

Agenda Item 8

OVERVIEW AND SCRUTINY BOARD

30 NOVEMBER 2004

FINAL REPORT – DIRECT PAYMENTS

PURPOSE OF THE REPORT

1. To present the findings of the Social Care and Adult Services Panel's review of Direct Payments.

AIM OF THE SCRUTINY INVESTIGATION

2. The overall aim of the Scrutiny investigation was to investigate the barriers to improving the take up of direct payments.

TERMS OF REFERENCE OF THE SCRUTINY INVESTIGATION

3. The terms of reference for the Scrutiny investigation were as outlined below:-

- (a) To gain an understanding of direct payments and examine their benefits and or disadvantages.
- (b) Examine the extent of clients' knowledge of the availability of direct payments and what the authority is doing to disseminate information to clients.
- (c) Examine any barriers to clients in accessing direct payments and whether or not there is a drop off rate for those clients who do take up the direct option.
- (d) Examine the level of support clients receive if they opt for direct payments.

- (e) Examine good practice in relation to increasing the take up of direct payments and examine other direct payment schemes.
- (f) Examine the methods of how the Council can significantly increase the take up of direct payments.

METHODS OF INVESTIGATION

4. Members of the Panel met formally between 27 July 2004 and 19 October 2004 to discuss/receive evidence relating to this investigation and a detailed record of the topics discussed at those meetings are available from the Committee Management System (COMMIS), accessible via the Council's website.
5. A brief summary of the methods of investigation are outlined below:-
 - (a) Detailed officer presentations supplemented by verbal evidence.
 - (b) Presentation from staff at the Independent Living Project regarding the support that is available to clients who take up direct payments.
 - (c) Evidence received from meetings with service users and carers.
 - (d) Evidence received on best practice from Darlington Borough Council and Durham County Council.
 - (e) Discussions with Social Workers from Middlesbrough Council.
6. The report has been compiled on the basis of their evidence and other background information listed at the end of the report.

MEMBERSHIP OF THE PANEL

7. The membership of the Panel were as detailed below:-

Councillor C Rooney (Chair), Councillor A E Ward(Vice-Chair), Councillors D Davison, J Jones, J A Jones, P Porley, J Taylor and K Walker. Co-opted Members of the Panel were E Briggs and J McCowat.

BACKGROUND INFORMATION

What are Direct Payments?

8. Local authorities are obliged to offer direct payments to all service users who are assessed by Social Services as needing community care services under the Fair Access to Care Services eligibility criteria to enable them to live in their own homes. This includes services such as day care, respite care, personal care at home, items of equipment to aid day to day living, activities and minor adaptations. Instead of receiving provision direct from social services a 'direct payment' is made to the service

user to enable them to purchase care from the open market, for example by employing a personal assistant.

9. The overall aim of direct payments is to enable people to live independently and have control over the way they live their lives. Direct payments alter the traditional relationship between the person using the service and the statutory provision by handing the control over their care to the individual.
10. Direct payments have been around for a number of years. The Community Care (Direct Payments) Act 1996 gave social services departments in local authorities the power to make direct cash payments to individuals for community care services that they had been assessed for.
11. In order to be eligible to receive a direct payment an individual must meet the following criteria:
 - Be willing and able to manage their own care arrangements;
 - Have been assessed for a possible financial contribution under the Council's Fairer Charging Policy;
 - Have a designated bank account specifically for the receipt of the direct payment; and
 - Agree to the monthly monitoring and review process which ensures that the needs of the service users are being met, that funding is used appropriately and the services for which the payments had been made for had actually been received.
12. Subject to the eligibility criteria described above those persons able to receive direct payments included:
 - Persons aged 16 or 17 who are disabled;
 - A person with parental responsibility for a disabled child;
 - adults aged over 18;
 - people with learning or physical disabilities;
 - people with mental health problems;
 - older people; and
 - people who are the main carer for a person aged over 18 providing a substantial amount of care on a regular basis for that person.
13. There are a number of exclusions for which direct payments cannot be used:
 - the purchase of any services that are provided by the local authority;
 - permanent residential or nursing care;
 - health or housing services; and
 - employment of a close relative living in the same household. Although more recently a degree of flexibility has been introduced and each case is considered on its own merits. This flexibility also takes into account cultural difference in certain cases where a close family member as a carer is considered more appropriate.
14. Direct payments are paid based on the agreed hours in accordance with assessed care needs and funding approval from Community Care Panel (Adults) and Children &

Families Panel. However for all service users aged 18+ that are means tested under the Fairer Charging Policy they will contribute towards the cost of the Scheme. Money is collected, where applicable, via a 4 weekly invoice.

