

## Community Services Business Transformation Programme

<b>Title of Report</b>	Explanation of the Council Cabinet Decision on TRASC Programme.
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### 1. Background

The Council's Cabinet Committee considered a report on the TRASC programme on the 25<sup>th</sup> October 2010.

The decisions asked for were to agree the overall move to Personal Budgets as Council policy for delivering adult social care, with some specific recommendations around the principles to be used in some key policy areas.

The report below sets out the decisions and some interpretation of them. Most of the content is drawn from the Cabinet report itself which is available here: -

<http://mginternet.hackney.gov.uk/mgConvert2PDF.aspx?ID=11130>

Though this is now policy, bringing it to life will take a long time and is not a simple process. We are now implementing Personal Budgets for adult social care, but the different elements take time to come together.

The cabinet report does, however, provide a framework to build on.

If you require further clarification or want to discuss the content, please comment through the programme blog at <http://hackneytrasc.wordpress.com/> or contact the programme office.

### 2. Decisions

They agreed to: -

- I. Extend free of charge Reablement services to people who would benefit from it in all of the groups who use care services (i.e. to extend it to people with learning disabilities or mental health problems)**
- II. Implement Personal Budgets as the Council's policy for adult social care**

In agreeing to implement Personal Budgets, they also agreed the following: -

- III. Using a Resource Allocation System to determine the approximate value required to meet someone's eligible care needs.**
- IV. The principles of what someone can spend their personal budget on**

- a) The policy will be based on Direct Payments legislation and guidance (e.g. funds must not pay live-in relatives)
- b) A personal budget must be used towards achieving certain outcomes agreed with the Council and in so doing meet underlying eligible care needs.
- c) Risk, safety and safeguarding must have been considered and the plan not cause unreasonable risk to the person or those around them
- d) The plan should not create an unreasonable risk to the Council or put the Council in a position of breaching other duties it is under.

**V. The principles of what transitional arrangements will be offered to someone who may need to change their current arrangements**

- a) People whose entitlement increases will be able to plan their support on that basis with immediate effect.
- b) People whose entitlement reduces, but are considered by the Council to be put at significant risk or distress as a result, may be able retain a higher level of service, based on individual circumstances.
- c) Others whose entitlement reduces will be supported to create a 'transitional plan' if they wish, moving from their current level to the new level over a period of no more than 3 months unless a longer period is agreed by exception.
- d) Some services are high cost because of their specialism; this will be acknowledged and taken into account when agreeing a final budget.
- e) If a provision is too expensive, not a specialist and not willing to negotiate their price, then the person would change provider or take less service.

It is important to bear in mind here that the above principles sit alongside the fact that the figure that comes from a RAS is an 'indicative budget' and may go up or down during the planning and sign-off process.

This particularly applies to direct payments, where, subject to legal advice, we will expect people to spend below their indicative budget as that budget is based on contract prices, which are higher than direct payment.

**VI. That a range of services can work with a person to create their support plan**

Support planning and 'brokerage' will be a major feature of the new roles in adult social care services at the Council. However, for those who do not want to use the Council service, we do not want people to either struggle by themselves or be taken advantage of by unregulated services. So, we are proposing the development of a 'mixed market', where the person can choose between using the Council or a range of approved

organisations working together under a shared quality framework. The Council will always decide whether a support plan can be implemented.

## **VII. The options available for the deployment of a personal budget report**

- a) Taken as a Direct Payment, in the form of a cash payment
- b) A Direct Payment managed by a third party, which in Hackney is currently either the Council or a Trustee
- c) Left with the Council, who arrange services on the user's behalf, known as a 'Managed Budget'
- d) Passed to an agreed service provider by the Council on the user's behalf, known as an 'Individual Service Fund'

In effect, we currently operate the first 3 of the above arrangements already, though the way they operate will change as a result of this agenda. The introduction of the 4<sup>th</sup> option provides an additional, efficient way of managing a personal budget which contributes to the stability of the local market of services in Hackney.

The detail of what these mean and how they operate is being explored at the moment and is also subject to final legal advice.

