

REPORT TO: Healthy Halton Policy & Performance Board

DATE: 13th January 2009

REPORTING OFFICER: Strategic Director, Health & Community Directorate

SUBJECT: Review of Direct Payments Policy & Procedure

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To present to the Healthy Halton PPB the Executive Board Sub Committee Report of 18th December 2008 of a review of Direct Payment Policy and Procedure for comment. The report is attached as Appendix A.

2.0 RECOMMENDATIONS:

(1) That Healthy Halton Policy and Performance Board note and comment on the contents of the report and the three options presented for consideration.

3.0 SUPPORTING INFORMATION

3.1 Healthy Halton PPB received a report on 10th June 2008 on proposals for some changes to the Direct Payment Policy and Procedure. Since then further consultation has taken place across the Borough on proposed amendments to the Direct Payments Policy. These are :

- An eligibility criteria to determine the rate of which Direct Payments (DPs) will be set based on best practice practice.
- Changes introduced by the Mental Capacity Act 2005.
- Proposals to include payroll charges in set up costs given the growth of personal assistants (PA's).

3.2 This report was presented to Executive Board Sub Committee on 18th December and it was recommended that Healthy Halton PPB had an opportunity to scrutinise in detail the amendments.

3.3 The overall thrust of the report is to ensure that there is a clear eligibility criteria for those people seeking Direct Payments.

- 3.4 It also seeks to address the historical situation whereby different service users have received different payments. The report sets out a number of options to address this. Appendix B gives detailed results of the consultation on changes for new and existing Direct Payment service users.

4.0 POLICY IMPLICATIONS

The proposed amendments seek to ensure clear criteria are available which sets out eligibility for Direct Payments and the level at which they should be set. The policy supports the Personalisation agenda by promoting choice and control.

5.0 OTHER IMPLICATIONS

None identified.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

At this time, the proposal covers Adult Social Care Services only. The DP Team currently provides services to sixteen Children via a SLA with Children and Young People's Directorate.

6.2 Employment, Learning & Skills in Halton

The proposal would ensure DP hourly rates reflect the cost of service and that local services to meet local need can be developed with care staff employed by the service users either via an agency or as PAs.

6.3 A Healthy Halton

The proposal clearly demonstrates the Council's commitment to promoting the service user's independence, health, well-being and choice and inclusion through receipt of Direct Payments, as well as ensuring value for money.

6.4 A Safer Halton

None identified.

6.5 Halton's Urban Renewal

None identified.

7.0 RISK ANALYSIS

- 7.1 Any reduction from the complex rate of £11.35 to the standard rate of £9.35 could result in service users needing to reduce their PA's hourly rate of pay or top up contributions themselves to either a PA or an agency. The delayed introduction of these new arrangements for existing service users, could reduce transitional difficulties. Some service users and carers may continue to express their dissatisfaction at a rate cut for care and social activities which are on review are not considered complex. The Council will need to ensure that they have ongoing dialogue with existing direct payment service users during the implementation phase and to monitor any future impact on care and services.
- 7.2 To date, all service users when paid at the average agency rate of £10.70 top up the funding privately or if employing social activity providers, where required, to employ their preferred provider.
- 7.3 By including payroll costs in start up costs and, if required, thereafter for Direct Payment recipients who employ PA's directly, potential difficulties and debt, in relation to tax and national insurance payments could be avoided. DP recipients, and in the future, Individualised Budgets recipients, could thereby employ a PA directly to meet their support needs, which is consistent with the Government's directive to promote the uptake of Direct Payments and Individualised Budgets.

8.0 EQUALITY & DIVERSITY ISSUES

- 8.1 All service users who choose to have their support needs met via DPs will have sufficient funds to access the services that they have been assessed as needing. It would also introduce consistency across all community-based services. The continued presence of the complex rate of £11.35 would allow for complex needs to be met, with the introduction of DP criteria providing consistency.
- 8.2 If a Payroll Service is not funded for DP recipients who employ PAs directly, inequality would be created with service users from other neighbouring and nationwide Local Authorities.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

- 9.1 There are no background papers under the meaning of the Act.