Social Care (Self-Directed Support) (Scotland) Bill

Stirling and Clackmannanshire Council (Joint Social Services)

Are you generally in favour of the Bill and it's provisions?
Yes.

What are your views on the principles proposed?
We are very much in support of the roll out and principles of SDS and personalisation. We have some reservations about the introduction of statutory duties in relation to SDS and the timescales for implementation (in relation to the ten-year time span for implementation of the national strategy). We welcome the resource made available to support the implementation of SDS but question whether this is sufficient. We are however, committed to making best use of the opportunity and the provisions in the legislation to drive forward positive change.

What are your views on the four options for self directed support proposed in the Bill?
We agree that the range of options is appropriate but consider that it will not be possible to make available all options for everyone without a lengthy process of implementation. Fully developing the four options will require work at a range of levels - commissioning strategies; development of the market (internal and external providers); support and information services; awareness raising with service users and carers and with key staff (including health staff) to support the different options. A significant level of business support will be required to support the delivery of the four options.

Do you have any comment on the proposal that the self-directed support options should be made available to children and their families, together with the proposal that the degree of control a child may have over the process should vary with age?
We are in agreement with this proposal. Chronological age may be a crude measure in terms of determining whether a child should have a degree of control over the SDS process.

Are you satisfied with the provisions relating to the provision of information and advice, together with those concerning the support that should be offered to those who may have difficulty in making an informed decision?
Effective support and safeguards are required at a local level to support this (this has significant resource implications). We have some concern that making decisions on the options may be stressful for service users.

Are you satisfied that the method for modernising direct payments in the Bill will result in the change that the Government seeks?
We consider this to be an appropriate method and agree that flexibility is required.

Do you have any views on the provisions relating to adult carers?
We are in agreement with the provisions, but consider that there is a need for clarity in relation to the distinction between services for the carer and for the service user e.g. respite care.

There is a need to ensure that carers are supported when care arrangements break down. Carers can be put under considerable stress when managing direct payments and care arrangements (e.g. when a carer cancels at short notice). The arrangements under each of the options must ensure that carers are not left to deal with this situation on their own.

**Do you agree with the approach taken by the Scottish Government not to place restrictions on who may be employed by an individual through the proposals in the Bill?**

We are in broad agreement with this approach. This level of flexibility is required if SDS is to “work”. We do however recognise that there will be a need for clear guidance in relation to this to ensure that individuals are safeguarded, not subject to any undue pressure, and that employment legislation is adhered to.

**Do you have any views on the assumptions and calculations contained in the financial memorandum?**

There will be long terms costs and implications, particularly in terms of support to service users and carers. Recognition that when this approach is embedded costs will reduce (e.g., implementation costs). The differential between traditional services and services provided e.g., through a direct payment are not likely to be significant but there should not be an assumption that SDS will enable reduction in the costs of care packages - this poses a significant reputational risk.

**Are you satisfied in the assessments that have taken place in regard to these matters and in the conclusions reached by the Scottish Government?**

Yes, but would highlight the way in which limited of providers may restrict range of options.

**Do you have any comments on any other provisions contained in the Bill that you wish to raise with the Committee?**

No response.

Stirling and Clackmannanshire Council (Joint Social Services)
24 April 2012