



**AN ANALYSIS OF PERSONAL
SOCIAL CARE BUDGETS
IN CORNWALL**

January 2015

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Introduction

Disability Cornwall has played a lead voluntary sector role with the rollout and implementation of Personal Budgets in Cornwall since their introduction in 2009. We were a signatory to a Memorandum of Understanding between ourselves, Cornwall Council and Age UK Cornwall and we held places on the Steering Group and Partnership Board, with the sole aim of positively shaping the process to ensure it reflected the needs and aspirations of our stakeholders: disabled people, their families and carers.

In addition we have been at the forefront of developing professional, person-centred and affordable services designed to alleviate some of the stress that comes with holding a personal budget, such as Employer Support, Payroll, Managed Accounts, Support Planning and Brokerage, a Personal Assistant Register and that most essential of services, impartial, independent information and advice delivered via DIAL.

While personal budgets, by and large, continue to deliver on their promise of increased choice, control and independence for many disabled people, there is increasing concern that the difficult local authority economic climate, combined with the continuing need for significant cultural change within social care services that have historically been more focused on providing rather than facilitating services, is currently presenting more challenge than opportunity for disabled people in Cornwall. Our delivery of personalisation support services has provided us with a wealth of intelligence on people's experiences: in accessing a personal budget, in holding one and, in some cases, losing one too. Given our concerns over significant budget cuts that seem to have impacted more severely on our most vulnerable citizens, and our role as an expert 'disability partner' for Healthwatch Cornwall, it seemed timely, five years on, to undertake more meaningful research into personal budgets.



This research was undertaken with Daniel Wood from Daniel Wood Associates. Daniel has worked in the field of Equality and Diversity for more than 18 years. He has delivered training, consultancy and research within the public, private and voluntary sectors across the UK and Europe, covering all equalities 'strands'. Daniel has produced and has been involved in contributing to a wide range of publications in the field of Equality and Diversity, including 'Managing Equality and Diversity', 'The Code of Practice for Employers on Age Diversity', 'The Diversity Masterclass', 'The Cornwall Diversity Toolkit' and has produced innovative research in the field, including the national study, 'The Barriers to Employment and Learning for Disabled People'. Daniel has completed training needs analysis and designed over 300 tailored training programmes and delivered to more than 15,000 individuals. He has also delivered a wide range of in-depth consultancy projects across the UK and Europe with more than 18 years consultation and research experience at local, regional and national level, working with local authorities, the voluntary and private sectors to identify organisational practices and provide recommendations for improvement actions, with a particular specialism in Equality and Diversity.



Personal Budgets: An Overview

A personal budget is a pot of funding given to people after an assessment that should be enough to meet their assessed care and support needs. Personal budgets are designed to ensure that the services received by a person are right for their circumstances and are delivered in the way which best suits them.

Social workers and other care staff play a number of roles in the delivery of personal budgets.

Decision-making - helping people to reach a decision on whether a direct payment or a council-managed personal budget is right for them.

Assessment and resource allocation - assessing a person's needs, or supporting them to assess their own needs, validating the assessment and allocating a budget to meet them, based on a resource allocation system.

Reviewing the size of the personal budget - social workers may feel that a person's personal budget is not enough to meet their needs, in which case they will take the case to a council funding panel.

Support planning and brokerage - the social worker may assist the person to draw up a support plan in partnership with the individual and their family and provide information or source services to implement the support plan.

Review - keeping the person's support needs under review.

Once the social care professional is happy with the content of the person's support plan, the services are agreed and put into place.

A financial audit takes place at least once a year, as the council has a responsibility to ensure that public money is spent and accounted for appropriately.

Where an individual manages their own budget, the council requires a consistent and thorough approach to record keeping which is proportionate to the needs of the person. If the financial audit results in concerns regarding the use of the payments, these concerns will be passed back to the social care professional and thereby providing a further safeguard against potential abuse. However if the individual spends their direct payment on items not included within the support plan, there are very clear rules which state that they may have to pay the money back.

A carer plays a crucial role in supporting a person and making sure that their situation does not deteriorate, however the carer may have needs in their own right. Therefore when a person's needs are assessed, it is also very important for the needs of the carer to also be taken into account. From this assessment, support may be provided to a carer to enable them to continue in their caring role. At the same time it is important that a carer is not disadvantaged in taking on caring responsibilities, and assistance may be given to help them to maintain their work situation or to continue to pursue hobbies, social and/or leisure activities. As a result a carer may be allocated a personal budget of their own.

If an individual's circumstances change significantly, a reassessment may need to be undertaken and the indicative budget may be increased or decreased.



The Research

Healthwatch Cornwall, working with Disability Cornwall, has conducted an investigation into the experiences of people in Cornwall who are in receipt of a personal budget.

The objectives of the project were:-

1. To conduct research to clearly identify the definitive policy and process for accessing Personal Budgets.
2. To conduct research which elicits personal experiences from those accessing Personal Budgets and Personal Health Budgets.
3. To produce a full report detailing:-
 - the definitive policy and process as implemented by Cornwall Council;
 - an analysis of research findings and case studies to illustrate the 'journeys' of people in receipt of Personal Budgets and Personal Health Budgets;
 - conclusions.

The research was conducted between September and December 2014.

The survey findings, case study investigations and information submitted by the council has been cross-analysed and the following report presents the results.

Personal Budgets in Cornwall

There are 4,010 adults in Cornwall currently in receipt of a personal budget and 13 people under the age of 18. Of the 4,010 adults, just over 60% are Female and just over 50% are over the age of 75. Almost 70% have declared that they have a physical impairment (see table 1 for full details).

Of the 4,010 adults, 957 - just under 24%, manage the budget themselves (see table 2 for details). For all 13 children and young people in receipt of a personal budget, their parents or carers manage the direct cash payment element of the budget themselves.

Cornwall Council manages the budget on behalf of 3,107 adults - just over 77%, (see table 3 for details).

Cornwall Council part-manages the budget on behalf of 157 adults - just under 4% (see table 4 for details).

Of the 4,010 adults, 957 - just under 24%, are in receipt of a direct payment for social care (see table 5 for details).

In respect of children and young people, there are 317 in receipt of a Direct Payment for Social Care (see table 6 for details).

Source: Cornwall Council data (provided by Cornwall Council's FOI response of November 2014).

Summary of findings from survey

Full findings in Appendix 1 and 2

Demographic Information

The survey was completed by 160 people of whom 47.5% were disabled; 16.9% were carers, 10.6% parent carer; 14.4% professional, and remainder family or other.

81.9% were in receipt of the personal budget; others had applied, been turned down or used one previously.

87.5% of those with a budget had a personal budget from the council

Main findings

These are reported under 3 headings - timeliness, satisfaction and management of personal budget. Full breakdown of results can be found in Appendix 1.

Timeliness

56.9% of respondents received a decision on their application for a personal budget in under 3 months, while 20.7% waited over 9 months

FEEDBACK - A disabled person in receipt of a personal budget for Social Care from the council. He employs his own PAs and uses a Payroll Service for help with paying staff.

He said: "The lady that came [a professional from the council] was in a rush. Nobody explained anything. I have a lot of issues including medical, which were not heard, so I was not able to explain everything. He added: "Everything went wrong in the beginning by adult social care not putting the paperwork through and clicking the right button on the computer. Carers had to wait for 2 months for any wages. I was given the budget with no support at all. My support plan was minimal."

Overall, he says his personal budget has had a big impact on his life, saying, "I can function daily. I get to go out and my medical condition hasn't become more severe since I've had the PAs, so I'm very happy."

He makes the following recommendation: "I think the process could be explained more. I think the way I was just paid and left to it made things very hard for me. I didn't know what I could use the budget for but also had no one to contact."

Of those who received a budget 60.8% reported it being in place in under 8 weeks.

FEEDBACK - a disabled person in receipt of a personal budget for Social Care from the council.

She says that the personal budget has made a huge difference to her life. "It allowed me to start living a life again that I thought I could never have back and instead of constantly worrying about things it gave me possibilities and options again. I don't think I could explain just how much this has affected my life for the better."



Satisfaction

41.6% of respondents stated a high level of satisfaction about how the process was explained and being informed throughout and 36.9% of respondents stated a low level of satisfaction. 53.1% felt listened to, others some or none of the time, 81.2% felt they were treated with dignity and respect but 19.2% felt they were not. 75.8% felt they were given adequate time during the process while 76.7% felt the right people were involved i.e. family members or advocates.



26.2% of people (17) felt they had cause to complain. 68.2% would have given a compliment about the service received. 12.3% completed the support plan on their own, however 68.4% reported support from professional in writing the support plan and 14% from their personal assistant.

However, a massive 95% reported satisfaction with having the personal budget of which 83% felt it made a good or huge difference to their lives. We can conclude that personal budgets are highly valued for those in receipt but the process of obtaining them is of variable quality.

Managing the personal budget

51.7% of respondents used a payroll service, and other support services like Personal Assistant Register. Managed Account Service or care agencies were used by just over 10% of respondents in each case.

FEEDBACK - A disabled person in receipt of a personal budget for Social Care from the council.

This person stated, “The whole process took over 2 years. The last person I dealt with was helpful and kept me informed but prior to that it was hard to communicate effectively with anyone.”

Their key comment was, “I feel that it was only my persistence by keeping on top of the situation that I not only received what I needed but also over half of the back pay I was owed from a written agreement they [the council] tried to overlook. I settled for a one off payment which was only part of what was owed. I strongly believe a less strong willed or more vulnerable person would not have been able to have their needs met adequately.”

“I was told that I can spend the personal budget on anything I want as long as it’s not household bills. I am hoping that I haven’t spent on the wrong things, but no-one is there to give any guidance on this.”

“The council simply tells us “this is the amount of your budget”. I am not sure how that amount has been calculated and I am not sure whether there are a range of activities that the budget can be spent on.”

Summary of findings from case studies and comments

Full findings in Appendix 2 and 3

Understanding

The research, and in particular the case studies, have revealed that there is a variable level of understanding among recipients of personal budgets in respect of what the budget can be used for. This has led to examples of instances where individuals have had money left over which they now fear will be 'clawed-back' by the council. Overall, this creates concern amongst individuals and a lack of clarity.

Ongoing Involvement

The case studies have indicated that people feel there would be benefit from receiving confirmation that their record keeping is adequate and meets the necessary requirements. Overall, comments have been received indicating that an assessment from the council concerning quality of record-

“Four months after I started receiving my budget I was told that I could employ PAs, and also that employment of PAs was the only activity that the budget could be used for. I now have an amount left in my bank account and have been told that it may be taken back; I feel that this is unfair as I have never been informed of what I can use the budget for. I have never even had a support plan.”

keeping would be valuable in helping people feel comfortable that they are meeting the requirements. The case studies showed there was a strong sense that people were very keen to receive confirmation that their record keeping was of a high standard.

Additionally, on-going contact with individuals would ensure the proper delivery of reassessments where individual's circumstances change.

Variability of Practice and Experience

The research has evidenced that there is a very wide range of experiences among recipients of personal budgets in Cornwall, influenced by variable practice. Variation has been shown in respect of:-



- Timeliness - with some people reporting waiting times of less than 4 weeks with others waiting more than 2.5 years to have a budget correctly calculated.
- Satisfaction - The case studies show there is little to no understanding of how budgets are calculated and what activities budgets may be spent on.
- Support Plans - The case studies in particular have shown little understanding in respect of support plans. Indeed many respondents were unaware of what a support plan is.

Conclusions

Timeliness

The research results show variable levels of performance in terms of timeliness, both in relation to the receipt of a decision and receipt of the budget itself. This is to be expected to some degree, as individual situations and circumstances vary. However, the extent of length of time taken is exceptionally broad, ranging from under 4 weeks to well over 9 months (in one case study a timeframe in excess of 28 months was experienced in receiving the correct amount of personal budget). Cornwall Council has stated that they have no performance indicators in place in relation to the length of time it should take for:-

- Work on assessments for personal budgets to commence;
- Work on assessments for personal budgets to be completed;
- Services to be put in place following completion of personal budget assessments.

Satisfaction

The results received via the survey indicate widely variable levels of satisfaction with the process, however very high levels of satisfaction once a budget is in place.

In terms of complaints with the assessment process, Cornwall Council has reported low numbers of complaints for 2013/14 and 2014/15. This contrasts with the survey results received, where 26.2% of respondents (17 persons) reported that they had had cause to complain. It is noted that Cornwall Council have reported formal complaints and the survey respondents had not necessarily reported their complaint(s) via formal channels and would thus not be part of records in relation to formal complaints. There are informal processes for assessing satisfaction with the assessment process that are outlined in the FOI information found in Appendix 3, although some are still in development.

Understanding

There is a variable level of understanding amongst recipients of personal budgets in respect of what the budget can be used for.

Ongoing Involvement

People feel there would be benefit from receiving confirmation that their record keeping is adequate and meets the necessary requirements and the items they are spending it on are appropriate.

Support Plans

There are differences in understanding of and in ability to complete support plans. People did not always see how personal budget related to the support plan or seemed unaware they had a support plan.



Recommendations

1) The Council develops performance indicator targets for:-

- Length of time taken from receipt of application to start and completion of assessment
- Length of time taken from assessment to receipt of personal budget by the service user.

