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

In Control Scotland

1. Are you generally in favour of the Bill and its provisions?

Despite some previous ambivalence about the effectiveness of legislation in facilitating cultural change, in Control Scotland is strongly in favour of the Bill and its provisions (along with the associated policy memorandum and explanatory notes) which we believe will provide further impetus to support change and the move to consistently implement a sustainable system of self directed support in Scotland.

2. What are your views on the principles proposed?

In Control Scotland is supportive of the principles described. In addition, however,

- we feel that the legislation (and/or supporting documents) should make some reference to the helpful overarching notion of an individual budget as the amount of funding that a person is entitled to and which they can direct, using any of the four options described below.
- We also feel that it is essential that the principle that individuals and families should be informed of the funding that is available, firstly as a transparent indicative allocation and then as an approved amount of funding is included as element of a system of self directed support, irrespective of the mechanism the person chooses (i.e. It should be really clear that this is expected for everyone not just if the person chooses to take a direct payment) On this basis, we would argue that the indicative allocation available to people is provided prior to the discussion and explanation about the different mechanisms as this may be taken into account by the person when deciding how they intend to direct their support. As a general point, however, we feel that everyone should have information about the approved allocation available as this is needed to influence decisions about how arrangements can be reviewed and changed.

3. What are your views on the four options for self-directed support proposed in the Bill?

In Control Scotland feels that the four options described are all reasonable, appropriate, and legitimate, though we would suggest that option 3 is described differently to more clearly articulate that it is still intended that the person influences and directs how, when and by whom they receive support, even when it is arranged by the local authority. We also think that option 2 should more wholeheartedly embrace the description of this option as an’ Individual service fund’ as this term now has wider understanding and usage.

4. 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 feel that the proposal to make the self directed support options available to children, young people and their families is very important and an as yet underdeveloped option in Scotland. We think it reasonable and relevant that the degree of control a child may have over the process should vary with age.

5. 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?

Yes

6. Are you satisfied that the method for modernising direct payments in the Bill will result in the change that the Government seeks?

Yes, as long as the focus on flexibility of spend to achieve outcomes is also emphasised

7. Do you have any views on the provisions relating to adult carers?

in Control Scotland feels that this is a step in the right direction, though would prefer to see this as one of the duties identified rather than a power.

8. 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?

Yes, this seems reasonable and consistent with the aspirations of the legislation

9. Do you have any views on the assumptions and calculations contained in the Financial Memorandum?

We recognise the difficulty in accurately projecting the costs of effectively implementing a sustainable system in particular in identifying bridging costs. We would note that is likely that some of these costs will continue beyond the current spending review. We welcome the funding that has been identified so far to implement the strategy

10. 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

11. Do you have any comments on any other provisions contained in the Bill that you wish to raise with the Committee?
No, main points other than agreement are raised in the answers to questions 2 and 3 above.

In Control Scotland
24 April 2012