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Dydd Gwener, 21 Ebrill 2023

Annwyl Gynghorydd,

RHYBUDD O GYFARFOD HYBRID
PWYLLGOR TROSOLWG A CHRAFFU GOFAL CYMDEITHASOL AC IECHYD
DYDD IAU, 27AIN EBRILL, 2023 9.00 AM

Yn gywir

Steven Goodrum
Rheolwr Gwasanaethau Democraidd

Sylwch: Gellir mynychu'r cyfarfod hwn naill ai wyneb yn wyneb yn Siambr Cyngor yr Arglwydd Barry Jones, Cyngor Sir y Fflint, Yr Wyddgrug, Sir y Fflint neu ar-lein.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd y ffrydio byw yn dod i ben pan fydd unrhyw eitemau cyfrinachol yn cael eu hystyried. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democraidd ar 01352 702345.

R H A G L E N

1 YMDDIHEURIADAU

Pwrpas: I dderbyn unrhyw ymddiheuriadau.

2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

Pwrpas: I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

3 TALIADAU UNIONGYRCHOL AR GYFER GOFAL CYMDEITHASOL I OEDOLION, ARCHWILIO CYMRU (Tudalennau 5 - 128)

Adroddiad Prif Swyddog (Gwasanaethau Cymdeithasol) - Dirprwy Arweinydd y Cyngor a'r Aelod Cabinet Gwasanaethau Cymdeithasol a Lles

Pwrpas: Rhoi sicrwydd i'r Aelodau bod argymhellion adroddiad Archwilio Cymru wedi eu cymryd i ystyriaeth yn Sir y Fflint.

4 CYNLLUN Y CYNGOR 2023-28 (Tudalennau 129 - 142)

Adroddiad Prif Swyddog (Gwasanaethau Cymdeithasol) - Dirprwy Arweinydd y Cyngor a'r Aelod Cabinet Gwasanaethau Cymdeithasol a Lles

Pwrpas: Rhannu cynnwys drafft Rhan 1 a Rhan 2 Cynllun y Cyngor 2023-28 er mwyn ceisio adolygiad/adborth cyn cael cymeradwyaeth y Cabinet.

5 ADRODDIAD BLYNYDDOL GWASANAETHAU CYMDEITHASOL (Tudalennau 143 - 164)

Adroddiad Prif Swyddog (Gwasanaethau Cymdeithasol) - Dirprwy Arweinydd y Cyngor a'r Aelod Cabinet Gwasanaethau Cymdeithasol a Lles

Pwrpas: Aelodau i ddarllen Adroddiad Blynyddol Gwasanaethau Cymdeithasol drafft a rhoi adborth ar y cynnwys drafft a ystyrir i'w gynnwys, sy'n cynnwys datblygiadau allweddol y flwyddyn ddiwethaf a'n blaenoriaethau ar gyfer y flwyddyn nesaf.

DEDDF LLYWODRAETH LEOL (MYNEDIAD I WYBODAETH) 1985 - YSTYRIED GWAHARDD Y WASG A'R CYHOEDD

Mae'r eitem a ganlyn yn cael ei hystyried yn eitem eithriedig yn rhinwedd Paragraff(au) 13 Rhan 4 Atodiad 12A o Ddeddf Llywodraeth Leol 1972 (fel y cafodd ei diwygio)

Mae'r adroddiad yn cynnwys gwybodaeth sy'n debygol o ddatgelu pwy yw unigolyn ac mae budd y cyhoedd o ddal yr adroddiad yn ôl yn fwy o lawer na budd y cyhoedd o ddatgelu'r adroddiad er mwyn gwarchod preifatrwydd yr unigolion dan sylw.

6 **LLEOLIADAU AR GYFER PLANT SY’N DERBYN GOFAL** (Tudalennau 165 - 170)

Adroddiad Prif Swyddog (Gwasanaethau Cymdeithasol) - Dirprwy Arweinydd y Cyngor a'r Aelod Cabinet Gwasanaethau Cymdeithasol a Lles

Pwrpas: I'r aelodau adolygu'r polisi ar gyfer trefnu a rheoli lleoliadau heb eu cofrestru na'u rheoleiddio pan fydd eu hangen dan amgylchiadau eithriadol.

Sylwch, efallai y bydd egwyl o 10 munud os yw'r cyfarfod yn para'n hirach na dwy awr.

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 3



SOCIAL & HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 27 th April, 2023
Report Subject	Audit Wales Report Direct Payments for Adult Social Care
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Report Author	Chief Officer (Social Services)
Type of Report	Operational

EXECUTIVE SUMMARY

As part of its audit programme, in April 2022, Audit Wales published its all-Wales report into how Direct Payments are helping adults in Wales live independently. The report looked at how Direct Payments helped to sustain people's wellbeing and whether the payments improved an individual's quality of life. Audit Wales also looked at how local authorities managed and encouraged the take up of Direct Payments and where these services presented value for money.

Direct Payments are an alternative to local authority arranged care or support and can help to meet an individual's needs or the needs of a carer.

Their aim is to give people more choice, greater flexibility and more control over the support they receive.

This report shared the findings of the Audit Wales report and the Flintshire response to it.

RECOMMENDATIONS

1	Members note the recommendations in the Audit Wales report on Direct Payments for Adult Social Care.
2	Members agreed the actions in the Flintshire Response to the national report.

REPORT DETAILS

1.00	EXPLAINING THE AUDIT WALES REPORT DIRECT PAYMENTS FOR ADULT SOCIAL CARE
1.01	In April 2022 Audit Wales published their report into Direct Payments for Adult Social Care across Wales. The report looking at how local authorities provided Direct Payment services to adults, examined their impact and value for money.
1.02	Audit Wales's review assessed how Direct Payments are helping people to live independently and enable them to have more voice, choice and control over the care and support they receive. They also looked at how Direct Payments help sustain individual's wellbeing and whether they improve a person's quality of life.
1.03	The review also looked at how local authorities manage and encourage take up of Direct Payments and judged whether these services present value for money.
1.04	To undertake the work, Audit Wales met with Care Inspectorate Wales, the Welsh Government, the Older People's Commissioner, Age Cymru, Carers Wales and a small number of service users alongside local authority representatives. Flintshire staff were interviewed alongside staff from 8 other local authorities. Auditors also interviewed representatives from other national bodies such as ADSS Cymru.
1.05	The review work was undertaken between September 2020 and February 2022.
1.06	Report Detail
1.07	The overall conclusion of the review was that Direct Payments support people's independence and are highly valued by service users and carers, but inconsistencies in the way they are promoted and managed by local authorities mean services are not always equitable and it is difficult to assess overall value for money.
1.08	The review also found that people are not consistently encouraged to take up Direct Payments and that the managing and supporting people to use Direct Payments varies widely.
1.09	The review also identified that Personal Assistants are essential to people making the most of Direct Payments, but service users often struggle to recruit them.
1.10	The report also noted that the interface between use of NHS continuing healthcare and social care on access to Direct Payments remains a problem.
1.11	The report did note, that despite significant challenges, local authorities ensured service users and carers were supported in the main during the pandemic.

1.12	<p>The report contains 10 recommendations (Appendix 1): Under the category of how local authorities promote and raise awareness of Direct Payments, Audit Wales recommended that local authorities:</p> <ul style="list-style-type: none"> • R1 Review public information in discussion with service users and carers to ensure it is clear, concise and fully explains what they need to know about Direct Payments. • R2 Undertake additional promotional work to encourage take up of Direct Payments. • R3 Ensure advocacy services are considered at the first point of contact to provide independent advice on Direct Payments to service users and carers. <p>To ensure Direct Payments are consistently offered, Audit Wales recommended that local authorities:</p> <ul style="list-style-type: none"> • R4 Ensure information about Direct Payments is available at the front door to social care and are included in the initial discussion on the available care options for service users and carers. • R5 Provide training to social workers on Direct Payments to ensure they fully understand their potential and feel confident promoting it to service users and carers. <p>To ensure services are provided equitably, Audit Wales recommend that local authorities and the Welsh Government:</p> <ul style="list-style-type: none"> • R6 Work together to develop a joint Recruitment and Retention Plan for Personal Assistants. • R7 Clarify policy expectations in plain accessible language and set out: <ul style="list-style-type: none"> • what Direct Payments can pay for • how application and assessment processes, timescales and review processes work • how monitoring individual payments and the paperwork required to verify payments will work • how unused monies are to be treated and whether they can be banked • how to administer and manage pooled budgets. <p>They also recommended that public information should be reviewed regularly (at least every two years) to ensure they are working effectively and remain relevant.</p> <p>The next recommendation was for Welsh Government consideration:</p> <ul style="list-style-type: none"> • R8 Ensure that people who receive both NHS continuing healthcare and Direct Payments have greater voice, choice and control in decision making. <p>The two final recommendations were to effectively manage performance and be able to judge value for money of Direct Payments and Audit Wales recommended that local authorities and Welsh Government:</p> <ul style="list-style-type: none"> • R9 Work together to establish a system to fully evaluate Direct Payments that captures all elements of the process – information, promotion, assessing, managing and evaluating impact on wellbeing and independence. • R10 Annually publish performance information for all elements of Direct Payments to enable a whole system view of delivery and impact to support improvement.
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1.13	Flintshire County Council's Response
1.14	<p>The Council submitted a full response to Audit Wales (Appendix 2). In this response the authority highlighted its investment in the development and nurturing of a social care culture of choice and control and the integral part Direct Payments play in the achievement of that vision.</p> <p>The Council has also completed a self-assessment of its own performance against the Recommendations relevant to local authorities and details are provided in the Impact Assessment Risk Management section of this report.</p>
1.15	<p><u>Response to Recommendation 1 and 2:</u> Flintshire recognises the importance of timely accessible information. The Flintshire Direct Payments Support Service has co-produced with citizens, a range of information booklets, factsheets and other resources to help broader understanding of direct payments. Flintshire also recognises that regardless of the quality of written information it is often necessary to adopt flexible and bespoke approaches to enabling full understanding of the opportunities and responsibilities. We broadly agree that promotion of direct payments as a genuine option for people ties in with social work practice, social work understanding, team culture, Social Work training and leadership.</p> <p>To assist with the context of Recommendations 1 & 2 we suggested that it would be helpful to have examples of good quality resources such as available information, training approaches etc., details of what is currently available and what is missing in Wales would have been helpful and constructive in supporting progress in these areas.</p>

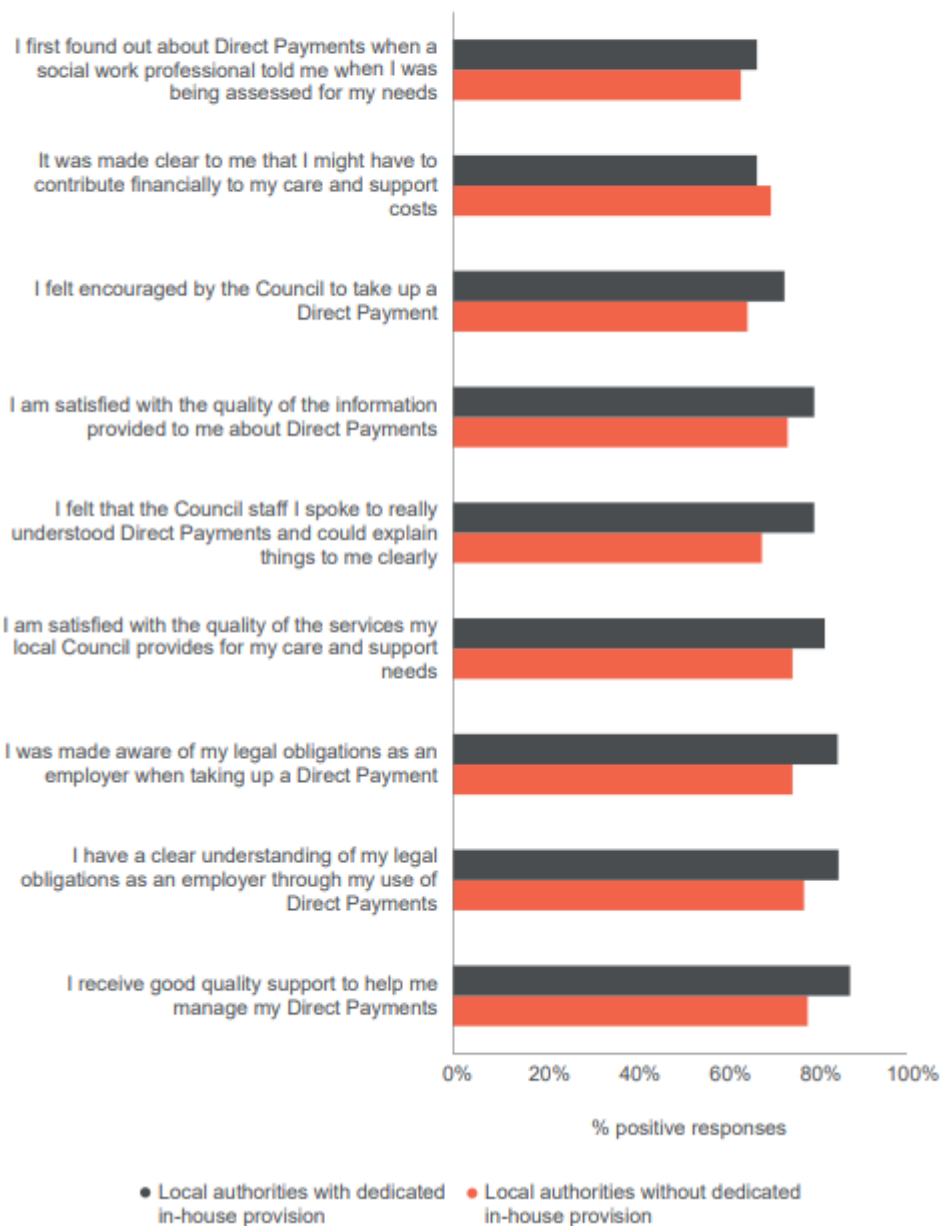
1.16 Response to Recommendation 3

We are slightly confused that the report suggests that independent advice about direct payments should be provided from first contact. This appears to be contradictory to the report’s findings detailed on page 26 *‘People in areas where support services to help manage Direct Payments are directly provided by local authorities have a more positive overall experience than those using a ‘commissioned’ service.’*

And information provided in Exhibit 3 (page 28 of the report)

Exhibit 3: Direct Payment recipients’ views about services, by type of administrative support service (in-house or commissioned)

Overall, people living in areas where support services are provided directly by local authorities are more positive about the service they receive than those provided by a third party.



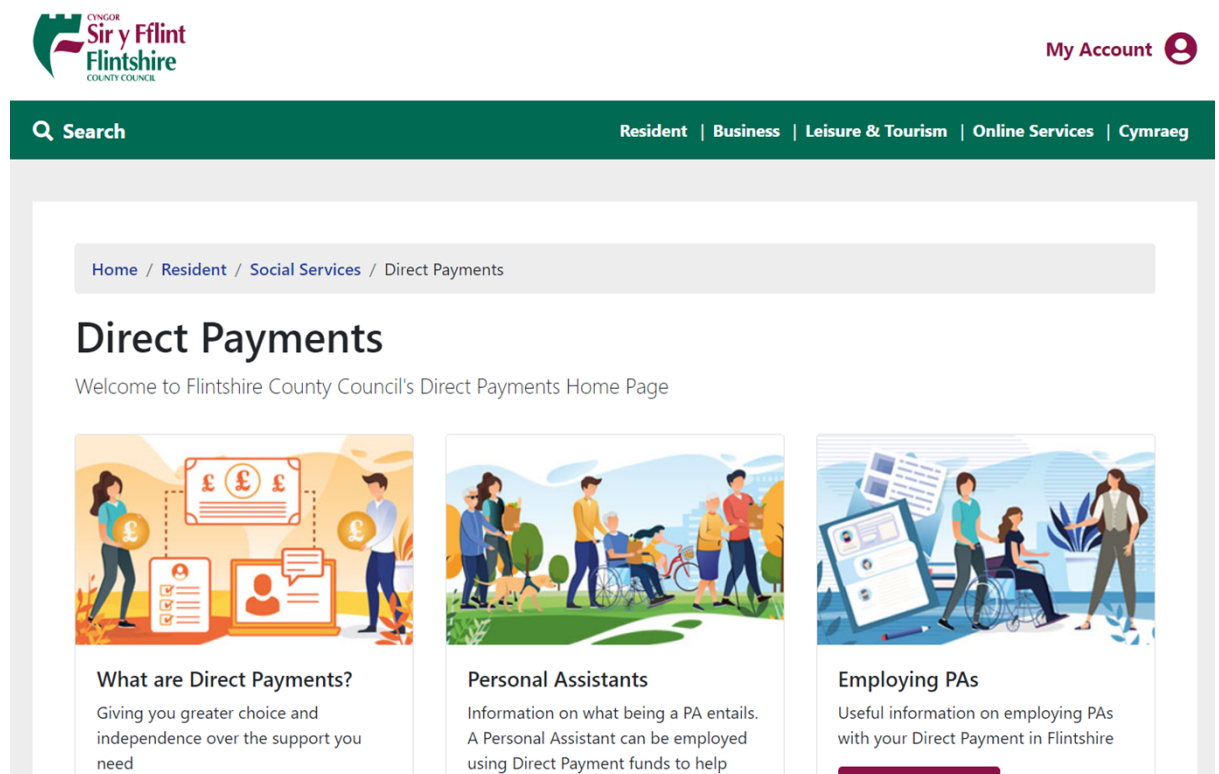
To date, we have not received any further clarification on the recommendation from Audit Wales.

1.17 Response to Recommendation 4 & 5

In Flintshire, we ensure information on Direct Payments is provided to our staff working within the Single Point of Access (SPoA). Our Direct Payment Team Manager and officers from within the in-house Direct Payment Team often attend Team Meetings for both SPoA and Older People's Social Worker Teams and share with them case studies and information on the flexibility, adaptability and creativity associated with Direct Payments.

A Direct Payment Practice Guide is also available for practitioners and provides more detailed information (Appendix 3).

We also have a dedicated Direct Payments Home Page which provides information to citizens even before they come to the Council's Front Door. The web pages are also a tool staff can use with Service Users and Carers to share information.



What are Direct Payments?
Giving you greater choice and independence over the support you need

Personal Assistants
Information on what being a PA entails. A Personal Assistant can be employed using Direct Payment funds to help

Employing PAs
Useful information on employing PAs with your Direct Payment in Flintshire

<https://www.flintshire.gov.uk/en/Resident/Social-Services/Direct-Payments/Home.aspx>

Finally, we have a Direct Payment General Information Booklet (Appendix 4)

In our response to Audit Wales we shared that our Direct Payment Team have worked with citizens and I.T. partners to completely reinvent our web based resources. This has resulted in an 800% increase in activity over the past 12 months. Additionally, we have facilitated forums, publish a quarterly newsletter, have an on-line news page, have developed Facebook and Twitter feeds, have written direct payments related articles, produced high quality promotional videos accessible via the Flintshire YouTube channel, addressed elected members, developed a catalogue of examples of innovative use of direct payments and have supported innovative solutions particularly during the pandemic to help people resolve personal challenges.

	<p>We also noted in our response that we strongly felt that sharing such practice would have helped balance the report and supported other local authorities to develop their resources and approaches.</p>
1.18	<p><u>Response to Recommendation 6</u> Personal Assistants are employed directly by recipients who are empowered and supported to become good employers, meet their responsibilities and retain workers. We have shared with Audit Wales that we are unsure how a joint recruitment and retention plan could be adopted and implemented without undermining the autonomy enjoyed by direct payments employers.</p> <p>Our suggestion is that we focus on providing high quality support services that helps direct payments recipients become high quality employers.</p> <p>Furthermore, we do not fully agree with the statement in the report that “Personal Assistants are essential to people making the most of Direct Payments, but service users struggle to recruit them”. As stated Personal Assistants can be the best solution for many people, particularly those in need of physical care and support, however we feel that this emphasis on Personal Assistants is unhelpful and demonstrates a very limited perspective. Certainly, the focus of direct payments in Flintshire is on helping people achieve their personal outcomes, so solutions should not be limited. Further to this we could have provided a range of creative examples.</p> <p>To date we have received no response for Audit Wales regarding this response.</p>
1.19	<p><u>Response to Recommendation 7</u> The Direct Payment web pages, set out the answers to the questions posed in Recommendation 7, including a detailed section on Information for Employers - https://www.flintshire.gov.uk/en/Resident/Social-Services/Direct-Payments/Information-for-Employers.aspx</p> <p>As with all Flintshire Social Services policies and guidance documents we have a rolling 2-year review schedule to ensure information is regularly updated.</p>
1.20	<p><u>Response to Recommendations 9 &10</u> The Flintshire Direct Payments Support Service have developed core data sets and are using intelligent information to inform future priorities and practice. We are striving to align such data with the known impacts of direct payments solutions to provide a 360-degree evaluation process.</p> <p>We have also embedded citizen feedback into our work and are using this to shape and confirm the effectiveness’ of our services. Inclusion of such examples within the report and/or proactive suggestions to help local authorities build more robust systems would have been welcomed.</p>

2.00	RESOURCE IMPLICATIONS
2.01	Officer time has been taken to ensure that the recommendations are responded to, and any learnings implemented.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>A full self-assessment of the recommendations has been undertaken by the Planning and Development Team working alongside the Direct Payment Team.</p> <p>A RAG Status has been applied to each recommendation and is detailed below:</p> <ul style="list-style-type: none"> • R1 Review public information in discussion with service users and carers to ensure it is clear, concise and fully explains what they need to know about Direct Payments. – Green • R2 Undertake additional promotional work to encourage take up of Direct Payments. – Green • R3 Ensure advocacy services are considered at the first point of contact to provide independent advice on Direct Payments to service users and carers. – Green • R4 Ensure information about Direct Payments is available at the front door to social care and are included in the initial discussion on the available care options for service users and carers - Green. • R5 Provide training to social workers on Direct Payments to ensure they fully understand their potential and feel confident promoting it to service users and carers. – Green • R6 Work together to develop a joint Recruitment and Retention Plan for Personal Assistants. – Belongs to All-Wales local authority Direct Payments Forum and Social Care Wales • R7 Clarify policy expectations in plain accessible language and set out: <ul style="list-style-type: none"> • what Direct Payments can pay for; • how application and assessment processes, timescales and review processes work; • how monitoring individual payments and the paperwork required to verify payments will work; • how unused monies are to be treated and whether they can be banked; and • how to administer and manage pooled budgets. Public information should be reviewed regularly (at least every two years) to ensure they are working effectively and remain relevant. – FCC element is Green • R8 Ensure that people who receive both NHS continuing healthcare and Direct Payments have greater voice, choice and control in decision making. – Belongs to the Welsh Government • R9 Work together to establish a system to fully evaluate Direct Payments that captures all elements of the process – information, promotion, assessing, managing and evaluating impact on wellbeing and independence. – FCC element Green

	<ul style="list-style-type: none"> R10 Annually publish performance information for all elements of Direct Payments to enable a whole system view of delivery and impact to support improvement. – FCC element Green
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4.00	CONSULTATIONS REQUIRED / CARRIED OUT
4.01	Audit Wales consulted with a wide range of organisations, individuals, and national bodies, as detailed above.

5.00	APPENDICES
5.01	Appendix 1 Audit Wales report Direct Payments for Adult Social Care
5.02	Appendix 2 Flintshire Response
5.03	Appendix 3 Direct Payment Practice Guide
5.04	Appendix 4 Direct Payment General Information Booklet

6.00	CONTACT OFFICER DETAILS
6.01	Contact Officer: Jane Davies Telephone: 01352 702503 E-mail: jane.m.davies@flintshire.gov.uk

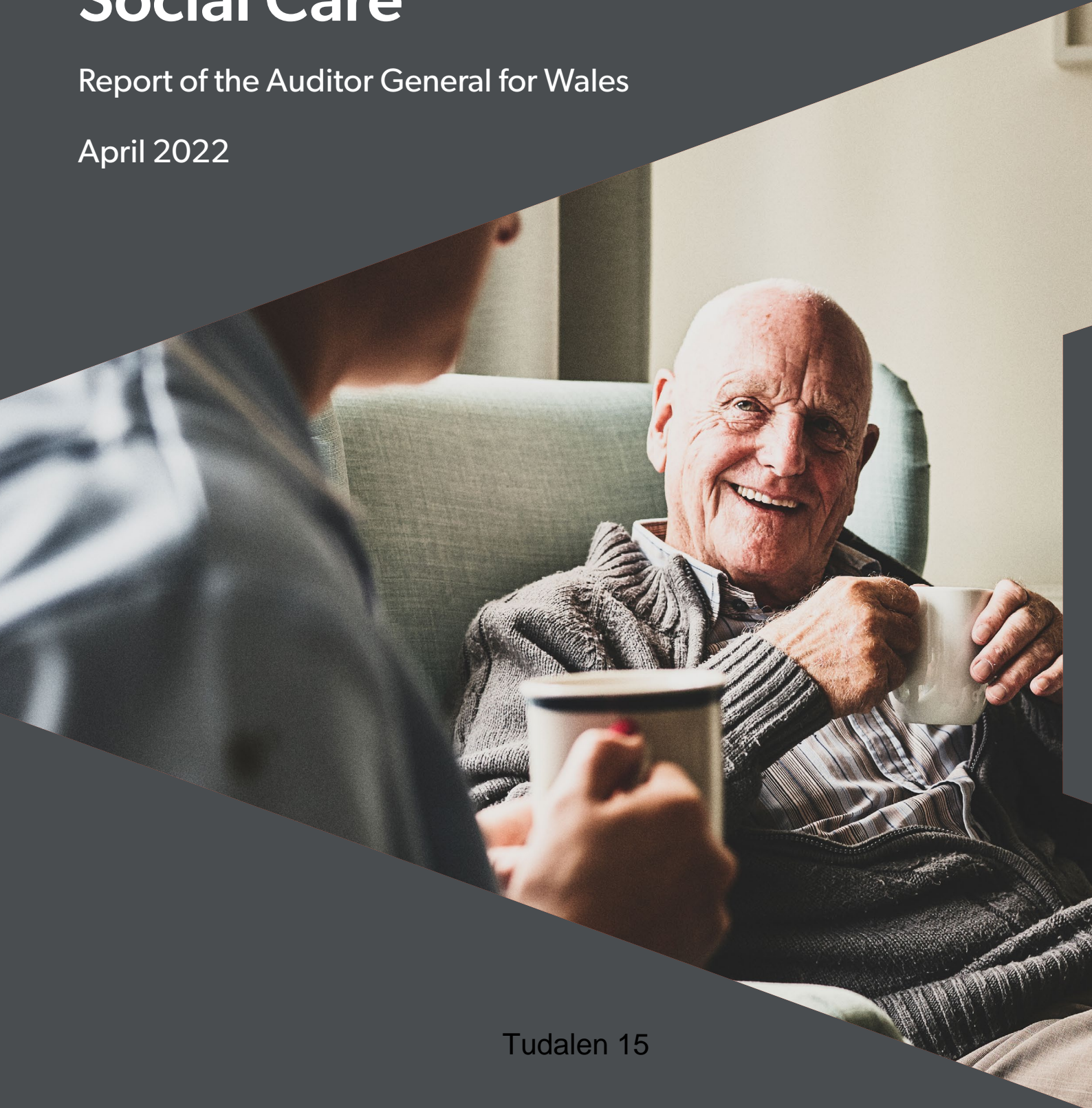
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Mae'r dudalen hon yn wag yn bwrpasol

Direct Payments for Adult Social Care

Report of the Auditor General for Wales

April 2022



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Mae'r ddogfen hon hefyd ar gael yn Gymraeg.

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Summary report

Background

The Social Services and Well-Being (Wales) Act 2014

- 1 The Senedd passed the Social Services and Well-being (Wales) Act in 2014 and it came into force in April 2016. The Act seeks to shift away from the traditional ways of providing social care, which were considered unsustainable, to approaches focused on:
 - a placing the wellbeing of people at the heart of services;
 - b giving people a strong voice and real control over the decisions that affect them;
 - c encouraging new models of service by mobilising community resources and promoting social enterprises and co-operatives;
 - d prioritising preventative services to avoid or delay the need for care;
 - e making systems easier and more accessible by reducing complexity and streamlining assessment and care planning arrangements;
 - f integrated working across professional and organisational boundaries to make the best use of resources and deliver the best outcomes; and
 - g strengthening safeguarding arrangements.

Direct Payments can improve people's choice, control and independence

- 2 Direct Payments can help meet an individual's eligible need for care and support, or a carer's need for support. They are an alternative to local-authority-arranged care or support. The aim of Direct Payments is to give people more choice, greater flexibility and more control over the support they get. Direct Payments can be provided to people of all ages if they have been assessed as needing social care services to support them with daily living, consent to receiving a Direct Payment and they (or their representative) can manage the payment.

