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**Report to** Housing, Health & Care Committee

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**Date of Meeting:** 4<sup>th</sup> June 2015

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**Subject:** Implementation of the Social Care (Self-directed Support) (Scotland) Act 2013

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**Report by:** Head of Social Services

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### **1.0 Purpose**

- 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.

### **2.0 Recommendations**

The Housing, Health & Care Committee:

- 2.1 Notes the progress on implementation of the Social Care (Self-Directed Support) (Scotland) Act 2013 and provide comment and challenge as appropriate; and
- 2.2 Approves 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.

### **3.0 Considerations**

- 3.1 Reports presented to the Housing, Health and Care 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. All

individuals subject to assessment and review are offered the range of options under Self-directed Support in line with the eligibility criteria agreed by Committee in August 2014.

- 3.3 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.
- 3.4 The main resources that the assessor and the individual draw on in the assessment process, are:
  - 3.4.1 The person's attributes, assets and interest (skills, knowledge, awareness, background, resilience, decision-making skills, activity levels);
  - 3.4.2 The person's extended family, close friends, work colleagues and community;
  - 3.4.3 The assessor's knowledge, expertise, background and contacts;
  - 3.4.4 The local resources, shops, health and education services, community facilities (e.g. libraries, lunch clubs, sports centres, third sector services and supports);
  - 3.4.5 Any other sources of information, advice and support available to the supported person.
- 3.5 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.
  - 3.5.1 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.
  - 3.5.2 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.
- 3.6 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.
- 3.7 Developing joint arrangements with the NHS for commissioning services and supports will be increasingly important in the context of Social Care and Health Integration.

- 3.8 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 the 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.
- 3.9 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. The cost for the name of the website was £58. The website provides members of the public and staff members with a source of information about all Social Services commissioned services and supports. The website will be maintained by Stirling Council Social Services Web Page Manager with assistance from the Stirling Council web team. The information will be updated by provider organisations with appropriate verification processes. The website will be enhanced over the course of 2015/16 in partnership with all relevant stakeholders. Information about quality and outcomes will be incorporated to more fully assist people as they consider their support options.
- 3.10 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.
- 3.11 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.
- 3.12 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.
- 3.13 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 Council area. The Local Government Benchmarking Framework data for 2013-2014 places Clackmannanshire as 31 out of 32 Local Authorities with 1.0 % of the expenditure on adult social work services allocated directly as an individual budget. The Scottish average for 2014-2014 is 1.6 %, although but this is significantly affected by the figures for Glasgow City Council that exceed 30%.
- 3.14 Performance measures are now in place to monitor the take-up of the different options, with a view to accelerating the numbers of individuals receiving a direct payment or directing the use of an individual budget under Option 2. Additional awareness raising events are planned with service users

and carers alongside the introduction of the proposed Framework. Following enactment of the legislation approximately 4% of eligible supported persons chose the option of a direct payment following assessment. An additional 4 % of those eligible selected Option 2 where the funds are administered by a third party and the individual determines the care and support arrangements. It is important to note that this does not include all those in receipt of social services care and support. These levels of uptake have not been sustained. Further work is needed to analyse the trends in use of the Options, the associated costings and to understand and address any barriers to effective delivery.

- 3.15 The Service continues to monitor the financial implications of the introduction of the Social Care (Self-directed Support) Scotland Act 2013. At this stage, there has not been significant financial pressures explicitly associated with implementation. It is however important to note that take-up remains at a low level in the Clackmannanshire Council area.

#### **4.0 Sustainability Implications**

- 4.1 Self-directed Support is designed to provide a framework to change the way services are organised and delivered so that they are shaped more around the individual and their community, with reduced emphasis on the use of formal services, promoting more sustainable service models.

#### **5.0 Resource Implications**

##### *5.1. Financial Details*

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. No

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

- 5.4. *Staffing* - There are no staffing implications associated with this report.

#### **6.0 Exempt Reports**

- 6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

#### **7.0 Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box )

The area has a positive image and attracts people and businesses   
Our communities are more cohesive and inclusive   
People are better skilled, trained and ready for learning and employment

- Our communities are safer
- Vulnerable people and families are supported
- Substance misuse and its effects are reduced
- Health is improving and health inequalities are reducing
- The environment is protected and enhanced for all
- The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail)

**8.0 Equalities Impact**

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
 Yes  No

EQIA completed and accompanied previous committee report - no changes evidenced.

**9.0 Legality**

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None.

**11.0 Background Papers**


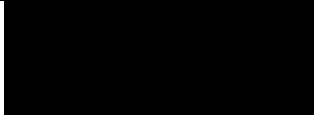
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)  
 Yes  (please list the documents below) No

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**Approved by**

NAME	DESIGNATION	SIGNATURE

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Elaine McPherson	Chief Executive	

**BEST VALUE & SUSTAINABILITY CHECKLIST**  
 (if you use this checklist to compile your report, you should note that  
 within the report and retain it as a background paper )

The following checklist sets out the likely impacts of this report's recommendations on the Council's sustainability objectives. Completion of the checklist is not required if your report is for information only but it should be used to help compile all other reports and the identified positive and negative impacts should be listed in the body of your report at Section 4.

	Positive	Negative	Not applicable
<b>Reduce Clackmannanshire's carbon footprint and improve energy conservation and efficiency throughout Clackmannanshire</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Improve Clackmannanshire's resilience to climate change</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Improve quality of life in Clackmannanshire</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reduce material consumption (ecological footprint)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reduce pollution</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Eradicate fuel poverty</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Achieve sustainable economic development</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Target skills &amp; training and reduce unemployment</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reduce social exclusion</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reduce health inequalities</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Regenerate Clackmannanshire's town centres</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Conserve Clackmannanshire's built heritage</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reduce Council's carbon footprint and improve energy conservation and efficiency throughout the Council</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Facilitate and encourage the sustainable design, construction and location of new development</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Minimise waste generation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Maximise recycling and composting</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Minimise litter</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reduce the environmental impact of travel</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Further the conservation of biodiversity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Encourage outdoor activity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Protect and maintain greenspace</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Fully consider the economic, social and environmental consequences of procurement decisions</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Effectively communicate the meaning and importance of sustainability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Encourage community participation in decision making</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>