Local Government and Communities Committee

Scrutiny of the Draft Budget 2017-18

Submission from Inclusion Scotland

Scotland is a national network of disabled peoples' organisations and individual disabled people. Our main aim is to draw attention to the physical, social, economic, cultural and attitudinal barriers that affect disabled people's everyday lives and to encourage a wider understanding of those issues throughout Scotland. Inclusion Scotland is part of the disabled people's Independent Living Movement.

Inclusion Scotland welcomes the opportunity to provide evidence to the Local Government and Communities Committee’s evidence on the draft Budget 2017-18. This brief submission concentrates on the first two questions in the call for evidence, and specifically the impact of budget reductions on the provision of social care for disabled people.

Social Care is an investment that provides the essential support that can enable disabled people to participate in family, community and economic life. Without such support, disabled people and other social care users cannot enjoy their human rights on an equal basis to non-disabled people.

Article 19 of the United Nations Charter on the Rights of Disabled People (UNCRPD) establishes that disabled people have a fundamental right to independent living and inclusion in the community, including access to a range of in-home, residential and other community support services.¹

Disabled people have defined Independent Living as: “Disabled people of all ages having the same freedom, choice, dignity and control as other citizens at home, at work and in the community. It does not mean living by yourself or fending for yourself. It means rights to practical assistance and support to participate in society and live an ordinary life”.

Question 1: We want to hear your views on the impact of budget reductions to date on local services, etc

1.1 Inclusion Scotland has frequently highlighted the crisis in social care which has seen the focus moved to meeting only critical and substantial (i.e. life and limb) need. It can mean disabled people effectively being prisoners in their own homes – dressed, washed, fed and toileted but unable to go out to meet friends or family to take part in social activities. Well-intended principles of choice, control and dignity that underpin health and social care integration and self-directed support are being undermined by cuts to social care packages.

1.2 Inclusion Scotland is aware of a number of proposals and policies by local councils that will directly impact on the provision of social care services for disabled people. Examples include:

- Internal Guidance on Adult Social Care Assessment, Planning and Costing issued by the City of Edinburgh Council which seems focussed on cutting costs rather than meeting the needs of service users. Professionals are asked to use their judgment and experience to “help find solutions to care needs and achieving personal outcomes where possible at reduced cost.”

- A review of community care by Perth and Kinross Council that proposes that if an assessment shows that a social care client requires support to live safely in the community that will cost the equivalent of an appropriate care home placement plus 10% that person will be offered a placement on a suitable care home of their choosing. In addition to being contrary to the General principles of the Social Care (Self-directed Support) (Scotland) Act, the Public Bodies (Joint Working) Act, and the national Health and Wellbeing Outcomes, Inclusion Scotland believes that such an approach may lead to disabled people either not receiving the level of social care support they are assessed as needing, or not requesting a social care assessment for fear of ending up in a home.

- Despite receiving a payment of £184,000 from the Scottish Government towards reducing the cost of social care charges, Dumfries and Galloway have reduced the income threshold for those under 65 from £177 to £135 a week and increased the income taper form 55%-65%. Whilst this in line with COSLA guidance, it means that disabled people in Dumfries and Galloway are being asked pay more for their social care to pay for cuts in the Council’s budget.

1.3 Inclusion Scotland is aware that these are just examples of changes to social care that are affecting disabled people across Scotland

1.4 The recently published report by the Accounts Commission on Social Work in Scotland confirms that, despite a real terms increase in social work spending of 3% since 2010/11, most councils now only provide services to people assessed as being in “critical and substantial risk”. In addition, some councils have limited the level of service they provide, including reducing the length of carer worker visits.

1.5 The Accounts Commission estimates that Councils were managing a social work budget overspend of £40m and have proposed cuts in social work budgets of £59m. In addition, by 2019/20 Councils will need to meet additional cost to meet the living wage for social care workers of £199m and the costs

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2 S2(b) that the person’s right to participate in the life of the community in which the person lives is to be respected.
3 S4 and S31 (v) respects the rights of service-users, (vi) takes account of the dignity of service-users, (vii) takes account of the participation by service-users in the community in which service-users live.
5 http://www.audit-scotland.gov.uk/report/social-work-in-scotland
associated with implementing The Carers (Scotland) Act (£72 - £83m) and The Children and Young Persons (Scotland) Act (£98m).

