	Median redundancies as a % of workforce
Front line delivery posts	24	10	584	19.6
Operational	24	2	96	0.81

management posts				
Back office support posts	24	1	66	0.21
Senior manager/director posts	23	1	23	0.03
<b>Total</b>	-	<b>13</b>	<b>769</b>	<b>19.7</b>

**Table 8.16 Are you considering any of the following approaches to address the potential shortfall in funding? (%)**

<b>Approach</b>	<b>% considering</b>
Renegotiation of contracts with commissioners	70%
Use of technology as an alternative for sleep ins	57%
Handing back contracts to commissioners	56%
Redesign of sleep ins alongside other services	50%
Closing down services	47%
No sleep ins where no contractual requirement	34%
Sharing staff within the organisation for sleep ins	27%
Investing in fundraising to increase donations	13%
Shorter sleep ins	11%
Merger	10%
Sharing staff with other organisations for sleep ins	9%
Sharing services with other providers	6%
Any other?	11%

**Table 8.17 Other please specify (open question)**

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
Switch to waking night services	4
Averaging pay to NMW	2
Redesign of services	1
Miscellaneous	1

**Table 8.18 Do you expect to have a budget shortfall in the coming financial period? (%)**

Number of responses	Yes	No
76	67%	33%

**Table 8.19 How will you fund the shortfall in the short term? (%)**

Approach	% selecting
Through reserves	62%
Cross subsidisation of other services	24%
Short-term debt	20%
Long term debt	20%
Other	18%

**Table 8.20 Other please specify (open question)**

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
Closure of organisation or services	3
Miscellaneous	3
Renegotiate contracts	2
Cost saving measures	2
Sale of property	1

## Finally

### 9.01 Is there anything else you would like to share? (open question)

Free text responses to this question underwent qualitative analysis, from which the following themes emerged:

Theme	Number of responses
Lack of action by commissioners, government, etc.	8
Impact on service users	7
Little or no backpay liability	7
Risk to survival	4
Impact on staff	3
Top up payments	3
Backpay as primary problem (as opposed to increase ongoing costs)	3
Waiting for result in MENCAP case	3
Impact on investment	2
Other costs	2
Impact on tenders	2
Miscellaneous	2
Impact on recruitment	1
Funding shortfall	1
Pensions	1

## Annex A: Overview of sample



## Annex A: Overview of sample

### Overview of the sample

**Table A.01 Expected income in the year 2017-8 (£m)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
94	1.7	6.8	28.3	2341.9

**Table A.02 Expected organisation paybill in the year 2017-8 (£m)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
86	1.1	5.1	17.2	1537

**Table A.03 Current number of staff (headcount)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
100	39	215	945	91,015

**Table A.04 Current number of service users (headcount)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
95	27	115	603	60,727

**Table A.05 Ratio of staff to service users (ratio)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
93	0.42	0.60	0.97	1.43

**Table A.06 Number of commissioners, commissioning bodies, etc. that services are provided for at present (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
95	2	6	20	25

**Table A.07 Ratio of service users to commissioners / commissioning bodies (ratio)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Mean
90	4.9	14.3	37.6	30.6

**Table A.08 Number of services currently operated (number)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
93	3	16	60	6,124

**Table A.09 Total value of service contracts (£m)**

Number of responses	Lower quartile (25%)	Median (50%)	Upper quartile (75%)	Total
81	1.5	5.7	22.1	1,964.0

**Table A.10 Average value of service contract per service (£000s)**

Number of responses	Lower quartile (25%)	Median (25%)	Upper quartile (75%)	Mean
74	211	300	471	477

**Table A.11 Countries operated in (%)**

Number of responses	England	Northern Ireland	Scotland	Wales
109	99%	4%	9%	20%

# Annex B: Survey Questionnaire





## Annex B: Survey Questionnaire

### Introduction

#### 1 **2018 Sleep In Survey - Survey to assess the impact of the sleep in payments crisis on the provision of services**

Since the launch of the Social Care Compliance Scheme (SCCS) providers are making key business decisions that are likely to shape the future shape of services, including the local care markets more widely.

There is an urgent need for an independent assessment about the impact that the sleep in payments is having on service arrangements, workforce issues and sector stability.