- 3 Many people use their Direct Payments to fund a Personal Assistant to help them with various tasks. In these instances, Direct Payment recipients become employers and must meet the associated legal obligations. Some choose to use a care agency instead. Local authorities are required to provide support and assistance to people to manage their Direct Payment and employment responsibilities. This is often done through a local-authority-commissioned support service.
- 4 Direct Payments can be used to purchase a wide variety of services or equipment if these contribute to meeting an individual's agreed wellbeing outcomes. Payments can be made for day-to-day things such as dressing, cooking, driving and support to facilitate discharge from hospital. They can also be used for social activities – visiting friends, evening classes and gardening – as well as for assistance to access training and employment. The main benefit of Direct Payments is their adaptability. Service users can use them to organise their care in a whole range of new and more effective ways and local authorities are encouraged to explore innovative and creative options for meeting people's needs.
- 5 This report looks at how local authorities provide Direct Payment services to adults, examining their impact and value for money. **Appendix 1** provides more detail about our audit approach and methods. **Exhibit 1** sets out our characteristics of a good approach to Direct Payments.

Exhibit 1: the characteristics of a local authority that effectively encourages, manages and supports people to use Direct Payments



Local authorities who are good at **promoting** Direct Payments

Have simple and concise public information that is made available in a wide range of mediums and has been tested to ensure it is effective and tells people what they need to know

Offers and encourages people to use independent advocacy to help people make informed choices

Uses the 'What Matters' conversation in the assessment process to explain Direct Payments

Direct Payments are promoted as an option at least equally with other choices



Local authorities who are **managing** Direct Payments effectively

Help people to access and use Personal Assistants

'Demystify' what Direct Payments are and provide sufficient support to assure people on employment requirements, liabilities and fallback processes. Bureaucracy is kept to a minimum

Clearly set out what Direct Payments can be used for giving examples of the type of support that is available and, wherever possible, encourage innovation

Have regular and ongoing contact and provide support and information to adults using Direct Payments to clarify responsibilities and ensure people remain safe

Work to shape the 'market' and by improving access to Personal Assistants, encouraging more providers, managing costs and encouraging the pooling of budgets

Jointly agree with NHS bodies on how best to address the needs of clients who use Direct Payments and Continuing Healthcare so they are not disadvantaged



Local authorities who are **delivering** positive outcomes for people using Direct Payments

Evidencing that people's wellbeing is maintained or improving as a result of Direct Payments

Have a comprehensive system for monitoring and evaluating all aspects of Direct Payments

Involve and value input from all stakeholders/partners in evaluating the impact of services

Compare and benchmark individual and collective performance with others and use the findings of evaluation to shape current plans and future approaches

Know what works and whether the approach of the authority is delivering the aspirations of the Act



Key messages

- 6 Our overall conclusion is that **Direct Payments support people's independence and are highly valued by service users and carers, but inconsistencies in the way they are promoted and managed by local authorities mean services are not always equitable and it is difficult to assess overall value for money.**
- 7 People are not consistently encouraged to take up Direct Payments. A responsive person-centred approach is essential in helping people take up Direct Payments, but current engagement and involvement by local authorities is inconsistent. While the value of Direct Payments is recognised by senior managers, social care staff do not always display confidence in promoting their use with service users and carers. Direct Payments are valued by service users and carers, but this is not always translating into broadening their use.
- 8 Managing and supporting people to use Direct Payments varies widely and service users and carers are receiving different standards of service. Personal Assistants are essential to people making the most of Direct Payments, but service users often struggle to recruit them. People have mixed views on the support they receive from their local authority after they have taken up Direct Payments. The interface between use of NHS continuing healthcare and social care on access to Direct Payments also remains a problem.
- 9 Despite some significant challenges, local authorities ensured service users and carers were mostly supported during the pandemic, but a significant number of service users and carers we surveyed experienced difficulties. While the numbers using Direct Payments slightly grew before the pandemic, local authorities continue to use them differently across Wales. There is a need to address this 'post-code lottery' to ensure people are being treated fairly and equally.

- 10 Direct Payments are seen by recipients and care providers alike as making an important contribution to people’s wellbeing and independence. However, it is difficult to assess the overall value for money of Direct Payments in their own right, or in comparison with other forms of social care, because systems for managing and evaluating performance are inadequate.



Direct Payments can make an important contribution to meeting an individual’s care and support needs and they are highly valued by service users and carers. The Welsh Government and local authorities need to work together to address weakness in the management and evaluation of performance, which currently means it is not possible to judge how well local authorities are performing and whether Direct Payments represent value for money compared with other forms of social care. There is also a need to address the ‘post-code lottery’ where local authorities are using them differently across Wales, to ensure people are treated fairly and equally.

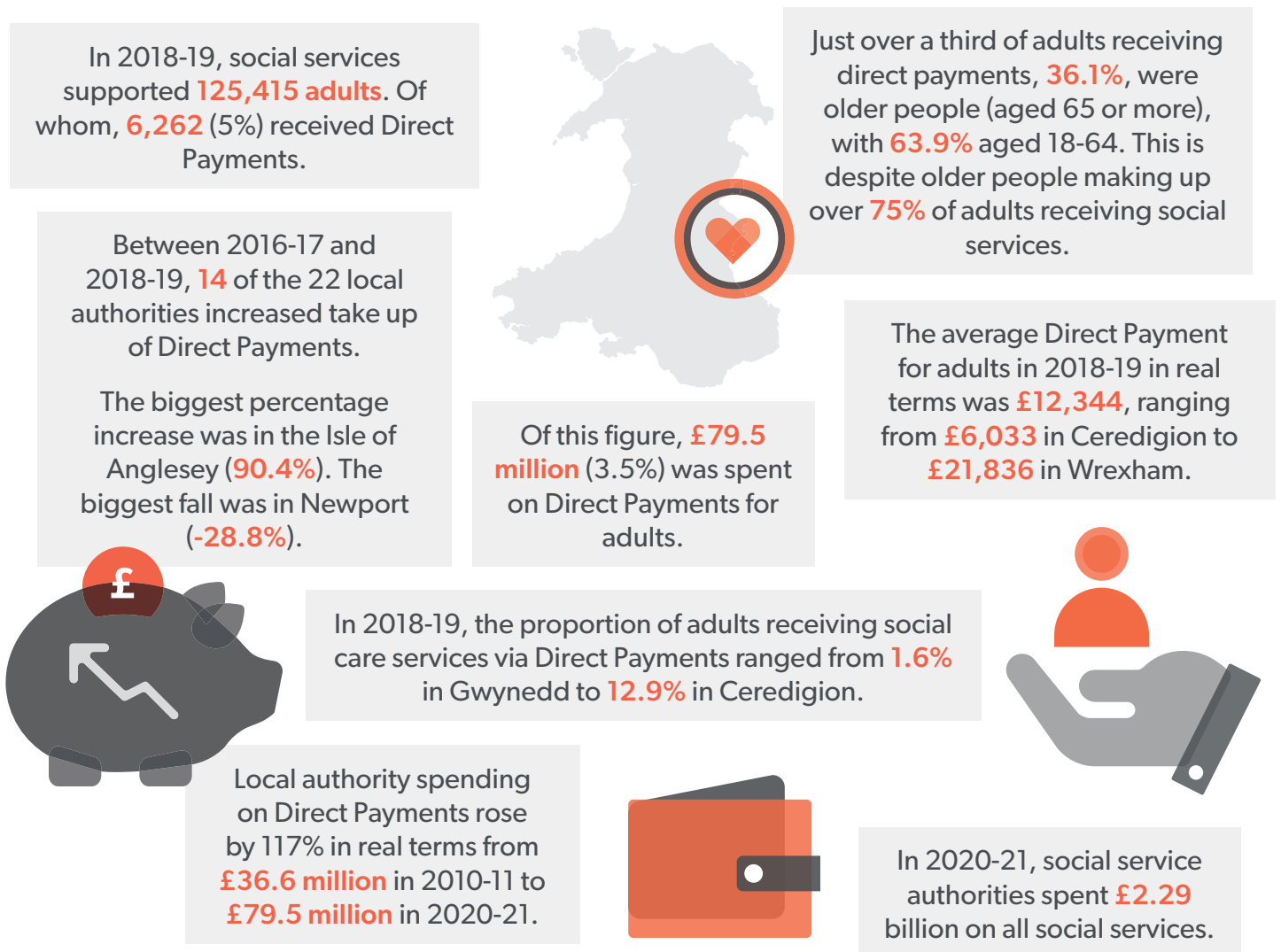
Adrian Crompton

Auditor General for Wales



Key facts

11 The infographic below summarises key facts from our report about Direct Payments. Following the Welsh Government’s decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been reported nationally since 2018-19.



12 Figures relating to the numbers of people receiving social services support and Direct Payments for 2018-19, including the average value of Direct Payments, do not include Caerphilly due to technical issues with their ICT systems.

Source: Audit Wales analysis of StatsWales data

Recommendations

- 13 Our recommendations are set out below. We expect each local authority to consider the findings of this review and our recommendations, and that its governance and audit committee receives this report and monitors its response to our recommendations in a timely way.

Exhibit 2: recommendations

Recommendations

In **Part 1** we set out the how local authorities promote and raise awareness of Direct Payments (**paragraphs 1.2 to 1.7**). To ensure people know about Direct Payments, how to access these services and are encouraged to take them up, we recommend that local authorities:

- R1** Review public information in discussion with service users and carers to ensure it is clear, concise and fully explains what they need to know about Direct Payments.
- R2** Undertake additional promotional work to encourage take up of Direct Payments.
- R3** Ensure advocacy services are considered at the first point of contact to provide independent advice on Direct Payments to service users and carers.

In **Part 1** we set out the importance of the ‘What Matters’ conversation and the importance of social workers in helping people make informed choices on Direct Payments (**paragraphs 1.8 to 1.13**). To ensure Direct Payments are consistently offered we recommend that local authorities:

- R4** Ensure information about Direct Payments is available at the front door to social care and are included in the initial discussion on the available care options for service users and carers.
- R5** Provide training to social workers on Direct Payments to ensure they fully understand their potential and feel confident promoting it to service users and carers.

Recommendations

In **Part 2** we highlight the central role of Personal Assistants in helping service users and carers to get the best positive outcomes from their use of Direct Payments (**paragraphs 2.2 to 2.7**). To ensure there is sufficient Personal Assistant capacity, we recommend that local authorities through the All-Wales local authority Direct Payments Forum and with Social Care Wales:

R6 Work together to develop a joint Recruitment and Retention Plan for Personal Assistants.

In **Part 2** we highlight that while local authorities recognise the value of Direct Payments in supporting independence and improving wellbeing, the differences in approach, standards and the amount paid out means that people with similar needs receive different levels of service (**paragraphs 2.9 to 2.18 and 2.23 to 2.27**). To ensure services are provided equitably and fairly we recommend that local authorities and the Welsh Government:

R7 Clarify policy expectations in plain accessible language and set out:

- what Direct Payments can pay for;
- how application and assessment processes, timescales and review processes work;
- how monitoring individual payments and the paperwork required to verify payments will work;
- how unused monies are to be treated and whether they can be banked; and
- how to administer and manage pooled budgets.

Public information should be reviewed regularly (at least every two years) to ensure they are working effectively and remain relevant.

Recommendations

In **Part 2** we highlight difficulties in the interface between NHS continuing healthcare and Direct Payments and note that current practices do not support service users and carers to exercise voice, choice and control (**paragraphs 2.28 to 2.31**). We recommend that the Welsh Government:

R8 Ensure that people who receive both NHS continuing healthcare and Direct Payments have greater voice, choice and control in decision making.

In **Part 3** we note that having the right performance indicators and regularly reporting performance against these are important for local authorities to manage operational performance, identify areas of improvement and evaluate the positive impact of services (**paragraphs 3.8 to 3.10**). To effectively manage performance and be able to judge the impact and value for money of Direct Payments, we recommend that local authorities and the Welsh Government:

R9 Work together to establish a system to fully evaluate Direct Payments that captures all elements of the process – information, promotion, assessing, managing and evaluating impact on wellbeing and independence.

R10 Annually publish performance information for all elements of Direct Payments to enable a whole system view of delivery and impact to support improvement.



**People are not
consistently
supported to take
up Direct Payments**

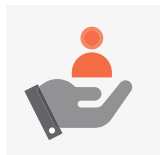
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1.1 In this part of the report, we consider how local authorities encourage people to use Direct Payments. We review local authorities' public information, how they promote take up of Direct Payments and the importance of the 'What Matters' conversation.

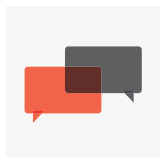
Local authorities who are good at promoting Direct Payments



Have simple and concise public information that is made available in wide range of mediums and has been tested to ensure it is effective and tells people what they need to know



Offers and encourages people to use independent advocacy to help people make informed choices



Uses the 'What Matters' conversation in the assessment process to explain Direct Payments



Direct Payments are promoted as an option at least equally with other choices

A responsive person-centred approach is essential in helping people choose Direct Payments, but current engagement and involvement by local authorities are inconsistent

Good quality and accessible information, support people to take greater control of their care and support and make well-informed choices

- 1.2 Information and advice help to promote people's wellbeing and are vital components of preventing or delaying people's need for care and support. Our focus group and survey work with the All-Wales Direct Payments Forum¹ found that all local authorities undertake some form of activity to promote public awareness and understanding of Direct Payments, but the options used vary. Local authorities focus on mediums such as their website, providing bilingual leaflets and promotional activity with established service user, carer groups and partnership forums. Less priority is given to using social media (for example, Facebook or Twitter) and proactive campaigns using press articles, adverts and local authority newsletters. Overall, only 3% of recipients responding to our survey² first found out about Direct Payments through published information (for example, online or a leaflet).
- 1.3 Overwhelmingly, service users report relying on a conversation with a local authority officer to find out about Direct Payments. Almost all (96%) of service users who responded to our survey said that they first found out about Direct Payments following a discussion with a local authority officer – most frequently a social work professional. Around half of carers we surveyed said that they first found out about Direct Payments following a discussion with a local authority officer. Carers are more likely than service users to find out about Direct Payments in discussion with other bodies (ie not their local authority), a care and support agency, NHS or third sector body for instance. These findings highlight that local authorities need to do more to ensure carers are better supported to fully access and use services, an issue flagged in recent research by [Carers Wales](#)³.

1 The All-Wales Direct Payments Forum is made up of officers from all Welsh local authorities with responsibility for Direct Payments within their respective organisations.

2 Our survey covers both service users and carers who receive Direct Payments. We report information at three levels. Where we say Direct Payment recipients, we mean both carers and service users; and where we specifically reference either 'service users' or 'carers' the findings of the survey are specific to these distinct groups of people who receive Direct Payments. In **Appendix 1** we set out our survey methodology in more detail.

3 Carers Wales is part of Carers UK and campaigns on behalf of carers. They recently reported that 40% of carers in Wales say they are unaware of services and sources of support for carers in their local community – [State of Caring 2021: Wales Briefing, Carers Wales, December 2021](#).

- 1.4 Direct Payments Forum members acknowledge that local authorities need to do more promotional work with some partners, in particular health and independent providers, to ensure Direct Payments are adequately promoted in all routes into social care. Roughly a quarter of local authority officers with responsibility for Direct Payments believe they have sufficient capacity to effectively promote Direct Payments and are investing resources to encourage take up. Less than a quarter of local authority officers consider themselves good at promoting awareness and encouraging take up of Direct Payments among hard-to-reach groups such as minority ethnic groups, Gypsies, Roma and Travellers and LGBTQ people.
- 1.5 The best local authorities are innovatively and actively promoting Direct Payments. For example, Isle of Anglesey Council uses a wide range of promotional materials to improve awareness for service users but also local authority staff and care providers. This includes YouTube videos of recipients talking about the positive experience and benefits of Direct Payments and roadshows to promote the benefits of Direct Payments. By proactively encouraging people to choose Direct Payments, the local authority saw the numbers in receipt of Direct Payments rise by 90.4% between 2016-17 and 2018-19.
- 1.6 Regarding the quality of the information and advice provided, three quarters of Direct Payments service users told us this was good but only half of carers in receipt of Direct Payments agreed this was the case. Only half of local authorities have tested or sought feedback on the quality of Direct Payments public information to ensure it is easy to understand, and only around a third of those have involved service users and carers in testing the quality of the information. Several service users who responded to our survey noted that they did not always find the public information they had been provided helpful and too often it reads as if it is written for the 'professional' not the 'client'. Notwithstanding, the overwhelming majority of people (98%) were able to access information about Direct Payments in their preferred language, and 4% chose to use Welsh.
- 1.7 Paragraph 37 of the [Social Services and Well-being \(Wales\) Act 2014 Part 10 Code of Practice \(Advocacy\)](#) notes that 'Advocacy services are fundamental to supporting people to engage actively and participate in development of their own well-being outcomes.' Paragraph 41 of the Code of Practice also says that independent professional advocacy must be made available from 'the moment of first contact'. We found that just over half of All-Wales Direct Payments Forum members believe that their local authority has adequate advocacy services in place to provide independent advice to service users and carers at this time.

The 'What Matters' conversation

- 1.8 Unlike many community-based, preventative services⁴ that people are often signposted to when seeking social care help, service users must be assessed as having 'eligible'⁵ needs to receive Direct Payments. When a local authority considers if someone has eligible needs, it looks at what causes that need for care and support; whether their needs affect their ability to do certain things; whether someone has a carer or access to community support that can meet their needs; and whether they are able to achieve a personal outcome without help from the local authority.
- 1.9 Local authorities are required to assess and determine whether someone is eligible for social care following an established process of which the 'What Matters' conversation is a critical element. **Appendix 2** sets this process out in more detail.

The 'What Matters' conversation

A 'What Matters' conversation is a targeted discussion to establish a person's situation, their current wellbeing, what can be done to support them and what can be done to promote their wellbeing and resilience for the better. It is not an assessment in itself: it is a way of carrying out the assessment by having the right type of conversation to identify with the individual:

- how they want to live their life;
- what might be preventing that; and
- what support might be required to overcome those barriers.

Knowing what matters can play a huge part in helping to make someone's life enjoyable and worthwhile.



4 There is no agreed definition of what constitutes a preventative service. They can range from relatively formal intermediate care services provided by health and social-care professionals to interventions that could include befriending schemes, the fitting of a handrail or help with shopping, to non-health or social-care services.

5 The Welsh Government is working with ADSS Cymru to produce a national assessment and eligibility tool.

- 1.10 Importantly, those seeking help and those assessing what is needed must work as equal partners in identifying issues and solutions in their 'What Matters' discussion. Ultimately, it requires social work professionals to let go of some control when assessing what is best for people. Direct Payments takes this ethos a step further – not only do individuals have an equal voice in shaping their care and support outcomes during the assessment, but they can also go on to take full control over their own care and support. The extent to which professionals feel able to let go shapes people's experience of their assessment, and in many cases the likelihood of them being offered and encouraged to use Direct Payments.
- 1.11 Overall, recipients of Direct Payments that we surveyed are positive about local authority assessment processes; the time spent by local authority staff clarifying employer responsibilities; and the 'What Matters' conversation. For instance:
- a 83% felt that what was agreed during the assessment was right for them;
 - b of the 83% that felt their assessment was right for them, the vast majority (88%) agreed that the subsequent care and support plan accurately set out what was agreed during their assessment;
 - c 76% felt encouraged to tell their local authority about the things that mattered to them, and felt listened to during their needs assessment;
 - d 75% discussed their ability to manage Direct Payments before taking them up; and
 - e 74% felt that they had a clear understanding of their legal obligation as an employer when taking up a Direct Payment.
- 1.12 Despite this, many local authority officers we spoke to acknowledge that they do not always have the capacity to work co-productively and identify creative solutions using Direct Payments. People are often in crisis when they contact social services and in practical terms, delivering early intervention, prevention and co-produced approaches requires time. Effective early intervention works to prevent problems occurring, or to tackle them head on when they do, and before problems get worse. It is important therefore for local authorities to consider the potential impact and value of Direct Payments as early as possible in the information, advice and assistance process to enable meaningful co-production and ensure all possible solutions that can help improve someone's wellbeing are considered.

1.13 We conclude that there is more for local authorities to do to promote awareness and understanding of Direct Payments amongst service users. Addressing this requires local authorities to promote opportunities for early intervention by raising awareness of the front door to adult social care, and ensuring adequate consideration of the potential for Direct Payments at the Information, Advice and Assistance (IAA services) stage. Local authorities are yet to strike this balance, something that echoes our recent review of IAA services⁶.

While the value of Direct Payments is recognised by senior managers, social care staff do not always display confidence in promoting their use with service users and carers

1.14 Strong leadership on Direct Payments is key to making progress and it is important that senior managers set the tone from the top. Through our engagement with local authority staff and representative bodies we found this to be key to creating the right conditions and culture for social workers to feel empowered to promote and encourage take up of Direct Payments.

1.15 We found that roughly three-quarters of Direct Payment managers with responsibility for Direct Payments believe their authority has an open and encouraging culture that promotes making best use of Direct Payments. In addition, a similar number believe that their local authority Corporate Management Team members understand the benefits of Direct Payments, and two-thirds that senior leaders actively encourage increasing take up. However, only a quarter of Direct Payment managers believe that councillors understand the benefits of Direct Payments. Half did not know.

1.16 Most local authorities have information and workflow management systems in place (for example the Welsh Community Care Information System⁷) which include prompts for social workers to offer Direct Payments as part of what matters assessments, or to confirm that they have offered this. However, officers we interviewed highlight the limitations in the assurance that this data provides because the likelihood of service users opting to use Direct Payments is mostly dependent on the tone, sincerity and genuineness of the offer and discussion with their social worker. To do this, social workers need to feel both confident in being able to promote the benefits of Direct Payments and empowered to make this offer. To make this work requires effective leadership and a whole-system approach.

6 Auditor General for Wales, [The front door to adult social care](#), September 2019.

7 We reported on the rollout of the [Welsh Community Care Information System](#) in October 2020, including commentary on the performance of the system.

- 1.17 The overwhelming majority of All-Wales Direct Payments Forum members told us that they continue to promote and provide training and information to social workers, care managers and frontline staff to support take up and roll out. Most also believed that social workers understand what Direct Payments can be used for, although officers we interviewed nevertheless identified some concerns.
- 1.18 Only half of Direct Payments Forum members think that their local authority encourages people to take up Direct Payments. Direct Payment managers expressed concerns that, from their experience, too often social workers lack confidence in discussing Direct Payments as an option, partly because of their inherent flexibility and potentially wider use compared to other forms of social care. They also noted that, increasingly, Direct Payments are seen as potentially placing other traditional care services at risk if their take up increases and demand for other services falls off. Just over half of Direct Payment managers believe that their local authority treats Direct Payments as favourably as other social care services and options when developing care plans.



Managing and supporting people to use Direct Payments varies widely with service users and carers receiving different standards of service

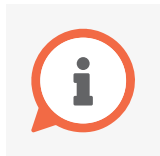
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2.1 In this section of the report, we look at opportunities to streamline the management and administration of Direct Payments. We look at the change in take up of Direct Payments in Wales and comparison with England. We consider how local authorities support people to make the best use of Direct Payments.

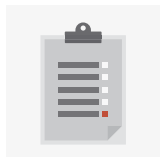
Local authorities who are managing Direct Payments effectively



Help people to access and use Personal Assistants



'Demystify' what Direct Payments are and provide sufficient support to assure people on employment requirements, liabilities and fallback processes. Bureaucracy is kept to a minimum



Clearly set out what Direct Payments can be used for giving examples of the type of support that is available and, wherever possible, encourage innovation



Have regular and ongoing contact and provide support and information to adults using Direct Payments to clarify responsibilities and ensure people remain safe



Work to shape the 'market' and by improving access to Personal Assistants, encouraging more providers, managing costs and encouraging the pooling of budgets



Jointly agree with NHS bodies on how best to address the needs of clients who use Direct Payments and Continuing Healthcare so they are not disadvantaged

Personal Assistants are essential to people making the most of Direct Payments, but service users struggle to recruit them

2.2 While some people will need additional support to manage Direct Payments, this should not be a barrier to encouraging people to use them. Local authorities must maintain a support service and make it available to those who need it – for example, help with employment responsibilities, payroll and reporting processes. Often this support is provided via a Personal Assistant.

Personal Assistants

Personal Assistants work directly with one or more individuals to help them with various aspects of their daily life and to help them live as independently as possible.

They are employed directly by an individual who is managing and paying for their own care through a Direct Payment or personal budget.

Personal Assistants usually support individuals in their own home.

People can be employed directly by one employer or work for a number of different people.

The role can include:

- organising and supporting individuals with their social and physical activities;
- booking and going with individuals to appointments;
- helping individuals to get to work, college or university;
- helping with personal care such as showering and dressing (although not all Personal Assistant roles involve personal care);
- supporting with tasks around the house such as shopping, cleaning and cooking;
- monitoring their health, for example, measuring body temperatures or administering medication; and/or
- managing a team of Personal Assistants if you are in a senior Personal Assistant role.



- 2.3 Employing a Personal Assistant cannot be entered into lightly and people pursuing this option need to be fully aware of their responsibilities. For instance, an employer must provide staff they employ with written information, including start date, hours of work, remuneration (which must meet the National Minimum Wage), place of work and a job title, or brief description of the job. Employers also need to set out whether employment is fixed term or permanent, the employee's statutory entitlement to sick pay, annual leave, pension scheme provision and notice requirements. Although local authorities expect people to take out employer's liability insurance and often provide advice about this, it is down to the individual to ensure they have fully considered the contractual arrangements with the care staff they employ.
- 2.4 People we surveyed noted differences between local authorities regarding their eligibility criteria for Direct Payments, the number of hours of personal assistance that individuals are assessed as needing, and the hourly rates paid. Our research shows that there is variation between hourly rates of pay for Personal Assistants across local authorities, with rates ranging from £8.72 to £12.94 per hour being reported in early 2021 – see **Appendix 4** for more detail.
- 2.5 The importance of Personal Assistants in supporting people to make the best use of Direct Payments cannot be overestimated. One person responding to our survey stated that: 'Direct Payments have given me the opportunity to employ my personal assistant who has been with me for 10 years now. This continuity with my personal assistant has empowered me, improved my self-confidence and given me the freedom to make my own decisions and choice with my personal assistant's support.' While another noted that: 'I think the whole system works around Direct Payments, you get to pick the personal assistants yourself rather than getting strangers thrust upon you.' Comments such as these highlight the value placed on Personal Assistants and the important role they play.
- 2.6 Notwithstanding, several people responding to our survey noted difficulties in both attracting and retaining Personal Assistants. For instance, one respondent stated that: 'there have been periods when we have been unable to find a suitable personal assistant, so I have been unable to use the Direct Payments. At one point this lasted over a year.' Another noted a 'major problem is being able to recruit Personal Assistants' and another 'issues with a Personal Assistant meant I've had to readvertise the job so as a result I haven't yet used my Direct Payment'.

2.7 Direct Payment managers we spoke to also highlighted the ongoing challenge of attracting and retaining Personal Assistants. Ongoing workforce pressures have meant that adult social care employers and providers have needed to adopt a range of strategies to help retain and support their workforce and these approaches need to be extended to Personal Assistants. The Care Provider Alliance, Association of Directors of Adult Social Services and Local Government Association in England have brought together approaches taken by organisations to reduce staff turnover and help retain people in the care and health workforce, which are of use for local authorities to consider in encouraging more Personal Assistants⁸.

People have mixed views on the support they receive from their local authority after they have taken up Direct Payments

2.8 Direct Payments must be embraced as a core component of delivering support – not as an exceptional option – so that the positive impact can be realised. There will be initial costs associated with setting up or commissioning an effective Direct Payment Support Service and training staff in Direct Payment processes. But once fully operational, Direct Payments should at least be cost neutral and should realise savings from, for instance, reduced administration, review and management of providers. It is important for local authorities to therefore focus on setting up the right support service to both encourage take up and to realise the potential for cost savings. Ultimately, the Direct Payment must be enough to cover the reasonable cost of buying services that the local authority has a duty to provide.

Some people find the administration of Direct Payments challenging

2.9 It is important that local authorities provide adequate support and have regular contact with service users and carers. Local authorities should be proactive in organising these discussions to make sure the care and support plan remains right, is legal, affordable and effective in meeting wellbeing outcomes.

- 2.10 Overall, 78% of people we surveyed said they receive good quality support to help them manage their Direct Payment. However, while 55% say that they can cope with the administration side of Direct Payments, finding the level of paperwork reasonable and manageable, 13% feel it is overwhelming. The other third of respondents stated that they are not required to keep any paperwork (23%) or their local authority rarely asks for paperwork (10%). Carers are generally more dissatisfied than service users with the quality of the Direct Payments services their local authority provides to help meet their needs. Our focus group work with All-Wales Direct Payments Forum members found that just over half of local authorities have sought to streamline their systems for administering Direct Payments to reduce the burden on clients, Personal Assistants and care providers.
- 2.11 Just over a third of care and support providers we surveyed felt that from their experience local authorities did not provide good support to help people manage their Direct Payments. There is also some concern from providers that people who may struggle to manage a Direct Payment are being directed to select this option simply because of pressures on domiciliary care services and reductions in the availability of other care services. Only half of Direct Payment managers stated that their local authority has an up-to-date directory of approved service providers to help people purchase support.

