

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD MERCHER, 19EG MEDI, 2018

AT: HOLL AELODAU'R PWYLLGOR CRAFFU GOFAL
CYMDEITHASOL AC IECHYD

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD
O'R PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD
SYDD I'W GYNNAL YN Y SIAMBR, NEUADD Y SIR,
CAERFYRDDIN AM 9.00 AM AR DDYDD MAWRTH, 25AIN MEDI,
2018 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR
AGENDA ATODEDIG.

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Michelle Evans Thomas
Ffôn (Llinell Uniongyrchol):	(01267) 224470
E-bost:	MEEvansThomas@sirgar.gov.uk
Cyf:	AD016-001

PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD 14 AELOD

GRŴP PLAID CYMRU – 7 AELOD

- | | | |
|----|--------------|----------------------------|
| 1. | Y Cynghorydd | Kim Broom |
| 2. | Y Cynghorydd | Karen Davies |
| 3. | Y Cynghorydd | Tyssul Evans |
| 4. | Y Cynghorydd | Jean Lewis |
| 5. | Y Cynghorydd | Emlyn Schiavone |
| 6. | Y Cynghorydd | Gwyneth Thomas [Cadeirydd] |
| 7. | Y Cynghorydd | Dorian Williams |

GRŴP LLAFUR – 4 AELOD

- | | | |
|----|--------------|-----------------|
| 1. | Y Cynghorydd | Ken Lloyd |
| 2. | Y Cynghorydd | Andre McPherson |
| 3. | Y Cynghorydd | Eryl Morgan |
| 4. | Y Cynghorydd | Louvain Roberts |

GRŴP ANNIBYNNOL – 3 AELOD

- | | | |
|----|--------------|---------------------------------|
| 1. | Y Cynghorydd | Sue Allen |
| 2. | Y Cynghorydd | Ieuan Wyn Davies [Is-Cadeirydd] |
| 3. | Y Cynghorydd | Rob Evans |

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB.
2. DATGANIADAU O FUDDIANNAU PERSONOL GAN GYNNWYS UNRHYW CHWIPIAU PLEIDIAU A RODDIR MEWN YMATEB I UNRHYW EITEM AR YR AGENDA.
3. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW).
4. ADRODDIAD MONITRO'R CYLLIDEB CYFALAF A REFENIW. 5 - 18
5. ADRODDIAD MONITRO PERFFORMIAD - CWARTER 1 - 1AF EBRILL HYD 30AIN MEHEFIN 2018. 19 - 32
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Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD 25^{ain} MEDI 2018

Adroddiad Monitro Cyllideb Cyfalaf a Refeniw 2018/19

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Bod y Pwyllgor Craffu yn derbyn yr Adroddiad Monitro Cyllideb ar gyfer y Gwasanaethau Gofal Cymdeithasol ac Iechyd ac yn ystyried y sefyllfa cyllidebol.

Rhesymau:

- I ddatgan sefyllfa bresennol y gyllideb i'r Pwyllgor ar 30^{ain} Mehefin 2018, ynglyn â 2018-19.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol er mwyn gwneud penderfyniad:
NAC OES**

Aelodau'r Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:

- Cyng. David Jenkins (Adnoddau)
- Cyng. Jane Tremlett (Gofal Cymdeithasol ac Iechyd)

<p>Y Gyfarwyddiaeth: Gwasanaethau Corfforaethol</p> <p>Enw Cyfarwyddwr y Gwasanaeth: Chris Moore</p> <p>Awdur yr adroddiad: Chris Moore</p>	<p>Swydd:</p> <p>Cyfarwyddwr y Gwasanaethau Corfforaethol</p>	<p>Rhif Ffôn / Cyfeiriad E-bost:</p> <p>01267 224120 CMoore@sirgar.gov.uk</p>
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EXECUTIVE SUMMARY

SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

25th SEPTEMBER 2018

Revenue & Capital Budget Monitoring Report 2018/19

The Financial Monitoring Report is presented as follows :

Revenue Budgets

Appendix A

Summary position for the Social Care and Health Scrutiny Committee. Services within the Social Care and Health Scrutiny remit are forecasting a £881k overspend.

Appendix B

Report on Main Variances on agreed budgets.

Appendix C

Detailed variances for information purposes only.

Capital Budgets

Appendix D

Details the main variances, which shows a forecasted net spend of £706k compared with a working net budget of £704k giving a £2k variance. The variance will be incorporated into future year's budget.

Appendix E

Detailed variances on all schemes for information purposes only.

DETAILED REPORT ATTACHED?

YES – A list of the main variances is attached to this report

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Chris Moore** **Director of Corporate Services**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

3. Finance

Revenue – The Social Care & Health Service is projecting that it will be over its approved budget by £881k.

Capital – The capital programme shows a net variance of £2k against the 2018/19 approved budget.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Chris Moore** **Director of Corporate Services**

1. Local Member(s) – N/A
2. Community / Town Council – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations – N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
2018/19 Budget	Corporate Services Department, County Hall, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

Social Care & Health Scrutiny Report
Budget Monitoring as at 30th June 2018 - Summary

Division	Working Budget				Forecasted				Jun 2018 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	
Adult Services									
Older People	56,527	-22,567	2,782	36,742	56,421	-22,068	2,782	37,135	392
Physical Disabilities	7,012	-1,367	222	5,867	7,132	-1,366	222	5,989	121
Learning Disabilities	37,268	-10,038	1,327	28,557	37,670	-10,152	1,327	28,845	288
Mental Health	9,265	-3,363	229	6,131	9,762	-3,782	229	6,209	79
Support	6,148	-2,805	963	4,306	6,150	-2,806	963	4,307	0
GRAND TOTAL	116,221	-40,140	5,523	81,604	117,136	-40,174	5,523	82,485	881

Social Care & Health Scrutiny Report

Budget Monitoring as at 30th June 2018 - Main Variances

Tudalen 10

Division	Working Budget		Forecasted		Jun 2018 Forecasted Variance for Year £'000	Notes
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000		
Adult Services						
Older People						
Older People - Commissioning	3,567	-625	3,509	-625	-58	Staff vacancies in care management teams
Older People - LA Homes	7,349	-4,436	7,401	-4,436	52	Cost of agency staff due to workforce recruitment issues in parts of the county.
Older People - Private/ Vol Homes	21,579	-11,897	21,218	-11,437	99	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows trend for demand remains at similar levels as previous financial years despite demographic pressures as preventative work continues to be effective.
Older People - LA Home Care	5,909	-431	5,779	-431	-130	Significant departmental work to monitor and manage demand by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. Recruitment is underway for vacant posts.
Older People - Direct Payments	1,156	-287	1,237	-287	81	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.
Older People - Private Home Care	9,732	-2,164	10,135	-2,164	403	There has been a significant increase in demand for domiciliary care that has only been partly offset by a fall in residential care placements. There is significant departmental work to monitor and manage demand by audit assessment practice and by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. We are currently reviewing whether this initiative requires additional resources to yield the necessary financial savings.
Older People - Enablement	2,185	-586	2,099	-586	-86	Staff vacancies - recruitment issues being addressed.
Older People - Day Services	1,123	-71	1,188	-72	64	Outstanding unmet efficiency relating to in house Day services provision from 2016-2017 £202k offset by lower spend in remaining in-house provision and placements.
Physical Disabilities						
Phys Dis - Direct Payments	2,282	-555	2,377	-555	95	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.
Learning Disabilities						
Learn Dis - Employment & Training	2,306	-888	2,055	-561	77	Shortfall in income at SA31 and Blas Myrddin
Learn Dis - Direct Payments	2,167	-526	2,369	-526	203	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.

Social Care & Health Scrutiny Report
Budget Monitoring as at 30th June 2018 - Main Variances

Division	Working Budget		Forecasted		Jun 2018	Notes
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000	Forecasted Variance for Year £'000	
Mental Health						
M Health - Private/Vol Homes	6,105	-2,573	6,608	-2,997	79	Work continuing to promote independent living and reduce cost of care packages accordingly. Client group difficult to forecast costs as demand led at short notice; forecasts are based on existing levels of packages and work is ongoing to develop alternative provision options
Other Variances - Adult Services					3	
Grand Total					881	

Social Care & Health Scrutiny Report

Budget Monitoring as at 30th June 2018 - Detail Monitoring

Tudalen 12

Division	Working Budget				Forecasted				Jun 2018 Forecasted Variance for Year £'000	Notes
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Adult Services										
Older People										
Older People - Commissioning	3,567	-625	452	3,394	3,509	-625	452	3,336	-58	Staff vacancies in care management teams
Older People - LA Homes	7,349	-4,436	930	3,843	7,401	-4,436	930	3,895	52	Cost of agency staff due to workforce recruitment issues in parts of the county.
Older People - Supported Living	91	0	0	91	91	0	0	91	0	
Older People - Private/ Vol Homes	21,579	-11,897	246	9,928	21,218	-11,437	246	10,027	99	Work continuing to promote independent living and reduce cost of care packages accordingly. Performance data shows trend for demand remains at similar levels as previous financial years despite demographic pressures as preventative work continues to be effective.
Older People - Private Day Care	27	0	0	27	12	0	0	12	-15	
Older People - Extra Care	755	0	10	765	755	0	10	765	-0	
Older People - LA Home Care	5,909	-431	344	5,822	5,779	-431	344	5,692	-130	Significant departmental work to monitor and manage demand by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. Recruitment is underway for vacant posts.
Older People - MOW's	319	-173	16	162	319	-173	16	162	0	
Older People - Direct Payments	1,156	-287	4	872	1,237	-287	4	953	81	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.
Older People - Grants	414	-203	12	223	414	-203	12	223	0	
Older People - Private Home Care	9,732	-2,164	110	7,678	10,135	-2,164	110	8,081	403	There has been a significant increase in demand for domiciliary care that has only been partly offset by a fall in residential care placements. There is significant departmental work to monitor and manage demand by audit assessment practice and by continuing to promote independent living through Integrated Care Fund initiatives such as Releasing Time to Care resulting in lower demand eg for double handed care packages. We are currently reviewing whether this initiative requires additional resources to yield the necessary financial savings.
Older People - Ssmms	1,086	-227	233	1,092	1,015	-188	233	1,060	-32	
Older People - Careline	1,236	-1,468	224	-7	1,250	-1,468	224	7	14	
Older People - Enablement	2,185	-586	106	1,704	2,099	-586	106	1,618	-86	Staff vacancies - recruitment issues being addressed.
Older People - Day Services	1,123	-71	97	1,149	1,188	-72	97	1,213	64	Outstanding unmet efficiency relating to in house Day services provision from 2016-2017 £202k offset by lower spend in remaining in-house provision and placements.
Older People Total	56,527	-22,567	2,782	36,742	56,421	-22,068	2,782	37,135	392	
Physical Disabilities										
Phys Dis - Commissioning & OT Services	619	-81	42	581	606	-81	42	568	-13	
Phys Dis - Private/Vol Homes	589	-66	6	530	601	-65	6	543	13	
Phys Dis - Group Homes/Supported Living	1,239	-160	24	1,103	1,265	-160	24	1,129	26	

Social Care & Health Scrutiny Report
Budget Monitoring as at 30th June 2018 - Detail Monitoring

Division	Working Budget				Forecasted				Jun 2018 Forecasted Variance for Year £'000	Notes
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Phys Dis - Community Support	179	0	1	180	179	0	1	180	0	
Phys Dis - Private Home Care	291	-85	0	206	291	-85	0	206	0	
Phys Dis - Aids & Equipment	995	-420	138	713	995	-420	138	713	-0	
Phys Dis - Grants	151	0	0	151	151	0	0	151	-0	
Phys Dis - Direct Payments	2,282	-555	11	1,737	2,377	-555	11	1,833	95	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.
Phys Dis - Manual Handling	8	0	0	8	8	0	0	8	0	
Phys Dis - Independent Living Fund	658	0	0	658	658	0	0	658	0	
Physical Disabilities Total	7,012	-1,367	222	5,867	7,132	-1,366	222	5,989	121	
Learning Disabilities										
Learn Dis - Employment & Training	2,306	-888	370	1,788	2,055	-561	370	1,865	77	Shortfall in income at SA31 and Blas Myrddin
Learn Dis - Commissioning	914	0	112	1,026	914	0	112	1,026	-0	
Learn Dis - Private/Vol Homes	9,759	-2,733	82	7,108	10,209	-3,171	82	7,120	12	
Learn Dis - Direct Payments	2,167	-526	0	1,641	2,369	-526	0	1,843	203	Direct Payments increasing across client groups linked to promoting independence and cost avoidance.
Learn Dis - Group Homes/Supported Living	8,604	-2,158	46	6,492	8,625	-2,158	46	6,513	21	
Learn Dis - Adult Respite Care	976	-812	111	276	965	-812	111	264	-12	
Learn Dis - Home Care Service	270	-148	0	122	270	-148	0	122	-0	
Learn Dis - Day Services	3,577	-389	391	3,579	3,596	-409	391	3,579	-0	
Learn Dis - Transition Service	521	0	85	606	521	0	85	606	0	
Learn Dis - Community Support	2,238	-154	17	2,101	2,223	-154	17	2,086	-15	
Learn Dis - Grants	290	-20	3	273	290	-20	3	273	-0	
Learn Dis - Adult Placement/Shared Lives	2,881	-2,210	60	731	2,867	-2,194	60	732	1	
Learn Dis/M Health - Ssmss	289	0	50	338	289	0	50	338	-0	
Learn Dis - Independent Living Fund	2,477	0	0	2,477	2,477	0	0	2,477	0	
Learning Disabilities Total	37,268	-10,038	1,327	28,557	37,670	-10,152	1,327	28,845	288	
Mental Health										
M Health - Commissioning	841	-69	66	839	841	-69	66	838	-0	
M Health - Private/Vol Homes	6,105	-2,573	51	3,583	6,608	-2,997	51	3,662	79	Work continuing to promote independent living and reduce cost of care packages accordingly. Client group difficult to forecast costs as demand led at short notice; forecasts are based on existing levels of packages and work is ongoing to develop alternative provision options
M Health - Private/Vol Homes (Substance Misuse)	136	-32	0	105	136	-32	0	105	-0	
M Health - Group Homes/Supported Living	876	-397	4	482	876	-397	4	482	0	
M Health - Direct Payments	141	-42	1	100	142	-42	1	101	0	
M Health - Community Support	537	-80	9	466	538	-80	9	466	0	
M Health - Day Services	227	-10	48	265	222	-5	48	265	0	

Social Care & Health Scrutiny Report

Budget Monitoring as at 30th June 2018 - Detail Monitoring

Tudalen 14

Division	Working Budget				Forecasted				Jun 2018 Forecasted Variance for Year £'000	Notes
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
M Health - Private Home Care	79	-27	0	53	79	-27	0	53	-0	
M Health - Substance Misuse Team	321	-132	50	239	321	-132	50	239	-0	
Mental Health Total	9,265	-3,363	229	6,131	9,762	-3,782	229	6,209	79	
Support										
Departmental Support	1,820	-157	697	2,360	1,820	-157	697	2,360	0	
Performance, Analysis & Systems	284	-40	50	294	284	-40	50	294	-0	
Adult Safeguarding & Commissioning Team	1,265	0	129	1,394	1,265	0	129	1,394	0	
Regional Collaborative	1,204	-969	0	234	1,204	-969	0	234	0	
Holding Acc-Transport	1,576	-1,638	87	24	1,577	-1,639	87	24	-0	
Support Total	6,148	-2,805	963	4,306	6,150	-2,806	963	4,307	0	
TOTAL FOR SOCIAL CARE & HEALTH SERVICE	116,221	-40,140	5,523	81,604	117,136	-40,174	5,523	82,485	881	

Capital Programme 2018/19						
Capital Budget Monitoring - Report for June 2018 - Main Variances						
	Working Budget			Forecasted		
	Expenditure re £'000	Income £'000	Net £'000	Expenditure re £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
COMMUNITIES						
- Social Care	704	0	704	718	-12	706

Variance for Year £'000
2

Comment
No Major Variances.

Mae'r dudalen hon yn wag yn fwriadol

Social Care
Capital Budget Monitoring - Scrutiny Report for June 2018 - Detailed Variances

Scheme	Target Date for Completion	Working Budget			Forecasted		
		Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
Learning Disabilities Accomodation Developments	Mar-20	80	0	80	80	0	80
Extra Care Schemes		624	0	624	626	0	626
Cartref Cynnes Development Carmarthen	Completed	330	0	330	330	0	330
Ty Dyffryn Development Ammanford	Completed	10	0	10	12	0	12
Older People's Accommodation (including Llanelli Area)	Ongoing	284	0	284	284	0	284
Intermediate Care Fund (ICF) Projects	Completed	0	0	0	12	-12	0
NET BUDGET		704	0	704	718	-12	706

Variance for Year £'000	Comment
0	
2	
0	
2	
0	
0	
0	
2	

Mae'r dudalen hon yn wag yn fwriadol

Eitem Rhif 5

**PWYLLGOR CRAFFU GOFAL
CYMDEITHASOL AC IECHYD
25^{ain} O FEDI 2018**

**Adroddiad Monitro Perfformiad
Cwarter 1 - 1^{af} Ebrill i'r 30^{ain} o Fehefin 2018**

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Bod y Pwyllgor yn craffu Amcanion Llesiant 2018/19 o'r Strategaeth Gorfforaethol ar gyfer Cwarter 1. Mae'r adroddiad yn cynnwys:

- Gweithrediadau a mesurau yn y Strategaeth Gorfforaethol Newydd y Cyngor 2018-2023 i gyflawni Amcanion Llesiant 2018/19 sy'n berthnasol i gylch gwaith y Pwyllgor.

Rhesymau:

- Sicrhau bod meysydd sy'n peri pryder yn cael eu nodi a bod camau perthnasol yn cael eu cymryd.
- Er mwyn i'r aelodau allu gweithredu eu swyddogaeth craffu mewn perthynas â monitro perfformiad.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol er mwyn gwneud penderfyniad:
NAC OES**

**Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:
Cyng. Jane Tremlett (Gofal Cymdeithasol ac Iechyd)**

Y Gyfarwyddiaeth: Cymunedau	Swyddi:	Rhifau Ffôn / Cyfeiriadau E-bost:
Enwau Penaethiaid y Gwasanaethau: Avril Bracey	Pennaeth Iechyd Meddwl ac Anabledau Dysgu	01267 242492 abracey@sirgar.gov.uk
Neil Edwards	Pennaeth Dros Dro y Gwasanaethau Integredig	01267 228900 NEdwards@sirgar.gov.uk
Chris Harrison	Pennaeth Comisiynu Strategol ar y Cyd (Sir Gaerfyrddin a Sir Benfro)	01267 228877 chris.harrison@sirbenfro.gov.uk
Ian Jones	Pennaeth Hamdden	01267 228309 IJones@sirgar.gov.uk
Jonathan Morgan	Pennaeth Dros Dro Cartrefi a Chymunedau Mwy Diogel	01554 899285 jmorgan@sirgar.gov.uk
Awdur yr Adroddiad: Silvana Sauro	Rheolwr Perfformiad, Dadansoddi a Systemau	01267 228897 ssauro@sirgar.gov.uk

EXECUTIVE SUMMARY

SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

25th SEPTEMBER 2018

Quarter 1 – 1st April to 30th June 2018 Performance Monitoring Report

The attached report sets out the progress against the actions and measures in the New Corporate Strategy 2018-2023 to deliver the 2018/19 Well-being Objectives relevant to the Committee's remit, as at 30th June 2018.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

We confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: Avril Bracey Head of Mental Health & Learning Disabilities
Neil Edwards Interim Head of Integrated Services
Chris Harrison Head of Strategic Joint Commissioning
Ian Jones Head of Leisure
Jonathan Morgan Interim Head of Homes and Safer Communities

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities –

The Well-being of Future Generations (Wales) Act 2015 requires public bodies to *take all reasonable steps to meet their Well-being Objectives*

2. Legal

In our published Well-being Statement we committed to monitor our Well-being Objective action plans.