Independent research has been commissioned by an alliance of organisations that represent providers who provide overnight 'sleep in' support. The alliance is comprised of the Association for Real Change, Care England, Learning Disability England, Learning Disability Voices and the Voluntary Organisations Disability Group (VODG).

This work is being undertaken by Agenda Consulting and Trowers & Hamblins LLP through a commission by VODG. The principal investigators are Tim Walters (Principal Consultant, Agenda Consulting) and Emma Burrows (Partner, Trowers & Hamblins LLP).

#### 2 **Use of data and completing the survey**

Data will not be shared across organisations and only aggregated data will be reported in our policy influencing and campaigning activities. Similarly we will not report data that could seek to identify any provider, or group of providers. Your contact details will be used to keep you informed of developments in this area including the survey results. Should you not wish to be contacted please omit your email.

The survey will close at Midnight on Monday 5 March 2018.

The questions are optional – if you do not know the answer please move to the next question.

You do not have to undertake the survey in one go you have been provided with a unique password which you can use to return to the survey.

If you have any questions about this work or are willing to talk to someone about how you or your organisation can contribute to raising the profile of this issue please email [research.policy@vodg.org.uk](mailto:research.policy@vodg.org.uk).

**Basic information**

Please answer this survey in relation to your practice in February / March 2018. As you know, National Minimum Wage (NMW) for over 25s is currently £7.50 per hour.

Whilst there may be considerable variations between your services, in this questionnaire please provide your overall organisation's experience.

For the purposes of this survey, paying the NMW rate for a sleep in shift includes both paying the NMW for each hour of the shift and top up payments to reach NMW over the length of the shift.

1	Name of your organisation	
---	---------------------------	--

2	Please indicate which countries of the UK you currently operate social care services in:  <i>Tick all that apply.</i>		England
			Northern Ireland
			Scotland
			Wales

3	Phone and email contact details for the person in your organisation who has completed this survey
---	---

4	Expected income of your organisation in the year 2017-8 (£m)	
---	--	--

5	Expected organisation paybill in the year 2017-8 (£m)	
---	---	--

6	Current number of staff (headcount)	
---	-------------------------------------	--

7	Current number of service users (headcount)	
---	---	--

8	How many commissioners, commissioning bodies, etc., do you	
---	--	--

	provide services for at present?	
--	----------------------------------	--

9	How many services do you currently operate?	
---	---	--

10	What is the total value of these service contracts? (£m)	
----	--	--

**Current sleep in practice**

11	How many of your staff undertake sleep ins? (headcount)	
----	---	--

12	For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night. How many sleep in shifts do you expect to operate in the year 2018-9?	
----	--	--

13	How many of these sleep ins are you contractually obliged to provide?	
----	---	--

14	The hourly rate you generally pay for undisturbed sleep ins is:		Below the NMW rate
			At the NMW rate
			Above the NMW rate

15	How many ET or breach of contract claims have you received related to sleep in payments in the last year?	
----	---	--

16	How many grievances have you received related to sleep in payments in the last year?	
----	--	--

17	Do you plan to start paying sleep ins at the NMW rate or above?  Condition: "The hourly rate you generally pay for undisturbed sleep ins is:" == "Below the NMW rate"		Yes
			No

18	When do you plan to start paying sleep ins at the NMW rate or above?  Condition: "Do you plan to start paying sleep ins at the NMW rate or above?" =="Yes"		2018
			2019
			2020
			Later (please specify)

19	Please specify
----	----------------

20	When did you start paying at this rate? Condition: "The hourly rate you generally pay for undisturbed sleep ins is:" == ("At the NMW rate" OR "Above the NMW rate")		2011 or before
			2012
			2013
			2014
			2015
			2016
			2017
			2018

**Commissioners and ongoing practice**

Please estimate what percentage of your service income falls into the following five categories (please ensure that your responses add up to 100%):

21	Services where commissioners have agreed to fund sleep ins at NMW	
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22	Services where commissioners have agreed to fund sleep ins at the NMW and all on-costs	
----	--	--

23	Services where commissioners have recognised that it needs to be funded and are engaging to find a way forward	
----	--	--

