



# Adults and Community Scrutiny Panel

18 November 2014

**Time** 6.00 pm      **Public Meeting?** YES      **Type of meeting** Scrutiny  
**Venue** Committee Room 4 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

## Membership

**Chair** Cllr Paula Brookfield (Lab)  
**Vice-chair** Cllr Patricia Patten (Con)

### Labour

Cllr Payal Bedi  
Cllr Ian Claymore  
Cllr Jas Dehar  
Cllr Linda Leach  
Cllr Rita Potter  
Cllr Susan Constable  
Cllr Bishan Dass  
Cllr Stephen Simkins

### Conservative

Cllr Barry Findlay

### UKIP

Cllr Malcolm Gwinnett

Quorum for this meeting is three Councillors.

## Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** Deb Breedon  
**Tel/Email** Tel: 01902 551250 or [deborah.breedon@wolverhampton.gov.uk](mailto:deborah.breedon@wolverhampton.gov.uk)  
**Address** Democratic Support, Civic Centre, 2<sup>nd</sup> floor, St Peter's Square,  
Wolverhampton WV1 1RL

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

## Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies</b>  |
| 2               | <b>Declarations of Interest</b>   |
| 3               | <b>Minutes of the previous meeting (23.9.14) (Pages 1 - 6)</b>  |
| 4               | <b>Matters arising</b>  |
| 5               | <b>Budget Review - 2015/16 Budget and Medium Term Financial Strategy 2015/16 - 2018/19 (Pages 7 - 12)</b><br>[The purpose of this report is to seek the panel's feedback on the draft five year budget and medium term financial strategy that was approved as the basis of consultation by the Cabinet on 22 October 2014]                                       |
| 6               | <b>Q1 performance report update - % of people using social care receiving self-directed support and receiving direct payments (Pages 13 - 20)</b><br>[To consider an update on performance against the % of people receiving self-directed support and direct payments indicator which is reported in the Corporate Performance report and was rated amber in Q1] |



# Adults and Community Scrutiny Panel

## Minutes - 23 September 2014

### Attendance

#### Members of the Adults and Community Scrutiny Panel

Cllr Paula Brookfield (Chair)  
Cllr Patricia Patten (Vice-Chair)  
Cllr Payal Bedi  
Cllr Ian Claymore  
Cllr Jas Dehar  
Cllr Linda Leach  
Cllr Rita Potter  
Cllr Susan Constable  
Cllr Bishan Dass  
Cllr Barry Findlay  
Cllr Stephen Simkins

#### Employees

|                    |   |
|--------------------|---|
| Deborah Breedon    | Scrutiny Officer                                      |
| Tony Ivko          | Assistant Director - Older People and Personalisation |
| Amrita Sharma      | Business Support and Regulation Officer               |
| Dawn Williams      | Head of Service Safeguarding                          |
| Khuldip Khela      | Information Officer                                   |
| Sandra Aston-jones | Safeguarding manager adults                           |

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## Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies</b><br>Apologies for absence were received from Cllr Steve Evans, Cabinet Member Adult Services.   |
| 2               | <b>Declarations of Interest</b><br>No declarations of interest were received for this meeting.  |
| 3               | <b>Minutes of the previous meeting (8 July 2014)</b><br>Resolved:<br><br>That the minutes of the meeting held on 8 July 2014 be approved as a correct record and signed by the Chair. |
| 4               | <b>Matters arising</b><br>There were no matters arising.  |

- 5 **Wolverhampton Adult Safeguarding peer review outcome and action plan**  
Amrita Sharma provided an update on progress made against the Adult safeguarding Peer Review Action Plan.

She advised panel that there has been a strong partnership commitment to the execution of the peer review action plan and that all actions have been accepted by the respective leads/groups and progressed within respective work plans. Out of the 28 individual actions, seven have been fully accomplished; 21 are work in progress.

The Panel considered the importance of bullet point 1.5 in the action plan relating to member development, the scrutiny panel were advised that guidance notes had been distributed to all councillors however they recognised the importance for all councillors to fully understand their role and constitutional powers. Amrita Sharma advised that a safeguarding training module is available on the Learning Hub to support councillors understanding of their newly defined roles and responsibilities within the Councils Constitution.

Cllr Stephen Simkins suggested that councillors should receive mandatory safeguarding training every four years as part of the councillor's induction and training programme.

