

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE : 11 SEPTEMBER 2003

DIRECT PAYMENTS UPDATE

Report by the Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 To update committee of the implementation of Direct Payments in East Ayrshire.
- 1.2 To seek approval for an hourly payment rate for Direct Payments.

2. BACKGROUND

- 2.1 As of 1 June 2003, local authorities have had a duty to offer Direct Payments to a range of people assessed as requiring community care services.
- 2.2 Reports were presented to committee on 23 May 2002 and 22 May 2003 advising of local developments in relation to Direct Payments.

3. CURRENT SITUATION

- 3.1 At present 17 people continue to fund their supports by Direct Payments.
- 3.2 The option of receiving Direct Payments to purchase services will be discussed with everyone who is subject to a community care assessment in line with guidelines issued by the Scottish Executive.
- 3.3 Guidance and training for all staff is in place to enable them to support individuals access Direct Payments should they wish to do so.
- 3.4 Accessible public information about Direct Payments is being developed.

4. FINANCIAL IMPLICATIONS

- 4.1 It is proposed, the hourly rate for Direct Payments is £8.85. This is in line with home support staff rates.
- 4.2 Where service users choose to have their supports provided by someone other than the Council, monies will require to move from existing service provision to a Direct Payments budget.

5. LEGAL/POLICY IMPLICATIONS

- 5.1 The Community Care (Direct Payments) Act 1996 gave local authorities the power to offer people a cash payment instead of direct services to meet their needs.
- 5.2 The Community Care and Health (Scotland) Act 2002 places a **duty** on local authorities to offer Direct Payments to an extended group of disabled people who require community care services including children and older people affected by disability.
- 5.3 The Community Care (Direct Payments) Scotland Regulations 2003 specify conditions attached to the use of Direct Payments. This includes the fact that a close relative cannot be employed to provide supports using a Direct Payment. In addition, all support packages require to be reviewed and updated to reflect changes in peoples needs. Local Authorities are also reminded that they are required to operate within the principles of long term best value. The protection of the vulnerable and the public pound are scrutinised within this process.

6. RECOMMENDATIONS

- 6.1 It is recommended that Social Work Committee:
- (i) approve the hourly rate of £8.85 for Direct Payments; and
 - (ii) note the contents of this report.

John Mulgrew
Director of Educational and Social Services
26 August 2003
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LIST OF BACKGROUND PAPERS

1. Community Care (Direct Payments) Act 1996
2. Community Care & Health (Scotland) Act 2003
3. The Community Care (Direct Payments) Scotland Regulations 2003

For further information regarding this report please contact:
Alison Findlay, Service Unit Manager Adults, telephone: 01563 576895

IMPLEMENTATION OFFICER: JACKIE DONNELLY