24	Services where commissioners accept that NMW applies but state that it is providers' problem	
----	--	--

25	Services where commissioners are refusing to engage at all	
----	--	--

**The social care compliance scheme (sccs)**

26	Are you signed up to the SCCS?		Yes
			No

27	Were you invited to join or did you volunteer independently?		Invited
	Condition: "Are you signed up to the SCCS?" == "Yes"		Volunteered

28	Do you intend to join the SCSS?		Yes, voluntarily
	Condition: "Are you signed up to the SCCS?" == "No"		Yes, if invited
			No

29	Why?	
	Condition: "Do you intend to join the SCSS?" == "No"	

30	Have ET or breach of contract claims encouraged you to consider joining the SCCS?		Yes
	Condition: "Are you signed up to the SCCS?" == "No"		No

**Back pay liability and impact**

31	How many years do you hold records of pay and hours for the majority of your staff?		1 year or less
			2 years
			3 years
			4 years
			5 years
			6 years or more

32	Have you received any new staff through a "Transfer of Undertakings Protection of Employment" (TUPE) transfer in the past six years?		Yes
			No

33	How many of your existing staff have you inherited under TUPE in the last six years? (headcount)	
----	--	--

34	How many of these staff did you receive one year ago or less? (%)	
----	---	--

35	How many of these staff did you receive between two years and three years ago? (%)	
----	--	--

36	How many of these staff did you receive between three years and four years ago? (%)	
----	---	--

37	How many of these staff did you receive between four years and five years ago? (%)	
----	--	--

38	How many of these staff did you receive between five years and six years ago? (%)	
----	---	--

39	Please provide an estimate for the number of these staff for whom you have pay and hours records for dating to before their transfer. (headcount)	
----	---	--

40	How long are you considering paying back pay for?		Not considering back pay
			Up to 1 year
			2 years
			3 years
			4 years
			5 years
			6 years

41	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 2 years?		Yes
			No

42	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 3 years?		Yes
			No

43	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 6 years?	Yes
		No

44	Have you estimated your back pay liability?	Yes
		No

45	How much is your back pay liability? (£m) Condition: "Have you estimated your back pay liability?" == "Yes"	
----	--	--

46	Do you have sufficient free reserves to cover the back payment?	Yes
		No
		Don't know

47	Would you need to sell properties to meet the liability?	Yes
		No
		Don't know

48	Would you need to sell other investments to meet the liability?	Yes
		No
		Don't know



**Provisions in accounts**

In your most recent statutory accounts have you:

49	Made a provision for the liability	Yes
		No
		Don't know
50	Made a contingent liability	Yes
		No
		Don't know
51	Not referred to the liability	Yes
		No
		Don't know

**Reserves and administration costs**

52	How will any reduction in reserves affect your ability to bid for new work (e.g. pass the financial viability tests commissioners apply)?
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53	How will any reduction in reserves affect your ability to invest in your work?
----	--

54	Will any reduction in reserves mean that you breach covenants (e.g. loans or pension fund guarantees)?	Yes
		No
		Don't know

55	Will you need to take out/increase borrowing to meet your cashflow requirements?	Yes
		No
		Don't know

56	Will you need to take out/increase borrowing to fund new investment?	Yes
		No
		Don't know

57	How many new contracts and opportunities have you declined to bid or negotiate for as a result?	
----	---	--

58	How much do you estimate it will cost you to administer the back payment, including tracking down ex-employees? (£m)	
----	--	--

**Commissioners and liability**

59	Have you asked your commissioners to fund the historical liability?	Yes
		No
		Don't know

Q60 – 62 Condition: "Have you asked your commissioners to fund the historical liability?" == "Yes"

60	How many have agreed to discuss	
----	---------------------------------	--

61	How many have refused to pay	
----	------------------------------	--

62	How many have not responded	
----	-----------------------------	--

**Impact on ongoing contracts**

63	By how much has your pay bill increased due to the introduction of the NLW (for day and night pay), taking the actual costs for 2017/18 and your estimates for 2018/19?	
----	---	--

	(£m)	
--	------	--

64	How many of your services would become unviable within the next 12 months if commissioners do not pay additionally for the total cost of sleeps ins at NMW of £7.83 an hour?	
----	--	--

65	Approximately how many people are supported by these services which would become unviable within the next 12 months? (headcount)	
----	--	--