CONSULTATIONS

We confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed:	Avril Bracey	Head of Mental Health & Learning Disabilities
	Neil Edwards	Interim Head of Integrated Services
	Chris Harrison	Head of Strategic Joint Commissioning
	Ian Jones	Head of Leisure
	Jonathan Morgan	Interim Head of Homes and Safer Communities

1. Local Member(s) – N/A

2. Community / Town Councils – N/A

3. Relevant Partners – N/A

4. **Staff Side Representatives and other Organisations** – All departments have been consulted and have had the opportunity to provide comments on their performance and progress.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
New Corporate Strategy 2018-2023	New Corporate Strategy 2018-2023

Mae'r dudalen hon yn wag yn fwriadol



Scrutiny measures & actions full monitoring report

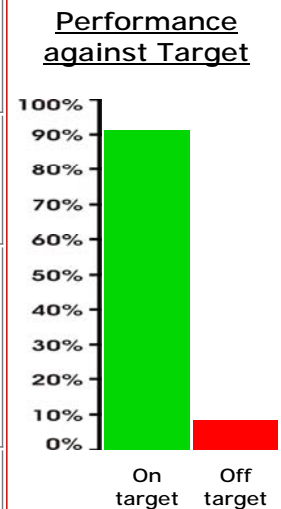
Social Care and Health scrutiny - Quarter 1 2018/19



Filtered by:
 Organisation - Carmarthenshire County Council
 Source document - Corporate Strategy 2018/19

The table below provides a summary progress against target for the Actions and Measures contained within the selected document

		Total	On target	Off target	Not reported	Not available	Annual / Not started	% on target	Overall % on target
8. Help people live healthy lives (tackling risky behaviour & Adult obesity)	Actions	2	2	0	0	N/A	0	100%	75%
	Measures	2	1	1	0	0	0	50%	
9. Support good connections with friends, family and safer communities	Actions	7	7	0	0	N/A	0	100%	100%
10. Support the growing numbers of older people to maintain dignity and independence in their later	Actions	7	7	0	0	N/A	0	100%	88%
	Measures	1	0	1	0	0	0	0%	
11. A Council wide approach to support Ageing Well in Carmarthenshire	Actions	3	3	0	0	N/A	0	100%	100%
14. Promote Welsh Language & Culture	Actions	1	1	0	0	N/A	0	100%	100%
Overall Performance	Actions and Measures	23	21	2	0	0	0	91%	



OFF TARGET



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



Theme: 10. Support the growing numbers of older people to maintain dignity and independence in their later							
Sub-theme: A. Develop 'social' model of health/care focuses on physical/mental/social wellbeing not ill health							
Measure Description	2017/18 Comparative Data			2018/19 Target and Results			
	Best Quartile	Welsh Median	Our Actual	Quarter 1	Quarter 2	Quarter 3	End of Year
Rate of people kept in hospital while waiting for social care per 1,000 population aged 75+ PAM/025	Not applicable		Q1: 0.37 End Of Year: 2.50	Target: 0.55 Result: 1.25 Calculation: (24 ÷ 19247) × 1000	Target: 1.11	Target: 1.66	Target: 2.21
Comment	DTCO validation is recorded on the 3rd Friday of every month, in recent months we have had a high number of complex patients which have been recorded on the 3rd week. On the weeks either side of the validation process the numbers have been lower and we are fully aware of complexities relating to the patients the number refers to.						
Remedial Action	Managers are working very closely with the commissioning team to ensure timely discharge planning particularly for those patients living in our rural areas with co-morbidities.						
Service Head: Neil Edwards				Performance status: Off target			

Theme: 8. Help people live healthy lives (tackling risky behaviour & Adult obesity)							
Sub-theme: B. Physical Activity							
Measure Description	2017/18 Comparative Data			2018/19 Target and Results			
	Best Quartile	Welsh Median	Our Actual	Quarter 1	Quarter 2	Quarter 3	End of Year
The percentage of people referred to the National Exercise Referral scheme that attend the initial consultation of the programme 3.4.2.6	Not applicable		Q1: 57.2 End Of Year: 53.8	Target: 58.0 Result: 49.4 Calculation: (191 ÷ 387) × 100	Target: 58.0	Target: 58.0	Target: 58.0
Comment	Staffing issues/absences have occurred during this period resulting in a lower ability to communicate with referral partners and referred individuals to ensure referrals are appropriate and that their consultation is attended. Also, we have increased the range of reasons for referrals (pathways), e.g. pregnant women, which are more complex and can negatively affect people's likelihood of attending.						
Remedial Action	A Casual NERS Instructor Post has been added to the structure and recruitment is underway. This will provide the robustness to support the contracted staffing structure where cover/backfill is required and high quality service can then be maintained.						
Service Head: Ian Jones				Performance status: Off target			

ON TARGET ETC.



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 10. Support the growing numbers of older people to maintain dignity and independence in their later			
Sub-theme: A. Develop 'social' model of health/care focuses on physical/mental/social wellbeing not ill health			
Action	13220	Target date	31/03/2019
Action promised	We will ensure the Council fully responds and complies with the requirements of the Social Services and Well-being Act by introducing a pooled budget between social care and health for residential care.		
Comment	Virtual pooled fund for older people`s care homes placements across West Wales operational from 1 April 2018. Arrangements for physical pooled fund are in train with a target date of 1 April 2019		
Service Head: Martyn Palfreman		Performance status: On target	
Action	13221	Target date	31/03/2019
Action promised	We will ensure the Council fully responds and complies with the requirements of the Social Services and Well-being Act by establishing a regional joint committee for social services with relevant partners.		
Comment	Agreement for regional joint committee comprising representatives of Hywel Dda University Health Board and the three local authorities currently being drafted. Aim is for the committee to be operational from late 2018.		
Service Head: Martyn Palfreman		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 10. Support the growing numbers of older people to maintain dignity and independence in their later			
Sub-theme: B. Provide a wide range of services and interventions			
Action	13222	Target date	31/03/2019
Action promised	We will ensure care and support is provided in a manner that is proportioned to meet and ensure equity of outcomes for our population.		
Comment	This practice is embedded in Social Work practice in line with Code of Practice 4 of the Social Services and Well-being (Wales) Act 2014 and is authorised by Senior Practitioners and audited by Managers within the Community Resource Teams.		
Service Head: Neil Edwards		Performance status: On target	
Action	13223	Target date	31/03/2019
Action promised	We will continue to improve the provision of day opportunities for older people across the County.		
Comment	We currently operate four day centres across the County. Work is currently on-going to determine the options for the future, making sure we are clear on their purpose and the type of services that need to be provided in order that they can be sustained into the future.		
Service Head: Jonathan Morgan		Performance status: On target	
Action	13224	Target date	31/03/2019
Action promised	We will deliver an investment programme for Care Homes and Sheltered Housing Schemes by delivering future needs and sustainable residential care arrangements in the Llanelli area to ensure appropriate accommodation provision in the area.		
Comment	We are now continuing to consolidate our in-house domiciliary and residential care provision, making sure we become more efficient and deliver the right type of services. We are investing in a new IT system that will be fully operational early in the New Year.		
Service Head: Jonathan Morgan		Performance status: On target	
Action	13225	Target date	31/03/2021
Action promised	We will maintain a strong and sustainable in-house Council provision for domiciliary and residential care.		
Comment	We are now continuing to consolidate our in-house domiciliary and residential care provision, making sure we become more efficient and deliver the right type of services. We are investing in a new IT system that will be fully operational early in the New Year.		
Service Head: Jonathan Morgan		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 10. Support the growing numbers of older people to maintain dignity and independence in their later			
Sub-theme: C. Identify how local communities can contribute to supporting wellbeing and independence			
Action	13226	Target date	31/03/2019
Action promised	We will work with partners including Hywel Dda University Health Board and third sector providers to ensure appropriate mental health care services and support are available.		
Comment	The HDUHB led Transforming mental health services programme board has now become an implementation group. Four work streams have been established to deliver on the following key areas of work; pathways, workforce, transport and estates. Attendance at the work streams is shared with Ceredigion and Pembrokeshire to ensure Local Authority representation and all levels of the programme. A communication and engagement strategy to which all partners contribute has been developed regarding the implementation phase and newsletters are regularly published. The implementation group has also submitted a number of collaborative bids to Welsh Government in relation to the mental health transformation and innovation fund. These bids include proposals to improve preventive and crisis services which are priorities supported by the public consultation.		
Service Head: Avril Bracey		Performance status: On target	

ACTIONS - Theme: 11. A Council wide approach to support Ageing Well in Carmarthenshire			
Sub-theme: A. Age Friendly Communities			
Action	13233	Target date	31/03/2019
Action promised	We shall provide support for carers, and young carers in particular, to enable them to continue providing the invaluable care they offer to family and friends in need		
Comment	<p>A revision of our Carers Emergency Card scheme has recently been approved and this will offer carers across Carmarthenshire the following advantages:</p> <ul style="list-style-type: none"> • A contingency plan to reassure carers that the person they care for will not be at risk of being left unattended • An ID card that will evidence Registration as a Carer with the Authority. • Membership of the Carmarthenshire Local Rewards Scheme. <p>We have a Carers Forum in the county for the purpose of co-production.</p>		
Service Head: Chris Harrison		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 11. A Council wide approach to support Ageing Well in Carmarthenshire Sub-theme: B. Dementia Supportive Communities			
Action	13234	Target date	31/03/2019
Action promised	We will continue to support people living with dementia and the development of more dementia friendly and supportive communities and provisions across the County.		
Comment	Much of the recent work of the Dementia Strategy group has been to look at how the Welsh Government Dementia funding will be used. We have looked at National Dementia priorities as part of this and linked them to services here. In addition we are putting together a resource of all dementia services in Carmarthenshire.		
Service Head: Neil Edwards		Performance status: On target	

ACTIONS - Theme: 11. A Council wide approach to support Ageing Well in Carmarthenshire Sub-theme: E. Loneliness & Isolation			
Action	13240	Target date	31/03/2019
Action promised	We will work with partners to provide more opportunities for vulnerable and older people to socialise in order to reduce loneliness.		
Comment	A task and finish group has been set up by CCC health and social care scrutiny committee regarding loneliness and isolation report. The attached report was prepared for this group and an action plan is being drawn up for the work. An event is planned in conjunction with 50+ forum with the aim of looking at solutions to reduce loneliness and rolling out the Carmarthenshire is Kind model across the county.		
Service Head: Neil Edwards		Performance status: On target	

ACTIONS - Theme: 14. Promote Welsh Language & Culture Sub-theme: B. Welsh Language Promotion Strategy			
Action	13283	Target date	31/03/2019
Action promised	We will further strengthen the provision and use of the Welsh language within social care services to be able to provide services in the language of service users' choice and ensure compliance with the `Active Offer`.		
Comment	Each Community resource Team ensures its compliance with the Social Services and Well-being act 2014 with specific regard to the active offer. A working group runs to monitor the use of the Welsh language within social care services.		
Service Head: Neil Edwards		Performance status: On target	

ACTIONS - Theme: 8. Help people live healthy lives (tackling risky behaviour & Adult obesity) Sub-theme: A. Eat and breathe healthily			
Action	13193	Target date	31/03/2021
Action promised	We will utilise information from the population needs assessment to plan the service at the 3 Locality area levels, which incorporate the GP clusters. This will provide a more detailed understanding of what's needed and allow planning of health and social care services at Locality Level.		
Comment	Work has begun to analyse the West Wales Population Needs Assessment on a Locality basis as well as making links with other professions (physiotherapy) that will provide relevant data.		
Service Head: Neil Edwards		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



Theme: 8. Help people live healthy lives (tackling risky behaviour & Adult obesity)

Sub-theme: B. Physical Activity

Measure Description	2017/18 Comparative Data			2018/19 Target and Results			
	Best Quartile	Welsh Median	Our Actual	Quarter 1	Quarter 2	Quarter 3	End of Year
The percentage of people referred to the National Exercise Referral scheme that complete the 16 week programme PAM/041	Not applicable		Q1: 54.4 End Of Year: 45.6	Target: 50.0 Result: 60.5 Calculation: (98 ÷ 162) × 100	Target: 50.0	Target: 50.0	Target: 50.0
Comment	16 week completers is considerably above the national average/targets at the end of quarter 1.						
Remedial Action	N/A						
Service Head: Ian Jones	Performance status: On target						

ACTIONS - Theme: 8. Help people live healthy lives (tackling risky behaviour & Adult obesity)

Sub-theme: C. Mental Health

Action	13199	Target date	31/12/2018
Action promised	We will contribute to health led transformation programmes in mental health and redesign of services within learning disability		
Comment	With regard to Learning Disability services. The Learning Disability programme group (LDPG) has recently met to review the following priorities; access and pathways, an accommodation strategy for the region and the progression of Integrated Care Fund (ICF) projects that support the improvement of Learning Disability services. These priorities reflect the outcomes framework for the Integrated Care Fund and measures in relation to the LDPG will be reported via the framework.		
Service Head: Avril Bracey	Performance status: On target		



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 9. Support good connections with friends, family and safer communities			
Sub-theme: A. Continue to develop & implement how we provide info, advice & assistance across social care serv			
Action	13204	Target date	31/03/2019
Action promised	We will review our disability service to ensure seamless transition and pathways from children to adults		
Comment	<p>From the 1st of May 2018 all referrals for Autism/Disability aged 0-25 are managed through our Children`s Central Referral Team. This has streamlined our process for children and families ensuring that they get the help they need, when they need it.</p> <p>We are developing proposals to bring together our specialist disability services for children and young people into one service for 0-25 year olds. This will prevent children and families being passed between services when they reach adulthood.</p> <p>We have consulted with colleagues in Integrated Services and established a Task and Finish group to extend this work to a `Through Age` model into adulthood and incorporating sensory impairment and physical disability services.</p>		
Service Head: Avril Bracey		Performance status: On target	
Action	13205	Target date	31/03/2019
Action promised	We will ensure an appropriate effective governance is in place with the Local Authority Trading Company to provide the provision of an Information, Advice and Assistance service in order to comply with our Statutory Duty under the Social Services and Well-being Act.		
Comment	An IAA Operational group has been established with clear terms of reference and a membership consisting of the relevant Managers and officers. Its purpose is to provide clear oversight of the IAA service provided by the LATC and will report both to the Director`s Departmental Management Team (DMT) and to the Delta Well Being Governance Board.		
Service Head: Neil Edwards		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 9. Support good connections with friends, family and safer communities			
Sub-theme: C. Identify strengths & resources in communities-contribute promoting & supporting health neighbours			
Action	13208	Target date	31/03/2019
Action promised	We will identify the physical resources which can contribute to promoting and supporting the health and wellbeing of their population through a dedicated online information portal such as		
Comment	We have liaised with Richard Palmer and Jodie Phillips from Data Cymru and we are getting all Carmarthenshire County Council data migrated to the system. In addition, we have set up a meeting with Wendy Walters, lead for Communication for Carmarthenshire County Council, so that we can get Dewis more integrated into the core of Carmarthenshire County Council business. We continue to monitor and sign off new areas putting information onto Dewis.		
Service Head: Neil Edwards		Performance status: On target	
Action	13209	Target date	31/03/2019
Action promised	We will invest and improve the quality in the skills of our workforce to ensure we meet the Well-being Objectives of our populations outlined at locality levels.		
Comment	<p>A working group has been created and terms of reference have been drafted. The Aims and Objectives are:</p> <ul style="list-style-type: none"> To consolidate and improve the wellbeing of staff and existing support measures. To develop a positive and supportive culture based on principles of empowerment, openness and trust. To consider best practice and/or new models of workforce wellbeing and how these might be implemented. To develop an equitable and fair allocation of work across Integrated Services by analysing performance data and all influencing and relevant factors that affect work priorities and pressures. To test out ways to support and retain staff and, potentially, offer a blueprint for the future. <p>The Outcomes for the group are:</p> <p>We have a happy and well supported workforce, confident to express themselves and the issues they face knowing they will be listened to and matters resolved as far as practicable.</p>		
Service Head: Neil Edwards		Performance status: On target	



Scrutiny measures & actions full monitoring report

Social Care and Health scrutiny - Quarter 1 2018/19



ACTIONS - Theme: 9. Support good connections with friends, family and safer communities			
Sub-theme: D. With our partners we will continue to support Safer Communities			
Action	13215	Target date	31/03/2019
Action promised	We will ensure our specialist substance misuse team meets the needs of children and adult services by providing expert advice, support and direct input to front line teams.		
Comment	<p>We have finalised a structure that has confirmed a full time/permanent Team Manager in post, alongside a consultant social worker and team of social workers.</p> <p>This will allow us to develop a team business plan that continues to provide a social work service to individuals and their families as well as providing advice and assistance to other social care services.</p> <p>Work is underway to develop training specifically at the impact of alcohol on older age groups as well as targeted work with parents who misuse substances.</p>		
Service Head: Avril Bracey		Performance status: On target	
Action	13218	Target date	31/03/2019
Action promised	We will embed a person centred approach to safeguarding which ensures the service user is heard and central in decision making		
Comment	<p>Significant progress is being made in relation to embedding an everybody's business approach to safeguarding. This approach is supported by a regional safeguarding threshold document which was approved at the Regional Safeguarding board meeting in July 2018. Welsh government guidance supports this approach and an awareness raising event will be held during Safeguarding week in November 2018. Safeguarding processes in Carmarthenshire ensure that the service users wishes and feelings are central to any proposed intervention. This is achieved by ensuring a conversation or a visit to the person is undertaken at a very early stage.</p>		
Service Head: Avril Bracey		Performance status: On target	
Action	13219	Target date	31/12/2018 (original target 31/07/2018)
Action promised	We will review third sector contracts to establish compliance with the Social Services Well-being Act and service transformation in mental health and learning disability.		
Comment	<p>Reviewing third sector contracts which are commissioned by the Health Board and Council is now part of the Transforming Mental Health and learning disability programmes. The pathways work stream of the Transforming Mental Health programme is defining scheduled and unscheduled pathways of care in accordance with the timeframes in the implementation plan. This includes maximising opportunities for the third sector to deliver aspects of mental health support, social enterprise and co-produce delivery plans. It is anticipated the first report on this work with the third sector will be completed by November 2018.</p>		
Service Head: Avril Bracey		Performance status: On target	

Eitem Rhif 6

PWYLLGOR CRAFFU – GOFAL CYMDEITHASOL AC IECHYD
DYDDIAD: 25 MEDI 2018

PWNC:

CYNLLUNIO A DATBLYGU'R GWEITHLU: DULL GWEITHREDU RHANBARTHOL

Y Pwrpas:

Mae'r adroddiad hwn yn rhoi cyngor i'r Pwyllgor ynghylch y gwaith cydweithredol sy'n digwydd yng ngorllewin Cymru o ran cynllunio a datblygu'r gweithlu. Yn bennaf, mae'r gwaith hwn wedi cynnwys y tri awdurdod lleol yng ngorllewin Cymru; fodd bynnag, caiff y Gwasanaeth Iechyd Gwladol ei ystyried yn bartner allweddol a bydd yn cael ei gynnwys fwyfwy wrth i'r gwaith hwn fynd rhagddo. Mae llywodraethu rhanbarthol ar waith i sicrhau dull gweithredu cydgynhyrchiol ar draws yr holl asiantaethau partner.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Gofynnir i'r Pwyllgor Craffu nodi'r gwaith cydweithredol sy'n digwydd yng ngorllewin Cymru o ran cynllunio a datblygu'r gweithlu.

