

Health in Hackney Scrutiny Commission

Hackney Council
Room 118
Town Hall
Mare St E8 1EA

Reply to: jarlath.oconnell@hackney.gov.uk

15 June 2020

Ms Tracey Fletcher
Chief Executive
Homerton University Hospital NHS Foundation Trust
by email

Dear Tracey

HUHFT award of 5 year contract extension to ISS for soft facility services

I am writing on behalf of the Commission to express serious concern that Homerton University Hospital NHS Foundation Trust (HUHFT) has announced its intention to sign a further 5-year contract with the facilities services company ISS, despite a number of issues apparently not having been resolved, and that you've issued a 'Voluntary Ex-Ante Transparency Notice' to directly award the contract to ISS without a tendering process. We also understand the contract will be signed on 30th June. This contract relates to provision of catering, clearing, security and portering.

As you know we discussed the matter in some detail with you and staff representatives at our meeting on 29 January (link [here](#)), when you kindly undertook to "report back to the Commission in c. 3 months on the response from ISS on the pay and conditions issues raised by them and on the possibility of the Trust making a formal commitment to becoming a London Living Wage employer".

Since then the Covid-19 pandemic has intervened and made this issue, if anything, more complex. We have the following concerns

- a) According to UNISON there has been no formal consultation with them or the GMB with regard to pay and conditions despite their attempts to request that the Trust enter a formal review of bringing the services back in-house. They also report being shocked that at no stage in the discussions was the intention to offer ISS a 5 year extension raised. Indeed at our meeting on 29 January there was mention of 1-2 year extension because of the difficulties of bringing such a complex range of

services in-house but there was no indication that a 5 year extension was being contemplated.

- b) There is a broader concern with respect to the extension of outsourced contracts for such a lengthy period without a competitive tendering process.
- c) There is concern whether the new contract will incorporate substantial improvements in pay, terms and conditions for the outsourced staff, leaving a substantial gap between these workers and directly employed NHS staff in comparable roles on full Agenda for Change contract. Since the pandemic began much has been made by HUHFT senior management of the critical role that these support staff also play in providing safe patient care, which is further reason for them to be treated equally with other directly employed NHS workers and to receive the same pay and conditions.
- d) Crucially, there does not appear to be any provision for occupational sick pay for all those employed on the ISS contract (a significant minority of those staff TUPE'd from Medirest in 2015 retained occupational sick pay and they have apparently been asked to move on to the basic ISS employment contract). Occupational sick pay is clearly crucial in supporting infection control, especially given the prospects of a 'second wave' of the novel coronavirus and future outbreaks of highly communicable diseases. The risk is clear - low paid hospital staff, some with precarious work contracts, choosing to continue to go to work when ill because they cannot afford not to and because their sick leave provision is inadequate.
- e) You will be well aware of all the reports (including the recent one from PHE) about the disparities in impact of Covid-19 on frontline staff and in particular support staff from ethnic minorities. UNISON has pointed out that should this contract be renewed it will have a detrimental impact on the predominantly ethnic minority workforce who are affected by this contract extension, and it will also risk locking in these disparities for another five years. Have the equality implications been assessed of continuing this contract for a further 5 years?

We therefore urgently ask:

- (i) that the plan to proceed with signing this on 30 June is paused to allow a proper consultation to take place;
- (ii) that if an interim contract or extension is required (because the current one is coming to expiry), that this be as short as possible and addresses the disparity with respect to occupational sick pay or

- leaves open scope for this to be done – particularly given the public health concerns as set out above
- (iii) that you might attend our next meeting on **Thu 9 July at 7.00 pm** to discuss the matter

I look forward to hearing from you.

Yours sincerely



Councillor Ben Hayhurst
Chair of Health in Hackney Scrutiny Commission

cc Mayor Philip Glanville
Diane Abbott MP
Meg Hillier MP
Cllr Christopher Kennedy, Cabinet Member for Health, Adult Social Care and Leisure
Members of Health in Hackney Scrutiny Commission
Dr Sandra Husbands, Director of Public Health, Hackney and City of London
Jon Williams, Director, Healthwatch Hackney

