

West Lothian Council Social Policy Service  
West Lothian Civic Centre,  
Howden Road South,  
Livingston,  
West Lothian  
EH54 6FF

Contact: [REDACTED]  
Email: [SocialPolicyIR@WestLothian.gov.uk](mailto:SocialPolicyIR@WestLothian.gov.uk)

17 April 2018

Email: [REDACTED]

Dear enquirer,

### **Freedom of Information (Scotland) Act 2002**

**FOI Request ID: 101005848723**

I refer to your request for information received on the 19<sup>th</sup> February 2018:

“On behalf of, and as instructed by our Client, we hereby make a request under the Act to be provided with the following information:

1. The total number of care homes in Scotland currently owned by the Council at today's date (15 February).
2. Please provide a note of the following details in relation to each care home in Scotland currently owned by the Council:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home;
  - c. confirmation as to whether the Council operates each care home or whether any care homes are operated by a third party for and on behalf of the Council, and if the latter, the full name and postal address of any such third party(ies); and
  - d. the total period of ownership by the Council of each care home, such period of time to be specified in years and months.
3. The total costs incurred by, and for and on behalf of, the Council (such costs to be calculated from the beginning of ownership by the Council of each care home to today's date (15 February)), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):
  - a. purchasing each of the care homes identified in numbers 1 and 2 above;
  - b. constructing and / or building (if applicable) each of the care homes identified in numbers 1 and 2 above;
  - c. redeveloping or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 1 and 2 above; and
  - d. purchasing land or assumed value of land owned by the Council and on which each care home identified in numbers 1 and 2 above is situated.
4. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 3 above (such total amount(s) to be broken-down and provided to us on a per care home basis), including details of the any outstanding amount(s) borrowed (such total amount(s) to be broken-down and provided to us on a per care home basis).

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5. The total number of care homes in Scotland currently owned by the Council in relation to which the Council intends to, and / or has plans to, dispose ownership in the upcoming financial year (from 1 April 2018). For each of the aforesaid care homes please provide a note of the following details:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home; and
  - c. the full name and address of the person and / or entity intending to purchase or otherwise gain ownership and / or title of each care home.
6. The total number of care homes in Scotland currently held under lease and / or other tenancy right by the Council at today's date (15 February).
7. Please provide a note of the following details in relation to each care home in Scotland currently held under lease and / or other tenancy right by the Council:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home;
  - c. confirmation as to whether the Council operates each care home or whether any care homes are operated by a third party for and on behalf of the Council, and if the latter, the full name and postal address of any such third party(ies); and
  - d. the landlord of each care home, and where the Council is a sub-tenant, any head-tenant(s) of each care home.
8. The total costs incurred by, and for and on behalf of, the Council (such costs to be calculated from the beginning of the lease and / or other tenancy by the Council of each care home to today's date (15 February), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):
  - a. constructing and / or building (if applicable) each of the care homes identified in numbers 6 and 7 above;
  - b. re-developing or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 6 and 7 above.
  - c. purchasing land or assumed value of land owned by the Council (if applicable) and on which each care home identified in numbers 6 and 7 above is situated.
9. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 8 above (such total amount(s) to be broken-down and provided to us on a per care home basis), including details of the any outstanding amount(s) borrowed (such total amount(s) to be broken-down and provided on a per care home basis).
10. The total number of care homes in Scotland currently held under lease and / or other tenancy right by the Council which the Council intends to, and / or has plans to, cease (whether by natural expiry or early termination) the lease and / or other tenancy right, in the upcoming financial year (from 1 April 2018). For each of the aforesaid care homes please provide a note of the following details:
  - a. name of each care home (if applicable); and
  - b. full postal address of each care home.
11. The total number of care homes in Scotland currently operated by the Council at today's date (15 February).
12. Please provide a note of the following details in relation to each care home in Scotland currently operated by the Council:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home; and
  - c. the total period of operation by the Council for each care home, such period of time

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to be specified in years and months.

