

Direct Payment Support Schemes Network

The Case for Extending Direct Payments within a Welsh Model of Citizen Directed Support

March 2013

Introduction

This paper was drafted in response to the introduction of the Welsh Government's Social Services and Well-being Bill on 28 January 2013.

The Direct Payment Support Schemes Network (DPSSN) consists of organisations which provide third party support to recipients of Direct Payments in Wales. The Welsh Government's practice guidance recommends that all local authorities should have contracts with independent providers of Direct Payment support schemes. Despite this guidance, some local authorities provide this service in house.

Whilst pleased that the Welsh Government remain committed to promoting Direct Payments, the DPSSN is disappointed that the Social Services and Well-being Bill does not provide a vision for extending Direct Payments within a Welsh Model of Citizen Directed Support. This contrasts sharply with the Scottish Executive's Social Care (Self-directed Support) (Scotland) Bill, which received Royal Assent on 10 January 2013. [1]

The DPSSN ask the Welsh Government to consider broadening the scope of the Social Services and Well-being Bill to enable Direct Payments to be extended within a Welsh model of Citizen Directed Support.

The Direct Payment Approach

Direct Payments enable people to have greater choice and control of their own lives. They support people to identify what's important to them, what they want to achieve and what's needed to make that happen. They enable people to choose what, how and when support is provided, and by whom.

Direct Payments remove the restrictions which traditionally provided services impose on people. Whereas domiciliary care tends to limit people's options, Direct Payments aim to move people on in their lives and reduce dependence on state funding, ensuring effective use of resources.

Instead of being primarily concerned with basic *personal care* tasks, such as getting people out of bed in the morning, the Direct Payment approach focuses on what people get out of bed *for*, facilitating social and economic involvement through achieving *personal outcomes* such as getting to work.

This approach ensures that resources are used purposefully and effectively to address the barriers to inclusion in the community.

The underlying assumption is that individuals can be active contributors to their communities, not just passive recipients of services.

Direct Payments and Citizen Directed Support

Whilst Direct Payments work well as far as they go, Citizen Directed Support (CDS) envisages a more creative and flexible model which provides a more cost effective use of resources. Framing social services in terms of personal outcomes would bring greater flexibility in how resources are used and would be a step towards CDS.

CDS is envisaged as a set of nationally agreed values, principles and practices which support innovation, enhance well-being, enable Independent Living and support citizens to achieve their chosen goals and lifestyles by:

- putting citizens in control of all aspects of their support arrangements, to the extent that they are comfortable with, by providing a range of options for administering support packages, including Direct Payments and co-operative models;

- focusing on identifying and removing the barriers that prevent disabled and older citizens from actively participating in their communities; and

- supporting citizens to establish fulfilling relationships with everyone in their lives, and in particular ensuring that relationships with support

workers are empathic and appropriate.

Instead of professionals dictating service-led solutions, CDS views individuals as their own experts who know best what support they need. By focusing on outcomes from the individual's perspective - encouraging people to ask "how can I achieve my goals?" - CDS ensures the best use of available resources.

Within this model of CDS, the role of local authorities and social workers will shift from controlling and allocating limited resources to *identifying and removing barriers to Independent Living and social inclusion and enabling individuals to achieve their chosen outcomes.*

Direct Payments are an effective method of administering CDS.

Cost & quality

One of the main drivers for Direct Payments was the potential for savings, yet many local authorities have failed to capitalise on this.

Direct Payments are cost effective because administrative costs and profit margins are reduced, and people are encouraged to manage available funding and resources in the best way they can. Local authorities which actively promote the take up of Direct Payments recognise that unit costs are significantly lower than mainstream methods. For instance, "Most local authorities stated that their hourly direct payment rates were lower than the average costs of preferred independent sector domiciliary care providers, as well as lower than the costs of in-house domiciliary care." [2]

The focus on achieving personal outcomes through Direct Payments can result in a reduction in long term support, enabling strategic and sustainable use of resources. By committing a relatively small amount of funding to achieve specific outcomes, resources can be withdrawn in the short term, e.g. someone who obtains a driving license can overcome long term dependency on inadequate public transport, enabling them to work and be an active contributor to their community, reducing long-term dependence upon public resources.

Quality standards are assured by individuals themselves because they can monitor, manage and, if necessary, address quality issues by changing provider. This control of quality leads to greater customer

satisfaction.

People also feel safer if they have control over who provides support and when.

The ILF Model

There may be learning from the success of the Independent Living Fund (ILF), as evidenced by the 90% of service recipients and their families whose responses to the DWP's recent consultation on the future of the ILF supported retaining the Fund instead of abolishing it. [3]

Whereas the current system of social services requires Care Managers to act as gatekeepers to limited resources, the ILF focus on supporting individuals to achieve personal outcomes that support Independent Living and which enable them to be active participants in their communities.

This leads to a more person centred approach, with recipients and carers reporting higher levels of satisfaction with assessments carried out by ILF than by local authorities.

ILF also report that a light touch to monitoring has proved cost effective, resulting in just 2% administrative costs, rather than 13-20% for local authorities. [3]

It may be significant that ILF only provides funding, not services.

