

Case study – Direct Payments (DPs) used to purchase Personal Assistants (PAs) – Lancashire County Council

Introduction

People have been using direct payments to employ their own staff since they were first introduced in 1997 and although direct payments can be used effectively in lots of other ways, many people see employing their own personal assistants as one of the major reasons for taking a direct payment.

Because employment law along with tax and national insurance obligations change over time, it is vital that people employing PAs have the right advice and support to enable them to keep up to date with changing requirements.

People who take on staff generally do so as a long-term commitment meaning that employment issues could occur at any time so keeping in touch with people even if they have been self-reliant for a long time is also necessary.

‘You can plan for holidays but you can't plan for sickness. People need to be able to have someone on tap they can turn to when things like that happen’. A DP recipient in Lancashire

With councils facing shrinking resources, ensuring people can have access to the right support when they need it is an increasing challenge.

Background information.

Over the last year, Lancashire County Council have been training and supporting all frontline staff to ensure they promote direct payments fairly and effectively as part of a programme to encourage more people to take up DPs. Caseloads are monitored to ensure frontline staff are able to meet these expectations.

Responsibility for improving take up is crucially shared with partner organisations in the third sector and with peer support networks. These third sector organisations and peer support networks are seen as best placed to provide much of the advice, support and encouragement people need to take on and manage DPs, including the help people need to employ personal assistants. Speaking to people in the council and in third sector, there is a strong sense of partnership working

between the council and key organisations in making a success of the programme.

Frontline staff need to feel confident about the support that is provided to people who choose to use a direct payment to employ a PA. To support their frontline care workers the council has rolled out an extensive training programme. This helps them build their confidence and ensure they understand their role in making direct payments accessible.

Lancashire County Council's training programme

Lancashire County Council holds regular engagement events to gather information from people and carers about their experiences and to understand what changes they most want to see. One of the key messages to arise from the process has been people asking for better consistency in their dealings with Lancashire staff. Cath Whalley, Area Operations manager explains why she thinks this might be the case and how Lancashire is responding to what people are saying:

'Case ownership underpins the council's approach. People who receive a DP and use it to employ a PA find it's easier to resolve things by simply speaking to someone they already know'

Lancashire are encouraging their staff to take more responsibility for improving people's outcomes over a longer period of time and there are incentives for doing this for staff. Cathy again: .

'We expect a caseload to look like a tin of 'Quality Street' - everyone should have at least some people using direct payments, and some people who are employers of PAs. Once people can show they are doing this we give them delegated authority to agree budgets. We have about 25% of the workforce signed-off as able to agree budgets (with the exception of residential care). There are no more panels in Lancashire. Social workers tell us they feel liberated by this and feel able to do social work.'

Staff have received specific training to support them in having good conversations with people about direct payments. This includes helping people to have a broad understanding of the responsibilities that come with employing staff. Front-line social care workers are also trained to link people up with the local third-sector support service Salvere, which holds the contract for supporting people to take up and manage DPs.

Ensuring staff portray DPs well and understand their limits to giving

employment advice is an important balance to get right. Sue Knox, is an advanced practitioner in Lancashire and leads the training programme for staff. She says when it comes to detailed employment advice:

'All roads lead to Salvere... We've got a strong relationship with Salvere and they provide the support on payroll and the responsibilities involved in being an employer as well as access to peer support. Employing people isn't just about hiring and firing though, Salvere help people access Skills for Care training. Its up to us explain what's involved briefly in broad brush strokes and to set up conversations with Salvere'.

For frontline staff in Lancashire, says Sue, the trick is to get people going in with a positive approach, linking up well with the third sector and feeling comfortable to let go.

'I've done about 30 training sessions for staff – we've covered about 90% of practitioners. We do learning circles with them – encouraging them to step away and let people get on with it'.

Salvere have an online service <http://www.salvere.co.uk> which provides updated advice and information on employment related matters and direct access to a specialist adviser when people require it. Although the support service is well regarded and relationships largely positive, there are still ways in which social work staff can help make sure people are managing well. Cath Whalley explains:

'The review teams pick up where employers may be struggling. They check to see the person still has capacity, if there is someone else who could help them manage and then we link them up with Salvere to ensure they have the support they need. There are other organisations who are equipped to provide similar support as well and if people choose to they can get their support and advice elsewhere - people make their own choices'.

John is both a DP user, employing his own personal assistants and a manager of another small local support service for DP users. He agrees that having a choice for people will become increasingly important as the number of DP recipients continues to rise and is hopeful that the current review of DP support will improve choice for people:

'There is a process going on to update the support available and make sure the support fits with new Care Act requirements. More support would boost the uptake of direct payments but many people are saying they want local support to talk to if they need advice as an employer for something difficult'.

Summary of the process solution

- Lancashire are working towards a one-case one-worker approach to ensure people have greater continuity of support from the council and that the options available for organising care and support, including the option to employ your own personal assistants, are properly explained to people as early as possible
- Staff are supported and trained to have good conversations with people about direct payments and are held accountable for ensuring DPs are an attractive realistic option for people with support needs
- There is a strong and healthy relationship with a third party provider that delivers support and advice to people using DPs and supports DP users to take on and manage staff
- Frontline staff understand the limits of their own capabilities when it comes to employment advice and know when to refer to the local DP support service
- During review, staff routinely check with people who employ personal assistants that they are managing their employment obligations well and link people up with support people if they are struggling
- Lancashire use Working Together for Change to regularly collect information from people with support needs and carers about what works well and what needs to change to inform the strategic development of DP support services and ensure they remain fit for purpose
- People have access to peer support and to a range of sources of advice which they can choose if they don't want to work with the main DP support provider