66	How many of these unviable services would you seek to hand back to commissioners within the next 12 months?	
----	---	--

67	Approximately how many people are supported by these unviable services which you would seek to hand back to commissioners within the next 12 months? (headcount)	
----	--	--

68	What is the total value of the contracts of these unviable services that you would seek to hand back to commissioners within the next 12 months? (£m)	
----	---	--

69	Would you need to make redundancies?	Yes
		No

CQ70 – 74 Condition: "Would you need to make redundancies?" == "Yes"

70	What is the likely percentage decrease in the size of your workforce as a result of these redundancies? (%)	
----	---	--

71	Estimate the number of redundancies you would need to make in: front line delivery posts	
----	--	--

72	Estimate the number of redundancies you would need to make in: operational management posts	
----	---	--

73	Estimate the number of redundancies you would need to make in: back office support posts	
----	--	--

74	Estimate the number of redundancies you would need to make in: senior manager/director posts	
----	--	--

75	Are you considering any of the following approaches to address the potential shortfall in funding?  <i>Tick all that apply.</i>		Shorter sleep ins
			No sleep ins where no contractual requirement
			Use of technology as an alternative for sleep ins
			Redesign of sleep-ins alongside other services
			Sharing staff within the organisation for sleep ins
			Sharing staff with other organisations for sleep ins
			Renegotiation of contracts with commissioners
			Handing back contracts to commissioners
			Closing down services
			Sharing services with other providers
			Merger
			Investing in fundraising to increase donations
	Any other?		

76	Please specify:
----	-----------------

77	Do you expect to have a budget shortfall in the coming financial period?	Yes
		No

78	How will you fund the shortfall in the short term?  <i>Tick all that apply.</i>	Through reserves
		Cross subsidisation of other services
		Short-term debt
		Long term debt
		Other

79	Please specify:
----	-----------------

### Finally

80	Is there anything else you would like to share?
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## **Thank You**

Thank you for completing this survey. An independent report will be produced to assess the impact that the sleep in payments crisis is having on service arrangements, workforce issues and sector liability.

If you are willing to talk to someone about how you or your organisation can contribute to raising the profile of this issue please email [research.policy@vodg.org.uk](mailto:research.policy@vodg.org.uk).

## Annex C: Definitions of measures



## Annex C: Definitions of measures

Code	Measure name	Definition
1.01	Number of staff undertake sleep ins (headcount)	How many of your staff undertake sleep ins? (headcount)
1.02	Staff who undertake sleep ins as a percentage of all staff (%)	$((\text{How many of your staff undertake sleep ins? (headcount)}) / (\text{Current number of staff (headcount)})) * 100$
1.03	Number of sleep in shifts expect to operate in the year 2018-19 (number)	For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night. How many sleep in shifts do you expect to operate in the year 2018-9?
1.04	Number of sleep in shifts per sleep in staff (number)	$(\text{For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night. How many sleep in shifts do you expect to operate in the year 2018-9?}) / (\text{Current number of staff (headcount)})$
1.05	Average number of sleep in shifts per service users (number)	$(\text{For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night. How many sleep in shifts do you expect to operate in the year 2018-9?}) / (\text{Current number of service users (headcount)})$
1.06	Percentage of all sleep in shifts which are contractually obliged (%)	$(\text{How many of these sleep ins are you contractually obliged to provide?}) / (\text{For the purpose of this survey, a sleep in shift is 1 member of staff sleeping in for 1 night. How many sleep in shifts do you expect to operate in the year 2018-9?})$
1.07	Hourly rate generally paid for undisturbed sleep ins (%)	The hourly rate you generally pay for undisturbed sleep ins is:
1.08	Number of ET or breach of contract claims related to sleep in payments received in the last year (number)	How many ET or breach of contract claims have you received related to sleep in payments in the last year?
1.09	ET or breach of contract claims related to sleep in payments per 1,000 sleep in staff (number)	$((\text{How many ET or breach of contract claims have you received related to sleep in payments in the last year?}) / (\text{Current number of staff (headcount)})) * 1000$



