

Directorate for People

My life, my care, my money:

Improving Direct Payment use in adult social care in Birmingham

Consultation Document

18th May 2015 – 17th August 2015

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Introduction

What is this consultation about?

In March 2014, Birmingham City Council Cabinet approved a report "Social Care for Adults in Birmingham - A Fair Deal in Times of Austerity", <http://www.birmingham.gov.uk/AdultCareServices> which promoted Direct Payments as the Directorate's preferred way of meeting people's assessed eligible needs for adult social care. The Cabinet is the governing body of the City Council, made up of elected councillors; it is responsible for decisions on all Council services.

What is 'Personalisation'?

Personalisation is a way of thinking about care and support services that put you at the centre of the process of working out what your needs are, choosing what support you need and having control over your life. It is about you as an individual, not about groups of people whose needs are assumed to be similar, or about the needs of organisations.

Ideally both the Council and the citizen have roles to play in making personalisation a reality. The Council has a duty to meet assessed eligible needs and ensure you are safe; but the more control you have over the way in which your services are organised the better it is for you. Direct Payments are a way in which citizens can arrange their care to better meet their personal preferences.

What is a 'Direct Payment'?

A Direct Payment is money that is paid to you (or someone acting on your behalf) on a regular basis by the council so you can arrange your own support. This is instead of the Council arranging social care services for you. Direct payments are available to people who have been assessed as being eligible for council-funded social care. They are not yet available for arranging long-term residential care.

A Direct Payment can be used to support a person to continue to live in their own home, to be fully involved as active citizens in family and community life, and to engage in work, education and leisure.

These Direct Payments are not the same as the direct payments for benefits paid through the Department of Work and Pensions.

Who are we consulting with?

We are asking for views on our proposals from citizens over the age of 16 who use social care services, carers, parents of a disabled child, council staff, health partners, organisations that provide adult social care services in the private, third sector or voluntary sectors and the general public.

How long will this consultation run for?

This Direct Payment Consultation begins on Monday 18th May 2015 and finishes on Monday 17th August 2015.

Who will be affected by the results of this consultation?

This consultation affects:

- all adults living in Birmingham who currently receive or need adult social care services, or may need services in the future;
- parents of disabled children;
- disabled children over the age of 16 years;
- carers for adults who live in Birmingham;
- Birmingham City Council staff;
- health services organisations in Birmingham and their staff; and
- staff working in private, Third Sector and voluntary organisations that provide adult social care services.

What will happen at the end of the consultation?

We will publish what we find out from the consultation in a report for Birmingham City Council Cabinet. We will tell people what we plan to do next and show where we have changed our proposals as a result of listening to people's views. Where we have not made changes to our proposals we will explain why this was the case.

Section 1 - Background Information

Direct Payments have been available since the mid-1990s. They can be used by adults who we have assessed as having eligible social care needs, their carers, parents of disabled children and disabled children over the age of 16 years. Since August 2013, the NHS has also been able to offer Direct Payments, known as Personal Health Budgets (PHB). This should mean that in the future Direct Payments are more widely available.

A Direct Payment is one of the ways in which citizens can choose to arrange their care. Instead of the Council arranging a care provider and paying the provider directly for the service, citizens can choose to make their own arrangements and to make the payments themselves. Citizens cannot use a Direct Payment to buy services provided directly by the City Council's Directorate for People, for example, the City Council's day centres. Under current legislation, citizens cannot use a Direct Payment to buy long-term residential care. However, a Direct Payment can be used to buy short-term residential care, such as respite care.

There are four ways a citizen can arrange their care. Depending upon which choice they make, they will be able to have more choice about the services they receive and more control over how they receive them. The choices are:

1. A service managed by the City Council
2. A service jointly managed by the citizen and the company that delivers their care (Individual Service Fund) This is not yet available in Birmingham ;
3. A service the citizen organises and arranges with a Direct Payment (either a contract with a care agency or as a direct employer of carer(s)); or
4. A combination of the above.

In Birmingham, of the 7,300 people that could organise their social care using a Direct Payment, only 1,400 (just over 19%) of people do so.

This means that there are currently 5,900 citizens receiving services who could use a Direct Payment to give them greater choice and control over their care.

By listening to citizens' experiences of getting and using a Direct Payment, we now have some ideas about making Direct Payments easier to use, so that more people can take control of their care and choose the services they want to meet their needs.

The proposals in this consultation are intended to promote an increase the number of people in Birmingham who use a Direct Payment. Members of the Directorate's Citizen-led Quality Boards for Commissioning and Assessment and Support Planning have helped create these proposals, as part of the Directorate's 'Making it Real' action plan (<http://www.birmingham.gov.uk/MakingItReal>).

Question 1: Do you think we should be supporting more citizens in Birmingham to use a Direct Payment?

Please use the Direct Payment Consultation Questionnaire to give us your views.

