

Report

Report to:	Social Work Resources Committee
Date of Meeting:	2 June 2021
Report by:	Director, Health and Social Care Executive Director (Finance and Corporate Resources)

Subject:	Self-Directed Support - Direct Payments Monitoring Review
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ update the Committee on the requirements for additional resource to monitor and review direct payments (SDS option 1)
- ◆ to recognise the need for additional governance and oversight by the Council in relation to the monitoring and control of direct payments
- ◆ set out proposals to strengthen the leadership, governance and management arrangements to support the delivery of Self-directed Support

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Committee approves the report;
- (2) that the changes and additional posts are added to the establishment as outlined in Section 4.1; and
- (3) that the funding outlined to meet the service demands and the re-alignment of existing resources be noted.

3. Background

- 3.1. The council currently pay-out approximately £7m annually to supported persons and carers who have chosen SDS option 1 - Direct Payments. This sum will increase in future years as more people exercise this choice. Direct payment agreements include a requirement for the council to monitor and review the payment at specific periods.
- 3.2. The Statutory guidance to accompany the Social Care (Self-directed Support) (Scotland) Act 2013, states that each authority should consider the relevant CIPFA guidance on financial monitoring of direct payments. The CIPFA guidance provides advice on efficient, effective and proportionate monitoring arrangements, focused on outcomes and further recommends a collaborative and co-ordinated social work and finance approach to monitoring direct payments.
- 3.3. There are two distinct types of monitoring arrangements necessary: welfare monitoring (ensuring that the supported person's needs are being met), and; financial monitoring (proportionate steps to satisfy that public funds are spent in line with the assessment, support plan and supported person's agreement).

- 3.4. Historically, social work practitioners have had the responsibility of managing a person's assessment, support plan and review. This responsibility has included the financial review and monitoring of the direct payment. Evidence and audits to date have shown that the governance and monitoring of direct payments are not being consistently reviewed in line with existing policy and procedures. This is in part due to the competing demands on social work frontline staff, which has impacted on the capacity to complete the financial review of Direct payments. In addition to this, it is recognised that there is a knowledge and skills gap across frontline social worker staff in carrying out this task confidently. Furthermore, as "completed" cases are transferred from the Lead Worker to a 'care coordination' system, there is reduced ability to oversee direct payment cases and required monitoring arrangements.
- 3.5. Structural and staff changes within the Council have also created an unintended consequence to direct payments and compounded the challenges with regards to existing knowledge and expertise. Frontline staff have basic support and guidance on finance related activities and issues, however this is not deemed sufficient in itself to fully discharge all the necessary duties review role required.
- 3.6. The challenges of monitoring and reviewing direct payments has resulted in potential overpayments to supported persons, as well as a limited visibility over excess funds building up in direct payment accounts, which, if identified through a review, should be returned to the public purse. Early work has already demonstrated that where there has been increased oversight of cases, then the potential to accrue funding back into the budget for redistribution to other areas of need is achievable. This work has been tested on a limited basis by the SDS Team and Finance staff.
- 3.7. In light of this, it has been considered that the monitoring and review of direct payments should therefore be the responsibility of the existing SDS Team, who would work collaboratively with fieldwork colleagues, and provide a more forensic support and audit activity incorporating a framework based on the CIPFA monitoring matrix.
- 3.8. The SDS Team consists of a Fieldwork Manager (SDS Lead, as well as a Finance Officer and Team Leader post). The team lead on all aspects of SDS legislation, developments in practice and process, including finance and operations, as well as ensuring full compliance, quality, monitoring and control mechanisms are in place.
- 3.9. There has to be an increased focus on financial governance in transparency and protection of public monies which should be at the forefront at this time. COVID has also brought many challenges and an agreement from Scottish Government to continue to pay direct payments to supported people and their carers has continued over the past year. This has required a more responsive and flexible use of direct payments, as many supported persons have had to try and meet agreed outcomes in different ways due to the closure of day centres and restrictions on community-based activities. With this flexibility, comes added responsibility for the authority to ensure the payments are monitored and reviewed accordingly.
- 3.10. Direct Payments Monitoring
The Table in 4.1 sets out a proposal to establish new posts within the SDS Team to take forward all aspects of Direct Payment reviews in collaboration with social work staff. The additional resource will come from the re-alignment of current staff and the establishment of two new SDS posts. An SDS Adviser role, with a responsibility to oversee the direct payments function as well as continue to lead, develop and provide an advisory role on all related SDS requirements. This will provide additional

professional capacity, leadership, and knowledge within the current social care part of the integrated management arrangements as well as ensuring a robust approach to quality assurance, audit, review, and continuous improvement. The team will be directly managed by the SDS Lead Officer.

4. Employee Implications

- 4.1 The posts outlined below should be added as permanent posts on the establishment as detailed below.

Post	Proposed Number of Posts (FTE)	Grade	SCP Range	Hourly Rate	Annual Salary	Gross Cost inc. on costs 30.3%	Total Costs
SDS Adviser	0.8	G4 L2 - 5	82 - 88	£23.92 - £26.18	£34,849 - £38,220	£45,502 - £49,800	£45,502 - £49,800
SDS Assistant	1	G2 L3	46-48	£14.05 - £14.48	£25,640 - £26,425	£33,409 - £34,432	£33,409 - £34,432
Total Costs							£78,911 - £84,232

5. Financial Implications

- 5.1. It is anticipated that the costs of the posts will be offset by the recovery of excess funds through the effective review of direct payments. A recovery of 5% of the value of Direct Payments, currently circa £350,000 is anticipated. The costs of the posts above will be met from the recovery of funds, and £0.250m of recovery has been targeted within the IJB budget for 2021/22. A recovery of surplus payments will occur on an ongoing basis and provides a substantive funding solution for these posts.

6. Climate Change, Sustainability and Environmental Implications

- 6.1. There are no Climate change, Sustainability or Environmental Implications associated with this report.

7. Other Implications

- 7.1. The proposal outlined in this report will assist in reducing the potential risks to the council and ensure greater governance of public monies. It will also ensure any issues arising such as potential mis-use of public monies are highlighted at an early stage allowing appropriate actions to be taken to protect the council and supported persons and carers. Furthermore, any funding recovered can then be re-distributed to other areas of need.
- 7.2. The provision of the additional resource will ensure the ethos of SDS is embedded in practice with parameters to influence the implementation journey and full compliance with SDS legislation and statutory guidance.
- 7.3. There are no sustainable development issues associated with this report.
- 7.4. There are no other issues associated with this report.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

Val de Souza

Director, Health and Social Care

Paul Manning

Executive Director (Finance and Corporate Resources)

24 May 2021

Link(s) to Council Values/Objectives

- ◆ Deliver better health and social care outcomes for all
- ◆ Protect vulnerable Children, Young People and Adults

Previous References

- ◆ none

List of Background Papers

- ◆ Scottish Government: Statutory Guidance to accompany the Social Care (Self-directed Support) (Scotland) Act 2013
- ◆ CIPFA Self-directed Support: Direct Payments – A Guide for Local Authority Finance Managers

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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