

WIRRAL COUNCIL

CABINET

12 APRIL 2012

SUBJECT:	PROPOSED CHANGES TO THE CARERS SELF DIRECTED ASSESSMENT AND RESOURCE ALLOCATION SYSTEM
WARD/S AFFECTED:	ALL
REPORT OF:	GRAHAM HODKINSON, DIRECTOR OF DEPARTMENT OF ADULT SOCIAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR JEFF GREEN
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to agree a proposal for an engagement and consultation exercise to consider changes to the current carer's budget provided through the Department of adult social care Resource Allocation System (RAS). These changes will be undertaken as part of a co production arrangement with carers and their representatives and aim to ensure that there is a clearer focus on carers when they need support. It will also ensure that the Council meets its statutory obligation towards carers of vulnerable adults which are outlined in the 1995 Carers Act and subsequent equalities legislation.

2.0 BACKGROUND AND KEY ISSUES

2.1 In October 2010 Cabinet agreed the introduction of a new assessment and resource distribution system for adults with social care needs. When eligible for support under the Council's Fair Access to Care Services (FACS) eligibility criteria, service users can now access personal budgets in accordance with national guidance on the development of personalisation. In October 2011 a review of these arrangements was started. This review included an evaluation of the carers assessment and the carers budget which are a discrete part of the wider self assessment and Resource Allocation System.

2.2 For the purpose of this report, a carer is someone who provides some form of care for an individual (usually family members, friends or neighbours), be that physical care, emotional support, advice or advocacy support. A carer is a person who provides (or intends to provide) a substantial amount of care on a regular basis to the person being assessed and is not paid for providing that care (nor is she or he providing the care as a volunteer placed into the caring role by a voluntary organisation).

- 2.3 The law relating to carers states that for those carers providing a substantial amount of care they have a right to a 'carers assessment', and their ability to manage in their caring role must be taken into account. This requirement is covered in the Carers (Recognition and Services) Act 1995.
- 2.4 The model agreed and adopted by Wirral Council is that service users who are cared for and their carers are assessed through a Self Directed Assessment (SDA) which allocated points according to that answers given in the assessment. These points are translated into an indicative budget through the Resource Allocation System. There then follows a support planning process where the support to help the individual and their carer is agreed upon, making use of elements of this indicative budget to meet their critical and substantial needs under Fair Access to Care Services. This support could take the form of services commissioned by the Council, or direct payments whereby the individual purchases services agreed with the Council with monies paid to them, or a combination of both. The agreed support is called a personal budget.
- 2.5 The way that the budget is arrived at is the same for carers and the people they care for. However as these new arrangements have been rolled out the emphasis on encouraging choice and control for service users and their carers has led to the carers needs and the needs of the individual becoming merged in support plans. Having considered the legal guidance in this area, it is clear that carers have needs of their own and should be supported in managing the impact of undertaking the caring role, separately from the service users own needs. Any intimate care provided to the individual should come from the service user's personal budget. The most common example of where carers budgets have been used is for respite care where the person's intimate care needs are met. This should be identified in the person's support plan, and not the carers plan.

Proposal to consult on proposed changes to the carers budget

- 2.6 For these reasons the main proposal in this report is that the Council, working with representative groups supporting carers, undertakes an engagement and consultation exercise with a view to implementing changes to the current carers Self Directed Assessment and carers budget. The intention would be to engage and consult on a revised set of arrangements which would more clearly identify resources made available for 'carer specific' services.

The consultation and engagement process would draw on the resources of the Council's corporate communications and engagement team alongside carers representative groups of the Voluntary Community and Faith sector. A range of methods would be used to ensure an inclusive and comprehensive engagement process. These would include the following:

- Consulting with those carers currently receiving a carers budget
- Engaging with the carers representative groups
- Holding engagement events where appropriate

- 2.7 The focus of the consultation and engagement exercise will consider changes to the current carer's budget with resources linked to their critical and substantial needs. The impact of a caring would remain the focus of the assessment process and the aim would be to ensure there was greater clarity for goods and services for carers as part of their separate carers assessment. Support that is provided to the service user such

as respite care will transfer into their personal budget. These arrangements will comply with the law and national guidance.

3.0 RELEVANT RISKS

- 3.1 It will be important to consult widely with carers on these changes to ensure that they do not view the proposed new system as less effective in terms of meeting their needs. The current point system can generate a carers budget of up to £4,500 per year. However, the critical point to note is that some of the services currently being purchased through this budget meets the service users needs rather than the carers needs. As advised, a legal guidance confirms that intimate care needs for an individual should be met from their personal budget.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 The option of not changing the current system has been considered but rejected because, while there is no evidence that carers needs have not been met, the Council needs to ensure that it distinguishes between meeting the needs of service users and their carers through separate assessment support plans.

5.0 CONSULTATION

- 5.1 A revised carers Self Directed Assessment has already been drafted with a small group of carers who support a wide range of people with differing needs. Their input and expertise has been invaluable alongside consultation with practitioners from the Department of Adult Social Services and staff from the Finance Department.
- 5.2 The proposed changes will be consulted on with carers representative groups, Wirral Carers Association and the Carers Development Committee. The Wirral COMPACT is an agreement between the statutory sector and third sector partners in Wirral. Its purpose is to define and strengthen relationships between the statutory sector and the third sector for the benefit of Wirral people. The COMPACT is a commitment to work more closely and to respect each others rights and responsibilities. All consultation and engagement activity will follow the principles of Wirral's COMPACT agreement to ensure that engagement is conducted comprehensively and inclusively. The consultation programme will also be informed by equalities considerations.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 The Voluntary Community and Faith Sector will play an active role in the consultation exercise and work will be based on the principles of co-production.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 It is important that support for carers is separated from the support offered to the person they care for, and that any services which provide intimate care to the person should be funded through the personal budget. Because service users are financially assessed and make a contribution to their care, there will be an impact in terms of Fair Access to Care Services. Under the current system, carers are not subject to financial assessment or charging and there are no plans as part of this proposal to change this.
- 7.2 Subject to the outcome of the consultation the new carers assessment will be loaded onto the Department of Adult Social Services Electronic Social Care Records (ESCR) templates.

7.3 Subject to any changes being made, a training programme will be developed to support people to understand and implement these changes. Carers currently in receipt of a carers budget would be subject to an individual service review before any changes were made to their existing support.

8.0 LEGAL IMPLICATIONS

8.1 The proposed changes to the carers assessment process have been made in response to the legal guidance set out in the 1995 Carers Act informed by the changes brought about by the new Equality Act 2010.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review is attached.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 None.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 None.

12.0 RECOMMENDATION/S

12.1 That Cabinet note the report.

12.2 That Cabinet agree to progress the consultation and engagement process for changes to the carers personal budget using the methodology referred to in this report.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To ensure carers needs are met as distinct from the person they care as set out in relevant legal guidance.

REPORT AUTHOR: *Rick O'Brien*
Head of Personal Assessment & Planning
telephone: (0151) 666 4761
email: richardobrien@wirral.gov.uk

APPENDICES

None.

REFERENCE MATERIAL

Carers and Their Rights : The Law Relating to Carers Four Edition 2011, Luke Clements.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet - Resource Allocation System	October 2010