Scrutiny panel highlighted the importance of requesting partners to carry out safeguarding training modules and were advised that partners have access to training and that the most effective challenge to encourage partner organisations take up of training modules would be from Safeguarding Board. Panel was advised that next year safeguarding training may be a statutory requirement and that it is wise to get ahead of the game.

Councillors voiced concerns about reporting lines and feedback to them about reported safeguarding matters:

- When a report is made via a third person there is no feed back to the Councillor and they are not clear if the report has been made, they are out of the loop.
- When out of the loop there is little or no feedback or information to pacify themselves that contact has been made and the case has been taken on.

In response to concerns Dawn Williams, Head of Safeguarding advised that:

- If a referral is made officers have to update the person who originally reported the alert.
- If the report came to a councillor as a complaint and the matter was passed to a third party to action the feedback would not come via the councillor.
- When an alert is raised there is a requirement to notify that action has happened. 91% got feedback, 9% did not as they may be a third party or anonymous.
- Children safeguarding matters there are 72 hours to respond. Adults safeguarding procedures do not have a set timescale for feedback and there may be some delay.

The Chair suggested that a pro-forma would be useful to keep councillors informed of progress. Dawn Williams cautioned that the panel should be clear what information is being asked for, no details of the parties involved should be disclosed. Councillors confirmed that they just want to be sure that they have done their bit and can reassure others that action is being taken, rather than no news at all.

Tony and Dawn agreed to consider options for a mechanism for notifying councillors that an alert has been received and that action is being taken, such as a simple pro-forma email or text message.

Resolved:

1. That the Chair of the Adults and Community Scrutiny Panel write to the new Managing Director Keith Ireland to share this Panels commitment to Safeguarding matters and to recommend on line safeguarding training should be compulsory for all Councillors and should be included in the Member Induction Programme.
2. That Safeguarding Board be requested to encourage partner organisations to take up safeguarding training modules.
3. That employees develop a mechanism to notify councillors that a safeguarding alert has been received and that action is being taken, such as a simple pro-forma email or text message.

## 6 **Wolverhampton Safeguarding Adults Board Annual Report 2013/14**

Sandra Ashton-Jones introduced the draft Wolverhampton Safeguarding Adults Board Annual Report, she provided a summary of safeguarding activity during 2013/14 and a summary of progress made against the six priorities for 2013-16. Panel were advised that 1300 safeguarding alerts had been raised but not all investigated.

Councillors welcomed the report and paid tribute to the work that had been carried out to produce the new look annual report. The contents of the report were found to be wide ranging and extremely useful information, particularly the Wolverhampton map showing the proportion of alerts by ward.

Cllr Paula Brookfield indicated that residents will report safeguarding issues to, or they will be picked up by, General Practitioners (GPs), she asked if they were primary reporters to raise alerts. Surprisingly Panel was advised that numbers in terms of GP reporting were fairly low and that there is a need to stay proactive with GPs to increase awareness.

Panel suggested that a briefing session for all GPs relating to 'Safeguarding Policies' would be useful and were advised that it would be better for CCG to provide them. Panel further noted that CCG raise alerts particularly in nursing homes.

Panel noted that:

- The GP alert numbers are low
- There is a need to raise awareness in GP surgeries and in Care Homes

- The breakdown of alerts by electoral ward reflects address of person at the time of the abuse
- There is no at risk register for adults, only children and young people at risk register.

Cllr Stephen Simkins asked about GPs who have a vested interest in care home(s) and the action that can be taken by CCG.

Tony Ivko and Dawn Williams responded to the question(s):

- Many GPs are taking CQC inspections seriously but not all
- CQC can write to GPs
- CQC has teeth and can make document available to the public
- QACO – Quality Assurance

Cllr Pat Patten asked for further information about the ward data for alerts and was advised that:

- Data by ward is available for previous years, but it had not been included in the annual report before this draft Annual Report
- The number of alerts is increasing this could be a good thing and an indication of increased reporting
- Spikes in numbers of alerts raised have been recorded following some recent television programmes relating to Staffordshire hospital which highlighted neglect as an area of abuse.

In response to questions, Sandra Ashton-Jones advised Panel that there is an exceptional working relationship with Wolverhampton Homes (WH). Cllr Sue Constable is the safeguarding champion for WH and confirmed that the whole organisation is involved with safeguarding, training is available for all workers including decorators, contractors and smaller organisations, who also receive information and are completely engaged.

Resolved:

That the content of the 2013/14 Wolverhampton Safeguarding Adults Board Annual Report and progress made to date against the delivery of the Adult Safeguarding Priorities 2013-16 are noted.