2) The council develops straightforward satisfaction indicators for use by the service user in order to monitor customer satisfaction with the process.

3) More clarity is required by service users of the support plan, its relevance to the personal budget and what the budget can be spent on.

4) Services to be put in place on how to account for spending after budget is in place. Regular visits to check on accounting would reassure service users that they are on the right lines. This would also support the proper delivery of the re-assessment process by allowing any change in need or circumstance to be noted in a timely way.

5) Staff training around assessment and understanding of personal budget application process to provide a more uniform experience for service users.

Appendix 1: Analysis of primary data collected

Survey Demographics on respondents

In respect of the survey conducted, the following provides information concerning the respondents.

Chart 1: Chart to show the circumstances of respondents.

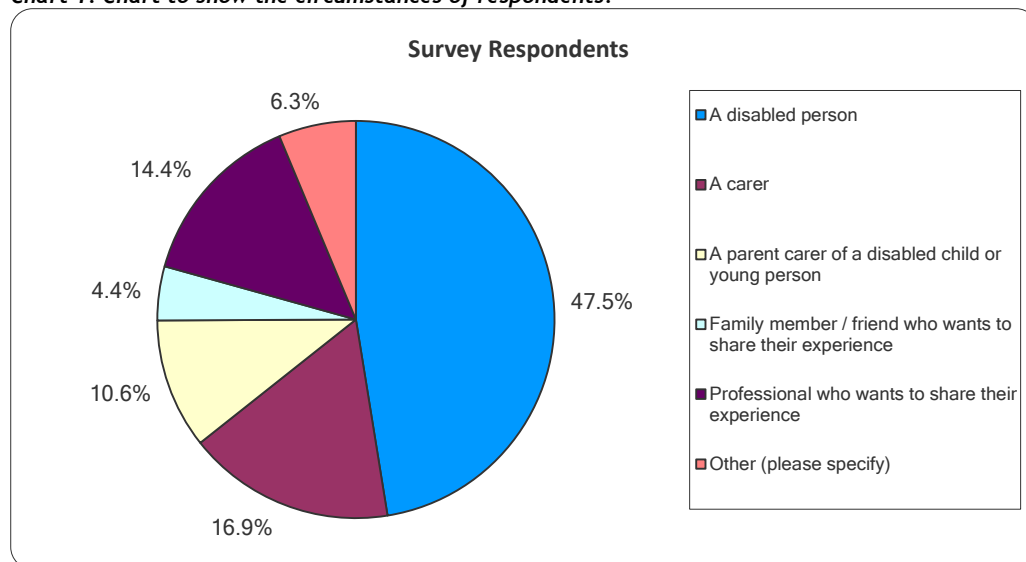
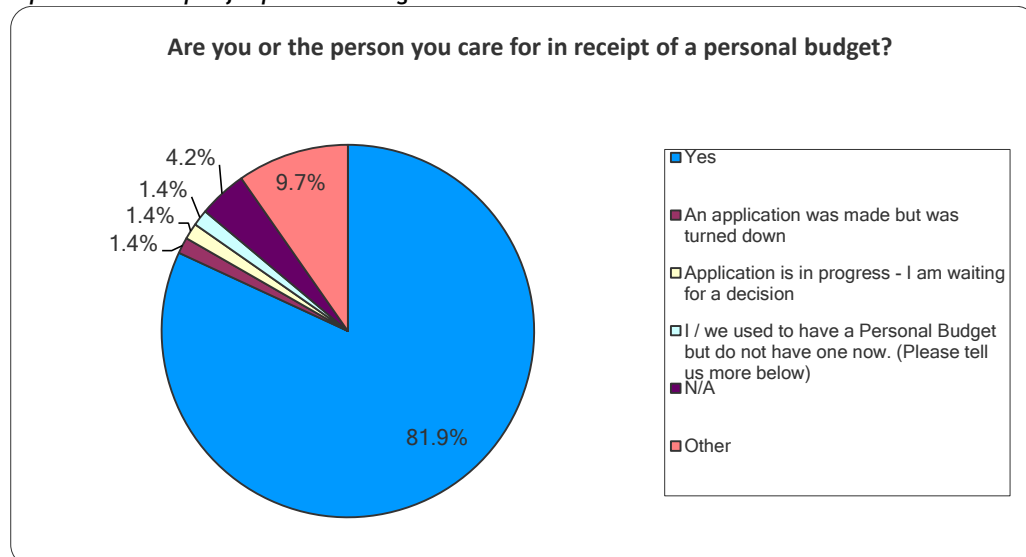
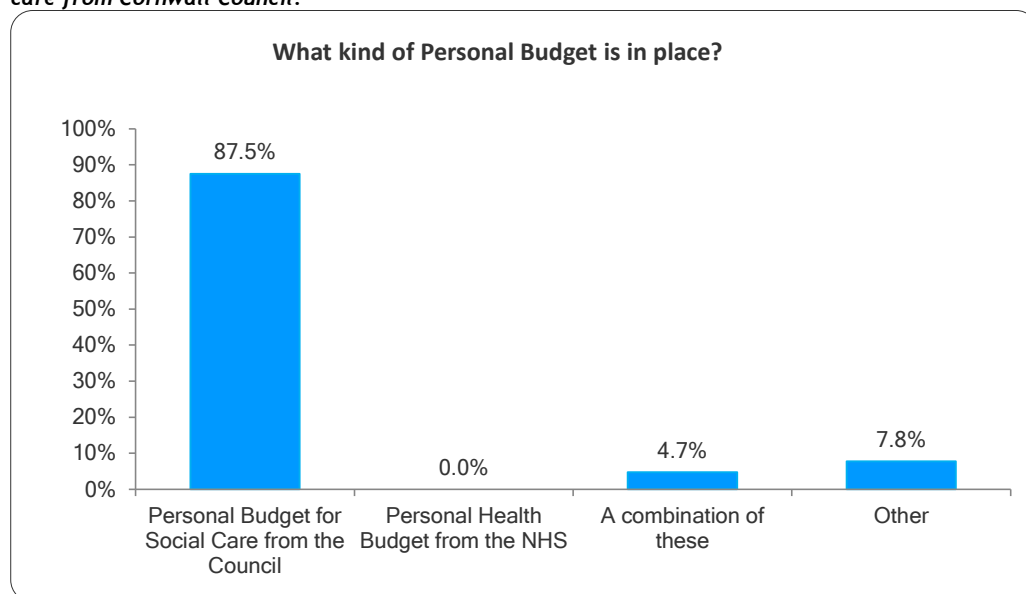


Chart 2: Chart to show the percentage of respondents in receipt of a personal budget/caring for a person in receipt of a personal budget.



87.5% of respondents were in receipt of a personal budget for social care from the council.

Chart 3: Chart to show the percentage of respondents in receipt of a personal budget for social care from Cornwall Council.

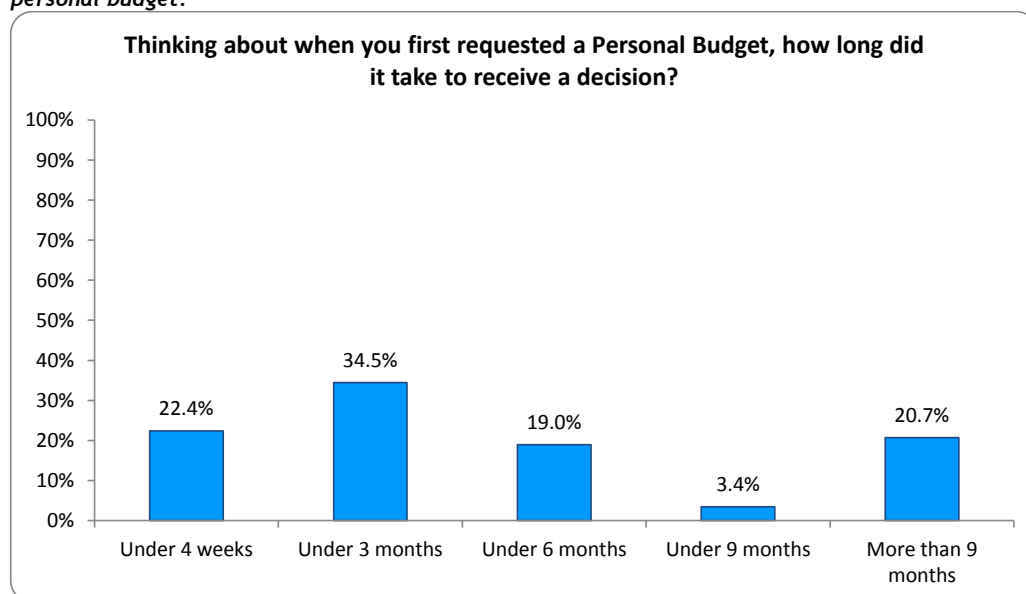


Survey Results and Comments Timeliness

22.41% of respondents stated that it took under 4 weeks from the time they first requested a personal budget to the receipt of a decision.

In contrast, 20.7% of respondents stated that it took over 9 months.

Chart 4: Chart to show the length of time it took to receive a decision from first request for a personal budget.



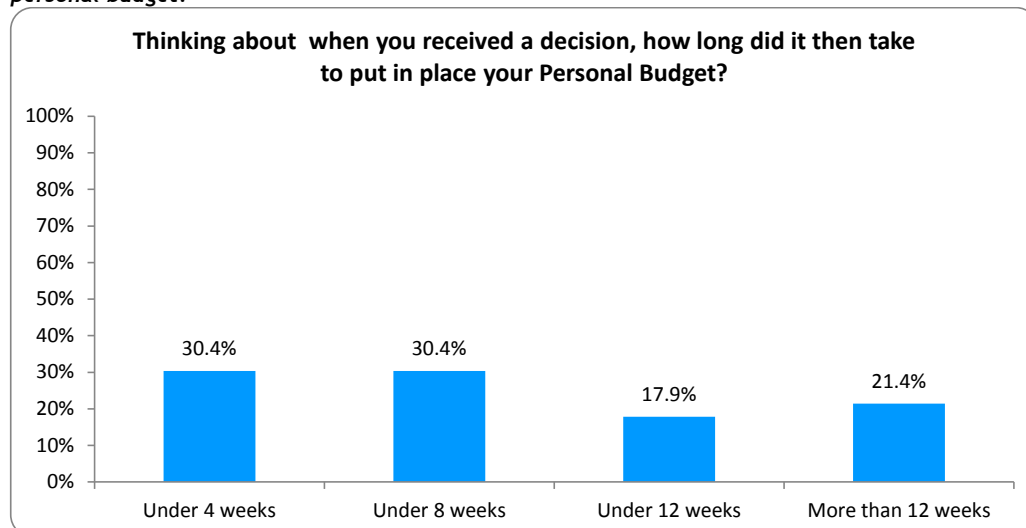
FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council.

This person stated, "The whole process took over 2 years. The last person I dealt with was helpful and kept me informed but prior to that it was hard to communicate effectively with anyone".

Their key comment was, "I feel that it was only my persistence by keeping on top of the situation that I not only received what I needed but also over half of the back pay I was owed from a written agreement they [the council] tried to overlook. I settled for a one off payment which was only part of what was owed. I strongly believe a less strong willed or more vulnerable person would not have been able to have their needs met adequately".

Once a decision was received, the length of time taken to actually put the personal budget in place was variable with just 30.4% of people having their personal budget in place within 4 weeks.

Chart 5: Chart to show the length of time taken from receipt of decision to putting in place the personal budget.



FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council. He employs his own PAs and uses a Payroll Service for help with paying staff.

He says "The lady that came [a professional from the council] was in a rush. Nobody explained anything. I have a lot of issues including medical, which were not heard, so I was not able to explain everything. He also says "Everything went wrong in the beginning by adult social care not putting the paperwork through and clicking the right button on the computer. Carers had to wait for 2 months for any wages. I was given the budget with no support at all. My support plan was minimal."

Overall, he says his personal budget has had a big impact on his life, saying, "I can function daily. I get to go out and my medical condition hasn't become more severe since I've had the PA's, so I'm very happy".

