

**Decision Maker:** **Adults Care and Health Policy Development and Scrutiny Committee**

**Date:** **27 January 2022**

**Decision Type:** Non-Urgent                      Non-Executive

**Title:** **INCREASING DIRECT PAYMENTS TAKE UP FOR ADULT SOCIAL CARE SERVICES**

**Contact Officer:** Sean Rafferty, Assistant Director for Integrated Commissioning  
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**Chief Officer:** Kim Carey, Interim Director for Adult Services

**Ward:** ALL

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1. Reason for report

- 1.1 The report advises the Committee on a project being implemented to increase direct payment take up by residents who use the Councils social care services

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2. **RECOMMENDATION(S)**

- 2.1 That the Committee notes the actions being taken to increase direct payments take up for residents who use social care services through a pilot project
- 2.2 That the Council supports direct payment take up for Bromley residents using local NHS services through supporting the CCG in the administration of its direct payments scheme with the costs of this support being met by the CCG.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The proposals seek to increase the take up of direct payments for frail and vulnerable residents and their carers for the purpose of giving them more choice and control over their care and support.
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### Corporate Policy

1. Policy Status: Not Applicable:
  2. Making Bromley Even Better Priority: For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices:
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### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Assessment and Care Management
  4. Total current budget for this head: £8,411k
  5. Source of funding: Existing revenue budget, CCG contributions
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### Personnel

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
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### Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
  2. Call-in: Applicable Not Applicable: Further Details
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### Procurement

1. Summary of Procurement Implications:
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

#### **3.1 Background**

- 3.2 Direct payments are social care payments from a council for residents who have been assessed as needing help and would like to exercise more choice and control over arranging and paying for their care and support services. Some people decide to use direct payments to employ their own personal assistant staff, others buy support from a care agency, or use them to access other services and activities that meet their needs and outcomes. Without a direct payment, the Council would arrange a service user's care and support on their behalf through the use of more traditional commissioned services. A direct payment is designed and provided to be used flexibly and innovatively and is often referred to as self-directed support.
- 3.3 Most users of social care services will have an entitlement to choose to have their care and support provided through a direct payment. The choice of taking up a direct payment rests with the service user. Councils cannot make direct payments take up compulsory.
- 3.4 National and local evidence tells us that direct payments encourage those who use them to achieve their social care goals in a way which gives a better quality of life, with greater resilience, and more independence. It also shows that direct payments represent good value for money and a sustainable way of using public resources now and in the future. For these reasons the Council has sought to increase availability and take up of direct payments by those who use social care services and their carers.
- 3.5 This report outlines steps that the Council is taking to further increase the take up of direct payments.

#### **Developing Proposals to Increase Direct Payments Take Up**

- 3.6 A project launched in 2020 worked with residents and social care staff to understand the barriers to increasing direct payments take up and what can be done to better support teams and residents to make use of direct payments. Findings included:
- Social workers understand what direct payments are but needed more practical support to help them support residents in choosing a direct payment and setting them up
  - Social workers, Liberata and Vibrance (the contract that supports residents with a direct payment) are clear of their role and responsibilities in the direct payment process. However, there is no overall coordination of the direct payment delivery to ensure processes work efficiently, effectively and achieve the best outcomes for residents and is user friendly for social workers
  - There is no straightforward and easy arrangement to respond to direct payment user enquiries outside of a care review or when a case is closed to the social worker
  - A need to align and promote direct payments with the strength based approach principles – to encourage clients to develop, build and sustain resilience and independence – managing their care and taking responsibility for health and social care outcomes
  - A need for accessible learning and development tools for social workers
- 3.7 Direct payment user feedback has been captured as part of designing the pilot service. Key messages from current users included:
- It is important to know what can and cannot be bought with the direct payment and how and where to look for services and support
  - The benefits of receiving a direct payment and the difference it can make to someone's life is not emphasised enough presently