13. The total costs incurred by, and, for and on behalf of, the Council (such costs to be calculated from the beginning of operation by the Council of each care home to today's date (15 February)), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):
  - a. constructing and / or building (if applicable) each of the care homes identified in numbers 11 and 12 above;
  - b. redeveloping or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 11 and 12 above; and
  - c. purchasing land or assumed value of land owned by the Council (if applicable) and on which each care home identified in numbers 11 and 12 above is situated.
14. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 13 above (such total amount to be broken-down and provided to us on a per care home basis), including details of the any outstanding amount(s) borrowed (such total amount to be broken-down and provided to us on a per care home basis).
15. The total number of care homes in Scotland currently operated by the Council at today's date {15 February) which the Council intends to, and / or has plans to, transfer or cease operation in the upcoming financial year (from 1 April 2018). For each of the aforesaid Care Homes please provide a note of the following details:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home; and
  - c. where applicable, the full name and address of the person and / or entity intending to assume operation each care home.
16. The total weekly costs and expenses per resident for each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (such total costs to be broken-down and provided to us on a per care home basis), as incurred by and for and on behalf of the Council, associated with maintaining and operating each care home identified in numbers 1, 2, 6, 7, 11, and 12 above, including but not limited to:
  - a. any central administration costs; and
  - b. any building, property and land maintenance costs.
17. The average yearly salary (prior to deduction of any tax contributions, national insurance contributions, student loan repayment, or any other payroll deductions) and average yearly pension contribution, average yearly sick pay, and average yearly annual leave entitlement for:
  - a. each manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one manager please provides these details);
  - b. each assistant manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one assistant manager please provides these details); and
  - c. each Deputy Manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one deputy manager please provides these details)If the care homes differentiate at a managerial level between clinical and non-clinical then please provide such details.
18. Please provide details of any care homes in Scotland that the Council currently has plans to buy and / or develop/build in the future, including:
  - a. the location of each of the aforesaid care home; and
  - b. the total expected and budgeted costs for the Council of each of the aforesaid

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care homes (such total costs to be broken-down and provided to us on a per care home basis).

Pursuant to section 11 of the Act, we would prefer the information in electronic form (to be sent to [REDACTED], failing which, in hard copy.

In so far as any of the requested information contains personal data, the disclosure of which is exempted under section 38 of the Act, we request that the information is provided with the personal data redacted.

To the extent that any of the requested information is exempt by virtue of section 25 of the Act, please advise where this information is accessible.

If there is no information falling within the scope of this information request, please advise us accordingly.

We look forward to receiving the information within the statutory time limits set out in section 10 of the Act.”

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### **West Lothian Council Response**

1. The total number of care homes in Scotland currently owned by the Council at today's date (15 February).

**West Lothian Council currently owns 3 (three) care homes for older people.**

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2. Please provide a note of the following details in relation to each care home in Scotland currently owned by the Council:
  - a. name of each care home (if applicable);
  - b. full postal address of each care home;
  - c. confirmation as to whether the Council operates each care home or whether any care homes are operated by a third party for and on behalf of the Council, and if the latter, the full name and postal address of any such third party(ies); and
  - d. the total period of ownership by the Council of each care home, such period of time to be specified in years and months.

<b><u>Name of Care Home</u></b>	<b>Whitdale House Old People's Home</b>	<b>Limecroft Old Peoples Home</b>	<b>Craigmair Interim Care home</b>	<b>Burngrange Care Home</b>
<b><u>Address Details</u></b>	110 East Main Street, Whitburn	1 Templar Rise, Livingston	1 Larch Grove, Craigshill, Livingston	Burgrange Park, West Calder
<b><u>PostCode</u></b>	EH47 0RH	EH54 6PJ	EH54 5BU	EH55 8HF

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<b><u>Period of Ownership</u></b>	27 Yrs 10 Mths	30 Yrs, 8 Mths	Approx 12 Yrs, Built in Mid 2000's	
<b><u>Purchase Cost</u></b>	£350.00	£16,000.00	NIL (LDC Transfer)	
<b><u>Date of Purchase</u></b>	15/05/1958	28/07/1987	01/04/1996	
<b><u>Comments</u></b>				Owned by Almond Housing Association, leased to and operated by the council. Lease started in 01/01/2004. Current annual rent £59,582pa (2017/2018)

3. The total costs incurred by, and for and on behalf of, the Council (such costs to be calculated from the beginning of ownership by the Council of each care home to today's date (15 February)), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):

- a. purchasing each of the care homes identified in numbers 1 and 2 above;

**With the exception of Burngrange Care Home, each of the care homes listed above at No. 2 were built by the council. In respect of Burngrange Care Home, this was commissioned and leased from a third party.**

- b. constructing and / or building (if applicable) each of the care homes identified in numbers 1 and 2 above;

**This would require an extensive historical research. The council considers that it would take a member of staff in excess of 40 hours to collate the information requested.**

**Accordingly, the council considers that providing the information requested would cost in excess of £600, and as a result the request is refused under section 12 of FOISA.**

- c. redeveloping or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 1 and 2 above; and

**Please refer to the document Appendix 1 attached**

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- d. purchasing land or assumed value of land owned by the Council and on which each care home identified in numbers 1 and 2 above is situated.