Why does the take up of Direct Payments need to be increased?

15. The Government wants to see an increase in the take up of direct payments and their commitment to this is demonstrated through legislation and through the close monitoring and the assessment of the levels of take up.
16. In a speech made by Stephen Ladyman, Parliamentary Under Secretary of State for Community on 26 January 2004 he stated that '*Direct Payments should be discussed at every assessment and every review*' and in a previous speech made on 19 November he stated that '*many councils believe they have a duty to offer direct payments. They don't. From April 2003, they have had a duty to make direct payments...and the assumption should be that they are going to deliver care via a Direct Payment*'.
17. Councils must offer direct payments to all individuals who are entitled to social services and meet the eligibility criteria for direct payments.
18. The take up of direct payments is included as one of the performance indicators against which social services performance is rated. (Performance Assessment Indicator AO/C52 – Department of Health)
19. Locally, and in order to compliment the national agenda, the Council and the social services department are working hard towards improving the take up of direct payments. In order to assist this drive a target to increase the take up of direct payments has been included in the Local Public Service Agreement Stretch targets (pending approval by the Office of the Deputy Prime Minister and the Department of Health at the time of writing). It is also a priority contribution towards the Council's Corporate Performance Plan theme of 'Promoting Healthier Communities and Effective Social Care for Adults'. The plan states that everyone receiving assessment is to be offered a direct payment facility. The measure of success will be an increase in the take-up of direct payments by 10% by March 2005.

FINDINGS

SETTING THE SCENE – GAINING AN UNDERSTANDING OF DIRECT PAYMENTS AND EXAMINING THE BENEFITS AND OR DISADVANTAGES

20. In terms of the establishment of the Direct Payment scheme in Middlesbrough, the pilot project commenced in July 2000 and the first service users to receive payments began in November 2000. At the time of the Joint Review in late 2001 Middlesbrough had a total of 4 people who were in receipt of direct payments. The Joint Review had noted that initially there had been a slow growth in the use of direct payments and that there was a need to 'ensure the availability of direct payments were actively promoted to staff, services users and carers.'

21. In response to the Joint Review the Council established a Consultation Group which was made up of service users, carers, support service representatives, social workers and financial services. As a result a Development Plan was produced which identified 37 key points, 34 of which were approved by Senior Managers and 29 have successfully been delivered.

22. A snap shot of the current position with regard to the number of service users involved with direct payments is as follows:

- i. At the time of writing, 37 service users (18 physical disabilities, 11 learning disabilities, 3 older persons, 1 carer, 2 mental health, 2 parents with disabled children) in Middlesbrough are currently receiving direct payments.
- ii. There are also 27 people (including 15 parents of disabled children) looking to start the scheme who are at various stages in the process

23. Social Services have a concern about how the take up of direct payments is measured. All Local Authorities have the numbers of people in receipt of direct payments measured on one set day. Therefore this number does not take into account total numbers of people who may have been in receipt of direct payments and who may have stopped receiving them for very genuine reasons.

What is the current position?

24. The Commission for Social Care Inspection (CSCI) has also been concerned about the levels of take up of direct payments. CSCI noted that the numbers taking up the option have been steadily rising but that the numbers of people receiving direct payments remained disappointingly small. Consequently CSCI have undertaken a study of the barriers to direct payments. In doing so they found nationally that there was a lack of information, low staff awareness, that the process was bureaucratic, that there were inconsistencies between the intention of the legislation and local practice and that there are problems recruiting, employing and retaining personal assistants and assuring quality of care.

25. Nationally there are just under 13,000 people receiving direct payments. A study completed by the Joseph Rowntree Foundation found that in 2002 the average number of service users in the north east in receipt of direct payments was 30 compared with a national average of 50. In Middlesbrough there have been, during the lifetime of the scheme, 64 service users on direct payments but currently there are 37 service users actively using the scheme.

