

**IMPLEMENTATION OF THE SOCIAL CARE
(SELF-DIRECTED SUPPORT) (SCOTLAND) ACT 2013**

1 SUMMARY

- 1.1 The purpose of this report is to update Committee about progress in terms of implementing the Social Care (Self-directed Support) (Scotland) Act 2013.
- 1.2 This report will highlight some good practice examples and particularly focuses on developments in commissioning arrangements in line with the legislation.

2 OFFICER RECOMMENDATION(S)

The Health & Social Care Committee agrees to:

- 2.1 note progress on implementation of the Social Care (Self-Directed Support) (Scotland) Act 2013 and provide comment and challenge as appropriate; and
- 2.2 the progression of an open framework agreement with providers of social care services; the first stage of this will be for services and supports in respect of children and adults with learning disabilities and mental health.

3 CONSIDERATIONS

- 3.1 Reports presented to the Social Care and Health Committee in May and August 2014 provided information about the new duties of the Local Authority and highlighted the challenges and opportunities associated with implementation. Revised eligibility criteria were agreed, information was provided about learning and development activities to support delivery, and some of the potential implications of implementation were noted by Committee.

- 3.2 In keeping with promoting inclusion, individual contribution and empowerment through choice and respect, Social Services are offering the full range of options under Self-directed Support alongside the assessment of priorities and risks in line with the agreed eligibility criteria. Outcomes based documentation and guidance is in place across adults' and children's services to support assessors and is subject to ongoing development, drawing on best practice across other local authorities.
- 3.3 The main resources that the assessor and the individual draw on in the assessment process, are:
- 3.3.1 The person's attributes, assets and interest (skills, knowledge, awareness, background, resilience, decision-making skills, activity levels);
 - 3.3.2 The person's extended family, close friends, work colleagues and community;
 - 3.3.3 The assessor's knowledge, expertise, background and contacts;
 - 3.3.4 The local resources, shops, health and education services, community facilities (e.g. libraries, lunch clubs, sports centres, third sector services and supports);
 - 3.3.5 Any other sources of information, advice and support available to the supported person.
- 3.4 Self-directed support has been used in imaginative ways across the Service to enable individuals and their families to exercise greater choice and control over the ways in which they receive support.
- 3.4.1 For example, a young person with learning disability and his family have used a direct payment to make their own arrangements for a carer to provide overnight care and support. Rather than using a residential respite facility, the individual and a friend have worked together to use their allocated budget to purchase support to participate in activities on a monthly basis. The family have provided feedback that this has helped them to continue to provide a substantial amount of care and support themselves and has given them all greater choice and control about who is providing care within their own home or other venues and at what times. The young people are enjoying a wider range of activities and are developing wider friendship networks.
 - 3.4.2 Another example relates to an individual with a physical disability where a direct payment was used to provide part funding towards a preferred piece of specialist equipment in conjunction with NHS Forth Valley, taking into account the needs and preferences of wider family members.
 - 3.4.3 Developing joint arrangements with the NHS for commissioning services and supports will be increasingly important in the context of Social Care and Health Integration.

- 3.5 There is a continued focus on improving ease of access to informal and community based supports with the aim of maximising a preventative approach and reducing dependency on formal services. This aspect is a key component of redesign and is aligned to commissioning arrangements. The shift to outcomes based commissioning is fundamental to support the delivery of Self-directed Support.
- 3.6 The shift to Self-directed Support requires strategic commissioning based on outcomes for individuals, and ensures diversity of support provision at a reasonable cost. Following the review of all Social Services commissioned third sector provision across Stirling Council area, outcomes focused contracts have been established with links to the national and local outcomes and a requirement for providers to report on the delivery of outcomes for those who use their service. Many of these providers focus on the delivery of early intervention and prevention.
- 3.7 Questforth website (<http://questforth.com>) has been developed by Social Services in partnership with all our provider organisations and in consultation with local service users and carers. This provides members of the public and staff members with a source of information about all Social Services commissioned services. The information will be updated by provider organisations with appropriate verification processes. The website will be enhanced over the course of 2015/16 and information about quality and outcomes will be incorporated to more fully assist people as they consider their support options.
- 3.8 The Service proposes to develop an open Commissioning Framework to enhance the range of current providers available and the range of choice for individuals. The Framework will set out the broad terms (price and quality) under which individual contracts can be made throughout the period of the agreement. Providers can apply to join the Framework at any point in its lifespan. This will support innovation, enabling the identification of gaps in the social care market during the life-cycle of the Framework and will create opportunities for smaller (and potentially more specialist) providers.
- 3.9 The Framework will initially focus on adult learning disability and mental health services and children's services taking into account timescales for the review of existing arrangements. The plan is that this will extend to cover all forms of provision. The Framework will require providers to identify how they will meet the individual outcomes for each person requiring support.
- 3.10 Progress has been made in planning the framework and it is planned that consultation will take place with service providers in May 2015, before undertaking the tendering process over the Summer of 2015. It is envisaged that the framework will be operational from April 2016. As the Framework process progresses the Service will bring back a more detailed report.
- 3.11 The Service recognise that the proportion of the overall Social Services budget allocated directly to individuals to commission their care or support remains at a relatively low level within the Stirling Council area. Performance measures are in place to monitor the take-up of the different options and identify areas for further development. For example additional awareness raising events are planned with service users and carers alongside the introduction of the proposed Framework.