Y rhesymau:

Er mwyn i'r Aelodau gyflawni eu rôl craffu.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad:
NAC OES**

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd J. Tremlett (Deiliad y Portffolio Gofal Cymdeithasol ac Iechyd)

Y Gyfarwyddiaeth

Cymunedau

Enw Pennaeth y
Gwasanaeth/Awdur yr Adroddiad:

Martyn Palfreman

Swydd:

Pennaeth Cydweithredu
Rhanbarthol

Rhif ffôn:

(01267) 228978

Cyfeiriad E-bost:

mjpalfreman@sirgar.gov.uk

SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

**SUBJECT:
WORKFORCE PLANNING AND DEVELOPMENT: A REGIONAL APPROACH**

Purpose and overview

1. This report advises the Committee on collaborative work underway within West Wales in relation to workforce planning and development. This work has predominantly involved the three local authorities within West Wales; however the NHS is seen as a key partner and will be increasingly engaged as this work progresses. Regional governance is in place to ensure a co-productive approach across all partner agencies.

National context

2. The Welsh Government's Plan for Health and Social Care, '[A Healthier Wales](#)' was published in June 2018 in response to recent Parliamentary Commission's January 2018 report '[A Revolution Within: Transforming Health and Care in Wales](#)'. Setting a clear vision for bringing health and social care services together, designing and delivering them around the needs and preferences of individuals and keeping people healthy and well, 'A Healthier Wales' recognises the centrality of staff, their skills, experience and values in making the vision a reality. Specifically, it identifies the need for:
 - A fundamental shift in understanding of who constitutes the workforce and how staff are supported in delivering new service models, with an emphasis on a multi-disciplinary approach to care
 - A more equitable appreciation of the wide and various roles people play in delivering care
 - Greater parity of esteem between health and care professionals
 - Recognition and support of the vital role played by carers and volunteers
3. A clear and coherent approach to planning and developing the health and social care workforce is seen as a key enabler and Health Education and Improvement Wales (HIEW) and Social Care Wales (SCW) have been commissioned to develop a long-term, national workforce strategy for the sector. This will address the need for joint workforce planning at a regional level.

Local activity

4. In West Wales workforce development has been adopted as one of eight strategic priorities by the Regional Partnership Board (RPB). The regional Area Plan, '[Delivering Change Together](#)' places a priority on attracting people to a career within the care sector and equipping them to develop new skills. To help achieve this:

- **An Integrated Regional Workforce Strategy Group has been established**, comprising senior representatives from partner agencies including the three local authorities, Hywel Dda University Health Board, the third sector, higher and further education, Unison, Carers Forum Wales, West Wales Action for Mental Health, the Regional Learning and Skills Partnership, Department of Work and Pensions and Careers Wales. The Group is chaired by the Director of Social Services in Pembrokeshire County Council, who is also national workforce lead for ADSS Cymru. Its initial focus is on identifying and addressing workforce needs in relation to the wider transformation priorities being taken forward by the RPB in response to 'A Healthier Wales', including public health and prevention, technology-enabled care and delivery of seamless locality-based services. A new regional Innovations Forum which is being established by the West Wales Care Partnership to support strategic engagement with social care providers will provide a mechanism for wider engagement on workforce issues on a regular basis.
- **A regional programme manager for workforce was appointed in July 2017** to coordinate activity across West Wales
- **An initial scoping exercise has been undertaken on behalf of the Partnership by the Institute of Public Care which has identified a number of potential areas for collaboration in relation to workforce** including data collection and management, joint training in key service areas and possible integration of workforce teams. These will be developed further as the national workforce strategy is developed.
- Effective relationship building and collaborative working has allowed a number of projects to develop, including:

- **Nutrition and hydration in the community:** Following on from outcomes reported on the ICF hospital based frailty work, a small amount of funding was allocated to Dietetics to support the implementation of Social Care Wales' Care and Support at Home Strategy. It was proposed that this funding was used for a community based, investigative review of the extent of malnutrition in older people within the West Wales region via a development programme for Domiciliary care workers.

This project clearly identifies how Dietitians delivering competency based training and education on nutrition and hydration can a) Improve the knowledge and skills of domiciliary care agency staff b) Can identify and treat malnutrition and c) Empower and improve the carer and client experience. These outcomes have been achieved through a combination of classroom based theory training and follow up support and practical observations in a community setting.

- **Integrated social care and health worker:** this project has been tested in a residential home setting within Carmarthenshire, investigating the concept of a 'generic worker' that can do a range of tasks that previously would only be able to be delivered by a Community Nurse/ Healthcare SW or a domiciliary Care Worker.

Intermediate / Integrated Care Funding allowed Carmarthenshire Council to run the project as a 'proof of concept' looking at transfer of skills between district nursing & senior domiciliary care workers in LA residential care homes.

Next stage of this project will be to up-scale across the Hywel Dda footprint in order to develop any further. There have been some barriers in terms of having capacity within the district nursing service to competency assess the staff being trained to deliver the interventions. Therefore there is scope to address this collectively within the region.

5. Alongside these developments, the regional programme manager has worked closely with a range of professionals across Carmarthenshire, Ceredigion and Pembrokeshire County Councils to deliver the following:

- **The first regional submission for funding through the Social Care Wales Workforce Development Programme (SCWWDP)**

This programme provides local authorities across Wales with funding to contribute to the development of the social care workforce. It is used to deliver a comprehensive programme of activities and is available across the whole sector, including local authority, health and independent and third sector staff. In 2018-19 West Wales received £1,248,531 through the [SCWWDP](#).

The shift to a regional approach allows teams to work incrementally towards eliminating duplication and sharing and, wherever possible, upscaling innovation across the region.

In addition to bespoke training programmes delivered at County level, three shared development priorities are being supported through the SCWWDP in 2018-19. These reflect wider improvement priorities at national and regional level:

- A professional development programme of learning for commissioning staff across the region
- Integrated mental health workforce development to support the Transforming Mental Health agenda
- Development to support the implementation of a nationally-developed competency framework for Information, Advice and Assistance

- **Development and delivery of a regional programme funded by SCW through its Facilitation Grant**

This funding stream is designed to support the coordination of workforce activity across sectors, local delivery of SCW's national priorities and ongoing interaction between SCW and the region. 2018-19 is the second year of the Facilitation Grant and the West Wales allocation is £32,883. It is split into core funding, intended to support engagement, communication and joint working across the whole sector, particularly with provider organisations, and with relevant others to deliver national priorities, and project specific funding which is aimed at specific projects being developed by SCW. For 2018-19 these projects include Care and Support at Home Strategy implementation, supporting the roll out and implementation of the new All Wales Induction Framework (West Wales being the region selected to pilot the framework) for Health and Social Care, supporting the development of a national workforce strategy and assisting with the roll out of a carer's e-learning resource.

6. Further updates can be made available to the Committee as this work progresses.

DETAILED REPORT ATTACHED ?	NO
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Martyn Palfreman** **Head of Regional Collaboration**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Martyn Palfreman** **Head of Regional Collaboration**

1. Local Member(s)

Local members form part of the membership of the Regional Partnership Board, which the Workforce Programme Board reports into.

2. Community / Town Council

N/A

3. Relevant Partners

Social Care Wales, 3rd and Independent sector providers, Hywel Dda University Health Board, Pembrokeshire and Ceredigion Councils, other Welsh local authorities, all 7 regional partnerships in Wales, paid and unpaid carers, service users, higher and further education, Department of Work and Pensions

4. Staff Side Representatives and other Organisations

Unison, other trade unions as appropriate

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
A Healthier Wales		https://gov.wales/docs/dhss/publications/180608healthier-wales-mainen.pdf
A Revolution Within: Transforming Health and Care in Wales		https://gov.wales/docs/dhss/publications/180116reviewen.pdf
Delivering Change Together		http://www.wwcp.org.uk/wp-content/uploads/2018/03/West-Wales-Area-Plan-English-Final-Version-29-03-18.pdf
Social Care Workforce Development Programme		http://www.workforcedevelopmentcarmarthenshire.co.uk/media/82986/West-Wales-Regional-SCWWDP-Grant-Application-2018-19-Redacted-Eng.pdf

PWYLLGOR CRAFFU – GOFAL CYMDEITHASOL AC IECHYD 25 MEDI, 2018

PWNC:

POLISI TALIADAU UNIONGYRCHOL CYNGOR SIR CAERFYRDDIN

Y Pwrpas:

Mae'r polisi taliadau uniongyrchol wedi'i ddiweddarau yn unol â newidiadau i'r ddeddfwriaeth, sef Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Argymhell i'r Bwrdd Gweithredol gymeradwyo'r polisi diwygiedig; ceir crynodeb isod o'r newidiadau pwysig a wnaed i'r polisi blaenorol.

Y Rhesymau:

Daeth Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 i rym ar 6 Ebrill 2016, yn ogystal â Rheoliadau Gofal a Chymorth (Taliadau Uniongyrchol) (Cymru) 2015. O ganlyniad, mae Cyngor Sir Caerfyrddin wedi adolygu ei bolisi blaenorol ynghylch taliadau uniongyrchol (a oedd yn bolisi tair Sir rhwng Sir Gaerfyrddin, Sir Benfro a Cheredigion) a'i ddiwygio er mwyn adlewyrchu'r newidiadau yn sgil y ddeddfwriaeth uchod. Mae Cyngor Sir Caerfyrddin wedi penderfynu cynnig bod y polisi newydd yn berthnasol i daliadau uniongyrchol Cyngor Sir Caerfyrddin yn unig i ddechrau. Fodd bynnag, mae cynnwys y polisi newydd hwn wedi cael ei rannu gyda Chyngor Sir Penfro a Chyngor Sir Ceredigion.

Llunio barn am faterion sydd i'w cyflwyno gerbron y Bwrdd Gweithredol / Cyngor i'w hystyried.

Angen cyfeirio'r mater at y Bwrdd Gweithredol/Cynor Sir er mwyn gwneud penderfyniad: OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad OES – 22 Hydref 2018

Angen i'r Cyngor wneud penderfyniad OES – 14 Tachwedd 2018

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd J. Tremlett (Deiliad y Portffolio Gofal Cymdeithasol ac Iechyd)

Y Gyfarwyddiaeth
Yr Adran Cymunedau

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Awdur yr Adroddiad:
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EXECUTIVE SUMMARY
SOCIAL CARE & HEALTH SCRUTINY COMMITTEE
25TH SEPTEMBER, 2018

SUBJECT
CARMARTHENSHIRE COUNTY COUNCIL'S DIRECT PAYMENT POLICY

Introduction

Direct payments are a means by which individuals with eligible care and support needs, can purchase their own services to meet those care and support needs. In essence the local authority gives the direct payment recipient a sum of money, which is equivalent to the estimate of the reasonable cost of the service they would have been provided with. Direct payments are an alternative to receiving services arranged or provided by the local authority. They are designed to give the recipient greater control and choice over how their care and support needs are met.

The local authority has a legal obligation to offer direct payments to anyone who has eligible care and support needs.

Direct payments are not a new concept, although it would be fair to say that in recent years the profile of direct payments has become more prominent.

Carmarthenshire County Council has previously had a direct payments policy which had been a regional 3 Counties direct payment policy, across Carmarthenshire, Ceredigion and Pembrokeshire.

In light of changes brought in on 6th April 2016 by the Social Services and Well-being (Wales) Act 2014 it became necessary to amend the existing 3 Counties direct payment policy. Initially Pembrokeshire County Council were going to amend the policy, however by January 2017, Carmarthenshire County Council took the lead in amending the policy.

As a result, the enclosed direct payments policy, reflects amendments required by the Social Services and Well-being (Wales) Act 2014, the Care and Support (Direct Payments) (Wales) Regulations 2015 and the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014.

Set out below are a summary of the main changes to the previous 3 Counties policy.

Main changes to Policy

- As stated above the previous policy was a 3 Counties direct payment policy. Whilst Carmarthenshire County Council remains committed to working in partnership across the region, and has consulted with both Pembrokeshire County Council and Ceredigion County Council on the amended contents of the enclosed policy, the Policy is currently only a Carmarthenshire County Council policy, which can be adopted by the other Councils at a later date. It was considered essential to have an up to date direct payments policy as soon as possible, particularly as a recent internal audit identified a concern about the fact the previous policy was out of date.
- The previous Policy was also intended to be a practitioner guide, so it was entitled 'policy and practice guidance.' However that policy, like the current policy, is a substantial document, which does not work particularly well as a practice guide for practitioners. Practitioner's need easily accessible material to refer to, in order to aid them in their day to day practice. As a result, Carmarthenshire County Council has developed separate practice guidance for staff, and the new policy is no longer also a practice guide for staff.
- The new policy reflects certain changes made by recent legal developments, for example it reflects the fact that a person receiving direct payment can use the direct payment to purchase a service from the local authority, or use the direct payment to purchase a care home placement. Whilst the Council does not expect that individuals will regularly choose to do this, the policy reflects the fact that they can.
- The new policy reflects, a change in approach in the law, towards using a direct payment to employ a family member in the same household, to meet the person's care and support needs. Previous legislation only allowed this to happen in exceptional circumstances. However recent changes in legislation mean that unless it does not promote the well-being of the direct payment recipient, there is nothing preventing a family member living in the same household being employed by the direct payment recipient to provide for their care and support needs.
- Previously Carmarthenshire County Council provided carers grants, which were small sums of money to address emergency situations e.g. if the washing machine, which the unpaid carer used to wash the person they were caring for's clothes, broke down; the grant could be quickly accessed to support the carer in their caring role. However the Social Services and Well-being (Wales) Act 2014, in general terms, prevents local authorities giving sums of money, unless they are through a direct payment. Therefore the carers grant has been changed to a specific type of direct payment, called the Carers Exceptional Circumstances Direct Payment, to mirror the purpose of the previous carers grant.
- Carmarthenshire County Council has slightly changed its approach to requiring Disclosure and Barring Service checks for individuals that the direct payment recipient intends to employ. Whilst the local authority supports the individual's right to choose to employ whoever they want to meet their care and support needs through a direct

payment, it is believed that it is important that the direct payment recipient should make an informed choice. As a result, Carmarthenshire County Council are making it a requirement for all direct payment recipients to obtain a disclosure and barring service check of any criminal convictions of the person they are proposing to employ to meet their care and support needs. This approach aligns with the approach of all of the other local authorities in Wales.

- Under the previous policy when a person moved to another County in Wales, Carmarthenshire County Council would continue to provide a direct payment for an additional period of time to allow the new local authority time to assess the person's needs. This was a reciprocal arrangement which was in place with most local authorities, but was not a legal requirement. In light of changes in the law, if a person is thinking of moving to a new local authority in Wales, Carmarthenshire County Council should inform that new authority, and the new authority should assess the person's needs before they move. In light of this, the agreement to continue to fund someone when they move to a new local authority is no longer necessary.
- Carmarthenshire County Council previously had one direct payment agreement for the recipient to sign, as a means of entering into a contract with the local authority for the provision of such payments. However given that some people will not have mental capacity to enter into such agreements, the Council has developed a slightly different second agreement for individuals who have authority to act on the incapacitated person's behalf i.e. Lasting Powers of Attorney and Deputies.
- Finally in accordance with existing practice, Carmarthenshire County Council has acknowledged that where a personal assistant to a direct payment recipient, is required to regularly take that direct payment recipient on journeys which exceed 3 miles, an additional allowance to be provided to cover those additional travelling costs.

OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

- Leave the previous direct payments policy in place, which will not be in compliance with the current legal requirements, which has already been identified as such in a previous internal audit.

DETAILED REPORT ATTACHED ?

Yes - Policy attached.

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Neil Edwards** Interim Head of Integrated Services

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

1. Legal

The enclosed direct payments policy has been amended in accordance with the provisions of the Social Services and Well-being (Wales) Act 2014 and the Care and Support (Direct Payments) (Wales) Regulations 2015. If the updated direct payments policy is not adopted, and the Council continues to adopt the previous policy, it will not be in compliance with the current legislative framework.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Neil Edwards** Interim Head of Integrated Services

1. Local Member(s) - N/A

2. Community / Town Council – N/A

3. Relevant Partners - the contents of this new policy has been shared with Pembrokeshire and Ceredigion County Council.

4. Staff Side Representatives and other Organisations - N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire County Council Direct Payments Policy		See attached.

Mae'r dudalen hon yn wag yn fwriadol

July 2018



**CARMARTHENSHIRE
COUNTY COUNCIL**

**DIRECT PAYMENT
SCHEME**

POLICY | Carmarthenshire

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This policy supersedes all previous direct payments policies

1. What are Direct Payments

Direct payments are in essence monetary payments which are provided by the local authority to certain individuals in order that they are able to purchase their own goods or services.

Direct payments allow individuals to purchase the care and support/support that they are assessed as needing to support themselves in meeting their own well-being. Direct Payments can offer more choice, control and flexibility to people who would traditionally rely on others to arrange their care and assistance.

Individuals who, following an assessment, have care and support needs which can only be met through a care and support plan are in almost all cases likely to be entitled to direct payments, unless the direct payment would not meet their personal outcomes. Similarly carers who, following an assessment, have support needs which can only be met through a support plan are in almost all cases likely to be entitled to direct payments, unless the direct payment would not meet their personal outcomes. This payment is not a DSS Benefit and will not affect the individual's entitlement to such benefits. All Direct Payments are made to the individual or their representative for purchasing their own care and/or support services and can only be used for this purpose.

