

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Cabinet
Date:	24 May 2010
Title:	Approval to implement a Policy to Promote Independence and Choice in Adult Services following consultation
Reference:	1331
Report From:	Director of Adult Services

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1. Executive Summary

- 1.1. The purpose of this paper is to provide information on the results of the public consultation on the proposed policy to promote independence and choice and to seek agreement to implement the policy in Adult Services. The purpose of this policy is to support the implementation of Self-Directed Support (SDS) and the wider personalisation agenda, and to strengthen the governance of Adult Services regarding assessment and decision making in professional practice. In supporting people who have needs which are eligible for support from Adult Services, risk is always present. This policy to promote independence and choice sets out a new approach to dealing with risk, and is part of the journey to move away from institutional care and towards supporting people in the community.
- 1.2. The need for a policy to promote independence and choice has been identified through "Getting Personal – a fair deal for care and support", the report of Hampshire County Council's Commission of Inquiry into the future of social care – Appendix E of the Commission Report, and Care Governance.
- 1.3. The draft policy can be found at <http://intranet.hants.gov.uk/sds-independence-choice.doc> where it has been published internally to support the practice guidance for Self-Directed Support.
- 1.4. Self-Directed Support and personal budgets are well advanced in Hampshire with over 3,000 clients using them to achieve their outcomes. This stretched target for direct payments/individual budgets more than doubles the previous year's performance. An immense amount of work was completed in Year 1 to develop the tools, processes and training courses needed to successfully go-live across the county, based on the learning and support of the Basingstoke pilot.

- 1.5. 467 people (32% of Basingstoke clients, slightly above the national target) are now using Self-Directed Support. People report feeling increasingly safe, in control of their lives and the decisions made about them; and feel they have enough money to live the life they want. On average, there has been a 15% increase in the number of people who expressed a more positive view of their lives as a result of using Self-Directed Support in Hampshire.
- 1.6. From April 2010, Self-Directed Support is now available to over 4,500 service users living in Basingstoke, Hart, Rushmoor and East Hampshire, with the actual number forecast to climb steadily over the year in line with the 30% national target. A phased roll out across the rest of Hampshire is planned for this year. For an illustration of how this policy supports people on Self-Directed Support we have outlined case examples which are presented in Appendix 2 of this report.
- 1.7. The consultation of the policy to promote independence and choice took place between 1 December 2009 and 16 March 2010.
- 1.8. This paper seeks to
 - Provide a brief overview of the policy to promote independence and choice
 - Provide information from the results from the public consultation
 - Consider the financial implications of the project in terms of delivery and budget management
 - Consider how the implementation of the policy will impact on the performance of the County Council
 - Describe the context in which the policy will be implemented and consideration of future work to review the policy

2. Contextual information

- 2.1. The policy to promote independence and choice supports best practice in social care at all points of interaction with Service Users and Carers, and underpins procedures and practice guidance which apply throughout the customer journey from point of first contact through assessment and support planning to review. It is evidence based, and follows Department of Health guidance.
- 2.2. The policy links directly to the procedures and practice guidance for care management including Self-Directed Support. It promotes transparency and collaborative working with people, and provides a framework for sound decision making and recording within the business process, and directly supports practice which is based on sound professional judgements and complies with professional codes of conduct.
- 2.3. The policy includes the following:
 - a) An explanation of the principles of positive risk taking. These principles are described in Appendix 1.
 - b) A framework which places support for positive choices within the Care Governance framework of Adult Services

- c) Links to the main procedures and processes for Adult Services which include risk assessment, including Fair Access to Care Services (eligibility criteria) Safeguarding, Mental Capacity
 - d) Guidance for staff and managers about how to carry out and record a risk assessment which supports positive choice
 - e) Guidance for staff and managers about how to record decisions and the rationale for decisions which are made following an assessment
 - f) Clarity about the roles and responsibilities of staff and managers
 - g) Assessment formats for use by service users and staff carrying out assessments
- 2.4. Further information about development of the policy was provided in the decision report reference 825 which sought permission to consult on the policy.

Consultation Feedback

- 2.5. The public consultation held from December 2009 to March 2010 sought views from a wide range of people, with a focus on Service Users and Carers, together with Service User and Carer representative groups and organisations, independent and voluntary sector organisations, Hampshire County Council staff, and other interested parties.
- 2.6. Comments were received from a variety of respondents, including comments submitted using the Questionnaire, letters from interested parties, and feedback from informal workshops. In total 62 Questionnaires were submitted and 4 letters were received which included responses from individual Service Users and Carers, Service User representative groups and organisations, Hampshire County Council staff, Hampshire Primary Care Trust (NHS Hampshire), and the Improvement and Development Agency for local government (IDeA).
- 2.7. Informal workshops were organised across the county to facilitate discussion and feedback about the policy with Service Users and Carers. In total approximately 49 people were involved in these workshops, of which 38 were Service Users or Carers.
- 2.8. The overall response to the consultation was positive, there were no strong opinions expressed that the policy should not be adopted and there were many helpful comments about the value of providing a framework for risk assessment for practitioners and service users, together with suggestions for improvement of the presentation of the policy which have been taken into account in the updated draft document.
- 2.9. In addition some very helpful comments were received in particular a contribution from Adult Services Personalisation Expert Panel which has been included as a foreword and in the policy statement, sections 3.10 and 3.11 in the draft policy and will be referenced

2.10. Some respondents took the opportunity when completing the questionnaire to provide feedback and comments on issues not directly related to the policy. These comments have been collated and passed on to the relevant managers in the department.