4 POLICY/RESOURCE IMPLICATIONS AND CONSULTATIONS

Policy Implications	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	No
Serving Stirling	Yes
Single Outcome Agreement	Yes
Diversity (age, disability, gender, race, religion, sexual orientation)	Yes
Sustainability (community, economic, environmental)	No
Effect on Council's green house gas emissions	No Effect
Strategic/Service Plan	No
Existing Policy or Strategy	No
Risk	No
Resource Implications	
Financial	Yes
People	No
Land and Property or IT Systems	No
Consultations	
Internal or External Consultations	Yes

Equality Impact Assessment

- 4.1 The contents of this report were considered under the Council's Equality Impact Assessment process and the Equality Impact Assessment undertaken has determined that this will have a positive effect for Protective Characteristic Groups. This was presented to Committee in May 2013 with the previous report.

Strategic Environmental Assessment

- 4.2 This report does not relate to a Plan, Policy, Programme or Strategy therefore Strategic Environmental Assessment does not apply

Serving Stirling

- 4.3 The proposals set out in this report are consistent with the following key priorities:-
- Increased focus on early intervention to help families in need.
 - Improving care for our vulnerable people at home.
 - Examining and delivering on more opportunities for improved models of service delivery

Single Outcome Agreement

- 4.4 The proposals set out in this report support the following outcomes in the Single Outcome Agreement:

- Improved support for disadvantaged and vulnerable families and individuals
- Communities are well served, better connected and safe.

Other Policy Implications

4.5 None

Resource Implications

4.6 None

Consultations

4.7 There is ongoing engagement and consultation to support both implementation and embedding this key piece of legislation into practice as part of delivering services.

	Tick (✓) to confirm and add relevant initials
The appropriate Convener(s), Vice Convener(s), Portfolio Holder and Depute Portfolio Holder have been consulted on this report	
The Chief Executive or Director has been consulted on this report as appropriate	

5 BACKGROUND PAPERS

5.1 None

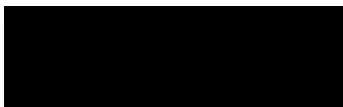
6 APPENDICES

6.1 Appendix 1 – EqIA Relevance Assessment Form

Author(s)

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Approved by

Name	Designation	Signature
Val de Souza	Head of Social Services	

Date 17.04.2015

Service
Reference

Stirling Council: EqIA Relevance Check (June 2014)

Completing this form will help you determine whether or not an equality impact assessment is required and provide a record of your decision. This is a screening process to help you decide if the proposal under consideration requires an EqIA - **it is not an EqIA and the impact of the proposal will be determined by the EqIA itself.**

The Guidance: **Equality Impact Assessment Toolkit June 2014** may help when completing this form this can be accessed via the following link - http://web.stirling.gov.uk/eqia_toolkit.doc

The term **proposal** used below is intended to include “policy, strategy, service, function, procedure or project.”

When is an EqIA required?

While each proposal must be considered individually, it is anticipated that an EqIA will always be required when:

- introducing a new policy/strategy/service/function
- reviewing a current policy/strategy/service/function
- reducing / discontinuing an existing service
- considering budget proposals resulting in any of the above

Reports on technical or procedural matters or which confirm progress on previously considered proposals, may be less likely to require an EqIA but this can only be determined by using this form.