**See table at response to Question No2 above**

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4. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 3 above (such total amount(s) to be broken-down and provided to us on a per care home basis), including details of the any outstanding amount(s) borrowed (such total amount(s) to be broken-down and provided to us on a per care home basis).

**West Lothian Council borrows for capital investment on a total basis. The council's capital financing requirement (i.e. the amount to be borrowed from external sources such as the Public Works Loan Board) is calculated by deducting other sources of income, such as government grants and receipts from the disposal of assets, from the cost of the total investment programme. Borrowing is then undertaken based on best rates and durations, rather than securing any individual loan for a specific project. Although some projects will include prudential borrowing and are identified in the council's resources as such, individual loans are not secured for these projects and are included in the overall borrowing requirement for the council.**

**On that basis the council does not have any loan(s) or other financial borrowing(s) in relation to capital projects to maintain or improve the specified care homes as the works undertaken are part of a wider capital investment programme which is funded from a range of different sources. In addition, it can be confirmed that no prudential borrowing has been included in the funding package for any project related to the specified care homes.**

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5. The total number of care homes in Scotland currently owned by the Council in relation to which the Council intends to, and / or has plans to, dispose ownership in the upcoming financial year (from 1 April 2018). For each of the aforesaid care homes please provide a note of the following details:
- name of each care home (if applicable);
  - full postal address of each care home; and
  - the full name and address of the person and / or entity intending to purchase or otherwise gain ownership and / or title of each care home.

**None**

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6. The total number of care homes in Scotland currently held under lease and / or other tenancy right by the Council at today's date (15 February).

**1 (one) Burngrange Care Home, West Calder**

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7. Please provide a note of the following details in relation to each care home in Scotland currently held under lease and / or other tenancy right by the Council:
- name of each care home (if applicable);

**See table at No 2 above**

- full postal address of each care home;

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**See table at No 2 above**

- c. confirmation as to whether the Council operates each care home or whether any care homes are operated by a third party for and on behalf of the Council, and if the latter, the full name and postal address of any such third party(ies); and

**Yes, West Lothian Council operates each of the 4 care homes listed in response to Question 1 above.**

- d. the landlord of each care home, and where the Council is a sub-tenant, any head-tenant(s) of each care home.

**West Lothian Council is the landlord for Whitdale, Limecroft and Craigmair care homes.**

**With regards to Burngrange Care Home, West Lothian Council is the tenant. The Landlord is; Almond Housing Association Limited, 44 Etive Walk, Craigshill, Livingston EH54 5AB**

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8. The total costs incurred by, and for and on behalf of, the Council (such costs to be calculated from the beginning of the lease and / or other tenancy by the Council of each care home to today's date (15 February), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):
- a. constructing and / or building (if applicable) each of the care homes identified in numbers 6 and 7 above;

**Please be advised that West Lothian Council does not hold the information requested and as a result the request is refused under section 17 of FOISA.**

- b. re-developing or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 6 and 7 above.

**As per response from Question No 3c above**

- c. purchasing land or assumed value of land owned by the Council (if applicable) and on which each care home identified in numbers 6 and 7 above is situated.

**Please be advised that West Lothian Council does not hold the information requested and as a result the request is refused under section 17 of FOISA**

- 
9. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 8 above (such total amount(s) to be broken-down and provided to us on a per care home basis), including details of the any outstanding amount(s) borrowed (such total amount(s) to be broken-down and provided on a per care home basis).

**Response as per answer at No4 above**

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10. The total number of care homes in Scotland currently held under lease and / or other tenancy

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right by the Council which the Council intends to, and / or has plans to, cease (whether by natural expiry or early termination) the lease and / or other tenancy right, in the upcoming financial year (from 1 April 2018). For each of the aforesaid care homes please provide a note of the following details:

- a. name of each care home (if applicable); and
- b. full postal address of each care home.

**None**

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11. The total number of care homes in Scotland currently operated by the Council at today's date (15 February).

**4**

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12. Please provide a note of the following details in relation to each care home in Scotland currently operated by the Council:

- a. name of each care home (if applicable);
- b. full postal address of each care home; and
- c. the total period of operation by the Council for each care home, such period of time to be specified in years and months.

**As per response given at No 2 above**

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13. The total costs incurred by, and, for and on behalf of, the Council (such costs to be calculated from the beginning of operation by the Council of each care home to today's date (15 February)), associated with the following (such total costs to be broken-down and provided to us on a per care home basis):

- a. constructing and / or building (if applicable) each of the care homes identified in numbers 11 and 12 above;

**This would require an extensive historical research. The council considers that it would take a member of staff in excess of 40 hours to collate the information requested.**

**Accordingly, the council considers that providing the information requested would cost in excess of £600, and as a result the request is refused under section 12 of FOISA.**

- b. redeveloping or otherwise renovating (this include any small-scale redevelopment or renovation projects) each of the care homes identified in numbers 11 and 12 above; and

**See response given at Question 3c above.**

- c. purchasing land or assumed value of land owned by the Council (if applicable) and on which each care home identified in numbers 11 and 12 above is situated.