1.6 These budget pressures are in addition to the likely increase in demand for social care services as a result of an aging population of between £141-£287m for the over 65s alone.

1.7 Whilst the Scottish Government has allocated an additional £250m towards social care for Health and Social Care Integration (HSCI), this is not even adequate to meet the existing overspends and cuts in social work budgets and the costs of introduction the living wage.

1.8 Inclusion Scotland is also concerned about the message that is sent that allocating this additional funding for social care through health boards rather than social work authorities. Disabled people have regularly expressed to us their concerns that HSCI will lead to social care becoming an extension of the health service rather than supporting independent living.

1.9 We are concerned that the focus of HSCI has been reducing bed-blocking and unnecessary admissions to hospital, and that the additional £250m will be directed toward these health objectives, rather than to give disabled people of all ages having the same freedom, choice, dignity and control as other citizens at home, at work and in the community and the practical assistance and support they need to participate in society and live an ordinary life.

1.10 It is unclear how this additional funding for social care will be tracked to ensure that it is used to enhance social care.

1.11 Funding for Third Sector organisations, including Disabled People’s Organisations (DPO), has been falling in real terms over a number of years putting increasing pressure on their ability to carry out their core functions. In addition to direct provision of services, DPOs help their members to play a fuller role in their communities by providing peer support, advice and advocacy services, training and capacity building. They also provide a representative role ensuring the voice and lived experience of disabled people is heard by decision makers.

1.12 However, many of these services are threatened by changes to the way that some local authorities provide support to the third sector together with the increased use of tendering for the provision of services, which disadvantages smaller locally based and user led organisations compared to larger national organisations. In some cases, user led services such as advocacy services designed to meet the specific needs of some service users, for example mental health or learning difficulties, are being replaced by more generic services.

1.13 Inclusion Scotland has previously highlighted concerns about the reduction in the number of registered Mental Health Officers (MHOs). MHOs provide an important safeguard when compulsory measures of care are being considered. The Mental Welfare Commission has highlighted an increased used of
compulsory measures and an increased frequency when these measures are applied without a report from an MHO.⁶

1.14 At the same time, as social care budgets have been squeezed, the focus has moved to meeting only critical and substantial need. This has left many people with lower level mental health issues without the support they need to prevent their condition deteriorating to the point where they need crisis intervention. This has also affected strategies for dealing with other issues such as behaviour that can impact on a housing tenancy.

1.15 Support to third sector organisations that provide support, services or advocacy to people with mental health, has also been cut, reducing further the support available to them in the community.

Question 2: We want to hear your views on the extent to which local authority spending decisions prioritise funding for policies that are likely to reduce inequalities.

2.1 Disabled people have already been disproportionately affected by the UK Government’s benefits cuts. They are now also being asked to meet an unequal burden towards meeting local council budget reductions.

2.2 As highlighted above, social care is part of the essential infrastructure that is required to enable disabled people to participate in family, community and economic life. And enjoy their human rights on an equal basis to non-disabled people. Cuts to social care packages, whether as a result of higher eligibility criteria or reductions in the level of service provided, directly impact on disabled people’s rights, and therefore increase rather than reduce inequalities.

2.3 At the same time, disabled people are being asked to pay more for their social care through care charges that have been increasing well above inflation in recent years. Scottish Government figures show that over the last three years, care charges throughout Scotland have risen on average by 12%. Increases by some local authorities have been far more than that.

2.4 Disabled people are being forced into poverty as charges for social care rise. Social care is essential for equality and human rights. Charging for support equates to asking some people (who receive social care) to pay more money than anyone else to achieve the same basic human rights and to participate in their communities.

2.5 Disabled people have consistently told Inclusion Scotland that charging for social care is akin to charging for Health services. Charging for support equates to asking some people (who require social care) to pay more money than anyone else to achieve the same basic human rights and to participate in their communities. Disabled people are being forced into poverty as charges for social care rise.

2.6 The voice of disabled people continues to be under-represented in public policy and decision making. Disabled People’s Organisations (DPOs) – organisations that represent disabled people, are run by disabled people and are directly accountable to them – are losing support and funding.

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