It is important to note that direct payments can be made to adults with care and support needs, children with care and support needs, and carers with support needs. The term care and support is widely defined in the Social Services and Well-being (Wales) Act 2014. An adult is any person aged 18 or over. A child is a person under the age of 18 years of age. A carer is a person either providing care or intending to provide care for an adult or a disabled child. In light of the fact that direct payments can be made to a wide range of individuals this policy uses the term 'individual' which is intended to cover all of these groups. Carers with eligible needs have support plans, whereas adults or children with eligible care and support needs have a care and support plan. As a result reference is made throughout to 'care and support/support plan'. In addition the term eligible needs refers to those needs which meet the national eligibility criteria as defined by the Care and Support (Eligibility) (Wales) Regulations 2015. Where an individual is entitled to a direct payment the local authority will provide the individual with the following information:

- How it will meet the individuals needs if those needs are not met by a direct payment
- Confirmation that direct payments are an appropriate way to meet the individuals needs
- Information about the nature of direct payments
- Information about the different ways of managing a direct payment
- The amount of any direct payment and how it has been calculated
- Information about the support available to assist people in managing a direct payment

- Information about the financial assessment process.

Before considering whether a direct payment is an appropriate way of meeting the individual's needs the local authority will consult with the individual (including taking into account any previous wishes of an individual who lacks mental capacity), anyone named by the individual to be consulted with, any suitable person and any person authorised to act on the individuals behalf under the Mental Capacity Act 2005.

2. Legislation and Policy

2.1 The principal legislation which permits Direct Payments is:

- Social Services and Well-being (Wales) Act 2014
- Care and Support (Direct Payments) (Wales) Regulations 2015

2.2 Guidance is provided by

- Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014

3. Eligibility for Direct Payments

3.1 Direct Payments must be offered to individuals with eligible care and support needs and carers with eligible support needs, where that individual or their representative is willing to receive one, and where a direct payment will enable the person to achieve their personal outcomes. Where the local authority also chooses to exercise its discretionary statutory powers to meet that individual's needs it must also offer a direct payment to meet those needs.

3.2 To be eligible for Direct Payments a person or a representative must be willing and able to manage Direct Payments (alone or with assistance). However individuals must not be refused a direct payment purely because they are unable to manage the direct payments unless all options for supporting the individual to manage the direct payment have been explored. The local authority will also not make blanket assumptions that whole groups of people will be unable to manage a direct payment.

3.2.1 Direct Payments can be used to purchase services which the local authority provides.

3.2.2 It is necessary for a written record to be kept to show that a direct payment has been offered to eligible individuals. This will usually be indicated in the care and support/support plan. It is also necessary for a written record to be made where it is determined that a direct payment will not meet a person's personal outcomes. Further it will also be necessary for a written record to be made to show the steps taken to support an individual to manage a direct payment, particularly when all reasonable steps to support a person have been expired. Any recorded reason to refuse a

direct payment must be discussed with the individual and if that individual or their representative disagrees with this decision they should be informed of the right to use the local authority's complaints process.

4. Assessment

4.1 Carmarthenshire County Council must assess an individual who appears to have care and support needs and carers who appear to have support needs. It is very important that the assessment first consider whether the individual/carer's personal outcomes can be met through either: Information, Advice and Assistance; Preventative Services/Community based services; or by the person alone, or with the willing assistance of others. Where a person's personal outcomes/needs cannot be met in this manner and can only be met through a care and support plan/support plan a direct payment will be offered.

The exception to this being where an individual is not eligible for care and support/support from the local authority but the local authority has chosen to exercise its discretionary power to meet those needs in any event.

Suitable Person

Where a person is entitled to a direct payment it is also important to consider as part of the assessment process whether that individual has the mental capacity to manage a direct payment. The assessment of a person's mental capacity to manage a direct payment should be undertaken in accordance with the principles of the Mental Capacity Act 2005 and the Mental Capacity Act: Code of Practice. If an individual lacks mental capacity to manage a direct payment or chooses not to manage the direct payment themselves, the direct payment can be paid to, and managed on their behalf by a suitable person.

If a person lacks capacity to manage a direct payment, and a suitable person is willing to receive the direct payment on their behalf, the suitable person must be able to manage the direct payments either with or without support. Further in order for the suitable person to receive the direct payment the local authority must consider them to have the individual's best interests at heart, as the suitable person must act in the individual's best interests. If the suitable person meets these criteria then the local authority must provide the direct payment to the suitable person.

A suitable person may be appointed by the Courts, by the local authority or by the individual themselves. Paragraph 152 of the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014 provides a list of who should be given priority when considering which person should be an individual's suitable person.

If a suitable person receives a Direct Payment on behalf of an assessed individual then they become the employer of the personal assistant and they are the individual to whom the Direct Payment is paid.

It is acknowledged that mental capacity is not always constant and that some people will have fluctuating capacity. Therefore regular reviews are essential and the need for a suitable person should be considered during these regular reviews. Where the individual is assessed as having fluctuating capacity a suitable person will need to be identified in order to make the Direct Payment award. At times when the individual regains temporary capacity, enquiries should be made with the individual as to whether the suitable person should still receive the Direct Payments, but allow the assessed person to take control until capacity is lost again. It is also important to make the suitable person aware that where a person temporarily lacking mental capacity to manage direct payments regains that capacity that the suitable person has an obligation to inform the local authority of this change in the individual's status.

In addition to the above, a direct payment can also be made to individuals subject to certain requirements related to alcohol and drugs. These requirements are set out in detail in the Schedule to the Care and Support (Direct Payments) (Wales) Regulations 2015. However in order for a direct payment to be made in these circumstances a condition must be attached that the individual agrees that the direct payments are made to another person to manage those payments on the individuals behalf and that the other person agrees to manage those payments.

5. Services in Lieu of which Direct Payments can be made

5.1 Direct Payments can only be made for those services that are the responsibility of a local authority to provide. This means that direct payments cannot be used for the following:

- To meet needs through the provision of healthcare unless it is incidental or ancillary to other care and support/support needs or it is to meet an individual's needs under Section 117 of the Mental Health Act 1983;
- To meet housing services such as rent;
- To someone who does not want a direct payment or someone who requires a suitable person and all options to arrange a suitable person have been expired;
- The direct payments will not meet the individual's personal outcomes.

5.2 People are allowed to have a combination of services which are arranged by the local authority and a service which is arranged by the individuals themselves using Direct Payments.

- 5.3** It is possible for an individual to use a direct payment to employ a relative who is living in the same property, if the local authority considers that such a direct payment is necessary to promote the well-being of the individual. The term relative means ‘a spouse or civil partner; person who lives with the person as if a spouse or civil partner; parent, parent in law, step parent; son or daughter; son in law or daughter in law; stepson or step daughter; brother or sister; aunt or uncle; grandparent; or spouse or civil partner of any of the aforementioned. In considering whether such an arrangement will promote the well-being of the individual, the local authority will take into account Paragraph 165 of the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014 which says ‘Where appropriate safeguards are in place the employment of a relative living in the same household is often the most suitable way of providing care as it enables and support continuity of care, recognition of personal choice and promotes early intervention.’ It is important that the person undertaking the assessment process and developing the individual’s care and support/support plan record in writing whether or not providing a direct payment to an individual to employ a relative in the same household will promote that individual’s well-being.

Carers Exceptional Circumstances Direct Payments

In most cases an individual will either have a care and support or support plan in order to receive a direct payment. However as mentioned above an exception to this is where the local authority chooses to exercise its discretion to meet an individual’s personal outcomes even if those outcomes are not considered an eligible need. Previously Carmarthenshire County Council offered carers a grant to pay for specific items. However the Social Services and Well-being (Wales) Act in essence prevents local authorities making such payments to carers other than through a direct payment. Carmarthenshire County Council has therefore developed the carers exceptional circumstances direct payment to replace the grants system that it previously operated. This type of direct payment is considered a community based preventative service which does not require a support plan. However it is expected that an assessment of the carers support needs will be undertaken prior to this direct payment being offered.

6. Levels of Payment

6.1 For Personal Assistants & Other Services

- 6.1.1** Local Authorities must ensure that the value of a direct payment is equivalent to the estimated reasonable cost of securing the care and support/support required, subject to any contribution which the individual receiving the direct payment is required to make. In calculating the reasonable cost of securing the care and support/support the local

authority will include the inherent costs associated with the individual receiving the direct payment becoming a legal employer.

Hourly rates have been set to enable individuals to pay their personal assistants and to cover extra costs of being an employer. It is acknowledged that such rates will need to ensure that the individual is able to pay the national minimum wage to their personal assistants, where the law requires such. Appendix 1 gives full details of the levels of payment.

- 6.1.2** A payment will be made to cover start-up costs. Appendix 1 gives full details of the levels of payment.
- 6.1.3** Calculation of the level of payment will be made based upon information concerning the number of hours (or sessions for some services or nights when considering respite care – this may vary according to local authority area) required to meet the assessed need of the individual.
- 6.1.4** Where a need is identified in an individual's care and support plan for the requirement of a personal assistant who has specialist skills (e.g. specialist communication skills) then the hourly rates may be increased in order to meet such specialist needs. The local authority's lead officer for Direct Payments should be provided with the individual's assessment and care and support/support plan so that a decision can be reached.

Carmarthenshire County Council only usually provides an additional payment where the individual is assessed as needing regular specific journey's over a 3 mile radius which are identified in the care and support/support plan. It is essential that that plan include details of how such journey's will meet the individual's personal outcomes, how frequently these journeys are required and the distance to be travelled. The mileage rate paid will follow that recommended by HMRC.

6.2 Purchasing Home Care from an Agency

- 6.2.1** For reasons of equity payment levels will be on the same basis as for personal assistants. Appendix 1 gives full details of level of payments.
- 6.2.2** If an individual opts for home care provision from an agency and the agency fee exceeds the local authority hourly rate (as set out in Appendix 1) the individual will be required to pay the difference between the local authority hourly rate and the agency hourly fee and will be required to purchase the full number of assessed hours from the agency as stated in the care and support/support plan. It is expected that the individual will arrange directly with the agency to pay the difference in what the local authority provides as a direct payment and what the home care agency provides.

6.3 Short Term Breaks, Respite and long term care

6.3.1 Other than in exceptional circumstances the level of payment for short term breaks should not exceed the usual rate paid by the local authority for such services.

7. Assistance with Direct Payments

7.1 The key principle of Direct Payments is that it is the individual, or the suitable person who controls the money. The local authority must ensure that the correct level of support is offered to support the individual or the suitable person to manage the direct payment to have support. Carmarthenshire County Council has contracted a support scheme to support individuals or the suitable person if required (details are attached in Appendix 4). This scheme includes:

- recruitment and support to enable selection of personal assistants, including information about ensuring employees are legally able to work in the United Kingdom.
- support to enable managing personal assistants
- payroll
- assistance with auto enrolment in relation to a pension scheme
- employment advice
- Information visits to enable the individual or suitable person to make informed decisions about direct payments.
- Training for personal assistants
- Assistance with disputes between the individual and the personal assistant

7.2 Assessing officers may share the assessment and care and support/support plan documents with the support scheme with the individual's consent, as this aids recruitment and financial management.

8. The Care and Support/Support Plan

8.1 In any assessment, the care and support/support plan is an important document which lays out for the individual the services that will be provided to meet that person's personal outcomes. Any service which is to be provided by Direct Payments must be specified in the care and support/support Plan.

8.2 The assessing officer should ensure that the care and support/support plan specifically comments on the following:

- the person's outcomes as identified in the assessment;
- the outcomes which the Direct Payments relate to;
- The frequency and amount of direct payment (including any details of additional payments required)
- Whether a suitable person is needed and who that suitable person will be

- how the person will secure the appropriate services (this should be decided by the individual. The local authority should not restrict how the services are provided, so long as they meet the assessed outcomes);
- any variations to the way in which Direct Payments will be used;
- the support, if any, which the individual needs to manage the Direct Payments;
- how the local authority and the individual will handle interim service provision prior to Direct Payments being made.
- Emergency and contingency arrangements should be considered in the Support Plan – see 8.6

8.3 If an individual or suitable person declines assistance from the support scheme, the assessing officer must ensure that the individual or the suitable person understands all the conditions that they need to meet. This includes conditions of contract and circumstances where repayment may be required. The assessing officer must ensure that the individual or the suitable person is aware that they are wholly accountable for the manner in which Direct Payments are spent, and for meeting all legal and health and safety requirements. This includes the individual's or suitable person's responsibility to find out the necessary taxation rules from the HMRC.

If an individual is considering a self-employed personal assistant arrangement then it is their responsibility to complete the HMRC Employment Status Indicator tool (ESI) which will determine the workers' employment status.

8.4 It is necessary to review care and support plans in accordance with the requirements of the Social Services and Well-being (Wales) Act 2014 and the Regulations made thereunder to ensure that services meet the assessed outcomes. This responsibility continues with Direct Payments. Paragraph 142 of the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014 requires that the local authority review an individual's care and support plan within 6 months of the first payment and within 12 months following the first review. At a review where Direct Payments have been made, in addition to the usual areas covered, the assessing officers should discuss the following with the individual:

- that the Direct Payment has been used for services to meet their outcomes as stated in the care and support/support plan
- that the services have been received
- that the money has been spent on a cost effective service
- whether they have faced any difficulty in managing Direct Payments
- whether they are receiving appropriate advice and assistance
- the adequacy of their records for monitoring expenditure and service delivery
- that the personal assistants have received adequate training to ensure competency at the tasks required of them

- if there is a surplus, what is the reason behind the surplus and what steps are to be taken

When reviewing a suitable person Direct Payments consideration must be given to evaluating that the Direct Payments are being managed for the benefit of, and best interests of the individual and not to suit the suitable person's preferences. Care must also be taken to consider safeguarding risks to the individual especially if the individual has difficulty in communicating without the aid of the suitable person.

8.5 Assessing officers should note that when exploring with the individual the type of service they intend using to meet their outcomes, the focus should be on whether their assessed outcomes will be met, rather than upon whether the service is provided in any particular way. It is appropriate for the assessing officer to advise the individual of where they can purchase services from, but they should not restrict the individual to any particular service provider.

8.6 The support scheme also should explore emergency and contingency arrangements with the individual, so that they are able to agree how temporary breaks in service will be met. This may include for example, the individual making arrangements with a service provider to provide emergency cover to utilise personal assistants on a flexible basis, where people are willing to work extra shifts if required.

8.7 Assessing officers should encourage individuals to ask for help and advice if, once they are receiving Direct Payments they have any difficulties or reservations about the services they are purchasing. Assessing officers should make individuals aware that asking for help in this manner will not be seen as an inability to cope, but rather as a productive way of resolving problems.

8.8 If the individual is receiving a mixed package of care then the assessing officer must ensure that services not provided via Direct Payments are clearly stated on the care and support/support plan.

9 Contract Agreement

9.1 A person who receives Direct Payments will be required to sign a legally binding agreement. That agreement may contain conditions, such as the needs for which the direct payment is provided may not be met by a particular person. The assessing officer should discuss this with the individual and must ensure that the Finance Section who issue the Contract are informed of any difficulties that the individual may be experiencing in meeting the terms of that Contract. A copy of the contract is attached as Appendix 2.

- 9.2** If there is doubt about whether the person understands the nature of the contract due to lack of capacity then consideration can be given to appointing a suitable person.

10 Financial Arrangements

10.1 Financial Assessments

- 10.1.1** Direct Payments are being made in lieu of services which may be chargeable, therefore individuals may be required to make appropriate contributions towards the cost of their services and a financial assessment is applicable as for those individuals who chose to have their services directly provided by the council.

- 10.1.2** Following completion of the financial assessment, the individual will be informed, in writing, of the assessed contribution, i.e. the amount they will be required to pay towards the service they receive.

10.2 Collection of Individual Contribution

- 10.2.1** Where the individual is assessed to contribute a charge for the service, the charge will be deducted from the Direct Payment, so the individual will receive a net payment.

- 10.2.2** Where the individual is assessed to contribute a charge for the service, the service user or the suitable person will be expected to pay the charge into the separate Direct Payments bank account – see 10.3 for further details.

- 10.2.3** In situations where the individual receives both a Direct Payment to meet some care requirements and services provided by the local authority to meet other requirements, different arrangements may be agreed to collect the individual's contribution.

Individuals who are children will not be expected to make a contribution and neither will their parents.

10.3 Bank Accounts

- 10.3.1** It will be necessary for the individual to have a separate current account (from here on referred to as their Direct Payment account) which must only be used for the money received from the local authority for Direct Payments and for their own contributions and for the payment of services for which the Direct Payments are made. The local authority must be provided with the details of the Direct Payment account and be allowed access to all records as required. The Direct Payment account must only be used to receive income and pay expenses in respect of services covered by the Direct Payments.

10.3.2 A Bank Details Form must be completed by the individual or suitable person to enable payments to be made via the Banks Automated Clearing System (BACS) directly into the individual's 'Direct Payment account'.

10.3.3 Managed Accounts

10.3.4 Where an individual or suitable person is unable to manage their personal finances or unable to open a separate current account then consideration can be given to having a managed account.

The Managed Account Service covers all of the tasks involved in setting up a bank account, maintaining a record of the bank account for financial audit, making sure that the Direct Payments are received and are correct, and making all the necessary payments to Personal Assistants, agencies including HMRC and other providers of the Service.

10.4 Method of Payment

10.4.1 Payments will be made net of any contribution for which the individual has been assessed to make.

10.4.2 Payments will be made four weekly in advance. For services which are ongoing individuals will normally receive the payment in the first week of each four week period although this may alter in weeks including bank holidays. One off services will also be paid in advance where possible. All payments will normally be made through BACS. The local authority will decide whether to make net or gross payments depending on the individual's circumstances.

10.4.3 The individual must also pay their own contribution into the Direct Payment account so that all expenditure is incurred from that account only.

The support scheme contracted by the local authority can be used to assist with setting up Direct Debits to collect the Contributions.

10.4.4 See also Section 12 for arrangements while Direct Payments are being agreed.

10.5 Funds for Additional Costs

10.5.1 It is permissible for the individual to build up a small amount in their bank account to cover contingency items. This enables individual's flexibility to adjust the amount of the direct payment from week to week. As long as the overall payment is being used to achieve the individual's personal outcomes, the actual weekly pattern of care and support/support does not need to be pre-determined. These will include such things as:

- money accrued to pay an outstanding bill from a service provider
- money being saved up to pay their employees PAYE
- an amount equal to the appropriate number of weeks to cover

- insurance
- annual leave
- sick leave
- payroll and pensions
- advertising
- recruitment
- maternity pay
- Personal Protective Equipment
- training needs - the individual as an employer is responsible for ensuring that personal assistants are competent and confident in undertaking tasks required. This could include training needs such as:
 - Manual handling, specialist communication skills, behavior management etc.

10.6 Accountability

10.6.1 The individual or suitable person is accountable for the manner in which the Direct Payments are spent.

10.7 Record Keeping

10.7.1 The individual or suitable person will need to keep appropriate records. These will include the following:

- **Income and Expenditure Summary**
This must be recorded and completed record sheets must be returned in accordance with the instructions provided (See Appendix 3). Income and Expenditure Summary.
- **Supporting Documents**
All supporting documents must be retained for a minimum of 7 (seven) years and must not be destroyed without the written agreement of the County Council e.g. invoices, receipts, cheque books, paying in books, bank statements etc.