People in areas where support services to help manage Direct Payments are directly provided by local authorities have a more positive overall experience than those using a 'commissioned' service

- 2.12 Many local authorities commission others to provide support services for Direct Payments, but according to feedback from members of the Direct Payments Forum, a growing number of councils are in the process of reviewing or considering bringing these services back in house, primarily to improve service quality, to be able to better respond to service user and carer needs, and reduce administration costs. As of January 2021, seven⁹ of the 22 local authorities had in-house services.

9 The six councils with in-house provision at the time of our review were: Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Flintshire County Council, Monmouthshire County Council, Neath Port Talbot Council and Torfaen County Borough Council.

2.13 Our survey of people using Direct Payments sought their views regarding a number of factors which we consider to be indicators of service accessibility and quality. To establish how different service configurations impact on accessibility, quality and user satisfaction, we analysed our survey data by comparing the responses from Direct Payments recipients in areas where the local authority delivers its support function in-house, with those where the service is commissioned externally and provided by third parties. **Exhibit 3** shows that survey responses from those in local authority areas with in-house services have higher levels of positive responses against a number of key metrics.



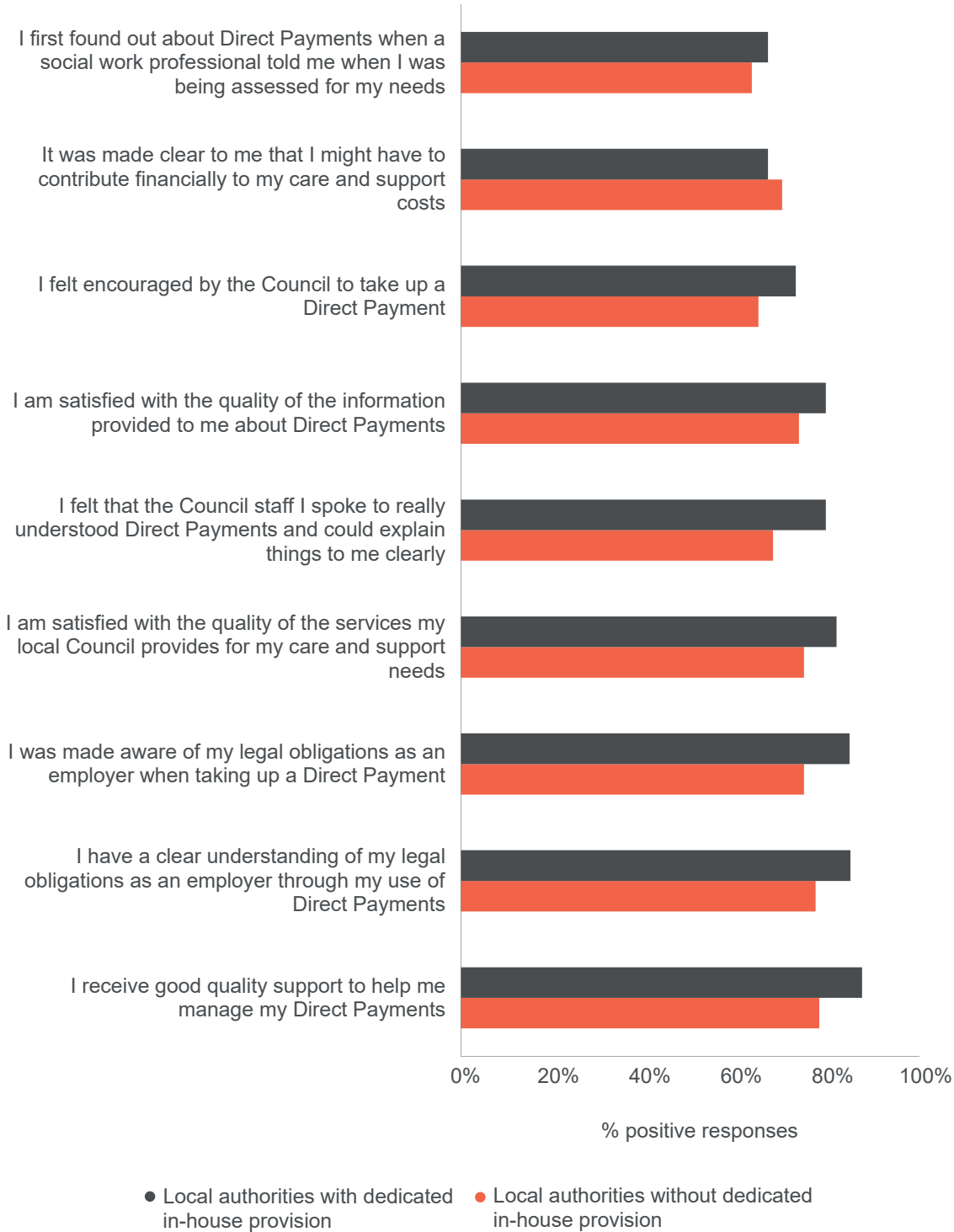
I'm grateful for the support and payments. I don't have to deal with the money. Going out with someone other than family gives me independence that I've longed for

Source: Audit Wales, Survey of people receiving Direct Payments, September 2021.



Exhibit 3: Direct Payment recipients' views about services, by type of administrative support service (in-house or commissioned)

Overall, people living in areas where support services are provided directly by local authorities are more positive about the service they receive than those provided by a third party.



Source: Audit Wales, Survey of people receiving Direct Payments, September 2021

2.14 Our focus group work with the All-Wales Direct Payments Forum highlighted that, in addition to supporting external clients, in-house Direct Payment teams have greater ability to work flexibly and focus on providing training and expert support to front line social workers who offer and administer Direct Payments. Given the key barriers we highlight in accessing Direct Payments (see **paragraph 1.16**) and coupled with our survey findings, this support is clearly important and is making an impact, leading to greater satisfaction with information about Direct Payments, a greater perception of social workers' understanding, and service users feeling encouraged to take up a Direct Payment.

Local authorities mostly ensured people were supported during the pandemic, but a significant number of service users and carers we surveyed had no contact during the initial lockdown and restrictions

2.15 The pandemic created many challenges for social care services and local authorities were forced to respond creatively to ensure vulnerable people were safe and supported. As with other frontline staff working in NHS or care settings, the pandemic has also had a huge impact on people providing care services organised under Direct Payments, especially Personal Assistants.

2.16 We found that where a service was interrupted or could not continue to be provided due to COVID-19, most local authorities arranged alternative provision. Local authorities also made contact to check on individuals' welfare and to ensure services continued to be provided. Direct Payment managers we spoke to however, also noted some difficulties in maintaining services. In particular, the lack of availability of Personal Assistants and/or care staff when people were self-isolating and unable to visit and support service users.

2.17 Officers we spoke to also highlighted their local authority's positive work to ensure social care staff were supported and equipped to work from home. They described how senior leaders acted proactively, keeping staff informed and up to date with changes in services and work priorities, and responded to challenges as they arose quickly and efficiently. For example, relocating staff to fill gaps in services and flexing information gathering systems to reduce the burden of administration on Personal Assistants and care providers.

2.18 57% of people receiving Direct Payments we surveyed said that their local authority did not help source Personal Protective Equipment (PPE) for their care or support provider. Service users and carers we spoke to noted that some local authorities provided PPE free of charge, some reimbursed individuals who purchased their own, but others expected service users and/or their personal assistant to purchase PPE themselves and meet the cost from their Direct Payment. In April 2021, we reported that some frontline health and social care staff experienced shortages of PPE during the pandemic¹⁰. Some people using Direct Payments experienced similar if not greater difficulties trying to source PPE on an individual level. Some service users and carers we spoke to noted that on occasion the lack of PPE and inability to source this directly resulted in services being suspended. In addition, 40% of the Direct Payments recipients we surveyed said they had received no contact from their local authority specifically to check if they had any problems resulting from the lockdown and restrictions.

While the number of people receiving Direct Payments has grown slightly in recent years, local authorities continue to use them differently across Wales

Just under two-thirds of local authorities increased take up of Direct Payments between 2016-17 and 2018-19, but only 5% of all adults in receipt of social care services were receiving them

2.19 The most recent data on Direct Payments use published in 2018-19 shows that 125,415 adults were in receipt of social care services in Wales¹¹. Of these, 6,262 (5%) received Direct Payments. The proportion of social care services provided via Direct Payments ranged from 1.6% of clients in Gwynedd to 12.9% in Ceredigion. **Appendix 3** provides more information. This data for 2018-19 does not include Caerphilly.

2.20 Just over a third of those receiving Direct Payments (36.1%) are older people (aged 65 or more). This is despite this particular age group making up over 75% of the overall number of adults receiving social services. The bulk of those receiving Direct Payments, 63.9%, are aged between 18 and 64.

10 [Procuring and Supplying PPE for the COVID-19 Pandemic, Report of the Auditor General for Wales, April 2021](#)

11 In response to the pandemic, the Welsh Government suspended collection and reporting of social services performance data in 2019-20 and the most up-to-date data is 2018-19.

2.21 Between 2016-17 and 2018-19, there had been a 5.2% increase in the numbers receiving Direct Payments with 14 of the 22 local authorities seeing a growth in take up – **Exhibit 4**. The biggest percentage rise, of 90.4%, was in the Isle of Anglesey, although the proportion of adults receiving social care services via Direct Payments in 2018-19 was still below the Wales average. The biggest fall was in Newport, -28.8%.

Exhibit 4: the number of adults receiving Direct Payments by local authority in 2016-17 and 2018-19 and change in take up over the period

Local authority	2016-17	2018-19	% Change
Isle of Anglesey	73	139	90.4%
Gwynedd	158	137	-13.3%
Conwy	221	239	8.1%
Denbighshire	106	177	66.9%
Flintshire	403	437	8.4%
Wrexham	196	272	38.7%
Powys	551	504	-8.5%
Ceredigion	199	336	68.8%
Pembrokeshire	293	331	12.9%
Carmarthenshire	448	538	20.0%
Swansea	521	517	-0.8%
Neath Port Talbot	341	433	26.9%
Bridgend	177	232	31.1%
Vale of Glamorgan	378	271	-28.3%
Rhondda Cynon Taf	372	306	-17.7%
Merthyr Tydfil	95	102	7.4%
Caerphilly	114	-	-
Blaenau Gwent	145	149	2.3%
Torfaen	131	130	-0.8%
Monmouthshire	154	131	-14.9%
Newport	132	94	-28.8%
Cardiff	746	787	5.5%
TOTAL	5,954	6,262	5.2%

Note: Caerphilly was unable to provide data for 2018-19, due to technical issues with their ICT systems.

Source: StatsWales, [CARE0118: Adults receiving services by local authority](#)

2.22 The use of Direct Payments in Wales still lags behind England. Data published by NHS Digital Services¹² shows that in 2020-21, 26.6% of people who receive social care services including 75.3% of carers in England receive Direct Payments. Performance ranges from 19.8% of all service users in the north-east of England to 38.3% in the East Midlands.

Direct Payments are used differently across Wales and local authorities have different approaches in how they deal with unused funds

- 2.23 How Direct Payments are used and what they pay for varies. Through our discussion with Direct Payment Forum members we found that some authorities have few, if any, restrictions and encourage people to use the money flexibly; paying for holiday accommodation, leisure activities, trips abroad and mobile phones. In comparison, other local authorities only allow Direct Payments to pay for practical help directly associated with an individual's personal care and define what Direct Payments can and cannot pay for.
- 2.24 Direct Payment service users and carers we surveyed raised concerns with this situation. One user of Direct Payments noted that: 'It would be very helpful to have a written list of what Direct Payments can actually be used for.' Another survey respondent summed up their experience as follows: 'The council does not make it clear how to spend the money. You still have to continually ask questions and the people in the council don't know the answers. The system is very slow and 'drawn out'. They are not flexible.'
- 2.25 Those who have similar support needs can also pool their Direct Payments to organise joint activities or services by taking some or all of their Direct Payment and adding these funds together to jointly purchase services¹³. This enables people to share the cost of activities, have the opportunity to spend more time with other people and get better value through increasing their spending power. However, we found that pooling budgets is very limited. And past approaches in some local authorities ended relatively quickly, despite the best endeavours of staff we interviewed.
- 2.26 Welsh Government guidance¹⁴ requires local authorities to work flexibly, allowing Direct Payments recipients to be able to 'bank' any unused payment to use as and when they need to. However, in reality the approach taken by local authorities varies and some local authorities seek to recover unspent money. The findings from our survey of recipients (**Exhibit 5**) are echoed in the feedback we received from local authority staff where we found wide differences in approach.

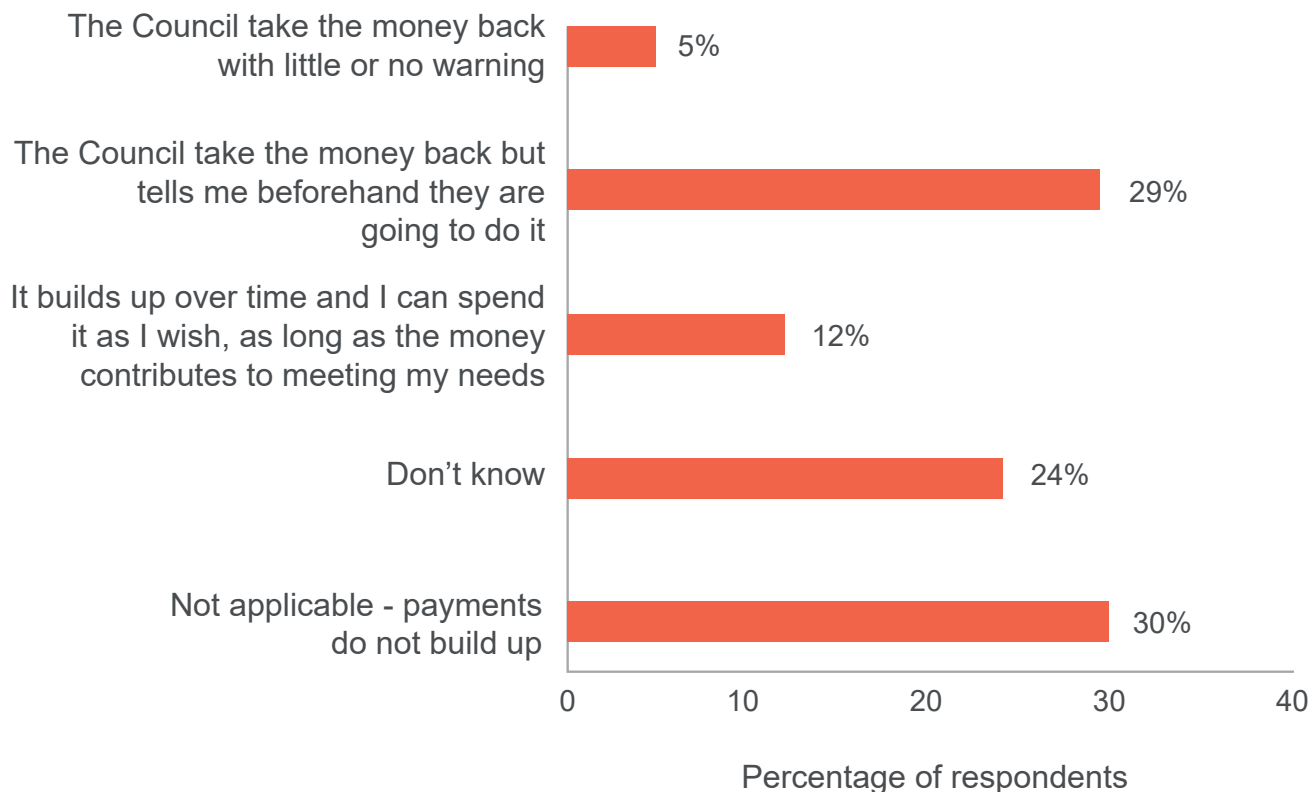
12 NHS Digital Services, [Adult Social Care Outcomes Framework](#), October 2021.

13 The Wales Co-operative Centre has published a guide setting out how people can pool budgets for Direct Payments, [Direct Payments: make them work for you](#)

14 [Social Services and Well-being \(Wales\) Act 2014: Part 4 Code of Practice \(Meeting Needs\)](#), 2015. Paragraph 159 notes that 'The flexibility inherent in direct payments means that recipients, or their representatives, must be able to adjust the amount of the direct payment they use from week to week. They must be able to 'bank' any unused payment to use as and when extra needs arise (this might particularly be relevant for those whose needs fluctuate)'.
Tudalen 46

Exhibit 5: Direct Payment recipients’ experiences of what happens to payments which build up

Roughly one in eight recipients of Direct Payments build up ‘unused’ money to be used to meet future needs.



Source: Audit Wales, Survey of people receiving Direct Payments, September 2021

2.27 Taken together, our evidence highlights that further clarification, support and guidance are required to ensure that people are able to fully benefit from Direct Payments and receive a consistent standard of service.

The interface between use of NHS continuing healthcare and social care on access to Direct Payments remains a problem

- 2.28 The Welsh Government's Programme for Government 2021 to 2026 includes a commitment to 'Improve the interface between NHS continuing healthcare and Direct Payments'. In August 2021, the Welsh Government strengthened the wording in the NHS Continuing Healthcare National Framework 2021 and Decision Support Tool.
- 2.29 Importantly, the new guidance reinforces the central ethos of individuals' right to exercise voice and control to decide how, when and who supports them to meet their eligible care and support needs, especially when transitioning from Direct Payments to NHS continuing healthcare. This includes providing specific examples of actions Local Health Boards can take to support this but also recognising that assessments needed to avoid putting up barriers and pushing service users from one service to the other. Theoretically therefore it should be possible for someone to receive a needs-led assessment that supports someone's independence, voice and control.
- 2.30 Some people we surveyed in receipt of Direct Payments noted a reluctance to access NHS continuing healthcare because they fear losing their Personal Assistants and the ability to determine who provides their services. They also raised concerns that the flexibility of Direct Payments – that enables them to access a wide range of non-traditional health and/or social care services that help improve their wellbeing – will be lost.
- 2.31 Direct Payment managers also noted instances where individuals with deteriorating health needs are refusing to access NHS continuing healthcare because of fear of losing the flexibility of Direct Payments and the wellbeing improvements it brings. Direct Payment managers and some providers also raised concerns that NHS colleagues are still not fully on board with service users 'driving' decision making and maximising the opportunity to promote independence, voice and control.



**Direct Payments
are helping people
live independently
and improving their
wellbeing, but it is
difficult to assess
overall value for money
because of limitations
in data and evaluation**

03

3.1 In this final part of the report, we consider the impact of Direct Payments. We summarise spending on Direct Payments in Wales and highlight the variations between local authorities. Finally, we consider whether the current approaches to monitor and evaluate Direct Payments to ensure they provide value for money are effective.

Local authorities who are delivering positive outcomes for people using Direct Payments



Evidencing that people's wellbeing is maintained or improving as a result of Direct Payments



Have a comprehensive system for monitoring and evaluating all aspects of Direct Payments



Involve and value input from all stakeholders/partners in evaluating the impact of services



Compare and benchmark individual and collective performance with others and use the findings of evaluation to shape current plans and future approaches



Know what works and whether the approach of the authority is delivering the aspirations of the Act

Direct Payments are seen as making an important contribution to recipients' wellbeing and independence

- 3.2 Overall, the people we surveyed who receive Direct Payments provided positive feedback on the impact of Direct Payments. 91% of respondents to our survey stated that Direct Payments have had a positive impact on their independence and wellbeing. In addition, 85% stated that Direct Payments were definitely the right option for them. The majority of care and support providers who responded to our survey (87%) also agreed that Direct Payments are helping to support people's independence and maintain their wellbeing.
- 3.3 Some people we surveyed identified the critical role of Direct Payments in helping them remain independent. One Direct Payment recipient noted that: 'I get support to do everything I want to do and achieve' whilst another stated that: 'It's allowed me to do lots of new things and go out and enjoy and meet new people.' Another noted that: 'It (Direct Payments) gives choices and independence which have been very positive' and another that: 'the Direct Payments have enabled me to remain living in my own home'. Finally, one recipient stated that: 'I really like Direct Payments and how it lets me live as independently as I can.' And another person we surveyed noted that: 'Direct Payments allows me to have control and more importantly to have the care I need to be able to get the most out of life.' These comments were echoed by many others who responded to our survey.

It is difficult to assess the overall value for money of Direct Payments because systems for managing and evaluating performance are inadequate

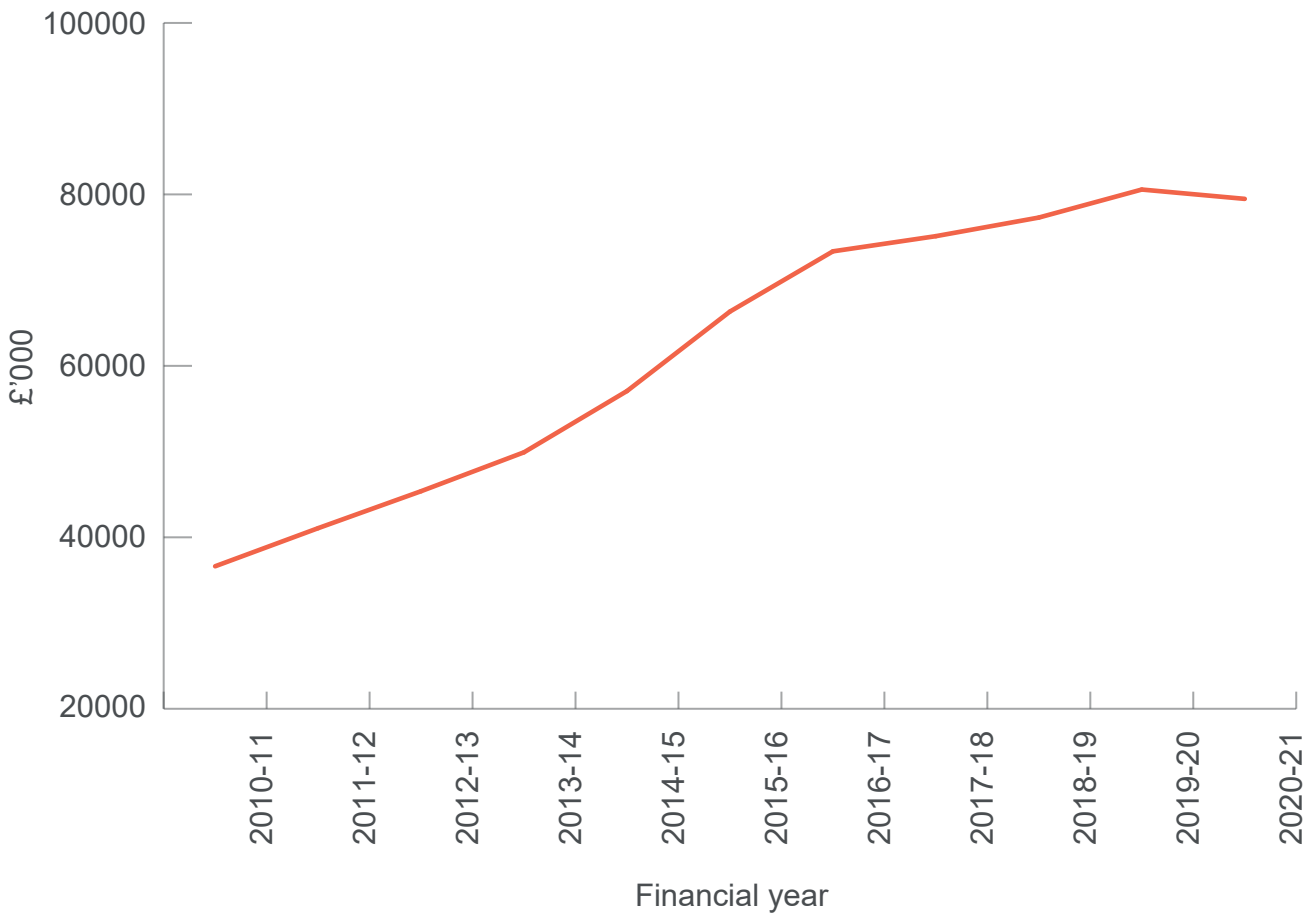
- 3.4 Despite the high value placed on Direct Payments by service users and carers, there is only a small range of national publicly reported indicators to judge performance. These simply cover the numbers receiving Direct Payments by need group (physical disabilities, learning disabilities, mental health and older people) and the amount spent on Direct Payments by local authority. The performance measures were revised following the implementation of the Social Services and Well-being (Wales) Act in 2014, and information has only been collated for three financial years: 2016-17, 2017-18 and 2018-19. Following the Welsh Government's decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been collected and reported nationally.

Spending on Direct Payments has more than doubled in the last decade, but marginally fell in 2020-21. The average amount paid out per recipient varies widely

3.5 The amount of money spent on Direct Payments is growing and in real terms, considering inflation, has increased from £36.6 million in 2010-11 to £79.5 million in 2020-21 – **Exhibit 6**.

Exhibit 6: total spending on Direct Payments for adults by local authorities in real terms between 2010-11 and 2020-21

Local authorities' spending on Direct Payments increased by 117% in the period but marginally fell in 2020-21.

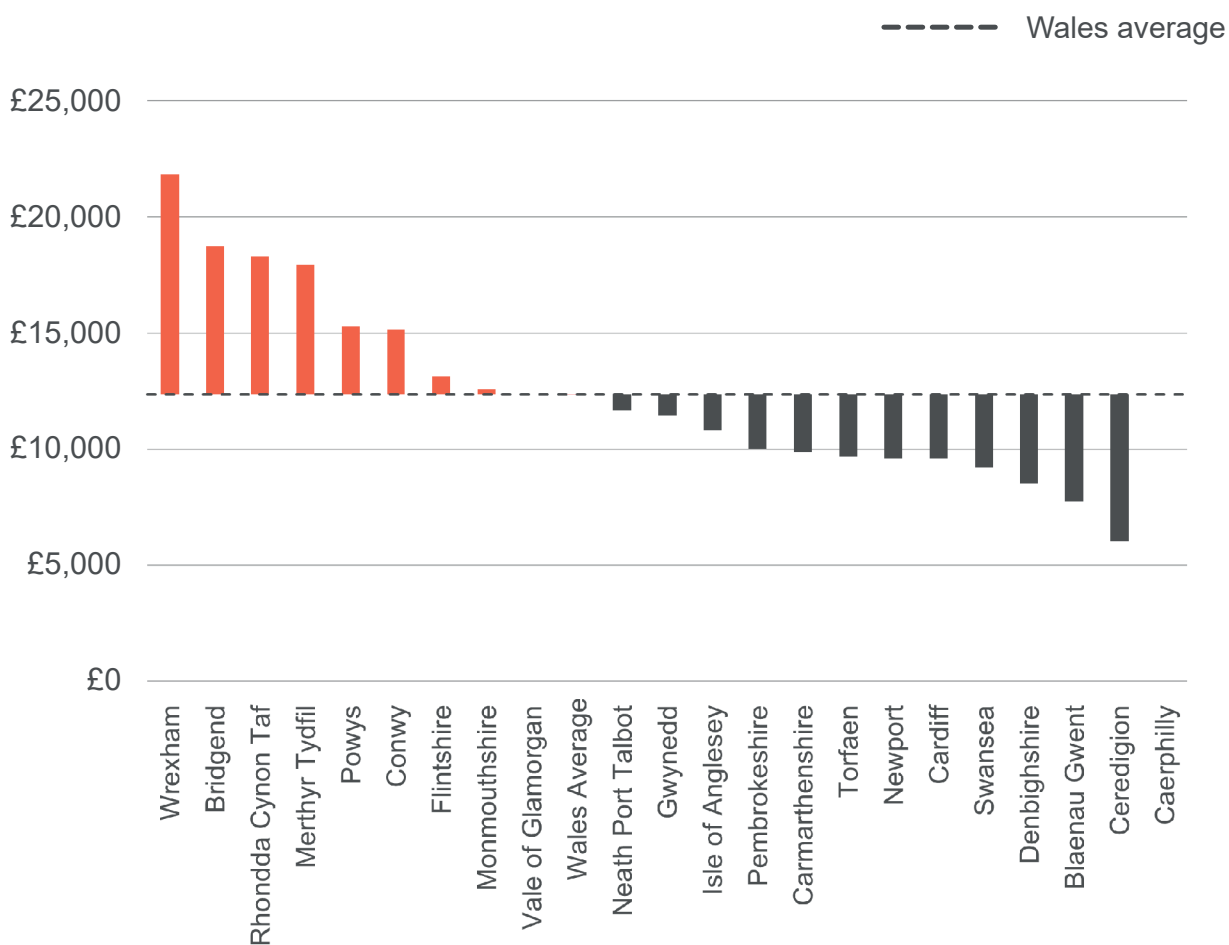


Source: StatsWales, [LGFS0015: Social services revenue outturn expenditure subjective analysis by authority](#). Analysis by Audit Wales

3.6 While each local authority is responsible for the format of care and support plans, they are required to be consistent across the country using the national eligibility criteria¹⁵. Our analysis in **Exhibit 7** shows that local authorities are paying out widely varying average amounts. Excluding Caerphilly, the average Direct Payment across Wales in 2018-19 in real terms was £12,344. This ranged from £6,033 per person in Ceredigion to £21,836, 3.6 times more, in Wrexham.

