

Report To: Community Health & Care
Partnership Sub Committee

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Report No: CHCP/13/2014/HW

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Subject: SELF DIRECTED SUPPORT IMPLEMENTATION UPDATE

1.0 PURPOSE

- 1.1 To update Inverclyde Community Health & Care Partnership Sub Committee on the status of implementation of the Self Directed Support Act published in January 2013.
- 1.2 To update Inverclyde Community Health & Care Partnership Sub Committee on the preparations locally to meet the duties under the Act.

2.0 SUMMARY

- 2.1 The final Self Directed Support Regulations will be introduced to Parliament in January and are due to come into force on 1st April 2014
- 2.2 Statutory Guidance to run alongside the Regulations is due to be issued by the Scottish Government in January 2014.
- 2.3 There will be a number of Practice Guides with guides for practitioners, SDS users and carers to be launched in April 2014 and in addition various training opportunities from the Scottish Government and Association of Directors of Social Work are in place from January 2014 onwards.
- 2.4 The established Inverclyde CHCP SDS Steering Group continues to meet to oversee the implementation locally with the work streams expanded as required to continue to work towards the implementation date of April 2014.
- 2.5 From 1st April 2014 the choice from the four options will be given to all who have a new assessment of care needs undertaken.

3.0 RECOMMENDATIONS

- 3.1 To note the work being undertaken at national level.
- 3.2 To note the work being undertaken by Inverclyde CHCP.

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4.0 BACKGROUND

- 4.1 The Scottish Government published a 10 year strategy (Self – directed support: A National Strategy for Scotland) in 2010 which was developed to take forward the personalisation of health and social care services in Scotland.

The Self Directed Support (Scotland) Bill was part of this strategy with a major emphasis on giving the supported person choice and control through a shift to outcome focused assessment, identifying an individual's budget and individual commissioning.

- 4.2 The Self Directed Support (Scotland) Bill received royal assent in January 2013 and will be enacted on 1st April 2014. The Act retains the principles of choice and control and adds options for support. Section 1 of the Act places a duty on local authorities to have regard to certain principles in carrying out it's functions under the Act. These principles apply to an authority's social welfare responsibilities (the provision of care and support) to both adults and children. These principles are related to involvement, informed choice and collaboration.

The Act requires authorities to provide information and assistance to individuals in order that they can make an informed choice about the options available. It provides a discretionary power to authorities in order that they can provide support to carers following a carer's assessment. It also repeals and reframes current provisions relating to direct payments.

The Act places a duty on local authorities to offer four options to individuals they assess as needing care and support under:

- Section 12A of the Social Work (Scotland) Act 1968
- Section 3 of this Act (support for adult carers)
- Section 24 of the Children (Scotland) Act 1995

The options are

Option 1. The local authority makes a direct payment to the supported person to allow them to organise and purchase their own support.

Option 2. The supported person decides who they wish to provide their support; the local authority makes the arrangements and pays for the support on their behalf

Option 3. The supported person decides to let the local authority select the appropriate support and arrange and pay for it on their behalf.

Option 4. The supported person can choose a mix of options 1, 2, and 3 to suit their individual needs.

Self Directed Support does not stand alone, it is not an add on nor does it run alongside but it has to be imbedded in all future delivery. What it will do is reinforce and build on current good practice.

4.3 Current Position on Implementation

National Level

The Scottish Government has stated that it remains committed to 1st April 2014 as the implementation date. From that date, following an assessment, if the local authority decides that the person's needs call for the provision of community care services then the supported person must be given the opportunity to choose one of the options for self directed support.

The choice of options apply to three groups of supported people: adults assessed as requiring support under section 12A of the 1968 Act; adult carers; and children (and/or their families) receiving support under section 22 of the 1995 Act (which includes children who are carers).

Following the consultation the Scottish Government will issue statutory guidance to local authorities which we hope to receive in January 2014. In conjunction with ADSW and other partners the Scottish Government are working on a series of guidance / best practice guides for specific groups which include practitioners, users and carers, however the complete set of guidance may not be launched until April 2014. It is intended that from January 2014 onwards there will be a series of training events at national and regional level in which relevant staff from CHCP will participate and bring back learning to Inverclyde.

Audit Scotland intends to carry out an audit of SDS and have asked all local authorities for their plans for the implementation of SDS. They have requested all relevant strategies, plans, reports, committee papers that contain plans for elements of SDS, even if SDS is not the main focus. They intend to select four councils to use as case studies. Although recognising that full implementation is expected to take a number of years, the audit is "intended to provide a timely assessment to support continuing improvement by identifying risks and good practice".

