

Children's Direct Payments Update

Responsible Officer

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1. Summary

- 1.1 As part of the approved internal audit plan for 2018 / 19 Audit Services undertook a review of Direct payments Children. The audit work was undertaken to give assurance on the extent to which management control objectives were being achieved. The final report and its findings were issued in March 2019 and from the findings an audit action plan was devised.
- 1.2 The managers for the Disabled Children Team have continued to address the recommendations that they are responsible for and have previously reported back to Cabinet on progress.
- 1.3 It has been six months since the last review and update report to Cabinet, primarily, due to Steve Ladd Service Manager for the Disabled Children's Team being long-term sick since September 2019. An interim Service Manager Ms Donessa Gray has been appointed and has conducted the most recent review alongside the Team Manager and Short Breaks Reviewing Officer which took place on 15th January 2020.
- 1.4 The attached action plan (Appendix 2) demonstrates the progress that has been made. Seven of the nine significant recommendations have been evaluated as having been sufficiently attended to and rated green following the most recent management review. Five of the eight requires attention recommendations have been evaluated as having been sufficiently attended to and rated green. Five actions remain outstanding.

2. Recommendations

- 2.1 That Committee members note the review that took place on 15th January 2020 in relation to the recommendations made from the audit.
- 2.2 That Committee members note the progress that has been made to address the recommendations since the last report to Cabinet.

REPORT

3. Risk Assessment and Opportunities Appraisal

(NB This will include the following: Impact on Children and Vulnerable Adults, Risk Management, Human Rights, Equalities, Community and other Consultation)

- 3.1 It was noted in the last review report that the appointment of the Short Breaks Reviewing Officer in December 2018 had strengthened system controls. Unfortunately, the position became vacant in January 2020 with the departure of the postholder, however, in recognition of the need for this vital role, recruitment is in progress and interviews for a replacement are scheduled for 14th February 2020.
- 3.2 To ensure that we do not disadvantage children and families by develop a backlog of direct payment requests and short break reviews during this period of recruitment, we have agreement from the Senior Business Support and Finance Manager that she will lead on dealing with the financial aspects of direct payments and have appointed a Social Worker in the Disabled Children's Team to take responsibility for undertaking short break reviews.
- 3.3 The Team Managers Matrix has now been developed and has been up and running since July 2019. The Matrix provides live data on: -
 1. The number of children accessing short breaks
 2. The timeliness of short break reviews
 3. The timeliness of visits and plans.
- 3.4 Discussions between Children's Social Care and Adult Social Care stalled in September 2020, however, these have now resumed, and Ms Gray is in process of writing a business case to support children's involvement in the adult and children's all age payment service.
- 3.5 The strategic board continues to meet bi monthly to oversee the development and implementation of the all age payment service and each sub group is making progress in moving it forward. There has been progress in: -
 1. Developing a database of personal assistants on SharePoint
 2. Marketing to recruit and increase the pool of personal assistants.
 3. Having monthly meetings with the Reconciliation Team.
 4. Updating paperwork, policy, guides, factsheets, etc.
 5. Development of a new Direct Payment Agreement / Contract for employers and employees.
 6. Updating the checklist for social workers to discuss with carers / personal assistants to ensure they have covered all the HR issues.
 7. Setting up Peer Support Sessions
 8. A Direct Payment newsletter has been developed by Adult Social Care which was sent out to Adults who access direct payments in December 2019. The newsletter has been sent out to parents of children with

disabilities in February 2020. Going forward the newsletter will be sent to all families who access direct payments.

- 3.6 It is recognised that Adult Social Care have progressed further along in moving the new service forward and that Children's Social Care have some work to do to come in line.

4. Financial Implications

- 4.1 The improvements outlined above (and in appendix 1) alongside management oversight of the process will ensure that costs associated with direct payments are identified, processed, reviewed and reconciled in a timely manner.
- 4.2 Direct payments will now be discussed in monthly budget monitoring meetings with finance. This will ensure that spend is in line with the budget and should there be a variance this can be picked up promptly and investigated.
- 4.3 The Short Breaks Reviewing Officer has worked closely with the Reconciliation Team over the last year to quality assurance and review non-compliance around direct payments. In this current financial year, the Reconciliation Team have so far recoup £60,227.11 in overpayments.

5. Climate Change Appraisal

There are no implications for climate change.

6. Background

6.1 Direct Payments, Children with a Disability

- 6.1.1 A direct payment is money given to children aged 16 years or over who have a disability and to parents or carers, aged 16 or over of young people who have a disability, by the authority to enable them to buy in support that is assessed as being needed, instead of the authority providing that support through their own services.
- 6.1.2 Children who have been assessed as meeting the criteria for disabled children's services aged 16 or over. Children and young people who have Education, Health and Care Plans and their parents have the right to request a personal budget, which may contain elements of education, social care and health funding, and may be delivered by way of direct payments. Under the Children and Families Act 2014, this covers those aged 0 – 25 having special educational needs and disabilities. Direct payments are available if a child or young person is disabled and aged 16 or over or is a carer or parent aged 16 or over for a child with disabilities. No one can be forced to have a direct payment.

6.1.3 Direct payments can also be made to a willing and appropriate person on a disabled person's behalf if they lack the mental capacity to agree to and manage direct payments themselves.

6.1.4 Direct payments generally cannot be used to pay for services from a spouse, partner or close relative living in the household unless the local authority consider it is necessary to do so.

7. Additional Information

Conclusions

There is evidence of progress on the actions since the last review in June 2019, however, it is acknowledged that there is still outstanding work both on the action plan as well as the all age payment service to be completed.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Children's Direct Payments Audit Report March 2019
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Cabinet Member (Portfolio Holder)
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Cllr Ed Potter

Local Member

All Members

Appendices

Appendix 1 – Action Plan