Exhibit 7: average Direct Payment per recipient by local authority in 2018-19 in real terms

The average amount people receive in Direct Payments varies widely across Wales.



Note: Caerphilly was unable to provide data on the number of recipients for 2018-19, due to technical issues with their ICT systems.

Source: StatsWales, [LGFS0015: Social services revenue outturn expenditure subjective analysis by authority](#) and [CARE0118: Adults receiving services by local authority and age group](#). Analysis by Audit Wales

15 The eligibility criteria are set out in the [Care and Support \(Eligibility\) \(Wales\) Regulations 2015](#) and the Welsh Government’s [Social Services and Well-being \(Wales\) Act 2014: Part 4 Code of Practice \(Meeting Needs\), 2015](#). Paragraph 39 of the Code of Practice notes that while people have a right to care and support from a local authority where that care and support are not otherwise available to them, the ‘pattern of service delivery will vary from authority to authority’.

3.7 Taking this information with the findings set out in **Part 2** of this report, we conclude that the policy choices and decisions of local authorities are resulting in people with similar needs receiving very different standards of service. Given the significant variation in approaches, the Welsh Government needs to set clear standards to ensure consistency for service users.

Systems for managing and evaluating performance are inadequate

3.8 Local authorities are mostly focussing their performance management and evaluation on the numbers receiving services and the amount of money spent and not enough on impact, wellbeing and the wider benefits of investment. We found that only a fifth of Direct Payment managers believe that their local authority has robust measures in place and are able to judge quality, cost and outcomes of Direct Payments on individuals and for the local authority.

3.9 Through our engagement with Direct Payments lead officers across Wales, we found that most local authorities have some measures in place and evaluate some aspects of Direct Payments, but acknowledge it is not comprehensive and there are gaps. For instance, only:

- a a third capture information that helps to identify what is not working and what needs to change;
- b a quarter capture and use information in real time;
- c less than a fifth monitor how Direct Payments contribute to delivery of Corporate Priorities – for example, wellbeing goals, improvement objectives and service priorities; and
- d less than a fifth capture positive and negative experiences from people who receive Direct Payments and know what it is like to receive them.

3.10 These weaknesses mean that it is not possible to fully evaluate and understand the performance or effectiveness of individual local authorities, or the efficiency and impact of Direct Payments. This makes it difficult to judge how well local authorities are performing and whether Direct Payments represent value for money in their own right or in comparison with other forms of social care.



Appendices

- 1 Audit methods and approach**
- 2 Determining eligibility for social care and support**
- 3 Adults receiving social care services organised by local authority in 2018-19**
- 4 Personal Assistant hourly pay rates by local authority**

1 Audit methods and approach

Approach

We focused on local authorities' management and delivery of Direct Payments. The work follows on from our September 2019 report on [The 'Front Door' to Adult Social Care](#), which focussed on the impact of the Social Services and Well-being (Wales) Act 2014 and the prioritisation of preventative services to help reduce demand for social care services.

Our review assessed how Direct Payments are helping people to live independently and enable them to have more voice, choice and control. We looked at how Direct Payments help sustain their wellbeing and whether they are improving people's quality of life. We looked at how local authorities manage and encourage take up of Direct Payments and judge whether these services present value for money.

We established a study reference group and held project meetings with Care Inspectorate Wales, Carers Wales, the Older People's Commissioner, Age Cymru, the Welsh Government, and a small number of service users. The reference group helped to shape the focus of this review and provided challenge at our evidence review stage.

We managed delivery of the review to take account of the challenges facing social services in Wales in dealing with the pandemic. We ensured the scope and coverage of our fieldwork did not detract from local authority responsibilities towards service users and flexed our approach in discussion with individual local authorities when agreeing and delivering fieldwork.

Methods

We completed our work between September 2020 and February 2022 and used a range of methods to inform our overall findings, conclusions and recommendations:

- **document review** – we reviewed Welsh Government, Association of Directors of Social Services Cymru and Social Care Wales documentation, guidance and announcements; local authority policy documentation and cabinet and committee papers; a range of materials on approaches for management of Direct Payments in England; and reports and information published by research bodies including the Joseph Rowntree Foundation, the Kings Fund and Think Local Act Personal.

- **focus groups** – we held:
 - three on-line focus groups with members of the All-Wales Direct Payments Forum made up of officers from each of the 22 Welsh local authorities with management responsibility for Direct Payments. In each of the focus groups, attendees completed a survey and we held facilitated discussions.
 - Carers Wales focus groups with Direct Payments service users and their carers.
- **local authority interviews** – we interviewed staff from Bridgend, Caerphilly, Cardiff, Flintshire, Gwynedd, Newport, Powys, Torfaen and Wrexham councils with responsibility for direct payments.
- **interviews with national bodies** – ADSS Cymru, the Welsh Local Government Association, British Association of Social Workers Cymru, Social Care Wales, Disability Wales, UK Home Care Association, Care Forum Wales, Wales Co-op Centre, the Equalities and Human Rights Commission Cymru, Wales School of Social Care Research, the Welsh Government, British Deaf Association and Think Local Act Personal.
- **surveys** – we undertook two surveys:
 - a commissioned telephone survey of service users and carers receiving Direct Payments. A total of 1,028 people from a database of 4,650 valid contacts were surveyed, with 71% completed via telephone and the remainder submitting online survey forms. Of this figure 5% surveyed are carers. All contacts were provided by local authorities using secure data transfer. The survey was conducted between 4 August and 24 September 2021, with 5% of responses completed in Welsh. Given our survey covers both service users and carers who receive Direct Payments, we report information at three levels. Where we say Direct Payment recipients, we mean both service users and carers; and where we specifically reference either ‘service users’ or ‘carers’ means the findings of the survey are specific to these distinct groups of people; and
 - a survey of individuals and agencies paid via Direct Payments to provide care and support to adults in need. The online open survey was completed between 11 June 2021 and 18 August 2021. We received a total of 166 responses, and these came from all 22 local authority areas, with 3% of responses completed in Welsh.
- **data analysis** – we analysed data published by StatsWales on Direct Payments expenditure, the number of adults receiving services and their needs. We also analysed data published by NHS Digital Services in England.

2 Determining eligibility for social care and support



Widely known as **the Information, Advice and Assistance service**, this is the front door to adult social care and is the first point of contact for most individuals looking for help.



At the first point of contact, individuals will be offered information, advice and assistance to help them make informed decisions about their wellbeing.

From here, local authorities will often signpost individuals to preventative or community-based services. If a person's needs cannot be met in that way, they will be directed to a professional social worker to discuss their needs in more detail.



Often referred to as the 'What Matters conversation', the assessment of needs undertaken with a social worker is a targeted conversation to gather more information about a person's strengths and needs, to identify the best solutions for them.



If a person's needs cannot be met without local authority support, a care and support plan is co-produced to set out how those needs will be met through the provision of services. This is often referred to as having 'eligible needs'.

These services can be arranged directly by the local authority or, alternatively, funded through Direct Payments – a monetary amount that can be used to purchase and arrange a person's own care and support.

3 Adults receiving social care services organised by local authority in 2018-19

Exhibit 8: adults receiving social care services organised by local authority in 2018-19

Local authority	Total number of adults receiving social services	Number of adults in receipt of Direct Payments	Direct Payments as % of adults receiving services
Blaenau Gwent	3,826	149	3.9%
Bridgend	7,059	232	3.3%
Caerphilly	No data submitted due to technical issues with ICT systems		
Cardiff	15,331	787	5.1%
Carmarthenshire	7,658	538	7.0%
Ceredigion	2,595	336	12.9%
Conwy	7,060	239	3.4%
Denbighshire	2,872	177	6.2%
Flintshire	8,041	437	5.4%
Gwynedd	8,774	137	1.6%
Isle of Anglesey	3,382	139	4.1%
Merthyr Tydfil	2,696	102	3.8%
Monmouthshire	4,449	131	2.9%
Neath Port Talbot	3,371	433	12.8%
Newport	4,462	94	2.1%
Pembrokeshire	4,398	331	7.5%
Powys	5,827	504	8.6%
Rhondda Cynon Taf	7,094	306	4.3%
Swansea	8,932	517	5.8%
Torfaen	3,241	130	4.0%
Vale of Glamorgan	5,533	271	4.9%
Wrexham	8,814	272	3.1%
Wales	125,415	6,262	5.0%

Source: StatsWales, [CARE0118: Adults receiving services by local authority and age group](#)

Following the Welsh Government's decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been reported nationally since 2018-19.

4 Personal Assistant hourly pay rates by local authority

The rates in the Vale of Glamorgan, Torfaen and Blaenau Gwent local authorities vary to take account of weekend, evening and unsocial hours working.

Exhibit 9: personal assistant hourly pay rates by local authority

Local authority	Personal Assistants rate (per hour)
Merthyr	£12.94
Wrexham	£12.67
Swansea	£12.66
Flintshire	£12.63
Gwynedd	£12.62
Pembrokeshire	£12.40
Denbighshire	£12.33
Carmarthenshire	£12.20
Vale of Glamorgan	£11.24 - £12.18
Rhondda Cynon Taf	£12.15
Bridgend	£12.00
Torfaen	£8.72 - £11.85
Conwy	£11.75
Ynys Môn	£11.65
Powys	£11.41
Cardiff	£11.36
Monmouthshire	£11.04
Ceredigion	£11.00
Neath Port Talbot	£10.50
Blaenau Gwent	£8.72 - £10.00
Newport	£9.50
Caerphilly	£9.47

Source: Swansea Council, Corporate Management Team report, January 2021



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Flintshire County Council response to the Report to the Auditor General for Wales Report “Direct Payments for Adult Social Care

This report has been eagerly anticipated and we thank you for undertaking this important research. The report shines a spotlight on direct payments and we are supportive of any focus that promotes increased choice and control, and improved outcomes for citizens.

Flintshire County Council has invested in developing and nurturing a social care culture of choice and control where we aim to empower people to self-determine their lives and exercise their rights in line with the Social Services and Well-being (Wales) Act 2014. In this respect we consider direct payments to be integral to this vision.

Direct payments are fundamental to the delivery of a diverse range of social care solutions and in recent years we have invested in developing a range of specialist services and resources that improve information, accessibility, advice and support to people choosing to use direct payments to arrange their bespoke solutions, satisfy their requirement and achieve their personal outcomes.

Summary Report

We agree that improved consistency in practice, approach and service user experience can only benefit the understanding and opportunities presented by direct payments. We welcome the inclusion of the characteristics of a local authority who effectively encourages, manages and supports people to achieve their assessed needs and outcomes via direct payments. However, we feel that this section could have been expanded upon and contextualized with a range of best practice examples from Flintshire and other Welsh Local Authorities. The report could then be used by authorities wanting to develop and improve. As it reads currently, there are few good practice examples and a focus on improvements that have been achieved from a low base level.

Whilst we recognize that there are inconsistencies of promotion, implementation, support, monitoring and review of direct payments across Wales, we are also proud of the progress we are making locally and feel that an opportunity has been missed in not including reference to specific innovations and best practice examples. We are of the opinion that this report represented a real opportunity to showcase and incentivize a wide range of creative initiatives. This could have enabled opportunities for shared learning and promoted a collective view of what good could look like, potentially helping to achieve the type of consistent approaches that are currently felt to be lacking. We feel that opportunities have been missed across the scope of this research to both showcase, and celebrate the innovative and unique approaches being explored, designed and delivered in Flintshire and across Wales.

Key Messages

Direct payments are a means to an end. They enable individuals and their families who choose to have greater choice and control the opportunity to work in genuine partnership to design and implement bespoke arrangements aligned to their personal priorities, lifestyle and circumstances. Direct payments are therefore fundamental to achieving the aspirations of the 2014 Act and specifically the responsibilities outlined within the Part 4 Code of Practice. The real value of direct payments can therefore only be measured by the impact of the funding and the difference made on an individual, family, or community level. We do not feel that the report accurately reflects this perspective, or demonstrates an understanding of the broader impacts of direct payments on citizens, or the local authority.

Recommendations

We recognize the importance of timely accessible information. The Flintshire Direct Payments Support Service has coproduced, with citizens a range of information booklets, factsheets and other resources to help broader understanding of direct payments. We also recognize that regardless of the quality of written information it is often necessary to adopt flexible and bespoke approaches to enabling full understanding of the opportunities and responsibilities and have tried to facilitate an approach that recognizes this. We broadly agree that promotion of direct payments as a genuine option for people ties in with social work practice, social work understanding, team culture, Social Work training and leadership. To give context to these recommendations we feel that providing examples of good quality resources such as available information, training approaches etc., details of what is currently available and what is missing in Wales would have been helpful and constructive in supporting progress in these areas.

With regards to Recommendation 3, we are slightly confused that the report suggests that independent advice about direct payments should be provided from first contact. This appears to be contradictory to the report's findings detailed in exhibit 3 and paragraph 2.11 that citizens receiving support from direct payments services provided by local authorities have a more positive overall experience than those using a commissioned service. The report's findings also suggest that 96% of direct payments recipients received initial information from local authority practitioners.

Direct Payments & CHC Funding – We welcome the Welsh Labor Governments Manifesto pledge to improve the interface between direct payments and CHC. We are currently involved in moving this agenda forward via stakeholder and focus groups. However, we are of the opinion that to enable people in receipt of CHC funding to benefit from the same rights to exercise choice and control over their arrangements as other direct payments recipients will require changes to primary legislation.

Systems to evaluate Direct Payments – The Flintshire Direct Payments Support Service have developed core data sets and are using intelligent information to inform

future priorities and practice. We are striving to align such data with the known impacts of direct payments solutions to provide a 360 degree evaluation process. We have also embedded citizen feedback into our work and are using this to shape and confirm the effectiveness of our services. Inclusion of such examples within the report and/or proactive suggestions to help local authorities build more robust systems would have been welcomed.

Recruitment & Retention – Personal Assistants are employed directly by recipients who are empowered and supported to become good employers, meet their responsibilities and retain workers. We cannot see how a joint recruitment and retention plan could be adopted and implemented without undermining the autonomy enjoyed by direct payments employers. We would rather focus on providing high quality support services that helps direct payments recipients become high quality employers.

Clarify Policy Expectations – We believe that the SSWB (Wales) Act 2014 and Part 4 Code of Practice provides the information, guidance and framework to enable local authorities to deliver on this recommendation.

We would also be concerned that a recommendation suggesting that what direct payments can pay for are defined could stifle innovation and lead to a more prescribed process focused approach.

There are already light touch, user friendly systems in place within Wales to reduce bureaucracy, paperwork and manual auditing enabling people to focus on what matters to them. Examples of good systems would have helped demonstrate the options.

Unused Funding – In Flintshire we promote the flexible use of direct payments, enabling people to change the way they meet their needs and outcomes and adapt to changing circumstances. However, where funding is no longer needed to meet assessed needs and outcomes we strive to work in partnership with individuals to reuse money that is no longer needed. Funding is returned to the local authority to be used with other people. We do, however disregard the equivalent of eight weeks funding to support the flexibility inherent within the scheme.

Personal Assistants

We acknowledge that Personal Assistants are an important source of support for many people, and often enable a very personal, flexible relationship which has major benefits. The Flintshire Direct Payments Support Service has designed, developed internally and implemented some highly innovative resources that support and recognize the roles that Personal Assistants play locally. These innovations are the first of their kind in Wales and we were disappointed that they were not referenced within the report. Such approaches are often the catalyst for discussion, challenge and improvement and in this regard we feel that the decision not to reference this and other work being undertaken across Wales was another missed opportunity.

We don't fully agree with the statement ***“Personal Assistants are essential to people making the most of Direct Payments, but service users struggle to recruit them”***. As stated Personal Assistants can be the best solution for many people, particularly those in need of physical care and support, however we feel that this emphasis on Personal Assistants is unhelpful and demonstrates a very limited perspective. Certainly the focus of direct payments in Flintshire is on helping people achieve their personal outcomes, so solutions should not be limited. Further to this we could have provided a range of creative examples.

Good Quality and accessible Information

We welcome the finding that the vast majority of recipients involved in your survey found out about direct payments from a local authority officer. We were also encouraged that all local authorities are striving to provide quality information about direct payments. From a Flintshire perspective the team have worked with citizens and I.T partners to completely reinvent our web based resources. This has resulted in an 800% increase in activity over the past 12 months. Additionally we have facilitated forums, publish a quarterly newsletter, have an on-line news page, have developed Facebook and Twitter feeds, have written direct payments related articles, produced high quality promotional videos accessible via the Flintshire YouTube channel, addressed elected members, developed a catalogue of examples of innovative use of direct payments and have supported innovative solutions particularly during the pandemic to help people resolve personal challenges. We strongly feel that sharing such practice would have helped balance the report and supported other local authorities to develop their resources and approaches.

Average spend per Direct Payment recipient

We don't understand fully the value of this comparison. Is the report suggesting some correlation between direct payments funding per person and needs met, or outcomes achieved? If so, it would be helpful to have included examples to better explain. From our experience some of the lowest cost, innovative solutions can enable the achievement of individual outcomes who's benefit is hugely disproportionate to the financial cost.

Direct Payments Policy and Practice Guidance



January 2021



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Date Approved	22 August 2019			
Version	Description of Reason for Change	Author	Authorisation	Date Issued
1	<i>Original Issue</i>	M Cooper	SSMT	22/08/19
2	<i>Annual Review</i>	M Cooper		18/12/20
	<i>Additional Section</i>			

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Introduction

1. This Policy and Practice Guidance sets out how Flintshire County Council will discharge its duties to provide Direct Payments to eligible people from 6th April 2016. This policy and practice guidance supports the principles of empowerment and reflects the local authority's powers and duties described within the Direct Payments Regulations and Code of Practice within the Social Services and Well-being (Wales) Act 2014.
2. One of the key aims of the Social Services and Well-being (Wales) Act 2014 is to enable people to exercise their right to a voice, choice and control over the way they live their lives and overcome the barriers to meeting personal well-being outcomes. This aim has, at its heart, the principles of co-production in assessment and support planning, so as to empower people to decide how their personal bespoke outcomes are achieved.
3. In relation to people who have a disability, these principles also extend to the right to Independent Living as guaranteed by the UN Convention of the Rights of Disabled People, and more recently the Welsh Government Framework for Action on Independent Living.
4. Direct Payments offer one way in which eligible people can be empowered to have greater autonomy over the support they have been assessed as needing. Direct Payments form an integral part of the Welsh Governments aim to support people to achieve their well-being outcomes through creative use of available assets and resources to meet their personal well-being outcomes. With this regard Direct Payments **must** not be viewed as a separate, secondary consideration, but an opportunity to help people meet their outcomes in a variety of creative and bespoke ways, and where possible having autonomy and personal responsibility over life decisions.
5. Direct Payments are sums of money made available by Flintshire County Council, to eligible people, or their representatives to help meet their assessed needs and achieve their agreed outcomes. They replace social support provided directly, or commissioned by the Council, either partly, or in full.
6. Throughout this Policy and Practice Guidance a requirement under current legislation is expressed as "**must**" or "**must not**". Guidelines are expressed as "**may**" or "**should/should not**"

Legislative Context

7. This Policy & Practice Guidance reflects the requirements of the Social Services & Well-Being (Wales) Act 2014 (the Act), and replaces the previous Community Care, Services for Carers and Children's Services (Direct Payments) Wales Guidance 2011. Under the Act the council has powers to provide Direct

Payments to meet the care and support needs of adults (**section 50**), children (**section 51**) and carers (**section 52**).

8. This Policy & Practice Guidance has been written to comply with the Direct Payments Regulations and Codes of Practice which are made under sections 50, 51, 52 and 54 of the Act.

Flintshire County Council recognises that all citizens are individuals with bespoke strengths, assets, networks, aspirations and needs. The Council is committed to enabling people to live their lives in ways of their choosing.

In exercising its powers to provide Direct Payments, the following guiding principles will be used:

- a. What matters to people will be at the heart of everything that we do
- b. We will support people to build upon their strengths, assets and networks, and to make informed choices.
- c. We will be inclusive in our approach to Direct Payments, and where funded support is necessary, will actively promote this as a viable, least restrictive option for people throughout our assessment and reviewing processes.
- d. We will always focus on supporting people to meet their personal well-being outcomes, not on service inputs, or outputs. This means that we will be concerned with what has been achieved for and by people, rather than the Direct Payment and/or service that has been used.
- e. Receiving a Direct Payment will be a straightforward option with appropriate information, support and advice available.
- f. Our approach to administering and monitoring Direct Payments will protect the public purse with as little bureaucracy as possible and processes will be proportionate to the risks to individuals and public finances.

Aims of this Policy & Practice Guidance

9. The Direct Payments Policy & Practice Guidance aims to ensure a consistent approach to the accessibility and implementation of Direct Payments, within the context of supporting people to benefit from greater choice, voice and control.
10. Where it has been agreed that funded support is necessary to help a person achieve their personal well-being outcomes (after natural personal and community solutions have been exhausted), Direct Payments will be the council's preferred option to ensure that the person retains as much choice, control and flexibility over their bespoke solutions as possible.
11. This Policy & practice Guidance will be relevant for all citizens of Flintshire who have eligible care & support needs that cannot be met without the provision of funded solutions; social care practitioners at all levels, third sector organisations,

and care and support providers.

12. Policy Objectives:

- More people have choice and control over the funded support that they need to achieve bespoke outcomes.
- Direct Payments become the preferred and least restrictive method of enabling eligible people to take greater control over their funded support arrangements.
- A culture of enablement, self-determination and personal responsibility is nurtured.
- Strengths based, outcome focussed, person centred practice is facilitated consistently for all people by Flintshire Social Services
- There is a measurable reduction in support commissioned by the local authority.
- More people benefit from increased innovation, creative practice, and efficient use of available funding to meet personal needs and achieve agreed outcomes.
- A co-productive approach will determine the future design and administration of the Flintshire CC Direct Payments scheme.
- There is a measurable reduction on the demand for public services

13. Policy Outcomes:

- More people live independent, fulfilled lives in the ways of their choosing.
- People are able to self-determine the important decisions in their lives.
- People are supported effectively to arrange high quality solutions that help them achieve personal well-being.
- People are able to exercise genuine voice and control.
- FCC employees are well informed, trained and mentored.
- People have the autonomy to make decisions in relation to their support that is right for them and their circumstance.
- People are empowered to take personal responsibility and maintain autonomy over their lives and life decisions.

14. Scheme Principles:

This Policy & Practice Guidance aims to enable Flintshire County Council to develop social care practice that promotes and achieves the following key principles defined within the SSWB Act:

- We will support people who have care and support needs to achieve personal well-being.

- We will support people to have an equal say in the support they receive.
- Partnership and co-operation will drive the delivery of the Direct Payments scheme in Flintshire.
- The service will promote the prevention of the escalation of a person's needs and aim to ensure that the right help, support and advice is available at the right time.

Eligibility

15. The approach to determining eligibility **must** be an outcome based approach in line with the National eligibility framework
16. Direct Payments support a culture of empowerment, choice and control, and under the requirements of the SSWB Act form an integral part of meeting people's needs through care and support planning, and **must** not be seen as a separate secondary consideration.
17. As set out in the Social Services and Well-being (Wales) Act 2014 Part 2 a Local Authority ... **must** determine whether the provision of care and support, or support in the case of a Carer, will assist the person to meet their personal outcomes within that framework of well-being.
18. Any adult, child or Carer who is eligible, under the Act for support funded by Flintshire Social Services will also be eligible for a Direct Payment under the terms of this Policy.

Note: If a person, or their representatives have been effectively empowered and enabled to take greater responsibility for their own care and support by the social care practitioners it is highly likely that a Direct Payment will be the best solution to ensure they remain in control of their life and the support they need.

19. All Assessments will begin with a conversation about what matters to that person within the context of their life and personal circumstances. The focus of discussions will be on the person's bespoke well-being outcomes and any barriers there are to the person achieving them. The assessor will draw on the person's strengths, assets, personal relationships and wider community networks and resources to explore all potential natural solutions.
20. If the conversations conclude that funded support is necessary, to meet some, or all the persons identified outcomes, and that the Council is responsible for meeting the costs, there will be eligibility for a Direct Payment.

21. Some people may have difficulty in managing some, or all aspects of their Direct Payment. The Council **must** explore, in partnership with each person, how these difficulties can be overcome, and offer appropriate and proportionate support. The fact that a person lacks the capability to manage their Direct Payment does not make that person ineligible for a Direct Payment.
22. Where a person lacks mental capacity, as defined by the Mental Capacity Act to consent to a Direct Payment, Flintshire County Council **must** nominate a 'Suitable Person', as defined by the Act, to manage the arrangements on the person's behalf

Note: A Suitable Person is a person appointed by Flintshire County Council to receive and manage Direct Payments on behalf of an individual who lacks capacity to consent to the making of the Direct Payments (provided that person is willing and meets all the conditions set out in the Regulations). The Suitable Person will often, but not always, have been given a Lasting Power of Attorney or have been appointed by the Court of Protection as a deputy under the 2005 Act. Usually the suitable person will be a family member or friend who may previously have been involved in the care and support of the person.

23. The eligibility Regulations within the SSWB Act 2014 provide four separate conditions which **must** all be met:
- a. The first condition relates to the persons circumstances and is met if the need arises from the kind of circumstances which are specified in the regulations, for example, physical or mental ill health. The regulations specify different kinds of circumstances for adults, children and Carers.
 - b. The second condition is met if the need relates to one or more of the outcomes specified in the regulations, for example, the ability to carry out self-care or domestic routines. The Regulations specify different outcomes for adults, children and carers.
 - c. The third condition is met if the need is such that the person is not able to meet that need alone, with the care and support of others who are able or willing to provide that care and support; or with assistance of resources in the community. This condition is modified in the case of a child such that it is met if the need is one that neither the child, the child's parents nor other persons in a parental role are able to meet either alone or together.
 - d. The fourth condition is met if the person is unlikely to achieve one or more of their personal outcomes unless the local authority provides or arranges care and support to meet the need in accordance with a care

and support plan or it enables the need to be met by making Direct Payments

24. From April 2011, local authorities have been able to make Direct Payments to people who are subject to mental health legislation, therefore enabling people previously excluded to benefit from greater choice and control over their support.
25. The local authority may make Direct Payments available to people subject to requirements imposed in relation to drug and alcohol use as long as the following conditions are applied:
 - That the Direct Payment recipient agrees and remains in agreement that the payments are made to a suitable third party on their behalf.
 - That the suitable third party agrees and continues to agree to receive the payments and manage the payments on behalf of the recipient.
 - The local authority **must** be in agreement that the suitable third party is an appropriate person to receive and manage payments on the person's behalf.
26. Where the Council is under a duty to provide aftercare services for an adult under section 117 of the Mental Health Act 1983 and the conditions in sections 50, 51 and 52 are met, then it may offer Direct Payments as one way to discharge its duties.

Putting Policy into Practice

27. This Policy sets out a framework within which Direct Payments will be offered, managed and administered. It reflects the desired ethos and the expectations of the Social Services & Well-Being (Wales) Act 2014.
28. Flintshire County Council will produce a range of supporting advice and guidance for employee's and citizen's, to assist with the interpretation of this policy, and its implementation in line with the relevant sections of the Act.
29. Flintshire County Council will utilise technology to communicate information to Citizens about the Direct payments Scheme.
30. Flintshire County Council will provide regular, ongoing training for social care practitioners to ensure that the workforce understands the requirements of this Policy and are equipped to put this into practice.
31. Flintshire County Council will provide day to day support and advice for social care practitioners and citizens to ensure that they understand the intentions of the Flintshire Direct Payments Policy within the ethos of the SSWB Act and have

opportunities to explore, challenge and discuss Direct Payments within the context of real lives.

32. Each time a Direct Payment arrangement is agreed, a contract will be drawn up and agreed between the Council and the recipient, or "Suitable Person", highlighting the expectations from both parties. The contract will focus on the meeting of a person's well-being outcomes.
33. Any person who wishes to discuss, or make a complaint about the Direct Payments scheme, or how this policy has been implemented can request representation from an advocate and/or the Council's complaints procedure.

Reviewing this Policy

34. This Policy will be implemented in April 2016 and will be reviewed annually from this date forward in order to take account of arising legislative changes or any issues identified in practice. Flintshire County Council will follow their local consultation process and will engage with local Direct Payments recipients and their representatives to attain their views and suggestions. Necessary updates will be made annually and published on the Council's website.

When to make Direct Payments Available

35. The SSWB Act 2014 stipulates that where someone wishes to receive a Direct Payment then they **must** be made available in all cases where they enable personal wellbeing outcomes to be achieved. Flintshire County Council must be innovative and creative when working in partnership with recipients or their representatives to explore ways a Direct Payment could be used to achieve the person's outcomes. This exploration **must** begin with a conversation centred on '**What Matters**' to the person and the outcomes to be achieved. Direct Payments may then become the means to a wide range of bespoke solutions.
36. A person **must** not be refused a Direct Payment purely because they are unable to manage their Direct Payment or may require additional support to administer their arrangements. The Local Authority **must** explore all options for supporting the person to manage and administer their Direct Payment and **must** ensure that where there are difficulties that the person is supported to overcome known barriers.