## 7 **Wolverhampton Information Network (WIN)**

Kuldip Khela gave a presentation and demonstration of the Wolverhampton Information Network (WIN) and responded to scrutiny panel questions arising from the presentation.

Kuldip Khela advised that the Care Act 2014 places a duty on local authorities to provide information and advice about social care issues for its residents and that the WIN website will enable access to a dedicated free website 24/7. Kuldip made clear that although aimed at those who need social care support; it is available for everyone in the City. Voluntary and community organisations can add events and manage their own pages; there are links to NHS Choice and other partner websites. He advised that the site can be accessed in 80 languages at the click of a translation button and there negotiations taking place to add a voice option for blind and deaf

users.

Scrutiny Panel liked the ease of use of the site; it was simple, bright, and free. In response to questions panel received the following information:

- There can be a local news page, an A-Z of Wolverhampton life and events for the communities and residents of Wolverhampton.
- Each page on the webpage will be marked when last updated.
- The site gives a wider sweep for people to be aware of people who may need other services.
- There will be a shortage in capacity, for the employee administering the site, if it gets too big.
- Safeguarding will be opened up to a number of points.
- Help and assistance will be available at a number of locations for those that are less able to use the technology
- Dudley Council will maintain the National pages and links and this will make a saving for the Council.

The Chair asked how the site would be kept up to date, who would check that links were still live and how we could be sure when re-directed to another service that they were getting what they needed.

Kuldip Khela advised that he would be the primary resource to carry out these tasks; the registered users would be invited to update the links and each page would be marked when 'last updated'.

The Scrutiny panel were re-assured by Kuldip Khela that the WIN webpage was linked to the Council Website and that he and David Raybould are members of a working group with Daljit Nijjar Web Manager, City Direct. Kuldip Khela said he would be liaising with Daljit to get the appropriate links added to internal and external websites.

The Scrutiny Panel welcomed that voluntary organisations have opportunity to share information on the webpage and suggested that all councillors be encouraged to share events, opportunities, details of voluntary organisations and local connections across their ward to build a network online available to public and advisory services to refer to.

The Chair and panel members were concerned about potential safeguarding issues and how officers would check that people promoting their organisations on the website are in fact who they say they are. The Chair wanted assurance that checks are being carried out to demonstrate that they are legitimate and that content is moderated. Kuldip Khela confirmed that he was the site moderator and Dawn Williams confirmed that more in depth checks can be carried out in relation to safeguarding names.

Cllr Ian Claymore suggested that all councillors are canvassed to encourage local organisations, event organisers and others to populate the WIN website with information pertaining to their wards. He suggested that a short presentation could be provided at political group meetings in order to gain consensus of all councillors to help populate the WIN adult care website.

Resolved:

That scrutiny panel welcomed the development of the Wolverhampton Information Network (WIN) Adult Care Portal and that comments are taken into account during development of the portal.



# Adults and Community Scrutiny Panel

18 November 2014

|  |  |  |
|--|--|--|
| <b>Report Title</b>                            | Budget Review – 2015/16 Budget and Medium Term Financial Strategy 2015/16 – 2018/19                  |  |
| <b>Cabinet Member with Lead Responsibility</b> | Councillor Roger Lawrence<br>Leader of the Council   |  |
|  | Councillor Andrew Johnson<br>Resources   |  |
| <b>Wards Affected</b>                          | All  |  |
| <b>Accountable Strategic Director(s)</b>       | Keith Ireland, Managing Director<br>Sarah Norman, Community<br>Tim Johnson, Education and Enterprise |  |
| <b>Originating service</b>                     | Strategic Finance  |  |
| <b>Accountable officer(s)</b>                  | Mark Taylor<br>Tel<br>Email  | Assistant Director Finance<br>01902 55(6609)<br>mark.taylor@wolverhampton.gov.uk |

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## Recommendation(s) for action or decision:

The Panel is recommended to:

1. Provide feedback to Scrutiny Board for consolidation and onward response to Cabinet on the draft budget and medium term financial strategy 2015/16 to 2018/19, in particular those elements that are relevant to this Scrutiny Panel, including specifically:
  - a. the savings proposals summarised at Appendix A.
2. Approve that the Scrutiny Panel response be finalised by the Chair and Vice-Chair of the Scrutiny Panel and forwarded to Scrutiny Board for consideration.

