

**ANGUS COUNCIL**

**SOCIAL WORK AND HEALTH – 14 JANUARY 2014**

**SELF DIRECTED SUPPORT – IMPLEMENTATION AND POLICY UPDATE**

**REPORT BY THE HEAD OF QUALITY AND PERFORMANCE**

**ABSTRACT**

This report is to inform elected members of the progress towards implementing the Social Care (Self-Directed Support) (Scotland) Act 2013. The report seeks approval from elected members of the Council's policy in relation to eligibility for social work services and resource allocation. The report seeks approval for the review of the non-residential charging policy to support the principles of Self Directed Support (SDS). It also seeks approval to amend the Direct Payment Scheme in line with the new national regulation and guidance.

**1. RECOMMENDATIONS**

It is recommended that the Social Work and Health Committee approves:

- (i) the introduction of an eligibility policy for non-residential for social work services including the introduction of a financial ceiling;
- (ii) the introduction of a resource allocation system (RAS) under self directed support;
- (iii) the changes to the non-residential charging policy to better reflect the principles of SDS;
- (iv) the changes to the Direct Payment Scheme in light of the national guidance and regulations.

**2. BACKGROUND**

- 2.1 The Social Care (Self-Directed Support) (Scotland) Act 2013 is to be implemented from 1 April 2014. Committee Report 205/13 sought approval for a policy statement in relation to SDS and set out the parameters for implementation in Angus.
- 2.2 To enable local authorities to deliver on personalisation the Act introduces a duty on local authorities to offer those with eligible needs greater choice and control over the support to meet their needs with greater flexibility over the type of supports and services that individuals identify.

**3. CURRENT POSITION**

- 3.1 Within the policy agreed by Angus Council in April 2013 (Committee Report No 205/13) a number of developments have been taken forward in order to meet the requirements of the legislation.
- 3.2 Together with a range of partners including service users and carers, we have reviewed the assessment process to ensure it focuses on achieving agreed outcomes for individuals. We have developed a method of allocating resources (Resource Allocation System (RAS)) to support the meeting of those outcomes which seeks to provide transparency and equity. During this period we have commissioned a service from ARC to work in partnership with providers to support the development of the market. We are progressing a commissioning framework (report 583/13 refers) to attract a mixed economy of suppliers/providers and provide greater market choice We are working with the independent and third sectors to develop capacity to provide both informal and formal supports to individuals in their local communities.
- 3.3 We have implemented a programme of consultation and engagement with staff, public and the providers to raise awareness of SDS across Angus.

- 3.4 There has been consultation with the adult protection committee to ensure existing procedures for vulnerable adults are compatible with SDS.

#### **4. PROPOSALS**

- 4.1 The starting position for SDS implementation in Angus will mean that all new referrals to social work services will be assessed under the 4 SDS options. For existing service users and carers we propose to assess people's needs as part of the existing review arrangements. The review will direct them towards the four SDS options.

##### **Eligibility for social work services**

- 4.2 We have developed an eligibility framework for adult social work services based on risk. This process is based on the principles of transparency and equity. Staff and the public will be clear about how their support is assessed and how resources are allocated to meet agreed outcomes. Eligibility will be linked to managing levels of risk. In recognition of the level of resources available to the Council a ceiling for the level of resources available will be set at the same level as the national care home rate where applicable. This currently only applies to older people. For other care groups the ceiling will be set at the average cost of equivalent residential provision used in the previous year.
- 4.3 In exceptional circumstances a resource panel, chaired by the Senior Manager for Adult Care, will be established to consider the need to allocate resources above the agreed ceiling. Any decision made by the resource panel will be taken in line with the Council's Financial Regulations. The resource panel will be expected to report to committee as required. An appeals process will be developed. All packages will be reviewed on a regular basis dependant upon need and circumstances.
- 4.4 An information booklet, supported by a wide range of factsheets, is being finalised to ensure ease of access for service users, carers and the wider public to inform them about the range of services and activities available from statutory, private and voluntary organisations. Eligibility criteria will be included.

##### **Resource Allocation**

- 4.5 Once an assessment of need has been agreed, it will be necessary to allocate resources to fund the identified support needs. This is done using a Resource Allocation System (RAS). This method applies standard weightings to the areas covered by the assessment to produce an estimated budget. This will directly relate the level of resources to the individuals need.

