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**Commissioning services for children with a disability and self-directed support**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This paper outlines changes to the arrangements for the provision of statutory social work services in the Children and Families Service and change to the funding of block contract and grant funding for services to children with a disability as a consequence of The Social Care (Self Directed Support) (Scotland) Act 2013. These changes are designed to support improved choice for parents and carers.
- 1.2 The Social Care (Self Directed Support) (Scotland) Act 2013 came into effect in April 2014 creating a new framework where parents and service users, who have been assessed as eligible for services, are legally entitled to much greater choice and control over what support services are provided, who provides them and how, where and when they are delivered. This helps ensure that resources are used more effectively to meet need and is anticipated will create much more personalised, innovative and flexible supports to families. Initially self-directed support (SDS) was implemented for all new social work assessments; the service is now moving to a process of reviewing all existing support packages. It is anticipated that no families will be disadvantaged by this change as if they wish to maintain the status quo they can do so.
- 1.3 The Act requires that all services users accessing statutory social work services and with long term stable care needs are offered a choice of service options. This has implications for how services are commissioned and means that block contracts and grant funded services should be replaced by individually contracted services based on an agreed hourly rate and on service user's individual choice. This will help ensure that spending is maintained within current budgets, service user and family choice is maximised and reduces the risk of paying for services by block or grant funding that are not then chosen by services users.
- 1.4 Temporary arrangements were put in place to continue funding to existing providers from April to October 2014 while the full implications and impact of the change could be assessed. The proposed changes have been discussed with existing providers and while most understand and are prepared for the change there is some anxiety and short term additional support may be required for some

providers. There are also a small number of families who have previously accessed grant funded services who will require an assessment of need and may be resistant to social work involvement.

1.5 It is recommended that the Community Services Committee:

a) Agree children and families block/grant funding is continued to existing providers until April 2015

b) Agree that all children and families block funded contracts or grants are replaced by assessment led commissioning from April 2015

c) Note the changes to the way social work services will be provided to children with a disability as a result of the The Social Care (Self Directed Support) (Scotland) Act 2013

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**2.0 INTRODUCTION**

- 2.1 This paper outlines changes to funding arrangements for block contract and grant funding for services to children with a disability to support improved choice for parents and carers and in response to the implications of The Social Care (Self Directed Support) (Scotland) Act 2013.

**3.0 RECOMMENDATIONS**

- 3.1 Agree children and families block/grant funding is continued to existing providers until April 2015
- 3.2 Agree that all children and families block funded contracts or grants are replaced by assessment led commissioning from April 2015
- 3.3 Note the changes to the way social work services will be provided to children with a disability as a result of the The Social Care (Self Directed Support) (Scotland) Act 2013

**4.0 DETAIL**

- 4.1 The Social Care (Self-Directed Support (Scotland) Act 2013 came into effect in April 2014 and gives services users a legal right to a much greater level of choice and control over services to meet long term stable social care needs. Within the Children and Families Service this will most frequently apply to children with a disability and their families but may very occasionally apply to some other service users. The key implication for current grant or block funded services is that we are legally obliged to offer service users the 4 SDS options and can no longer simply offer one service option. Options that the family can choose are;

- **Option 1** direct payment to enable them to employ their own carer/support worker
- **Option 2** the person directs the available support - choosing the provider and how and when the service will be delivered
- **Option 3** the local authority arranges the support

- **Option 4** a mix of the above.
- 4.2 The Social Work Service continues to assess need and identify a suitable level of funding to meet these needs. With the implementation of SDS the service user now has much greater choice in how these needs will be met and the funding spent. They control the type of help they receive which will lead to families and individual service users finding more creative and flexible ways of meeting identified needs. This increased choice has significant implications for how services are commissioned. In effect there is no guarantee and little control over what services will be chosen year on year. This creates a risk that services may be commissioned by an annual block contract or grant that are not chosen by service users who wish to use the funding in a different way.

#### CURRENT PROVISION

- 4.3 The children and families services has one block contract for 250 nights with Sense Scotland for residential respite places for children with a disability at Ardlui House in Helensburgh, this is for a value of £77,838. Any requirement for placements above 250 nights are spot purchased at the rate of £388 per night. In 2013/14 11 children used 256 nights and current projections are that this will be approximately the same this year. The service was originally tendered in 2009, becoming operational in 2010/11 and was continued in 2013 following a review of service.
- 4.4 Argyll and Bute Council owns Ardlui House and as part of the contract the facility is run and operated by Sense Scotland. They do not currently pay any rent and Sense Scotland market spare places to other local authorities. After an initial period when the service was run at a loss it now appears to be running successfully with a high occupancy rate and is highly regarded by the families who use Ardlui House.
- 4.5 The Children and Families Service provides grant based funding to a number of third sector organisations who provide support to children and families in the community, this includes holiday and weekend respite. Most organisations supplement social work grant funding from other external grant sources to extend the range of activities and supports and are also providers of commissioned community supports services at an agreed hourly rate.
- 4.6 These organisations were initially established as small parent lead groups supported by social work grants however over time they have been taken over or are being provided by national organisations; Cornerstone operate Jigsaw in Helensburgh and CLASP in Dunoon and Scottish Society for Autism operate a service in Oban. Achievement Bute remains as a parent run organisation.
- 4.7 Initially places for children were available by direct access however increasingly the need for service is being identified by social work assessment with only a few children attending without social work involvement.