## 1. Purpose

- 1.1. The purpose of this report is to seek the panel's feedback on the draft five year budget and medium term financial strategy that was approved as the basis of consultation by the Cabinet on 22 October 2014, in particular the elements that relate to the work of this panel.

## 2. Background

- 2.1. At its meeting on 22 October 2014, the Cabinet considered a draft budget and medium term financial strategy for the period 2015/16 to 2018/19. Cabinet approved the draft budget strategy as the basis of budget consultation and scrutiny over forthcoming months.
- 2.2. The Cabinet report identified a requirement to make further savings of £59.2 million by 2018/19, due to a combination of reductions in resources and cost pressures. The report included a list of new savings amounting to £8.9 million to contribute to addressing this savings requirement, in addition to £18.1 million of savings that were approved for further development by Cabinet on 25 June 2014.
- 2.3. As detailed in the Cabinet report, the budget and medium term financial strategy will be considered by scrutiny panels during the November/December round of meetings and the feedback from those meetings will be reported to Scrutiny Board on 9 December 2014, which will consolidate that feedback in a formal response to Cabinet on 14 January 2015. The feedback provided to Scrutiny Board will include questions asked by panel members, alongside the responses that they received. These arrangements have been endorsed by the Chair and Vice-Chair of the Scrutiny Board.
- 2.4. Scrutiny Board will consider the budget again in January 2015, following an update to Cabinet (Resources) Panel on the draft budget and medium term financial strategy and the local government finance settlement, which is scheduled for January 2015. The purpose of this meeting will be to consider the response of Cabinet to the comments made by Scrutiny Board during the November/December round of meetings, together with any new savings proposals that may emerge. The outcome of this Board meeting will be incorporated into the final Cabinet budget report, scheduled for February 2015, ahead of full council considering the budget in March 2015.
- 2.5. In order to limit the volume of paper used as part of the budget reporting process, the Cabinet report has not been appended to this covering report. Panel members are instead requested to bring their copy of the 2015/16 Budget and Medium Term Financial Strategy 2015/16 – 2018/19 report, which was circulated with the 22 October 2014 Cabinet agenda. Detail of individual savings proposals can be found on the council's website at: <http://www.wolverhampton.gov.uk/budgetsavings>.

### **3. Proposals relating to the work of this panel**

- 3.1. Included in the draft budget and medium term financial strategy are savings proposals relating to the remit of this panel. These are listed at Appendix A. The panel is requested to provide and record its comments on these proposals, for submission to Scrutiny Board and then Cabinet.
- 3.2. In addition to commenting on these specific savings proposals, the panel may also request additional information or clarification in relation to the budget and medium term financial strategy. Any such requests will be noted separately, either for consideration by the panel at a future date, or for information to be forwarded to the panel members concerned.

### **4. Financial implications**

- 4.1. The financial implications are discussed in the body of the report, and in the report to Cabinet.

[DK/29102014/A]

### **5. Legal implications**

- 5.1. The Council has an obligation to produce a balanced budget and the savings proposals referred to in this report are in pursuance of that obligation.

[Legal Code: TS/06112014/D]

### **6. Equalities implications**

- 6.1. The equalities implications are discussed in the report to Cabinet.

### **7. Environmental implications**

- 7.1. The environmental implications are discussed in the report to Cabinet.

### **8. Human resources implications**

- 8.1. The human resources implications are discussed in the report to Cabinet.

### **9. Schedule of background papers**

- 9.1 2015/16 Budget and Medium Term Financial Strategy 2015/16 – 2018/19, report to Cabinet, 22 October 2014

## Updated June Savings Proposals by Cabinet Portfolio

### Adult Services

| Promoting Independence- Disabilities (Residential / Nursing Placements)   | Community | - | 1,003 | -     |
|---|-----------|---|-------|-------|
| Promoting Independence - Disabilities (Day Care)  | Community | - | 129   | -     |
| Promoting Independence - Disabilities (Domiciliary Support Plans)   | Community | - | 570   | -     |
| Promoting Independence - Disabilities (High Cost Placements)  | Community | - | 638   | -     |
| Promoting Independence - Disabilities (Supported Living Placements)   | Community | - | 340   | -     |
| Promoting Independence - Disabilities (Transition)  | Community | - | 320   | -     |
| Promoting Independence - Older People   | Community | - | 512   | 1,000 |
| Promoting Independence - Mental Health (Resettlement from Long Term Care into Independent Living)   | Community | - | 200   | -     |
| Promoting Independence - Mental Health (Transition)   | Community | - | 125   | -     |
| Promoting Independence - Mental Health (High Cost Residential Placements)   | Community | - | 175   | -     |
| Efficiency Savings in staff from the implementation of the Care Act   | Community | - | 1,000 | (350) |
| To remodel existing Adult Short Breaks services and contract out to an external provider.   | Community | - | 100   | -     |
| To close the Old Tree Nursery (OTN) in a managed fashion by October 2014 giving appropriate support to the employees who have a disability. | Community | - | 199   | -     |
| In-house Provision – Supported Employment   | Community | - | 97    | -     |
| To transfer services out of Oxley Day Centre over the next 2 years and in to better quality community settings.                             | Community | - | 50    | -     |

