

Report No.
CS12002

London Borough of Bromley

PART ONE

Decision Maker: **Care Services Policy Development and Scrutiny Committee for pre-decision scrutiny
Care Services Portfolio Holder**

Date: **19 June 2012**

Decision Type: Non-Urgent Non-Executive Non Key

**TITLE: UPDATE ON GATEWAY REVIEW: SPECIALIST INFORMATION
ADVICE AND GUIDANCE SERVICES**

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Ward: Borough Wide

1 REASON FOR REPORT

A Gateway Review of Information, Advice and Guidance Services was presented to this committee in December 2011. The Committee requested a further report on specialist advice and guidance, including the Bromley Mencap support planning and brokerage service, and with particular reference to welfare benefits advice and support.

The report proposes that Bromley Mencap be contracted to provide information, advice and guidance to people with learning disabilities as part of their core strategic partnership contract and that the Council continues to fund welfare benefits support for people with learning disabilities and mental ill health during the period in which major changes are being introduced to the benefits system. The provision of this service will be reviewed at the end of 2013.

2 RECOMMENDATIONS

The Policy Development and Scrutiny Committee is asked to comment on the recommendations below, and the Portfolio Holder is asked to agree:

- i) That information advice and guidance for people with learning disabilities should form part of the core contract from April 2013.

- ii) That the contract with Broadway for the provision of benefits support be extended in accordance with the option in the contract for one year from 1st April 2013 to 31st March 2014 at a cost of £42k; and
- iii) That the Portfolio Holder agrees to waive the requirement in Financial Regulations for competitive tendering to award a contract to Bromley Mencap from 1st October 2012 to 31st March 2014 for the provision of benefits support to people with learning disabilities at a cost of £30k in a full year.

Corporate Policy

1. Policy Status: Building a Better Bromley,
 2. BBB Priority: Increasing Independence
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Financial

Cost of proposal:

Broadway contract - £42k in 2013/14;

Bromley Mencap contract - £15k in 2012/13 and £30k in 2013/14.

2. Ongoing costs:

3. Budget head/performance centre: Broadway contract – 821 900 3389;

Bromley Mencap - 802 900 0000

4. Total current budget for this head: Broadway contract - £45,560; Bromley Mencap - £102, 000

5. Source of funding: Education and Care Services Approved 2012/13 Revenue Budget

Staff

1. Number of staff (current and additional) – Services are provided by external organisations

2. If from existing staff resources, number of staff hours – N/A

Legal

1. Legal Requirement: No statutory requirement or Government guidance

2. Call in: Call in is applicable

Customer Impact

1. Estimated number of users/beneficiaries (current and projected) Information, advice and guidance - approximately 700 people with learning disabilities use Mencap services; Benefits advice – approximately 150 people with learning disabilities (Mencap) and approximately 400 people with mental ill health (Broadway)

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A

2. Summary of Ward Councillor's comments: N/A

3. COMMENTARY

3.1 Information, advice and guidance services are commissioned to enable people to access timely and accurate information, in an appropriate format and setting, ensuring that people can make informed choices to support their lives. Information, advice and guidance is provided through a range of contracts which were the subject of a report to Adult and Community Services Policy Development and Scrutiny (PDS) Committee and the Executive in December 2011.

3.2 The Executive agreed that:

- one strategic partner/core contract has been identified for each care group to provide information, advice and guidance and that efficiency savings will be sought with regard to existing contracts;
- specialist advice provision is reviewed to ensure that it is meeting an identified priority need including consideration as to the impact of any changes to people requiring support to appeal against a benefit decision. The outcome of the review will be reported back to the Adult and Community Services Policy Development and Scrutiny prior to any decisions being taken by the Portfolio Holder; and
- the Department for Work and Pensions (DWP) is the primary agency responsible for providing assistance with accessing welfare benefits and that the Council will where necessary arrange training for DWP staff to ensure that they have the necessary skills to assist people with particular needs

3.3 The review of specialist provision focused on 2 areas:

- the future of the support planning and brokerage contract with Bromley Mencap
- the provision of benefits advice to people with learning disabilities and mental ill health

3.4 Support planning and brokerage contract – Bromley Mencap

3.4.1 Bromley Mencap currently provide the services commissioned as part of the core and support planning and brokerage contracts. The support planning and brokerage service commenced in 2008 and was designed for people with learning disabilities who do not meet the Council's substantial and critical eligibility criteria under Fair Access to Care Services (FACS) to enable them to plan the services required to meet their needs and to assist them with accessing those services – in effect to provide a low level care management function for people who fell just outside of the service provided by the Council.

