

Committee:	Dated:
Health and Social Care Scrutiny Committee	26 February 2020
Subject: Use of Personal Budgets in Adult Social Care	Public
Report of: Director of Community and Children's Services	For information
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Summary

This report summarised the approach to, and provides an update on, personalisation and the use of personal budgets by residents in City supported by the Corporation's Adult Social Care service.

Recommendations

Members are asked to:

- note the report.

Main Report

Background

1. Personalisation as a social care approach is described by the Department of Health as meaning that "every person who receives support, whether provided by statutory services or funded by themselves, will have choice and control over the shape of that support in all care settings".
2. Personalisation means starting with the individual. This person has strengths, preferences and aspirations as well as needs and a circle of family, friends and other resources and support mechanisms around them. It introduces the requirement for greater personal responsibility and for individuals to draw on their own resources, as well as those available through statutory and other services, to meet their needs in the best possible way. The individual is at the centre of the process of identifying their needs and making choices regarding their support and care.
3. Personalisation's application to adult social care was announced in Putting People First: A Shared Vision and Commitment to the Transformation of Adult Social Care (2007) – a ground-breaking concordat between central government, local government and the social care sector.

4. Personalisation principles are central in applying the Care Act of 2014 as well as to the Mental Capacity Act of 2005.

Personal Budget

5. A personal budget is one way of approaching personalisation, it represents the overall cost of the care and support a local authority provides or arranges for a service user of adult social care. A personal budget is available to anybody who has been assessed as eligible for funded support under the care act, that includes service users and carers.
6. The amount of money in a personal budget can be spent in one of three ways:
 - i. Managed account: the local authority manages the personal budget in line with the service user's wishes as agreed in the care plan. The local authority looks after the money, makes arrangements for the resident's care and support, and pay fees out of the resident's personal budget. For example, if a service user needs care and support at home, the authority arranges care services, usually provided by an agency, and pay them from the service user's personal budget.
 - ii. Direct Payments - account managed by a third party: Similarly to a managed account, except a third party, sometimes called a broker, manages the service user's personal budget. This can be the actual service provider. These are often referred to as 'individual service funds'.
 - iii. Direct Payments – self managed: the service user is given the personal budget money to spend himself on meeting needs, in line with his care plan, in the way that suits him best. Local authorities must encourage a variety of different providers and different types of services. This should give service users choice about accessing different care and support services. Service users may find agency home care inflexible.

City Context

7. The Corporation encourages personal management through an empowering assessment process that focuses on people's strength and encourages choice and independence as well as a philosophy of valuing the person as the expert in their own health; the Adult Social Care team uses advocacy (paid statutory advocacy or advocacy of friends and family) to encourage the use of Direct Payment.
8. The City of London Corporation is committed to ensuring that the option of Direct Payments is explored with, and understood by, residents who are eligible and who consent to receive them.

9. A Social Practitioner will consider a range of factors to determine a resident's eligibility to receive Direct Payments. The eligibility criteria will include, but not be limited to:
 - The resident's understanding on how Direct Payments differ from using commissioned care
 - The resident's understanding of their responsibilities in managing the funds provided, with support if necessary, to meet the outcomes identified in their Support Plan
 - The resident's understanding of the Financial Assessment process and their acknowledgement of the possibility that they might have to contribute towards their own care
 - The resident's ability to manage Direct Payments, with support if necessary, including fulfilling employer and contractual responsibilities.
10. Decisions on eligibility for a Direct Payment will be made promptly, and where a Direct Payment is not considered appropriate, the decision and reason will be recorded and shared with the resident.
11. All residents eligible for support who wish to explore a Direct Payment will be referred to the Direct Payment Service.
12. Direct Payments can be used to pay for support that meets the outcomes agreed within the Individual Support Plan.
13. Depending on an individual's assessed support needs, this could include attending an educational course, joining a local club or gym, buying services from a private care agency, or employing a Personal Assistant to provide support (although this cannot normally be family members who lives with the service user). If a resident chooses to employ a member of staff to provide them with personal care, City of London can signpost them to a payroll provider whose costs will be factored into their budget.
14. The support, services and/ or equipment with the Direct Payment must be legal and safe. They cannot be used to pay household bills, for food, or for things that would normally be provided by someone else e.g. Health Services.
15. Depending on a service user's health and social care needs, their care package may involve joint funding between the NHS and the local authority. Alternatively, service users may have a continuing NHS healthcare package funded in full by the NHS, but also receive additional social care funding from the local authority. Health personal budgets, for NHS funded services, can be delivered by way of a direct payment. Similar principles apply, although the NHS can refuse a direct payment if they do not think it is a cost-effective way of meeting a service user's healthcare needs. A service user could find themselves with two direct payments, one for healthcare and one for social care. In that case, the statutory guidance

stresses the importance of cooperation between both bodies to ensure the system is harmonised and runs smoothly. The corporation is committed to see this come to fruition in the future through integration and health transformation.

16. The City of London Corporation is seeking to improve its third party managed personal budget offer to support direct payment, but the market is challenging because dwindling. Still the City is committed to exploring the market to enhance its offer.
17. The Adult Social Care Team is always seeking to improve on the need to focus more on people's strength and be creative/innovative in support planning. It has a quality assurance system which includes its own audits and meetings as well as being subjects to internal audits. The Corporation's Adult Social Care team is confident that the correct framework, governance and review processes are in place.

City Figures

Type of Direct Payment	Number of service users on 31/01/2020
Third Party Managed	29
Self-Managed	6
Total	35

18. The total Direct Payment budget for service users in 2020 is

Adult Social Care - £46,000
Older People - £70,000
TOTAL = £116,000

19. In the City, 39 carers received Direct payments in 2018/19 totalling around £18,000.
20. The number of adult social care users under direct payment has increased in recent years. Indeed, when the City chose to have a sole provider in domiciliary care, many services users chose to stay with their own providers.
21. The city has the second highest percentage of service users on direct payments amongst other London local authorities and joint first percentage of carers on direct payments.

Corporate & Strategic Implications

22. Personalisation in social care helps the corporation fulfil its corporate commitment to contributing to a flourishing society as well as the independence, involvement

and choice priority in the Department of Community and Children's Services Business Plan 2017–22.

Conclusion

23. The City of London Corporation is successfully implementing the personalisation approach to social care by encouraging adult social care service users to utilise the direct payment option for their personal budget.
24. Personalisation empowers service users to make decisions about their care with a focus on their strength whilst being creative and innovative in its approach to support planning.

Appendices

- None

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