26. At present it is difficult to make meaningful comparisons of the level of take up between authorities, as recent data for 2004 has not been made public yet. The data will be used to determine local authority star ratings and is therefore not public information at the time of writing the report. Some councils also count in their total numbers of service users taking up direct payments that only receive payment for the purchase of pieces of equipment, Middlesbrough doesn't. Therefore some councils have a higher number of people who are in receipt of direct payments but the total doesn't give an accurate picture by comparison.

The Benefits of direct Payments

27. The Government's overall aim of the scheme is to improve people's independence. Direct payments are seen as a way of empowering service users to be able to make their own choices of how and where to live, with the necessary support to enable them to achieve this. It is suggested that current service provision does not often allow people to have the choices over what they do with their time, or who supports them in their day to day life. The Government believes that direct payments can be an important ingredient in ensuring independent living for many disabled people.
28. The receipt of direct payments also enables service users to purchase care from the open market, they can decide how their needs will be met, by whom and at what time, as a direct alternative to the social care services provided for by the local council. Arrangements are made directly with the service user, staff that are employed report directly to them and provide the type of care they need at a time that suits them.
29. Direct payments also allow for the ability to be innovative and imaginative when meeting care and support needs. The panel heard about one success story in Middlesbrough that enabled a service user to develop an innovative care package using the services of 3 carers. This package of care enabled her to pursue her own interests and by taking her carer with her it meant that she was able to attend meetings in different parts of the country and even uses care packages from other areas. By replacing the traditional day care package this has also enabled people to be supported at work or attend college.
30. It has been the experience that where a Personal Assistant has been employed that they have been able to develop a rapport and sense of commitment with the service user which has been more beneficial than receiving care from agency staff.
31. With regards to service users from ethnic minorities traditional care provision often does not meet the requirement of their cultural needs. Direct payments can become a tool to overcome those barriers, by enabling service users to employ people from the same ethnic background and especially now that service users can employ members of their own family.
32. Domiciliary Care and Home care is under review in Middlesbrough and the service will be moving into providing for more complex needs. One of the aims will be to promote independence and enable people to live in their homes for longer. Direct payments will be a direct support to this policy.

Disadvantages of the scheme

33. In terms of the disadvantages of the scheme the main concern has been that of the transition that people must face from receiving traditional care packages and having services delivered, to people having the responsibility over their own care. It has been

noted that there can be an issue of excessive demands placed on service users and that for some people the thought of the paperwork and the responsibilities of being an employer are all too overwhelming. In response to this the panel have found that there are a number of support mechanisms in place to help service users. However despite the guidance that is given by social workers, assistance with paperwork, help with the recruitment of carers and on going support with the responsibilities of being an employer, for some people direct payments are not the right option.

34. Another disadvantage of the scheme is the amount of incorrect information and hearsay that appears to surround direct payments. Despite government guidance, social services leaflets and advice from social workers there are concerns amongst some people that if they are in receipt of direct payments it could affect their benefits in some way.
35. Direct payments are not a cheap option for social services and there is no separate budget for direct payment funding. The panel found that the implementation of the scheme does impact financially on social services, although this is not considered a major issue this must be taken into account when working to increase the take up of direct payments. In terms of the funding that service users receive direct payments should provide like for like support, however it must be noted that there are on costs that the council must bear in order to support people in receipt of payments.

EXAMINING THE EXTENT OF CLIENTS' KNOWLEDGE AND HOW IS INFORMATION DISSEMINATED TO CLIENTS.

36. The panel found that there were a number of ways that the Direct Payment Scheme has been publicised in Middlesbrough including:
 - Leaflets – In order to publicise the scheme the Council had produced a leaflet entitled ‘A Guide to direct payments’ which was available in a number of languages, Braille and audio-visual methods.
 - Through the Council’s website
 - Information sharing conferences
 - Presentations
 - Via the Independent Living Project Newsletter
37. The Executive Member for Social Services and Health, Councillor Brenda Thompson, also informed the panel that she had held a series of briefings for Members on the subject of direct payments. She hoped that this information would be used by Councillors to inform residents.
38. However, despite this publicity one of the overwhelming messages to come from service users is that there was a lack of information in the first instance. Some service users had found out about direct payments through word of mouth and only then, once they had expressed an interest in direct payments, had the information and support been forthcoming.