SUMMARY DETAILS

1. Title of Proposal: Service PBB Ref (if applicable)

		Not applicable
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2. Service, and Lead Officer (Head of Service/ Service Manager) undertaking assessment

Service	Lead Officer
Social Services	Phil Cummins, Service Manager

3. What is the nature of the proposal? (Tick/complete all that apply)

Review of an existing policy/strategy		Review of an existing service/function	
Reduction in an existing service / function		Removal of an existing service	
Introduction of a new policy/ strategy		Introduction of new service/function	
Other e.g. technical, progress, procedural report	X		
PBB category e.g. transformational change			

4. For proposals with implications for budgets complete the following: **Not Applicable**

		(£ 000s)
Current expenditure on activity	In Council area as a whole	
	In/for specific community/ies	
Total anticipated savings or proposed increased spend	In/for Council area as a whole	
	In/ for specific community/ies	
Delivery Timescale and Phasing	Start date for savings/increased spend	
	End Date for savings/increased spend	
	Savings/increased spend Year 1	
	Savings/increased spend Year 2	
	Savings/increased spend Year 3	
	Savings/increased spend Year 4	
	Savings/increased spend Year 5	

AIMS & OBJECTIVES

Answering questions 5 - 7 will help you decide whether or not your proposal needs to be accompanied by an EqIA.

5. What longer term outcomes is the proposal expected to achieve?

The Self-directed Support initiative is designed to provide a framework to change the way services are organised and delivered so that they are shaped more around the individual, better meeting the outcomes they identify as important.

6. What are the main aims of this proposal? If this proposal revises an existing policy have its aims changed?

As noted in previous EqIA

7. Who is most likely to be affected by this proposal? Consider current and potential future service users including people with particular needs, specific geographical communities and current and prospective employees.

As noted in previous EqIA

POTENTIAL IMPACT

Answering Questions 8 -12 will help you consider the potential impact of the proposal.

8. What potential impact will this proposal have on people in terms of the needs of the public sector equality duty and the Council's responsibilities to:-

- **eliminate discrimination, harassment and victimisation**
- **advance equality of opportunity**
- **foster good relations - including the need to tackle prejudice and promote understanding**
- See guidance for additional information.

Detailed in existing EQIA

9. Will this proposal have a potential impact on people with “protected characteristics”^{**}? Please consider all protected groups listed below. A detailed explanation of these is provided in the guidance.

Group	Impact Yes/No/Unclear	Group	Impact Yes/No/Unclear	Group	Impact Yes/No/Unclear
Age	Yes	Disability	Yes	Gender Reassignment	Unclear
Marriage and Civil Partnership	Unclear	Pregnancy and Maternity	Unclear	Race	Yes
Religion and Belief	Unclear	Sex	Unclear	Sexual Orientation	Unclear

10. Will this proposal have an impact on communities, household groups or individuals with a higher risk of experiencing poverty? Please answer **Yes/No/Unclear**. Information on communities, households and individuals with a higher risk of experiencing poverty is provided in the guidance.

Yes, as detailed in existing EQIA

11. Do you already have any evidence that has influenced or shaped this proposal in relation to people in protected characteristic groups or communities, groups or individuals vulnerable to poverty? If so please summarise what this evidence includes.

Yes. Evidence of wider choice available under the Options contained in the legislation and through the proposed Framework.

DECISION

12. Based on your responses and any evidence you already have, is an EqIA required for this proposal? In making your decision please note:

- if answering **Yes** to any part of either questions 9 or 10 an EqIA is required
- if answering **Unclear** to any part of questions 9 or 10 you are strongly advised to do an EqIA to allow you to comprehensively assess the impact of the proposal
- if answering **No** to any part of questions 9 or 10 please justify your response and why you consider an EqIA is not required for this proposal in the box below

EQIA completed and accompanied previous committee report - no changes evidenced

13. Who was involved in making this decision?

**Val de Souza, Head of Social Services
Phillip Gillespie, Assistant HOS (Adult Care)
Liam Purdie, Assistant HOS (Child Care)
Phil Cummins, Service Manager, Adult Care
Sandy Sneddon, Child Care
Chris Sutton, Service Manager, Strategy**

Authorisation by Lead Officer (Head of Service / Service Manager)

This decision has been approved by (Director/Head of Service/ Senior Manager – delete as appropriate)

Name Val de Souza
Title Head of Social Services
Date 31/03/2015