

AGENDA MANAGEMENT SHEET

Name of Committee	Adult & Community Overview & Scrutiny Committee
Date of Committee	26 July 2005
Report Title	Update on the Direct Payments Scheme
Summary	In February 2005, the Social Care and Welfare Overview and Scrutiny Committee received its first report following the extension of the direct payments scheme to more service users. At the request of the Committee, this report is an interim progress report for information to bring the reports into a regular annual June/July cycle at the conclusion of each financial year.
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Would the recommended decision be contrary to the Budget and Policy Framework?	No.
Background papers	Direct Payments Guidance: Community Care, Services for Carers and Children’s Services (Direct Payments) Guidance England 2003 – Department of Health 23 rd September 2003 The Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2003. SI 762/2003 Report to Cabinet “Development of the Direct Payment Scheme 20 th November 2003”

Report "Development of the Direct Payments Scheme" to Social Care & Welfare Overview & Scrutiny Committee 15th February 2005

CONSULTATION ALREADY UNDERTAKEN:-

- Other Committees
- Local Member(s)
- Other Elected Members
- Cabinet Member Cllr Colin Hayfield, Adults Services Portfolio Holder, Cllr Mrs Izzi Seccombe, Children Services Portfolio Holder
- Chief Executive
- Legal Victoria Gould, Legal Services
- Finance Martin Jones, Head of Resources Management
- Other Chief Officers
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals

FINAL DECISION YES

SUGGESTED NEXT STEPS:

- Further consideration by this Committee In June/July 2006 and annually thereafter
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

**Adult & Community Overview & Scrutiny Committee
26 July 2005**

Update on the Direct Payments Scheme

Report of the Director of Social Care and Health

Recommendation

The Committee is asked to:

- a) Note the progress made in implementing Direct Payments
- b) Agree to receive a further report in one year's time.

1. Introduction

- 1.1 When someone has an assessed need for services from a Social Services Department, the Council is required, in certain circumstances, to make Direct Payments to them to enable them to purchase the service for themselves, as an alternative to services being provided by the Council.
- 1.2 Direct Payments promote independence, choice and social inclusion by giving service users control of the services they need. They can choose for themselves how, when, and by whom, their needs will be met. This is therefore an important element of the Modernising Social Services and Promoting Independence agenda.
- 1.3 This meaning of the term "Direct Payment" is entirely different to the meaning given to it by the Department of Work and Pensions, who use the term, with massive publicity, to describe the payment of Social Security Benefits direct into people's bank accounts. The Government is currently consulting on changing the name of direct payments from Councils.
- 1.4 Although people receiving direct payments from the Council have to accept responsibility for ensuring the money is used effectively to meet their care needs and that all legal obligations, such as having the right insurance and deducting PAYE, are met, they are not required to undertake all of the work themselves. They can receive as much support as they need in undertaking these tasks, from friends, family, informal carers and others. The Social Services Department also funds an independent organisation of disabled people, the Rowan Organisation, following a competitive tender, to give service users specialist expert advice and assistance and a payroll service, and to help promote the scheme. It is understood that the Rowan

Organisation also provides the same services to about 12 other Local Authorities. The Social Services Department will also step in and help to meet the user's care needs if necessary because they are not able to do so (for example one of the two carers a person employs is on a week's holiday and the other has a road traffic accident making them incapable of working).

2. Background

- 2.1 Direct payments have been evolving over a number of years with the trend being towards Local Authorities having greater powers and responsibilities to offer direct payments to service users. The most recent extension of the use of these powers in Warwickshire was approved by Cabinet on the 20th November 2003, under which direct payments were now to be offered to virtually everyone who is entitled to receive services from the Department. The only exceptions are:
- People who are not able to manage direct payments, even with assistance, and
 - A small number of people whose liberty to arrange their own care is restricted by certain mental health or criminal justice legislation.
- 2.2 This extension of the use of direct payments in Warwickshire was consistent with the outcome of the Joint Review, which recommended that the Council use direct payments more imaginatively and increase the number of people accessing them.
- 2.3 A progress report was submitted to this Committee on the 15th February 2005. At the request of the Committee this report is an interim progress report for information to bring the reports into a regular annual June/July cycle at the conclusion of each financial year.

3. Adult services

- 3.1 Training: Training on direct payments is now an expectation for all front line staff and a rolling programme of courses is now set up for those that missed the initial round of training and for new staff as they start. This is supplemented by talks at team meetings and direct support to front line staff from the Direct Payments Development Officer as needed and requested.
- 3.2 Overall number of people receiving direct payments: The number of people receiving direct payments has been increasing steadily. In 2003/4 the target was set to increase the number of people receiving direct payments from 100 to the PAF 3 "blob" target of 121 – i.e. a 20% increase in one year. This was achieved. The target for 2004/5 was even more ambitious; a further 50% increase in the year to 183 by 31/3/05. This was also achieved. The latest figures available – May 2005 - show 189 people currently receiving direct payments. This is broadly in line with the target of 243 people by 31/3/06.
- 3.3 People under 65 with physical disabilities: The use of direct payments was pioneered by people under 65 with physical disabilities and they are still, by

far, the largest group receiving direct payments. The number has increased from

November 2003	102
November 2004	108
May 2005	124

- 3.4 People with learning disabilities: The number of people with learning disabilities who use direct payments has increased significantly, but it is recognised that there is still a great deal more to be done to make direct payments more accessible for these users. For example, there are particular difficulties to be resolved for people with learning disabilities who require a very high degree of support in managing their direct payments, but who do not have informal carers who are willing and able to support them in this. The work of identifying the issues, the solutions and the resources required for those solutions is continuing. Other issues, such as difficulties relating to Criminal Record Bureau checks, require changes to be made by the Government. Representations are being made to Government on these.