10.7.2 **For those employing Personal Assistants the following must also be retained:**

- Personal Assistant's Weekly Timesheet. The Timesheet must record the days on which work was undertaken and the start and finish time of each shift and the number of hours worked.
- Holiday record
- Sickness record

The personal assistant's weekly time sheets should be retained by the individual until asked for [they will be required for Audit purposes.

10.8 Insurance and auto enrolment pensions

10.8.1 Information about Insurance Companies offering cover to those employing personal assistants can be obtained through the support scheme or from the local authority.

It is a requirement for individual's employing personal assistants through Direct Payments to have employer's liability insurance.

It is the individual's responsibility to adhere to the exact terms and conditions of the insurer.

10.8.2 The law on workplace pensions has changed. Under the Pensions Act 2008, every employer in the UK must put certain staff into a pension scheme and contribute towards it. This is called 'automatic enrolment'.

If an individual employs a personal care assistant then the individual or their suitable person is an employer and therefore has certain legal duties. Please see Appendix 7 for further information.

10.9 Recovery of Payment

10.9.1 Whilst it is possible for an individual to accumulate a small amount of direct payments as highlighted above, there will be circumstances where the local authority will need to recover direct payment monies which remain unspent.

Circumstances where payment may be recovered will include the following:

- if the local authority is not satisfied that the Direct Payment is used to secure the provision of services to which the Direct Payment specifically relates;
- or if money is left over, because of reduced prices etc., (less any liabilities or contingencies covered in 10.5 above);
- or if the individual has not met any condition which the local authority has properly imposed (See Appendix 2).
- if there has been an error in processing the payments for any reason
- the individual has died or the service for which the direct payment is made is no longer required due to change of circumstances

However it is important that local authorities consider when to seek recovery on an individual case by case basis, including the hardship caused to the individual and whether there are legitimate reasons for unspent monies. The local authority's aim in recovering money is to recoup monies which have been diverted from the purpose for which they were intended or simply not spent. Recovery will not be used by local authorities to penalise honest mistakes, nor will repayment be sought where the individual is the victim of fraud.

10.10 Use of Individual's Own Resources

10.10.1 It is permissible for individual's to add to Direct Payments from their own resources either to purchase additional services and/or to purchase services of a better quality or more expensive than have been agreed under the care and support/support plan. However, it is essential that the individual is made aware that they must not use their Direct Payment account for this payment, and that additional services/more expensive/higher quality services are paid for from another account.

10.11 V.A.T.

10.11.1 People who receive Direct Payments may have to pay V.A.T. on some of the services they purchase. However, many services will not incur V.A.T., for example, direct employment of a personal assistant will not incur V.A.T.

10.11.2 If the individual does purchase a service on which V.A.T. is charged, they are not able to recover the V.A.T. from Customs & Excise. Clearly this service will cost them more than other services and will also cost more than the equivalent service would cost the local authority which is able to recover V.A.T. payments.

10.11.3 This is not to say that individuals cannot purchase services on which V.A.T. is charged, but it is the responsibility of the local authority to ensure that the individual is aware that for some services, there will be no V.A.T. and for others, there will be V.A.T. The level of Direct Payment may not meet the cost of the service on which V.A.T. is charged if that service is able to be provided on a more cost effective basis elsewhere (this being the basis on which payment levels have been set).

10.12 Refund for Services Not Provided

10.12.1 If the individual has paid for a service which has not been provided, it is the individual's responsibility to secure a refund for that service, and that as the employer they should seek whatever recourse is necessary to obtain a refund.

10.13 Relationship between Monitoring and Review

10.13.1 The individual's financial arrangements with Direct Payments will be subjected to scrutiny, both in the social work review of the care and support/support plan and also through an examination and audit of the income and expenditure by the Finance Officer relating to the Direct Payments agreement. It is essential that the parties carrying out these different types of scrutiny, co-ordinate with each other and share their information. However local authorities will ensure that the financial monitoring arrangements for direct payments are proportionate, and that no decision to cancel or suspend a direct payment will be taken without prior involvement of the individual, their representative and social worker.

10.14 Monitoring

- 10.14.1** The individual or suitable person is required to maintain accurate records of all Income and Expenditure. This will identify if there is a surplus in the account (after allowing for the contingency items outlined in 10.5). This monitoring will be done on the 4 weekly Income and Expenditure forms which should be forwarded by the individual or suitable person to the Direct Payments team at the end of each month. A full audit may also be undertaken periodically.
- 10.14.2** In cases where there is a surplus in the account, action will be taken to either adjust the funds paid to the individual or recover the moneys in another appropriate way e.g. a debtor's invoice.
- 10.14.3** If there is a deficit on the account, then the reasons will be investigated and appropriate action will be implemented e.g. individual or suitable person to make up deficit, Direct Payments withdrawn etc. In such situations this is likely to necessitate a review of the care and support plan.
- 10.14.4** It should be noted that the Local Authority will only monitor that part of the Direct Payment that is made up of money paid by the Council and the individual's contributions.

10.15 Audit

10.15.1 Individuals will be advised that in addition to the record keeping outlined they should retain the following documentation for audit purposes:

- evidence that anyone they are employing is legally able to work in the UK
- bank statements
- cheque books
- any bank/building society paying-in books
- invoices
- receipts
- PAYE records
- National Insurance records
- Income Tax records
- other payroll and pension records
- County Council Financial Transaction records
- any other documents which can be relied upon to support financial transactions
- insurance certificates
- evidence of a Disclosure and Barring Scheme record if appropriate
- If an individual is considering a self-employed personal assistant arrangement then it is their responsibility to complete the HMRC Employment Status Indicator tool (ESI) which will determine the workers employment status. Copies of the ESI would need to be retained also.

Records should be kept for a minimum of seven years.

10.16 Payments made by individuals or Suitable Person

10.16.1 Payment for care purchased using Direct Payments should always be paid out of the Direct Payment account. It is expected that all payments will be made by cheque or bank transfer. Under no circumstances should cash payments be made.

10.17 Review

10.17.1 The Social Services and Well-being (Wales) Act and the Regulations made thereunder require a review of a child's care and support plan to be undertaken within 6 months of the plan being prepared. In relation to an adults care and support plan this timescale is within 12 months. However there will be a review of the care needs within 6 months after the start of the Direct Payments and then after 12 months, or as directed by the Assessing Officer. Reviews thereafter will be held on an annual basis unless it is deemed that they will be needed more regularly.

A review should also be undertaken in the following circumstances:

- if the individual or the suitable person request a review
- the local authority believes a review is required because there is concern that the direct payment is not meeting the individuals personal outcomes, or conditions attached to the direct payment are not being complied with, or there is a change in the individual or suitable persons circumstances

Individuals or suitable persons should be made aware that they must inform the council if their circumstances change. Examples of changed circumstances can include being in hospital, requiring less care, admission to residential care, requiring more care, or a Direct Payment is no longer required because the need is met in a different way.

When carrying out a review of direct payments, the local authority must involve the following:

- the individual,
- the suitable person,
- any carer of the individual,
- any person who the individual asks the local authority to involve
- If the individual lacks mental capacity any person authorised under the Mental Capacity Act 2005 to make decisions on that persons behalf regarding their care and support,
- If the individual is a child who is aged 16-17 years of age and lacks mental capacity, their parents, if consistent with the individual's well-being
- If the individual is a child under 16 years of age, their parents, if consistent with the individual's well-being

- Any other person the local authority considers to have sufficient involvement in the care and support of the individual

Following the review, the amount of the Direct Payments may need to be increased or decreased in which case the assessing officer will complete a revised care and support/support plan which should be forwarded to the Team Manager for approval. A revised contract will be drawn up by Finance Section and forwarded to the individual or suitable person for signature.

The assessing officer should ensure that information from the review is shared with the person who is doing the financial monitoring for audit purposes.

The individual is obliged to engage with the Assessing Officer in order to enable an informed and comprehensive review.

11.0 Disclosure and Barring Service

The Disclosure and Barring Service checking procedure may vary according to local (county) guidance.

A Disclosure and Barring Service check will be undertaken at no cost to either the employee or the individual.

In some cases a Disclosure and Barring Service check is compulsory, including:

- Children's Direct Payments
- Suitable person Direct Payments where the suitable person is not a relative of the individual or a friend of the individual involved in the provision of care for that individual.
- Employees under a suitable person's Direct Payments
- Please refer to local guidance in Appendix 5

Where a disclosure and barring service check is not compulsory the local authority will work with the individual and any suitable person to identify and manage any risks associated with the provision of the direct payment, so that the individual is supported to make informed choices and made to feel comfortable with positive risk taking.

12. Arrangements While Direct Payments Are Being Agreed

- 12.1** Following the assessment of outcomes, there may be a time lapse between Direct Payments being agreed and their commencement. Direct Payments cannot begin until:

- the individual has been financially assessed and contribution agreed
- and the individual has agreed to any conditions which are necessary for monitoring purposes

At this stage a payment to cover the startup costs (e.g. employers insurance, recruitment costs) will be made, however commencement of the Direct Payments will not commence until:

- the contract has been signed and returned to the local authority
- bank details of the Direct Payments account have been provided
- the Local Authority requires that appropriate insurance is in place
- Disclosure and Barring Scheme checks have been received and considered
- A personal assistant is to be employed then the person(s) has been recruited and a start date has been confirmed.

12.2 The assessing officer and the Finance Officer must ensure that the above conditions are in place before proceeding with a Direct Payment.

12.3 It is likely that an individual will be unable to make arrangements for a service to begin instantly. Therefore the assessing officer may need to arrange for services to be provided on a temporary basis, while the arrangements for Direct Payments and services are being made and finalised.

13. Discontinuing Direct Payments

13.1 Prior to discontinuing a direct payment the local authority will explore all feasible options to continue to meet the individuals care and support needs via a direct payment, where this is not possible to achieve the direct payment will be discontinued.

Direct Payments may be discontinued in situations where:

- the individual is having difficulty in managing money, services, staff or Direct Payment in general
- where Direct Payments no longer meet the assessed care and support/support needs or personal outcomes and it is not possible to amend the direct payment provision to meet those outcomes/needs.
- where a review indicates that neither Direct Payments nor services are necessary
- in situations where there has been misuse of Direct Payments (see 13.4 below)
- where the individual requests that they be replaced by direct services

The Local Authority will retain discretion to reduce the amount of Direct Payment if the recipient is in hospital for a significant period of time.

13.2 The decision to discontinue Direct Payments may be made at any time by either the local authority or the individual. If the reason for discontinuing Direct Payments is due to the individual's difficulty in managing the

payments, then it is essential that the assessing officer first explores whether there are ways to overcome these difficulties.

13.3 If there is a decision to discontinue Direct Payments, then the assessing officer should give the individual or suitable person a minimum of 1 weeks' notice. The actual period of termination notice should have due regard to the employment conditions of the personal assistant(s) and the service user's / suitable person's circumstances at the time.

13.4 In exceptional circumstances, it may be necessary to discontinue Direct Payments without giving notice. These circumstances include:

- misappropriation of funds
- serious misconduct on the part of the individual or suitable person
- contravention of the rules governing Direct Payments
- if there is a breach of the contract between the local authority and the service user/suitable person.
- Individual no longer requires a Direct Payment.

The assessing officer should explain the above to the individuals or suitable person before they begin to receive Direct Payments.

Where an individual decides to discontinue direct payments, the local authority will make alternative arrangements to meet that individual's eligible care and support needs/support needs. The local authority will also make the individual aware of their contractual responsibilities and the consequences of discontinuing the direct payment.

13.5 Where an individual dies the Direct Payments will cease. Such situations will be handled with the utmost sensitivity. The local authority will obtain the details of those responsible for the deceased's estate to close the Direct Payment account and to make payment for any outstanding responsibilities. Employees will have to have their employment terminated, final returns/income and expenditure sheets will have to be submitted once the final bank statement is received and after due process, the remaining balance in the account will have to be returned to the local authority. Those in receipt of Direct Payments should advise those potentially handling their estate of this process.

14. Transitional Arrangements – Young Persons into Adulthood

14.1 In some cases the young person at age 16 or 17 may wish, as part of the transition to adulthood, to take control of parts or all of the Direct Payment that has to date been managed by the person with parental responsibility.

14.2 A plan to develop a young person's ability to manage the Direct Payment can be put in place during the transitional arrangements, whereby the young person manages only a proportion of their support with a Direct Payment. This preparation could increase as the young person matures, with the objective of full management of the Direct Payment by the age of 18.

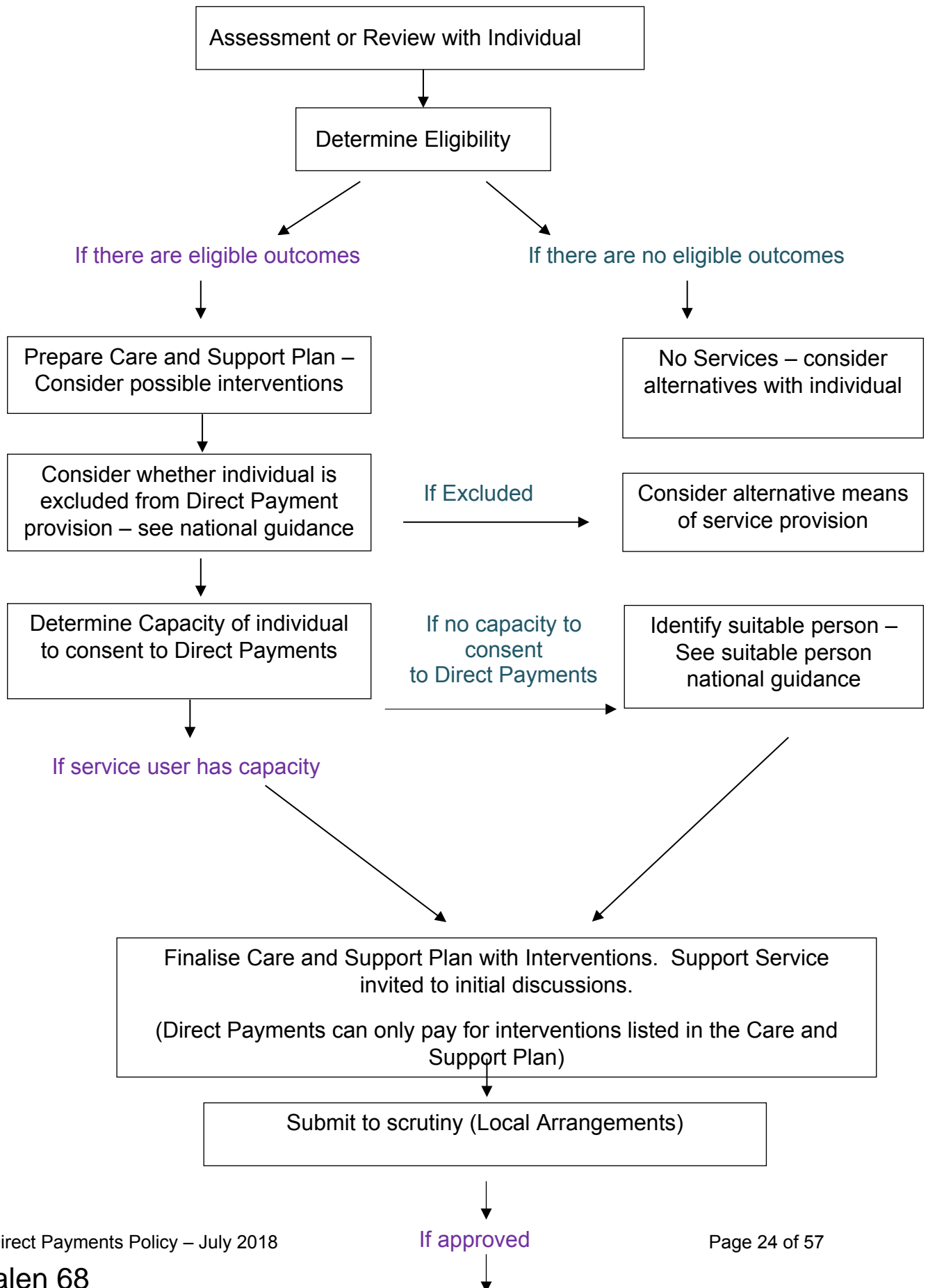
15 Complaints Procedure

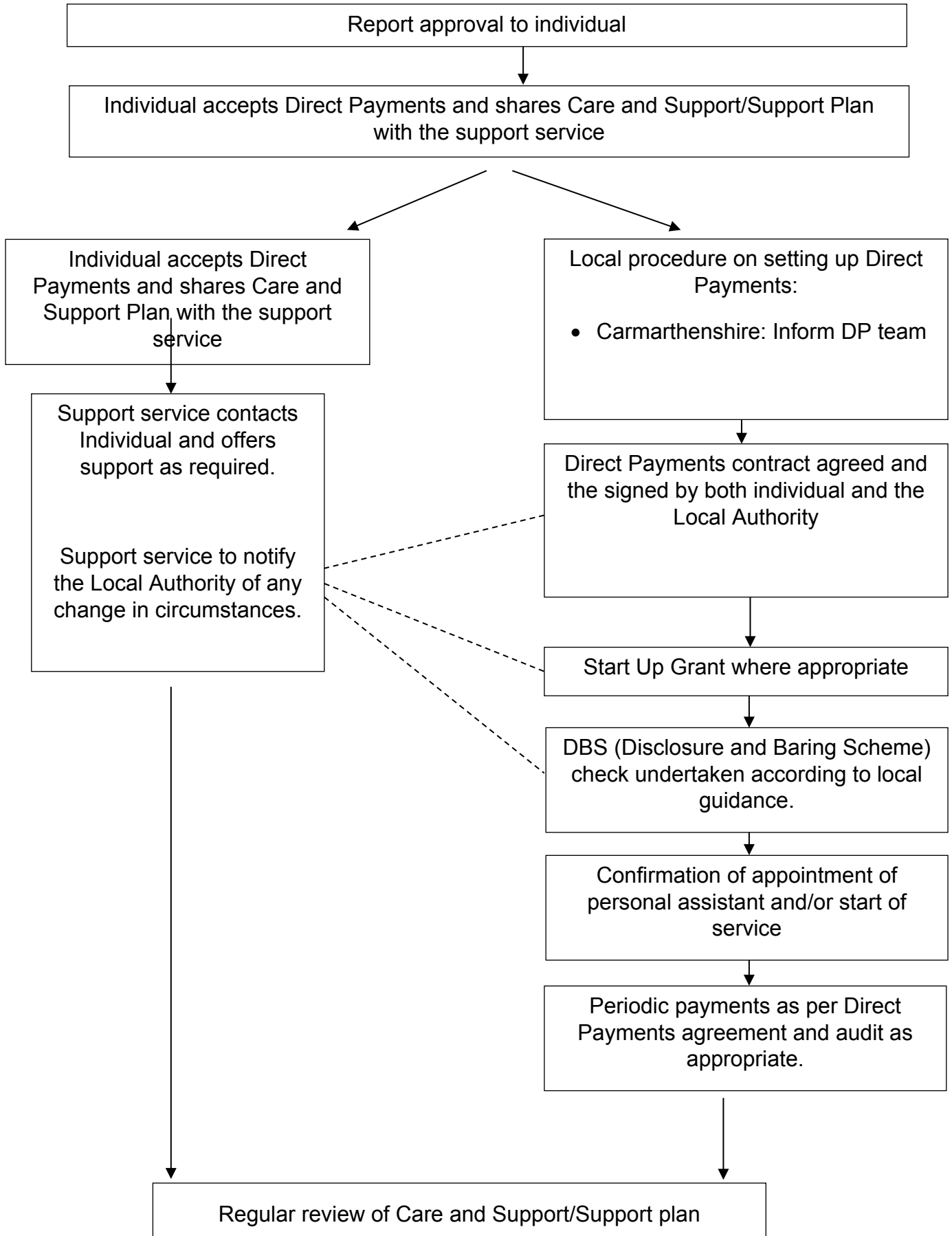
Subject to the below if an individual has any dispute with regards to the Direct Payment then they should be advised to use the Local Authority's Complaints Procedure.

