

Fears that staff will leave council care homes over visas

Two Edinburgh care homes face losing up to half their staff by the end of the year due to uncertainty surrounding the council's commitment to sponsoring immigrants' work visas, a trade union has warned.

Foreign national workers at North Merchiston and Castlegreen care homes are "fearful that they and their families may be deported" as question marks hang over their right to remain in the country, Unison said.

Employees leaving en masse to find sponsorship elsewhere would be likely to have "significant implications" for the council's "whole health and social care system," officials have warned – including longer delays in acute hospitals and "a negative impact on continuity of care for the residents of the care homes,".

Internal documents seen by the Local Democracy Reporting Service show that managers are preparing to bring in agency workers to fill roles in the event that those affected – around 30 people in total – seek alternative employment.

It comes amid significant challenges recruiting and retaining staff within Edinburgh Health and Social Care Partnership (EHSCP), which is already at 'critical' risk of not being able to deliver vital services due to the staffing problems.

Service Conditions Convenor for Unison's City of Edinburgh Branch David Harrold said "meaningful support from the council's legal and HR teams" was urgently needed to avoid a crisis.

North Merchiston and Castlegreen were brought back under council control in May after previous operator Four Seasons Healthcare withdrew from the Scottish market, with 118 care home staff transferred to the authority's employment. This process "went smoothly" and was aided by "open, cooperative, and accommodating" officers who oversaw the change, Mr Harrold said.

While 18 of around 50 staff members subject to immigration controls already had their visas sponsored by Four Seasons, making them easily transferable to the council, the majority are on 'other', time limited arrangements such as student or dependant visas – nearly two-thirds of which are due to expire before the end of 2023.

Internal documents said many of these individuals were under the impression Four Seasons had "formally confirmed that they would be sponsored at the end of their visa," but this has been denied by the independent care provider.

"For these employees, anything less than an agreement to definitely sponsor them may not be sufficient to reduce flight risk completely," the report said.

Currently the council decides whether to support immigrants' visas on a case-by-case basis, only offering sponsorship, which costs £1,000 a year per employee, when a worker has exhausted all other routes available to gain the right to work in the UK and has provided evidence of doing so.

But bosses are now mulling over a change to the policy to "commit to offer sponsoring employees on other visas when their current visa comes to an end...without requiring them to exhaust any alternative options first".

However, a final decision from councillors is not expected until the end of October.

And it is anticipated another seven weeks of uncertainty could force some staff to leave in a bid to secure sponsorship in the private sector or elsewhere.

In a deputation to councillors Mr Harrold said the affected care staff were becoming "increasingly concerned and frustrated" at receiving "a constant stream of holding emails" from officials in response to concerns raised.

He added: "I do not exaggerate when I say staff are fearful that they and their families may be deported.

"If that in itself does not trouble you then you should be concerned because as a result of this, we could potentially lose 50 per cent of the staff at these two care homes before Christmas, that's approximately 500 care hours lost each week.

"The end result is our city's reputation as being diverse and inclusive will be in tatters. Experienced and knowledgeable staff will be lost to us and our most vulnerable will suffer."

Social care bosses said there was "a high risk of the care provision at the care homes not being viable" if the employees leave the council to find sponsorship elsewhere, which is "likely to have significant implications for City of Edinburgh Council's whole health and social care system including an impact on people being delayed in acute hospitals," a confidential report drafted in June said.

It added: "There will also be a negative impact on continuity of care for the residents of the care homes."

A separate briefing note sent to councillors last week said operational managers are "preparing for contingency arrangements for this, by trying to secure supplementary staff

from agencies if this occurs”.

It said a communication will be shared with affected staff at the homes “recognising that this may be a worrying time and reiterating the position of the council that all routes must be exhausted for visa application through dependency, student, and graduate routes, with evidence presented to support this, prior to the council offering sponsorship”.

Mr Harrold said: “I have no doubt that City of Edinburgh Council is trying to do what it can to support these individuals, but that support must be the right support.

“No one within the lead officer’s team is an expert in the field of immigration and no one within the lead officer’s team has the authority to make decisions as to how the council proceeds on this issue.

“What is required is meaningful support from the council’s legal and HR teams, and when I say meaningful, I mean in person and with each individual.”

A Spokesperson for the Edinburgh Health and Social Care Partnership said: “We are committed to ensuring that all staff who have come into the Partnership from Castlegreen and North Merchiston care homes are supported and treated fairly as they seek sponsorship for visa applications in line with the City of Edinburgh Council’s policy.

Union representatives and staff have praised the Partnership lead officer and her team as being open, cooperative and accommodating in the transfer of employment from Four Seasons to the City of Edinburgh Council. “

Cllr Claire Miller, Scottish Greens spokesperson for health and social care, said: “Every single one of our care home staff are incredibly valuable but I worry they don’t realise how important they are to us.

“The council moving quickly to back up its commitments to everyone with a visa is therefore essential because, as this drags on, workers may feel increasingly insecure without their future visas finalised.

“I’m pressing for this all to be processed as quickly as possible and to ensure the council’s commitments to our care home staff are met.”

by Donald Turvill, Local Democracy Reporter.



City Chambers just after the end of the Festival in August 2023 PHOTO ©2023 The Edinburgh Reporter