**See response given at Question 2 above.**

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14. The total amount(s) borrowed by the Council under any loan(s) and / or other financial borrowing(s) in connection with any costs specified in number 13 above (such total amount to be broken-down and provided to us on a per care home basis), including details of the any

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outstanding amount(s) borrowed (such total amount to be broken-down and provided to us on a per care home basis).

**As per response given at Question No4 above**

15. The total number of care homes in Scotland currently operated by the Council at today's date {15 February) which the Council intends to, and / or has plans to, transfer or cease operation in the upcoming financial year (from 1 April 2018). For each of the aforesaid Care Homes please provide a note of the following details:

- a. name of each care home (if applicable);
- b. full postal address of each care home; and
- c. where applicable, the full name and address of the person and / or entity intending to assume operation each care home.

**None**

16. The total weekly costs and expenses per resident for each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (such total costs to be broken-down and provided to us on a per care home basis), as incurred by and for and on behalf of the Council, associated with maintaining and operating each care home identified in numbers 1, 2, 6, 7, 11, and 12 above, including but not limited to:

- a. any central administration costs; and
- b. any building, property and land maintenance costs.

<b>Expenditure - Care Homes</b>				
<u>Unit</u>	<u>17/18 SP Budget</u>	<u>17/18 F&amp;PS Budget</u>	<u>Residents</u>	<u>Cost/resident/week</u>
Burngrange	1,336,580	122,274	40	701.37
Craigmair	1,116,286	29,000	30	734.16
Whitdale	1,087,823	79,253	32	701.37
Limecroft	1,223,190	82,143	36	697.29

17. The average yearly salary (prior to deduction of any tax contributions, national insurance contributions, student loan repayment, or any other payroll deductions) and average yearly pension contribution, average yearly sick pay, and average yearly annual leave entitlement for:

- a. each manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one manager please provides these details);
- b. each assistant manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one assistant manager please provides these details); and
- c. each Deputy Manager at each care home identified in numbers 1, 2, 6, 7, 11, and 12 above (if there is more than one deputy manager please provides these details)

If the care homes differentiate at a managerial level between clinical and non-clinical then please provide such details.

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**Personal Details are exempt from FOI but we employ 4 Care Home Managers on Band I and 4 Assistant Managers on Band H. (see link below for WLC pay bands). We do not have any deputy manager posts at any of our care homes.**

[https://www.westlothian.gov.uk/media/1328/Pay-14-Band-Structure/pdf/WLC\\_14\\_Band\\_Structure-2017.pdf](https://www.westlothian.gov.uk/media/1328/Pay-14-Band-Structure/pdf/WLC_14_Band_Structure-2017.pdf)

**With regard to sick pay we don't retain records relating to cost of sick pay at post level. I can also confirm that we do not differentiate at a managerial level between clinical and non-clinical activity.**

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18. Please provide details of any care homes in Scotland that the Council currently has plans to buy and / or develop/build in the future, including:
- a. the location of each of the aforesaid care home; and
  - b. the total expected and budgeted costs for the Council of each of the aforesaid care homes (such total costs to be broken-down and provided to us on a per care home basis).

**None**

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You are free to use the information supplied in this response for your own non-commercial research or private study purposes. The information may also be used for any other purpose allowed by a limitation or exception in copyright law, such as news reporting. Any such use must be in context and must not be misleading. Any other type of re-use, for example by publishing the information in analogue or digital form, including on the internet or commercial use, will require the permission of the intellectual property owner and copyright owner.

Further details as to how to apply to re-use information supplied by us can be found on our website at [http://www.westlothian.gov.uk/Council\\_and\\_government/704/](http://www.westlothian.gov.uk/Council_and_government/704/)

If you have any complaint about the Council's handling of your request for information, you may require the Council to review its actions and decisions in relation to this response. Please write, within 40 working days from 17 April 2018 to [REDACTED], Chief Legal Officer, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF ([REDACTED]); e-mail: [REDACTED]@westlothian.gov.uk).

You may, within a further six months, if you are dissatisfied with the outcome or with the Council's failure to review its actions and decisions in relation to this response, apply in writing to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS (01334 464610; email enquiries@itspublicknowledge.info) requesting her decision in this matter.

Yours faithfully,

[REDACTED]  
West Lothian Council

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Director: [REDACTED]