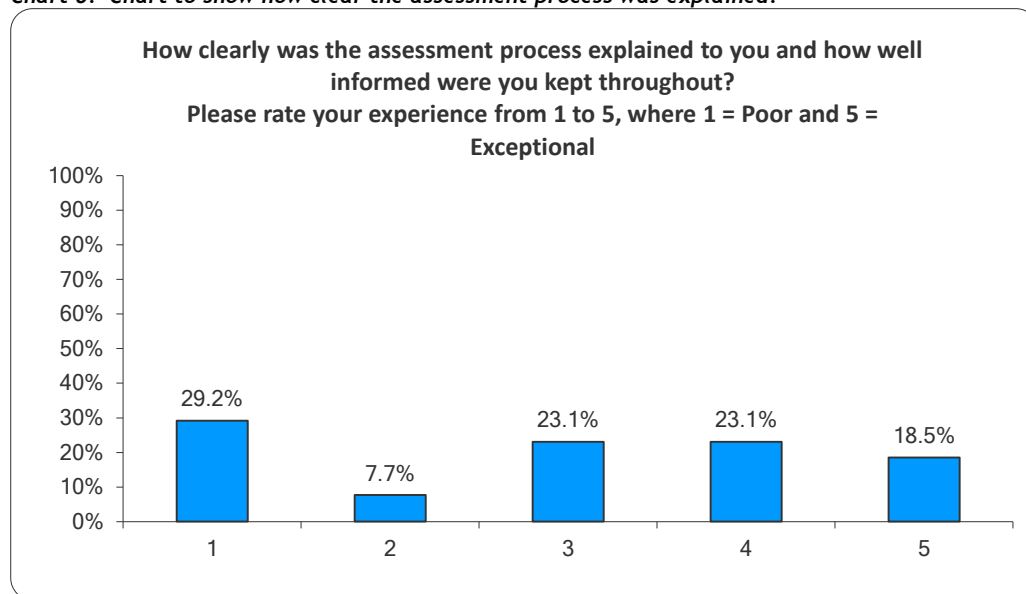
He makes the following recommendation, "I think the process could be explained more. I think the way I was just paid and left to it made things very hard for me. I didn't know what I could use the budget for but also had no one to contact"

Satisfaction

In terms of the assessment process, survey respondents have reported variable levels of satisfaction:-

- 41.6% of respondents stated a high level of satisfaction (levels 4 and 5 combined), and
- 36.9% of respondents stated a low level of satisfaction (levels 1 and 2 combined)

Chart 6: Chart to show how clear the assessment process was explained.



FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council.

This person did not make a complaint to the council, however, stated “Social Services appeared clueless about the process, leaving all paperwork to me without any help and not able/willing to answer my queries when asked. Social Services have a rigid model of what a 'typical' person should need and can't cope with any differences between reality and this 'textbook' ideal of a 'disabled/elderly' person. Social Services care only that the paperwork is done and that an outcome is decided; they do not seem to care, however, how the person whose future is in their hands feels or what their opinions/needs/preferences are. They were not interested in my circumstances and just told me that I might have to change my aims and lifestyle choices to suit their determined outcome”.

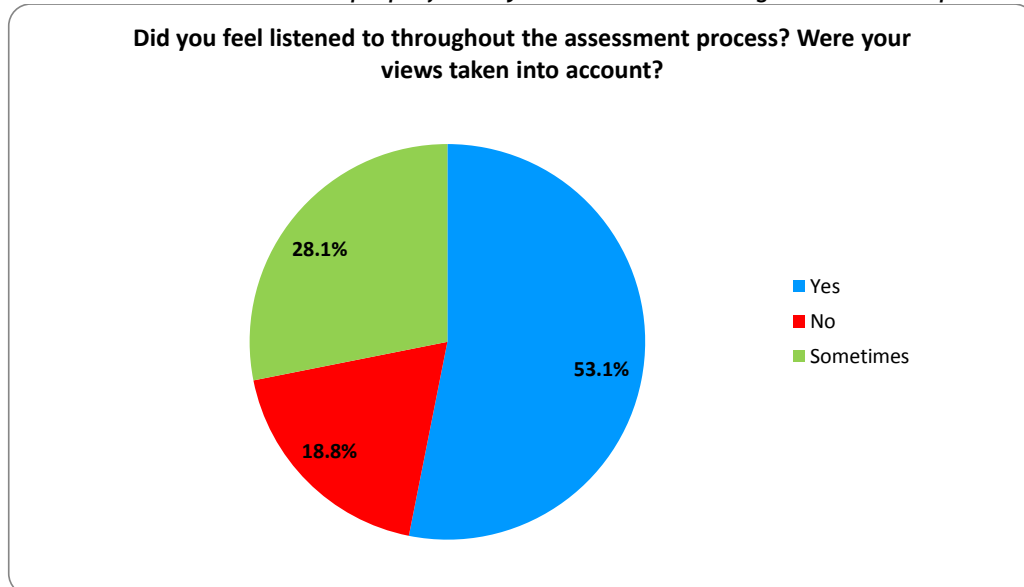
He completed the support plan himself, saying, “I was left to fill in the Support Plan and, when completed, the Social Worker then announced that almost all of it would be ignored anyway because of budget constraints”.

They stated that the personal budget has made some difference to their life, saying, “I have slightly more choice over who provides my care now. However, because the hours allocated would never constitute a full time job, carers generally have a second job, which can massively impact on what I can do and when. There are also too many restrictions on what can and can't be done and too many 'grey areas”.

They believe that improvements should be, “Make the paperwork less complicated. Make it easier to employ the people we want - including close family who live with us. Have a proper rule and appropriate paperwork for transport costs if the disabled person does not have a car of their own”.

Just over half of people felt listened to throughout the assessment process, with just under half stating that they were not, or only sometimes.

Chart 7: Chart to show whether people felt they were listened to during the assessment process.



FEEDBACK - a disabled person in receipt of a Personal Budget for Social Care from the council.

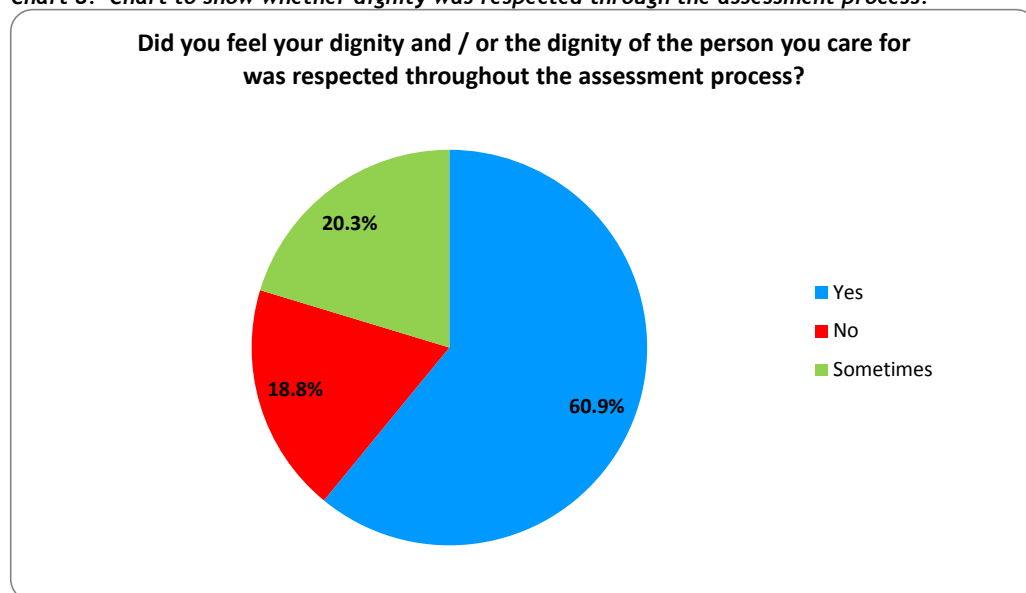
Of the assessment process, she says, "Everything was explained in detail and all questions that I had were answered at the time - everyone involved was kind and considerate and approachable. I was made to feel that any input I made was understood and acted on. At no time did I feel like I was a scrounger or trying to con anyone - they made it clear this was what I was entitled to. I never felt rushed and time was taken even when I thought of other things after they had left and I had to ring back they were always happy to talk."

She used a professional from an Independent Organisation who is a close friend to help her all the way through the completion of the support plan.

She says that the personal budget has made a huge difference to her life. "It allowed me to start living a life again that I thought I could never have back and instead of constantly worrying about things it gave me possibilities and options again. I don't think I could explain just how much this has affected my life for the better".

The majority of respondents felt that their dignity was respected throughout the assessment process, however nearly one-fifth did not.

Chart 8: Chart to show whether dignity was respected through the assessment process.



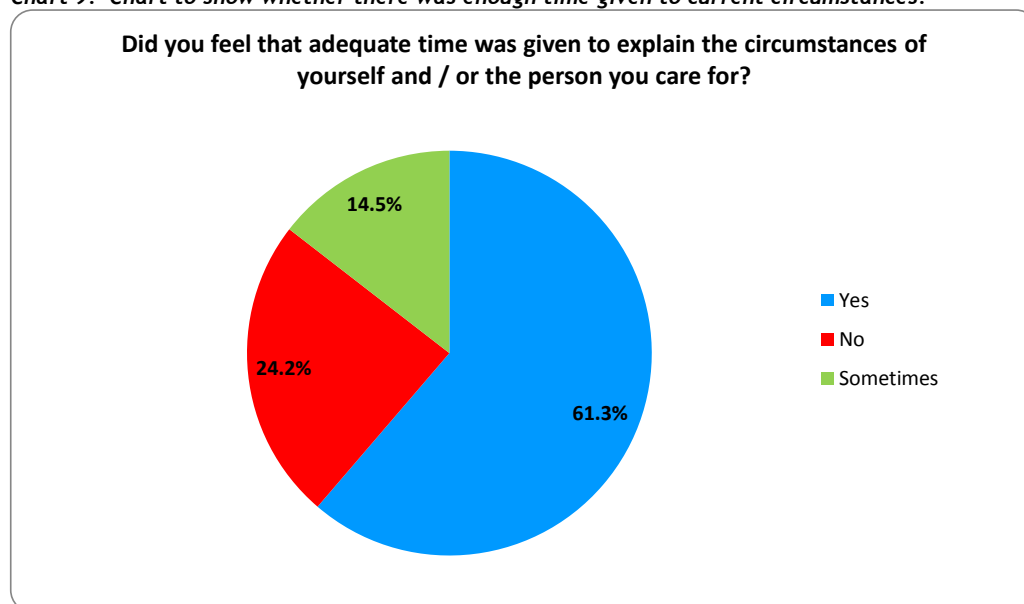
FEEDBACK - a disabled person in receipt of a Personal Budget for Social Care from the council.

The key point he makes is in relation to the amount of his personal budget. He stated "For 2 years I was happy with my allowance, and then I had a £250 reduction in January 2014. They seem to forget that 20% of my personal budget is tax, 50% goes towards my PA/carer, 10% towards my accountant and insurance, which leaves me with 20% which is divided by 4[month] that leaves 5% of my budget a week to have a life!"

He states that he made a complaint, saying "I was assessed for an amount I was happy with and two years after starting the plan they cut my monthly allowance by £250 per month without notification or reason. He says that this "has changed my way of life as that amount they took allowed me to have a life. After my reduction, my lifestyle has changed, and not for the better". He says he has not received a satisfactory response to his complaint and is "still waiting 10 months on" and finally recommended "don't assess people then change assessment amounts without reason".

Similarly, the majority of respondents felt that adequate time was given to the process, however nearly one-quarter did not.

Chart 9: Chart to show whether there was enough time given to current circumstances.

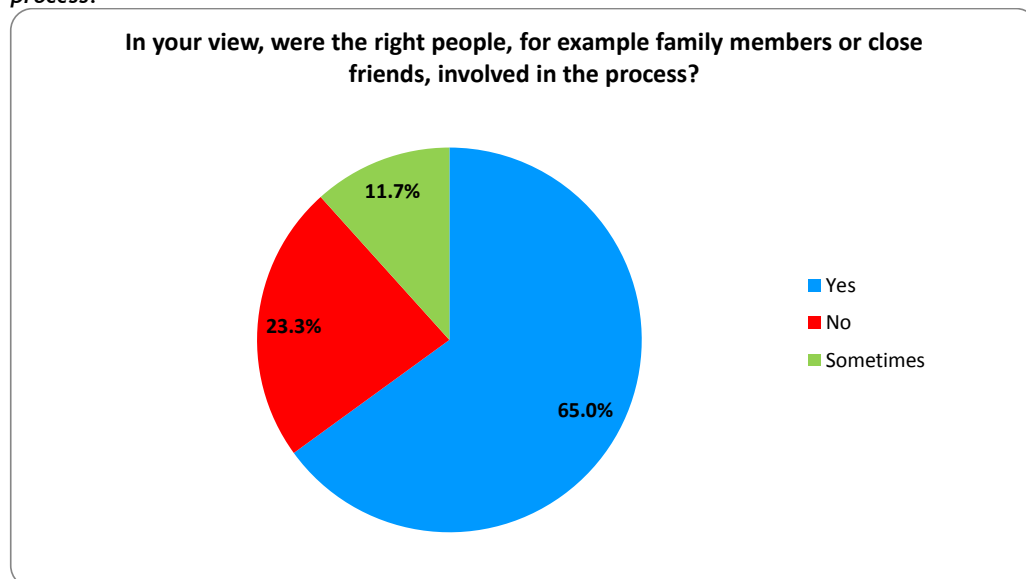


FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council.

She says, "Could do with more help during the process of finding employees and tips on how to be an employer whilst being sick. I find phone calls difficult and there was no support for arranging and holding interviews. It was very stressful and my health suffered. The personal assistants are so much better than the previous care company and life is easier".

In respect of who was involved in the process, the majority of respondents felt that the right people were involved, however nearly one-quarter did not.

Chart 10: Chart to show whether the right friends and or family members were involved in the process.



FEEDBACK - A parent carer for their disabled child. They stated that it took over 12 weeks from the time she received a decision to put in place her Personal Budget.

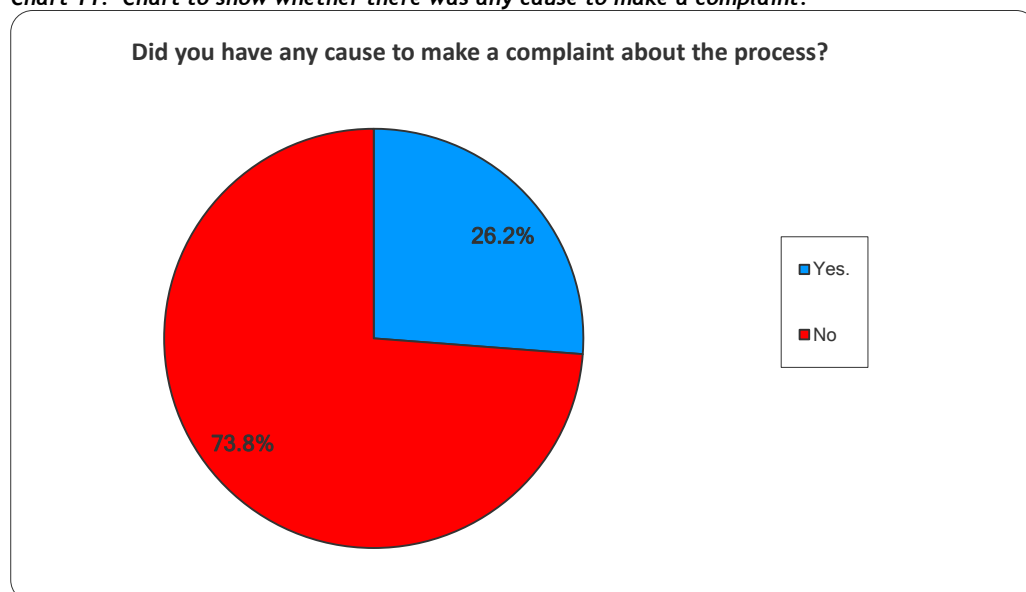
She uses a Managed Account Service to pay services and suppliers direct on her behalf and a Payroll Service for help with paying staff.

She says that the personal budget has made a good difference helping with her disabled daughter “gaining a little life and confidence”. She says that “Financially it is very small but it helps and I need to work”.

In relation to the process, she says, “It is long winded in regard to the social care support plans and understanding”.

In terms of complaints with the assessment process, 26.2% of respondents (17 persons) reported that they had had cause to complain.

Chart 11: Chart to show whether there was any cause to make a complaint.



FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council.

She says that it took less than 3 months from when she first requested a Personal Budget to the receipt of a decision. However she goes on to say “I applied in September and didn’t get my budget in place until the end of March the following year!”

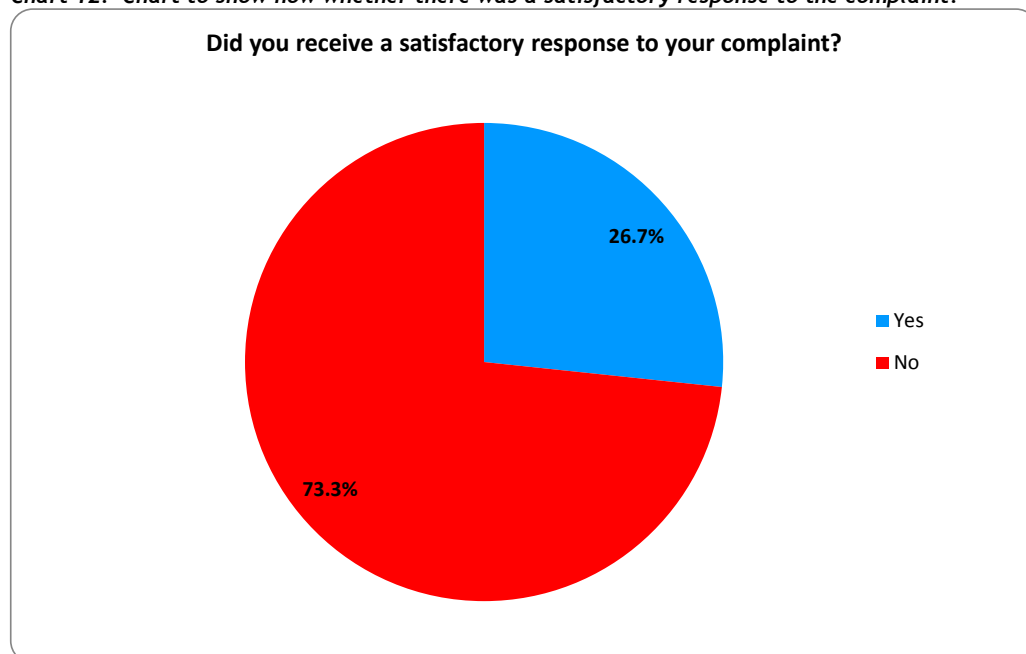
As a result of this, she says she had cause to complain to the council and states, “I had to keep phoning my care coordinator because there was a huge delay in getting my budget paid in. I didn’t make a formal complaint but I phoned repeatedly which was very stressful”. She says she had help from a friend to complete her support plan, going on to say, “I am a retired social worker but found filling in the support plan etc. extremely long winded and repetitive and confusing. I don’t know how other people cope with it on their own”.

In relation to personal budgets, she says that hers has made a huge difference, life is so much better now. She says, “I struggled for many years with severe ME and no help apart from a fortnightly cleaner which I paid for myself. Since getting direct payments I can use my energy to improve my health and not on day to day domestic tasks. I feel more in control and I can go out when well enough. I have my independence back”.

In terms of feedback in relation to improving the process, she highlights the application forms and Support Plan, saying “Even with my experience I found them too long and I couldn’t understand what they were asking for in some places. Also they are very repetitive. This was 2 years ago. Maybe they have improved by now, but they were awful and I’m sure lots of people would have been so deterred by them they would not have proceeded any further with their claim”.

Of those survey respondents who stated that they had had cause to complain, 73.3% stated that they had not received a satisfactory response to their complaint. It is noted that Children's Social Care has reported receipt of zero formal complaints.

Chart 12: Chart to show how whether there was a satisfactory response to the complaint.



FEEDBACK - A carer for a person in receipt of a Personal Budget for Social Care from the council.

We put in place our support plan and were running perfectly well when the council realised that we should have been visited by their direct payment team and should have been 'employers'. The consequence was we had to start the procedure again, although Mum's care was not affected. When asked if she had cause to complain, she responds by saying, "Not so much complaints as questions regarding the procedure. I am still waiting after one year for one question to be answered".

She felt listened to throughout the process, however states, "I found the system NOT user friendly. We should not be made to be employers".

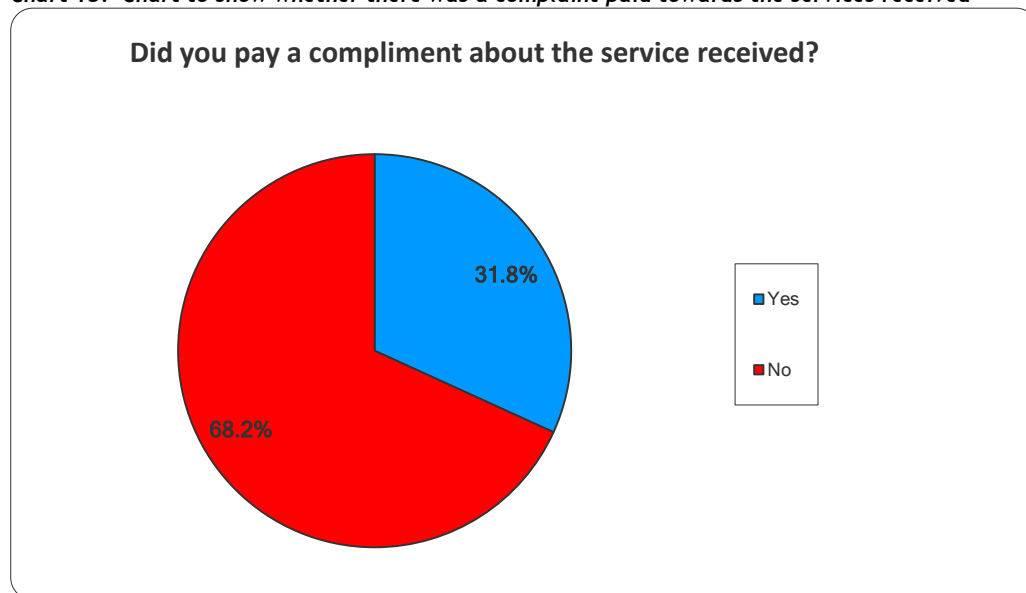
In relation to the broad topic of personal budgets, she says, "The idea of the service is excellent; however it could be made more user friendly. There are lots of issues around carers that the Government NEED to address if this service is going to work for more people in the future". She says that having a personal budget has made a huge difference, "The Direct Payment has allowed me to look after my Mum in her own home. By doing my own support plan we have been able to choose the care most suited to her needs. I have an excellent carer and have no doubt that my mother would not be with us today if she had been in a nursing home environment".

Her final points stated were, "Firstly ALL carers/personal assistance should have 'proper training' thus giving them a more valued job status. They should be able to be self-employed, thus alleviating relatives from being employers, when we have enough to cope with without having that burden". They [Carers/PAs] should be on a register, thus enabling relatives to contact and choose a carer most suitable for their needs. If they have all the above they can then demand a higher wage, thus providing a better standard in client's own homes and nursing homes. They would also have 'support' if they need to discuss issues regarding clients and vice-versa the client would have someone to talk to if they have issues regarding the carer".

Nearly one-third of survey respondents reported that they had made a compliment concerning the service they had received.

Compliments reported were both formal and informal in nature.

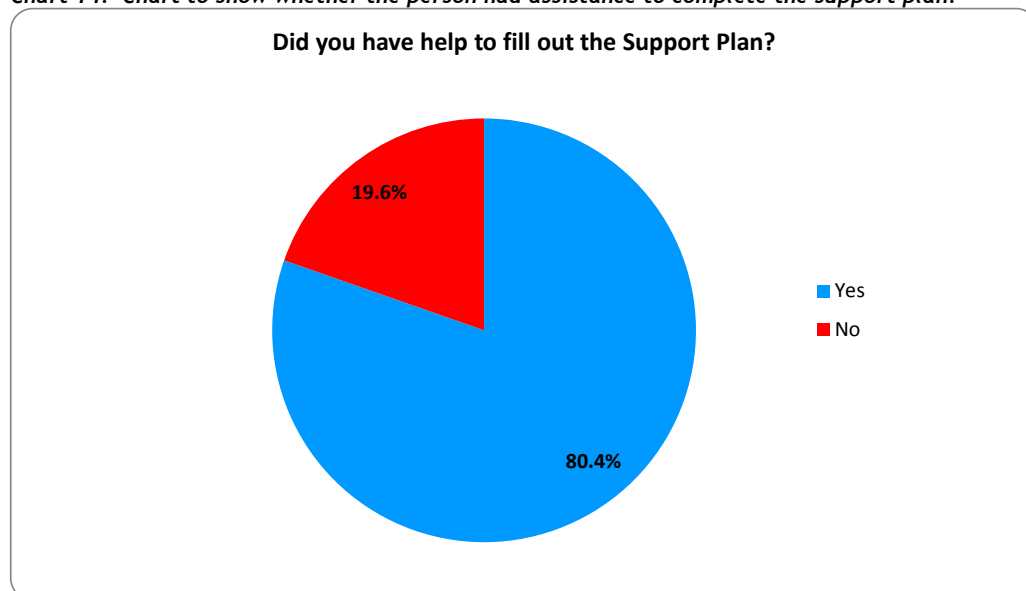
Chart 13: Chart to show whether there was a complaint paid towards the services received



Support Plans

Survey respondents reported that help to complete support plans was in place.

Chart 14: Chart to show whether the person had assistance to complete the support plan.



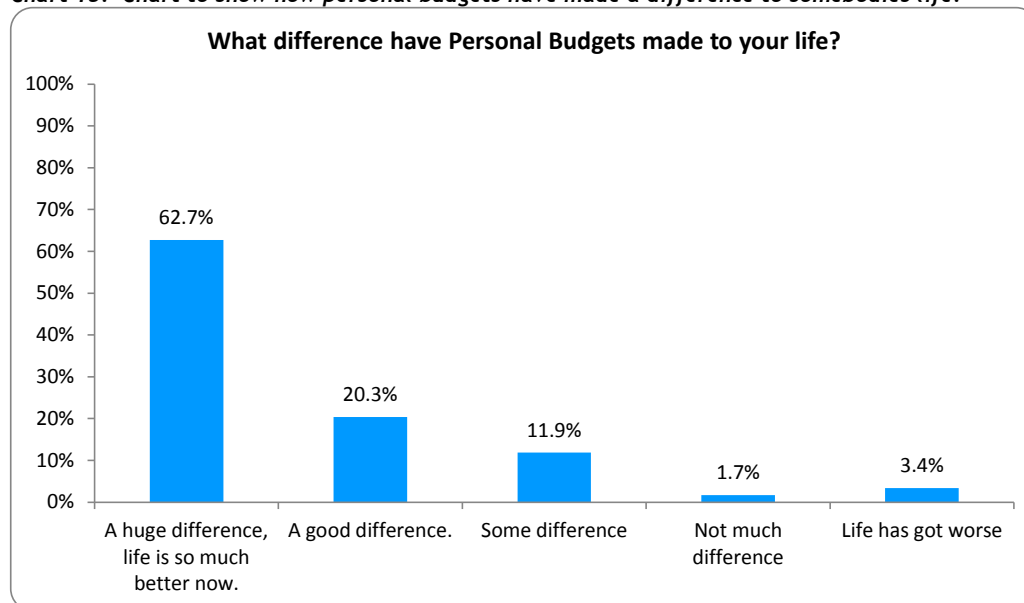
FEEDBACK - A disabled person in receipt of a Personal Budget for Social Care from the council saying that “I was transferred from direct payments”.

The services she uses to help with managing the Personal Budget are, a Care Agency to provide carers / personal assistants, a Payroll Service for help with paying staff and an Employer Support Service to help with duties as an employer of personal assistants/carers.

She says “I don't even remember having a support plan”, and goes on to say “I worry about how long they [personal budgets] will be around for. I can't see the council continuing with them due to financial cutbacks. I have been told that I'm going to have to start paying over £70 towards my care” which she is finding worrying.

The vast majority of survey respondents report that personal budgets have made a huge or a good difference to their lives.

Chart 15: Chart to show how personal budgets have made a difference to somebodies life.



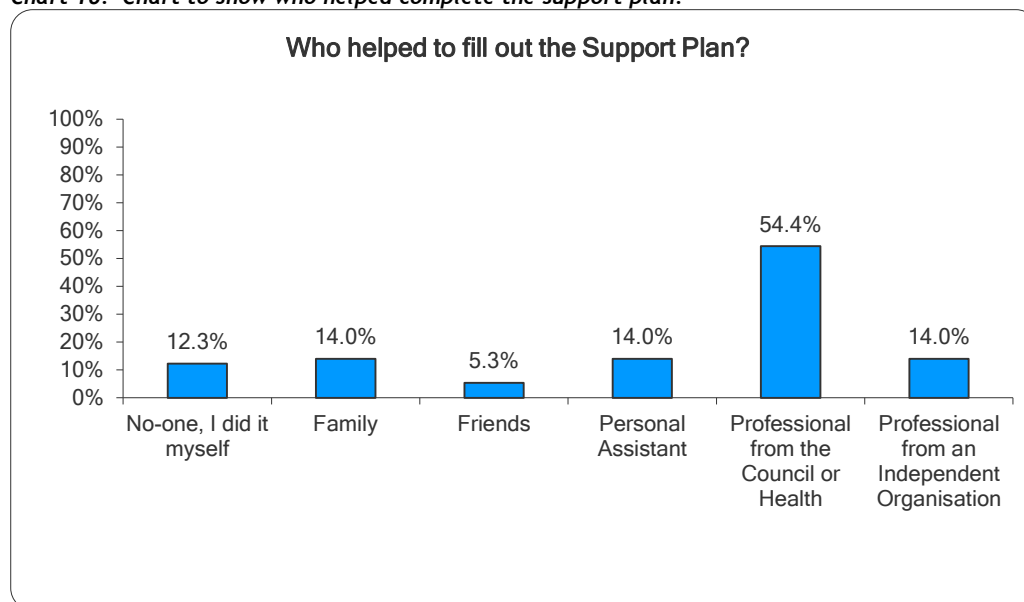
FEEDBACK - A carer for a person in receipt of a Personal Budget for Social Care from the council.

She says that the personal budget has made a huge difference, "Especially having the respite part of the budget as well. I know I can't have many breaks in a year because I have the agency (more expensive) to care for my husband at home. That way I know he's not going to be neglected, get dehydrated or have a stroke and end up at Treliske, which is what happened the last time he went to a care home. He knows the carers, he can continue his day care socialising and is much happier and chatting and laughing now. Nowadays trying to get a week in a care home is a lottery and is so stressful if there is a date to get away for. You don't know if you're going to get it or not so you can't plan or book anything". Her overall comments are "It's brilliant having a personal budget especially if you have someone experienced who can explain things at the beginning. It would be a good idea to review it after 2 months to make sure we are doing the job properly?"

Over half reported that a professional from either the council or health provided the assistance to complete the support plan.

Comment [DP1]: Adds up to over 100%

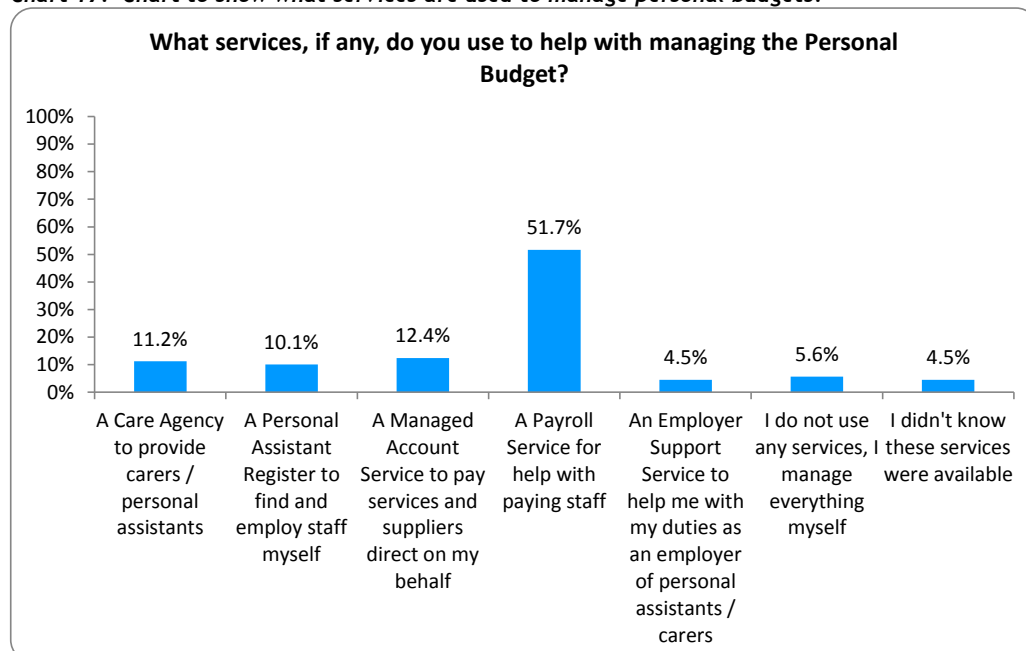
Chart 16: Chart to show who helped complete the support plan.



Managing Personal Budgets

Over half of respondents stated that they use a payroll service for help with paying staff.

Chart 17: Chart to show what services are used to manage personal budgets.



Appendix 2: Case Studies

Case Study

This is a disabled person in receipt of a personal budget for social care from the council; he first found out about Personal

Budgets when he had a back problem and wasn't able to move - a friend contacted the council to enquire about what might be done to assist him. A professional from the council came out to see him.

"Four months after I started receiving my budget I was told that I could employ PAs, and also that employment of PAs was the only activity that the budget could be used for. I now have an amount left in my bank account and have been told that it may be taken back; I feel that this is unfair as I have never been informed of what I can use the budget for. I have never even had a support plan"

"The professional from the council who came out to see me asked me a series of questions and told me that she would be in touch"

he says he has felt abandoned. He has stated that he has never been informed about what the budget can be used for and now, 18 months on, he still remains unaware of what the budget can be used for.

He then received a letter stating that he had been awarded a personal budget but has not received a breakdown of how the figure had been arrived at. However, from this point onwards,

He states that he has never had a support plan and is confused about how he can be awarded a personal budget without a support plan being in place to inform the budget and what it might be used for.

He states that he and others have been chasing the council continuously, but have not received any answers to their calls or queries. His first contact with the council was 18 months ago and he states that he feels confused about what has happened, what he is entitled to, where his support plan is and what is permissible in terms of expenditure. He stated that he missed out on a respite break last year as he was told that this was not permitted expenditure, but now believes it would have been permissible.

"I fell ill very recently and an ambulance was called. The ambulance crew asked me for my support plan but I had to tell them that it hadn't been finished yet, so did not have one. I tried my hardest to remember everything in relation to my needs but this was very hard to do when you are in need of emergency care"

This person believes that a proper explanation of personal budgets is essential along with regular support to check and confirm that everything is 'on track' and the budget is being spent as allowed.

Case Study

This person is a carer for her husband. She first found out about personal budgets during a visit to a chiropodist and the topic of personal budgets came up in general conversation. The chiropodist gave her some details and a telephone number and she made a call to the council in order to make an enquiry and find out more.

"We were visited twice by a professional from the council. They were very helpful in explaining the information we needed to know. However, I did have a general feeling that they were pushing us in the direction they wanted the conversation to go"

"The council simply tells us 'this is the amount of your budget'. I am not sure how that amount has been calculated and I am not sure whether there are a range of activities that the budget can be spent on"

She found the process very long-winded and extremely difficult to understand and cope with. She also reports that she hasn't heard of support plans nor seen one, and feels that she isn't fully clear on what exactly the budget can be spent on.

Overall, she says that having the personal budget makes a big difference to her husband's life. She says that she is the employer for her husband's carer, organising their wages and keeping records in relation to this. She says that she is able to calculate their wages and complete the necessary paperwork, but is unsure about how much longer she will be able to continue doing this.

She mentions that she is slightly concerned that she is doing everything that is required in terms of keeping evidence. She states that she is a very organised person, but it would help her to have some confirmation that all her administrative work is in order.

"It's so much better having one person as your carer as you get to know them and they get to know you. Building this type of relationship with a carer makes you feel so much more comfortable and safer. At one time we had different carers coming to our home and this was much more difficult for both me and my husband as there was not a good quality of relationship"

Case Study

This is a disabled person in receipt of a personal budget for social care from the council; he first found out about Personal Budgets when a community nurse spoke to the council about his situation and he was contacted by the council. A professional from social services came to visit him at his home and gave a full explanation of Personal Budgets.

"The professional from the council who came out to see me provided excellent information and answered all my questions. I was very happy with them and the information they were able to provide me with. I am sent written information via email as I am Blind and I use my screen reader to access the information. My PAs also help me with accessing written information."

He explains that he feels he had an excellent service overall from the council. However, he has felt that changes in social workers who he deals with have somewhat hindered the service he receives. He explained that it took two-and-a-half years from the time the professional from social services came to visit him to having the correct amount of personal budget paid. In the end, he received back-pay. He says that he was very proactive in chasing the council

"I am a very proactive person and chased social services regularly about my situation. there were times when my calls weren't answered and I felt that they were avoiding me – I found the mobile phone number of a senior person in Social Services, my calls weren't answered when I called from my own phone but when I borrowed phones from others my calls were answered immediately! I am a proactive person, but I worry a lot about others who are not as proactive as me and perhaps find chasing difficult, do they miss out?"

during this time. He was also very proactive in providing evidence to the council; he has recorded with his carers the exact amount of time each activity takes during the day and provided this to the council which has been very helpful in setting up his support plan and the amount of personal budget he receives. As a result of his proactivity he feels that he has a good understanding of how his personal budget is arrived at.

"I receive a large number of hours in my personal budget. I feel embarrassed about this when I come across others who are in similar situations but are receiving hardly anything"

In terms of improvements, he is very careful to point out that his carers were previously self-employed and he is now their direct employer. As a result of this, he feels that there is additional work to do in organising carer pay. He points out that carer's wages are paid on a calendar month basis, however the council pays the budget once every four weeks i.e. 13 times per year which makes his role harder to manage.

"It makes things very difficult when I receive 13 payments per year from the council, but my carers are paid 12 times per year. Council staff are paid 12 times per year [on a calendar month basis] and surely it would be very easy and make sense for the council to pay personal budgets 12 times per year to make our role as an employer easier to manage"

Case Study

This is a disabled person in receipt of a personal budget for social care from the council; she first found out about Personal Budgets when her Aunt mentioned them. As a result, she contacted the council and a professional came out to visit her. She found the worker to be extremely helpful

The process went well for this person, with no issues arising. Everything was smooth and the time it took to receive the personal budget was not too long in her opinion.

She says she employs two carers and finds the process of being their employer straight forward and easy to manage.

She says that her life has improved with the budget in place; her carer works part of the week and an agency carer comes for the other part of the week. She tells us that often this can be the only person she gets to speak to.

"I am not aware of how my personal budget was calculated. I was told that all the information is entered into a computer and the computer comes up with a final figure. I have no idea how the figure is arrived at"

"I was previously in receipt of a direct payment and switched over to a Personal Budget. This was around 3 years ago and I have no paperwork or information at all, I don't even have a contact number to call for any queries I may have."

This person says that she has no support plan. She has been receiving a personal budget for the last three year and over this time, she says that she has not heard from anyone at the council, telling us that she received her personal budget

"I was told that I can spend the personal budget on anything I want as long as it's not household bills. I am hoping that I haven't spent on the wrong things, but no-one is there to give any guidance on this"

"I was given my personal budget and have not heard from anyone in the three years since. As long as you're not asking for money, they leave you alone. Personally, I am happy that I haven't heard from anyone, but to be honest, it's really bad that no-one has been in touch. They know I am on my own and anything could be happening to me which they don't know about"

and was then left alone.

This person says that everything is going well for her at present, but she worries about the future and the impact of funding cuts.

Case Study

This is a professional working in the field who wishes to share their experiences. This person wished to share a particular point and is in relation to the experiences of older people.

"I believe that there is a widely-held assumption that older people do not want to go out, do not want to do anything and do not want to engage in valuable social activity. When I speak to case workers, which I do regularly, to inform them that more can be done in individual cases, the response I receive is always that there is no funding available"

"Older people deserve a right to inclusion in their community and have a right to life. This issue is not currently being addressed"

"Younger adults, for example with learning difficulties/disabilities have a wide range of funding available for inclusion activity, but this is not the case for older people"

Case Study

This is a disabled person in receipt of a personal budget for social care from the council; she first found out about Personal Budgets via a mental health outreach worker. On contacting the council, she received a wealth of information concerning personal budgets. As a result of reading the information, she had numerous questions and raised these via telephone with the council.

"It was easy to get through on the telephone and I spent a long time asking questions. I was made to feel that the council was very happy to answer and clarify my queries"

She says that A professional from the council came out to visit her at her home and she says they were very helpful, putting her at ease, she says that at no time did she feel like she was 'causing trouble' or 'wasting their time'.

"The worker who came out to see me put me at ease and made me feel like I was able to talk and be open"

In regard to the financial assessment process, she reports that she didn't really understand this, saying that she is clear on how much she receives, but not on how these figures are arrived at. She says that it would have been helpful to know this as it would have allowed for the identification of any misunderstandings enabling her to have raised issues ranging from 'please can I clarify as it seems you may have misunderstood me on a certain point' to 'I don't believe that I would be entitled in relation to a certain aspect as there has been a misunderstanding'. This would have given her confidence that all the facts have been understood fully and correctly.

In relation to evidencing her spend, she says that she keeps a file with all receipts attached to her documents and that this is relatively straight-forward for her as her background is in finance. However she also says that she knows some people for whom this requirement has frightened them and put them off the idea of personal budgets.

She says that it took more than 9 months from the time she first requested a personal budget to the receipt of a decision and that it took more than 12 weeks from the receipt of a decision to when her personal budget was in place.

"Overall, the process could be streamlined and made to be much quicker"

She has also stated that she has not received any information on whether a personal budget is ever reviewed. She has never been asked to produce her evidence file of receipts and information on her spending.

Overall, she is highly positive about personal budgets. She says that everything that was problematic for me prior to having the budget has been addressed. She says that the beauty of a personal budget is that you can choose to employ the right people for you, people who you feel comfortable and safe with - she says that she wouldn't feel at ease with support from a carer if they had been simply allocated to her and she had had no choice in who they were.

"I have physical impairments and also mental health issues and before the personal budget it would be common for me to sit at home for 2 weeks or more and see or speak to no-one as I have no family or friends. I now have help with getting out and about and with my housework which really used to get on top of me. My PA gives me encouragement to get dressed, do my hair nicely and get out and about and socialise. I also have the beauty of having conversations with my PA; all of this has made a huge positive impact on my life"

Appendix 3: List of Data Tables¹

Table 1: Number of people in receipt of a personal budget in Cornwall as at November 2014 - disaggregated according to 'protected characteristic'* group.

Total Number in Receipt of a Personal Budget: 4,010 PERSONS		Number	Percentage	Cornwall Population
Gender	Female	2432	60.65%	
	Male	1565	39.03%	
	Unknown	13	0.32%	
Ethnicity	Arab	-	0.00%	0.04%
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	4	0.10%	0.65%
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3	0.07%	0.14%
	Gypsy or Traveller of Irish Heritage	0	0	0.12%
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)	7	0.17%	0.83%
	White - English/Welsh/Scottish/Northern Irish/British	3696	92.17%	95.75%
	White - Irish	9	0.22%	0.38%
	White - Other	58	1.45%	1.98%
	Other ethnic group	3	0.07%	0.12%
	Prefer not to say and Unknown	230	5.74%	-
Age	18 - 24	267	6.66%	
	25 - 44	536	13.37%	
	45 - 64	680	16.96%	
	65 - 74	445	11.10%	
	Over 75	2082	51.92%	
	Prefer not to say and Unknown	0	0	
Disability **	Physical impairment	2755	68.46%	
	Sensory impairment	115	2.86%	
	Mental health condition	179	4.45%	
	Learning disability/difficulty	846	21.02%	
	Long standing illness or health condition	-	0.00%	
	Other	77	1.91%	
	Prefer not to say and Unknown	0	0	
	Non-Disabled People	52	1.29%	

Source: Cornwall Council data, November 2014

* Protected characteristics are set out within The Equality Act 2010.

** Some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total.

NB. The table shows the percentage of each group who are in receipt of a personal budget e.g. 60.65% of people in receipt of a personal budget are Female; 6.66% of people in receipt of a personal budget are aged 18-24 etc.

¹ Source: Cornwall Council (The data shown throughout Appendix 1 is as provided by Cornwall Council's FOI response of November 2014).

Table 2: Number of people who manage their own budget and percentage of each 'protected characteristic group' who manage their own budget.

		Total number in receipt of a personal budget	Total number who manage their own budget	Percentage of each group who manage their own budget
TOTALS:		4010	957	23.87%
Gender	Female	2432	524	21.55%
	Male	1565	432	27.60%
	Unknown	13	1	7.69%
Ethnicity	Arab	-		0
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	4	2	50.00%
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3	0	0
	Gypsy or Traveller of Irish Heritage	0	0	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)	7	4	57.14%
	White - English/Welsh/Scottish/Northern Irish/British	3696	890	24.08%
	White - Irish	9	2	22.22%
	White - Other	58	19	32.76%
	Other ethnic group	3	1	33.33%
	Prefer not to say and Unknown	230	39	16.96%
Age	18 - 24	267	180	67.42%
	25 - 44	536	269	50.19%
	45 - 64	680	234	34.41%
	65 - 74	445	95	21.35%
	Over 75	2082	179	8.60%
	Prefer not to say and Unknown	0	0	0
Disability *	Physical impairment	2755	507	18.40%
	Sensory impairment	115	32	27.83%
	Mental health condition	179	33	18.44%
	Learning disability/difficulty	846	337	39.83%
	Long standing illness or health condition	-		0
	Other	77	44	57.14%
	Prefer not to say and Unknown	0	0	0
	Non-Disabled People	52	10	19.23%

Source: Cornwall Council data, November 2014

* Some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total.

NB. The table shows the percentage of each group who manage their own budget e.g.

23.87% of all people manage their own budget;
21.55% of all Females manage their own budget,
67.42% of all 18-24 year olds manage their own budget etc.

Table 3: Number of people where Cornwall Council manages the budget and percentage of each 'protected characteristic group' where Cornwall Council manages the budget.

		Total number in receipt of a personal budget	Total number where the council manages the budget	Percentage of each group where the council manages the budget
TOTALS:		4010	3017	77.48%
Gender	Female	2432	1939	79.73%
	Male	1565	1156	73.87%
	Unknown	13	12	92.31%
Ethnicity	Arab	-	-	-
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	4	2	50.00%
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3	3	100.00%
	Gypsy or Traveller of Irish Heritage	0	0	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)	7	3	42.86%
	White - English/Welsh/Scottish/Northern Irish/British	3696	2856	77.27%
	White - Irish	9	7	77.78%
	White - Other	58	39	67.24%
	Other ethnic group	3	3	100.00%
	Prefer not to say and Unknown	230	194	84.35%
Age	18 - 24	267	94	35.21%
	25 - 44	536	285	53.17%
	45 - 64	680	463	68.09%
	65 - 74	445	356	80.00%
	Over 75	2082	1909	91.69%
	Prefer not to say and Unknown	0	0	0
Disability *	Physical impairment	2755	2281	82.79%
	Sensory impairment	115	83	72.17%
	Mental health condition	179	146	81.56%
	Learning disability/difficulty	846	521	61.58%
	Long standing illness or health condition	-	-	0
	Other	77	36	46.75%
	Prefer not to say and Unknown	0	0	0
Non-Disabled People		52	48	92.31%

Source: Cornwall Council data, November 2014

* Some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total.

NB. The table shows the percentage of each group where their budget is managed by Cornwall Council on their behalf e.g. 77.48% of all people have their budget managed on their behalf by Cornwall Council; 79.73% of all Females have their budget managed on their behalf by Cornwall Council, 35.21% of all 18-24 year olds have their budget managed on their behalf by Cornwall Council etc.

Table 4: Number of people where Cornwall Council part-manages the budget on their behalf and percentage of each 'protected characteristic group' where Cornwall Council part-manages the budget on their behalf.

		Total number in receipt of a personal budget	Total number where the Council part-manages the budget	Percentage of each group where the council manages the budget
TOTALS:		4010	157	3.92%
Gender	Female	2432	75	3.08%
	Male	1565	82	5.24%
	Unknown	13	0	0
Ethnicity	Arab	-	0	0
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	4	1	25.00%
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3	0	0
	Gypsy or Traveller of Irish Heritage	0	0	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)	7	0	0
	White - English/Welsh/Scottish/Northern Irish/British	3696	149	4.03%
	White - Irish	9	1	11.11%
	White - Other	58	2	3.45%
	Other ethnic group	3	0	0
	Prefer not to say and Unknown	230	4	1.74%
Age	18 - 24	267	24	8.99%
	25 - 44	536	68	12.69%
	45 - 64	680	32	4.71%
	65 - 74	445	14	3.15%
	Over 75	2082	19	0.91%
	Prefer not to say and Unknown	0	0	0
Disability *	Physical impairment	2755	33	1.20%
	Sensory impairment	115	7	6.09%
	Mental health condition	179	5	2.79%
	Learning disability/difficulty	846	110	13.00%
	Long standing illness or health condition	-	-	0
	Other	77	2	2.60%
	Prefer not to say and Unknown	0	0	0
	Non-Disabled People	52	1	1.92%

Source: Cornwall Council data, November 2014

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total.

NB. The table shows the percentage of each group where their budget is part-managed by Cornwall Council on their behalf e.g. 3.92% of all people have their budget part-managed by Cornwall Council; 3.08% of all Females have their budget part-managed on their behalf by Cornwall Council, 8.99% of all 18-24 year olds have their budget part-managed on their behalf by Cornwall Council etc.

Table 5: Number of people in receipt of a direct payment for social care - disaggregated according to 'protected characteristic group'.

		Number
Gender	Female	75
	Male	82
	Unknown	0
Ethnicity	Arab	
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	1
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	0
	Gypsy or Traveller of Irish Heritage	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)	
	White - English/Welsh/Scottish/Northern Irish/British	149
	White - Irish	1
	White - Other	2
	Other ethnic group	0
	Prefer not to say and Unknown	4
Age	18 - 24	24
	25 - 44	68
	45 - 64	32
	65 - 74	14
	Over 75	19
	Prefer not to say and Unknown	0
Disability *	Physical impairment	33
	Sensory impairment	7
	Mental health condition	5
	Learning disability/difficulty	110
	Long standing illness or health condition	
	Other	2
	Prefer not to say and Unknown	0
Non-Disabled People	1	

Source: Cornwall Council data, November 2014

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total.

Table 6: Number of children and young people in receipt of a direct payment for social care and percentage belonging to each 'protected characteristic group'.

Total Number of Children & Young People in Receipt of a Direct Payment for Social Care: 317 Persons		Number	Percentage
Gender	Male	207	65.30%
	Female	110	34.70%
Age	Recipients under 18	317	100%
Disability	Learning Disability	219	69.09%
	Physical Disability	90	28.39%
	Multiple Disabilities	2	0.63%
	Sensory Impairment	2	0.63%
	Emotional / behavioural	4	1.26%

Source: Cornwall Council data, November 2014

- NB. Cornwall Council report that the ethnicity of these children and young people is unknown.
- NB. The table shows the percentage of each group in receipt of a direct payment for social care e.g.
65.30% of all children & young people in receipt of a direct payment for social care are Female;
69.09% of all children & young people in receipt of a direct payment for social care have a learning disability etc.
- NB. Protected characteristics are set out within The Equality Act 2010.

Appendix 4: Copy of Cornwall Council Policy Guidance on the Delivery of Personal Budgets



Policy guidance

Delivery of Personal Budgets

Date: May 2011

Department title: Adult Care & Support



Current Document Status			
Version	1	Approving body	Transformation Board
Date	04 May 2011	Date of formal approval (if applicable)	April 8 th 2011
Responsible officer	Nick Fripp	Review date	October 2011
Location	Insert file location or web address where document can be accessed.		
Version History			
Date	Version	Author/Editor	Comments

Equality Impact Assessment Record					
Date	Type of assessment conducted	Stage/level completed (where applicable)	Summary of actions taken decisions made	Completed by	Impact Assessment review date
Insert Date	Initial / Full	Complete	NFA	Insert officer name	Insert date
Corporate Quality Assessment Record					
Date	Insert date				
Completed by	Insert name(s)				

1. INTRODUCTION:

New National Policy Priorities

- 1.1 'Independence, Well-being and Choice' and 'Our Health Our Care Our Say' highlighted the need to develop new ways of delivering allocated resources to individuals. This is to give greater control to the individual, open up the range and availability of services to better match individual needs and stimulate the market to respond to the demands of the individual.
- 1.2 In the Putting People First concordant, Central Government, councils, health authorities, professional bodies and voluntary organisations all committed to a shared ambition to radically reform adult social care to deliver more choice and control to individuals and informal carers.
- 1.3 Central Government has identified direct cash payments in lieu of services as the preferred means of delivering allocated resources to eligible individuals within the new model.

- 1.4 Central Government has also highlighted the importance of introducing greater flexibility in how individuals are permitted to use and manage the resources allocated to them. This has been further supported in the green paper 'Shaping the Future of Care'.
- 1.5 To date, Central Government have made no changes to existing legislative and regulatory arrangements in order to regulate the delivery of allocated resources to individuals in support of its policy.

2. PURPOSE AND AIM OF THE POLICY:

- 2.1 The aim of this policy is to underpin the various means of allocating resources to individuals as part of the self-directed support model.
- 2.2 The policy aims to promote the independence, health and well-being of individuals and informal carers by providing them with greater choice over how they use their allocated funds and how they choose to control their personal budget.
- 2.3 Individuals, as citizens should have control and choice over how they live their lives, including the form and management of their support.
- 2.4 Support services should be personalised and designed around the needs of citizens.
- 2.5 The role of Adult Care & Support is to help people maintain or regain their independence, regardless of age, impairment, ethnicity, sexual orientation or personal circumstances.
- 2.6 Individuals should be given more responsibility for planning and managing their support.
- 2.7 Adult Care & Support has a duty to offer direct cash payments to eligible individuals.
- 2.8 Adult Care & Support will ensure that individuals are able to access support services to assist them in exercising choice and control over managing their personal budget.
- 2.9 Not all individuals will have the desire or capacity to plan for and meet their own support needs using direct cash payments.
- 2.10 The ability to use resources flexibly allows individuals to tailor their support to best suit their individual needs.

3. SCOPE:

- 3.1 This policy applies to all individuals who meet the following criteria:
 - Assessed as eligible for services from Cornwall Council.
 - Have a validated support plan in place.
 - Have an allocated personal budget.

4. POLICY STATEMENT:

- 4.1 Cornwall Council Adult Social Care has a duty to facilitate the provision of social care services to meet the assessed social care needs of eligible individuals.
- 4.2 In order to meet eligible assessed needs, Cornwall Council can provide or commission services, or make cash payments in lieu of services, for the purpose of purchasing goods and services to meet agreed support needs.
- 4.3 Cornwall Council can make direct cash payments in lieu of services directly to eligible individuals.
- 4.4 Cornwall Council can make payments to a third party to be used or managed on behalf of the individual, to meet their eligible assessed needs.
- 4.5 Payments in lieu of services promote independence, health and well-being by giving individuals more choice and control over planning and managing their support.
- 4.6 Cornwall Council has introduced a system of self-directed support under which individuals will have a personal budget allocated to them to meet their eligible assessed care and support needs.
- 4.7 Individuals will have the choice of taking their personal budget as:
- A cash payment paid directly to them
 - A cash payment to a third party
 - A commissioned service
- Or a combination of these options.
- 4.8 The aim of this policy is to underpin the various means of allocating resources to eligible individuals as part of the self-directed support model.
- 4.9 The policy aims to promote the independence, health and well-being of individuals and their informal carers by providing them with greater choice over how they use their allocated funds and how they choose to control their personal budget.

5. POLICY DETAILS:

5.1 Options for the Delivery of Personal Budgets

- 5.1.1 Cornwall Council is committed to individuals having greater flexibility and choice over how they use their allocated funds and how they choose to manage their personal budgets under the self-directed support model.

5.1.2 The options for delivery of personal budgets under self-directed support are:

Cash payments in lieu of services via

- Direct cash payments
- Payments to third party;

Or managed services

Or a mix of the above.

5.2 Eligibility for Support

5.2.1 To be eligible to receive any form of support from Adult Care & Support, individuals and their carers will be required to undertake an assessment of needs to determine whether they are eligible.

5.2.2 Individuals will also be required to undertake a financial assessment to establish whether they will be required to make a financial contribution towards to the cost of meeting their eligible assessed needs.

5.2.3 The assessments will determine eligibility in line with Cornwall Council's eligibility criteria, Cornwall Council's Access to Care Services Policy and Guidance and Cornwall Council's Fairer Charging Policy.

5.2.4 An individual carer's eligibility for services will be established through the application of the Carers and Disabled Children Act 2000.

5.3 Payments in Lieu of Services

5.3.1 Where an individuals or their carer chooses to receive a cash payment in lieu of services, Adult Care & Support will ensure the individual has the means by which to independently secure the support services they require.

5.3.2 The council will no longer be responsible for the arrangement, direction, management or day to day organisation of those services.

5.3.3 Once an individual or their carer agrees to receive payments in lieu of services, they assume the responsibilities associated with managing their support.

5.3.4 In the case of payments to third parties, the third party assumes responsibilities associated with managing the support of the individual or their carer.

5.3.5 Individuals and third parties assume the responsibility for:

- Employing staff and risks associated with employment of staff
- The outcomes of support choices
- Informing Cornwall Council if their circumstances or needs change

5.4 Determination of Eligibility to receive a Direct Cash Payment

- 5.4.1 The final decision about whether a direct cash payment is appropriate will be made on a case-by-case basis by a Senior Practitioner/Team Manager as part of the risk assessment that occurs during support planning and validation. The Senior Practitioner/Team Manager will take into account a range of factors including the particular circumstances of each case, the relevant past conduct of the individual or their carer and the views of all relevant parties as well as all formal and informal support networks when making a decision.
- 5.4.2 If the Senior Practitioner/Team Manager decides that a direct cash payment is inappropriate, the reasons for this will be clearly recorded and shared sensitively with the individual and any informal support networks, with the consent of the individual concerned. Other options for managing a Personal Budget will be explored with the individual and the most appropriate selected.
- 5.4.3 In cases where there is a dispute about a decision, the matter will be addressed in line with Cornwall Council's Validation of Support Plans and Personal Budgets and Risk Enablement Policies.

5.5 Payments in Lieu of Services: Direct Cash Payments

- 5.5.1 Direct payments are cash payments made to individuals and their carers, in lieu of services, for meeting eligible assessed needs. Cornwall Council has chosen to use the term 'Direct Cash Payment' and not 'Direct Payment' as defined within relevant legislation and regulations.
- 5.5.2 Provision of direct cash payments is governed by the Health & Social Care Act 2008.
- 5.5.3 Cornwall Council will continue to meet its statutory obligations regarding direct payments, as set down in relevant legislation and regulations.
- 5.5.4 Cornwall Council will continue to apply its written policies and procedures in respect of Direct Cash Payments.
- 5.5.5 To be eligible for Direct Cash Payments, individuals and carers must meet the legislative eligibility requirements for receipt of Direct Payments as established by the Health & Social Care Act 2008 and the Carers and Disabled Children Act 2000.
- 5.5.6 Consent, capacity and capability will follow protocols explained in section 5.6 below.
- 5.5.7 Eligibility will be determined using section 5.4 above.

5.6 Consent, Capacity and Capability

- 5.6.1 In order to be eligible for a direct cash payment, individuals must consent to receive such a payment.

- 5.6.2 Individuals should be assumed to be able to validly consent and to be able to make their own decisions unless there is evidence to the contrary.
- 5.6.3 In cases where there is uncertainty about whether an individual has sufficient capacity/capability to be able to manage a direct cash payment, it will be necessary to undertake an assessment of capacity in accordance with the Mental Capacity Act 2005.
- 5.6.4 The assessment will evaluate the capacity of the individual to make the decision necessary for the intended use of their direct cash payment. The level of capacity required will vary according to the complexity of the issues and processes that the individual will be required to manage.
- 5.6.5 Where an assessment of capacity determines that an individual does not have sufficient capacity, a decision may be taken in their best interests about whether a direct cash payment is appropriate and about how any payment should be managed.
- 5.6.6 The decision must be in the best interests of the individual and made in accordance with the Mental Capacity Act 2005.
- 5.6.7 Reference should be made to Adult Care & Support's policy and procedure guidelines, DACS/130 (direct cash payments for individuals who lack mental capacity to consent to a direct cash payment, manage funds and/or self-direct their own support)

5.7 Operational Requirements for Direct Cash Payments

Formal Agreement

- 5.7.1 To receive a direct cash payment an individual must enter into a formal contractual agreement with Cornwall Council.

Form of Agreement

- 5.7.2 The contractual arrangements between the Council and the individual must be established in a formal, written direct cash payment agreement.

Payment of Funds

- 5.7.3 Cornwall Council will require that individuals establish a method for the receipt and use of their direct cash payment that satisfies audit and review requirements.

Individual's Assessed Financial Contribution

- 5.7.4 Where an individual who receives a direct cash payment from Cornwall Council is required to make a financial contribution towards the costs of their assessed support needs, the payment will be paid net of any assessed contribution.

Payment of VAT

- 5.7.5 Through the application of the Resource Allocation System and the process of support planning and validation, Cornwall Council ensures that the validated support plan and personal budget are sufficient to meet the eligible assessed needs of service users and carers.
- 5.7.6 Cornwall Council is unable to recover VAT on goods and services which are purchased via use of Direct Payment. Any goods and services purchased are regarded as being purchased directly by the service user or carer and they are liable for any VAT that is incurred.

Equality and Diversity Safeguards

- 5.7.7 Cornwall Council will ensure that safeguards are in place to ensure that eligible individuals fully understand and agree to direct cash payment arrangements, regardless of age, impairment, ethnicity, sexual orientation or personal circumstances.

Suspension and Termination of Direct Cash Payments

- 5.7.8 An individual can choose to terminate a direct cash payment agreement at any time.
- 5.7.9 If an individual chooses to terminate a direct cash payment agreement, Cornwall Council will require four weeks notice. This will ensure that outstanding liabilities can be settled prior to cessation. Cornwall Council will arrange alternative services from the date which is most appropriate – this may be before the cessation date of the direct cash payment if necessary.
- 5.7.10 If an individual chooses to end a direct cash payment agreement, Cornwall Council will undertake a review to determine how best to meet their eligible assessed needs.
- 5.7.11 Cornwall Council may choose to suspend or terminate a direct cash payment agreement
- If one or more of the qualifying criteria are breached by the individual.
 - For reasons of illegal or fraudulent use or misuse of direct cash payment funds
- 5.7.12 The notice required prior to Cornwall Council implementing a suspension or termination of a direct cash payment will depend on the individual circumstances of each case, including the cause of the suspension or termination, an evaluation of risks and consideration of any other relevant factors.

- 5.7.13 In cases of illegal use, fraud and wilful misuse of a direct cash payment on the part of the recipient, Cornwall Council may take action to recover all or part of the monies, where appropriate and in accordance with the Cornwall Council Adult Care & Support Risk Enablement and Income Collection and Debt Recovery Policies.
- 5.7.14 In such cases, the individual will no longer be eligible for a direct cash payment.
- 5.7.15 Cornwall Council retains the option of taking over the co-ordination of the individual's arrangements for a short period, in circumstances where:
- The individual requests or consents to Council assuming management of their support arrangements.
 - The individual has been assessed as no longer having the capacity to manage their payment.
 - It is in the best interests of the individual and they consent to the action or in the cases where the individual lacks capacity in accordance with the Mental Capacity Act 2005.
- 5.7.16 There are circumstances where individuals may not need their direct cash payment for a short but significant period as a result of hospital admission or some other unforeseen eventuality.
- 5.7.17 In such circumstances, Cornwall Council will, together with the individual, their informal carer and any representatives, review the particular circumstances of the case, including any on-going contractual responsibilities, to determine the most appropriate course of action.
- 5.7.18 In such circumstances, Cornwall Council may choose to maintain, alter, suspend or terminate any direct cash payment arrangements.
- 5.7.19 Cornwall Council will act in a way that balances regard for the contractual obligations of individuals and promotion of continuity of services with the need to make best use of resources.

Repayment of Direct Cash Payments

- 5.7.20 Individuals will be required to return to Cornwall Council any portion of their direct cash payment:
- That is surplus to meeting their needs as agreed in their support plan and direct cash payment agreement and
 - That is surplus to the contingency fund stated in the direct cash payment agreement plus an equivalent 8 weeks payment and
 - That is not being held in order to save for an agreed purpose, or to make payment on outstanding accounts or taxation liabilities.

- 5.7.21 If Cornwall Council is not satisfied that the direct cash payment has been used for its intended purpose or if the conditions imposed on the support plan and payment agreement have not been met. Cornwall Council may take action to recover all or part of the monies in line with the Cornwall Council Income Collection and Debt Recovery Policy.
- 5.7.22 In cases of wilful misuse or fraud, Cornwall Council may take action to recover all or part of the monies, where appropriate and in accordance with the Cornwall Council Risk Enablement and Income and Collection Recovery Policies.

Arrangements in Emergencies

- 5.7.23 Support plans for individuals will include contingency arrangements for emergencies in line with the Cornwall Council Support Planning and Review Policy.
- 5.7.24 Cornwall Council retains a responsibility to ensure individuals obtain the support they require, should an existing arrangement breakdown.