## Updated June Savings Proposals by Cabinet Portfolio

### Adult Services (continued)

| Commissioning – Bring forward 18/19 savings                                   | Community | -   | 38  | (38) |
|---|-----------|-----|-----|------|
| Increase and introduce charges for the Council's Carelink Service             | Community | -   | 219 | -    |
| More Efficient Use of Very Sheltered Housing                                  | Community | -   | 500 | -    |
| Reduce the total number of care home placements                               | Community | -   | 500 | -    |
| To Gain Further Efficiencies from External Market Day Service Block Contracts | Community | -   | 50  | -    |
| Single Carer Project  | Community | 150 | 338 | -    |
| Reduce the number of domiciliary care hours                                   | Community | -   | 450 | -    |
| Housing Support Social Inclusion Savings                                      | Community | 81  | 203 | -    |
| Other statutory recharge from HRA   | Community | 150 | -   | -    |

## October Savings Proposals by Cabinet Portfolio

### Adult Services

| Reduction in the Direct Payment rate related to Personal Assistants | Community | 51 | 298 | 91 |
|---|-----------|----|-----|----|

### Learning and Achievement

| Review Adult Education funding arrangements | Education & Enterprise | - | 100 | (100) |
|---|------------------------|---|-----|-------|

Further details on the savings proposals are available on the Council's website via the following link <http://www.wolverhampton.gov.uk/budgetsavings>

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# Adult and Community Scrutiny Panel

18 November 2013

|  |   |  |
|--|---|--|
| <b>Report title</b>                            | <b>Q1 performance report update - % of people using social care receiving self-directed support and receiving direct payments</b> |  |
| <b>Cabinet member with lead responsibility</b> | Councillor Steve Evans<br>Adult Services  |  |
| <b>Wards affected</b>                          | All   |  |
| <b>Accountable director</b>                    | Anthony Ivko, Older People and Personalisation  |  |
| <b>Originating service</b>                     | Policy Team (Business Intelligence Team (Community))  |  |
| <b>Accountable employee(s)</b>                 | Helena Kucharczyk   | Business Intelligence Manager  |
|  | Tel   |  |
|  | Email   | 01902 55(5440)<br><a href="mailto:helena.kucharczyk@wolverhampton.gov.uk">helena.kucharczyk@wolverhampton.gov.uk</a> |
|  | David Raybould  |  |
|  | Tel   | Carers Service Manager   |
|  | Email   | 01902 55(3416)<br><a href="mailto:david.raybould@wolverhampton.gov.uk">david.raybould@wolverhampton.gov.uk</a>       |
| <b>Report to be/has been considered by</b>     | N/A   |  |

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## Recommendations for noting:

The Panel is asked to note:

1. Detailed performance analysis and comparator performance against the indicator measuring the percentage of people using social care services who are in receipt of self-directed support and direct payments.
2. The responsibilities that the Council has regarding its personal budget and self-directed support offer under the Care Act 2014 and the plans that are in place to implement the changes required to meet those responsibilities.

## 1.0 Purpose

- 1.1 The purpose of this report is to respond to the request from the Adults and Community Scrutiny panel for an update on performance against the % of people receiving self-directed support and direct payments indicator which is reported in the Corporate Performance report and was rated amber in Q1.

## 2.0 Background

- 2.1 People who are eligible for long term support via Adult Social Care services are entitled to a personal budget. Following an assessment of need, a service users is informed of the amount of money that has been allocated to them in order to purchase services to meet those needs. The service user can choose to take the money as a direct payment and arrange their own services or can ask the Council to commission and organise the services on their behalf. This is known as self-directed support.
- 2.2 Self-Directed Support is important because research has indicated that personal budgets have a positive effect in terms of impact on well-being, increased choice and control, cost implications and improving outcomes.
- 2.3 The proportion of people who receive self-directed support is a national indicator in the Adult Social Care Outcomes Framework and measures the percentage of people in receipt of services during the year that received those services via self-directed support or a direct payment. Previously this indicator has been a percentage of all people who have received a service during the year and this has caused a number of issues due to people who were receiving services that were not eligible for self-directed support being included in the denominator, which had the effect of supressing results; however, in 2014/15 the national indicator is changing to only include those people in receipt of a long-term service.