- 4.8 Cancare is an NHS Glasgow operated support service for children with complex health conditions operating in Helensburgh and Dunbartonshire. This is effectively funded on a case by case basis based on social work assessed needs.
- 4.9 The Children and Families Service operates the Kintyre Network centre in Campbeltown supporting children with a disability across Mid Argyll and Kintyre. The service was established under the Better Neighbourhood Fund due to the lack of any alternative provision and there being no parent led organisations in contrast to other areas. Access to independent providers remains limited in MAKI. All children accessing the services are by assessment for eligibility.

#### 4.10 SUMMARY OF FUNDING

<b>Organisation</b>	<b>Total Award 2014/15</b>
Scottish Society for Autism (SSA)	41,309
Achievement Bute	61,529
Cornerstone (JIGSAW & CLASP)	96,800
Cancare - NHS Glasgow	28,000
Sense Scotland (Ardlui Block Contract)	77,838
	<b>310,476</b>

#### 4.11 IMPLICATIONS

In preparation for the implementation of SDS it was agreed that grant funding be continued to existing providers until October 2014 to guarantee summer holiday support to families and to enable the impact of SDS to be evaluated and pending the availability of government guidance. It is proposed that this grant funding is extended to April 2015 and after this date funding will be via SDS options as chosen by the service user either as the result of a review of their needs or the result of a new assessment.

- 4.12 For current grant funded organisations this means that grant funding is replaced by individual families choosing one of the SDS options and using their social work funding to purchase the service they want from them.

- 4.13 Consultation was initially undertaken with Children and Family's providers in advance of implementation of the Act in April 2014 and a further provider's event across all services was held after implementation of the Act. In addition the commissioning team have meet with individual providers to explore the implications of SDS in detail and to begin the process of agreeing an hourly rate to replace grant funding. While most appear prepared for the change it may be necessary to provide an element of short term funding for management and administration costs and or officer support and advice to assist organisations through the change from grant funding to individual commissioning. All providers realise that following implementation of SDS securing future funding will be dependent on families choosing them against a wider range of options.
- 4.14 All existing recipients of a Social Work grant funded services – who have not previously had an assessment - will be offered one, with families offered the option of continuing the existing arrangement or converting to one of the other SDS options if they feel that is more appropriate to their needs. As most of the affected children will already have additional support needs identified within school any assessment process will be closely integrated with current assessment and planning processes.
- 4.15 Ardlui House remains a popular service with the families using it. The existing block contract will be replaced by individually commissioned services based on the number of families choosing the service. As the current contract is nearing time for review and consideration of re tendering, rates will be negotiated as part of this process.
- 4.16 The Kintyre Network Centre remains a popular service and with a lack of alternative providers in Mid Argyll and Kintyre it is likely that demand will remain around current levels. This will be kept under annual review and should existing service users convert current packages to an SDS option the centre's budget for 2015-16 will have to be adjusted accordingly.

#### 4.14 RISKS

The following risks have been identified;

Failure to comply with legislation, commissioning arrangements require to be changed to ensure that the Service meets it statutory responsibilities under the Self Directed Support (Scotland) Act 2013. Unless changes are made there is a risk of significant additional financial pressures on social work budgets.

- 4.15 Impact on existing services – while SDS creates opportunities for providers to attract more children and families to their service, this requires adapting to a new way of operating. If they cannot make these changes, or families chose other

options, services will face reduced income and potentially closure. Cornerstone, SSA and Sense Scotland are all large well-established national provider and discussions indicate that they have good capacity to adapt to the requirements of SDS. Achievement Bute have raised concerns about the potential implications of SDS and have been offered officer support and advice with the transition.

- 4.16 Public perception– local groups for children with a disability have a high profile and evoke strong public support. While it is anticipated that no family will experience a reduction in service as the result of the implementation of SDS; any alteration or changes to the way services are provided to children with a disability can create anxiety and media interest. A small number of parents who have not previously had any social work contact may be resistant to social work involvement and refuse any assessment.
- 4.17 Social Work Services – any response to children with a disability in implementing SDS will be co-ordinated and consistent with decisions and procedures by Adult Services in relation to SDS.

## **5.0 CONCLUSION**

- 5.1 The Social Care (Self Directed Support) (Scotland) Act 2013 presents new opportunities for service users to have unprecedented levels of control and choice over the way their support is provided and to empower them to develop more flexible and imaginative ways to meet their assessed needs. It also creates new challenges for the services in transforming practice and implementing change. Further it demands new approaches to commissioning and means that some families previously accessing social work grant funded services will now be offered an assessment be offered a greater choice of support services.

## **6.0 IMPLICATIONS**

- 6.1 Policy: Proposal extends existing policy of eligibility for social work services to children with a disability and GIRFEC.
- 6.2 Financial: Anticipated to be implemented within existing finances unless the proposed changes are not implemented in which case there is a risk of a significant overspend within Children and Families.
- 6.3 Legal: Proposals ensure the Council complies with legal requirements under Self Directed Support legislation. Failure to implement the proposed changes exposes the Council to legal challenge for failing to implement a statutory requirement.
- 6.4 HR: None at this stage, potential impact on staffing at Kintyre Network will be reviewed annually.

- 6.5 Equalities: Children with a Disability are an identified group proposals ensure that access to service is via a clear and transparent system based on eligibility, needs and risk.
- 6.6 Risk: Proposals are outlined in the report to address identified risk - a risk register and log is being maintained for the implementation of SDS
- 6.7 Customer Service: The Social Care (Self Directed Support) (Scotland) Act 2013 significantly improves service user choice and customer service.

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