- It is important to know that you can take your direct payments in different ways so you can choose what will work best for you
- The time it takes to set up a direct payment needs to be reduced. Currently it can be between 4-6 weeks for a known service and prepaid card and up to 12 weeks if going through traditional recruitment process for a personal assistant
- People considering a direct payment need to know that support is available to them when starting out. Free support is available from a contracted support provider, Vibrance, to managing direct payments and employing a personal assistant, including recruiting and getting training for personal assistants

### **Putting in Place Arrangements to Support Increased Direct Payments Take-up**

- 3.8 Taking the learning from the work with staff and with residents and with research on best practice from other councils, a business case has been developed to pilot new resources to support social care staff in making a marked increase in direct payments take up. Work is close to completion on putting in place the following arrangements:
- 3.9 *Direct Payments as the First Choice* - Direct payments will be emphasised as the 'first choice' option for all eligible adult social care and support payments, and as an outcome of the Strength Outcome Based Approach adopted by the Council's Adult Service in 2020. This will target new social care clients and those undergoing a review of their care.
- 3.10 *Implement a Direct Payment Support Service* - This Service will undertake the heavy lifting tasks associated with adult direct payment set ups and answer and respond to service user queries regarding their direct payment. This will serve the needs of the Council's social work teams, Oxleas social workers, and SEL CCG (Bromley) who will be charged for using this service to process their Personal Health Budget Direct Payments (see 3.13 below.) The team will be staffed on a temporary basis as a trial. The business case (see 3.18 below) assumes that increasing direct payment take up will realise efficiencies to contribute towards funding the team permanently after twelve months.
- 3.11 *Implement a Temporary Direct Payment Advisory Service* – This service will support social care staff to build technical skills, knowledge and confidence personalisation and direct payments. Staffed by an LBB secondee and an external person with lived experience. The service will only be in place for the duration of the pilot in order to give a focus and boost to the new approach. The Advisors will deliver a range of direct payment and personalisation themed training and support to care managers, care manager assistants, partners and community and voluntary sector staff and their service users and will assist in embedding direct payment delivery in the Council and CCG and with key partner agencies.
- 3.12 *Marketing and learning campaign* – training and other support to staff that will promote direct payments and how best to engage with the new support services will run simultaneously with a marketing campaign on direct payments take up aimed at residents who use social services.

### **NHS Personal Health Budgets**

- 3.13 Residents who receive NHS funded Continuing Healthcare support have an entitlement to receive their care and support through a personal health budget direct payment funded by the CCG and to a very similar set of guidelines and regulations to that of the Council – the main exception being that there will be no financial contribution made by the user for the NHS support. There will also be a group of residents with joint funded health and care packages who will be able to have a direct payment under both arrangements.

- 3.14 Because the CCG does not have an infrastructure to administer and make direct payments there has been limited take up of direct payments in Bromley. Historically there are cases whereby the Council has made direct payments arrangements on behalf of the CCG.
- 3.15 As part of the pilot arrangements it is proposed that the CCG is supported in its direct payment arrangements through the Council's infrastructure. The Direct Payment Support Service will manage direct payments for both the Council and CCG with the CCG being charged for the Council's support. A service level agreement carefully setting out the terms of this arrangement will be drawn up with CCG.
- 3.16 Currently the CCG manages 3 Bromley direct payments and it is anticipated that in the course of the 12 month pilot this will increase to 40 personal health budget direct payments.

### The Business Case and Increasing take up

- 3.17 The budget and sources of funding for the 12 month pilot is set out below. The sources of funding for the pilot project include the Better Care Funds (BCF) and Improved Better Care Fund (iBCF). Further contributions have been identified from the Council's social care budget and from a recharge to the CCG.