There is also a regionally defined indicator which only looks at people who are in receipt of services. This has been monitored locally for some time and is a closer proxy for the new 14/15 definition. It is this regional indicator that is reported in the Corporate Performance report.

## 3.0 Detailed Analysis of performance

- 3.1 Wolverhampton's performance against the 13/14 national indicator was:

|                     | Result by Year | Quartile and Direction of Travel | Top Quartile Cut-off |
|---------------------|----------------|----------------------------------|----------------------|
|                     | 2013/14        |                                  |                      |
| Wolverhampton (412) | 73.4           | ↗                                |                      |
| Comparator Average  | 63.4           | Upper Middle                     | 75.1                 |
| Regional Result     | 51             | Upper Middle                     | 73.9                 |
| National Result     | 62.1           | Upper Middle                     | 76.0                 |

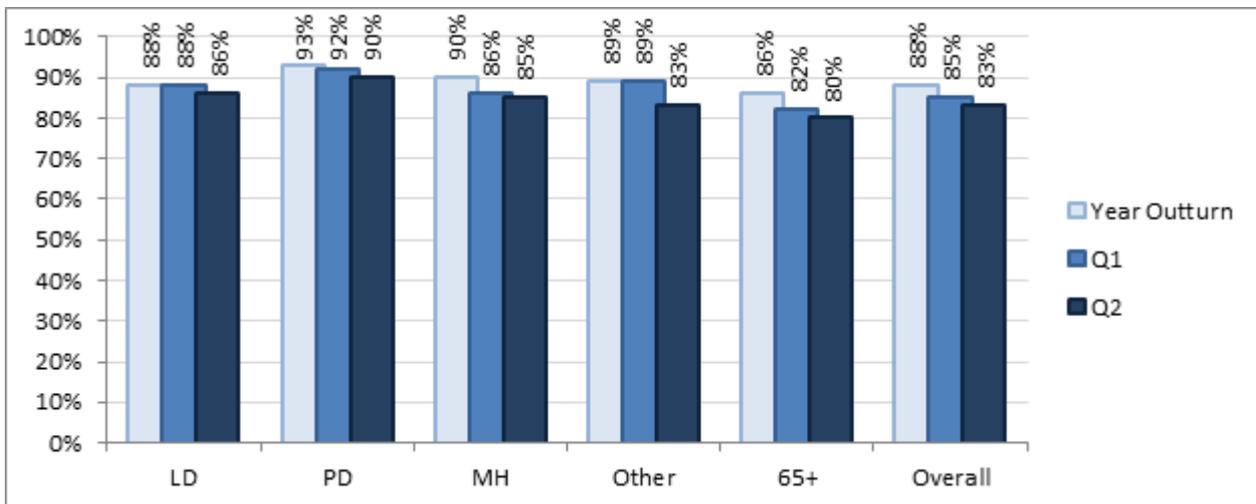
- 3.2 The percentage of people who receive self-directed support and the proportion of people who receive direct payments has increased in 2013/14 with performance above that of all three comparators.
- 3.3 When the regional definition is used performance increases to 88% at the end of 13/14. The regional indicator definition is:

**Numerator:** The proportion of people who are receiving service at the end of the period who are in receipt of Direct Payments and / or a Personal Budget

**Denominator:** The proportion of people who are receiving service at the end of the period who are receiving a service which is eligible for Self Directed Support

- 3.2 2013/14 Year Outturn, Quarter 1 and Quarter 2 Personal Budget performance by client group:

|         | Year Outturn | Q1  | Q2  |
|---------|--------------|-----|-----|
| LD      | 88%          | 88% | 86% |
| PD      | 93%          | 92% | 90% |
| MH      | 90%          | 86% | 85% |
| Other   | 89%          | 89% | 83% |
| 65+     | 86%          | 82% | 80% |
| Overall | 88%          | 85% | 83% |