Deciding how the Direct Payments will be used

37. Flintshire County Council **must** work in partnership with the person or their representatives, to agree how their Direct Payment will be used to secure appropriate solutions, and these will vary according to the person's individual need, circumstances and outcomes to be achieved. Social care practitioners **must** encourage, enable and support individuals to determine their personal

wellbeing outcomes and the solutions they believe are most appropriate to achieve these. The person's existing strengths, support networks, and community resources **must** be considered along with any additional support that they may require.

38. If Direct Payments are to be used to employ someone, Flintshire County Council **must** ensure the person and/or representatives are fully aware of their legal responsibilities. In addition, Flintshire County Council **must** ensure that the necessary support and resources are provided in order for the person to be able to manage their employment responsibilities appropriately.
39. Beyond the prohibitions set out in the Regulations, the Council has developed an Agreement which is signed by the individual receiving the Direct Payment and a relevant representative of the Council. This agreement forms a basis of understanding and expectations on accepting and managing the Direct Payment and is a legal contract between the Council and the person, or their representative.
40. The person may have ideas about how they would use Direct Payments to meet their agreed well-being outcomes, and may have discussed these during their personal assessment or review. Other people may need advice or advocacy to help them think through the alternatives and this **must** be offered. The Direct Payments Support Service or an appointed advocate may be most appropriately placed to offer this support.
41. In considering whether the persons proposed arrangements will meet their assessed needs and support them to achieve their agreed wellbeing outcomes, limits **must** not be set by existing, or historic patterns of support provision. By exploring innovative and creative options, it may be possible for individuals to identify personal solutions which meet their care, support and aspirations more effectively. Where the individuals needs fluctuate over time, it will be important to discuss in advance how the Direct Payment will be used to secure the necessary support and assistance that varies according to the requirements of the person. These details **must** be agreed and recorded within the person's care and support plan.

Appropriate Use of Direct Payments

42. All Direct Payments recipients, representatives and/or 'Suitable Person' will be responsible for spending public money on support, or other solutions that will help achieve the assessed needs and agreed personal well-being outcomes that the payments are intended to meet. The Council may make suggestions, but will not be prescriptive about the exact nature of the expenditure as long as they are satisfied that the intended well-being outcomes will be achieved.

43. Direct Payments **must** not be used to pay for daily living expenses, except in exceptional circumstances, where such expenditure is intrinsically linked with the achievement of agreed well-being outcomes and has been agreed with the Council.
44. Under no circumstances can Direct Payments be used to fund anything illegal, unethical, or be used in ways that might breach current legislation, such as cash in hand payments to an employee with the intention of avoiding taxation liabilities.
45. Direct Payments can be used to employ relatives where the Direct Payment recipient and Flintshire County Council consider that this arrangement would provide the best solution to help the person achieve their well-being outcomes.
46. The Act does not currently allow the use of Direct Payments to overcome barriers to meet individual healthcare needs, unless doing so would be incidental to achieving a person's well-being outcomes. Such cases should be discussed in partnership with health colleagues to ensure proportionate solutions that meet the individual's best interests are considered.
47. Under the SSWB (Wales) Act Direct Payments may be used to purchase services provided by the person's own local authority.
48. Direct Payments may be used to purchase equipment, goods, or technology that the person has been assessed as needing in order to meet their identified well-being outcomes.
49. Under the Act Direct Payments may be used by people to purchase long term residential care of their choice.

Financial Accountability

50. Direct Payments should support people to have greater choice, flexibility and control over their lives, however, with this autonomy comes varying degrees of responsibility.
51. Anybody receiving a Direct Payment from Flintshire County Council is required to:
 - Make best use of their Direct Payment to achieve agreed well-being outcomes as detailed throughout this Policy, whilst exercising their right to choice, control and flexibility.
 - Be a good employer, and fulfil all employment law requirements with or without as much support as they need to meet their responsibilities.
 - Take appropriate steps to ensure that any support that is purchased is of a good quality and will meet its intended purpose e.g. for domiciliary

care, this would include ensuring that the supplier is registered and inspected by the Care & Social Service Inspectorate (Wales).

- Where necessary, accept responsibility for keeping accurate records of how the Direct Payment has been spent, and provide evidence if asked to do so.
- Contact the council if they have any concerns about the administration of their Direct Payment to discuss issues and agree solutions.

52. Arrange for their assessed financial contribution to be paid into their Direct Payments account on a four weekly basis.

Note: People should not be expected to meet their responsibilities alone, but should be provided with as much support as they need. As people become more confident and familiar with the expectations, support should be reduced, and stopped at the point the person is self-managing.

53. Flintshire County Council will:

- To the best of their ability ensure that the funding provided as a Direct Payment is adequate to meet the person's agreed well-being outcomes, on the basis of the best possible evidence, or estimation of costs, having firstly taken into account the person's assessed financial contribution.
- Ensure that, where it is known that a person's support requirements may fluctuate over time, there is sufficient flexibility within the funding to manage this effectively.
- Make Direct Payments net, or gross of any assessed financial contribution having firstly taken into account the person's financial circumstances and their preference.
- Ensure that when carrying out Direct Payments financial monitoring responsibilities, the council's responses are proportionate to the financial risks being presented. For example: Actions taken against a person who is believed to have intentionally misappropriated funds, and therefor committed fraud will be different to the actions taken against somebody who is believed to have naively mismanaged their funding due to a genuine misunderstanding, issues around their capability to manage a Direct Payment, or where they are believed to lack mental capacity.
- Ensure that any decision to cancel or suspend payments is made as a last resort having firstly discussed the situation and potential solutions directly with the Direct Payments recipient and/or their representatives.
- Only seek repayment if there is a need to recover money that has been intentionally diverted from its intended purpose, or if it becomes evident that, following discussions with the recipient, or their

representatives, that the money has exceeded requirements over a period of time and can, therefore, be legitimately recovered.

- When recovering funds due to the death of a recipient, or the discontinuation of a Direct Payment for any other legitimate reason, the Council will firstly take into account any outstanding financial liabilities associated with the provision of support via the Direct Payment e.g. outstanding HMRC Bills, redundancy payments, domiciliary care invoices, Employers NI contributions, Pension Liabilities etc.
- If following discussion with the person the social care practitioner believes that they require additional support to be able to manage the financial responsibilities associated with a Direct Payment, they should consider the most appropriate and least restrictive support option for that person, whilst always aiming to maximise the persons control over their arrangements. Options may include:
 - A Direct Payments Account set up by the Council
 - The person asking a trusted friend, or family member to manage the funding on their behalf
 - The person asking their chosen support provider to handle the funding on their behalf (Individual Service Fund)
 - The person asking a third party organisation to administer the funding on their behalf (managed account)
 - The local authority asking a third party organisation to administer the funding on behalf of the person (managed account)
 - Where the person is deemed to lack mental capacity the local authority must nominate a “Suitable Person” who will act, or arrange financial administration on behalf of the person. The person may ask a number of trusted friends, or family members to administer funding within a formal Trust, or user led cooperative.

Criminal Record Checks

54. Flintshire County Council are committed to working in partnership with Direct Payments recipients to ensure that arrangements help empower them to take as much control of their own life whilst safeguarding them from potential abuse.
55. Whenever a Direct Payments recipient chooses to employ their own PA's to undertake regulated activities (*a list of regulated activities can be found on the DBS web site*), the Direct Payments Support Service will support the raising of references and enhanced criminal records bureau checks (now Disclosure & Barring Service DBS).
56. The Direct Payments Support Service will make the application for Disclosure & Barring Service (DBS) checks to be undertaken for prospective employee's prior

to them being employed. A fee is required for each DBS check undertaken and, The Council where appropriate and agreed, will make payment for this fee.

57. A positive disclosure does not necessarily mean that an applicant cannot be employed as a Personal Assistant. However, the council must work in partnership with the Direct Payments recipient to evaluate potential risks before making a decision about the suitability of the applicant to be employed.
58. The council will not agree to fund a Direct Payments arrangement if it has concerns, or knowledge that the Personal Assistant to be employed is unsuitable to work with vulnerable adults and/or children. The council's actions must be determined in the light of its duty to safeguard and promote the welfare of vulnerable adults and/or children in need.

Positive Risk Management

Note: It must be stressed that Flintshire County Council will have the final decision over whether a person is suitable to be employed, having firstly considered the individual circumstances.

59. The ethos underpinning the SSWB Act and the aim of the Flintshire Direct Payments Scheme in line with that Act is to enable citizens to take far greater control of their own lives. However, with increased choice and control comes personal responsibility. Therefore, Flintshire County Council **must** work in partnership with individuals and their representatives to identify, monitor and positively manage potential risks, including those that may be associated with people arranging their own support i.e. being a good employer, or commissioner of services.
60. Taking degrees of responsibility for managing reasonable risk is integral to people gaining personal autonomy, self-confidence and increased control over their own independence. However, in order for this to be effective, appropriate training, coaching, mentoring and information **must** be made available. Flintshire County Council will work in partnership with Direct Payments recipients and the dedicated support service to ensure that people have the greatest opportunity to live their lives in the ways they choose, whilst actively taking personal responsibility for their own circumstances, recognising and minimising potential risks, with support that is proportionate to their needs and capabilities.
61. Social care practitioners **must** apply the same positive risk management approaches to people receiving a Direct Payment as those receiving support arranged by the Council.

62. Direct Payments recipients and/or their representatives **must** be provided with appropriate and timely information about managing potential risks, and **must** know how and when to get help if needed.
63. Outcome focussed risk management plans completed with the person and recorded in their care and support plan enable a consistent understanding of risks and solutions. People should be encouraged to take control and know the safeguards they need to put in place and be able to recognise when there is potential risk.
64. The Council has a Direct Payment Support Service who work closely with Direct Payments recipients and their representatives. This additional support can be utilised to identify early concerns and very often issues have been reported via these services.
65. Taking a proactive approach towards risk will help ensure a self-aware fully skilled, empowered and more autonomous individual becoming an employer, potentially reducing individual vulnerability and associated risks.

Consent, Capacity and Ability to Manage

The person must have met the 4 separate conditions as specified in the code of practice for National Eligibility Criteria in the SSWB Act 2014 .	This is about: ELIGIBILITY
The person must be willing and able to manage the Direct Payments with or without as much assistance as is necessary.	This is about: CAPABILITY
The person is able to consent to receiving Direct Payments (as defined under the Mental Capacity Act 2005)	This is about: CAPACITY

Assessing capacity for someone to consent to a Direct Payment

66. Someone who has eligible care and support needs, but who lacks capacity to consent to Direct Payments can still receive them to meet their assessed needs and achieve their personal well-being outcomes. However, the Council **must** establish whether or not a person has capacity to consent before making Direct Payments available.

Note: A Suitable Person is a person appointed to receive and manage Direct Payments on behalf of an individual who lacks capacity to consent to the making of the Direct Payments (provided that person is willing and meets all the conditions set out in the Regulations). The suitable person will often, but not always, have been given a Lasting Power of Attorney (LPA) or have been appointed by the Court of Protection as a deputy under the 2005 Act. Usually the suitable person will be a family member or friend who may previously have been involved in the care and support of the individual. Where the person does not have any close friends, relatives, or LPA the local authority must nominate an appropriate person, or organisation to fulfil the role of a 'Suitable Person' before the Direct Payments can be made.

67. The Council has a duty to offer Direct Payments to a person with the capacity to consent, as long as they appear to be able to manage them, alone or with as much support as is necessary. However, whilst the Council still have a duty to make Direct Payments in respect of someone who lacks the capacity to consent it is only possible for such a person to receive Direct Payments if there is an appropriate and willing 'Suitable Person' to receive the Direct Payments on their behalf.
68. When assessing capacity to make a decision, the following should be considered:
- Does the person have a general understanding of what decision they need to make and why they need to make it?
 - Does the person have a general understanding of the likely consequences of making, or not making the decision?
 - Is the person able to understand, retain, use and weigh up the information relevant to this decision?
 - Can the person communicate their decision (by talking, sign language or any other means)? Would the services of a professional be helpful? Can anyone else help the person to make choices or express a view?
 - Is there a need for a more thorough assessment (perhaps by involving a doctor or other professional expert)?

People who are deemed to have the capacity to consent

69. A person with mental capacity may be regarded or may indicate themselves that they are incapable of managing a Direct Payment not because they lack mental capacity but because they are not sufficiently responsible to ensure that the payments are properly managed or that they are not financially astute.
70. Social care practitioners need to consider whether the person would be able to manage their Direct Payments alone or with support. In these circumstances consideration **must** be given to what reasonable levels of assistance is available to help them with administering and managing their responsibilities, even if there is an additional cost.
71. When people consent to receiving Direct Payments they take on the responsibility for purchasing the care, support, or assistance to which the payments relate. This involves ensuring that they receive the appropriate support to an acceptable quality and some people may need additional support to do this. It may also involve taking on legal responsibilities (e.g. as an employer, or by contracting with an agency).
72. Direct Payments recipients are also accountable to the local authority for the way in which the funding is spent. There can be clear benefits to people using Direct Payments to arrange bespoke support arrangements, however it also involves commitment in terms of time and energy. Social care practitioners must ensure as far as is possible that the individual understands what is involved, with, or without as much support as they need.
73. There is no pressure to accept a Direct Payment and all individuals have the option of withdrawing their consent to receive Direct Payments at any time. In these circumstances the individual should contact the social care practitioner to agree alternative solutions.

Assessing ability to manage a Direct Payment

74. No blanket assumption can be made that whole groups of people (e.g. individuals with a learning disability, people with fluctuating conditions) will or will not be capable of managing Direct Payments.
75. The Council is not under a duty to make a Direct Payment if it does not appear that the person is capable of managing the payment alone or with assistance. However, many people will be willing and able to do so, especially if they know they have access to appropriate help and support.
76. Where the individual is expressing doubt about their ability to manage Direct Payments this may not mean that they are incapable of administering their arrangements, but merely that they need strong support and advice to enable

them to take on the responsibilities involved.

77. Where the Council is concerned that a person who wishes to receive a Direct Payment may not be able to manage the associated responsibilities, the Council **must** ensure that it takes into account all relevant factors before making a decision not to make a Direct Payment.
78. If after discussion it is concluded that the person would not be able to manage Direct Payments (with, or without support), the social care practitioner should discuss the reasons for the decision with the individual (and where appropriate, with any family or representative). This should be followed up in writing and documented.
79. Where a person does not agree with the social care practitioner's conclusion, they should be advised that they have recourse to the complaints procedure. The social care practitioner should make the individual aware that they can use the Council's complaints procedure to challenge the decision not to offer, or to discontinue Direct Payments.
80. It is imperative that it is established whether the person has an understanding and awareness of what is involved in managing their Direct Payment and all the responsibilities (for example the legal responsibilities) and accountability involved to obtain/purchase the services they need through their own arrangements.
81. Individuals, if employing a Personal Assistant, will need to be able to supervise and direct staff (with support if necessary), and understand that they have legal responsibilities to their staff. Recipients must be fully informed about the staff who will be working with them, following up references having DBS checks completed in order to ensure their safety.

People who have episodic / fluctuating conditions

82. Social care practitioners will need to consider sensitively how to support someone with a fluctuating condition which affects his or her ability to manage their Direct Payments. In many cases, people with such conditions may nevertheless gain positive outcomes via Direct Payments if a friend, relative or some other third party is willing to provide greater assistance at times when their condition worsens. It is recommended that the care plan and management of the Direct Payment may need monitoring more frequently in these circumstances.
83. It is important that the needs of people with fluctuating conditions and their Carers are properly considered.
84. If the person's condition is likely to deteriorate to the point where he or she is unable to manage even with assistance, the initial assessment will need to

consider ways of enabling them to continue receiving Direct Payments and ensuring that support continues to be delivered in the manner preferred by the person. In these circumstances the person may choose to make an advanced statement setting out how their support should be managed when they are unwell.

85. A person with legal capacity can make a Lasting Power of Attorney (LPA). That is, he or she makes the LPA in the expectation that if he or she loses capacity the person appointed as attorney will lawfully be able to deal with his or her property and affairs. There is a distinction between an LPA who has responsibility for financial affairs and an LPA who has responsibility for social and wellbeing affairs.

People who lack the mental capacity to consent

86. The use of Direct Payments extends to adults who lack the capacity to consent to receive them, where it is in their best interests. Direct Payments can be made to an appointed “Suitable Person” who receives and manages the payments on behalf of the person who lacks capacity, provided that there is a willing Suitable Person who meets all the conditions set out in the Regulations.

Someone can be made a representative in one of two ways:

- If the person has been given Lasting Power of Attorney by the person needing services at some point before they lost mental capacity;

Or

- If the person has been appointed a Deputy for the person needing services by the Court of Protection under Section 16 of the Mental Capacity Act 2005.

87. If there is no representative, then the Council itself must make the decision about whether or not someone should act as a ‘Suitable Person’ to manage the payments on behalf of the person who lacks mental capacity.
88. As with all Direct Payments, the Council must be satisfied that the individual's needs can be met by means of the Direct Payments and that the recipient (in this case the Suitable Person) is capable of managing the Direct Payments. The Suitable Person receives and manages the Direct Payments on behalf of the person lacking capacity, on the understanding that in doing so, they must act in the best interests of that person and have legal requirements when doing so.

Note: Full guidance with regard to appointing a “Suitable Person” is available on request from the Flintshire Direct Payments Support Service.

Young person's moving into adulthood (transition)

89. Whatever decisions are made on behalf of a child with a disability, people with parental responsibility for a disabled child may not continue to receive Direct Payments to purchase services that meet the needs of that child once the child receives the Direct Payment in his or her own right or turns 18 years of age.
90. Wherever possible the focus of support should be to maximise the young person's independence and enable them to take greater control over the way they live their lives, including any funded support they may need.
91. If people with parental responsibility are going to continue in their caring role, such Carers may be entitled to receive Direct Payments in their own right as an alternative to Carers' services directly provided by the local authority.
92. There may be situations where a parent has been receiving Direct Payments to meet the assessed needs of their child who, on reaching the age of 18, does not have the requisite mental capacity to consent to the making of those Direct Payments. In such cases, it will often be appropriate for the person with parental responsibility to continue to receive the Direct Payments for the young adult lacking capacity, in the role of an appointed 'Suitable Person'.
93. This will ensure continuity of care for the young person, and ensure that the payments are managed by the person who is likely to be best placed to understand the individual's needs and preferences. However, Direct Payments to the person who had parental responsibility can only continue in this way with that person's consent.

What can Direct Payments be used for?

Independence & choice

- Direct Payments will be used to enable people to achieve a wide range of personal well-being outcomes, and promote independence, choice and self-determination.

The scheme enables the recipient to arrange solutions that meet individual, bespoke outcomes identified during assessments and reviews, and detailed within their Care & Support Plan.

The Direct Payment ultimately enables a person to arrange their support in ways of their choosing, to maximise opportunities to live full and rewarding lives.

- There should be no set limits to how creatively a Direct Payment might be used as long as it meets its intended purpose, supports the ethos of the SSWB Act, this policy and is legal and ethical.
- Direct Payments can facilitate creativity in the development of flexible, person centred solutions to meeting assessed needs and achieving well-being outcomes. When supporting people to consider how their bespoke outcomes may be achieved, the social care practitioner **must** promote self-management and aim to increase independence by enabling people to become actively involved in shaping their care and support.
- In the development of, and provision of a Direct Payment, the social care practitioner **must** support people to determine their own personal outcomes and the care and support they require to achieve these taking into account their strengths, assets and existing support networks.
- People **must** be encouraged to find creative, flexible and innovative ways to achieve personal well-being outcomes and control over their life.
- The social care practitioner, when drawing up the support and care plan with a Direct Payment in mind, should emphasise what care, support, assistance and wellbeing outcomes are to be met, rather than how to meet them. How they are met, will be the choice of the Direct Payments recipient.

For example, someone may require support with accessing the community in a way that suits them and when it suits them rather than - *'user is to attend a day centre to relieve isolation'*. This will encourage flexibility and choice for the person; the person can then decide whether to attend a club, a course or visit places of interest or try new experiences.

Note: Success will be measured by whether the person's agreed outcomes have been achieved and what difference the solutions purchased have made to the person's life, rather than by the service they attended..

Employing Personal Assistants

- A PA is someone who is (usually) employed directly by a person who needs care and support. They can also be employed by a family member or representative when the person they're supporting doesn't have the physical or mental capacity to be the employer.
- Employing a person, or people of choice can often result in highly flexible, person centred and liberating support arrangements. Being an employer can be highly rewarding, but does bring with it certain responsibilities.
- Where a Direct Payment is used to employ somebody, Flintshire County Council **must** ensure that the recipient, or their representatives, are fully aware of their responsibilities as an employer and that they receive the necessary support and resources to manage their employment responsibilities.
- When it has been agreed that funding is available for a person to meet their needs through the use of a Direct Payment the social care practitioner **must** make a referral to the Direct Payments support service.
- An advisor from the Support Service will explain to the recipient (at an appropriate pace, and in the necessary format) all legal, financial and administrative requirements involved to ensure the person is fully aware of their responsibilities as an employer. If the advisor has concerns about the person's ability to understand, or retain the information, they will raise their concerns with the social care practitioner.
- The Direct Payments recipient may have a person in mind that they wish to employ as their PA. If there is no individual ready to step into the role, then the Direct Payment Support Service will give the individual the support to recruit, either through their existing networks, advertisements, social media, PA register, or via another appropriate means.
- Flintshire County Council **must** provide support to Direct Payments recipients to ensure that employees are legally entitled to work in the United Kingdom. The Direct Payments support service will provide professional advice and support to the Direct Payments employer in regard to this.

Self Employed Workers

- **Guidance from Her Majesty's Revenue and Customs (HMRC) and Advisory, Conciliation and Arbitration Service (ACAS)**

A Personal Assistants employment status is not a matter of choice; it depends on the circumstances. The most likely scenario is that your PA should be employed directly by you; it is very rare that a PA would be considered self-employed by HMRC.

A PA is likely to be employed if:

- The individual decides what work is done, how it's done, when it's done and who does it.
- They can't send someone else to do their work.
- Understanding the employment status of a PA helps to determine both the PA's rights and the individual's responsibilities as an employer.

It also makes sure that the person and their PA pays the right amount of tax and National Insurance Contributions (NIC). If the employment status of your PA is wrong, the PA and employer may have to pay unpaid tax and penalties, or they could lose their entitlement to benefits.

Because the term PA is increasingly being used to mean anyone that could be supporting a person with Social Care needs, and there are now lots of different ways a person could engage a PA, employment status can be a complicated issue.

It's important to make sure the person is supported to carry out their own checks to make sure that the status for the working arrangement between them and their PA is correct.

The following guide published by Skills for Care provides useful information and resources to guide people in their decision making.

<https://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Resources/Information-for-individual-employers/3-Before-your-PA-starts/Understanding-employment-status-of-PAs/Understanding-the-employment-status-of-PAs.pdf>

Care and Support purchased from an Agency

- Direct Payments can be used to purchase care from an agency. This may be preferable for those individuals who lack confidence in employing someone privately or who wish to avoid the responsibility of directly employing their own staff. Also those individuals who want to employ PA's and agency in order to use the agency as back up contingency arrangements.
- In keeping with the principles of Direct Payments, the Council should not recommend individual agencies as this should be the individuals choice, however they can be provided with appropriate advice in this area about what they should expect from any agency, questions to ask etc. The individual may be offered a list of care agencies that are available in their area and also informed that they may wish to look in their local directory for alternative care agencies, which might better suit their particular needs.
- It should be made clear that individuals are responsible for managing the care and support services received and ensuring that the details of their contract are reasonable and appropriate to meet their needs.
- The Direct Payments Support Service will advise the individual of the hourly rates the Council will fund when purchasing care from an agency. Should the individual wish to employ an agency with a higher hourly rate it must be made clear to them that they **must** pay the difference from their own personal funds. When making such a decision, the individual should consider the long term effects of such a financial commitment and the affordability of future increases that may be expected on an annual basis.

Employing Family Members

- In promoting a person's personal outcomes, Flintshire County Council may authorise Direct Payments to employ a close relative living in the same household as the recipient. Flintshire County Council **must** consider whether such an arrangement will provide the best possible well-being outcomes for the individual.
- In each case Flintshire County Council, after considering the recipient's views, **must** be satisfied that the employment of a close relative living in the same household is the best way of promoting and delivering their agreed well-being outcomes.

- Further information and guidance is available on request from the Direct Payments Support Service.

Equipment

- Community equipment is normally loaned to eligible persons/children from the local authority equipment service. As such, equipment remains the property of the Council and is serviced and maintained regularly by the equipment service in accordance with relevant Health and Safety Legislation.
- A Direct Payment for equipment may be considered where a need has been identified through a professional assessment process, the local authority has agreed to fund the equipment, the specific piece of equipment cannot easily be provided, or loaned, or the person wishes to contribute personal funds in order to purchase a superior piece of equipment.
- Direct Payments cannot be used to purchase services or equipment that would otherwise be arranged by other authorities (e.g. the NHS or housing authorities). Direct Payments are not a substitute for Disabled Facilities Grants.

Ownership and responsibilities

- Equipment purchased with a Direct Payment will belong to the individual and therefore they will be responsible for its care and maintenance, with or without support.
- When the equipment is no longer useful to the person, it is theirs to dispose of, though it may be possible for the council to support arranging for it to be collected. The Council will not buy the equipment from the individual.
- The Local Authority must offer specialist advice to the person to make sure that the correct equipment is purchased to meet the assessed needs. This advice will be as comprehensive as each individual situation demands. It will include details of the specific piece of equipment that is needed and where the Council would normally purchase it.
- The Council will pay the person the equivalent amount that it would cost the Council to purchase that equipment themselves. To obtain equipment more expensive than this, the person will have to pay the difference in costs between their preferred equipment and that which the Council feels is sufficient to meet the assessed needs.

There will usually be a single payment made to cover the following:-

- the cost of the equipment
- The person will be the sole owner of the equipment.
- The person will be responsible for the equipment being serviced and maintained to the required standards.
- Where the Council usually arranges for the use of equipment it provides to be demonstrated by its Stores Department or Occupational Therapist, the use of the same equipment provided via a Direct Payment will be demonstrated by the Occupational Therapist and/or providers of that item.
- This will be arranged by the person purchasing the equipment with a Direct Payment.
- Where necessary, the Council will demonstrate on the use of the equipment to make sure that health and safety requirements have been properly understood by the person.
- The Council can advise but it is the person who has responsibility for implementing health and safety requirements.
- The person will be advised to ensure they have the appropriate insurance to cover any costs incurred by accidental damage, theft etc.
- The person will be responsible for the costs of the insurance.
- The person will be responsible for all service and maintenance costs commensurate with the manufactures warranty periods.
- If the person no longer needs the equipment for any reason, ownership of the equipment will transfer to the Council who will arrange for its recovery from the person.

Creativity and Innovation

94. Flintshire County Council are committed to supporting the exploration and emergence of new and effective means for people to meet their assessed care needs, achieve their agreed outcomes, maintain independence and be valued for their unique contributions.

People should be encouraged to consider, but not be limited by the following initiatives when considering how to meet their bespoke needs and outcomes:

Direct Payments Co-operatives - This model supports cooperation and creates a legal framework around a person who needs funded care and support. Membership of the co-operative is generally made up of the person, representatives and workers delivering the support. Importantly the person remains at the heart of the arrangement and is involved in all decision making, so rather than replacing the person, it gives a very clear role for the person in planning their own day to day, and longer term strategic decisions.

Under the Regulation & Inspection of Social Care (Wales) Act (RISCA) up to three families can come together to support each other with the process of finding, recruiting and employing PAs, enabling ease of access to employment of another PA in case of sickness, holiday, resignation, etc. and can enable some pooling of any social component of direct payments (or other income) for shared activities where PA support is required. Day-to-day planning of care and support remains under the control of the individual. There is also increased opportunities for mutual support between individuals and families.

Direct Payments Micro Cooperatives – RISCA now provides the opportunity for up to 4 Personal Assistants to collaborate and form a micro PA Cooperative.

Whichever way the micro co-operative model is adopted, the key feature that distinguishes it from private domiciliary care agencies is that it *must* have a solid co-operative governance model that ensures direct payments recipients retain control of the organisation.

One of the potential benefits of this model is for individuals and families living in isolated low density communities who face a number of difficulties recruiting and retaining PAs, to receive a consistent high quality of service.

Pooling Funding – This option provides people with the opportunity to consider how they might achieve their outcomes alongside other people rather than on their own. Two or more direct payments recipients can choose to pool some, or all of their funding to arrange solutions that meet their collective needs. This could be to buy respite care together, do social activities, or create a new club based on a shared interest. People could even take their ideas and create employment opportunities.

Many people in Flintshire choosing to live together pool their direct payments to pay for shared support in their home as an alternative to support commissioned by the Council.

Technology, Goods and Services – A Direct Payment can be used to fund any alternative to traditional care and support as long as it is agreed by the person, their representatives, and Flintshire County Council that the solution will help meet assessed needs and achieve agreed personal well-being outcomes.

For example, sensory equipment within someone's home may be the best way to engage that person, provide mental and sensory stimulation and establish a relaxed atmosphere resulting in a happy person.