Section 2 - Our Proposals

At the moment, the Council arranges most of the social care support for adults who have eligible care needs in Birmingham. If the Council continues to do things for people, it is encouraging people to become dependent on the Council, rather than helping people to be as independent as possible and to be in control of their care.

How can we change that? Citizens have told us that being independent and having choice and control over their social care support is very important to them. Using a Direct Payment can help people to do this.

We want to help more people have a Direct Payment.

This section contains 4 proposals aimed at increasing the number of people using a Direct Payment in Birmingham:

- | | |
|------------|--|
| Proposal 1 | To introduce Individual Service Funds |
| Proposal 2 | To introduce a Framework Agreement for Direct Payment Support Agencies |
| Proposal 3 | To introduce Payment Cards |
| Proposal 4 | A new way of providing expert information and guidance |

Proposal 1

To introduce Individual Service Funds

What is an Individual Service Fund?

An Individual Service Fund (ISF) gives you choice and control over how you receive your care but without you having to take on the responsibility of looking after the money yourself. You remain in control of what the money is spent on but the organisation providing your care holds your money for you in an ISF.

Proposed changes

Currently, Individual Service Funds are not available in Birmingham.

How might this proposal affect me?

- The organisation providing your care (care provider) would be given money each month by the Council to pay for your care. Your care provider would work with you to agree how you would like your funding to be spent and how your care and support is to be arranged.
- Your care could come from more than one organisation.
- Your care provider would need to be paid to manage the ISF. This means that £15.00 would be deducted from your ISF each month by the care provider to cover the cost of managing your ISF.
- Care providers would be able to give you, your family/ carer and the Council up-to-date information about how your funds have been spent.
- There would be a signed agreement between you, the care provider and the Council to make sure that everyone is clear about what they need to do.
- Any money in the ISF account that has not been spent would be refunded to the Council, unless money is being saved for a specific reason. Any refunds would be returned to the Council every three months.

Question 2: Do you think it is a good idea to introduce Individual Service Funds in Birmingham so citizens have control over the support they buy without the responsibility of managing the payments themselves?

Please use the Direct Payment Consultation Questionnaire to give us your views.

Proposal 2

To introduce a Framework Agreement for Direct Payment Support Agencies

What are Direct Payment Support Agencies?

Direct Payment Support Agencies offer support to the users of Direct Payments in a number of ways including:

- Providing payroll services to citizens who employ their own carers, for example, ensuring that tax and National Insurance are properly accounted for;
- Helping to employ a carer / Personal Assistant; and
- Record keeping, for example, completing Direct Payment paperwork required by the City Council.

Proposed changes

At the moment, people wanting to use a Direct Payment to organise and pay for their care can look for support agencies on Birmingham City Council's My Care in Birmingham website (www.mycareinbirmingham.org.uk). This lists a range of support agencies, but the Council does not currently endorse or recommend any of the advertised providers or services. It is the responsibility of the individual looking for care to carry out their own checks, although there is guidance and buying tips on the website.

You might think that using a Direct Payment is complicated and that you would need some help to manage it. But how would you choose a Direct Payment Support Agency?

We think it would be a good idea to have a new way of helping citizens choose a support agency to help them manage their Direct Payment. We are proposing to introduce a Framework Agreement to help with this. A Framework Agreement is a list of support agencies who have passed the Council's quality and price tests.

Direct Payment Support Agencies are not regulated by the Care Quality Commission (CQC), or by the Financial Standards Authority (FSA). A Framework Agreement would help to give citizens peace of mind about the quality of the organisations providing care and support.

How might this proposal affect me?

This proposal could affect you in a number of ways. If you decided that you wanted to use a Direct Payment Support Agency from the Council's list, you would be clear about:

- the range of services being offered by the support agencies;
- the quality of those services;
- the cost of the services; and
- who to complain to if you were not satisfied with the services received.

Question 3: Do you think introducing a list of support agencies (a Framework Agreement) would help citizens to feel more confident about taking a Direct Payment?

Please use the Direct Payment Consultation Questionnaire to give us your views.

Proposal 3

To introduce Payment Cards

What are Payment Cards?

Payment Cards are an easy way for the Council to transfer money to people who have decided to take a Direct Payment. They can be used to pay for goods and services to meet the social care needs detailed in an individual's Support Plan. A Payment Card works just like any other debit card. It can be used to make payments in person, over the phone or over the internet. A Payment Card is secured by a chip and Personal Identification Number (PIN).

Payment Cards are now very common with more people using them. An example of one is the Post Office retirement pension payment card.

Payment Cards are currently being piloted in Birmingham by the NHS for health care services.

Proposed changes

We would like to offer Payment Cards to everyone already using a Direct Payment, as well as to new users of Direct Payments.

How might this proposal affect me?

