

Barnardo's Scotland's Briefing: Social Care (Self-directed Support) (Scotland) Bill – Stage One Debate

Barnardo's Scotland is in favour of the general principles underlying the Bill. We believe that people have the right to control and choice in all aspects of their lives, especially when choosing what care they receive and how they receive it. However, we have concerns about the timescales, funding and training/support requirements for making the transition to SDS, as detailed below.

1. There has not been enough evaluation of the evidence of SDS for children and young people

We are concerned that there has not been sufficient examination of the implications of self-directed support when relating to children and young people. In the SDS pilots, only a very small minority of the case studies reviewed in the evaluation of the programme related to children. There needs to be much more comprehensive evidence gathered regarding children and SDS to ensure that it can be delivered in a way that takes account of the needs and capacities of children and young people. The Scottish Government should consider a longer lead in time for implementing this section of the Bill until comprehensive evidence has been gathered and a full analysis of pilot programmes has been completed on SDS for children and young people.

2. Getting the assessment process right is crucial to the success of self-directed support.

It is essential that children, young people and families are involved in every aspect of their assessment. This should also tie in with the children's rights principles that are central to the proposed Children and Young People Bill.

3. Provision of advocacy services.

The new SDS proposals will create a greater need for advocacy services to support people with disagreements with decisions by the council and disagreements with service providers. A right to independent advocacy, along the lines of that in the **Mental Health (Care and Treatment) (Scotland) Act**, should be included in the bill. However, it is not clear who will provide these advocacy services and how they will be funded. We are concerned that there will not be enough independent advocates available to people moving or wanting to move on to SDS.

4. SDS should not be used as a cost cutting exercise.

It is essential that local authorities ensure that recipients receive the equivalent level of funding to afford the same level of service they would receive from commissioned services. We are also concerned that the year-on-year value of recipient's budget will decrease in real terms, if budget

rises do not increase inline with the price/cost of services. Service users will need to be protected from yearly price increases.

- 5. Assessments for services and support should always be outcome focused and never resource led.** If decisions become resource led then there is a great chance of creating a dichotomy between 'quality' and 'quantity' as children, young people and their families' are forced to take lower cost services in order to receive the quantity of support they need. This could also put specialist services at risk, as if families can not afford them then the services will become unsustainable.
- 6. Sufficient funding to support SDS.** Barnardo's Scotland is concerned that, depending on how quickly people move over to new funding options, there will be insufficient funding leading to significant waiting lists for direct payments. A lot of local government funding is currently tied up in services delivered under contract and difficult to withdraw quickly. We would have concerns if local authorities were to withdraw funding from commissioned services too quickly as this could seriously undermine the service and affect users.
- 7. Ensuring a diverse and fair market place for service users is critical.** The move towards SDS will create a market, which will allow the emergence of much stronger private forces, both larger organisations and much smaller one-person operations. Many private organisations are better positioned to advertise within the 'social market place' and to provide low cost basic support packages. The Government, as far as possible, needs to ensure that all providers deliver a guaranteed level of support and service based on the assessment and outcome needs of those they are supporting. The Bill should include a duty on local authorities to support, sustain and promote a diverse market enabling choice for individuals and sustainability for providers.
- 8. SDS legislation could lead to a postcode lottery of support and service delivery across Scotland.** There is no indication in the proposed legislation for timescales for full implementation. By leaving timescales open some local authorities may take considerably longer than others to introduce the new system, which would exacerbate the postcode lottery effect. Barnardo's Scotland would like the Scottish Government to consider introducing an agreed timetable for implementation.
- 9. There needs to be robust oversight of the implementation of SDS.** We would like the Scottish Government to clarify what oversight there will be across the local authorities to ensure that SDS is being implemented as envisaged by the Government. What sanctions will be imposed on those local authorities deemed to be failing?

- 10. Ensuring children and families have the knowledge and information needed is crucial in order to make this system work.** Information must be given in good time, be as clear as possible and allow children and families to make informed decisions.
- 11. There must be training/support for budget holders.** There is currently no provision in the Bill to support this. We are concerned that families will be awarded substantial amounts of money without the perception and understanding of the value of that budget. What will happen to those families that spend their budgets before the end of the financial year? How will local authorities/services support them?
- 12. Supporting and training for social workers in SDS is paramount if this system is to work effectively.** There is little said in the legislation, about such training. The role of the social worker in facilitating the personalisation agenda with children, young people and their families is one that will carry significant influence and power. This relationship must be viewed as a partnership. Social workers should be given training that supports both the functions and the spirit of personalisation and self-directed support.
- 13. Barnardo's Scotland believes that the Scottish Government should consider developing a Register of all Carers and Personal Assistants.** It should be a condition of funding that only those listed on such a register can be eligible to be employed by families and children, particularly when working directly with children. The Scottish Government should consider looking at ways of expanding the Scottish Social Services Council (SSSC) Register to fulfil this role. We also believe that those that are employed by individuals to carry out care and support must be on the PVG register if they are working with children and young people.
- 14. The Bill should facilitate a cultural shift towards an asset-based, community wide approach to delivering services.** We believe that there are substantial untapped resources within communities throughout Scotland that could be utilised to support people. We would like to see the Scottish Government undertake a substantial community mapping exercise, which would identify community resources and assets across Scotland. The findings should be disseminated widely to support service planning and delivery.