Code	Measure name	Definition
		1000
1.10	Number of grievances related to sleep in payments received in the last year (number)	How many grievances have you received related to sleep in payments in the last year?
1.11	Grievances related to sleep in payments per 1,000 sleep in staff (number)	(How many grievances have you received related to sleep in payments in the last year?/ (Current number of staff (headcount))) * 1000
1.12	Do you plan to start paying sleep ins at the NMW rate or above? (%)	Do you plan to start paying sleep ins at the NMW rate or above?
1.13	When do you plan to start paying sleep ins at the NMW rate or above? (%)	When do you plan to start paying sleep ins at the NMW rate or above?
1.14	When did you start paying at or above the NMW rate?	When did you start paying at this rate?
2.01	Percentage of service income where commissioners (%)	<p>Services where commissioners have agreed to fund sleep ins at NMW</p> <p>Services where commissioners have agreed to fund sleep-ins at the NMW and all on-costs</p> <p>Services where commissioners have recognised that it needs to be funded and are engaging to find a way forward</p> <p>Services where commissioners accept that NMW applies but state that it is providers' problem</p> <p>Services where commissioners are refusing to engage at all</p>
3.01	Are you signed up to the SCCS? (%)	Are you signed up to the SCCS?
3.02	Were you invited to join or did you volunteer independently? (%)	Were you invited to join or did you volunteer independently?
3.03	Do you intend to join the SCSS? (%)	Do you intend to join the SCSS?
3.04	Why do you not intend to join the SCSS?	Why?
3.05	Have ET or breach of contract claims encouraged you to consider joining the SCCS? (%)	Have ET or breach of contract claims encouraged you to consider joining the SCCS?

Code	Measure name	Definition
4.01	How many years do you hold records of pay and hours for the majority of your staff? (%)	How many years do you hold records of pay and hours for the majority of your staff?
4.02	Have you received any new staff through a "Transfer of Undertakings Protection of Employment" (TUPE) transfer in the past six years? (%)	Have you received any new staff through a "Transfer of Undertakings (Protection of Employment" (TUPE) transfer in the past six years?
4.03	Number of existing staff inherited under TUPE in the last six years? (headcount)	How many of your existing staff have you inherited under TUPE in the last six years? (headcount)
4.04	Staff inherited under TUPE in the last six years as a percentage of all staff? (%)	$((\text{How many of your existing staff have you inherited under TUPE in the last six years? (headcount)}) / (\text{Current number of staff (headcount)})) * 100$
4.05	Percentage of TUPEd staff received	<p>How many of these staff did you receive one year ago or less? (%)</p> <p>How many of these staff did you receive between two years and three years ago? (%)</p> <p>How many of these staff did you receive between three years and four years ago? (%)</p> <p>How many of these staff did you receive between four years and five years ago? (%)</p> <p>How many of these staff did you receive between five years and six years ago? (%)</p>
4.06	Percentage of TUPEd staff for whom pay and hours records dating to before their transfer are held (%)	$((\text{Please provide an estimate for the number of these staff for whom you have pay and hours records for dating to before their transfer. (headcount)}) / (\text{Current number of staff (headcount)})) * 100$
4.07	How long are you considering paying back pay for? (%)	How long are you considering paying back pay for?
4.08	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 2 years?	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 2

Code	Measure name	Definition
	(%)	years?
4.09	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 3 years? (%)	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 3 years?
4.10	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 6 years? (%)	Would there be a threat to the viability of your organisation if HMRC required you to back date payments to staff for 6 years?
4.11	Have you estimated your back pay liability? (%)	Have you estimated your back pay liability?
4.12	Total back pay liability? (£m)	How much is your back pay liability? (£m)
4.13	Total back pay liability as a percentage of organisation payroll? (%)	((How much is your back pay liability? (£m)) / (Expected income of your organisation in the year 2017-8 (£m))) * 100
4.14	Back pay liability per sleep in staff (£)	(How much is your back pay liability? (£m)) / (How many of your staff undertake sleep ins? (headcount))
4.15	Do you have sufficient free reserves to cover the back payment? (%)	Do you have sufficient free reserves to cover the back payment?
4.16	Would you need to sell properties to meet the liability? (%)	Would you need to sell properties to meet the liability?
4.17	Would you need to sell other investments to meet the liability? (%)	Would you need to sell other investments to meet the liability?
5.01	In your most recent statutory accounts have you made a provision for the liability? (%)	Made a provision for the liability
5.02	In your most recent statutory accounts have you made a contingent liability? (%)	Made a contingent liability
5.03	In your most recent statutory accounts have you not referred to the liability? (%)	Not referred to the liability
6.01	How will any reduction in reserves affect your ability to bid for new work (e.g. pass the financial viability tests commissioners apply)? (open question)	How will any reduction in reserves affect your ability to bid for new work (e.g. pass the financial viability tests commissioners apply)?