39. Currently Social Workers are bound by legislation to discuss direct payments with all clients either at assessment or review. The panel found out that in Middlesbrough all social workers have started to introduce the subject of direct payments in all new assessments and reviews. Social Workers also recognise that different people required different levels and different kinds of information and they try and target their information accordingly. In terms of working with service users there can often be a large amount of information exchanged for which direct payments is just one issue, the panel recognised this could be confusing for some people.
40. The panel members felt that it was imperative that all social workers should have the necessary tools to be able to help them to introduce and discuss direct payments with service users and that training for social workers was an important part of this. Members were therefore encouraged to hear that social workers have completed training with regard to direct payments.
41. The Independent Living Project gives advice and support on direct payments and details are given on their website. Further details regarding the support service are given later within this report.

EXAMINATION OF THE BARRIERS TO CLIENTS IN ACCESSING DIRECT PAYMENTS AND THE REASONS BEHIND ANY DROP OFF RATES

Barriers to take up

42. Throughout the Panel's review it became evident that there were a variety of issues with regard to the disadvantages of direct payments that kept emerging and which were identified from a number of different sources.
43. Across the country barriers to direct payments as reported by the Commission for Social Care Inspection in their report entitled 'Direct Payments, What are the Barriers?' as follows:

- Lack of clear information for people who might take advantage of direct payments;
- Low staff awareness of direct payments and what they are intended to achieve;
- Restrictive or patronising attitudes about the capabilities of people who might use a direct payment and a reluctance to devolve power away from professionals to the people who use the service;
- Inadequate or patchy advocacy and support services for people applying for and using direct payments;
- Inconsistencies between the intention of the legislation and local practice;
- Unnecessary, over-bureaucratic paperwork; and
- Problems in recruiting, employing, retaining and developing personal assistants and ensuring quality.

44. Locally the panel was informed of a number of barriers to the take up of direct payments.

45. The panel considered that one of the disadvantages was that the Government had also launched a scheme entitled 'direct payments', which was entirely different to the issue the Panel is considering. The Department for Work and Pensions (DWP) Direct Payment Scheme had been established for people in receipt of benefits to have their money paid directly into their bank account. The establishment of two different schemes with the same name has caused confusion amongst professionals and service users. There has been a high profile advertising campaign to publicise the DWP scheme. Therefore the lack of publicity for social services direct payments has meant that there is a perception that the two schemes are linked and that people's benefits may be affected if they opt for social services direct payments.
46. Another barrier, also not uncommon to Middlesbrough, was the lack of alternative types of care to that which Middlesbrough Social Services is currently providing. The recruitment of Personal Assistants is a problem nationally and is well documented. The local support organisation provides a great deal of assistance in helping service users to advertise, recruit and select personal assistants but despite this finding the right carer is still a problem. Even an attractive hourly rate, which is comparable with agency pay, does not attract the necessary numbers or the appropriate candidates and some positions remained unfilled for months. In terms of the market place service users had difficulties in recruiting personal assistants, especially male service users wanted to employ male carers.
47. The panel also felt that for those service users who were employing a carer who was not from an agency and who was not therefore subject to the same assessments, training requirements and inspection that social services staff and agency staff are subject to, that this may incur some level of risk for that service user. Although the panel did acknowledge that advice and support for service users on the recruitment, selection and monitoring of carers was available from the Independent Living Project.
48. Although assistance was available to service users from the Independent Living Project to help them manage the direct payments process it was suggested that the extent of the work involved may deter some individuals. There is an increased responsibility for the service users in becoming an employer, including drawing up job descriptions, filling in tax returns and dealing with finances. Often the negatives regarding direct payments precede the positives, that there is a general perception amongst service users when they are given information about direct payments that it is going to difficult for them to become an employer and that the responsibilities will be too overwhelming for them. Decisions can therefore be made before all of the positives are considered.
49. The panel recognises that direct payments aren't suitable for everybody. A theme running throughout the review was that the final decision to opt for direct payments rests with the service users. One reason for people not opting for the scheme is that many service users were satisfied with the care service provided by the Local Authority and did not want to make any changes. In addition to this, although there were some older people in receipt of direct payments, it was recognised that generally the take up amongst older people was low, possibly due to the fear of change and the additional responsibilities associated with direct payments.

50. Social Workers were aware that for some individuals direct payments might not be the most appropriate method of providing care. For some people, who may be in contact with social services for the first time in their lives, they may take time to adjust to their medical circumstances before even wishing to consider how their care should be provided.
51. As a prerequisite to being able to receive direct payments the service user must set up a bank account. Some service users have experienced difficulty in being able to open an account. Since the events of September 11th it has become increasingly difficult to open bank accounts for other people and for some service users they just don't have the sort of identification that is required i.e. a driving license or a passport. For many people managing a bank account is taken for granted, however for some people the thought of this can be a daunting prospect.
52. With regard to the cancellation of a direct payment, officers from social services noted that generally people who take up direct payments do tend to continue. Throughout the lifetime of the scheme there had been a total of 22 service users who had cancelled the scheme. This had been for a variety of reasons including people moving away from the area, admission to residential care or who had passed away. However there are cases whereby people who have been interested in taking up a direct payment have begun the process and found that all of the disadvantages of the scheme, that have been detailed within this report, become too daunting and they have unfortunately had to opt out.

EXAMINATION OF THE LEVEL OF SUPPORT CLIENTS RECEIVE IF THEY OPT FOR DIRECT PAYMENTS

53. Research by the Joseph Rowntree Foundation has noted that where direct payments are most successful, local authorities fund a user led support service as part of mainstream care provision. In Middlesbrough support for service users in receipt of direct payments is provided by the Independent Living Project (ILP).
54. Service users can then be referred to the council's support service. The Independent Living Project provides a wide range of support including:
- access to information;
 - access to independent support;
 - access to advocacy;
 - monitoring and review of clients needs;
 - access to payroll services; and
 - assurances of active involvement should an emergency situation arise
55. The guidelines from the Department of Health allow for applicants of direct payments to seek assistance in order to be able to manage their direct payment, however they must retain overall control over their care and are responsible for the money they receive and how it is spent.

56. The Independent Living Project (ILP) is a registered charity whose purpose is to provide information and services for disabled people, their families and carers living on Teesside. The charity is managed and directed by disabled people and aims to work with and on the behalf of disabled people.
57. The ILP ensures that people are supported through training. An individual package is set up which takes service users through each aspect of direct payments and includes guidance on standard forms for people to use to set up job descriptions, terms and conditions and contracts etc. The ILP also provide advice and support to social workers and the provision of training and workshops to other direct payment stakeholders.
58. The ILP also provides a contingency for emergencies and ensures that service users receive the necessary care should their carer become ill etc. The support service identifies what is right for the individual, whether it should be back up from an agency or family. There is also regular contact with all clients and there is a named development worker that they can call upon if necessary.
59. The centre does run a peer support group, however the support service thought that it didn't work well because of the diversity of their clients. It is difficult for people to get together and they have found that most people just want to get on with their lives. Despite its limited success it is continued to be promoted.
60. The ILP have also worked hard to raise the profile of direct payments and have developed imaginative ways of promoting the scheme including organising fundraising activities and running a television advert via the Community Link.

MEETING WITH SERVICE USERS

61. Recent studies by both the Joseph Rowntree Foundation and the CSCI have found that where they have discussed the benefits of direct payments with service users the overwhelming response has been that the concept is excellent and where it works the scheme does have the capability to change people's lives.
62. At a meeting which took place at the Lansdowne Centre the panel met with a number of service users and discussed their experiences of accessing and using the direct payment system with the panel. All the participants at the meeting gave a candid and invaluable account of their experiences and a number of issues were brought to the panel's attention.
63. There were a range of service users present, each of which had a variety of involvement with direct payments. They included a mother of a service user in receipt of direct payments, a new service user in receipt of direct payments, a carer employed by somebody in receipt of direct payments and a service user for whom the process to take up of direct payments had proved unsuccessful.
64. In terms of the problems that service users encountered with direct payments a number of themes emerged from the discussions.

Lack of Information

One of the most frustrating problems in the early stages was the lack of information about direct payments and the confusion regarding knowing the right people to ask. One participant found out about direct payments through her peer and had then approached her social worker.

Difficulties Finding and Retaining a Carer

Service users noted that once they had identified that they wanted to take up direct payments, then getting the direct payment was not a problem, what was more difficult was employing a personal assistant or carer.

Assistance was given by the Independent Living Project and this was seen as invaluable however getting a trusted and permanent carer was very difficult, even more so for a male service user who was specifically looking for a male carer. It was difficult to pin point exactly why this was the case however the carer present didn't know about direct payments until she took up the position. There was also a perception that if their carer became ill that there would be no back up. However the Independent Living Project and the duty social work team would be able to source alternative care in emergency situations.

Fear of Change

The other main concern for service users is that essentially if people are happy with the service they are currently receiving from social services they want to carry on with that provision. It was noted that some people can be fearful of change, there is a misconception amongst people that if they take up direct payments that it will adversely effect their benefit – even though this is not the case.

65. However it was also identified that when the process worked it had a great benefit on the lives of those who were in receipt of the payments.

Direct Payments Can Work for People

For example one service user whose daughter was in receipt of direct payments she stated that 'direct payments had transformed her daughters' life and in turn her life'. She believed that the key was finding a good carer and in doing so that had enabled her daughter to lead a more normal life and go on to experience the things that her peers took for granted. She explained to the panel that the process wasn't easy to start off with, the thought of being an employer was daunting and the paperwork equally daunting. The process took her about 6 months to get used to and the paper work and the responsibility could at times be frustrating. She noted that without the help and support of the ILP she would have been forced to cancel the payment despite the benefits it was bringing.

The Carer who attended the meeting noted that the family she cares for had done more as a family since the take up of a direct payment than they had ever done previously and they are now able to access the community for the first time.

Service Users Suggestions for Improvement:

66. In addition to finding out about people's experiences the Panel were pleased to hear a number of suggestions put forward by the service users based on their experiences. The suggestions were as follows:

- That further consideration should be given to raising the awareness of the availability and possible benefits of direct payments including consultation with carer groups;
- in examining the extent to which publicity material is made available it was considered important that apart from usual points of contact such as libraries and GP's consideration be given to appropriate information being made available at School, Colleges and Universities;
- in recognition of the complexities of managing direct payments it was suggested that publicity material should emphasise the support provided by the direct payments Support Service at the Independent Living Project in all aspects of arranging and using direct payments;
- a list of contacts providing information on direct payments and possible carers should be more readily available especially at Day Centres and other community facilities;
- it was considered important to reach the most vulnerable and therefore there was a need to ensure that audio-visual publicity material was readily available;
- the option to have family carers in certain circumstances in particular when dealing with older people should be made widely available.

EXAMINATION OF GOOD PRACTICE

67. The 'Developing Direct Payments in the North East of England' study completed by the Joseph Rowntree Foundation found that direct payments worked best in local authorities where a supportive local authority infrastructure is combined with both an understanding of the principles of independent living and a commitment to partnership with users.

68. During the course of the review the panel met with officers from Durham County Council and Darlington Borough Council. It was reassuring to hear that both Councils identified similar barriers to the take up of direct payments that the panel had already identified through its previous meetings with officers and service users.

69. In terms of good practice there were a number of ways of working that interested the panel which are detailed as follows:

70. In common with Middlesbrough, Darlington's support for direct payments was provided through an external support service entitled the Darlington Association of

Disability. The social services team had established close working relationships with the team and had developed a service level agreement to clarify the level of support that was provided. The service level agreement also outlined a number of procedural rules, although the team did acknowledge that procedural notes couldn't cover everything at that it was important that the two parties constantly questioned how they could work together, including how and where the service could be improved. Staff believed that it was crucial that the support service was independent, provided a quality service and was supportive to service users.

71. The team also acknowledged that the information provided to services users and potential users of direct payments was crucial and that a 'one size fits all' leaflet may not be appropriate to everybody. So the team try, where possible, to provide different kinds of information to different people.
72. Like many authorities Darlington also found that the recruitment of carers was a problem. In order to rectify the problem, resources were channelled into that area and 2 recruitment support workers were employed.
73. Training was also seen by Darlington as one of the key components to making direct payments work. Firstly, they involved service users in the training for their staff and secondly they ensured that there was a rigorous and compulsory training of assessing officers. This enabled direct payments to be offered at all assessments and reviews. Committed social workers were seen as the key to promoting direct payments and evidence has shown that in Darlington this has lead to a number of referrals.
74. Darlington had also established a steering group made up of officers and service users to help manage the direct payments process.
75. By way of comparison at the time of writing Darlington had 70 service users in receipt of direct payments.
76. In Durham the provision of support for direct payments was carried out by a specialist team within social services, without the use of a separate support service like in Middlesbrough and Darlington. As such the number of people in receipt of direct payments in Durham was very high in comparison at about 400 at the time of writing, with a large proportion of that number including people who have learning disabilities.
77. There was a high level strategic push for the implementation of direct payments. The first thing that took place in Durham was that officers spoke to all of their social workers about direct payments so that they were all informed of the new legal requirements. Direct payments were promoted in team meetings and good practice days were held. Initially there was a concern amongst social workers that they wouldn't have the necessary support however in order to assist social workers the support service would go on visits together with social workers in order to provide help and guidance.
78. Durham also considered training was an important way of ensuring that direct payments were offered and all social workers were trained in direct payments. Social

Services also worked closely with the local college and students visited social services to find out how direct payments worked.

Middlesbrough Council's Progress in improving the take up of Direct Payments

79. The Panel was interested to hear that coinciding with the review, Middlesbrough's Social Services department had held a direct payments master class that had been led by the Director of Social Services. Both officers from Social Services and staff from the support service had been involved and a number of issues for action had been identified. Those actions were outlined as follows:

- Establish a policy on Direct Payments;
- Further development of technical knowledge;
- Development of a local performance management framework;
- Develop public information on Direct Payments;
- Clear information given during the transition from Children and Families to Adult Services;
- Commissioning to provide personal assistants and care provision in extra care housing; and
- Ascertain if Asylum Seekers can receive cash payments.

80. A Direct Payments Steering Group has also been established which is a multi agency group made up of officers and colleagues from the Primary Care Trust and the Independent Sector. The recommendations of the panel must be considered in conjunction with the actions arising out of the masterclass.

EXAMINATION OF THE METHODS OF HOW THE COUNCIL CAN INCREASE THE TAKE UP OF DIRECT PAYMENT

81. One of the planned actions in the 2004/05 Corporate Performance plan to address the priority issues is to increase the take-up of direct payments by 10% by March 2005.

82. The increase in direct payments must come from a number of different methods including ensuring social workers discuss direct payments at assessment and review.

83. Throughout the review there have been a number of ideas from a variety of sources that have been put forward to increase the take up of direct payments in Middlesbrough. The panel considers that the recommendations contained within the report will assist social services in developing the increase in direct payments.

CONCLUSION

84. Based on evidence given throughout the investigation the Panel concluded :

- a) The implementation of direct payments must be understood within the wider context of the work of social services. The panel recognises the pressures

placed on social services with regard to the continued implementation of a number of national initiatives and increased financial pressures.

- b) That the panel recognise the scale of the work that Social Services staff undertake on a daily basis in order to ensure that service users are given the best quality of life as possible.
- c) The panel recognise that social services are working hard towards ensuring that the level of direct payments is increased whilst also facing a number of barriers to that take up, barriers of which the panel have found are common nationally.
- d) That the system of direct payments will only work where there is a strategic planning process that allows for effective communication between service users, their support networks, social workers and managers.
- e) That the direct payments scheme can have the capacity to change people's lives for the better, enabling people to have a better quality of life and access the community to which they belong.
- f) That the shortage of appropriate personal assistants is a big challenge facing social services. However allowing relatives to provide care for service users may go some way to helping to address this issue. In doing so the scheme can help overcome cultural differences in the provision of care to people from the Black and Minority Ethnic community.
- g) The decision to take up a direct payment ultimately lies with the service users. If clients are happy with the service that they currently receive from the local authority there may be no incentive to change to direct payments.
- h) That there are a number of barriers to the take up of direct payments where resources need to be targeted in order to assist in improving the take up. Including the fear amongst service users regarding their ability to cope with the increased responsibility, the lack of information and the confusion regarding the name of the scheme and the Department of Work and Pension's direct payments scheme.
- i) That the training of social workers and staff involved in direct payments is imperative to ensuring the success of the scheme.
- j) Take up of direct payments is even lower amongst the older client group. The panel were encouraged to hear that the Local Public Service Agreement stretch target will work towards improving those numbers of older people and people with mental health needs.
- k) The legislation now states that social services must offer direct payments as an option to services users and the panel recognise that this may result in a rise in the numbers of people taking up the scheme.

- l) Finally whilst the review has been undertaken social services have been working to develop policies and practices to improve take-up. It is hoped that the recommendations will assist in the further development of those policies and practices.

RECOMMENDATIONS

85. That the Social Care and Adult Services Scrutiny Panel recommends to the Executive:

- a) That a clear policy be developed which details the targets, objectives and timescales of the direct payment process.
- b) Given the confusion regarding the name Direct Payments that the Director of Social Services explores the possibility of raising the issue with the appropriate Minister.
- c) Considering the shortage of personal assistants, that attention be given to working towards increasing the number of carers.
- d) That the possibility of using family as carers for people who wish to take up direct payments should be considered in certain circumstances in order to make the option more widely available.
- e) That the option of making social services provision more flexible should be considered, perhaps by allowing existing social services care staff to be employed by people in receipt of direct payments.
- f) That a review of the way publicity is presented should be considered to ensure that the information is easy to understand, that it is made available in a number of different formats and accessible for people with differing needs.
- g) A review of where information is provided should be considered to ensure that the information is made more widely available in day centres, other community facilities, schools and colleges etc.
- h) That there is a review of the way direct payments are discussed with service users to ensure that the positive elements of direct payments are highlighted first and that they are clear about the level of support and backup that they will receive.
- i) That the development of a process should be considered that enables the potential users of direct payments, for whom taking up direct payments has enhanced their way of life, to provide testimonies or even speak to those service users who are considering taking up direct payments.
- j) It was found that the paperwork associated with direct payments was daunting for many people and acted as a barrier to take-up. A review of the paperwork

service users must complete should be considered to ensure that the process is as simple and straightforward to follow as possible.

- k) Ensure that effort is concentrated to work with the appropriate agencies to improve the take up amongst older people, whilst ensuring that the views of the older person are taken into account.
- l) That assurances are given that current staff have been trained in regard to direct payments and that all new staff undertake a mandatory training session.
- m) That the current structure of the team that supports the direct payment process be examined to ensure that it has the capacity to support the expected increase in the take up of direct payments.
- n) That details of the take up of direct payments are reported back to the Panel in March 2005.

ACKNOWLEDGEMENTS

86. The Panel is grateful to all those who have presented evidence during the course of our investigation. We would like to place on record our appreciation, in particular of the willingness and co-operation we have received from the below named:-

Ruth Hicks, Head of Adult Services, Social Services
Janet Blott, Financial Services Manager, Social Services
Fred Taylor. Performance Monitoring Officer, Social Services
Pauline Stephenson, Social Services
Rose Farries, Social Services
Diane Roberts, Chief Executive, Independent Living Project
Jackie Simms, Development Worker, Independent Living Project
Mrs C Bowman - mother of a Service User in receipt of Direct Payments
Miss J Gallagher - new Service User in receipt of Direct Payments.
Mr N Malik - a former Service User
Mrs P Thompson - Service Carer.
Lisa Holdsworth – Darlington Borough Council
Tracy Roberts – Darlington Association of Disability
Geraldine Waugh – Durham County Council
Catherine Burns – Durham County Council
Cath Waterhouse – Learning Disabilities Team, Social Services
Debbie Smith – Physical Disabilities Team

**COUNCILLOR CHARLES ROONEY
CHAIR OF THE SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL**

1 November 2004

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BACKGROUND PAPERS

The following background papers were consulted or referred to in the preparation of this report:

- (a) Making Direct Payments Work – Identifying and Overcoming Barriers to Implementation – Frances Hasler with Angela Stewart
- (b) Developing Direct Payments in the North East of England – Findings – Joseph Rowntree Foundation
- (c) A Guide to Receiving Direct Payments from your Local Council – May 2003, Department of Health
- (d) Direct Payments, What are the Barriers? – A report by the Commission for Social Care Inspection
- (e) Direct Choices – What Councils Need to Make Direct payments happen for people with learning disabilities
- (f) A Second Generation Local Public Service Agreement – Proposed Performance Indicators – July 2004 – Middlesbrough Council
- (g) Speeches by Stephen Ladyman given on 19 November 2003 and 26 January 2004
- (h) Direct Payments Masterclass – Issues For Action, 13 September 2004 – Middlesbrough Council, Social Services