However if the individual has a dispute about the amount of financial contribution that they are required to make towards the direct payment then the local authority's review of charging process should be used.

15.1 This procedure has been published and the individual will receive a copy of the procedure. They will be informed of the process involved in making a complaint.

16 The Direct Payment Process





16.2 Discontinuation / Suspension

16.2.1 Any serious matter which may arise and could lead to discontinuation should be discussed with the local authority lead officer for Direct Payments.

17 Procedure For Administration And Financial Staff

17.1 Payments Procedure

17.1.1 Initial payments and one-off payments will be made in advance where possible.

17.1.2 Regular payments will be made by the Banks Automated Clearing System (BACS). Payments will be made four weekly in advance. Payments would normally be received in the individual's account in the first week of each four-week period, although this may change in weeks which include bank holidays. Before the first payment can be processed, the Direct Payment Team must receive copies of the following:

- Allocation/Approval of Direct Payment
- Support/ Care Plan
- Signed contract
- Individual/Direct Payments account details
- Confirmation that the personal assistant has been recruited (if a personal assistant is to be employed)
- Confirmation of service commencement, or alternative service provision

17.1.3 A payment advice is produced by the creditor payments system and is sent direct to the service user advising of the amount and weeks covered. The payment details and the period covered appears in the description on the remittance advice sheet.

17.2 Collection of Individuals Contribution

17.2.1 Services which are assessed and met through a Direct Payment maybe a service(s) with a charge. Where this is the case, and the individual is liable for a charge, then the individual's contribution (charge) for their Direct Payment is deducted from the Direct Payment amount paid to them so that they receive a net payment. The individual must therefore deposit his/her contribution into their personal Direct Payment bank account promptly each period. Where there is a mix of Direct Payments and other chargeable services then the individual will be advised of how to pay their contribution as it may be appropriate to collect the service user's contribution in a different way.

17.3 Recovery Procedures

17.3.1 When there is overpayment or a surplus in the account for any reason then this will be recovered usually in one of the following ways:

- where regular payment is continuing, adjustment will be made to these payments to recover the surplus
- If Direct Payments are not continuing a letter will be sent to the individual to ask for the surplus to be returned. An invoice may also be raised on the corporate debtors system to recover the full amount due.

17.3.2 When the individual is required to repay money that has been spent on services which were not included in the Direct Payments agreement, or where the service user did not meet the conditions for using Direct Payments which the local authority had properly imposed, then the monies will be recovered as in 17.3.1 above, or alternatively the usual debt recovery procedures will be used.

17.4 Office Administrative Record Keeping

Administrative staff will need to keep a record of:

- payments,
- individual's contributions and how the contribution is being collected.
- any combination of service and Direct Payments which the individual is receiving.

18 Cross border protocol

Please see Appendix 6.

19 Equipment for daily Living

19.1 The Direct Payments legislation allows Local Authorities to make Direct Payments available to enable people to purchase for themselves equipment and temporary adaptations, and local authority services which would otherwise have been provided by the Local Authority.

19.2 Direct Payments in this instance cannot be used to purchase services or equipment for which the Authority is not responsible, for example, equipment that the NHS provides unless they are incidental and ancillary to the individuals care and support/support needs. Direct Payments are not a substitute for Disabled Facilities Grant for property adaptations. The same principles apply to offering Direct Payments for equipment, as apply to any other kind of service. The amount given to the individual to purchase an item of equipment must be equal to the amount the local authority would have to spend on providing that item of equipment. In the event that the individual wishes to purchase a more expensive piece of equipment to that which would adequately meet their needs then they

would be responsible for paying the difference between what the local authority would pay and what the individual would like to purchase.

19.3 Direct Payments can be awarded for the purchase of equipment in certain circumstances and the responsibilities of the individual and the local authority will be set out in a separate specific contract which will be agreed prior to the direct payment being processed.

19.4 In considering both the cost that is reasonably needed by the individual and whether it is cost-effective for a Direct Payment to be used, staff need to bear in mind, the difference in VAT treatment in relation to whether equipment is purchased by the Department or the individual.

19.5 Steps to providing Direct Payments for Equipment

Assessment	Does not change, the process is exactly the same and authorised through the normal channels. If the equipment would normally be provided through existing contracts or is a 'special' item then cash equivalent could be offered as a Direct Payment.
Choices	Once the assessment has shown the individual is eligible for a service and the equipment has been identified the individual should then be informed of the choices on how the equipment can be provided.
Making Payment	Local guidance applies.
Paperwork	The provision of equipment requires an assessment, (with costs). In Carmarthenshire County Council equipment provided through an Occupational Therapy assessment or an assessment by a sensory impairment officer is considered a preventative service and therefore no care and support plan, or support plan in the case of a carer, is provided.

APPENDICES

Appendix 1 – User Rates of Pay for Carmarthenshire

Please refer to Carmarthenshire County Council's Charging Policy

Appendix 2 – Direct Payments Agreement

DIRECT PAYMENTS AGREEMENT

CONDITIONS OF CONTRACT

THIS AGREEMENT IS MADE ON

BETWEEN:

(1) Carmarthenshire County Council, 3 Spilman Street, Carmarthen SA31 1LE (“The Council”)

&

(2)

(“The Individual”)

WHEREAS:

- (i) The Council in exercise of its powers under the Social Services and Well-being (Wales) Act 2014 and Care and Support (Direct Payments)(Wales) Regulations 2015 will make Direct Payments to the individual to enable the individual to purchase services required to meet his or her assessed care and/or support needs, identified in the attached Care and Support Plan/Support Plan, and
- (ii) The Individual wishes to receive the direct payments from the Council and is willing to purchase and control the services required to meet his or her assessed care and support needs.

The Council and the Individual agree as follows:

1. The Council shall provide the direct payments as stated in this Agreement.
2. The Individual shall (alone or with assistance) manage the direct payments made in accordance with this Agreement.

1. Definitions

“The Council” means Carmarthenshire County Council

“Agreement” means these conditions, appendices and your Care and Support/Support Plan.

“Agreed Sum” means the Council’s contribution to your Direct Payments as stated (condition 7.1).

“Assessed Contribution” means the amount of money that you have been assessed as having to contribute to your care package.

“Care and Support Plan/Support Plan” means a document agreed with you that details your care and support/support needs and how your needs will be met, including the types of services that you may purchase with the Direct Payments. The Care and Support Plan/Support plan is part of this agreement.

“Direct Payments” means the money you use to purchase your services as part of this agreement.

“Direct Payments Bank Account” means a separate cheque account (and in the event that a cheque account is unavailable a separate bank account) set up by you that you will use only for your Direct Payments and your Independent Living Fund payments, in so far as they exist.

“Individual” means “you”.

“Provider” means someone who directly provides a service for you.

2. Commencement and Duration

- 2.1 This Agreement shall start on the and shall continue until ended by either you or the Council in accordance with condition 17.

3. Entire Agreement

- 3.1 This agreement is the whole agreement between you and the Council about Direct Payments.

4. The Service

- 4.1 You can only purchase services that meet the needs detailed in your care and support/support plan.

5. The Council's Obligations

- 5.1** The Council will pay to you its contribution as stated in condition 7.1.
- 5.2** If you are unable to manage your Direct Payments or you misuse them the Council will be responsible for providing or arranging appropriate services to meet your assessed needs, providing you remain eligible for those services, according to the Care and Support (Eligibility) (Wales) Regulations 2015.
- 5.3** The Council will review your care and support/support plan initially within 6 months and thereafter at least once every year or more often if either you or the Council thinks it is necessary.

6. Your Obligations

- 6.1** You must manage the direct payments in accordance with this agreement.
- 6.2** You must pay your assessed contribution into your Direct Payments Bank Account.
- 6.3** The Direct Payments are made to you on condition that you only spend it to purchase the services detailed in your Care and Support/Support Plan.
- 6.4** You must ensure that you receive all the services you have paid for.
- 6.5** You must keep and maintain the records detailed in this agreement.
- 6.6** You must ensure that the services you buy are cost effective.
- 6.7** If you employ staff to provide you with the services listed in your Care and Support/Support Plan you will be responsible for all the duties, liabilities and obligations of an employer.
- 6.8** You must ensure that the required insurance is in place at all times.
- 6.9** You must promptly tell the Council if your care needs change, your financial circumstance change or if you go into hospital.

7. Contributions to Direct Payments

- 7.1** Your Care and Support Plan will detail the amount of direct payments that you require to meet your assessed and eligible care and support needs.
 - 7.1.1** The Council will assess your financial contribution towards this direct payment in accordance with the Care and Support (Financial Assessment) (Wales) Regulations 2015 and Care and Support (Charging) (Wales) Regulations 2015

7.1.2 The Council will make a direct payment to you net any contribution that you are required to make in accordance with the financial assessment as set out in 7.1.1

7.2 If at anytime you become hospitalised or are unable to receive services and employ a personal assistant funded from the direct payments either directly or through an agency the following will apply:-

The council will pay the full direct payment for up to eight weeks in any financial year and thereafter will reduce payment to 70% of the weekly Direct Payment until the social worker determines that the Direct Payment Scheme is no longer viable and must be suspended. The social worker will give notice in accordance with the Personal Assistants contract of employment with the client, but in any event no more than 12 weeks. The Council reserve the right to recover any surplus payments which may accrue as a result of this clause.

8. How the Direct Payments are paid to you

8.1 Upon this Direct Payment agreement being signed by You, the Council will make Payments from the date that it is satisfied the services set out in the individual's care and support/support plan are procured or delivered.

8.2 The Council will pay its contribution directly into your Direct Payments Bank Account, four weekly in advance for regular payments, and in advance where possible for periods of respite care which are at fixed intervals.

8.3 If at any time you are assessed as needing an additional service the Council may pay you separately for that service and whenever possible will make the payment in advance. You must deposit this payment into you Direct Payments Bank Account.

8.4 You must pay your assessed contribution into your Direct Payments Bank Account every four weeks.

9. Administration of Direct Payments

9.1 You must open a separate Direct Payments bank account for all your Direct Payments.

9.2 All payments from your Direct Payments Bank Account should usually be made by cheque or Bank Automated Credit System credit transfer, however you may use cash in exceptional circumstances where it is impractical to use a cheque or Bank Automated Credit System credit transfer. If you do use cash you must ensure that you receive and keep a receipt for every transaction.

9.3 You are responsible for the payment of all bank charges levied on your Direct Payments Bank Account.

10. Additional Costs

10.1 You may keep an amount of funds in your Direct Payments Bank Account to cover additional costs. The level of these funds will be reviewed periodically by Carmarthenshire County Council. Additional costs can include the following:

- Employees PAYE and payroll costs
- Insurance costs
- Annual leave costs
- Sick leave costs
- Short periods of hospital admission that you cannot arrange to coincide with your staff's leave
- Advertising and recruitment costs
- Support services, which may include training and peer support

10.2 If at any time it appears to the Council that the funds in the Direct Payment bank account are over above that which is reasonably necessary, including an element for additional costs as mentioned above, the Council at its discretion will either seek recovery of this amount from You by sending an invoice setting out the amount due or by reducing a subsequent payment to you by the amount of surplus.

10.3 Where additional costs to purchase care are incurred or are likely to be incurred in the future, then it is your responsibility to advise Carmarthenshire County Council of these at the earliest possible time. Carmarthenshire County Council will consider each individual case and will determine whether additional direct payments may be made on a temporary basis to cover these.

11. Financial Monitoring and Records

You must maintain a record of all income and expenditure relating to this contract in the record book provided and all supporting documents must be retained for at least seven years and must not be destroyed without written approval from Carmarthenshire County Council. Examples of supporting documents which must be retained are as follows:-

- bank statements
- cheque books
- bank/building society paying in books
- invoices
- receipts
- PAYE records
- NI records
- Income Tax records
- Insurance certificates

- 11.1** At the end of each calendar month you must sign and detach the expenditure and income record sheet and care provision record sheet and forward them to the address shown in the record book.
- 11.2** If you employ a personal assistant then you must ensure that a weekly time sheet is completed showing the times and days that the employee is working. You must retain these timesheets for at least 7 years.
- 11.3** It is important that, wherever possible, you have supporting documents for all transactions. It is your responsibility to ensure that these documents are sought and retained.
- 11.4** This agreement only deals with the records the Council requires you to keep. You may be required to keep records by other bodies e.g. Inland Revenue, and you must check to find out what those records are and how long you must keep them for.

12. Monitoring

- 12.1** The Council is entitled to take reasonable steps to monitor how you are using your Direct Payments and to make sure you are receiving the services in your Care and Support/Support Plan.
- 12.2** You must allow Council Officers, or anybody authorised by the Council, to have access to all records that you are responsible for keeping. You must make any changes to your record keeping that the Council asks for and you must co-operate with any monitoring carried out by the Council.
- 12.3** The Council shall have the right to carry out unannounced monitoring visits, and if such a visit is carried out you must allow the Officers who attend to have access to all records that you are responsible for keeping. If the officers make any recommendations about your records and/or your procedures for maintaining them you must implement those recommendations.

13. Insurance

If you employ personal assistants you must ensure that you have relevant insurance cover to meet your responsibilities as an employer.

14. Review

- 14.1** The Council will review your care and support/support plan initially within 6 months and at least once every year or more often if either you or the Council thinks it is necessary. At this review, in addition to reviewing whether the services continue to meet your assessed needs, the following will also be considered:

- 14.1.1** Whether the Direct Payments have only been used to purchase services to meet the needs detailed in your Care and Support/Support Plan;
 - 14.1.2** Whether the services have been received;
 - 14.1.3** Whether you have taken all reasonable steps to ensure that Direct Payments have been spent on cost effective services;
 - 14.1.4** Whether you have experienced any difficulties in managing direct payments;
 - 14.1.5** Whether you are receiving appropriate advice and assistance in managing your Direct Payments;
 - 14.1.6** Whether you are maintaining adequate records for monitoring purposes.
- 14.2** Once the review meeting has taken place the Council will write to you detailing the outcome of the review, and shall make any changes to your care plan which were agreed in the review meeting.

15. Excluded Service Providers

- 15.1** You must not under any circumstances use your Direct Payments to purchase services from the following:
- 15.1.1** The National Health Service;
 - 15.1.2** A relative living in the same household, where that arrangement does not promote the individual's well-being. For the purpose of this agreement a relative will be: a spouse or civil partner; a person who lives with a person as if a spouse or civil partner; parent, parent in law or step parent; son or daughter; son in law or daughter in law; stepson or stepdaughter; brother or sister; aunt or uncle; grandparent; or the spouse or civil partner of any of the people previously mentioned. For the purposes of this agreement, when considering whether such a relative living in the same household will promote an individual's well-being, Carmarthenshire County Council will take into accounts the individual's views before coming to a decision.

16. Changes to the Agreement

- 16.1** Carmarthenshire County Council retain the right to vary **this** agreement and you will be notified of any such variations.

17. Termination (Ending the Contract)

- 17.1** Either you or the Council can end this agreement by giving 5 weeks written notice to the other, or by a shorter period if both agree. Notices should be sent by recorded delivery to the addresses shown on page 1 of the Agreement. If you and the Council agree to end the contract in this way you will be liable to promptly repay to the Council:
- 17.1.1** Any money in your Direct Payments Bank Account including any accrued interest after all outstanding invoices have been paid.
 - 17.1.2** Any monies paid to a Provider or any other for services which you have not received. You are responsible for recovering any monies paid to the Provider or any other person for services which you have not yet received.
 - 17.1.3** Any direct payment monies which have not been used to meet your care and support needs
- 17.2** The Council can give written notice to end this agreement with immediate effect if:
- 17.2.1** You breach any of the conditions of this agreement and/or fail to carry out any action reasonably requested by the Council.
 - 17.2.2** A Council Officer has reasonable grounds to believe you are misusing your Direct Payments.
 - 17.2.3** You become bankrupt or make a composition or arrangement with your creditors or have a proposal in respect of your company for voluntary arrangement for a composition of debts or scheme or arrangements approved in accordance with the Insolvency Act 1986.
 - 17.2.4** Carmarthenshire County Council determine that you are unable to manage your direct payments.
- 17.3** In the event of your death this Agreement will terminate and the Council is entitled to recover from your Estate the total of any money including accrued interest, in your Direct Payment bank Account after all outstanding invoices for services provided under this Agreement have been paid.

18. Complaints

- 18.1** If you are unhappy about anything connected with the Direct Payments scheme you are entitled to use the Council's Complaints procedure.

Signed for and on behalf of the Council

Signed by the Individual

Signature:

Signature:

Name:

Name:

Title:

Date:

Date:

Direct Payments

CONFIRMATION OF RECRUITMENT

Personal Assistant's

Name: _____

Individual's Name: _____

Address: _____

I confirm that I have now successfully recruited carers who will be starting work on _____

I should therefore be grateful if you could commence paying four-weekly Direct Payments into my account the details of which are as follows:

CONFIRMATION OF BANK DETAILS

Bank: _____

Address: _____

Account Details: _____

Sort Code: _____

Account Number: _____

Signed: _____

Date: _____

Please return form to: Carmarthenshire County Council. Communities Directorate, Business Support Section, 3 Spilman Street, Carmarthen, SA31 1LE

DIRECT PAYMENTS AGREEMENT

CONDITIONS OF CONTRACT

THIS AGREEMENT IS MADE ON

BETWEEN:

(1) Carmarthenshire County Council, 3 Spilman Street, Carmarthen SA31 1LE (“The Council”)

&

(2) (“The Suitable Person” on behalf of the “Individual”)

WHEREAS:

- (i) The Council in exercise of its powers under the Social Services and Well-being (Wales) Act 2014 and Care and Support (Direct Payments) (Wales) Regulations 2015 will make Direct Payments to the Individual. The Individual has been assessed as lacking mental capacity to manage their own direct payments, even with support, or the individual is a child and the person managing their direct payments is a parent or person with parental responsibility. Therefore the suitable person has been appointed to act on behalf of the Individual to enable the Individual to purchase services required to meet his or her assessed care and/or support needs, identified in the attached Care and Support Plan/Support Plan, and
- (ii) The Suitable Person is willing to receive the direct payments on behalf of the individual from the Council and is willing to purchase and control the services required to meet the individual’s assessed care and support needs.