4.4 Local Implementation

The CHCP has established a steering group which is chaired by the CHCP Director and consists of representatives from a range of CHCP service areas and the voluntary sector. The steering group continues to meet, working steadily towards the implementation date.

There are a number of key workstreams identified to progress different aspects of self directed support as required for implementation.

- **Finance workstream** - developing a system to allocate funding to individuals which ensures equality, fairness and is transparent and which can meet the assessed needs of an individual's support plan.
- **Assessment, Policy and Procedure workstream** - developing an assessment tool which captures the information needed for the resource allocation as well as the associated policies and procedures. The group will continue to work towards finalising assessment paperwork and incorporating financial assessments and eligibility into the process. They will also look at the process for the allocation of an individual's budget. This group will also consider how the assessor's guidance to be issued by the Scottish Government can be incorporated into Inverclyde CHCP's policy and procedures.
- **Learning and Development workstream** - delivering outcome focused training to team leaders and staff who carry out assessments. There are plans to offer training on support planning in conjunction with an external group. Team briefings currently being organised in the lead up to April 2014. This group will also be ensuring that we use the opportunity to partake in the training provided through the Scottish Government and partner agencies.
- **Reporting and Infrastructure workstream** - developing the monitoring of packages ensuring that information required for all returns can be quickly accessed. The group have attended various presentations on how Swift can be updated and used to support SDS. The group will be considering whether it has the future potential that may be needed to adapt to changes in work practice as technology becomes more important for fieldwork staff.
- **Communication, Partners and Providers workstream** - currently operating on three levels:

Communications:

The group have issued an initial briefing note to all staff with plans to follow this up and are now developing a series of leaflets ranging from basic first information to more in depth information as the supported person makes their choices about delivery of their care. They are also working in conjunction with corporate communications on having SDS as part of information available on the web page.

Providers:

There have been meetings with providers as part of ensuring that they are able to deliver on the personalisation agenda. There is a provider's forum planned for the end of February 2014. Work is being undertaken to devise the necessary procedures with providers when an individual chooses option 2 for delivery of their care.

Partners:

We continue to work alongside the voluntary sector and in particular have strong links with Directions which is a project funded by the Scottish government through Circles Advocacy Network, Inverclyde Carers' Centre and Inverclyde Council on Disability. We will continue to support them to make contact with potential recipients of SDS to ensure that those who wish external support and advice have access to it and one area that they hope to be able to offer soon is peer support. The SDS lead officer and Circles worker are taking part in an event for carers organised by Inverclyde Carers Centre which will help us promote access to SDS and address any anxieties or gaps in understanding that carers may have in relation to SDS.

We continue to be supported by In Control Scotland who facilitated the children's pilot which was undertaken over the summer holiday period and will be working with learning and development to deliver training on support planning which will involve care managers and families working together to devise a support plan for their child.

Work continues with SPAEN (Scottish Personal Assistants Network) who give advice, assistance and support to direct payment recipients who employ their own carers. The employment handbook will be updated to include the four options as well as any employment law updates.

5. CURRENT SDS PILOTS

Children's Pilot

- 5.1 Over the summer holiday period a pilot project was facilitated by In Control Scotland working in partnership with the children and disabilities team and families. The families who took part were given advice and support to take an outcome focused approach and look at alternatives over this period. They were given a budget of £200 per child with the proviso that it could not be used to increase the current level of support. At a feedback day the evaluation was very positive about what they had managed to purchase with the funding and what difference it had made to the families as a whole during the holiday period. This initiative will be repeated during the Easter 2014 break.

Learning Disability

- 5.2 There will be a desktop exercise undertaken with learning disability clients to test and compare the system of budget allocation in preparation for 1st April 2014 which will help inform the work of the Finance and Assessment Workstreams. This will be a comparison check to ensure budget allocations remain consistent.

6.0 IMPLICATIONS

Legal

- 6.1 Work will continue with Legal Services regarding the various contracts that will need to be in place.

Finance

- 6.2 The Scottish Government provided a four year funding stream for the set up and

implementation of Self Direct Support:

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
Self Directed Support Earmarked Reserve	Various	11/12 12/13 13/14 14/15	£35,000 £151,120 £211,680 £125,240	N/A	To fund staffing and workstream costs

The recurring client support costs will be met from existing client budgets.

Human Resources

6.3 Nil at this time.

Equalities

6.4 Nil at this time.

Repopulation

6.5 Nil at this time.

7.0 CONSULTATIONS



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8.0 LIST OF BACKGROUND PAPERS

8.1 <http://www.selfdirectedsupportscotland.org.uk/sds-act>