Code	Measure name	Definition
6.02	Table 6.02 How will any reduction in reserves affect your ability to invest in your work? (open question)	How will any reduction in reserves affect your ability to invest in your work?
6.03	Will any reduction in reserves mean that you breach covenants (e.g. loans or pension fund guarantees)? (%)	Will any reduction in reserves mean that you breach covenants (e.g. loans or pension fund guarantees)?
6.04	Will you need to take out/increase borrowing to meet your cashflow requirements? (%)	Will you need to take out/increase borrowing to meet your cashflow requirements?
6.05	Will you need to take out/increase borrowing to fund new investment? (%)	Will you need to take out/increase borrowing to fund new investment?
6.06	Number of new contracts and opportunities declined to bid or negotiate for as a result of any reduction in reserves? (number)	How many new contracts and opportunities have you declined to bid or negotiate for as a result?
6.07	Estimated cost to administer the back payments, including tracking down ex-employees (£000s)	How much do you estimate it will cost you to administer the back payment, including tracking down ex-employees? (£m)
6.08	Sum of estimated cost to administer the back payments, including tracking down ex-employees plus estimated back pay liability (£m)	((How much is your back pay liability? (£m)) + (How much do you estimate it will cost you to administer the back payment, including tracking down ex-employees? (£m)))
6.09	Sum of estimated cost to administer the back payments, including tracking down ex-employees plus estimated back pay liability as a percentage of paybill (%)	(((((How much is your back pay liability? (£m)) + (How much do you estimate it will cost you to administer the back payment, including tracking down ex-employees? (£m)))) / (Expected organisation paybill in the year 2017-8 (£m))) * 100
7.01	Have you asked your commissioners to fund the historical liability? (%)	Have you asked your commissioners to fund the historical liability?
7.02	Percentage of commissioners which have agreed to discuss funding the historical liability? (%)	((How many have agreed to discuss) / (How many commissioners, commissioning bodies, etc., do you provide services for at present?))
7.03	Percentage of commissioners which have refused to pay the historical liability? (%)	((How many have refused to pay) / (How many commissioners, commissioning bodies, etc., do you provide services for

Code	Measure name	Definition
		at present?)
7.04	Percentage of commissioners which have not responded to requests to discuss funding the historical liability? (%)	(How many have not responded) / (How many commissioners, commissioning bodies, etc., do you provide services for at present?)
8.01	Estimated increase in paybill due to the introduction of the NLW (for day and night pay) (£m)	By how much has your pay bill increased due to the introduction of the NLW (for day and night pay), taking the actual costs for 2017/18 and your estimates for 2018/19? (£m)
8.02	Estimated increase in paybill due to the introduction of the NLW (for day and night pay) as a percentage of total paybill (%)	((By how much has your pay bill increased due to the introduction of the NLW (for day and night pay), taking the actual costs for 2017/18 and your estimates for 2018/19? (£m)) / (Expected organisation paybill in the year 2017-8 (£m))) * 100
8.03	Number of services which would become unviable within the next 12 months if commissioners do not pay additionally for the total cost of sleeps ins at NMW of £7.83 per hour (number)	How many of your services would become unviable within the next 12 months if commissioners do not pay additionally for the total cost of sleeps ins at NMW of £7.83 an hour?
8.04	Number of services which would become unviable within the next 12 months as a percentage of all services (%)	((How many of your services would become unviable within the next 12 months if commissioners do not pay additionally for the total cost of sleeps ins at NMW of £7.83 an hour?) / (How many services do you currently operate?)) * 100
8.05	Estimated number of people supported by these services which would become unviable within the next 12 months (headcount)	Approximately how many people are supported by these services which would become unviable within the next 12 months? (headcount)
8.06	Estimated number of people supported by these services which would become unviable within the next 12 months as a percentage of all service users (%)	((Approximately how many people are supported by these services which would become unviable within the next 12 months? (headcount)) / (Current number of service users (headcount))) * 100
8.07	Number of these unviable services providers would seek to hand back to commissioners within the next 12 months	How many of these unviable services would you seek to hand back to commissioners within the next 12