The Council and the Suitable Person agree as follows:

- 3. The Council shall provide the direct payments as stated in this Agreement.
- 4. The Suitable Person shall (alone or with assistance) manage the direct payments made in accordance with this Agreement.

1. Definitions

“The Council” means Carmarthenshire County Council

“Agreement” means these conditions, appendices and the Individual’s Care and Support/Support Plan.

“Agreed Sum” means the Council’s contribution to the Individual’s Direct Payments as stated (condition 7.1).

“Assessed Contribution” means the amount of money that the Individual have been assessed as having to contribute to your care package (If the individual is a child there will be no assessed contribution).

“Care and Support Plan/Support Plan” means a document agreed in the Individual’s best interest and that details the care and support/support needs and how the needs will be met, including the types of services that the Suitable Person may purchase with the Direct Payments. The Care and Support Plan/Support plan is part of this agreement.

“Direct Payments” means the money the Suitable Person will use to purchase the Individual’s services as part of this agreement.

“Direct Payments Bank Account” means a separate cheque account (and in the event that a cheque account is unavailable a separate bank account) set up by the Suitable Person that they will use only for the Direct Payments and any Independent Living Fund payments, in so far as they exist.

“Individual” means “person with care and support needs” as defined by the Social Services and Well-being (Wales) Act 2014, Care and Support (Direct Payments) (Wales) Regulations 2015 and the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014 .

“Provider” means someone who directly provides a service for you.

“Suitable Person” means a person as defined in the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014, or the parent or other person with responsibility for a child who is an Individual as defined in this Agreement

2. Commencement and Duration

- 2.2 This Agreement shall start on the and shall continue until ended by either the Suitable person or the Council in accordance with condition 17.

3. Entire Agreement

- 3.1 This agreement is the whole agreement between the Suitable Person and the Council about Direct Payments.

4. The Service

- 4.1 The Suitable Person can only use the direct payments to purchase services that meet the needs detailed in the Individual's care and support/support plan.

5. The Council's Obligations

- 5.1 The Council will make its contribution as stated in condition 7.1.
- 5.2 If the Suitable Person is unable to manage the Direct Payments or misuse them the Council will be responsible for providing or arranging appropriate services to meet the Individual's assessed needs, providing they remain eligible for those services, according to the Care and Support (Eligibility)(Wales) Regulations 2015.
- 5.3 The Council will review the Individual's care and support/support plan initially within 6 months and thereafter at least once every year or more often if necessary.

6 The Suitable Person's Obligations

- 6.1 The Suitable Person must manage the direct payments in accordance with this agreement.
- 6.2 The Suitable Person must ensure that arrangements are in place for the Individuals assessed contribution to be paid into the Direct Payments Bank Account.
- 6.3 The Direct Payments are made to the Suitable Person on condition that they only spend it to purchase the services detailed in the Individual's Care and Support/Support Plan.
- 6.4 The Suitable Person must ensure that the Individual receives all the services that have been have paid for.
- 6.5 The Suitable Person must keep and maintain the records detailed in this agreement.
- 6.6 The Suitable Person must ensure that the services you buy are cost effective.
- 6.7 If the Suitable Person employs staff to provide the Individual with the services set out in the Care and Support/Support Plan the Suitable Person will be responsible for all the duties, liabilities and obligations of an employer.

- 6.8 The Suitable Person must ensure that the required insurance is in place at all times.
- 6.9 The Suitable Person must promptly tell the Council if the Individual's care and support needs change, the Individual's financial circumstance change or if or if the individual or Suitable Person go into hospital.

7. Contributions to Direct Payments

- 7.2 The Individual's Care and Support Plan will detail the amount of direct payments that the Individual requires to meet their assessed and eligible care and support needs.

7.1.1 The Council will assess the individual's financial contribution towards his or her direct payment in accordance with the Care and Support (Financial Assessment) (Wales) Regulations 2015 and Care and Support (Charging) (Wales) Regulations 2015. In the case of a child who is the Individual for the purposes of this agreement no contribution will be sought.

7.1.2 The Council will make a direct payment to the Suitable Person net any contribution that the Individual is required to make in accordance with the financial assessment as set out in 7.1.1

- 7.3 If at any time the Individual becomes hospitalised or is unable to receive services and employ a personal assistant funded from the direct payments either directly or through an agency the following will apply:-

The council will pay the full direct payment for up to eight weeks in any financial year and thereafter will reduce payment to 70% of the weekly Direct Payment until the social worker determines that the Direct Payment Scheme is no longer viable and must be suspended. The social worker will give notice in accordance with the Personal Assistants contract of employment with the client, but in any event no more than 12 weeks. The Council reserve the right to recover any surplus payments which may accrue as a result of this clause.

8. How the Direct Payments are paid to you

- 8.1 Upon this Direct Payment agreement being signed by the Suitable Person, the Council will make payments from the date that it is satisfied the services set out in the individual's care and support/support plan are procured or delivered.
- 8.2 The Council will pay its contribution directly into the Direct Payments Bank Account, four weekly in advance for regular payments, and in advance where possible for periods of respite care which are at fixed intervals.
- 8.3 If at any time the Individual is assessed as needing an additional service the Council may pay separately for that service and whenever possible will make

the payment in advance. The Suitable Person must deposit this payment into you Direct Payments Bank Account.

- 8.4** The Suitable Person must pay the Individual's assessed contribution into the Direct Payments Bank Account every four weeks.

9. Administration of Direct Payments

- 9.1** All payments from the Direct Payments Bank Account should usually be made by cheque or Bank Automated Credit System credit transfer, however y cash may be used in exceptional circumstances where it is impractical to use a cheque or Bank Automated Credit System credit transfer. If cash is used the Suitable Person must ensure that they receive and keep a receipt for every transaction.

- 9.2** The Suitable Person is responsible for the payment of all bank charges levied on the Direct Payments Bank Account.

10. Additional Costs

- 10.1** The Suitable Person may keep an amount of funds in the Direct Payments Bank Account to cover additional costs. The level of these funds will be reviewed periodically by Carmarthenshire County Council. Additional costs can include the following:

- Employees PAYE and payroll costs
- Insurance costs
- Annual leave costs
- Sick leave costs
- Short periods of hospital admission that you cannot arrange to coincide with your staff's leave
- Advertising and recruitment costs
- Support services, which may include training and peer support

- 10.2** If at any time it appears to the Council that the funds in the Direct Payments bank account are over and above that which are reasonably necessary, including an element for additional costs as mentioned above, the Council at its discretion will either seek recovery of this amount by sending an invoice setting out the amount due or by reducing a subsequent payment by the amount of surplus.

- 10.3** Where additional costs to purchase care are incurred or are likely to be incurred in the future, then it is the Suitable Person's responsibility to advise Carmarthenshire County Council of these at the earliest possible time. Carmarthenshire County Council will consider each individual case and will determine whether additional direct payments may be made on a temporary basis to cover these.

11. Financial Monitoring and Records

11.1 The Suitable Person must maintain a record of all income and expenditure relating to this contract in the record book provided and all supporting documents must be retained for at least seven years and must not be destroyed without written approval from Carmarthenshire County Council. Examples of supporting documents which must be retained are as follows:

- bank statements
- cheque books
- bank/building society paying in books
- invoices
- receipts
- PAYE records
- NI records
- Income Tax records
- Insurance certificates

11.2 At the end of each calendar month the Suitable Person must sign and detach the expenditure and income record sheet and care provision record sheet and forward them to the address shown in the record book.

11.3 If the Suitable Person employs a personal assistant then you must ensure that a weekly time sheet is completed showing the times and days that the employee is working. You must retain these timesheets for at least 7 years.

11.4 It is important that, wherever possible, the Suitable Person has supporting documents for all transactions. It is the Suitable Person's responsibility to ensure that these documents are sought and retained.

11.5 This agreement only deals with the records the Council requires the Suitable Person to keep. The Suitable Person may be required to keep records by other bodies e.g. Inland Revenue, and you must check to find out what those records are and how long you must keep them for.

12. Monitoring

12.1 The Council is entitled to take reasonable steps to monitor how the Suitable Person is using the Direct Payments and to make sure the Individual is receiving the services in their Care and Support/Support Plan.

12.2 The Suitable Person must allow Council Officers, or anybody authorised by the Council, to have access to all records that you are responsible for keeping. The Suitable Person must make any changes to the record keeping that the Council asks for and the Suitable Person must co-operate with any monitoring carried out by the Council.

12.4 The Council shall have the right to carry out unannounced monitoring visits, and if such a visit is carried out the Suitable Person must allow the Officers who attend to have access to all records that the Suitable Person is

responsible for keeping. If the officers make any recommendations about the records and/or the procedures for maintaining them the Suitable Person must implement those recommendations.

13. Insurance

If the Suitable Person employs personal assistants they must ensure that they have relevant insurance cover to meet their responsibilities as an employer.

14. Review

14.1 The Council will review the individual's care and support/support plan initially within 6 months and at least once every year or more often as necessary. At this review, in addition to reviewing whether the services continue to meet the Individual's assessed needs, the following will also be considered:

14.1.1 Whether the Direct Payments have only been used to purchase services to meet the needs detailed in the Care and Support/Support Plan;

14.1.2 Whether the services have been received;

14.1.3 Whether all reasonable steps have been taken to ensure that Direct Payments have been spent on cost effective services;

14.1.4 Whether any difficulties have been experienced in managing Direct Payments;

14.1.5 Whether appropriate advice and assistance was received in Managing the Direct Payments;

14.1.6 Whether the Suitable Person is maintaining adequate records for monitoring purposes.

14.2 Once the review meeting has taken place the Council will write to the Suitable Person detailing the outcome of the review, and shall make any changes to the care and support plan which were agreed in the review meeting.

15. Excluded Service Providers

15.1 The Suitable Person must not under any circumstances use Direct Payments to purchase services from the following:

15.1.1 The National Health Service;

15.1.2 A relative living in the same household, where that arrangement does not promote the individual's well-being. For the purpose of this agreement a relative will be: a spouse or civil partner; a person who lives with a person as if a spouse or civil partner; parent, parent in law or step parent; son or daughter; son in law or daughter in law; stepson

or stepdaughter; brother or sister; aunt or uncle; grandparent; or the spouse or civil partner of any of the people previously mentioned. For the purposes of this agreement, when considering whether such a relative living in the same household will promote an individual's well-being, Carmarthenshire County Council will take into accounts the individual's views before coming to a decision.

16. Changes to the Agreement

- 16.1** Carmarthenshire County Council retain the right to vary **this** agreement and the Suitable Person will be notified of any such variations.

17. Termination (Ending the Contract)

- 17.1** Either the Suitable Person or the Council can end this agreement by giving 5 weeks written notice to the other, or by a shorter period if both agree. Notices should be sent by recorded delivery to the addresses shown on page 1 of the Agreement. If the Suitable Person and the Council agree to end the contract in this way the Suitable Person will be liable to promptly repay to the Council:

17.1.1 Any money in the Direct Payments Bank Account including any accrued interest after all outstanding invoices have been paid.

17.1.2 Any monies paid to a Provider or any other for services which the individual has not received. It is the Suitable Person's responsibility to recover any monies paid to the Provider or any other person for services which the Individual has not yet received.

17.1.3 Any direct payments monies which have not been used to meet the Individual's care and support needs.

- 17.2** The Council can give written notice to end this agreement with immediate effect if:

17.2.1 The Suitable Person breaches any of the conditions of this agreement and/or fails to carry out any action reasonably requested by the Council.

17.2.2 A Council Officer has reasonable grounds to believe the Suitable Person is misusing the Direct Payments or not administering them in the Individual's best interest.

17.2.3 The Suitable Person becomes bankrupt or makes a composition or arrangement with your creditors or have a proposal in respect of your company for voluntary arrangement for a composition of debts or scheme or arrangements approved in accordance with the Insolvency Act 1986.

17.2.4 Carmarthenshire County Council determine that the Suitable Person is unable to manage the direct payments.

17.2.5 The individual regains mental capacity to manage the direct payment themselves, either with or without support.

17.2.6 The direct payment is no longer meeting the personal outcomes of the Individual, or the Individual no longer has needs for care and support, or it is not considered in the Individual's best interest to continue with such payments.

17.3 In the event of the Suitable Person's death or the death of the Individual this Agreement will terminate and the Council is entitled to recover from the Suitable Person's estate the total of any money including accrued interest, in the Direct Payment bank Account after all outstanding invoices for services provided under this Agreement have been paid.

18. Complaints

18.1 If the Suitable Person is dissatisfied about anything connected with the Direct Payments scheme the Suitable Person is entitled to use the Council's Complaints procedure.

Signed for and on behalf of the Council

Signed by the Suitable Person on behalf of the Individual

Signature:

Signature:

Name:

Name:

Title:

Date:

Date:

Direct Payments

CONFIRMATION OF RECRUITMENT

Personal Assistant's Name: _____

Suitable Person's Name: _____

Address _____

I confirm that I have now successfully recruited carers who will be starting work on _____.

I should therefore be grateful if you could commence paying four-weekly Direct Payments into my account the details of which are as follows:

CONFIRMATION OF BANK DETAILS

Bank: _____

Address: _____

Account Details : _____

Sort Code: _____

Account Number: _____

Signed: _____

Date: _____

Please return form to: Carmarthenshire County Council. Communities Directorate, Business Support Section, 3 Spilman Street, Carmarthen SA31 1LE

RFA/DP10

Appendix 3 – Direct Payments Income and Expenditure

DIRECT PAYMENTS INCOME & EXPENDITURE RECORDS

NAME

MONTH

20

Reference No.

Balance brought forward from previous month

(BOX A)

INCOME

<i>Date</i>	<i>Description</i>	<i>BACS</i>	<i>Cash</i>	<i>Cheque/ Internet</i>	Banked <i>Total Amount</i>
Monthly Income Totals					
Total Monthly Income					

(Box B)

EXPENDITURE

<i>Date</i>	<i>Description</i>	<i>PA Hours</i>	<i>Cash</i>	<i>Cheque/ Internet</i>	<i>Other</i>	<i>Ref.</i>
Monthly Expenditure Totals		hrs				
Total Monthly Expenditure						

(Box C)

A + B – C = Balance carried forward to next month:

I confirm that to the best of my knowledge the above is a true and accurate record.

Signed:

Date:

Appendix 4 – Support Scheme

What direct payments support does Diverse Cymru provide?

The Diverse Cymru Direct Payments team provides a free service to recipients of direct payments in Cardiff to support them with their responsibilities. The support service we provide includes:

- Advertising posts for Personal Assistants on our direct payments site and assisting throughout the recruitment process
- Advice on employment law and employers' responsibilities
- Training on record keeping: timesheets, invoices etc.
- A 4 weekly payroll service for people employing Personal Assistants
- Advice on setting up a direct payment Bank Account
- Providing the option of a Managed Bank Account, where Diverse Cymru can manage payments on our service users' behalf
- Carrying out Disclosure and Barring Service checks on new Personal Assistants
- Ongoing support and advice whilst receiving direct payments

Where can Diverse Cymru support you?

- Cardiff
- Carmarthenshire
- Ceredigion
- Pembrokeshire

Who to contact

Cardiff

For general enquiries please call **029 2036 8888** – option 1
or email **directpayments@diverse.cymru**

West Wales

For general enquiries please email **westwalesdp@diverse.cymru**
Or contact:

Ceredigion

Sally Grenfell
sally.grenfell@diverse.cymru
0785 222 9468

Carmarthenshire

Sioned Jones
sioned.jones@diverse.cymru
07852 229413 ext. 516

Pembrokeshire

Mai Jennings
mai.jennings@diverse.cymru
0785 222 9440

Regional Direct Payments Support Services Manager

Laura Armytage
laura.armytage@diverse.cymru

For further information on direct payments, your eligibility and the support we provide please visit our dedicated site:

directpaymentscymru.org.uk

Appendix 5 – Local DBS Check Procedure

The following sets out Carmarthenshire County Council's requirements as to when a DBS check is required.

Disclosure and Barring Scheme

Requirements for Direct Payments in Carmarthenshire

Age of Direct Payment Recipient	Direct Payment Type or Situation	Personal Assistant	Suitable Person (where the person is not a relative of the direct payment recipient or is not a friend involved in the provision of their care)	Suitable Person (where the person is a relative of the direct payment recipient or is a friend involved in the provision of their care)	Parent/Guardian (or anyone in a 'family relationship or personal relationship' to the direct payment recipient) who will receive the direct payment on behalf of the individual
0-18	Individual under 18 years of age awarded a direct payment	Mandatory	Not applicable	Not applicable	Not required
18+	If individual has capacity and there is a person under 18 years of age present in the household where the personal assistant will work	Mandatory	Not Applicable	Not Applicable	Not Applicable
18 +	Individual has capacity and there are no children in the household	Mandatory	Not Applicable	Not Applicable	Not Applicable
18+	Individual does not have capacity to give informed consent to receiving direct payments	Mandatory	Mandatory	Not Required	Not Applicable

18+	Individual has a Deputy appointed through the Court of Protection and the person will act as the suitable person	Mandatory	Mandatory	Not required	Not Applicable
18+	Individual has been appointed Lasting Power of Attorney or appointed Enduring Power of Attorney who will act as the suitable person	Mandatory	Mandatory	Not Required	Not Applicable

When a DBS exists for a Suitable Person or a Personal Assistant because they are working with another individual then the rules above still need to be applied as though no DBS exists. However if the person with an existing DBS check has applied to the Disclosure and Barring Update service and is applying for a similar job then this service can be accessed free of charge with the consent of the person to see if the DBS certificate is current and up to date.

A DBS check involves the employee completing the DBS application form provided by the support service and bringing the necessary identification documents with them to the support service office (see below), where the check will be completed by a member of the support service staff team.

Three original forms of identification are required.

Form of Evidence	Example of Evidence
Date of Birth	<ul style="list-style-type: none"> Valid Passport or Biometric Residence Permit (UK) Birth Certificate (UK and Channel Islands) – issued at the time of birth.
Current Address	<ul style="list-style-type: none"> A Current Letter or Bill confirming your current address.
Photo I.D.	<ul style="list-style-type: none"> Valid Passport or Biometric Residence Permit (UK) Driving License Photo card (or paper counterpart as Group 2 option if issued before 1988)

A full list of allowable documents is included in the pack listing alternatives should they not have any of the above.

The support service, Diverse Cymru, can be contacted at the Carmarthen Office on 01267 245579 and an appointment made via Jane Williams.

Carmarthenshire Direct Payment Scheme

Diverse Cymru are located at CAVS, 18 Queen Street, Carmarthen SA31 1JT.

Carmarthenshire County Council will cover the cost of the first DBS check and subsequent renewals. If an employee opts to utilise the update service, the cost associated is theirs to pay.

DBS Update Service

Personal Assistants can chose to have their DBS Certificate kept up-to-date and transportable from role to role for an annual subscription currently set at £13.

By subscribing to the update service personal assistants could save time and money, particularly if they are employed by more than one direct payment recipient. Accessing the service can be done online at www.gov.uk/dbs-update-service.

