

PERTH AND KINROSS COUNCIL

Housing and Health Committee – 13 March 2013

PROMOTING CHOICE AND CONTROL: IMPLEMENTATION OF THE SOCIAL CARE (SELF-DIRECTED SUPPORT) (SCOTLAND) ACT 2013

Report by Executive Director (Housing and Community Care)

ABSTRACT

This report summarises preparation for the implementation of the first phase of Self-Directed Support (SDS) and the change required to the initially proposed model to better manage financial viability.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- 1.1 Note the contents of the report and support Housing and Community Care and Education and Children's Services in the early stages of the establishment of a culture of choice and control for people using Social Care services in Perth and Kinross.
- 1.2 Note the date of commencement of the first phase – December 2012.
- 1.3 Note the change to a model which does not use a Resource Allocation System.
- 1.4 Approve the use of funding allocated by the Scottish Government.

2. BACKGROUND**2.1 Legislation**

Reports on the Social Care (Self Directed Support) (Scotland) Bill presented to Committee on 2 November 2011 (Report no. 11/544) and June 2012 (Report 12/225) outlined the need to comply with the terms of the expected legislation, ensuring compliance with the principles of involvement, collaboration and informed choice around the experience of planning and receiving social care. The implementation date of the Act is April 2014.

2.1.2 The Act outlines 4 options for care as follows:

- Option 1* The making of a direct payment by the local authority to the supported person for the provision of support.
- Option 2* The selection of support by the supported person and the making of arrangements for the provision of it by the local authority on behalf of the supported person.

- Option 3* The selection of support and the making of arrangements for the provision of it by the local authority.
- Option 4* The selection by the supported person of Option 1, 2 or 3 for each type of support.

This allows individuals and families to decide how much they want to be involved in organising the support required.

- 2.1.3 The Act also states that individuals and families should be informed of the amount of money being spent on their care. This is referred to in the Act as the 'relevant amount'. Joint support planning with the family will result in a number of activities being programmed to ensure that risk around the situation is managed and personal choices are taken account of. The cost of the programme of care, having regard to the resources of the Council, will be the relevant amount. Families will be notified of this amount and the cost of different elements of the support agreed.
- 2.1.4 The emphasis on support planning is a departure from the original model proposed which advocated the use of a Resource Allocation System based on an approximation of the level of need which would have determined the relevant amount prior to support planning. Local analysis and research carried out by three English universities on data provided by six English councils concludes that this system has been found to be accurate for only a small percentage of people.
- 2.1.5 It is proposed that a more thorough support planning process is required to determine with the individual and their family, the actual requirements for support, and fund this efficiently, maximising the use of community supports and volunteers, where available.

2.2 **Implementation**

2.2.1 The first phase started on 3.12.12 and includes:

- Older people in the Strathmore and Highland Localities
- People with physical disabilities in the Strathmore and Highland Localities
- People with learning disabilities across Perth and Kinross
- People with mental health difficulties across Perth and Kinross

2.2.2 Training in the new model of working has been delivered to 82 staff. This focussed on:

- A clear understanding of personalised outcomes and their relationship to the National Community Care Outcomes
- The SDS Bill and the 4 options
- Support Planning
- Financial authorisation process

- Commissioning for SDS and the use of Individual Service Fund Agreements
- The role of third sector organisations in supporting families in their introduction to SDS
- Building capacity in the community
- The performance framework to be used to support evaluation

2.2.3 A Performance Framework has been developed on the basis of 14 factors and after 100 cases have been completed a comprehensive evaluation will take place. This will evidence the impact on families and individuals of being afforded greater choice and control in the manner in which they are supported. It will also highlight the impact on current models for service delivery and financial planning of the implementation of self-directed support. This will determine the plan for full roll out, in light of the 10 year timescale indicated by Scottish Government for implementation.

2.2.4 The phased implementation will be used to develop ways of managing the challenges which accompany the introduction of Self Directed Support, including:

- A change in culture for staff
- Traditional public expectation of direct Council provision of social care
- The need for greater accessibility to community resources for people requiring social care and support, and the development of a wider range of more flexible, more local alternatives
- Financial viability during the fairly lengthy transition phase as the public become more confident in using alternative types of support to directly provided services
- Development of a culture of volunteering

2.3 Work with Carers

2.3.1 The legislation indicates that the same principles should be used in supporting carers, make it clear that support provided to the individual requiring care while the carer has time free from caring, generally referred to as 'respite', remain part of the individual's support programme rather than a separate programme for the carer. There appears, therefore, to be little change proposed to the existing model of determining carer support. One of our front-line staff has been invited to join the national group working on guidance on SDS for Carers and we shall await the outcome of this, (likely to be in July 2013), before making changes to our current practice.

3. RESOURCES

The Scottish Government has awarded £754,000 to this Council over three years to support implementation. The table below details the proposed use of the funding which has largely been targeted on the areas of challenge mentioned in section 2.

S.D.S. Government Grant Funding 2012-2015		Cost 2012-2015 £000's
Funded Posts	F.T.E.	
Leadership	0.60	129
Financial Modelling	1.00	30
Community Capacity Building	2.00	131
Case Reviewing	3.00	303
Admin of Direct payments and Managed Packages	2.00	106
Financial Assessment	2.00	20
Total	10.60	719

4. COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012

The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. The ones relevant to this report are as follows:

- (ii) Healthy, Caring Communities
- (v) Confident, Active and Inclusive Communities

5. EQUALITIES IMPACT ASSESSMENT (EqIA)

An equality impact assessment needs to be carried out for functions, policies, procedures or strategies in relation to race, gender and disability and other relevant protected characteristics. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.

The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA

6. STRATEGIC ENVIRONMENTAL ASSESSMENT

Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and pre-screening has identified that the Plan will have no or minimal environmental effects, it is therefore exempt and the SEA Gateway has been notified.

7. CONCLUSION

Considerable work has been carried out to prepare for the implementation of this new legislation. Despite the significant challenges ahead over the

remaining eight years of the 10 year plan for completion, Perth and Kinross Council are in a good state of readiness to proceed with the test of the proposed model. Action is underway to develop new ways of providing support, resourced by community solutions, by establishing small local providers, and developing the use of volunteers. Relevant staff have been trained to apply the new way of working in their assessment work and a number of new processes to manage scrutiny, authorisation and tracking for the purpose of financial management and audit have been developed.

Perth and Kinross Council continue to be represented in national development groups to ensure that local actions are informed by full discussion of issues. It is the view of those involved in the development of this work that Perth and Kinross Council can feel confident that the introduction of the new legislation will have noticeable benefits for individuals and their families through more personalised ways of addressing the need for support.

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No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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