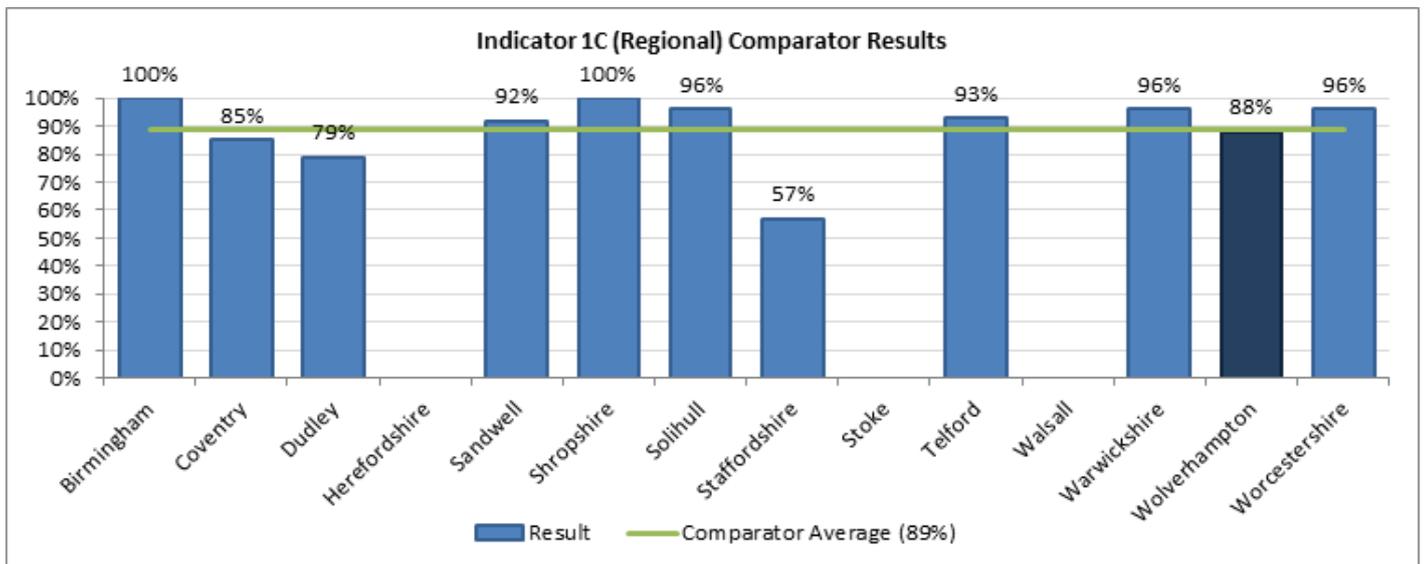


- 3.3 There has been a steady drop off in performance during the year. This can be directly attributed to the action taken at the end of 13/14 to ensure that all eligible individuals were in receipt of a Personal Budget, where some individuals cease to receive an eligible service. This is broadly similar across all client groups however 65+ shows the greatest 'drop off' as the largest service group.

The majority of clients not receiving Self Directed Support are in receipt of Day Care and Very Sheltered Housing.

3.4 Comparator results against the regional indicator across the West Midlands Region for 2013/14 were:

|                           |             |
|---------------------------|-------------|
| <b>Birmingham</b>         | <b>100%</b> |
| <b>Coventry</b>           | <b>85%</b>  |
| <b>Dudley</b>             | <b>79%</b>  |
| <b>Herefordshire</b>      | <b>-</b>    |
| <b>Sandwell</b>           | <b>92%</b>  |
| <b>Shropshire</b>         | <b>100%</b> |
| <b>Solihull</b>           | <b>96%</b>  |
| <b>Staffordshire</b>      | <b>57%</b>  |
| <b>Stoke</b>              | <b>-</b>    |
| <b>Telford</b>            | <b>93%</b>  |
| <b>Walsall</b>            | <b>-</b>    |
| <b>Warwickshire</b>       | <b>96%</b>  |
| <b>Wolverhampton</b>      | <b>88%</b>  |
| <b>Worcestershire</b>     | <b>96%</b>  |
| <b>Comparator Average</b> | <b>89%</b>  |



3.5 Regionally some of the results are 100% or very close to 100% due to processes those authorities have in place e.g. if it is part of their processes to always offer self-directed support or direct payments as an alternative to 'standard' services and this is well documented, then this can be counted as a pass. In Wolverhampton there needs to have been a clear and conscious decision by the assessor to offer the service user self-directed support which needs to be correctly documented (with the exception of the clients notified by the year end letters) and therefore our performance whilst appearing to be slightly weaker is more indicative of real Self Directed Support being in place.

## **Moving forward with self-directed support**

- 3.6 The Care Act 2014 sets out for the first time a clear expectation that everyone, whose needs are met by the local authority, whether those needs are eligible, or if the authority has chosen to meet other needs, must receive a personal budget as part of the care and support plan, or support plan.
- 3.7 A robust programme of work has been put in place to ensure that Wolverhampton can meet this challenge alongside other statutory requirements arising from the act in the form of the Care Act Implementation Programme. The programme will work alongside other change programmes and agents such as the Better Care Fund and Principal Social Worker for Adults. In doing so it will redesign Adult Social Care process to ensure that all adults, other than those subject to a limited number of exclusions receive a Personal Budget.
- 3.8 In addition the programme will review the processes involved in administering and monitoring Direct Payments, the only means by which individuals can receive payments to directly commission their own support. In doing so it will need to ensure these do not restrict choice whilst allowing the Council to fulfil its statutory responsibilities.
- 3.9 The work involved includes but is not limited to:
- A review of the mechanism used to determine the amount contained within the Personal Budget (commonly referred to as the Resource Allocation System (RAS)) ensuring that the process meets the principles of transparency, timeliness and sufficiency
  - Process redesign to develop a ‘minimum process framework’ which meets the needs of people who use services whilst ensuring legal compliance
  - Identifying
  - Consideration of the development of a wider range of ways that people who use services can benefit from Personal Budgets including the use of ‘pooled budgets’ and ‘Individual Service Funds (ISFs)’
  - The use of ‘Payment Cards’ to ease the administrative constraints of Direct Payments on both the Direct Payment recipient and Council
  - Strengthening the Information and Advice offering around Self Directed Support (Information and Advice is also a duty under the Act)
  - Changes to the process and timing of Direct Payments
  - Market Shaping activities by commissioners to ensure there is a wide range of affordable options to self-funders and Direct Payment recipients
  - Cultural changes via Workforce Development and the Principal Social Worker for Adults

## **4.0 Financial implications**

- 4.1 Direct payments and self-directed support are funded from the care purchasing budgets held within Older People and Personalisation (£23.6 million), and Health and Wellbeing (£26.9 million).
- 4.2 Implications for the Council are potentially significant, but as yet, not fully defined. Within the Care Act Implementation and Personalisation Programme is a finance workstream

focused on understanding the financial implications of the Care Act overall, this is being undertaken in conjunction with other workstreams including Carers and Personalisation and Care Planning.

- 4.3 It is important to note that changes to the requirements for Personal Budgets and Direct payments are not being delivered in isolation but alongside other changes as a result of the Care Act including changes to the eligibility criteria, cap on Care Costs (2016/17), universal deferred payments and as a result significant modelling work is required to understand any potential financial implications.  
[AS/05112014/B]

## **5.0 Legal implications**

- 5.1 The Care Act will change the legislative framework for Direct Payments and Personal Budgets either through Regulations or Statutory guidance, as outlined above.  
[Legal Code: TS/06112014/X]

## **6.0 Equalities implications**

- 6.1 The full impact of the Care Act including those around Personal Budgets and Direct Payments requires a full equalities analysis to be carried out for which detailed equalities data will be required. The now broader set of protected characteristics listed by the Equality Act will present some difficulty for some services whose pattern of monitoring does not extend to this full range of monitoring at present.

## **7.0 Environmental implications**

- 7.1 No environmental impacts have been identified.

## **8.0 Human resources implications**

- 8.1 Increased activity in terms of developing, managing and overseeing Personal Budgets and Direct Payments may have implications in terms of number and skill set of staff required.

## **9.0 Corporate landlord implications**

- 9.1 No corporate landlord impacts have been identified.

## **10.0 Schedule of background papers**

- 10.1 Corporate Performance Report – Q1

Adult Social Care Outcomes Framework 2013/14 –

<https://www.gov.uk/government/publications/the-adult-social-care-outcomes-framework-2013-to-2014>

Adult Social Care Outcomes Framework 2014/15 -

<https://www.gov.uk/government/publications/adult-social-care-outcomes-framework-2014-to-2015>

Care Act Implementation Guidance:

<https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation> p187-200 (Personal Budgets) and p201-228 (Direct Payments)

Direct Payments Regulations:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/366056/Care\\_Act\\_Negative\\_Regulations\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366056/Care_Act_Negative_Regulations_.pdf) Care and Support (Direct Payments) Regulations 2014 p45

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