The subscription process is quick and simple with basic details required; name, gender, date of birth, email address and application form reference number or DBS certificate number.

Appendix 6 – Cross Border Protocol

Purpose of Protocol

This protocol is designed to assist the continuation of support to users of Direct Payments when they re-locate across the borders between the Local Authorities of Carmarthenshire, Ceredigion and Pembrokeshire. This protocol reflects paragraph 109 of the Part 4 Code of Practice to the Social Services and Well-being (Wales) Act 2014.

Desired Outcomes

- That Direct Payments users receive continuity of service when moving across Local Authority boundaries.
- That disputes between participating Local Authorities concerning the continuation of Direct Payments in such circumstances are avoided.

Agreement

- The originating authority will not continue the existing Direct Payments once the individual moves across Local Authority Boundaries.
- When an individual informs the originating authority that they intend to move to the receiving authority the originating authority will contact the receiving authority and share the individuals assessment and care and support plan. Wherever possible it is expected that the receiving authority will assess the individual prior to the move, provided that the receiving authority is satisfied that there is a realistic prospect that such a move will occur. If on the day the person moves no such assessment has been undertaken by the receiving authority then the receiving authority must meet the individual's needs based on the receiving authority's assessment and care and support plan until such time as the receiving authority has an opportunity to assess the individual.

Appendix 7 – Auto Enrolment Pensions

Pensions - Automatic Enrolment Fact Sheet

Dear Direct Payment Employer

Welcome to your auto enrolment fact sheet, attached with this document is:

- The Essential guide to auto enrolment for personal assistants
- Employer set up guide with NEST pensions

Due to new legislation, all staff must be supported to save for their retirement. This process is called Automatic Enrolment.

Automatic Enrolment is only compulsory if:

- your Personal Assistant earns more than £192 per week,
- is 22 years or over
- and has not yet reached State Pension age.

Even though this may not apply to your Personal Assistant, you still need to register with the Pensions Regulator.

There are many pension providers available, the government has set one up to help people with Automatic Enrolment – it is called NEST Pensions, and is a free service. We have attached a step by step NEST set up guide for you

You can find more information about NEST and other pension providers at: **www.thepensionsregulator.gov.uk**

If your Personal Assistant does not meet the criteria for Automatic Enrolment, they can ask to join the scheme which is called opting in. You can nominate Diverse Cymru as a secondary contact so that we can administrate the payroll pension facility for Auto Enrolment, carry out an eligible job holder assessment, forward on enrolment notification letters, we will produce a payslip reflecting any pension deductions, and support with your declaration of compliance; it must be stressed however that Diverse Cymru are not Pension consultants and it is your

sole obligation to meet the legislative requirements of the Auto Enrolment.

Please contact your ILA or email the **payrolloffice@diverse.cymru** if you have any further questions regarding Auto Enrolment

In order to help Diverse; Cymru support you with Automatic Enrolment, please tick the following statement.

I would like Diverse Cymru to act as my secondary contact and to provide support with the administration payroll pension facility within Automatic Enrolment.

Signed: _____

Please print name: _____

Date: _____

Mae'r dudalen hon yn wag yn fwriadol

DYDDIAD: 25 MEDI 2018

PWNC

Y DDARPARIAETH PRYD AR GLUD

Y Pwrpas:

Hysbysu a diweddarau'r aelodau ynghylch y cynnydd o ran y gwasanaeth pryd ar glud, yn unol â chais gan yr aelodau yng nghyfarfod y Pwyllgor Craffu a gynhaliwyd ar 4 Gorffennaf 2018.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Y trefniadau adolygu a'r canlyniadau a gyflawnwyd o ran pob defnyddiwr gwasanaeth sy'n cael darpariaeth pryd ar glud.

Y rhesymau:

Er gwybodaeth i'r pwyllgor yn unol â'i gais.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad:
NAC OES**

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd J. Tremlett (Deiliad y Portffolio Gofal Cymdeithasol ac Iechyd)

Y Gyfarwyddiaeth

Cymunedau

**Enw Pennaeth y
Gwasanaeth/Awdur yr Adroddiad:**

Neil Edwards

Swydd:

**Pennaeth Dros Dro y
Gwasanaethau Integredig**

Rhif ffôn:

01267 228900

Cyfeiriad E-bost:

NEdwards@sirgar.gov.uk

SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

DATE: 25TH SEPTEMBER, 2018

SUBJECT:

MEALS ON WHEELS PROVISION

The purpose of the report is to update Members on the plan developed by the department in connection with the changes to the Meals on Wheels service so as to reassure Members that the needs of each and every service user throughout the county has been, and is being, considered and that the planning arrangements continue to run smoothly.

As previously noted, the Council was advised by the RVS that it intended to withdraw from the provision of a Meals on Wheels service in Carmarthenshire. The service was to end no later than October 2018.

In view of the fact that the department needed to review 214 individuals and the service was to finish by October 2018, the department allocated two officers to review the service users so that the review process could begin promptly. Service users would, therefore, be moved onto alternative services as soon as was considered appropriate. This was a pragmatic decision based on the total number of individuals requiring review.

The purpose of the review has been to assess the needs of each individual and offer various choices to the person. It has been also an opportunity in line with the new approach adopted by the department and the RVS to promote greater independence and social interaction for the individuals while developing, where possible, community based initiatives to support the individuals and their local communities.

The review process began in May in the Teifi Towy Taf locality ("3Ts" locality) and has now been completed in the localities of Aman/Gwendraeth and Llanelli.

The review process has been a person centred process that has identified with the service user and their family the most appropriate options for the person. The department is satisfied that for each of the service users reviewed, alternative arrangements have been made and individuals have been set up with safe and suitable arrangements. Notwithstanding some initial difficulties when reviewing individuals in the north west of the county, there has been very few concerns raised and the outcomes from the review have provided new and positive arrangements for service users. For example, people being serviced by local cafes with better choice of meals and at similar cost; people choosing Wiltshire Farm Foods, a service that delivers frozen meals countywide.

In general terms, based on the review outcomes, most individuals that were in receipt of a meals on wheels service have either said they would manage themselves, have accessed local business to assist with delivering a hot meal or chosen Wiltshire Farm Foods. Very few have required further RVS support.

In actual fact ,the remaining number of service users totals 17 people only and presently the department is in discussion with both RVS and third sector organisations to consider how best to meet those individuals' continuing needs. For example, those who require a visit to heat up their meal and enjoy companionship.

The position of the department is to assure itself that the each service user's needs have been carefully considered and that the outcomes specified have been fulfilled. We are confident that this has taken place and will continue to do so and that no one will not have been adequately catered for.

DETAILED REPORT ATTACHED ?	NO
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: N Edwards

Interim Head of Integrated Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: N Edwards

Interim Head of Integrated Services

1. Local Member(s) - N/A
2. Community / Town Council – N/A
3. Relevant Partners - N/A
4. Staff Side Representatives and other Organisations - N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection



EICH CYNGOR arleinamdani
www.sirgar.llyw.cymru

YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

25TH SEPTEMBER 2018

FORTHCOMING ITEMS FOR NEXT MEETING - 22ND NOVEMBER 2018

In order to ensure effective Scrutiny, Members need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining a report. Limiting the number of agenda items may help to keep meetings focused and easier to manage.

Proposed Agenda Item	Background	Reason for report
Transforming Clinical Services	Officers from the Hywel Dda University Health Board will attend to give a presentation providing an update on the outcome of the consultation process on Transforming Clinical Services and the next steps to be taken.	This will provide the Committee with an opportunity to scrutinise the consultation findings.
Half Yearly Adult Social Care Compliments & Complaints Report 2018/19	This item will provide the Committee with a report providing details of the compliments and complaints received in relation to Adult Social Care for the period April to September 2018.	<ul style="list-style-type: none"> • To enable members to understand and review the complaints and compliments received and identify any areas of concern or good practice. • To enable Members to exercise their scrutiny role in relation to compliments and complaints.
Regional Partnership Working Update	The Committee has received previous reports on the work of the West Wales Care Partnership, undertaken under the direction of the statutory Regional Partnership Board (RPB). The most recent report was considered on 23 November 2017. The remit and responsibilities of the RPB are stipulated within Part 9 of the Social Services and Wellbeing (Wales) Act.	This report will provide an update on the work of the Partnership and key outcomes, within the context of the Welsh Government's recently published national plan for health and social care, 'A Healthier Wales'.

Initiatives to Safeguard Teenagers from Harm (E&C to be invited)	The Committee received a report on Transforming Mental Health Services – Consultation Closing Report on the 5 th March, 2018. At that meeting concern was expressed over the immense pressure faced by teenagers in the 6 th form at school and the importance was stressed of the need to reach out to help this group as they are often missed. The Head of Mental Health & Learning Disabilities explained that in relation to this particular group a national group is undertaking a piece of work on suicide and self-harm. The national group has a number of regional forums and Carmarthenshire is a member of the Mid and West Wales Regional Forum which is about to publish a strategy on suicide and self-harm.	That the Committee receive a report on the initiatives the Authority has in place to safeguard teenagers at a future meeting of the Committee to which the Education & Children Scrutiny Committee be invited to attend.
Social Care & Health Scrutiny Committee Annual Report 2017/18	In accordance with Article 6.2 of the County Council's Constitution, each Scrutiny Committee must "prepare an annual report giving an account of its activities over the previous year." This report will provide members with an overview of the Committee's work during the 2017/18 municipal year.	To comply with the requirements of the Council's Constitution.
Country Cars	At its meeting held on 5 th March, 2018, following a discussion on the Transforming Mental Health Services report, the Committee expressed an interest in having representatives from Country Cars to come along to a future meeting to give members a presentation on their work, recruitment process etc.	To enable the Committee to gain a better understanding of the service provided in the county by Country Cars.
Actions and Referrals Update	These quarterly updates provide details on progress made in relation to actions and requests which arose at previous meetings.	To enable the Committee to scrutinise progress made in relation to actions and requests arising from previous meetings.

WEDNESDAY, 4TH JULY, 2018

PRESENT: Councillor I.W. Davies [Chair]

Councillors:

S.M. Allen, K.V. Broom, R.E. Evans, W.T. Evans, M.J.A. Lewis, K. Lloyd, A.S.J. McPherson, E. Morgan, D. Price (in place of G. Thomas), B.A.L. Roberts, E.M.J.G. Schiavone and D.T. Williams

Also in attendance:

Councillor J. Tremlett – Executive Board Member for Social Care & Health

The following Officers were in attendance:

Ms C. Harrison	-	Head of Strategic Joint Commissioning
Mr K. Barlow	-	Senior Manager, Complex Needs & Transition
Mr I. Llewellyn	-	Forward Planning Manager
Ms S. Sauro	-	Performance, Analysis & Systems Manager
Ms J. Thomas	-	Locality Manager
Mr R. James	-	Performance Planning & Business Officer
Ms A. Thomas	-	Group Accountant
Mrs M. Evans Thomas	-	Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 11.10 a.m. - 12.40 p.m.

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor G. Thomas.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

3. DECLARATION OF PROHIBITED PARTY WHIPS

There were no declarations of prohibited party whips.

4. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

5. REVENUE AND CAPITAL BUDGET MONITORING REPORT

The Committee considered the Revenue and Capital Budget Monitoring Report in relation to the Social Care and Health Service which provided an end of year near actual financial position, in respect of the 2017/18 financial year.

The Social Care and Health Service showed an underspend of £212k on the revenue budget at year end and a net variance of -£752k against the 2017/18 approved capital budget.

The following question was asked on the report:-

- With regard to vacancies, officers were asked whether they had recruited and about the effect that vacancies have on staff. The Committee was advised that there were difficulties in recruiting social workers last year but this year all vacancies have been filled.

RESOLVED that the report be received.

6. CARMARTHENSHIRE COUNTY COUNCIL'S DRAFT ANNUAL REPORT FOR 2017/18

The Committee was informed that in line with the requirements of the Local Government (Wales) Measure 2009 the Authority must publish an Annual Report on past performance by the end of October each year and under the Well-being of Future Generations (Wales) Act 2005 the Authority was also required to publish an Annual Report on its Well-being Objectives.

The Council's draft Annual Report included the Well-being Objectives relevant to the Social Care & Health Scrutiny Committee. The report provided an overview of 2017/18 performance, progress reports for all 15 Well-being Objectives and a link to track progress on every specific action and target set for each Well-being Objective. The report also provided additional performance information on out-turn data (September) and National Survey for Wales Results (June), which would be updated when results became available.

The following questions/observations were raised on the report:-

- With reference to people being kept in hospital waiting for social care packages, officers were asked how long they have to wait. The Committee was advised that each scenario is unique as they may involve packages of care in rural area, complex care needs, mental incapacity etc. However, it was hoped that no-one would have to wait more than 4 weeks. The majority of people leave straight away and it is only in the more rural areas that the difficulties lie;
- Reference was made to the fact that discharge planning starts 24 hours before a patient is discharged and officers were asked why this process could not be brought forward to reduce any delay. The Committee was advised that on admission to hospital wards identify patients who will require support on discharge so physiotherapy and occupational health assessments are arranged at that time;
- Officers were asked how the Authority compares with other Welsh Authorities in terms of lead-in time. The Committee was informed that officers are currently undertaking a piece of work, Independent Pathways for Older People, which will include comparative data. This report will be presented to Committee at a future meeting;
- Concern was expressed over the fact that in 2017/18 62.1% of carers felt supported to continue their caring role which was a decline on the previous year's figure of 78.5% and officers were asked for an explanation. The Committee was informed that we have more carers but not all of them have care and support plans and unfortunately officers are only able to survey those who have care and support plans in place. It was therefore not possible to compare these figures year on year. The Locality Manager further clarified that officers now use a different way of recording this

measure in that carers and the cared for person have a joint care and support plan so there are less individuals to survey. It was pointed out that to the lay person it would appear that there are less people satisfied with the care that they are receiving and the Performance, Analysis and Systems Manager agreed to amend the narrative.

RESOLVED that the report be received.

7. LDP PLANNING POLICY IN RELATION TO DISABILITIES

At its meeting held on 19th April, 2018, during consideration of the Draft Learning Disability Strategy, the Committee resolved that officers from the Authority's Forward Planning Division be asked to consider including in the LDP the provision to give priority to applications from people with disabilities.

The Forward Planning Manager provided the Committee with an overview of the preparation of the revised Local Development Plan, the relevant planning policies and the potential considerations for people with disabilities. He explained that unfortunately there is very little scope for intervention.

- Reference was made to the fact that officers are identifying sites especially for disabled blocks and concern was expressed that this would remove someone's choice of where they want to live. It was felt far better to consider allowing extensions to existing properties and building bungalows. The Forward Planning Manager explained that if you become too obsessive over identifying specific sites then you lose the flexibility to be able to respond;
- Asked if a review could be automatically built into the policy, the Forward Planning Manager explained that one of the values of the annual monitoring process is that it flags up all the failings. He added that he would look into whether it could be included in the SA monitoring framework;
- Asked whether there could be flexibility to be more responsive to existing housing e.g. a child confined to a house which needs adapting/extension etc. the Forward Planning Manager advised that that should be foremost in a planning officer's mind when considering such an application;
- Ask what happens across Wales in this regard, the Committee was informed that the approach is inconsistent with very flexible approaches in some Local Authorities and others are dogmatic;
- Asked if it would be possible to provide SPG on this issue before the LDP review is finalised as this will provide planners and committee members with guidance in the interim. The Forward Planning Manager explained that SPG has to link back to the LDP and he would have to find the right policy framework in order to do that. He added that if a new policy is being prepared with regard to planning applications involving people with disabilities then the SPG would have to be prepared at the same time so that they are both adopted at the same time. A quicker way would be to create a guidance note which can be far more responsive.

RESOLVED that the report be received.

8. MEALS ON WHEELS PROVISION

The Committee considered a report providing an update on changes to the Meals on Wheels service in the county.

Officers were advised by the RVS that it intended to withdraw from the provision of a Meals on Wheels service in Carmarthenshire and that the service would end no later than October 2018.

In view of the fact that the Communities Department needed to review 214 individuals and the service was to finish by October 2018, two officers were allocated to review the service users so that the review process could begin promptly. Service users would be moved onto alternative services as soon as it was considered appropriate. This was a pragmatic decision based on the total number of individuals requiring review and for some this has meant that they are already accessing alternatives.

The purpose of the review is to assess the needs of each individual and offer various choices to the person. It is also an opportunity, in line with the new approach adopted by RVS, to promote greater independence and social interaction for the individuals while developing, where possible, community based initiatives to support the individuals and their local communities.

The review process began in May in the Teifi Towy Taf locality and resulted in 72 individuals being offered alternative arrangements. Based on the review outcomes, most individuals who were in receipt of a meals on wheels service have either said that they would manage themselves or have accessed local businesses to assist with delivering a hot meal. Very few have required further RVS support.

The intention is to commence reviews in the Llanelli area and subsequently the Aman Gwendraeth area. Prior to doing so, a briefing note will be sent to the relevant local Councillors advising them that officers would be pleased to hear from them should they know of any community group or have any ideas as to how best to support the individual.

As part of the project plan, regular meetings are being held with the RVS and weekly discussions are held between the Authority and the Regional Manager to advise of all review outcomes. RVS state that their support will be tailored to offer a range of practical support, companionship, volunteering opportunities and activities.

Some examples of the possible choices with regard to future provision include:-

- frozen meals delivered by Wiltshire Farm Foods and an RVS volunteer (a befriender) popping in to help heat the meal at a suitable time and having the additional time to socialise. Wiltshire Farm Foods operates across the whole county;
- RVS volunteer/befriender picks up the individual and takes them to a local pub (pub clubs?)/café for a meal;
- RVS volunteer/befriender picks up the individual to attend a lunch club;
- RVS to establish new activity and lunch clubs;
- local business delivering meals.

The following questions/observations were raised on the report:-

- Concern was expressed that one system is being disbanded and another system introduced where we may not have the capacity to do it. The Head of Strategic Joint Commissioning explained that one system is not being replaced by another as all individuals will be able to choose the provision that suits them best;
- Concern was expressed with regard to the elderly heating food in the microwave and burning themselves. The Committee was advised that the assessment not only covers their nutritional needs but all of their needs including their personal circumstances. The Head of Strategic Joint Commissioning agreed to speak to the provider regarding the heat resistance of the containers used for microwave meals;
- Concern was also expressed that the elderly may stock pile the meals in the freezer and not actually eat them. The Committee was advised that if such an issue is brought to the attention of officers and that there is evidence that an elderly person is not eating then their situation would be reassessed.

RESOLVED that the information be noted.

9. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORTS

The Committee noted the reasons for the non-submission of the following reports:-

- Country Cars
- West Wales Regional Partnership Board (Young Carers)
- Initiatives to Safeguard Teenagers from Harm

RESOLVED that the information be noted.

10. FORTHCOMING ITEMS

RESOLVED that the list of forthcoming items to be considered at the next scheduled meetings to be held on 25th September, 2018 be noted.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 21ST MAY, 2018

RESOLVED that the minutes of the meeting of the Committee held on 21st May, 2018 be signed as a correct record.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol