

**Adults, Wellbeing and Health  
Overview and Scrutiny Committee**

**20th December 2010**



**Putting People First /  
Transforming Social Care:**

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**Report of Nick Whitton , Head of Commissioning,  
Adults , Wellbeing and Health**

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**Purpose of the Report**

The purpose of this report is to provide an update to Scrutiny Committee members, regarding the personalisation of services for people who use adult social care services.

**Background**

- 1 The publication of the Putting People First concordat document in December 2007, jointly committed all signatories to a radical transformation of adult care. This transformation was aimed at improving choice and control for service users in adult care.
  
- 2 This policy has been continued by the coalition government which included the extension of choice and control as part of its key social care proposals. In November 2010, " A Vision for Adult Social Care " was issued which re-enforced the following :-
  - a) An increasing role for personal budgets in social care in the future, with personalisation at the heart of the service delivery and Direct Payments as the preferred option for personal budgets.
  - b) A greater emphasis on the need for high quality advice and information to be available to promote choice to all people,
  - c) An enhanced leadership role for Councils in health improvement and the prevention agenda
  - d) Additional work is to be carried out on delivering quality and outcomes in adult social care.
  - e) A renewed emphasis on support for and the development of the voluntary sector and small providers.
  - f) A review of the law surrounding adult care in mid 2011

- 3 Last month, a joint concordat was issued by the Department of Health, the Association of Directors of Adult Social Services (ADASS), and many others to update the previous Putting People First document.

“Think Local , Act Personal” is a proposed sector wide partnership agreement which complements the coalition government agenda and underlines the links between the extension of personalisation and the increased importance of community based support.

### **Key Aspects of the Transformation to date**

4. In order to support the process of change, in 2008, ADASS and the Local Government Association worked in partnership with the Department of Health and other key stakeholders such as CQC to establish a set of 5 key priorities against which progress will be measured in this phase of transformation.
  - a. That the transformation of adult social care has been developed in partnership with existing service users (both public and private), their carers and other citizens who are interested in these services.
  - b. That a process is in place to ensure that all those eligible for council funded adult social care support will receive a personal budget via a suitable assessment process.
  - c. That there is investment in cost effective preventative interventions, which reduce the demand for social care and health services.
  - d. That citizens have access to information and advice regarding how to identify and access options available in their communities to meet their care and support needs.
  - e. That service users are experiencing a broadening of choice and improvement in quality of care and support service available.

### **5. Key milestones**

The above ADASS / DH guidance from October 2009 sets various milestones to be reached prior to April 2011. Set out below is a summary of actions which have or will be taken in order to achieve the milestone.

#### **a. Change to Personal Budgets**

All services purchased with public funds through social care must be safe, legal and meet the outcomes of the agreed care plan. In Durham, from 6th April 2010, people whose condition is sufficiently stable for them to manage, have had 3 choices as to the route by which their care needs are met.

Each route offers different degrees of choice and control.

- Direct Payments – The service user chooses to control the money and manage contracts for services, which provides maximum control for the service user and greater responsibility to choose carefully.

- Virtual Budgets – The service user participates in choosing and arranging services. In this case they exercise influence over the service provision but within an agreed framework and take some responsibility for their choices.
- Current Service Model – The service user chooses to have their services arranged for them by social work staff.

This offer is also being made to all current service users as they have their care packages reviewed. All service users receive an annual review of their care package.

#### **b. Preventative Services.**

There is increasing recognition that in the current financial climate, opportunities to fund and promote preventative services through social care are reducing.

However, within the Council's framework for preventative services there is the recognition that prevention can include wider community resources and that low cost services such as advice, information and guidance, support to carers and support to community groups, can help people to maintain their independence and wellbeing in the community, and delay them needing to access social care services.

Increasingly, a minority of these services will be supplied through social care, with services such as luncheon clubs, befriending, healthy living advice, employment advice, leisure services, housing services and transport being provided via other universal services provided by the council and by health.

#### **c. Involving Service users and carers**

In Durham, from 6th April 2010, people requesting access to social care services have had the opportunity to be part of a new kind of social care assessment.

Service users, and potential service users, now have a greater say in their care assessment and they are encouraged and supported to provide their own views of their needs and how best they could be met, before the social work staff visit them.

This has required a major change to professional practice and the related IT infrastructure and at 1<sup>st</sup> October 2010 there have been over 2500 assessments carried out in this way.

A marketing and communications plan is in place and is being used to promote the new opportunities for service users and existing networks are also being used to inform service users about the new processes and presentations have been made to all of these user groups e.g. Older Peoples' Partnership Board, Learning Disability Parliament, Carers groups

The Local Involvement Network (LINK) - an independent network of local people and groups set up by the Government in April 2008 to give local people a stronger voice in how their health and social care services are delivered. - have also made Personalisation one of their key work priorities in this year and meetings have taken place to keep them involved and informed in the developments.

#### **d. Extending access to information, advice and guidance**

The Council's corporate website has developed the "My Durham" function since the Unitary Council was formed and it is logical to extend this to include services paid for by the public purse as well as those directly provided.

This will provide direct access to advice for those with access to the website and will also collate a directory of services to allow other organisations involved in the provision of information, advice and guidance to provide more comprehensive services more quickly. For example, this database will be available to all council customer access points and libraries, as well as and other organisations, such as Age Concern, Citizens Advice Bureaux etc..

#### **e. Provision of choice in services**

Commissioning staff have been working with providers to prepare the market for these anticipated changes for some months now. Attendance at monthly Provider forums and meetings with individual organisations have helped to prepare them for the potentially different demands that service users may place on them as the ability to exercise more choice and control is expressed.

Other methods of promoting Personalisation with service providers include:-

(i) Encouraging innovation by inviting bids from providers in County Durham for projects which would advance the merits of Personalisation and provide learning to be shared by others at a later date.

(ii) A large scale provider event was held in County Hall to discuss the background to Personalisation and the challenges that this presents. 95 people attended this event and in response to demand a website page is now available on Personalisation for providers which is updated monthly. The launch of an awards scheme for Personalisation was launched, with a view to capturing and publicising best practice in the areas of community and domestic settings, residential care and specifically in the area of food and nutrition.

(iii) In November 2010, a list of the menu of services able to be purchased to meet social care outcomes was collated and published for the first time. This list will expand in the next 12 months and will be available to all staff, carers and service users, including those people who wish to fund their own wellbeing, to assist them with information on what is available and what it is possible to do in their area.

## **6. Changes in the care assessment process and resource allocation.**

Since 6<sup>th</sup> April 2010, a new style of assessment process has been in place for people wishing to access social care services and funding.

Driven by the Personalisation agenda and the need to be able to demonstrate an equitable approach across all client groups, a single assessment process has been in place for people not in crisis, driven by a self directed support questionnaire, which allows the Council to measure relative needs between client groups.

This has also enabled the development of the new Resource Allocation System – a consistent way of calculating a baseline financial allocation for each person – to be introduced for new service users from 1<sup>st</sup> November 2010 and on review from April 2011.

## **7. Charging for Services**

The power to charge for non-residential social care services is provided within legislation and statutory guidance. To support the move towards Personalisation further Statutory Guidance, “Fairer Contributions Guidance: calculating an individual’s contribution to their personal budget”, was issued in July 2009. This supplements the original Fairer Charging Guidance and sets out how a person’s contribution towards their personal budget should be calculated. The guidance requires that where local authorities apply charges their charging policies are fair and reasonable and consistently applied.

The Council’s charging and contributions policy was updated in April 2010 to reflect the new Fairer Contributions guidance and this has been applied to all service users who have received a personal budget since April 2010.

Under both the original and revised charging and contributions guidance the key principle that service users will pay no more than they can reasonably afford to, is still in place. A financial assessment of all service users is undertaken before any contributions to service costs is payable. The Council has also set a maximum contribution than any individual service user can make regardless of the level of service received. This is currently set at £316.32.

The current policy, although generally meeting the principles of the Fairer Charging and contributions guidance, includes some inconsistent treatment of charging for different services.

The cost of the majority of adult care services are currently included at full or market rate for the purposes of assessing a service users contribution and need no further consideration. For people currently receiving day care however no costs are included at all is for the service, and a flat rate subsidised charge is made for transport provision.

The introduction of a Fairer Contributions Policy is one of the key elements to the successful implementation of Personal Budgets. To achieve this there clearly needs to be a single and equitable approach to the way that contributions are assessed for non-residential services. The new Fairer Contributions guidance makes it clear that Councils should consider carefully the full implications of their charging policies.

It is essential therefore that a fair, equitable and consistent charging and contributions policy is applied to all service users. This will allow service users to fully and freely exercise the choice afforded to them by personal budgets.

As part of the 2011 – 15 Medium Term Financial Plan report on 2nd November, Cabinet agreed to undertake a consultation exercise on the introduction of charges for day care.

The consultation started on Monday 22nd November, 2010 and will close on Friday 11th February 2011, with the results being presented to the 13<sup>th</sup> April 2011 Cabinet meeting for consideration.

## **8. Recommendations and Reasons**

Members are requested to note the report for information.

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## **Appendix 1: Implications**

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### **Finance -**

The current DH milestone which requires the Council to make cashable savings through investment in the prevention agenda is unlikely to be met in the current climate and this has been communicated to them.

The proposed changes to the charging policy will generate some additional income through the need to treat all types of service provision chosen in an equitable manner.

It is not proposed to increase the maximum contribution that a service user can be required to make for community based services.

### **Staffing -**

The future service delivery workforce, both in-house and independent sector, will have to change radically to meet the challenges. The workforce strategy has been developed to reflect these challenges.

### **Equality and Diversity -**

Personalised services will offer the opportunity for greater independence, choice and control for all service users and carers.

The transformation of social care services is expected to address inequality in service delivery. Changes to the charging and contribution policies and the creation of the Resource Allocation Systems will ensure fairness and equity, to both service users and providers.

Such a transformation also assists with the requirements of the Equalities Act introduced from 1st October 2010.

### **Accommodation –**

None

### **Crime and Disorder –**

Not Applicable

### **Human Rights –**

Organisations will be expected to put citizens at the heart of a reformed system. Universal information, advice and guidance will be increased for people needing services and their carers, irrespective of their eligibility for public funding, and this will be extended in the coming year.

### **Consultation –**

This agenda has been proposed by the Government partly due to the demands nationally of service users to have outcome based services which better match their needs and aspirations.

A 3 month public consultation on the charging and contribution proposal commenced on 22<sup>nd</sup> November 2010 following the decision earlier that month by Cabinet.

A further report including the results of the consultation will be brought to Cabinet for consideration in April 2011.

### **Procurement –**

The Council will still contract with key providers of services for commissioned services, and holders of personal budgets may choose to access these services or procure their own using the Direct Payment provisions.

### **Disability Discrimination Act –**

By using a common Resource Allocation System to establish base budgets for all client groups, and involving them in the process, the new system will ensure compliance.

Appropriate support is available for those people who have difficulty taking a full part in the self directed support process

It is important to note that all care packages must continue to meet the assessed and eligible needs of the individual and therefore financial support may vary from the initial base budget.

### **Legal Implications –**

There are no legal barriers to the Council's decision to vary its own charging policy



## **Appendix 2**

### **Background Papers**

A Vision for Adult Care – Department of Health – November 2010

Think Local , Act Personal – ADASS and others – November 2010

Putting People First concordat – November 2007

Putting People First – Working to Make it Happen: Adult Social Care Workforce Strategy – Interim Statement’. Department of Health, July 2008

‘Transforming Social Care’, Local Authority Circular, Department of Health, 17<sup>th</sup> January 2008 (LAC, DH, 2008, 1).

‘Transforming Social Care’, Local Authority Circular, Department of Health, 5<sup>th</sup> March 2009 (LAC, DH, 2009, 1).

DH / ADASS circular – Progress Measures for the Delivery of Transforming Adult Care services - September 2009

Fairer Charging Policies for Home Care and other non-residential social services”, Department of Health, September 2003.

Fairer Contributions Guidance: calculating an individual’s contribution to their personal budget, Department of Health, July 2009.