3.4.2 The value of the contract is £61k per annum and the current contract expires at the end of September 2012. As part of the budget options for 2012/13, the Council agreed to seek reductions in spend on support planning and brokerage services for people who do not meet FACS criteria, in both learning disabilities and older peoples' services.

3.4.3 The Bromley Mencap support planning and brokerage service has provided assistance to 360 individuals over 3 years, of whom 207 were supported in the last year. Over 100 of these were new to the service. Around 150 people had no family or received no assistance from them.

- 3.4.4 Service users receive information and advice as well as assistance to plan their support. In practice around 58% of queries relate to financial issues, including access to benefits, money management and debt management.
- 3.4.5 The service for people with learning disabilities has demonstrated that there is a need for information, advice and guidance to be provided for people with mild and moderate learning disabilities. As noted in the December report, the Council has a number of contracts with key organisations in Bromley for the provision of information, advice and guidance and for the organisations to have a leadership role in terms of planning and partnership working. Contracts with strategic partners vary greatly in their scope, content and value, but all except the Bromley Mencap contract explicitly specify the provision of information, advice and guidance to varying degrees. The current value of the Bromley Mencap core contract is £51k per annum. It is proposed that the core contract be amended at the time of renewal to include the provision of information advice and guidance services to people with learning disabilities within the current contract cost. This would bring the contract in line with, for example, Bromley Mind (£50k per annum) and Deaf Access (£58k per annum).
- 3.4.6 With regard to support planning, Bromley Mencap also receives lottery funding which includes funding to assist people to plan and access services both for people who are and who are not FACS eligible. In view of this, it is proposed that the Council ceases to fund support planning for non-eligible service users. This represents approximately 50% of current funding – i.e. £30k. Bromley Mencap should continue to explore either accessing alternative funding to provide this service for people with a lower level of need and/or the use of volunteers to assist individuals in less complex matters
- 3.4.7 The issue of benefits advice, which makes up half of the activity within the current contract is covered below.

3.5 **Benefits advice**

3.5.1 Department for Work and Pensions (DWP)

National benefits, such as Disability Living Allowance, Carers Allowance and Attendance Allowance, are dealt with by the Pension, Disability and Carers Service. These benefits can either be claimed on-line, via a telephone claim line (which is a verbatim scribing service) or through the DWP Visiting Service. Referrals to the Visiting Service can be made by partner groups such as statutory or voluntary organisations for those who cannot use the online or telephone service or do not have family or friends to assist. Organisations are contacted if referrals are inappropriate and the individual could have completed on-line or via the telephone claim line. The national target to complete forms from the date of the referral is 10 days. Within south east London, the turn-around is 5-7 days.

Visiting Officers have had extensive on going training on working with vulnerable people. Training is provided by the voluntary sector e.g. Mind and Stroke Association, and provides information to enable officers to signpost individuals to other services if additional needs are identified on the home visit

The DWP runs a Partnership Forum to provide information, advice and training to partner organisations in the statutory and voluntary sector. DWP will train voluntary organisations to understand what benefits an individual is entitled to and what types of information should be included within claim forms.

3.5.2 Jobcentre Plus

Employment related benefits, i.e. Jobseekers Allowance and new applications for Employment and Support Allowance, need to be applied for either on-line or via a national call centre which also provides a textphone service. People transferring from Incapacity Benefit to Employment and Support Allowance are sent a questionnaire to complete. Staff at the JobCentre Plus offices in Bromley have had disability awareness training so that they can identify vulnerable adults and signpost them to any assistance they may require, including a transcribing service. Staff will read the questions and then whatever answer is given is written verbatim - staff do not support individuals to complete the questionnaire or expand on the answers given. If more assistance is required advice is given to enlist the assistance of family members or support workers. If there are no family or friends then individuals are sign-posted to Bromley Mind or Broadway for people with mental ill-health, or to CAB for people with learning disabilities, CAB signpost people with learning disabilities to Bromley Mencap.