If you did not want to do your own record keeping and manage a separate bank account, you may prefer to use a Payment Card because:

- You would not need to open a separate bank account to use your Direct Payment;
- The Payment Card is used like a debit card and can be used to set up bank transfers to pay wages to personal assistants or invoices to care providers;
- You would not need to send the Council financial returns every three months as the Payment Card account would provide a record of how your Direct Payment money had been spent;
- You (or someone that is authorised to act on your behalf) could use the internet to manage the account. Telephone banking and assistance would be available 24 hours a day from the card provider;

- You would not need to have a bank account or to be approved for credit. The Payment Card can be used by people who choose not to or who are unable to receive money into a bank account, for example, people with debts or those who have been declared bankrupt.
- The Council would also be able to monitor your account and this would help ensure that Direct Payment users are safeguarded from fraud, theft or misuse of their funds.

Question 4: Do you think it would be a good idea to introduce Payment Cards for Direct Payment users in Birmingham?

Please use the Direct Payments Consultation Questionnaire to give us your views.

Proposal 4

A new way of providing expert information and guidance

What is expert information and guidance?

Adult Social Care Workers are responsible for deciding whether a person has eligible needs (assessment); they then play a key role in helping plan how these needs will be met (support planning).

There are two main steps in our assessment and support planning service:

1. First people have a social care assessment to see if they have any eligible needs, as defined by the Care Act 2014. For example; an eligible need could be needing help to get washed and dressed. Many eligible needs are already met by informal carers such as family and friends.

People with eligible needs that are to be met by the Council, are given an Individual Budget. This is an estimate of the amount of money that would buy the care the person needs. They may be required to pay something towards the cost of the care, depending upon their income and assets. We work this out with them in a Financial Assessment.

2. The next part of the process is called Support Planning. This is when we work out with the person what support they would like to meet their eligible needs. It is at this time that the person has to decide if they would like to take a Direct Payment or whether they would like the Council to organise care for them.

We have asked many people about why they did or did not choose to take a Direct Payment. Some people said they felt the process was too complicated. Proposals 1, 2 and 3 look at ways to make the process easier.

Some people felt they were not given enough support, at the right time, by their social care worker to choose a Direct Payment. There are very few reasons why someone should not have a Direct Payment – even if they are not able to manage the money and the arrangements themselves.

We are already working on providing our staff with more information and support to make it quicker and easier for them to offer and support people to use a Direct Payment.

We have also made a film about Direct Payments in which people with disabilities, family carers and social workers speak about their experiences of Direct Payments

The film is on the My Care in Birmingham website:

<https://www.mycareinbirmingham.org.uk/direct-payments-in-birmingham.aspx>

Proposed changes

We think there could be another way of helping people to choose whether to use a Direct Payment to meet their needs.

Some people have told us that a better way of working out how to meet their needs is to have the opportunity to talk to an 'expert by experience' to work out their Support Plan, rather than with a social care worker. An expert by experience is someone who is, or has been in a similar situation and is able to offer other potential Direct Payment users the benefit of their experience and advice.

How might this proposal affect me?

Some other councils have asked non-council organisations to carry out Support Planning work.

These organisations provide expert information and guidance to citizens when drawing up their Support Plan.

People who have used these services have found it an easier and more effective way of working out how to meet their needs, which has given them greater choice and control over their care.

If the council changed to this way of working, it could mean a number of Council staff who currently do Support Planning, moving from the Council to work in a non-council organisation.

This is a big change from how we work at the moment. This proposal therefore requires further work and as this proposal is developed there will be a need for further consultation.

Question 5: Do you think we should consider using 'experts by experience' in our Support Planning in Birmingham?

Please use the Direct Payments Consultation Questionnaire to give us your views.

Section 3 - Have your say

During the consultation period there are various ways you can find out more and give us your views. You can do this by:

1. Attending one of the public meetings:

At these meetings citizens who already use Direct Payments and staff from the Directorate for People will explain the proposals. Everyone is welcome. You do not need to book a place in order to attend.

Please let us know before the meeting if you have any special requirements, for example, an interpreter, a hearing loop or large print materials.

Tuesday 9th June 2015

10am – 1:30pm
Trinity Centre, Church Hill, Mill Street,
Sutton Coldfield B72 1TF

Thursday 2nd July 2015

2pm – 5:30pm
The Saffron Centre,
256 Moseley Road, Highgate,
Birmingham B12 0BS

Wednesday 24th June 2015

6pm – 10pm
The Venue, Edgbaston,
100 Icknield Port Road,
Edgbaston, Birmingham
B16 0AA

Thursday 16th July 2015

10am – 1:30pm
Queen Alexandra College,
Court Oak Road, Birmingham
B17 9TG

2. Completing a questionnaire on our website

All the details of this consultation will be on our consultation website. You can read information about the proposals, find meeting dates and complete a questionnaire online at:

www.birminghambeheard.org.uk/bcc/my-life-care-money

Printed copies of documents:

If you prefer to have a printed copy of the proposals and questionnaire please contact us.

3. How to contact the Consultation Team

Please contact us if you have any other questions or concerns:

By email:

dp@birmingham.gov.uk

Phone: 0121 464 7462

Facebook:

dpbrum@groups.facebook.com

Twitter: #dpbrum

Write to us at:

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