November 2003	9
November 2004	13
May 2005	19

- 3.5. Older people: The number of older people receiving direct payments has also increased significantly with a three-fold increase in 18 months. This is particularly significant as it is older people who are more likely than others to stop receiving direct payments because they die or need residential care.

November 2003	10
November 2004	21
May 2005	29

- 3.6 While this trend is positive, the number is tiny when compared with the number of people receiving direct services such as home care. It has become apparent that a different approach will be needed for older people, as described in the recommendation in the Report of the Independent Chair on the review of Older People's Services, accepted by Cabinet on the 16th June 2005:

"The council should introduce imaginative approaches to direct payments to increase the opportunity for choice across a broader range of elders"

- 3.7 It has been identified that one of the major barriers to older people wanting to use direct payments is that they do not want to, or have difficulty in, recruiting and employing their own carers. Discussions have therefore been set up with home care agencies to find a partnership approach that resolves or minimises this difficulty.

- 3.8 People with mental health problems. We have just started making direct payments to people with mental health payments. Although the numbers are still very small, this does reflect major progress as all Local Authorities face

major difficulties and issues in this area. For example, despite the close integration of health and social care staff and services in working with people with mental health problems, direct payments can currently only be made to meet social care needs, and not to meet any health needs.

November 2003	0
November 2004	0
May 2005	5

3.9 Carers of adults: At present no carers of adults are receiving ongoing direct payments in Warwickshire. Many of the services which we deliver to carers are services to give them a break from caring by looking after the cared for person for a while. However, carers can only use direct payments to purchase services they are assessed as needing *as carers* to support them in their caring role and to maintain their own health and well being. Carers (other than those with parental responsibility caring for children) may not receive a direct payment to purchase services to meet the assessed needs of the person they care for, even if this is to give the carer a break.

3.10 Under a separate scheme, one-off payments are made to carers using Carer's Special Grant funding" which carers use in flexible and imaginative ways to relieve the pressure presented by their caring role through the facilitation of opportunities to have a break, other than by directly providing care for the cared-for person. For example a payment might be used to purchase a microwave or a washing machine to reduce the amount of time the carer has to spend on household tasks, giving them more time to provide care or some time for themselves. These are effectively one-off direct payments under a different name.

3.10 In addition to the above, use of direct payments to make one-off purchases has continued to increase, primarily for equipment and minor adaptations and for people with mental health problems. Regrettably these one-off payments do not count for the PAF figures

3.11 On a related subject, use of the Independent Living Funds, which are funded by Central Government and often complement direct payments continues to rise slowly. There are two Funds: The 93 Fund, which is open to new applicants (but it must be noted not to people over 66), and the Extension Fund, which now exists solely for people who were receiving ILF funding in April 1993, and which will therefore always have a decreasing number of users.

	93 Fund	Extension Fund	Total ILF
March 2003	77	35	110
November 2004	87	27	114
June 2005	91	25	116

4. Children's services

- 4.1 The direct payments scheme for parents of disabled children and disabled 16 and 17 year olds was launched in April 2004. By November 2004 this had resulted in 5 parents of disabled children receiving direct payments and this has increased to 11 by May 2005. This is a very positive start, particularly compared with the number of service users who are eligible.
- 4.2 A very recent review of the scheme within Children's Services has, as expected, identified a number of areas where the first year's experience has shown that improvements can be made to the scheme to support staff and improve take up further and an action plan is being designed to address these.
- 4.3 The target for March 2006 is 25 parents of disabled children and at least 1 disabled 16/17 year old.

5. Long Term Future

- 5.1 Members will wish to be aware that direct payments remains a key priority for the Government. This has recently been reinforced by the recent Green Paper on Adult Social Services, which not only looks to direct payments in their current form to be used much more widely, but also looks to expand the concept into a wide range of other areas, with individuals having personalised budgets to meet a very much wider range of needs. It is therefore clear that direct payments and related schemes will continue to evolve to remain at the forefront of the drive towards giving people greater power and choice over their own lives in a wide range of contexts. Staff will continue to monitor these developments and report to Cabinet and Overview and Scrutiny Committee as the future becomes a little clearer.

6. Conclusion

There has been a very great deal of progress made in both increasing the number of people receiving direct payments and the diversity of the people receiving them. Challenging targets continue to be set and achieved. However experience is showing that there is still a great deal more that can be, and will be, done to improve the uptake of direct payments and thereby the improve the quality of life for a large number of service users.

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June 2005