Obstacles to increasing take up

On 31 March 2012 there were 3,211 recipients of Direct Payments in Wales, up from 2,734 in March 2011. This represents less than 5% of the 64,912 people receiving community-based services. [4] [5]

Some local authorities are less proactive than others in promoting Direct Payments, being more concerned with individuals' *suitability* for a Direct Payment, instead of their *eligibility*. This restricts opportunities for individuals to move on in their lives and achieve their goals.

Although Direct Payments tend to be used as a means of employing PAs, regulations and guidance make it clear that Direct Payments can be used for any provision necessary to meet an assessed need. However, in

practice they are often used as a way of replacing services rather than promoting innovation.

Within the current system Care Managers are trained to think in terms of traditional service provision, rather than to be imaginative and creative. The system requires them to be more concerned with meeting assessed needs than with supporting individuals to achieve personal outcomes. Consequently, services focus on practical personal care tasks instead of identifying and removing the barriers that prevent people from being active participants in their community.

To transform social services it is necessary to change the culture and the ways that people think. We need to move beyond unimaginative needs-led assessments and service-led solutions to outcomes-focused assessments and more creative person-centred and citizen directed solutions.

Social Care (Self-directed Support) (Scotland) Act: A way forward for Wales?

In contrast with the Scottish Executive's Social Care (Self-Directed Support) Bill [6], which received Royal Assent in January 2013, the SSW Bill falls short in terms of advancing Direct Payments in Wales, where less than 5% of adult recipients of Social Services currently have a Direct Payment.

The Scottish Act introduces the language and terminology of self-directed support into statute and places a duty on local authorities to offer four options to individuals who are assessed as eligible for care and support:

Option 1 The making of a direct payment by the local authority to the supported person for the provision of support.

Option 2 The selection of support by the supported person, the making of arrangements for the provision of it by the local authority on behalf of the supported person and, where it is provided by someone other than the authority, the payment by the local authority of the relevant amount in respect of the cost of that provision.

Option 3 The selection of support for the supported person by the local authority, the making of arrangements for the provision of it by the authority and, where it is provided by someone other than the

authority, the payment by the authority of the relevant amount in respect of the cost of that provision.

Option 4 The selection by the supported person of Option 1, 2 or 3 for each type of support and, where it is provided by someone other than the authority, the payment by the local authority of the relevant amount in respect of the cost of the support.

The Act requires local authorities to “give the supported person the opportunity to choose one of the options for self-directed support, unless the authority considers that the supported person is ineligible to receive direct payments”.

The legislation requires that local authorities must also:

- take steps to promote the availability of the options for self-directed support
- give effect to the option for self-directed support chosen by the person.

The Act also requires local authorities to inform supported individuals of the amount of each of the self-directed support options that are available for them to choose from, and the period to which the amount relates.

Local authorities are also required:

- to explain what each option means in practice.
- to provide information about how they might manage their support after they have chosen their preferred option
- to provide information about organisations and persons who can provide help or further advice to help them choose an option
- to provide information about providers of independent advocacy services when appropriate
- to provide relevant information both in writing and in alternative formats appropriate to individual communication needs.

The Act is underpinned by the principles of involvement, informed choice and collaboration. These principles require local authorities to collaborate

with individuals in both the assessment of their needs and the provision of support or services following the assessment. The principles also require that individuals must have as much involvement in the assessment of their social care needs, and the provision of support or services, as they wish. Individuals must also be provided with reasonable assistance in order that they can express their own views about the choices available to them and make an informed decision about their preferred choice.

The Act places a duty on local authorities to take reasonable steps to facilitate further principles when carrying out their functions. The Explanatory Notes [7] state:

These principles – for persons to have their right to dignity and their right to participate in community life respected – reflect core principles of Independent Living. A further element of independent living – control – is reflected in the provisions of the Act enshrining choice...(and in individuals having as much involvement as they wish in relation to the assessment and provision of support or services).

Similar legislation in Wales - with Direct Payments at its core - would maximise citizens' choice and control over the support they receive.

References

[1] Social Care (Self-directed Support) (Scotland) 2013 Act
<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/48001.aspx>
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[2] Direct Payments: A National Survey of Direct Payments Policy and Practice, Personal Social Services Research Unit
London School of Economics and Political Science, May 2007
<http://www.pssru.ac.uk/pdf/dprla.pdf>

[3] ILF officers, workshop on ILF Transition arrangements, Newtown, 7 March 2013.

[4] Expert guide to direct payments, personal budgets and individual budgets
<http://www.communitycare.co.uk/articles/30/01/2013/102669/direct-payments-personal-budgets-and-individual-budgets.htm>

[5] Assessments and Social Services for Adults, Wales, 2011-12

<http://wales.gov.uk/docs/statistics/2012/120904sdr1462012en.pdf>

[6] Social Care (Self-directed Support) (Scotland) Act 2013

http://www.legislation.gov.uk/asp/2013/1/pdfs/asp_20130001_en.pdf

[7] Explanatory Notes, Social Care (Self-directed Support) (Scotland) Act 2013

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