

Questions on Re-assessments, SDS, Eligibility Criteria etc.

We have been receiving a number of concerns passed to us of cases where from Older People who receive support in their own home. We have heard of cases where services have been withdrawn, where people have been asked to make a contribution, and a case where someone arranged their own care, facilitated by an agency where they are now being sued for loss of earnings by the support worker.

We request the following information.

Adult Social Care response

To give some context around our responses back to you. The Self Directed Support pathway was implemented in East Sussex in April 2010. Self Directed Support needs to ensure that assessments (both social care and financial) and reviews of individual needs are timely, proportionate and focussed on the outcomes which will meet the persons identified needs in the most effective and efficient way. Advocates and brokers that are commissioned through Voluntary Sector organisations by Adult Social Care will help individuals to identify more creative and less traditional ways of meeting their social care needs.

We will support people to manage their own care and ensure they receive a fair and equitable level of resource that reflects their needs, focusing on prevention and early intervention, recovery and re-ablement. Through the Self Directed Support pathway, Adult Social Care will continue to prioritise the protection of vulnerable adults, ensuring that robust procedures are in place to protect individuals from harm.

The medium to longer requirements to meet the changing needs of the local population will see a shift in resources from working age to older people's services. This is a key policy steer for the department until 2015. Although there is an initial focus on high cost contracts, particularly for service users within Learning Disabilities and Mental Health, increased review activity across all service areas will seek to ensure that the services in place meet the assessed needs of individuals and are value of money.

1. How many requests for SDS have been made by Older People, in particular, since April 2011?

A: SDS is the Adult Social Care pathway for all service users and carers, so it's not a question of people "requesting SDS".

For Older People (+65 as at 1 April 2011), 1,693 packages of homecare were approved in 2011/12 up until week 37 (w/c 5 December 2011)

2. How many re-assessments have been carried out since April 2011 for this group?
A: During the period since 1 April 2011, 229 unscheduled reviews were undertaken, due to changes in the circumstances and needs of service users. In addition 877 re-assessments were undertaken as part of the ongoing review and care management of service users.
3. How many have had their level of funding reduced? What is the average amount?

A: Since 1 April 2011, approval has been given for the reduction in 318 homecare

packages for service users over 65. This represents 18.8% of the homecare packages approved within this client group. Reductions in homecare packages will be as a consequence of service user review and the revised package of homecare will be assessed to meet the needs of the service user.

The average net weekly reduction per service user who has received a reduction is £64.57.

It is important to note that as well as reductions of home care hours within a care plan there have also been increases in home care hours, in accordance to their changing circumstances and assessed needs. We would willingly provide this data if you would find this useful.

4. How many have been asked to increase their contribution? What is the average amount?

For background information, East Sussex County Council has a charging policy for non-residential services called Fairer Contributions. As part of this policy each service user is financially assessed to determine what they can reasonably contribute towards the cost of their care.

Charges are in line with Department of Health Guidelines. These were based on the 'Fairer Charging Policy for Home Care and other non-residential Social Services (2003)' and from March 2010, 'Fairer Contributions Guidance calculating an Individuals Contribution to their personal budgets.'

No service users assessed by East Sussex are left below the income levels set by the Government. In fact, the policy requires an additional 25% to be added to the minimum levels to provide a 'buffer'. The buffer provides a safeguard to prevent a person's opportunity for independent living being undermined by charging policies.

A: The number of service users, over 65, for whom a financial assessment since April 2011 has resulted in an increase in contribution towards their package of homecare is 271

The average increase per week per package is: £32.32

The total number of service users, over 65, who receive packages of homecare and have been financially assessed in the period since April 2011 is 1,866. Therefore the percentage of service users who have seen an increase in their contributions is 14.5%

5. Has the size of the pool of funding available been reduced since April 2011? If so, by how much?

A: The funding available to support Older People assessment and care management activity is £64m, which has remained unchanged during 2011/12.

6. What advice is offered so that support can be purchased from a person/organisation other than ESCC? Is this advice on-going for those who employ their own support workers in terms of employment law, tax matters etc.?

A: On-going advice and support is available to people who use (or are interested in using direct payments) through A4e. This includes general information and advice, information about the various options for using direct payments and for support to use direct payments, a comprehensive support service for those wishing to employ – including advice on immigration status, tax and national insurance, the importance of references and CRB checks (which are undertaken at no cost to the service user), assistance with creating job descriptions and person specifications, with interviewing, induction and supervision; the same service also offer optional payroll and managed account services.

Day-to-day advice about employment responsibilities and good practice is available from this service with more specialised legal advice provided through the Employers Liability Insurance which each employing service user is required to take out. Service users can access the Direct Payment support service whenever required. A4e have also been encouraged to utilise Support with Confidence as a resource for finding care and support provision.

7. Is any record kept of people who employ their own support of what proportion is provided by those who are part of the “Support with Confidence” scheme?

A: This information is not collected. However, The Support with Confidence scheme is encouraged and being promoted widely as approved members of the scheme agrees to comply with their Code of conduct.

8. Are any records kept separately of SAR alerts made concerning those who are employed being/not being part of “Support with Confidence” May we receive any information?

A: Anyone applying for the Support with Confidence scheme is rigorously checked beforehand to establish there have been no SAR alerts or other concerns raised previously about their practice.

If an alert or a complaint was raised against an organisation or an individual it would be checked against the Support with Confidence list as part of the investigation process. If the complaint or SAR alert is upheld, removal from the Support with Confidence scheme can take immediate effect. Alongside these safeguards, there is a Support with Confidence Governance panel, which works closely with our Quality Monitoring team to ensure that standards are upheld and that individuals are not put at risk.

We are unable to provide any information around individual SAR alerts as this is confidential information.

9. Is any advice and support offered for those who receive high cost support packages, particularly who fund their own, about applying for Continuing Healthcare funding?

A: The start of the process for consideration for NHS Continuing Healthcare (CHC) is the completion of a checklist. The checklist can be completed by a professional involved in the care of the individual who has an understanding of both the CHC process and completion of the Decision Support Tool. This however does not

include registered nurses in Residential Care Homes with nursing; or managers of residential care homes. It does however include district nurses, community matrons and Adult Social Care workers who have been appropriately trained. Residential Care homes with nursing are able to notify the PCT of a change in the needs of residents in their care. The PCT would then arrange for a nurse assessor to undertake the completion of a checklist.

Anyone who does not have the appropriate training, i.e. relatives who have Power of Attorney, can write to the PCT to request the application of a checklist if they are unable to identify an alternative appropriate professional involved in their care.

Information regarding NHS Continuing Healthcare is available on the Department of Health website.