2.11. Some very positive comments included:

“There has to date been a reliance on procedure and uniformity in measuring and assessing risk. This must be redressed to allow for individuals to take risks, and to explore life choices that demonstrate risk and sometimes there will be accidents and risk that will result in injury. This is about allowing people to live fulfilled lives, and to make mistakes rather than be protected from every whim and consideration”

“As I read through the document I found the various definition of terms very useful”

“I am glad that social workers will get support . They have a hard job and receive a lot of criticism and they need support from their employers”

Comments from the workshops included:

“The session has been very informative for me”

“People sometimes want to take risks to be able to work”

In addition there were some challenging comments:

“I think is a good idea to empower people and give everyone more choice - but I doubt if there is enough money in the care pot to cover everyone who needs it without some creative and innovative methods being investigated with some urgency”

“Personalisation will not be achievable unless there is a major change in service provision”

3. Finance

3.1. The policy will be applied within the current context of eligibility for Community Care Services (Fair Access to Care Services) and will therefore not have an impact on the Community Care budget.

3.2. Delivery of the policy will be achieved within the context of the overall implementation of Self-Directed Support and the training budget for Adult Services.

4. Performance

4.1. The development and implementation of a policy to promote independence and choice supports Adult Services Risk Policy and the County Council's Corporate Risk Strategy and will contribute to the Corporate Risk Assessment. The development of this policy has been identified as a requirement in the Strategic Risk Assessment for Care Management.

- 4.2. The approval and implementation of this policy will have a direct impact on outcomes for people who use Adult Services in Hampshire and consequently has a positive impact on the performance of the Council.
- 4.3. The policy is innovative and 'leading edge' nationally and is further evidence of the County Council's role as a national leader in Personalisation. In particular this policy will support the delivery of better outcomes for people through greater 'Choice and Control' over the decisions they make to enable them to live independently with support.
- 4.4. Successful implementation of the policy will be dependent upon the skills, competence and confidence of the workforce when working with service users to support choice and manage risk. It is recognised that sound decision making, which is evidenced through recording of the decisions made and the rationale for those decisions, based on all the information available, is essential to the provision of high quality and safe services which promote independence and self-determination whilst protecting people who are vulnerable when this is necessary. This process of sound decision making is defined in the policy as "defensible" decision making, that is decision making which may be judged to be sound professional judgement, which is reasonable in the circumstances, whatever the outcome.
- 4.5. A programme for the training and development of staff, including operational managers who have accountability for front line practice, is already underway and has been agreed as a mandatory requirement for all staff involved in the direct support of Service Users and Carers. In recognition that Social Work is the key profession for the delivery of social care in Adult Services, development of the workforce in this area will directly support Social Workers in their professional accountability and in compliance with the General Social Care Council codes of practice for employers and Social Workers.
- 4.6. Current mechanisms for monitoring, audit and dissemination of learning are being reviewed to ensure a focus on this area of practice and that continuing development of the workforce is supported.

5. Other key issues

- 5.1. The roll out of Self-Directed Support in 2010, alongside the other pillars of the Hampshire Model, and improvements in procedures around quality assurance including the Quality Outcomes Framework are dynamic developments which will take shape in the next 1 – 5 years. In particular, changes which require market development and quality assurance systems e.g. for non-regulated care, are at an early stage and will need to be considered in the context of the provision of safe and high quality services. It is therefore recognised that any policy around supporting positive choice needs to be a dynamic policy which is regularly reviewed and is able to take account of, as well as informing, future changes. The policy draft has been updated during the consultation period and it is therefore proposed that the policy will be reviewed one year from implementation.

6. Future direction

- 6.1. This policy is initially aimed at staff in Adult Services who support people to manage their own support through Self-Directed Support, or who commission services and equipment through traditional service models including Care Management, Occupational Therapy and Sensory Services. Work continues with Adult Services Provider Services to ensure a consistency of approach to supporting positive choice can be achieved and this work will continue in 2010 - 2011
- 6.2. Work is continuing to establish agreed joint principles for a policy to promote independence and choice with partner agencies, particularly with Hampshire Primary Care Trust (NHS Hampshire) and also with Hampshire Partnership Foundation NHS Trust, with whom we provide integrated Mental Health and Learning Disability services, and with whom we hope to develop further integration in the future. Positive and helpful responses to the consultation were received from NHS Hampshire and from the Strategic Commissioning Director for Mental Health. Work will be carried out to establish support for the principles of the policy to promote independence and choice at Trust board level, and to ensure that the principles of the policy are supported in all multidisciplinary assessments carried out by front line teams whether integrated or working within a multidisciplinary framework.

7. Recommendations

- 7.1. That Cabinet approves the implementation of a policy to promote independence and choice in Adult Services

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Permission to consult on the implementation of a policy to promote independence and choice	<u>Reference</u> 825	<u>Date</u> 28 th September 2009
Direct links to specific legislation or Government Directives		
<u>Title</u> Department of Health Practice Guidance: Independence, choice and risk: a guide to best practice in supported decision making		<u>Date</u> May 2007

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. An overall Equalities impact assessment has been carried out. This highlights that the implementation of the positive risk taking policy offers benefits across a wide range of groups in terms of increased equity, choice and control. The assessment highlighted the need for the implementation plan to include assessments to ensure that all current and potential service users are communicated with effectively. The assessment also highlighted the need to ensure that adult services staff who will be working with the policy will need access to training and development in positive risk assessment. These areas will be addressed in the implementation plan. Training has now been commissioned for 2010 - 2011 and will be given a high priority for future planning.

2. Impact on Crime and Disorder:

- 2.1. The proposals in this report have no proven impact on the prevention of crime.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

No impact has been identified.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The approach to implementation has not considered the need to adapt to climate change in detail, however this will be taken into account in detailed planning.