Health and safety

95. Legislation, regulations and codes of practice underpinning the provision of Direct Payments clearly supports greater personal autonomy and control over the support a person requires to meet their needs and identified well-being outcomes. Within such arrangements the Council has less control over the specific delivery of the care plan than it would in the case of direct service provision. The person, and/or their representatives takes greater responsibility for ensuring that their needs and outcomes are met, with, or without agreed support.
96. For Councils to be over-prescriptive about how the Direct Payments is arranged would threaten to undermine the very purpose of the payment and the choice and control intended. However, where specific Manual Handling has been identified training of the required standard must be made available to those concerned.
97. Welsh Government Guidance and the Social Services and Well-being (Wales) Act 2014 advocates an arms-length approach to health and safety:
98. 'As a general principle, local authorities should avoid laying down health and safety policies for Direct Payments recipients. People should be supported to understand and acknowledge that they have a responsibility for their own health and safety, including the assessment and management of risk. They should be encouraged and supported to develop strategies on lifting and handling and other tasks both in and outside the home where lifting equipment may not be available'
99. Support with this is available from the Direct Payments Support Service and the person's liability insurers.
100. As part of the person's assessment and care and support planning process, the Council should take appropriate steps to satisfy themselves that recipients and potential recipients are aware of health and safety and manual handling issues that affect them as individuals and anyone they employ, and anyone else affected by the manner in which their support is delivered.
101. As part of this process, the Council should give the recipient and potential recipients the results of any risk assessments, which were carried out as part of the care assessment.
102. Such risk assessments are necessary and integral to the adult social care assessment process in order for health and safety issues to be taken into account. In doing this, the person can share the outcome of the assessment, and any subsequent plans, or protocols with their employee's, or their commissioned support Agency. The recipient can therefore take reasonable

steps to minimise the risks to health and safety for themselves and/or any workers they employ.

103. The recipient or potential recipient has a common law duty of care towards the person, or people they employ. In any personal injury compensation case taken against an individual or a Council in the context of Direct Payments, the courts would be required to take all of the above into account.
104. The most important issue concerning health and safety is that anyone employed in an individual's home should feel safe and comfortable both with each other, the working environment and any tasks that they are asked to perform in their line of duty.
105. Individuals should always follow and adhere to advice provided by the Support Service and the advice provided by the insurance liability companies. If this is not followed and adhered to it may invalidate the person's insurance and make them solely liable if any claim is made in connection with a health and safety at work issue. Flintshire County Council **must** ensure that appropriate support is available to enable people to access and engage with their Insurer.
106. For further information councils should refer to the published guidance from the Health and Safety Executive (HSE) on lifting and handling entitled Handling Home Care. Councils should note in particular the HSE's advice that "implementation of policy and practice on lifting and handling should not place any unreasonable restrictions on client's rights to autonomy, privacy or dignity".

Respite care

Definition: *Respite is a short term care arrangement whereby a registered residential care placement, additional care at the home or in alternative accommodation to that of the person's usual residence can be sought to enable informal carers or families members to take a break from their role as primary carers. Respite care may be needed in a range of situations. For example, the carer might have to go into hospital, or might have other important commitments. While respite is not considered to be a holiday for the cared for, Direct Payments is intended to promote a greater choice and flexibility of options to make the respite experience a positive one for both the carer and cared for person.*

107. Purchase of respite care under the Direct Payments scheme is very clearly defined. Where a need for such support has been identified and detailed in the care and support plan as a solution to achieving identified well-being outcomes, the person and their Carers may use the payment for a short stay in

respite care provided the stay does not exceed a period of four consecutive weeks in any 12 month period.

108. Respite is not to be restricted to registered care homes, recipients can use hotels and other accommodations and support instead, to gain a better value service and achieve bespoke outcomes.
109. Where the Direct Payment has been requested for a single instance of respite care, and this is the only service the individual is receiving, they will be given a lump sum payment for the entire cost of the period of care less any assessed financial charge. This will normally be recorded as a one off Direct Payment.
110. Direct Payments can now be made in relation to the provision of residential accommodation for any single period in excess of four weeks and for more than 120 days in any period of 12 months

Support for Carers

111. Flintshire County Council are committed to ensuring that Direct Payments are used flexibly to promote independence and enhance the quality of life for individuals and their informal Carers.
112. Carers (other than those with parental responsibility for children) may not receive a Direct Payment to purchase services to meet the assessed needs of the person they care for, unless they are an official representative. However, the Direct Payments scheme allows for Carers to purchase the appropriate support to meet their agreed wellbeing outcomes and support them to maintain their own health and well-being.
113. Where a care and support plan has been agreed for a Carer, a Direct Payment may be the most appropriate method of enabling effective, flexible and bespoke support to be arranged. Direct Payments are a convenient means by which to obtain a wide range of services and activities within the community to support the needs of Carers. These solutions might include, but should not be limited to sitting services, access to leisure & therapeutic activities, short breaks, access to education, or pooled with other carers to create bespoke solutions that meet their collective needs etc. etc.

Residential Care

114. From 6th April 2016 a person may use a Direct Payment to pay for a long term residential care placement of their choice.
- 115.

Local Authority Services

116. From 6th April 2016 the Direct Payments Regulations allow for a person to use their Direct Payment to purchase services directly provided by their Local Authority. Flintshire County Council **must** therefore make the costs of their services available to people on request, in order for them to make informed decisions.

Health Care Services

117. Section 47 of the SSWB (Wales) Act currently prevents local authorities from enabling people to use their Direct Payments to meet their needs through the provision of healthcare, unless doing so would be incidental or ancillary to doing something else to meet a citizen's needs. This also relates to services provided via Continuing Healthcare Funding (CHC).
118. **Admission to Hospital:** When a Direct Payment recipient is admitted to hospital they must inform Flintshire Social Services at the earliest possible time.
119. If the person uses a care agency to meet their assessed needs, FCC will pay two weeks funding at 50%, then stop the direct payment.
120. If the person employs Personal Assistants to meet their assessed needs, FCC will continue to make the payments to for a maximum of four weeks at 100%, to enable a reasonable retainer to be paid to employees.
121. Recognising the important relationship based care provided by Personal Assistants, the council may, following careful consideration of the circumstances decide that this period can be extended to an agreed period. This decision will be made on a case by case basis by the appropriate Service Manager.
122. **Important:** Under no circumstance can funding via direct payments be used to pay Personal Assistants to undertake paid tasks that would ordinarily be the responsibility of and/or provided by the NHS.
123. Under no circumstance can any personal assistants funded via direct payments be allowed to provide paid care and support to a person resident within a hospital environment unless this has been agreed with Flintshire Social Services.
124. If the Direct Payments recipient requires additional care and support whilst in a hospital setting, relevant information must be conveyed to hospital staff. Flintshire Social Services can support discussions with health colleagues as appropriate.

Mixed Support Arrangements

125. The provision of funded support is made on the basis that this will meet identified needs and help achieve personal well-being outcomes. In order to achieve the very best outcomes a person may choose to receive a mix of Direct Payments, services arranged by the council and/or any other source of support that helps the person achieve their needs and outcomes.
126. The person / Carer may choose to gradually take over managing all their support arrangements via Direct Payments over time. This flexibility and choice should be facilitated, as some Direct Payments recipients may feel unable to take on all of the responsibility involved in managing Direct Payments immediately. For example, a person may decide to continue receiving services directly arranged by the council Monday through Friday, whilst opting to directly employ a personal assistant (via Direct Payments) for the weekend period. This would require the social care practitioner to arrange the support and assistance required from Monday to Friday, whilst also giving the individual autonomy via a Direct Payment for the weekend period.
127. It is vital that this degree of flexibility is available to allow people to gain confidence in managing their Direct Payments and become familiar with the benefits, potential and responsibility associated with taking greater control.

One off Direct Payments

128. In order to achieve a particular well-being outcome, the council may agree to award a one off Direct Payment to enable the person to purchase the agreed goods and/or service. For example; a person may benefit from attending a short course to refresh key skills, or purchase a piece of software that will promote that person's independence.
129. Following assessment and agreement that a one off purchase would be the be the most appropriate solution to meet identified needs and well-being outcomes, a one off Direct Payment can be arranged.
130. The person may still be required to make a financial contribution following a financial assessment, towards the total cost of the goods, or services. The one off Direct Payment will be issued as a lump sum payment for the exact amount agreed, less any client contribution.

How much funding will be available?

131. The Council will decide on the amount of a Direct Payments that is needed for a person based on their assessed needs and the agreed well-being outcomes that the funding will help them achieve. The Council **must** make sure that the funding is sufficient, taking into account any contribution that the person

is required to make under the Charging policy and in line with Welsh Government guidelines, to enable the individual to legally secure support and assistance of a standard which the Council considers acceptable.

132. The Council is not obliged to fund the particular costs associated with the person's preferred method of securing their support, if the same assessed needs and agreed outcomes can be met more affectively, (but still to a quality which the Council considers is acceptable) in another way.
133. The Council will only fund the agreed costs specified in the person's care and support plan to meet their identified and agreed eligible outcomes. All rates will be reviewed and set by the Council in line with the annual budget setting process and therefore are subject to change.
134. **Agency rates** – when choosing to use a direct payment to purchase care and support from an agency the direct payments recipient will be given the greatest autonomy possible to negotiate a proportionate rate with their chosen provider. However, Flintshire County Council will only provide funding below or equivalent to the agreed domiciliary care fee. This rate will be agreed and publicised prior to the start of each financial year. Should the person wish to commission an agency with a higher hourly rate it must be made clear to them that they must pay the difference from their own personal funds. When making such a decision, the person should consider the long term effects of such a financial commitment and the affordability of future increases that may be expected on an annual basis.

Exceptions – Flintshire County Council may choose to make exceptions where the only alternative provision suitable to meeting the persons assessed needs and outcomes is either inappropriate, disproportionate, or requires them to be supported in a specialist out of County, or residential establishment. The person may require specialist support that can only be purchased at an additional cost to necessitate them being supported within their local community. Decisions will be made on a case by case basis after having taken into consideration personal circumstances, potential benefits to the person and their family and cost.

135. **Personal Assistant rates** – The Council has a set rate for the employment of Personal Assistants. Such rates will comply with relevant minimum wage legislation, regulation and be sufficient to allow the employer to meet their wider employment responsibilities including pension's liabilities.
136. **Travel expenses** - the Council will not generally fund the costs associated with a person's transportation unless there are exceptional circumstances. Such cases will be considered on a case by case basis. The final decision to fund, or not to fund an arrangement will rest with the relevant Service manager.

137. **Redundancy** – There is a recognition that the Council must provide enough funding to enable the employer to meet their employment responsibilities and associated liabilities. Bearing this in mind the Council will consider each claim for redundancy payments on a case by case basis taking relevant individual qualifying circumstances into full account. Public & Employers Liability cover may be utilised to fund all, or part of the redundancy liabilities.
138. **Statutory Sick Pay (SSP)** – Direct Payments employers should utilise accrued funding to pay SSP in the first instance. If there are insufficient funds within the account they should approach Flintshire County Council to fund the shortfall.
139. **Start-up costs** – The Council will provide start-up costs without which the service could not be legally provided. For example, staff training and/or Public/Employers liability insurance, that **must** be provided prior to the commencement of the person's support arrangements. A funding request to cover start-up costs should be made prior to the commencement of the Direct Payment.
140. **Pensions liabilities** – Flintshire County Council will consider each situation on a case by case basis. Where employers' pension contributions exist and cannot be met from existing funding, the Council **must** provide additional funding to enable the employer to meet their legal responsibilities to provide a Pension.
141. **Accrued Funding** - To enable the person to achieve flexibility in their arrangements, the Council allow the equivalent of 8 weeks funding to accrue in the person's account. Any surplus funds not intended to be utilized at a later date to meet assessed needs and/or agreed outcomes will be recovered by the Council, having first discussed this with the person, or their representatives. Flintshire County Council supports the flexible use of available funds, so will always check whether some, or all of the funding is intended for another purpose before withdrawing funds from the account.

Notification of Direct Payment

142. The Council will endeavour to give people as much notice as possible of the value of their Direct Payment and the contribution they will be expected to make to the cost of their support arrangements, before the payment begins, or its rate is changed. This gives an opportunity for any dispute over the level of funding to be resolved before the payment begins or the change takes effect.
143. If that is not possible, then while any appeal/complaint is being considered, the Council will endeavour to find a solution in the short term that is satisfactory for the person, and/or their representative and the Council.
144. If the Council is satisfied that it would be a proper and cost-effective use of its resources, it may decide to pay a Direct Payment at a higher rate than it had

originally intended, until the dispute is resolved. Any such decision must be agreed and authorised by the relevant Service Manager.

Financial contributions

145. Part 5 of the SSWB (Wales) Act, provides local authorities with the discretion to charge a person for care and support that is being provided (or support that is being provided to a Carer) who has the financial means to pay such a charge. This includes the provision of homecare and other community based care and support, residential care and support, preventative services and assistance.
146. Sections 50-53 (Direct Payments) of the SSWB (Wales) Act Part 4 COP provide a similar discretion to set a contribution or reimbursement for Direct Payments, where care and support needs are being met through the provision of these.
147. Essentially the new framework introduced under the SSWB (Wales) Act has:
- introduced one set of financial assessment and charging arrangements rather than the differing arrangements for residential and non-residential care and support;
 - introduced greater transparency so that each person required to pay a charge receives a written statement detailing the charge and its calculation;
 - introduced a consistent, universal review process to enable a person to challenge charges made and any form of care and support;
148. The Council **must** ensure that people are made aware that care and support is chargeable and of the need to plan for this.
149. When agreement has been reached that a person will receive a Direct Payment the social care practitioner should make arrangements for a financial assessment to be completed and ensure that the person, their representative and the Direct Payments Support Service is informed of the assessed personal weekly contribution.
150. The person and/or their representative will be afforded advice and assistance where appropriate to enable them to maximise their income through identifying possible state benefit, or employment potential.
151. The person and/or their representative must be advised that their personal contribution towards the cost of care and support will be reviewed on an annual basis and as such may alter.

152. The Council must take into consideration the financial circumstances of the recipient when deciding whether to make a Direct Payment net, or gross of the person's assessed financial contribution.

Financial monitoring

153. The Financial Assessment Team (FACT) will monitor Direct Payments expenditure regularly in order to comply with the Councils duty to ensure public money is spent appropriately.
154. The Direct Payments recipient and/or representative have a responsibility to ensure that the funding is used to achieve its intended purpose.
155. In carrying out its duty, the Council **must** ensure their financial monitoring arrangements for Direct Payments are proportionate. The financial auditing paperwork completed by a Direct Payments recipient **must** be user friendly and not over burdensome.
156. The Council's financial monitoring arrangements **must** ensure that no decision to cancel or suspend a Direct Payment is taken without the prior involvement of the recipient, their representative, the Direct Payments support service and the social care practitioner.
157. When auditing accounts, due consideration **must** be given to the flexibility inherent in Direct Payments arrangements and the fluctuating weekly expenditure they inspire. Sufficient assets **must** remain in the Direct Payment recipients account to enable them to meet their flexible care and support requirements and any employment commitments they have.

Making Payments

158. The Council will make regular payments into a dedicated Direct Payments account. Additional payments will only be made in exceptional circumstances, when authorised by a relevant service manager.
159. **Direct Payments Card Account** – The Council is working in partnership with a pre-paid cared provider to offer Direct Payments recipients a trouble free way of managing their funding. The Council considers this system to offer the greatest benefits to both Direct Payments recipients and the Council and aims to offer this solution to all Direct Payments recipients.
160. **Direct Payments Agreement** - Direct Payments will not commence before the Direct Payments recipient/representative and a representative of the Council have read, understood, signed and returned the appropriate Direct Payments Agreement which sets out the terms and conditions related to the

payments.

Best Value

161. Any consideration of cost-effectiveness should consider long-term best value. A preventive strategy may necessitate a slightly higher investment to achieve long-term benefits for the person and efficiency. Provision of Direct Payments that allow a person to remain in their own home may represent long-term benefits if that person does not require hospital or residential care.
162. There may be occasions when the Council considers funding a care and support arrangement at a higher cost than it would cost to arrange, or provide an equivalent service. In funding such an arrangement the Council should consider the potential longer term efficiencies associated with enabling a person to take greater control of their life, and the solutions they require to become as independent as possible.

Support Available for Direct Payments Recipients

163. Direct Payments Support Service

The Council provides a specialist Direct Payments Support Service. They offer information, peer support, training and enabling support, for individuals, Carers, appointed 'Suitable Person', Local Authority staff and third sector organisations.

164. To ensure Direct Payments arrangements meet the desired needs and outcomes, it is essential that social care practitioners involve and maintain communication with the Direct Payment Support Service throughout the set up

Note: "One off" non-recurring Direct Payments may be paid directly into the persons existing personal bank account if appropriate. This should also be considered where the Direct Payment(s) are made for short-term needs

For ongoing payments Flintshire County Council and the Support Service will help support the person to arrange the best payment options for their particular circumstances

How the payment is determined, whether gross or net of any assessed contribution imposed, must be decided in collaboration with the local authority and the recipient, or their representative, taking into account the person's financial circumstances.

process.

165. People who receive Direct Payments may need additional support when they first take on the responsibility for managing their own care and support. Direct Payment Support Service will be able to provide practical assistance, for example:

- by holding a list of local agencies, prospective Personal Assistants, or Self Employed Carers.
- helping people to draft advertisements
- job descriptions and contracts
- assistance with interviewing
- act as an address for responses to advertisements
- advice on equal opportunities with regard to the employment of personal assistants
- advice on budget calculations
- holiday pay/sick pay
- Single point of contact for information, advice and support.
- Supporting people to live independently
- Problem solving

Other support available

166. **Information and Advice** – the Council will ensure that high quality, easily accessible information and advice is made available to any person interested in, or receiving a Direct Payment from Flintshire County Council. Such information and guidelines will aim to inform and enable people to get the very best autonomy and outcomes from the funding available.

The Support Service will put in place a system of information, support and advice that will assist the recipient and/or their representatives with the setting up, management and administration of their Direct Payment. The Support Service will provide a starter pack and information to all individuals who use Direct Payments. Such documents will be given to and discussed with the individual when they commence Direct Payments and will be made available in a format suitable to the needs of the individual. The Support Service will need to assure themselves that the person and/or their representatives have understood their responsibilities and are able to commence with, or without support.

167. **Advocacy** - An independent advocate may be useful in providing support particularly for those people who lack mental capacity, either in terms of deciding who should act as a suitable person on their behalf, or how the Direct Payments should be used to meet their eligible needs and agreed outcome. Advocates may be especially appropriate if:

- the person has no close family or friends to take an interest in their welfare
- family members disagree about the individuals best interests
- the person who lacks capacity has an established relationship with an advocate
- there is a concern about the protection of a vulnerable adult/child.

168. **Other Organisations** - Direct Payment recipients must also be made aware that support is also available through other appropriate organisations. It is often the case that such organisations are best placed to offer advice and guidance on specific issues where required, such as –

- Insurance company
- Payroll services
- Bank/building society
- Care agency
- Health and Safety Executive
- HM Revenue & Customs

169. The Direct Payment Support Service will be able to recommend and sign post individuals to such organisations where appropriate. Some of the topics they can assist and support with are as follows, although this list is not exhaustive.

- **Recruitment** – Direct Payments recipients who employ staff can get support and assistance from the Direct Payments Support Service in the first instance and practical advice from their insurer.
- **Supervision** – When someone employs staff it is good practice to set time aside to give feedback on their performance or give them the opportunity to raise issues with their employer. The Direct Payments Support Service can provide support when someone first has responsibility for staff.
- **Statutory Annual Leave** – All employees are entitled to annual leave and this should be recorded and taken within the year. The Direct Payments Support Service can support a new employer using Direct Payments to calculate and record this.
- **Health and Safety** – Support and information to help direct payments employers comply with their Health and Safety responsibilities can be provided by the Direct Payments Support Service. As the employment is within the home there are different regulations that apply.
- **Disclosure and Barring Service** – Anyone employed in a regulated activity must have a DBS check completed. The Direct Payments

Support Service can support and Assist employers to ensure all their staff have DBS checks completed.

- **HMRC responsibilities** – Any employer has responsibility with regards to Tax and National Insurance contributions. When a person first takes on the responsibility of being an employer the Direct Payments Support Service will support an individual to register with a payroll provider of their choice and ensure they register as an employer with HMRC.
- **Maternity, Adoption and Parental Leave** – Any statutory entitlement can be calculated but the employer with help and support from the Direct Payment Support Service. If additional funding is required this must be bought to the attention of the Social Worker/care Manager.
- **Medication** – This will be in line with internal policy
- **Financial Audits** – There may be a requirement to provide paperwork to the financial section of the Council on a regular basis. This is to ensure that public money provided via the Direct Payments is spent appropriately and all relevant paperwork is maintained and kept in an orderly manner. The Direct Payment Support Service will support and train individuals on how to complete this and will help identify where some individuals may require some additional bookkeeping support. If a Direct Payment recipient or their representative chooses to use a Direct Payments Card from Flintshire County Council, this will not be necessary.
- **Pensions** – If staff are employed there is a requirement by law to register with a Pensions Provider. If staff earn in excess of the pension's threshold they must be enrolled in a pension scheme. An employee has the right to opt out of a pension's scheme, but they must first have been opted in. The Support Service have payroll systems in place to ensure that support is available to assist employers and employees.

Care and Support Planning, Monitoring & Review

170. The Council **must** provide and keep under review care and support plans for eligible people as defined within section 54 of the SSWB Act 2014
171. The care and support plan **must** be developed in partnership with the Direct Payments recipient to ensure there is an agreed understanding of how their bespoke needs will be met and personal outcomes achieved.
172. In cases where the care and support plan identifies care and support which may require a financial contribution from the person, arrangements **must** be made to ensure the individual is clear about this, and that a financial

assessment is undertaken where this is required under part 5 of the Act.

173. It is the responsibility of the practitioner who has developed the plan with the individual (including any formal or informal advocacy support) to ensure there is a clear and concise confirmation of the agreed informal and formal solutions to meeting identified needs and outcomes, and those that will undertake them within the plan.
174. Care and Support Plans **must** cover the following:
- The outcomes have been identified in relation to the person to whom the plan relates
 - The actions to be taken by the person, friends and relatives, the wider community and the local authority to help the person achieve those outcomes.
 - The needs that will be met through the delivery of care and support solutions
 - How progress towards achieving those outcomes will be monitored and measured – what will success look like?
 - The date of the next review of the care and support plan.
175. In most cases where a Direct Payment is being utilised to achieve aspects of the care and support plan the following should also be set out:
- The roles and responsibilities of the person, representatives, carers, family members and practitioners in supporting the arrangements to be successful
 - The resources (including financial resources) required from each party
176. The Council, with their partners, **must** have in place arrangements to review or re-assess a person's circumstances more promptly whenever it may appear that the current plan is not meeting the person or family's needs.
177. The following selection of guiding principles should be used to underpin the process of preparing care and support plans:
- People centred: Individual and family wishes will shape the form of engagement with services where this is appropriate. This will include the option of individuals receiving Direct Payments to meet their care and support needs, or in the case of carers, their support needs.
 - Promote Well-being: Solutions will build on people's and families' strengths and abilities and enable them to maintain an appropriate level of autonomy with the appropriate level of care and support provided consistent with their well-being
 - Strengths and Assets focussed: Build on personal strengths, resilience, networks and relationships. Enable people to take back, or

maintain as much autonomy and personal responsibility over their life decisions as possible (with, or without support).

- Outcome based: Work with people and families will be based on a comprehensive analysis of needs, personal outcomes, risks, and the strengths and capabilities people and families have available to them.
- Involving wider family, community and carers: Recognise the contribution of the wider community, family and carers and seek to provide support to them whenever possible.

178. Solutions and systems will provide equity of opportunity and will respect diversity of needs.

179. The outcomes of any solutions purchased or arranged via a Direct Payment will be monitored and evaluated in line with legislative requirements, with the first review taking place at 6 weeks, and again at 3 months and 6 months and then ongoing regular reviews undertaken at least annually by the Council. Particular needs and circumstances may warrant additional reviews which can be arranged at the discretion of the social care practitioner and Direct Payment recipient. Where it is deemed necessary the Direct Payments Support Service will attend such reviews where appropriate and on request.

180. The Council **must** keep care and support plans under review to understand whether the provision of that care and support is meeting the identified needs of the individual, and to consider if their needs have changed and if a re-assessment is required. The agreed date for the review of the plan must be set out in the plan.

181. The purpose of the review is to revisit the care and support plan to:

- Monitor progress and changes
- Consider the extent to which the delivery of the plan is meeting assessed needs and how it has helped the person or family achieve their outcomes
- Determine what support is needed in future, and confirm, amend or end support provision.

182. A review that involves the person themselves, family or representatives as active participants is a key part of effective care and support. Good arrangements can ensure that solutions remain appropriate, well targeted and relevant to the individual, and encourages the person to continue to maintain control over their support.

183. If it appears that the care and support plan is not meeting the person's assessed needs the Council must undertake a review irrespective of the agreed review date. This may be at the request of the person themselves, people with

parental responsibility for a child, or any other person authorised to act on their behalf.

184. Any review of the Direct Payments must also include a review of the care and support plan, likewise, any review of the care and support plan must also include a review of the Direct Payments.
185. **Ending a Direct Payment** – At least one months' notice from either party should be given when ending a Direct Payment (however, this should ideally be longer) unless there is a significant event which means the notice is immediate or shorter than a month.
186. In the event of the death of a Direct Payments recipient – Arrangements will need to be made in order to meet all legal responsibilities e.g. any outstanding pay for staff, HMRC obligations, paying accountancy bills and other administrative obligations. The Direct Payments Support Service will work with family members, and/or representative in order to ensure these obligations are met.

Responding to difficulties

187. The Social Care Practitioner **must** discuss with each person, and/or their representative during the Care & Support Planning Process what support arrangements will be put in place in the event of an unplanned breakdown of the usual arrangements. For example; PA sickness.
188. Before agreeing to pay the Direct Payment, the Council require the Direct Payment recipient to have a contingency plan in place. The plan will need to be discussed and agreed with the Social care Practitioner and recorded within the person's care and support plan. The practitioner and the Support Service will support the recipient, and/or their representative to think through the issues that may arise and help plan for them.
189. If for whatever reason the agreed care and support arrangements break down, and it becomes apparent that the person and/or their representative is unable to secure services to achieve the persons agreed needs and personal well-being outcomes, responsibility to respond and arrange services for that person remains with the Council. It may decide to step in and arrange the necessary services, but it will first consider providing assistance to enable the person to continue to manage his or her own care arrangements.

Wherever possible the person should be supported to regain control over their arrangements as soon as it appears appropriate to do so.

190. Examples of contingency plans which people who receive Direct Payments might make, include making arrangements with independent agencies for

emergency cover, or recruiting personal assistants who are prepared to work additional shifts at short notice when necessary.

191. Regardless of the commitment to develop robust contingency plans, it remains possible that difficulties will arise which have not been anticipated and which cannot be covered by the arrangements made. In these instances the person, or their representative should make immediate contact with the Council.
192. If difficulties do arise, the social care practitioner will need to consider with the individual and/or their representative the following issues:
- **Have the person's needs and/or well-being outcomes changed?** If so, the person's needs and outcomes should be reassessed and the proposed solutions to meeting them reviewed accordingly.
 - **Is the amount of money sufficient to enable the person to achieve their bespoke needs and well-being outcomes?** Experience shows that there are other costs, which are sometimes not taken into account within initial calculations, or that anticipated costs have not, in fact, arisen. It may be necessary to review the funding arrangements.
 - **Is the person still able to manage their Direct Payments effectively?** The Council needs to continue to be satisfied that the person, and/or their representative can effectively manage their Direct Payments to meet their needs and achieve agreed well-being outcomes with, or without support. It is important to understand that difficulties do not necessarily mean the person cannot manage. There is inevitably a learning process when individuals begin to receive Direct Payments and people may make mistakes, but still be capable of managing their arrangements in the longer term. Even experienced Direct Payments recipients may have problems at times but with some proportionate support, be capable of overcoming them. Overcoming difficulties is a part of life and can contribute to improved confidence, empowerment and a sense of personal achievement.
 - **Does the person wish to continue receiving Direct Payments?** As long as the Council considers Direct Payments are appropriate, enable the person to remain in control of their life, and will be effective at meeting the person's needs and agreed well-being outcomes every effort will be made to support the person to continue with their arrangements. The Council will view each situation on a case by case basis and enable individuals to overcome difficulties. However, if someone has decided that he or she no longer wishes to receive Direct Payments, then the Council will enable him/her to switch to services arranged by the Council.

- **Has all the money been spent on the services for which it was intended?** If the money has been diverted to other purposes there will be a case for seeking repayment. Social Care Practitioners and the Support Service will explain before the individual begins to receive their Direct Payments the circumstances in which the authority would seek repayment and the term of the Direct Payment Agreement.
- **Have agreed support arrangements been paid for but not received?** If not, then it is the responsibility of the individual to seek a refund from the service provider. If the Council has made further provision for services to meet the same needs or if the services were not received because they were no longer required, then the Council will seek repayment of the funds from the individual
- **Has the money been spent wisely?** If not, consideration must be given by the Council to whether the person has maliciously diverted funds from their intended purpose, or has naively mismanaged funds because of a genuine misunderstanding, confusion, lack of capacity, and/or capability. The outcome of this investigation will determine the actions to be taken. If the person and/or their representative is found to have intentionally misappropriated funds, the Council will consider ending the Direct Payment and arranging an alternative service in line with the person's needs and personal well-being outcomes. The ultimate decision to permanently end a Direct Payments arrangement will rest with the relevant Service manager. However, in any other situation the Council **must** consider how it will support the person and/or their representative to manage their Direct Payment effectively.