Code	Measure name	Definition
	(number)	months?
8.08	Number of these unviable services providers would seek to hand back to commissioners within the next 12 months as a percentage of all services (%)	((How many of these unviable services would you seek to hand back to commissioners within the next 12 months?) / (How many services do you currently operate?)) *100
8.09	Estimated number of people supported by these unviable services which providers would seek to hand back to commissioners within the next 12 months (headcount)	Approximately how many people are supported by these unviable services which you would seek to hand back to commissioners within the next 12 months? (headcount)
8.10	Estimated number of people supported by these unviable services which providers would seek to hand back to commissioners within the next 12 months as a percentage of all service users (%)	((Approximately how many people are supported by these unviable services which you would seek to hand back to commissioners within the next 12 months? (headcount)) / (Current number of service users (headcount))) * 100
8.11	Total value of the contracts of these unviable services that providers would seek to hand back to commissioners within the next 12 months (£m)	What is the total value of the contracts of these unviable services that you would seek to hand back to commissioners within the next 12 months? (£m)
8.12	Total value of the contracts of these unviable services that providers would seek to hand back to commissioners within the next 12 months as a percentage of total value of all contracts (%)	((What is the total value of the contracts of these unviable services that you would seek to hand back to commissioners within the next 12 months? (£m)) / (What is the total value of these service contracts? (£m))) * 100
8.13	Would you need to make redundancies? (%)	Would you need to make redundancies?
8.14	Likely percentage decrease in workforce as a result of redundancies (%)	What is the likely percentage decrease in the size of your workforce as a result of these redundancies? (%)
8.15	Estimated redundancies	Estimate the number of redundancies you would need to make in: front line delivery posts  Estimate the number of redundancies you would need to make in: operational management posts

Code	Measure name	Definition
		<p>Estimate the number of redundancies you would need to make in: back office support posts</p> <p>Estimate the number of redundancies you would need to make in: senior manager/director posts</p>
8.16	Are you considering any of the following approaches to address the potential shortfall in funding? (%)	<p>Are you considering any of the following approaches to address the potential shortfall in funding?</p> <p>Tick all that apply.</p>
8.17	Other please specify (open question)	Please specify:
8.18	Do you expect to have a budget shortfall in the coming financial period? (%)	Do you expect to have a budget shortfall in the coming financial period?
8.19	How will you fund the shortfall in the short term? (%)	How will you fund the shortfall in the short term?
8.20	Other please specify (open question)	Please specify:
9.01	Is there anything else you would like to share? (open question)	Is there anything else you would like to share?
A.01	Expected income in the year 2017-8 (£m)	Expected income of your organisation in the year 2017-8 (£m)
A.02	Expected organisation paybill in the year 2017-8 (£m)	Expected organisation paybill in the year 2017-8 (£m)
A.03	Current number of staff (headcount)	Current number of staff (headcount)
A.04	Current number of service users (headcount)	Current number of service users (headcount)
A.05	Ratio of staff to service users (ratio)	(Current number of staff (headcount)) / (Current number of service users (headcount))
A.06	Number of commissioners, commissioning bodies, etc. that services are provided for at present (number)	How many commissioners, commissioning bodies, etc., do you provide services for at present?
A.07	Ratio of service users to commissioners / commissioning bodies (ratio)	(Current number of service users (headcount)) / (How many commissioners, commissioning bodies,

Code	Measure name	Definition
		etc., do you provide services for at present?)
A.08	Number of services currently operated (number)	How many services do you currently operate?
A.09	Total value of service contracts (£m)	What is the total value of these service contracts? (£m)
A.10	Average value of service contract per service (£m)	(What is the total value of these service contracts? (£m)) / (How many services do you currently operate?)
A.11	Countries operated in (%)	<p>Please indicate which countries of the UK you currently operate social care services in:</p> <p>Tick all that apply.</p>

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