Activity	Cost
Direct Payment Support Service	£103k
Direct Payment Advice Service	£82k
Media and marketing	£10k
E-learning/training	£10k
Misc.	£3k
<b>Total</b>	<b>£208k</b>

Source	Cost
BCF	£105k
iBCF	£60k
ASC staffing budget	£27k
CCG	£16k
<b>Total</b>	<b>£208k</b>

- 3.18 The project is based on a business case that estimates that where direct payments can be increased and exceed a given level the financial efficiencies generated will more than cover replacing the BCF and iBCF contribution to the pilot costs. For example, where c.190 to 200 residents who are assessed as requiring domiciliary care choose to directly employ their carer rather than have their care organised through the Council's contracted domiciliary providers, the saving created in the domiciliary care contract would make the business case.
- 3.19 The table below provides a breakdown of direct payment users take up by age for the period April to June 2021. It also illustrates that of the 204 eligible new service users who entered social care services in that three month period only 13 chose to take up a direct payment. Key outcomes from the pilot will be to both increase the number of new users choosing a direct payment and to support existing users in making a change to direct payments in their reviews. Section 3.22 below sets out how this approach to changing the direct payment profile will be managed.

<b>Age band</b>	<b>Direct payment users</b>	<b>Non-users</b>	<b>Grand Total</b>	<b>% with a direct payment</b>
18-64	288	467	<b>755</b>	38%
65 to 75	27	196	<b>223</b>	12%
76 to 85	43	255	<b>298</b>	14%
86+	46	420	<b>466</b>	10%
New service users	13	191	<b>204</b>	6%
<b>Grand Total</b>	<b>417</b>	<b>1529</b>	<b>1946</b>	

3.20 The pilot project will seek to change the profile of the Council direct payment users through the following approach:

*Direct Payment target for new eligible adult social care clients:-*

- For each Council social work team to c.50% of direct payments to clients aged 18 to 64 years
- For each Council social work team to deliver c.33% of direct payments to clients aged 65 plus.
- For c.50% of clients receiving a new service agreement within a 12 month period for day service, transport, respite and domiciliary care to receive a direct payment

*Direct Payment target for clients undergoing annual review:-*

- For each Council social work team to deliver c.50% of direct payments to clients aged 18 to 64 years
- For each Council social work team to deliver c.33% of direct payments to clients aged 65 plus.
- For c.50% of clients receiving a new service agreement within a 12 month period for day service, transport, respite and domiciliary care to receive a direct payment

*Definition of new service agreements which should result in a Direct Payment:-*

- New eligible social care client who will receive care and support
- A known client in receipt of a council managed service for day service, transport, respite and domiciliary care and requires a change, amendment to the care provision
- A known client who requires a change to a service type

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

The actions outlines in this report are aimed specifically at serving the needs of frail and or vulnerable adults in receipt of social care and or health services

#### **5. POLICY IMPLICATIONS**

There are no policy implications arising directly from this report. Any policy implications arising from the implementation of the various actions contained within the report will be reported to the PDS Committee separately.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 As set out in the table in paragraph 3.17, various sources of one-off and ongoing funding have been identified for the 12 month pilot of the Direct Payment Support and Advice Services and associated set-up costs.
- 6.2 If clients who would normally have Council managed Domiciliary Care services can be successfully encouraged to instead take up a Direct Payment, and then choose to directly employ Personal Assistants (PA's) rather than contract with a Domiciliary Care agency, then this will achieve net savings on the Domiciliary Care budget.
- 6.3 If this can be achieved in sufficient scale (approximately 170 new PA's), then the net savings will be able to fund the Direct Payment Support Service on an ongoing basis. If not then the service will have to look to secure ongoing funding from elsewhere, or reduce the cost of the team. This will be set out in the report detailing the outcome of the pilot.
- 6.2 The ongoing CCG contributions will include a relevant proportion of the costs of the Direct Payment Support service and Direct Payment processing within the Liberata contract, and will be added to the Section 75 agreement between the Council and the CCG.

## 7. LEGAL IMPLICATIONS

In accordance with Paragraph 12.9 of the Care and Support Statutory Guidance notes the London Borough of Bromley has a crucial role to play in promoting the use of direct payments and enabling people to make requests to receive direct payments in an efficient way. In accordance with the Care Act 2014, Mental Health Act 1983 and the Care and Support (Direct Payments) Regulations 2014 the London Borough of Bromley are further bound in ensuring direct payments are available when necessary, they are assessed appropriately and to provide transparency in any agreement for such an arrangement with its residents.

<b>Non-Applicable Sections:</b>	Personnel, Procurement
Background Documents: (Access via Contact Officer)	Not applicable