

FALKIRK COUNCIL

SUBJECT: IMPLEMENTATION OF SELF DIRECTED SUPPORT IN SOCIAL CARE
MEETING: EXECUTIVE COMMITTEE
DATE: 29 APRIL 2014
AUTHOR: DIRECTOR OF SOCIAL WORK SERVICES

1 INTRODUCTION

The purpose of this report is to:

- 1.1 Provide Members with an update on the implementation of Self Directed Support (SDS) in Social Care, both on a local and national level and;
- 1.2 Seek Member approval to take forward the option afforded under Self Directed Support legislation applicable from 1st April 2014, to fund care packages Net of any service user contribution

2.0 BACKGROUND

- 2.1 Members may recall previous reports on the implementation of the Scottish Government's strategy for the delivery of Self Directed Support and the Social Care Self Directed Support Scotland Act which passed into legislation in 2013 and commences from 1st April 2014. The purpose of the Act is to put people who require care and support in the centre of decision making about how they receive their care. The Act allows for four options for meeting care requirements:
 - i) Direct Payment – money paid to service user for them to arrange their own support
 - ii) Directing the available support – deciding how the individual budget will be used but allowing the Council or another appropriate organisation to make the necessary payments
 - iii) Local Authority arranging support on behalf of the service user
 - iv) Any combination of the above
- 2.2 We have been working for some time on adopting the principles of Self Directed Support with a number of innovative solutions such as a scheme using vouchers which allows people with care needs around Mental Health to call on support on a much more flexible basis. This has proven very successful and has in some cases prevented the need for more acute care services and even admission to Hospital.
- 2.3 Since October 2013 an implementation team has been established with a focus on enabling the changes to our processes across the whole service to allow the provision of Self Directed Support to be embedded into practice. This will also lead to the

requirement in some instances to change policy which will therefore clearly require the approval of Members.

3 PREPARATION FOR IMPLEMENTATION

- 3.1 Prior to establishing the SDS team to support the implementation of the Act the lead officer (Project Development Manager) led a programme of awareness raising for our staff, external care provider partners and most importantly for people who use services and their carers and families. This has been, and will remain, an important part of the work of the SDS team – to provide guidance and training for all stakeholders.
- 3.2 The PDM has established robust project management processes to ensure that all aspects of implementation are well planned and governed. The SDS team report on a quarterly basis to the Project Board (Senior Managers and Service Managers)
- 3.3 Advice has been sought from Internal Audit and their feedback reflects a good level of confidence that all risks in relation to implementing SDS are being well managed, though it also acknowledges the level of work still required as we move forward.
- 3.4 As the Act begins to be implemented it is likely that policy issues will emerge which will require to be referred to members for consideration. An initial issue which has been identified is how service users contributions should be treated and section 4 sets out a proposal for net payments to service users.
- 3.5 While we have been able to prepare for many aspects of implementing SDS, the final statutory guidance from the Scottish Government was only issued in March 2014. This has meant that there were some aspects of implementation which we remained unsure of and have only had limited time to consider and respond to.

4 STATUTORY GUIDANCE AND SERVICE USER CONTRIBUTIONS

- 4.1 One aspect of the act which had remained unclear until the final guidance was issued relates to paying individuals Net of any service user contribution. What is now clarified is that each Local Authority has the power to decide whether to pay Gross or Net for services.
- 4.2 At present any person in receipt of a Direct Payment (Option 1 under the new Act) receives their full budget towards care costs and then an invoice is raised to that person for any contribution they have been assessed as requiring to pay. This therefore means additional time is required from the service user/their families and Council staff in order to administer both the outgoing and incoming payments.
- 4.3 If payments are made to people receiving Direct Payments Net of any contributions they are assessed as being required to make, then people using services will simply receive an appropriate payment from Falkirk Council with which they will be required to pay for their assessed and agreed care package. Any outstanding balance will be required to be paid directly from the individual to the organisation providing the care.

- 4.4 Where an individual has chosen to direct the spending of their individual budget (option 2) or where the Council arranges the care (option 3) then providers will continue to be paid Gross with a charge levied by the Council to the individual for their contribution.

5 NEXT STEPS

- 5.1 Social Work Services will be implementing this far reaching new legislation, effective from 1 April 2014 with the 4 options available to all people who are assessed as requiring ongoing care and support.

6 RECOMMENDATIONS

Members of the Executive Committee are asked to;

- 6.1 **note the progress made nationally and locally in moving towards self direction of care and support services;**
- 6.2 **approve the Net payment of care costs where a Direct Payment (Option 1) is chosen by a service user to provide for their care.**

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DIRECTOR OF SOCIAL WORK SERVICES

Date: 15 April 2014

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LIST OF BACKGROUND PAPERS

NIL