##### **Charging arrangements**

- 4.6 The current charging policy relates to inputs i.e. personal care, housing support etc. One of the key principles of SDS is the move towards outcomes and greater control and choice for individuals over how those outcomes are met. This is not compatible with the current method of charging.
- 4.7 It is proposed that individuals will undergo a financial assessment as at present, which will identify their maximum assessed contribution towards the cost of their support plan. If this is less than their estimated budget, the individual will fund their care up to the level of their maximum contribution and the Angus Council will top up the balance. If an individual's maximum assessed contribution is more than their estimated budget, the individual will fund the full cost of their support plan.

- 4.8.1 The exceptions to this are as follows: -

- 4.8.1 Personal care will still remain free for people aged over 65. This will continue to be the case and although the individual will be able to determine their overall support plan, the estimated budget relating to personal care needs will be deducted from charging calculations.
- 4.8.2 Any additional services to meet outcomes on discharge from hospital will be free for a period of 4 weeks. This is a change to the existing policy where all services are currently free for 4 weeks after discharge from hospital.
- 4.8.3 To ensure consistency with the hospital discharge period, enablement services will be free for 4 weeks. The current policy is 6 weeks free service.

Given that not everyone will move over to the SDS options from 01 April 2014, it is proposed that the charging policy, like the legislation, is implemented on a phased basis. This will

involve running two charging systems for a period of time, no more than 1 year. As people's assessed needs are reviewed or their circumstance change they will be directed towards the four SDS options. At this time they will also move to the relevant charging policy. All new referrals to social work services will be assessed under the 4 SDS options.

#### **Direct payments scheme**

- 4.9 We will review the current direct payment scheme to ensure compatibility with national SDS guidance and regulations before 1 April 2014.

### **5. PROPERTY IMPLICATIONS**

There are no implications arising from this report.

### **6. RISKS**

- 6.1 SDS represents a significant change not only to how we co-produce support with service users and carers, but potentially with how a wide range of services are delivered and commissioned. The development of estimated budgets for individuals is a completely new concept within Angus. Most of our current resources are tied up in traditional methods of service delivery. Should individuals choose to have their outcomes met differently there is a risk of budget overspends until funding can be released from existing services.
- 6.2 People who need support from social work services may need that support over a long period of time. SDS will mean that individuals will be allocated a budget which they use to meet their agreed outcomes. If the whole of the delivery budget is allocated to supported people, any future departmental budget savings is likely to directly impact individual budgets.

### **7. FINANCIAL IMPLICATIONS**

The principles behind SDS are that it is a different method of meeting outcomes, by providing greater choice and control. It is not anticipated that there will be any additional costs or indeed savings from this new method of working. It should be noted, however, that depending on how people choose to meet their outcomes, it is possible that there will be some double running costs as we need to disinvest in existing service models to provide choice. It is not possible to estimate what additional costs may be incurred, but close monitoring and reporting of areas of concern will be carried out.

### **8. HUMAN RIGHTS IMPLICATIONS**

There are no Human Rights implications arising from this report.

### **9. EQUALITIES IMPLICATIONS**

The issues dealt with in this report have been the subject of consideration from an equalities perspective. An [equalities impact assessment](#) is not required.

### **10. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT**

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- The health of the Angus population is improved;
- People using health and community care services are enabled to remain active and independent within their communities;
- The housing needs of Angus residents are met;
- People play an active role in how health and community care services are designed and delivered;
- Carers are supported to undertake their caring role;
- A good quality of life is enjoyed by all in Angus

### **11. CONSULTATION**

The Chief Executive, Head of Corporate Improvement & Finance and Head of Legal & Democratic Services have been consulted in the preparation of this report.

## **12. CONCLUSION**

The introduction of the SDS legislation will require a significant degree of cultural change and shift in resources, systems and infrastructure. A self directed support policy statement has been developed to support implementation. In addition it should be acknowledged that the SDS strategy is a ten year plan and this timeframe reflects the significant cultural shift required to fully embed it.

**LES HUTCHINSON  
HEAD OF QUALITY AND PERFORMANCE**

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

**SWH/LH/PG**