If individuals do not agree with Employment and Support Allowance decisions further evidence may be provided to the JobCentre Plus within one month. The decision can be changed at this point without needing to appeal to a tribunal; however no additional support is given.

3.5.3 Bromley Mencap – learning disabilities

As noted above approximately 58% of people accessing the Bromley Mencap support planning and brokerage service are doing so as a result of financial issues. Over the first three years of the service, individuals supported by the Bromley Mencap service secured an additional £8,638 of welfare benefits per week and £40,600 through a variety of grants. Fifteen individuals have been supported to appeal against Employment and Support Allowance decisions, all of which have been successful.

3.5.4 Broadway – mental ill health

Broadway offers a welfare rights service for people with mental ill-health which comprises of: reviews of benefit entitlement; assistance in claiming benefits; representation at Appeal Tribunals and acting as consultants to other professionals assisting with benefit issues.

The service is funded by the Council (£42k per annum) and the current contract runs until 31st March 2013 with the option to extend for up to two years. The service received 302 referrals in the period January to September 2011 and provided 285 appointments to service users. During this period Broadway supported individuals at 19 Employment and Support Allowance appeal tribunals. Broadway saw an increase in demand owing to the Employment and Support Allowance process and Work Capability Assessments which have proved particularly negative for people with mental ill-health. Individuals assisted through the service have faced eviction or an increase in mental ill-health leading to the need for secondary health services. Broadway has begun to train volunteers to support people using the welfare rights service in completing forms. It is hoped that the volunteers will be able to support people at appeals as well once fully trained.

3.5.5 Proposals for the future

In 2013 the DWP will be focusing on changes from Disability Living Allowance to Personal Independence Payment. There is an identified timetable and process the aim of which is to reduce the number of appeals by getting it right first time. Consultation on PIP is on-going with disability organisations to ensure letters and the process is accessible. DWP will not provide assistance with appeals, but will signpost claimants to appropriate organisation who could provide that assistance.

Beyond 2013, individuals are likely to also require assistance with Jobseekers Allowance and appeals. It is therefore proposed that:

- i) the option to extend the current Broadway contract be exercised for one year (i.e. to the end of March 2014)
- ii) that a similar service for people with learning disabilities, who have no family support, be procured for the period October 2012 to 31st March 2014 to support people through the changes to the benefit system. Given the relatively short length of the contract and the absence of other organisations locally with the necessary expertise, it is proposed that a waiver be agreed to enable Bromley Mencap to provide this service.
- iii) the services would be reviewed in 2014 to establish whether there is an ongoing need for support with Jobseekers Allowance and with appeals.
- iv) officers will continue to work with the DWP and the voluntary organisations to ensure that there is no duplication in support and that value for money is delivered.

4 POLICY IMPLICATIONS

The proposals in the report are in accordance with the Council’s objective to support independence.

5 LEGAL IMPLICATIONS

- 5.1 The extension of the Broadway contract for one year is allowed for in the current contract.
- 5.2 In accordance with Contract Procedure Rule 13.1 the Assistant Director (Commissioning) and the Director of Resources and Assistant Director (Finance) can agree to waive the need for competitive tenders. Should the Portfolio Holder approve the recommendation a report of the exercise of the waiver will be submitted to the Audit Sub Committee in due course.

6 FINANCIAL IMPLICATIONS

- 6.1 The cost of the Broadway service would be £42k in 2013/14, and will be funded from existing budgets. The cost of the learning disability benefits advice service would be £15k in 2012/13, and £30k in 2013/14, and will be funded from existing budgets.
- 6.2 All proposals contained within this report will be delivered within existing budgets.

Non-Applicable Sections:	Personnel implications
Background Documents:	Report ACS 09123 13 th December 2011. Gateway review – information, advice and guidance services.