193. **Difficulties can be minimised by:**

- The Council being clear from the outset about what the money can and cannot be used for
- Monitoring and timely review
- Effective Direct Payments support arrangements
- Maintaining communication with all parties involved
- Enabling PA's to receive information, advice, training and assistance about their role
- Good initial assessments that include discussing potential areas of difficulty, and how they will be realistically handled with the person and/or their representative before Direct Payments begin.
- When services are engaged for by private arrangement alongside Direct Payments these must be clearly defined and separately invoiced.

When to seek repayment

194. Legislation enables the Council to require some or all of the money it has paid out to be repaid if it is not satisfied that it has been used to secure the provision of the solutions to which it relates.
195. The Council may also require repayment if the person has not met any condition that the Council has properly imposed by way of the Agreement and those imposed by the regulations.
196. The repayment process will be triggered by the Financial Assessment & Charging Team, but will always involve discussion with the person and/or their representative, Social care Practitioner and/or Team Manager and Direct Payments Support Service.
197. Avoiding the necessity for repayments starts with giving appropriate information. Social Care Practitioners will aim to be satisfied that individuals who receive Direct Payments understand all of the conditions they will be required to meet and which are outlined within the Direct Payments Agreement prior to the commencement of payments.
198. The Council must take into account hardship considerations in deciding whether to seek repayments.
199. When considering whether to recover unspent funds, the Council will also bear in mind that there may be legitimate reasons for a Direct Payment recipient to build up an apparent surplus e.g. to pay their employees' quarterly PAYE, or to pay outstanding bills from a care agency, outstanding legal employment liabilities, accrued money for an agreed reason etc.
200. The Council will be mindful that this power is intended to enable them to recover money, which has intentionally been diverted from the purpose for which it was intended, or which has simply not been spent at all. It must not be used to penalise honest mistakes.
201. The Council will also consider how to recover unspent Direct Payments when the recipient dies or can no longer access the account due to loss of capacity. Due consideration will be given to any outstanding employment, or financial liabilities e.g. redundancy payments, HMRC Bills, Agency invoices etc. In such circumstances the Council may be liable for settling such payments.

Ending a Direct Payments Arrangement

202. Both the Council, the Direct Payments recipient and/or their representative may decide at any time that they wish to cease the Direct Payments arrangements. The recipient may feel that their needs and outcomes would be

better met in an alternative way, or the Council having firstly considered the specific circumstances may feel that a Direct Payment will not effectively meet the person's needs, or achieve their well-being outcomes, and/or despite support the funding will not be used for its intended purpose.

203. The Social care Practitioner will inform the Direct Payment recipient and/or their representative as soon as possible if it is considering discontinuing Direct Payments to them, and if appropriate give them an opportunity to demonstrate that they can continue to manage their arrangements, albeit with greater support.
204. The Council will endeavour to give four weeks' notice in writing before Direct Payments are discontinued. It may be necessary in exceptional circumstances to discontinue Direct Payments without giving notice. Such decisions may be taken where a person no longer needs the services for which the Direct Payments are made. This be the case where someone receives support to meet short term or enabling outcomes upon leaving residential care or hospital or there has been a safeguarding issue, misappropriation of funds or criminal matter.
205. If the Council decides to withdraw Direct Payments then it will need to arrange the relevant support instead, unless the withdrawal was following a reassessment after which the authority concluded that the support was no longer appropriate.
206. There may be circumstances in which the Council wishes to discontinue a person's Direct Payments temporarily. For example, if a recipient should lose mental capacity temporarily, or not require the agreed support for some legitimate reason. In these cases, social care practitioners will discuss with the individual how best to manage. The aim will be to enable the person to resume responsibility for his or her own care or support after the interruption, if that remains his or her wish.
207. The Council might decide to take over the management of the person's arrangements in the interim, or explore whether responsibility could be transferred to a trusted third party of the Direct Payment recipient. This decision will be made following discussion with the individual. In considering whether it is practical, desirable and cost-effective to maintain the individuals' arrangements, the Council will be mindful of any contracts into which the individuals has entered.
208. Where Direct Payments are discontinued, some individuals may find themselves with ongoing contractual responsibilities or having to terminate contracts for support (including possibly making employees redundant). Social care practitioners and the Direct Payment Support Service should discuss this with individual and offer appropriate advice and support regarding how this should be handled in the light of employment legislation.

Complaints

209. The Council operates a procedure for considering any representations (including any complaints) which are made to them with respect to the discharge of their statutory duties or about any failure to discharge the functions of the Council. People who receive, or consider receiving Direct Payments are entitled to have access to this procedure in the same way as anyone else for whom the Council has a power or a duty to support.
210. Social care practitioners must ensure that individuals are aware of the complaint procedure, but particularly so when they are informed of a decision they may not welcome. Direct Payments recipients and/or representatives may make complaints about any action, decision or apparent failing of the local authority, but not about services which they have secured from independent providers (including people they employ directly) using Direct Payments. The recipient will need to address any complaints about the services that they receive through Direct Payments to the service providers they have procured or deal with disciplinary matter with paid employees that have been employed. The Direct Payments support provider will assist the person where necessary.

Reviewing the Direct Payment scheme

211. In the spirit of co-production the Council will actively encourage participation from representative users of the Direct Payment scheme, individuals, Carers and Social Care Practitioners in the review, evaluation and future planning of the Flintshire Direct Payments Scheme. All Flintshire recipients of Direct Payments will be given the opportunity to express their views, experiences and opinions about the scheme and how it might be improved.
212. Feedback, information and proposals will be taken forward alongside Direct Payments recipients and representatives to inform the future development of the Flintshire Direct Payments scheme.

Data protection & confidentiality

213. In accordance with the Data Protection Act 1998, information will only be shared with other relevant people and agencies in accordance with the data protection principles or with the written consent of the individual or their legally appointed representative.
214. All those involved within the Direct Payment scheme are required to work within the framework of the agreed information sharing actions and ensure these comply with the Data Protection Act 1998.

Fraud

215. In carrying out its functions and responsibilities, the Council adopts a culture of openness and fairness and expects that employees at all levels will adopt the highest standards of propriety and accountability. This is achieved by leading by example and by an understanding of and adherence to rules, procedures and agreed practices. These standards are also expected from organisations that have dealings with the Authority (e.g. suppliers/contractors). It is our policy to conduct all of our dealings in an honest and ethical manner.

Mae'r dudalen hon yn wag yn bwrpasol



Direct Payments

Information Handbook

Direct Payments Your Life – Your Way

Giving you real choice over the support you need

For a copy of this leaflet in other formats such as Braille, large print or audio tape call Social Services on 01352 803444. An Easier to Read version is also available.



What are Direct Payments?

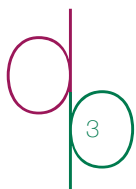
If you are having difficulty managing aspects of your life due to age, disability, or caring for somebody, Flintshire County Council may be able to give you money to organise support that is right for you. This is called a Direct Payment.

You can use your Direct Payment to arrange support that is right for your individual needs, lifestyle and personal circumstances. This means you can be creative with your support if you choose.

Having a Direct Payment means that you can have more choice and control over the support you need, and can organise far more flexible arrangements than services provided by the council.

People in Flintshire are using their Direct Payments to arrange things like:

- Support with daily life and activities
- Support with personal care
- Respite care, to give Carer's a break
- Pooling direct payments with other people to do things together
- Equipment and technology to be more independent
- Support that helps people develop their skills and abilities
- Support to get out and about in the community
- Support to access education, or occupation



More and more people are choosing to receive a Direct Payment, most of them are telling us that the flexible arrangements that they have organised have changed their lives for the better.

Having a Direct Payment is a personal choice that will hopefully enable you to achieve a better quality of life. Flintshire County Council understand that taking control and deciding to have a Direct Payment can, for some people, be a big decision, and some of the information you will be given may seem confusing to begin with.

We want to make sure that you have all the information that you need to make choices that are right for you.

We have an experienced Direct Payments team within the council who are there to support you with any queries or information that you need. We will provide you with as much help and reassurance as you need until you feel confident to manage the Direct Payment yourself.

Direct Payments do not have anything to do with Social Security benefits. Direct Payments will not affect your benefits in any way.

Remember, any support that you arrange must help you to meet your assessed needs and achieve the goals that you have agreed with Flintshire Social Services – These will be written in your care and support plan.

Direct Payments are just one option for support; if you would prefer the council to arrange services for you, they can. Many people choose a mix of Direct Payments and services arranged by the Council.



Who can have a Direct Payment?

If you need extra help to manage aspects of your life because of the effects of:

- Old age
- A physical or learning disability
- A mental health difficulty
- A long term illness
- Parental responsibility for a Child with a disability
- Caring responsibilities

You may be able to get a Direct Payment to arrange the support that you need.

Usually you can have a Direct Payment from the age of 16. If you are under 16 the direct payment can be paid to your parent(s) or legal guardian(s).



How do I Get a Direct Payment?

To get a Direct Payment you need an assessment of your personal needs. If you have a social worker or care coordinator then contact them.

If not please call Social Services for Adults on 01352 803444 or Social Services for Children on 01352 701000.

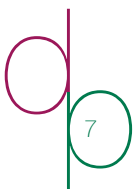
If you are eligible for support from Flintshire County Council a social care practitioner will agree a plan with you of how your needs and goals can be met.

They will talk to you about the ways you may choose to use your Direct Payment and will also agree how much money you would get to put the Support Plan into practice.

Social Services will support you to decide how your Direct Payment will be managed.

If you have already had an assessment and are already receiving services you can apply to switch to Direct Payments instead. For further information please talk to your social care practitioner, or the Direct Payments Support Team.

If you have been told you are not eligible to receive support we will not be able to give you a Direct Payment.





What is Involved in Managing My Direct Payment?

With the choice and flexibility offered by Direct Payments there are also responsibilities to spend the money wisely. We will work alongside you to ensure the arrangement is right for you.

If you choose to employ someone as a Personal Assistant you have all the usual responsibilities of an employer. There is as much support and help available as you need to understand and manage these, so please

What if My Needs Change?

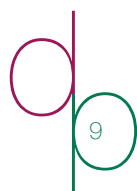
If your needs change you may be able to change your Direct Payment. If you find that Direct Payments turn out not to be right for you after all you can switch to having services arranged by the council.

What Support is Available for Me?

Flintshire Social Services have a dedicated Direct Payments Support Service. The team specialises in providing information and support to people choosing to use direct payments.

As well as all the information and practical support they provide the team can help you think about how you use the available money to achieve the things that matter to you.

Please contact them for further information.



Will I Have to Pay Anything?

You may be asked to pay part of the cost towards your support. If you do have to pay something the amount will be the same whether your support is arranged for you by Social Services or if you choose Direct Payments.

What Should I do if I Want to Find More about Direct Payments?

Please speak to your social worker or call:

**Direct Payments Support Service
Ty Dewi Sant, St David's Park, Ewloe CH5 3 XT**

Tel: 01352 701100

Email: dp.support@flintshire.gov.uk

**or Social Services for Adults 01352 803444
or Social Services for Children 01352 701000**

People who are in hospital:

Ask to see the Flintshire Hospital Social Worker or call 01352 803444





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SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Thursday 27 th April, 2023
Report Subject	Council Plan 2023-28
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Report Author	Chief Officer (Social Services)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Council Plan for 2023-28 has been reviewed and refreshed to reflect the key priorities of the Council for the five-year term of the new administration.

The 'super-structure' of the Plan comprises of seven priorities and relevant sub-priorities. The seven priorities take a long-term view of recovery, projects and ambitions over the next five years.

The Council Plan 2023-28 will be published in a similar format to previous years, identifying actions aimed at achieving the Well-being objectives, priorities and sub-priorities. National and regional issues/risks which could impact on the achievement of these priorities will be identified and monitored.

Part 2 of the Council Plan will be considered by the respective Overview and Scrutiny committees to ensure full coverage of Part 1 of the Council Plan 2023-28 and its respective measures and their targets.

RECOMMENDATIONS

1.	To support the Council Plan 2023-28 Part 1 and Part 2 documents that outline the actions, measures and risks that underpin the Priorities, Sub-Priorities and Well-being objectives of the Council Plan 2023-28.
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REPORT DETAILS

1.00	COUNCIL PLAN 2023-28
1.01	It is a requirement of the Local Government and Elections (Wales) Act 2021 for organisations to 'set out any actions to increase the extent to which the council is meeting the performance requirements.' Plans for organisations should be robust; be clear on where it wants to go; and how it will get there.
1.02	A full review has been undertaken to ensure the appropriateness and relevance of the well-being objectives, priorities, and sub-priorities going forward. This includes a review of the current Council Plan 2022-23 to determine: <ul style="list-style-type: none">• priority actions that continue from 2023 onwards for sustained attention• priority actions which could be removed as they have been completed or become operational (business as usual); and• emerging new priority areas, actions and measures for 2023-28
1.03	The high-level structure of the Council Plan 2023-28 was agreed in October 2022, and consists of seven priorities, well-being objectives, and a number of sub-priorities. The priorities relevant to the Social & Health Care Overview & Scrutiny Committee are detailed below: Priority: Personal and Community Well-being Well-being Objective: Supporting people in need to live as well as they can Sub-priorities: <ul style="list-style-type: none">- Independent Living- Safeguarding- Direct Provision to support people closer to home- Local Dementia Strategy- A Well-connected, Safe and Clean Local Environment.
1.04	A lot of work has taken place within each of the portfolios to identify the actions, measures and risks that sit beneath each of the sub priorities and underpin the Council Plan. The actions, measures and risks for the sub-priorities relevant to the Social & Health Care Overview & Scrutiny Committee are detailed within the Council Plan Part 2 document attached at Appendix 2.
1.05	Following adoption by County Council, the Council Plan 2023-28 will be available as a web-based document published on the Flintshire County Council website.

2.00	RESOURCE IMPLICATIONS
2.01	Resource implications have been considered during preparation of the Medium-Term Financial Strategy and Capital Programme and will continue to be monitored during the regular budget monitoring and financial review arrangements.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	To date, all Members have had the opportunity to consider and review the draft Well-being objectives, priorities and sub-priorities before these were agreed in October 2022.
3.02	All Members will have the opportunity to review the Council Plan Part 2 document and scrutinise any actions, measures and/or targets set for 2023-28.

4.00	IMPACT ASSESSMENT AND RISK MANAGEMENT														
4.01	<p>Ways of Working (Sustainable Development) Principles Impact</p> <table border="1"> <tr> <td>Long-term</td> <td rowspan="5">The Council Plan 2023-28 continues to be aligned to the Sustainable Development Principles across all of their working. A high-level Integrated Impact Assessment will be undertaken on the Council Plan 2023-28. This will be supported with an overview of the Integrated Impact Assessments that will be carried out to support the actions identified within the Council Plan 2023-28.</td> </tr> <tr> <td>Prevention</td> </tr> <tr> <td>Integration</td> </tr> <tr> <td>Collaboration</td> </tr> <tr> <td>Involvement</td> </tr> </table> <p>Well-being Goals Impact</p> <table border="1"> <tr> <td>Prosperous Wales</td> <td rowspan="7">The Council Plan 2023-28 continues to provide evidence of alignment with the Well-being Goals. Specific strategic and policy reports include impact and risk assessments.</td> </tr> <tr> <td>Resilient Wales</td> </tr> <tr> <td>Healthier Wales</td> </tr> <tr> <td>More equal Wales</td> </tr> <tr> <td>Cohesive Wales</td> </tr> <tr> <td>Vibrant Wales</td> </tr> <tr> <td>Globally responsible Wales</td> </tr> </table> <p>Council's Well-being Objectives The Council's Well-being objectives have been reviewed as part of this exercise. The refreshed set Well-being objectives is found within this report in section 1.03.</p>	Long-term	The Council Plan 2023-28 continues to be aligned to the Sustainable Development Principles across all of their working. A high-level Integrated Impact Assessment will be undertaken on the Council Plan 2023-28. This will be supported with an overview of the Integrated Impact Assessments that will be carried out to support the actions identified within the Council Plan 2023-28.	Prevention	Integration	Collaboration	Involvement	Prosperous Wales	The Council Plan 2023-28 continues to provide evidence of alignment with the Well-being Goals. Specific strategic and policy reports include impact and risk assessments.	Resilient Wales	Healthier Wales	More equal Wales	Cohesive Wales	Vibrant Wales	Globally responsible Wales
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Globally responsible Wales															

5.00	APPENDICES
5.01	<p>Appendix 1 - Council Plan 2023-28 Part 1: An overview of the Well-being Objectives, Priorities, Sub priorities and their definitions</p> <p>Appendix 2 - Council Plan 2023-28 Part 2: How achievements will be measured - Supporting Actions, Measures and Risks</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None.

7.00	CONTACT OFFICER DETAILS
7.01	<p>Contact Officer: Sam Perry, Performance and Risk Management Support Officer Telephone: 01352 701476 E-mail: Sam.perry@flintshire.gov.uk</p>

8.00	GLOSSARY OF TERMS
8.01	Council Plan: The document which sets out the annual priorities of the Council.
8.02	Medium Term Financial Strategy: A written strategy which gives a forecast of the financial resources which will be available to a Council for a given period, and sets out plans for how best to deploy those resources to meet its priorities, duties and obligations.
8.03	Council Plan Part 2: The document which underpins the Council Plan, which captures the Actions, Measures, and Risks set out within each priority.

Council Plan 2023/28 – Part 1

Priority Name	Personal and Community Well-being
Description/ Well-being Objective	Supporting people in need to live as well as they can
<p>Independent Living</p> <p>Definition: People will be supported to live as independently as possible through the right type of support, when they need it</p>	<ul style="list-style-type: none"> • Continuing to grow the Microcare market, including access to commissioned care packages – by March 2024 • Developing a national, regional, and local approach to Early Years Transformation so that all our children ages 0-7 have the best possible start in life and can reach their full potential – by March 2024 • Supporting people to achieve their mental well-being outcomes by promoting personal and community well-being through open access courses delivered by the Learning Partnership – by March 2024 • Working in partnership with the Community Mental Health Team and Social Services Mental Health Support Service to develop clear pathways for individuals needing access to Mental Health services, and a sustainable model for the future – by March 2024 • Completing a review of Community Mental Health provision and define a model for the future – by March 2024 • Utilising the progression model as a way of promoting people's independence skills – by March 2024 • Working with Housing to fund a small team of people to support individuals with low level Mental health problems to improve their housing – by March 2024 • Providing additional placements for step down care within our in-house provision (Croes Atti 2) – by March 2025 • Planning for the relocation of Tri Ffordd supported employment project to Maes Gwern in Mold – by March 2025
<p>Safeguarding</p> <p>Definition: Continue to embed safeguarding procedures so our employees understand how they can help safeguard people in the community</p>	<ul style="list-style-type: none"> • Promoting the corporate e-learning package – by March 2024 • Preparing for the implementation of the new Liberty Protect Safeguard procedures – by March 2024
<p>Direct Provision to support people closer to home</p> <p>Definition: The services we provide so people can access the support they need in their local community</p>	<ul style="list-style-type: none"> • Exploring the recommissioning of advocacy services on a regional basis – by March 2024 • Increasing skills around autism with respect to advocacy – by March 2024 • Delivering a programme of registered Children's Homes to help avoid the need for residential placements outside Flintshire – by March 2025

	<ul style="list-style-type: none"> • Continuing to grow our in-house homecare service to support more people to live at home, utilising a rolling scheme of recruitment – by March 2025 • Continuing to grow our in-house fostering service to support more looked after children – by March 2025 • Developing childcare expansion and seamless childcare provision across programs – by March 2025
<p>Local Dementia Strategy</p> <p>Definition: Continuing to improve the lives of people living with dementia in Flintshire</p>	<ul style="list-style-type: none"> • Establishing a Dementia Strategy Implementation Group, to include representation from people with lived experience – by March 2024
<p>A Well Connected, Safe and Clean Local Environment</p> <p>Definition: Resilient communities where people feel connected and safe</p>	<ul style="list-style-type: none"> • Working in partnership, actively support and engage with community led groups by developing Local Environmental Quality initiatives – by March 2024 • Providing community hub sessions which target areas that have high anti-social behaviour and crime rates; to support young people who are at risk and to engage them with partners (subject to external grant funding) – by March 2024

FLINTSHIRE COUNTY COUNCIL

Council Plan 2023/28

PART 2

How achievements will be measured - Supporting actions, tasks, and measures

Version 6 – March 2023

Performance Achievements 2023/28

Actions, tasks and measures have been set to monitor progress against an activity or plan. Actions are dated according to the target month for achievement. Performance will be monitored by percentage progress against the actions with supporting commentary.

Priority: Personal and Community Well-being

Well-being Objective: Supporting people in need to live as well as they can

What we will do:

Sub-Priority	Definition	Lead Officer (s)
Independent Living	People will be supported to live as independently as possible through the right type of support, when they need it	Chief Officer Social Services
<p>Achievement Actions:</p> <ul style="list-style-type: none"> Continuing to grow the Microcare market, including access to commissioned care packages – by March 2024 Developing a national, regional, and local approach to Early Years Transformation so that all our children ages 0-7 have the best possible start in life and are able to reach their full potential – by March 2024 Supporting people to achieve their mental well-being outcomes by promoting personal and community well-being through open access courses delivered by the Learning Partnership – by March 2024 Working in partnership with the Community Mental Health Team and Social Services Mental Health Support Service to develop clear pathways for individuals needing access to Mental Health services, and a sustainable model for the future – by March 2024 Completing a review of Community Mental Health provision and define a model for the future – by March 2024 Utilising the progression model as a way of promoting people's independence skills – by March 2024 Working with Housing to fund a small team of people to support individuals with low level Mental health problems to improve their housing – by March 2024 Providing additional placements for step down care within our in-house provision (Croes Atti 2) – by March 2025 Planning for the relocation of Tri Ffordd supported employment project to Maes Gwern in Mold – by March 2025 		
<p>Associated Risks:</p> <ul style="list-style-type: none"> SS31 - Commissioned providers exiting the market because of escalating costs, where a long-term sustainable fee model is unaffordable for Flintshire due to being a low funded council SS37 - Vacancy pressures across Social Services due to local, regional and national difficulties in recruitment and retention of qualified and experienced social workers, occupational therapists and direct care staff impact on service delivery 		
Achievement Measures	Baseline Data (2021/22)	2023/24 Target
Number of Microcare providers	24	34
Number of Microcare customers	N/A	34

Achievement Measures	Baseline Data (2021/22)	2023/24 Target
Direct Payments as a % of home-based services	39	38
Percentage of urgent requests for equipment that meet or exceed the national 1 Day response standards	100%	98%
Percentage of requests for equipment that meet or exceed the national 7 Day standard	100%	80%
Percentage of equipment that is re-used	92	70%
Number of courses delivered by the Learning Partnership	N/A	50
Number of attendees for courses delivered by the Learning Partnership	N/A	180

Priority: Personal and Community Well-being

Well-being Objective: Supporting people in need to live as well as they can

What we will do:

Sub-Priority	Definition	Lead Officer (s)
Safeguarding	Continue to embed safeguarding procedures so our employees understand how they can help safeguard people in the community	Chief Officer Social Services

Achievement Actions:

- Promoting the corporate e-learning package – by March 2024
- Preparing for the implementation of the new Liberty Protect Safeguard procedures – by March 2024

Associated Risks:

- S106 - Some individuals are illegally detained awaiting Liberty Protection assessments because there is insufficient capacity to absorb the introduction of Community assessments
- S19 - More children and families experience ACE's (Adverse Childhood Experiences) as family relationships breakdown, or become strained, due to the pressures of lockdown and rising financial pressures

Achievement Measures	Baseline Data (2021/22)	2023/24 Target
The percentage of adult safeguarding enquiries that met the 7day timescale	92.5%	92%
The percentage of children who were reported as having run away or gone missing from home who were offered a return interview	100%	100%
The percentage of reviews of children on the Child Protection Register due in the year that were carried out within the statutory timescales	99%	98%
The percentage of Pre-birth assessments completed within timescales	96%	93%

Priority: Personal and Community Well-being

Well-being Objective: Supporting people in need to live as well as they can

What we will do:

Sub-Priority	Definition	Lead Officer (s)
Direct Provision to support people closer to home	The services we provide so people can access the support they need in their local community	Chief Officer Social Services
<p>Achievement Actions:</p> <ul style="list-style-type: none"> • Exploring the recommissioning of advocacy services on a regional basis – by March 2024 • Increasing skills around autism with respect to advocacy – by March 2024 • Delivering a programme of registered Children’s Homes to help avoid the need for residential placements outside Flintshire – by March 2025 • Continuing to grow our in-house homecare service to support more people to live at home, utilising a rolling scheme of recruitment – by March 2025 • Continuing to grow our in-house fostering service to support more looked after children – by March 2025 • Developing childcare expansion and seamless childcare provision across programs – by March 2025 		
<p>Associated Risks:</p> <ul style="list-style-type: none"> • SS01 - Expenditure on out of county placements increases as placement costs increase in a demand led market • SS09 - Insufficient numbers of residential and nursing beds to meet demand because of the long-term fragility and instability of the care home sector and challenges in the recruitment of staff • SS10 - Insufficient capacity to provide the quantities and levels of care to clients at home and in the community because of challenges in recruitment of direct care workers and instability in the care market • SS22 - An insufficient supply of placements leads to young people being placed in unregulated settings 		
Achievement Measures	Baseline Data (2021/22)	2023/24 Target
Rate of people over 65 helped to live at home per 1,000 population	33	34
Number of new foster carer approvals in the year	8	5
People with a learning disability accessing Project Search to improve their employability skills	6	12

Priority: Personal and Community Well-being

Well-being Objective: Supporting people in need to live as well as they can

What we will do:

Sub-Priority	Definition	Lead Officer (s)
Local Dementia Strategy	Continuing to improve the lives of people living with dementia in Flintshire	Chief Officer Social Services

Achievement Actions:

- Establishing a Dementia Strategy Implementation Group, to include representation from people with lived experience – by March 2024

Associated Risks:

- SS24 - Pressures on the care system as unpaid carers and families are not able to continue in their caring role due to the reductions in respite and day services

Achievement Measures	Baseline Data (2021/22)	2023/24 Target
Number of people supported through the Dementia Strategy	600	810

Priority: Personal and Community Well-being

Well-being Objective: Supporting people in need to live as well as they can

What we will do:

Sub-Priority	Definition	Lead Officer (s)
A Well Connected, Safe and Clean Local Environment.	Resilient communities where people feel connected and safe	Chief Officer Streetscene and Transportation, AURA
<p>Achievement Actions:</p> <ul style="list-style-type: none"> Working in partnership, actively support and engage with community led groups by developing Local Environmental Quality initiatives – by March 2024 Providing community hub sessions which target areas that have high anti-social behaviour and crime rates; to support young people who are at risk and to engage them with partners (subject to external grant funding) – by March 2024 		
<p>Associated Risks:</p> <ul style="list-style-type: none"> Inability to influence public behaviours and habits which negatively impact service delivery and income streams e.g., recycling, parking, littering. Inability to deliver future change programmes due to reduced staff resilience and capacity issues Inability or lack of control of business activities that result in environmental damage or impact 		
Achievement Measures	Baseline Data (2021/22)	2023/24 Target
Number of targeted environmental educational campaigns undertaken promote improved Local Environmental Quality	5	8
Number of community engagement events attended to promote improved Local Environmental Quality	N/A	6
Number of current monthly members with NERS, Well-Being and Junior subscriptions	70	830
Number of community sessions held and number of participants attending	N/A	300

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SOCIAL & HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday 27 th April, 2023
Report Subject	Social Services Director's Annual Report
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Report Author	Chief Officer (Social Services)
Type of Report	Operational

EXECUTIVE SUMMARY

The Statutory Director of Social Services is required to produce an annual report summarising their view of the local authority's social care functions and priorities for improvement as legislated in the Social Services and Wellbeing (Wales) Act 2014 and the Regulations and Inspections Act (Wales) 2015.

The purpose of the Social Services Annual Report is to set out the improvement journey and evaluate Social Services' performance in providing services to people that promote their wellbeing and support them to achieve their personal outcomes.

RECOMMENDATIONS

1	Members to approve following review, the report outline, and priorities for next year.
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REPORT DETAILS

1.00	EXPLAINING THE SOCIAL SERVICES ANNUAL REPORT
1.01	The Social Services Annual Report is prepared under the requirements of the Social Services and Wellbeing (Wales) Act 2014 and the Regulation and Inspection of Social Care (Wales) Act 2016 (RISCA).
1.02	The format is closely aligned to the National Outcomes Framework and demonstrates our performance in meeting the wellbeing outcomes of the people of Flintshire.

1.03	<p>In the report we evaluate our performance against last year’s improvement priorities and outline our priorities for next year. The work described in the report links to the National Quality Standards, which set out the Welsh Government’s expectations at a national level of the quality of support that local authorities must be providing. The standards are set out below:</p> <p>People</p> <p>NQS 1.1 All people are equal partners who have voice, choice and control over their lives and are able to achieve what matters to them. NQS 1.2 Effective leadership is evident at all levels with a highly skilled, well qualified and supported workforce working towards a shared vision.</p> <p>Prevention</p> <p>NQS 2.2 The need for care and support is minimised and the escalation of need is prevented, whilst ensuring that the best possible outcomes for people are achieved. NQS 2.2 Resilience within our communities is promoted and people are supported to fulfil their potential by actively encouraging and supporting people who need care and support, including carers, to learn, develop and participate in society.</p> <p>Partnerships And Integration</p> <p>NQS 3.1 Effective partnerships are in place to commission and deliver fully integrated, high quality, sustainable outcomes for people. NQS 3.2 People are encouraged to be involved in the design and delivery of their care and support as equal partners.</p> <p>Well-Being</p> <p>NQS 4.1 People are protected and safeguarded from abuse and neglect, and any other types of harm. NQS 4.2 People are supported to actively manage their well-being and make their own informed decisions so that they are able to achieve their full potential and live independently for as long as possible.</p>
1.04	The draft outline for the Social Services Annual Report for 2022/2023 is attached as Appendix 1.
1.05	The report is intended to provide the public, the regulator and wider stakeholders with an honest picture of services in Flintshire and to demonstrate a clear understanding of the strengths and challenges faced.
1.06	The report will form an integral part of Care Inspectorate Wales’ (CIW) performance evaluation of Flintshire Social Services. The evaluation also informs the Wales Audit Office’s assessment of Flintshire County Council as part of the annual improvement report.
1.07	This year’s outline of the report has been prepared reflecting the headings from the North Wales Population Needs Assessment. The final version of the report will be produced in an electronic friendly style by Double Click. The report will also be translated into Welsh and be made available on the

	Flintshire County Council website. Mock pages prepared by the designer are attached as Appendix 2.
1.08	The final draft of the report will be presented back to Social & Health Care Overview & Scrutiny Committee on the 6 th June and will go for final sign off to Cabinet on the 18 th July.
1.09	<p>The Draft outline of content of Annual Social Services Report 2022-2023 at Appendix 1 includes the emerging priorities for 2023/24. These are:</p> <p><u>Children Service</u></p> <ul style="list-style-type: none"> • Development of a national, regional, and local approach to Early Years Transformation so that all our children ages 0-7 have the best possible start in life and are able to reach their full potential • Deliver a programme of registered Children’s Homes to help avoid the need for residential placements outside Flintshire • Continue to grow our in-house fostering service to support more looked after children • Continue to develop the Special Guardianship service to reduce the need to for children and young people to remain looked after. • Develop childcare expansion and seamless childcare provision across programs • Develop the priorities set out in the Early Years Strategy <p><u>Older Peoples Service</u></p> <ul style="list-style-type: none"> • Provide additional placements for step down care within our in-house provision (Croes Atti Newydd) • Continue to grow the Microcare market, including access to commissioned care packages • Continue to grow our in-house homecare service to support more people to live at home, utilising a rolling scheme of recruitment • Establish a Dementia Strategy Implementation Group, to include representation from people with lived experience. • To award a contract for adults advocacy, joint with WCBC. <p><u>General health needs, physical impairment and sensory loss</u></p> <ul style="list-style-type: none"> • Direct payments: lead on direct payments initiatives at a National Level • Support people to find and remain in paid employment. • Signposting individuals third sector and social prescribing. • Promote referrals to the exercise referrals scheme. • Develop short term emergency accommodation for people who find themselves homeless or in need of accommodation urgently. • Explore joint commissioning of community disability and sensory loss services <p><u>Learning Disability Service</u></p> <ul style="list-style-type: none"> • Continue to expand the Progression Model across services to people with physical disabilities, and other service areas promoting people’s independence skills and to support them to achieve their personal outcomes. • Progress the newly formed partnership with Deeside Industrial Park which aims to bring employment opportunities for vulnerable people within social services.

- Continue to meet the demands of young people with learning disabilities for accommodation.
- Develop the relocation of the Tri Ffordd supported employment project to Maes Gwern in Mold which will also incorporate other service offerings (mental health & autism support services) at an integrated service hub.
- Continue to expand the service offering for employment opportunities for disabled people

Autism

- Increase skills around autism with respect to advocacy
- Autism training to continue to be offered to Advocacy providers - contracts in future will detail expectations around skills and knowledge in supporting autistic people.
- Develop integrated work opportunities services for individuals with autism, learning disabilities and mental health support needs

Mental Health Service

- Support people to achieve their mental well-being outcomes by promoting personal and community well-being through open access courses delivered by the Learning Partnership.
- Working in partnership with the Community Mental Health Team and Social Services Mental Health Support Service to develop clear pathways for individuals needing access to Mental Health services, and a sustainable model for the future.
- Complete a review of Community Mental Health provision and define a model for the future.
- Work with Housing to fund a small team of people to support individuals with low level Mental health problems to improve their housing.
- Support workers in mental health services to cope with increased demand alongside health.
- Develop support for people with Mental health problems in their needs for accommodation.

Carers Service

- Further development of our work to support Young Carers in their role. Including but not limited to: further development of the Young Carers ID Card, focus on respite and breaks for Young Carers, engagement with education colleagues and schools, engagement with businesses and communities across Flintshire, support with training and education opportunities.
- Work to develop new ways for Carers to access a break from their caring responsibilities.
- Cost of Living – A scheme of workshops, groups and resources aimed at supporting our carers through the cost-of-living crisis.
- Work to develop an international network of Carers and Carers Centres to communicate, share ideas, collaborate, provide peer support and respite opportunities.
- Begin the process of looking at the recommissioning of our carers services for 2025 onwards.

Safeguarding

- Promote the corporate e-learning package
- Prepare for the implementation of the new Liberty Protect Safeguard procedures
- Explore the recommissioning of advocacy services on a regional basis

Workforce

- Support the implementation the national safeguarding standards and development of a training programme which aligns to the competency groups within the national training framework.
- Further improve the digital skills of our workforce
- Develop and Chair the North Wales Local Family Justice Board Training subgroup
- Continue to support the WeCare Campaign and the work around recruitment and retention of social care staff
- We will remain committed to supporting the 'mwy na geiriau' strategic framework by ensuring we are able to offer training and resources bilingually when required.
- Continue our representation on the North Wales Safeguarding Board- Safeguarding sub-group
- Support staff and students with a pathway into Social Work and Occupational therapy
- Maintain a high standard of available training opportunities for our social care workforce, including carers and the independent sector.
- Continue to deliver the Health & Social Care Core Level 2 and 3 Practice qualifications via our Assessment centre, providing necessary qualifications for our support staff working in adult services. We will roll out a programme of training on Positive Behaviour Techniques (RESPECT) across our Learning Disability Services via four in-house qualified and accredited staff. We will continue to work with universities and support trainee social workers through their 3 year traineeship and offer help to our occupational therapy staff undertaking their traineeship.
- We will continue to support both social work qualifying training and post qualifying training in Wales, including the First 3 Years Framework requirements for all post qualifying Social Workers new into roles.
- Social services continue to increase in-house provision across the various categories of care.

2.00	RESOURCE IMPLICATIONS
2.01	The priorities identified within the report are aimed at delivering service improvements, improving outcomes and meeting local needs within the context of achieving challenging financial efficiencies and value for money. The improvement priorities contained within the report have been identified for delivery within existing resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Work began with Social Services Managers in September 2022 to identify the emerging priorities from their areas of work.
3.02	The draft Social Services Annual Report will be discussed by Chief Officer's Team, Social Service Management Team, and the wider portfolio.
3.03	Further views of Scrutiny Members will be sought on the 8 th June where the proposed content of the full report will be discussed.

4.00	RISK MANAGEMENT
4.01	The Social Services Annual Report is required to be published by September 2023.

5.00	APPENDICES
5.01	Appendix 1 - Draft outline for the Social Services Annual Report for 2022/2023
5.02	Appendix 2 – Designed Mock Pages (ignore content)

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Dawn Holt Telephone: 01352 702128 E-mail: dawn.holt@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	CIW - Care Inspectorate Wales ensure that services meet the standards the public expect. They register, inspect and take action to improve the quality and safety of services for the well-being of the people of Wales. The regulator was formally known as CSSIW (Care and Social Services Inspectorate Wales).

APPENDIX 1- The Social Services Annual Report sets out:

- Key things that we are doing in Flintshire to support our most vulnerable residents.
- Describes our challenges
- Provides our stakeholders with a picture of how we have performed and improved over the last year, and
- Sets out our priorities for the coming year.

We have been informed by WG that a **Consultation** on changes to the National Performance Framework will open in April, which will include formalising the 8 quality standards (People, Prevention, Well-being and Partnerships) and the proposal for the new format Annual Report, which will no longer be produced as a public document, but will be in a self-assessment format. The template will include:

1. a short summary section for publication
2. Context section – leadership, workforce, finance
3. 4 self-assessment questions under each of the quality standards
4. Additional information – inspection, complaints, other sources of information

As the existing guidance remains in place, it is proposed that this year’s report be prepared in the same format as the 2021/22 report:

[Approval required for the Report outline and proposed emerging 2023/4 priorities below:](#)

Draft outline of content of Annual Social Services Report 2022-2023

1. Section 1 Introduction
2. Section 2 Director’s Summary of Performance
3. Section 3 How Are People Shaping our Service
4. Section 4 Promoting and Improving the Well- being of Those We Help:

Children and Young People
Older people
General health needs, physical impairment and sensory loss
Learning disabilities
Autism
Mental health (adults)
Carers
Safeguarding
5. Section 5 How We Do What We Do
 - a) Our workforce and how we support their professional Roles
 - b) Our Financial Resources and How we Plan for the Future
 - c) Our Partnership Working, Political and Corporate leadership, governance and Accountability
6. Section 6 Accessing Further Information and Key Documents
7. Glossary of Terms
8. Appendix 1 Contextual data and National performance measures.

Emerging Priorities for 2023/4- TO BE APPROVED :

Children and Young People
<ul style="list-style-type: none">• Development of a national, regional and local approach to Early Years Transformation so that all our children ages 0-7 have the best possible start in life and are able to reach their full potential• Deliver a programme of registered Children's Homes to help avoid the need for residential placements outside Flintshire• Continue to grow our in-house fostering service to support more looked after children• Continue to develop the Special Guardianship service to reduce the need to for children and young people to remain looked after.• Develop childcare expansion and seamless childcare provision across programs• Develop the priorities set out in the Early Years Strategy
Older People
<ul style="list-style-type: none">• Provide additional placements for step down care within our in-house provision (Croes Atti 2)• Continue to grow the Microcare market, including access to commissioned care packages• Continue to grow our in-house homecare service to support more people to live at home, utilising a rolling scheme of recruitment• Establish a Dementia Strategy Implementation Group, to include representation from people with lived experience.• To award a contract for adults advocacy, joint with WCBC.
General Health Needs, Physical Impairment and Sensory Loss
<ul style="list-style-type: none">• Direct payments: lead on direct payments initiatives at a National Level• Support people to find and remain in paid employment.• Signposting individuals third sector and social prescribing.• Promote referrals to the exercise referrals scheme.• Develop short term emergency accommodation for people who find themselves homeless or in need of accommodation urgently.• Explore joint commissioning of community disability and sensory loss services
Learning Disabilities
<ul style="list-style-type: none">• Continue to expand the Progression Model across services to people with physical disabilities, and other service areas promoting people's independence skills and to support them to achieve their personal outcomes.• Progress the newly formed partnership with Deeside Industrial Park which aims to bring employment opportunities for vulnerable people within social services.• Continue to meet the demands of young people with learning disabilities for accommodation.• Develop the relocation of the Tri Ffordd supported employment project to Maes Gwern in Mold which will also incorporate other service offerings (mental health & autism support services) at an integrated service hub.• Continue to expand the service offering for employment opportunities for disabled people
Autism
<ul style="list-style-type: none">• Increase skills around autism with respect to advocacy• Autism training to continue to be offered to Advocacy providers - contracts in future will detail expectations around skills and knowledge in supporting autistic people.

<ul style="list-style-type: none"> • Develop integrated work opportunities services for individuals with autism, learning disabilities and mental health support needs
Mental Health
<ul style="list-style-type: none"> • Support people to achieve their mental well-being outcomes by promoting personal and community well-being through open access courses delivered by the Learning Partnership. • Working in partnership with the Community Mental Health Team and Social Services Mental Health Support Service to develop clear pathways for individuals needing access to Mental Health services, and a sustainable model for the future. • Complete a review of Community Mental Health provision and define a model for the future. • Work with Housing to fund a small team of people to support individuals with low level Mental health problems to improve their housing. • Support workers in mental health services to cope with increased demand along side health. • Develop support for people with Mental health problems in their needs for accommodation.
Carers
<ul style="list-style-type: none"> • Further development of our work to support Young Carers in their role. Including but not limited to: further development of the Young Carers ID Card, focus on respite and breaks for Young Carers, engagement with education colleagues and schools, engagement with businesses and communities across Flintshire, support with training and education opportunities. • Work to develop new ways for Carers to access a break from their caring responsibilities. • Cost of Living – A scheme of workshops, groups and resources aimed at supporting our carers through the cost of living crisis. • Work to develop an international network of Carers and Carers Centres to communicate, share ideas, collaborate, provide peer support and respite opportunities. • Begin the process of looking at the recommissioning of our carers services for 2025 onwards.
Safeguarding
<ul style="list-style-type: none"> • Promote the corporate e-learning package • Prepare for the implementation of the new Liberty Protect Safeguard procedures • Explore the recommissioning of advocacy services on a regional basis
Workforce
<ul style="list-style-type: none"> • Support the implementation the national safeguarding standards and development of a training programme which aligns to the competency groups within the national training framework. • Further improve the digital skills of our workforce • Develop and Chair the North Wales Local Family Justice Board Training sub group • Continue to support the WeCare Campaign and the work around recruitment and retention of social care staff • We will remain committed to supporting the ‘mwy na geiriau’ strategic framework by ensuring we are able to offer training and resources bilingually when required. • We will support staff to prepare for the implementation of Liberty Protection Safeguards (LPS) • Continue our representation on the North Wales Safeguarding Board- Safeguarding sub-group • Support staff and students with a pathway into Social Work and Occupational therapy • Maintain a high standard of available training opportunities for our social care workforce, including carers and the independent sector. • Continue to deliver the Health & Social Care Core Level 2 and 3 Practice qualifications via our Assessment centre, providing necessary qualifications for our support staff working in adult services. We will roll out a programme of training on Positive Behaviour Techniques (RESPECT) across our Learning Disability Services via four in-house qualified and

accredited staff. We will continue to work with universities and support trainee social workers through their 3 year traineeship and offer help to our occupational therapy staff undertaking their traineeship.

- We will continue to support both social work qualifying training and post qualifying training in Wales, including the First 3 Years Framework requirements for all post qualifying Social Workers new into roles.

REPORT TIMESCALES:

Outline content of report	
SMT (full)	30th March 2023
Scrutiny	20th April 2023
Draft Report	
SMT (full)	27th April 2023
COT	3rd May 2023
SSMT	25th May 2023
Report	
Informal Cabinet	6th June
Scrutiny	8th June
Cabinet	18th July

Appendix 1:

Previous (2022/23) Priorities- From 2021/22 Annual Report

Children and Young People:

- Develop an Early Years Strategy to ensure that all children ages 0-7 have the best possible start in life and are able to reach their full potential.
- Implementation of therapeutic intervention model in small group children's homes.
- Continue to grow the in-house fostering service to support more Children Looked After.
- Continue to develop services to support the reduction of the number of children looked after by the Local Authority.
- Continue to develop fostering services utilizing the Mockingbird model.
- Re commissioning children's respite services
- Development of provider services for Children to support new homes developments.
- Set up registered Children's Home to help avoid the need for residential placements outside Flintshire.

Older People:

- Continue to grow the Micro care market.

- Establish a Dementia Strategy Implementation Group, to include representation from people with lived experience.
- Continue to grow the in-house homecare service to support more people to live at home.
- Further extend supply of Extra Care.
- Plan to provide additional placements for 'discharge to recover and assess' in the in-house provision (Croes Atti).

General Health Needs, Physical Impairment and Sensory Loss:

- Continue to lead the North East Wales Community Equipment Service.
- Increase the use of the Progression Model across services to people with physical disabilities, and other service areas to support them to achieve their personal outcomes.
- Develop short term emergency accommodation for people who find themselves homeless or in need of accommodation urgently.
- To promote the creative use of Direct Payments with individuals and carers to meet their outcomes.

Learning disabilities:

- Launch the Project Search programme for over 25 year olds.
- Further develop day opportunities services for people with learning disabilities

Autism

- Develop opportunities for Autistic individuals to access services locally.
- Work to the action plan to further improve compliance with the National Autism Code of Practice.

Mental Health:

- The Life Warriors have plans to become a peer run group and to extend to another group which they will help to support.
- Next Steps are now running their advanced volunteering program as a step up from the one they ran last year.

Carers:

- Developing the Direct Payment offer for carers.
- Further development of Young Carers Service - young carers ID card.

Safeguarding:

- Prepare for the implementation of the new Liberty Protection Safeguard procedures.
- Continue to promote the corporate safeguarding e-learning package.
- Continue to ensure that statutory responsibilities for the safeguarding of adults and children are met.
- Contracts for Advocacy services will be reviewed.

Workforce:

- A clear commitment to support and encourage the workforce to be able to access training bilingually where available in line with the 'Mwy na Geiriau' strategic framework.
- Continue to support providers and social care staff and managers to complete the required management qualifications to register with Social Care Wales.

- We will work to help increase the digital skills of our workforce enabling them to work and learn using appropriate technology.
- We will continue to support staff to complete:-
 - Level 2 Award in Dementia qualification
 - Level 2 Health and Social Care: Core qualification
 - Level 2 Health and Social Care: Practice (Adults)
 - Continue to support both social work qualifying training and post qualifying training in Wales, including the First 3 Years Framework requirements for all post qualifying Social Workers new into post. Level 3 Health and Social Care: Practice (Adults).
 - Social services continue to increase in-house provision across the various categories of care

SOCIAL SERVICES

annual report 2022/2023 & 2023/24 PRIORITIES

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- SECTION 2** **Director's Summary of Performance**
- SECTION 3** **How Are People Shaping our Services?**
- SECTION 4** **Promoting and Improving the Well-being of Those We Help**

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Older People

General Health Needs, Physical Impairment and Sensory Loss

Learning Disabilities

Autism

Mental Health (adults)

Carers

Safeguarding

- SECTION 5** **How We Do What We Do**

Our Workforce and How We Support their Professional Roles

Our Financial Resources and How We Plan For the Future

Our Partnership Working, Political and Corporate Leadership, Governance and Accountability

- SECTION 6** **Accessing Further Information and Key Documents**

- GLOSSARY OF TERMS**

- APPENDIX 1** **Contextual Data and National Performance Measures**

This Social Services Annual Report is prepared under the requirements of the Social Services and Wellbeing (Wales) Act 2014 and Regulation and Inspection of Social Care (Wales) Act 2016, both of which place a statutory requirement on the Council to report annually on its social services functions.

The focus of this legislation is on well-being, and our report summarises the key things that we are doing in Flintshire to support our most vulnerable residents. It describes our challenges, provides our stakeholders with a picture of how we have performed and improved over the last year, and sets out our priorities for the coming year.

Stakeholders include the people using our services, our staff, elected members, the general public, our partners, regulators and Welsh Government. Engagement with stakeholders is fundamental to what we do, and informs the development of our services and future plans.

In the report we evaluate our performance against last year's improvement priorities and outline our priorities for next year.

The work described in the report links to the National Quality Standards, which set out the Welsh Government's expectations at a national level of the quality of support that local authorities must be providing.

In preparing this report, we have followed the same approach as last year, reflecting the headings from the North Wales Population Needs Assessment, and under each heading we will demonstrate:

- ★ **What we had planned to do last year and how we have succeeded**
- ★ **What difference this made to the outcomes for well-being of people**
- ★ **What our priority objectives are for next year**
- ★ **Any lessons learnt from the work carried out during last year**

The standards are set out on the right:

People

NQS 1.1 All people are equal partners who have voice, choice and control over their lives and are able to achieve what matters to them.

NQS 1.2 Effective leadership is evident at all levels with a highly skilled, well qualified and supported workforce working towards a shared vision.

Prevention

NQS 2.1 The need for care and support is minimised and the escalation of need is prevented, whilst ensuring that the best possible outcomes for people are achieved.

NQS 2.2 Resilience within our communities is promoted and people are supported to fulfil their potential by actively encouraging and supporting people who need care and support, including carers, to learn, develop and participate in society.

Partnerships & Integration

NQS 3.1 Effective partnerships are in place to commission and deliver fully integrated, high quality, sustainable outcomes for people.

NQS 3.2 People are encouraged to be involved in the design and delivery of their care and support as equal partners.

Well-Being

NQS 4.1 People are protected and safeguarded from abuse and neglect, and any other types of harm.

NQS 4.2 People are supported to actively manage their well-being and make their own informed decisions so that they are able to achieve their full potential and live independently for as long as possible.

Director's Summary of Performance

WELCOME to this year's Annual Social Services Report.

We have over the past year continued to positively support our most vulnerable residents to have a voice and control over their own lives, reach their potential and live well in their communities.

Flintshire County Council's Corporate values (link):

- ✦ Compassion, Empathetic and Kind
- ✦ Dignified and Respectful
- ✦ Resilient and Resourceful
- ✦ Energetic and Enthusiastic

Flintshire County Council's Corporate values are reflected throughout the delivery of our services by our committed Social Care Workforce. In these challenging times, they remain dedicated to improving well-being through meaningful joint working with our residents, their families, our commissioned providers and partners to build our resilient and resourceful community.

We have highlighted below just some of our key successes from last year:

- ✦ Children's residential services have seen significant development, with its two small group homes and the completion of building work on two four bed properties, one of which has emergency accommodation.
- ✦ Our Early Years and Family Support web page has been developed as part of the Flintshire County Council website, as is to be launched April 23
- ✦ The Draft Early Years Strategy has been consulted on and is also due for launch April 2023
- ✦ A new team, DART, has been set up by Flintshire Social Services to support citizens in hospital and beyond DART is the social care link between hospital and the community, and we aim to make the move as smooth as possible for people.
- ✦ In September 2022 Empowering Parents Empowering Communities (EPEC) successfully delivered its third cohort of Parent Group Leader training.
- ✦ We have increased the number of approved general foster carers and approved connected persons.
- ✦ The number of Micro-carers has increased with an additional 11 people in setting up Micro-Enterprises in Flintshire this year, bringing the total number of Micro-Carers setup since the pilot launch to 34.
- ✦ A Project Board has been established, and identified key actions to implement the Dementia Strategy for Flintshire.
- ✦ Work has progressed with the development of a new 56 bedroom residential care home in Flint offering residential care of the highest quality with state of the art facilities across 4 floors.



Neil Ayling
Chief Officer
Social Services



**Councillor
Christine Jones**
Cabinet Member
for Social Services



Suzy Lunt



Janet Bellis

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- ★ **Flintshire has continued to lead the North East Wales Community Equipment Service.** The provision of community equipment is essential for promoting the independence of people with disabilities of all ages.
- ★ **Properties at Larchway, Sandycroft, and Glany Morfa, Connah’s Quay have been refurbished to support people with physical disabilities.** Flintshire now has three units available to support people in urgent need of accommodation.

- ★ **We have continued to explore different ways of using direct payments with a focus on strength and resilience, to help families use their direct payments in creative and resourceful ways.**
- ★ **The Project SEARCH programme for adults over 25 was launched with 7 interns undertaking work placements.**
- ★ **Next Steps ran their advanced volunteering program**
- ★ **The Young Carers ID card has been launched successfully working in partnership with young carers.**

This year has seen the appointment of a new Senior Head of Adult services, Janet Bellis following the retirement

Susie was passionate about the importance of good care for the people we look after, and is admired and respected by our Councillors Colleagues, Welsh Government Ministers and Civil servants, regional and national colleagues and by all the staff team in Flintshire.

Flintshire has received a legacy of great work from Susie who spent most of her working life at Flintshire, and developed many first rate services through her determination to improve the lives of the people we support.

We wish Susie all the very best for the future and welcome Janet to her new role.

From both myself, and Councillor Christine Jones, my colleague Cabinet member for Social Services, we express our sincere gratitude to our staff for their tremendous effort and commitment in providing such excellent services in what continue to be very pressured times to the citizens of Flintshire.

We wish to thank our staff and all of our stakeholders for their dedication and professionalism shown towards our very positive working relationships, and their innovative approaches to developing our Services.

How are People Shaping our Services?

Central to our work in Social Services are the people of Flintshire.

If you come in to contact with Social Services, you can expect to be asked for some of this information. The care and support someone may need to reach their outcomes differs greatly from person to person, and it is important to understand that one size does not fit all. The support someone needs may increase or reduce over time.

Alongside opportunities for people to be part of the development of their own care and support, we also work to ensure that we have opportunities for people to influence wider service design and to build solutions to issues raised.

On the next pages are some of the areas where residents and partner agencies have supported us in the design and delivery of services.

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What Matters conversations are based on the following 5 points:

1. The person's circumstances
2. Their personal outcomes
3. Barriers to achieving those outcomes
4. Risks to the person or to other persons if those outcomes are not achieved
5. The person's strengths and capabilities

Young Voices Speak Out

are a group of young people that are looked after or leaving care.

The group designed a logo for their new name incorporating an infinity sign as this means forever as there will be no end to the group,

as even when the current members move on, there will be new members joining to carry on the work.

Some of the things the group has worked on in the last 12 months have included;

- ✦ **Interviewing candidates** for a Managers post in Children's Services. The group asked the candidates questions they had written, and provided feedback to Senior Managers.
- ✦ **Members of the group also continue to attend the Children's Services Forum meetings** which is made up of Elected Members, Senior Managers and representatives from Children's Services and Education. At these meetings they share their views on a range of topics that have recently included housing, education and sexual health advice for young people.
- ✦ **Members attend the regional 'Voices From Care' events**, which bring together care experienced young people from across Wales. At conferences, professionals and young people take part in workshops and activities. The group have attended workshops on Corporate Parenting and Education.
- ✦ **The group also attended the Young Wales Annual Participation Conference** in Wrexham. It gave them the opportunity to meet members of other Participation Groups and Youth Councils and find out about the work they are doing.
- ✦ **The group have also fed in to work to develop a number of different projects around mental health and wellbeing for young people.** The group were asked what support they felt there was for children and young people around mental health and wellbeing and if they felt there was anything that is missing that could be good for children and young people. Following this, members have met representative from Theatre Clwyd and are helping to plan community projects.

We have developed new webpages for those living with Dementia and their families and carers in Flintshire after a local resident living with Dementia, Jim, shared how difficult it had been to navigate and find the right information to support him following his diagnosis. It is hoped that these pages will bring together a range of information in to one place, acting as a directory of support services.

The webpages will continue to be updated as we learn more about local support. We are also in the process of mapping the Dementia Friendly Communities, locations, businesses and schools on our interactive map, which we will add to the page.

Jim continues to advise us as a member of the Council's Dementia Friendly Council Steering Group.

Tudalen 162 We are proud to have built positive working relationships with organisations who deliver care and support in care homes, domiciliary care services and supported living settings across Flintshire, and we regularly meet together to have open discussions and share information through quarterly Provider Meetings. Over the past year we have spoken with providers at length about, fees, training and social value amongst other things. We have also fed their views and comments back in to our consultation responses on the Regulation & Inspection of Social Care (Wales) Act and the development of a Health & Social Care Workforce Strategy. We are committed to ensuring that local provider's voices are heard alongside our own.

We continue to communicate with the providers between meetings via email and each care home is assigned an officer to support them to deliver person centred services through Progress for Providers, and with any challenges they encounter.

In 2019/ 20 the Flintshire Carers Strategy Group, a group of health, social care, third sector organisations and carers, completed a review of its provision and support for local carers. This review included understanding what is working well within the existing provision, what changes we could make and most importantly we listened to the views of carers to make sure any future provision is providing what matters to them.

Another great example of carers being involved in shaping services was the recent procurement exercise of the Flintshire Young Carers Service, whereby four local young carers, aged between 10 and 15, were involved in interviewing the bidding organisations and assisted in selecting the winning delivery organisation.



I really cannot say thank you enough to Flintshire County Council for acting so quickly. All related information to support someone living with dementia in one place.

Jim Ibell, Ambassador for Alzheimer's Society Flintshire resident



I have been talking about trying to get this done for months at different meetings I have been to around North Wales and at last it has been acted on.

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Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6

Yn rhinwedd paragraff(au) 13 of Part 4 of Schedule 12A
o Ddeddf Llywodraeth Leol 1972.

Dogfen Gyfyngedig - Ni ddylid ei chyhoeddi

Mae'r dudalen hon yn wag yn bwrpasol