Provision of Support

- 5.7.25 Cornwall Council has a responsibility to ensure that individuals have access to appropriate support to manage their budget if required. There are various types of support services available to assist the individual and/or their informal carer while allowing them maximum choice and control over the delivery of their support. Information will be provided as to what support is available.
- 5.7.26 Individuals may choose a support option that best suits them and their needs and capabilities.

5.8 Payments in Lieu of Services: Payments to Third Parties

- 5.8.1 Cornwall Council recognises that the benefits of greater choice and control should be made available to as many individuals as possible.
- 5.8.2 Cornwall Council will permit payments to third parties to manage the delivery of support to meet the eligible assessed needs of individuals.
- 5.8.3 Payments to third parties can be used where an individual or their informal carer does not have the desire, capacity or capability to receive and manage direct cash payments.

If a person lacks capacity to consent to a direct cash payment and/or self-direct their own support and a third party is receiving and managing the cash payment the Council would give consideration of any misuse of funds within the safeguarding vulnerable adult procedures as this may deem to be financial abuse and potentially neglect.

- 5.8.4 Payments to third parties can also be used when an individual or their informal carer chooses to obtain support to manage a direct cash payment.

Agents

- 5.8.5 Individuals are permitted to enter into a contractual arrangement with an agent to act on their behalf to either receive a direct cash payment and/or take on any employment and payroll responsibilities associated with meeting their assessed needs.
- 5.8.6 For such an arrangement to be permitted the individual must remain in control of directing his or her service and making key decisions, with assistance if required, for example deciding who their personal assistant will be.
- 5.8.7 The individual will have responsibility for arranging the agreement with the agent, with appropriate support, if required. The arrangement will be between the individual and the third party. Cornwall Council will not be a party to any such agreement.

Trusts

- 5.8.8 Individuals and their informal carers are permitted to establish a trust for the purpose of receiving and administering a direct cash payment.
- 5.8.9 Trusts are usually formed when an individual needs substantial support to make decisions. Trustees can take on any employment and payroll responsibilities associated with meeting the individual's assessed agreed needs.
- 5.8.10 A trust is established by the trustees, who should seek independent financial legal advice concerning the legal and fiduciary obligations of becoming a trustee.

5.9 Managed Services

- 5.9.1 Cornwall Council recognises that not all individuals have the desire or capacity to manage a personal budget via a direct cash payment, or to plan for and meet their own support needs.
- 5.9.2 Cornwall Council will provide or commission support services on behalf of the individual who chooses to take all or part of their personal budget as a managed service.
- 5.9.3 In such cases, a personal budget will be allocated and validated and services will be commissioned using Cornwall Council approved provider list within the agreed resources and in line with the individual's validated support plan.
- 5.9.4 Cornwall Council will be responsible for the arrangement, direction, management and day to day organisation of support services.

Eligibility for Managed Services

- 5.9.5 All people using services and carers who have eligible assessed needs are eligible to take part or their entire personal budget as a managed service.

Goods and Services Available

- 5.9.6 Cornwall Council requires that personal budgets are used to meet eligible assessed needs of individuals, in accordance with their validated support plan.
- 5.9.7 Cornwall Council will apply the Support Planning, Validation of Support Plans and Personal Budgets and Risk Enablement Policies, which requires that any proposed use of a personal budget is formally assessed and approved by Cornwall Council.
- 5.9.8 In cases where there is a dispute about a decision, the matter will be addressed in line with the policies referred to in 5.9.7

5.10 Mixed Packages

- 5.10.1 It is permitted for individuals to choose a combination of delivery options when deploying their personal budget.
- 5.10.2 The arrangements for each individual will be established in the support plan and in any direct cash payment agreement, all being subject to review at appropriate intervals and in appropriate circumstances.

6. CO- PRODUCTION:

- 6.1 The development of the personal budget process, policy and service redesign has been carried out using a co-production approach which will be adopted for all transformation work across Adult Care and Support. This will ensure that people who access care and support and their carers are able to work together on an equal basis with the commissioning and provider organisations to influence strategy, delivery and monitoring of services.¹

7. PERFORMANCE AND RISK MANAGEMENT:

7.1 Risk Assessment

- 7.1.1 For individuals who are eligible for services, a risk assessment must be carried out to establish relevant issues, as part of the support planning process and in line with Cornwall Council's Support Planning, Validation of Support Plans and Personal Budgets and Risk Enablement Policies.

¹ For further details see "Having Your Say- Co-production" report ACS April 2011

7.2 Additional Operational Requirements for all Payment Options

Advocacy and Independent Advice

- 7.2.1 Cornwall Council recognises the importance of independent advice, support, information and guidance about all aspects of independent living for people managing their own personal assistance and support.
- 7.2.2 Cornwall Council will provide individuals with information and assistance to access independent advice and independent advocates to assist them manage their personal budgets. This advice can be funded from the individual's personal budget.
- 7.2.3 The role of the independent advocates in the context of deployment of personal budgets is to help individuals explore all possibilities, maximise their personal resources, financial resources, and gain the greatest potential access to all appropriate community facilities.

Auditing and Monitoring

- 7.2.4 The deployment of personal budgets will be monitored and audited by Cornwall Council.
- 7.2.5 The auditing and monitoring of the deployment of personal budgets payments will be proportionate and risk based.
- 7.2.6 Auditing and monitoring will focus on outcomes as identified in the support plan and direct cash payment agreement.
- 7.2.7 Cornwall Council will ensure that funds made available are used to meet the eligible assessed needs of the individual, in line with their verified support plan and direct cash payment agreement.

Complaints Procedure

- 7.2.8 All arrangements in relation to Cornwall Council's complaints procedure will apply to the use of personal budgets.
- 7.2.9 If the recipient of a direct cash payment has a complaint about services they have independently purchased, they should address this with the service provider or employee concerned.

Confidentiality

8. COMMUNICATING THE POLICY:

- 8.1 There is a separate Communication Plan² which outlines the external and internal communication which needs to take place to ensure that personal budgets and the transformation process is widely known about by the public, people who use services, carers, staff and Members. The Communication Plan must be implemented as part of this policy.

² Communication Plan – ACS Directorate March 2011

9. BREACHES AND NON-COMPLIANCE:

9.1 Misuse and Fraud

- 9.1.1 It is a requirement that personal budgets be used to meet the needs of the individual, in accordance with the conditions imposed in the support plan, direct cash payment agreement and relevant Cornwall Council policy and guidance.
- 9.1.2 In cases of misuse or fraud relating to the use of a direct cash payment, Cornwall Council may take action to recover all or part of the monies where appropriate.

10. INFORMATION AND TRAINING:

- 10.1 There is a separate learning and development plan which will ensure managers and staff are fully equipped to deliver the personalisation agenda as outlined in this policy³.
- 10.2 There is also an ACS Information and Advice Strategy and an Advocacy strategy to ensure that people are fully informed about personalisation including how to obtain universal services, access to care and support and advocacy.

11. EVALUATION AND REVIEW:

This policy will be subject to review every six months and at least annually by the Choice and Control Team to ensure it meets the requirements.

Document retention	
Document retention period	E.g. 5 years in hard and electronic copies.

³ Learning and development plan – ACS Feb 2011

Appendix 5: Copy of Cornwall Council's Freedom of Information Response

Reference Number: IAR-101001730188

Response provided under: Freedom of Information Act 2000

Request and Response:

Cornwall Council asked for clarification on what is meant by 'Non-Disabled People'. Response provided to Cornwall Council:- The definition of this term for the purposes of this FOI request is 'people who have declared that they do not have a disability/impairment'. For clarity, I would provide the following further explanation:-
Disability

- Physical impairment - i.e. people who have declared that they have a physical impairment
- Sensory impairment - i.e. people who have declared that they have a sensory impairment
- Mental health condition - i.e. people who have declared that they have a mental health condition
- Learning disability/difficulty - i.e. people who have declared that they have a learning disability/difficulty
- Long standing illness or health condition - i.e. people who have declared that they have a long standing illness or health condition
- Other - i.e. people who have declared that they have an impairment other than those listed in the above five categories
- Prefer not to say and Unknown - i.e. people who have stated that they would prefer not to declare whether they have a disability/impairment or not, plus people who have refused to make any declaration as to whether they do or do not have a disability/impairment.
- Non-Disabled People - i.e. all people who have declared that they do not have a disability/impairment.





1. Please provide a list of all policies, procedures and guidance currently in place which relate to Personal Budgets and Direct Payments. Please also provide copies and/or web links so that all requested documents can be viewed in full.

Children's Social Care - We have written policies and procedures that are available to our direct payment recipients and their parents and carers.

Adult Care, Health & Wellbeing - The link below to Cornwall Council's website provides further information regarding Personal Budgets including a downloadable co-produced leaflet which explains the over-arching process and key information.

[Personal budgets - Cornwall Council](#)

From this landing page if you select "Easy Read Guide" there are a number of linked pages which contain more information including planning your support, where there is a downloadable version of the co-produced Support Plan and Guidance. There is also information regarding Managing your Budget which includes details of on Direct Payments and what help is available if you wish to employ Personal Assistants.

The Personal Budgets Policy is available via the Council's website by following the link below:-

<http://cornwallcouncilintranet.cc.cornwallonline.net/default.aspx?page=9070>

2. What is the total number of people in Cornwall currently in receipt of a Personal Budget? Please also provide a detailed breakdown of this number according to their protected characteristic group as shown in Question 14.

Children's Social Care - There are 13 children and young people in receipt of a Personal Budget

Gender

Male - 8

Female - 5

Ethnicity

White - English/Welsh/Scottish/Northern Irish/British - 12

White - other - 1

Age

18 or under - 13

Disability

Physical Impairment - 5

Sensory Impairment - 1

Learning disability/difficulty - 6

Long standing illness or health condition - 1

Sexual Orientation

Unknown

Religion / belief

Christian - 5

Unknown - 8

Transgender

Unknown

Adult Care, Health & Wellbeing

		Q2
Gender	Female	2432
	Male	1565
	Unknown	13
Ethnicity	Arab	
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	4
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3
	Gypsy or Traveller of Irish Heritage	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other)	7
	White - English/Welsh/Scottish/Northern Irish/British	3696
	White - Irish	9
	White - Other	58
	Other ethnic group	3
	Prefer not to say and Unknown	230
	Age	18 - 24
25 - 44		536
45 - 64		680
65 - 74		445
Over 75		2082
Prefer not to say and Unknown		0
Disability *	Physical impairment	2755
	Sensory impairment	115
	Mental health condition	179
	Learning disability/difficulty	846
	Long standing illness or health condition	
	Other	77
	Prefer not to say and Unknown	0
	Non-Disabled People	52
Grand Total		4010

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total

3. What is the total number of people in Cornwall currently in receipt of a Personal Budget who manage the budget themselves? Please also provide a detailed breakdown of this number according to their protected characteristic group as shown in Question 14.

Children's Social Care - For all 13 children and young people in receipt of a personal budget, their parents or carers manage the direct cash payment element of the budget themselves.

Adult Care, Health & Wellbeing - Please note that the figures detailed on the attached spreadsheet includes all Adults in receipt of a Direct Payment.

		Q3
Gender	Female	524
	Male	432
	Unknown	1
Ethnicity	Arab	
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	2
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	0
	Gypsy or Traveller of Irish Heritage	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other)	4
	White – English/Welsh/Scottish/Northern Irish/British	890
	White – Irish	2
	White – Other	19
	Other ethnic group	1
	Prefer not to say and Unknown	39
	Age	18 - 24
25 - 44		269
45 - 64		234
65 - 74		95
Over 75		179
Prefer not to say and Unknown		0
Disability *	Physical impairment	507
	Sensory impairment	32
	Mental health condition	33
	Learning disability/difficulty	337
	Long standing illness or health condition	
	Other	44
	Prefer not to say and Unknown	0
	Non-Disabled People	10
Grand Total		957

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total

4. What is the total number of people in Cornwall currently in receipt of a Personal Budget where Cornwall Council manages the budget on their behalf? Please also provide a detailed breakdown of this number according to their protected characteristic group as shown in Question 14.

Children's Social Care - 0

Adult Care, Health & Wellbeing - Please note that the figures detailed on the attached spreadsheet includes people who have chosen for the Council to manage part of their personal budget as well as receiving a direct payment.

	Q4
Female	1939
Male	1156
Unknown	12
Arab	
Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	2
Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	3
Gypsy or Traveller of Irish Heritage	
Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other)	3
White – English/Welsh/Scottish/Northern Irish/British	2856
White – Irish	7
White – Other	39
Other ethnic group	3
Prefer not to say and Unknown	194
18 - 24	94
25 - 44	285
45 - 64	463
65 - 74	356
Over 75	1909
Prefer not to say and Unknown	0
Physical impairment	2281
Sensory impairment	83
Mental health condition	146
Learning disability/difficulty	521
Long standing illness or health condition	
Other	36
Prefer not to say and Unknown	0
Non-Disabled People	48
	3107

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total

5. What is the total number of people in Cornwall where the Council part-manages the budget? Please also provide a detailed breakdown of this number according to their protected characteristic group as shown in Question 14.

Children's Social Care - Of the 13 children and young people in receipt of a personal budget, there are seven in receipt of a direct cash payment and also direct provision from social care, for example, residential short break support, which is included in the budget but not paid as a cash payment to parents or carers.

Adult Care, Health & Wellbeing.

	Q5
Female	75
Male	82
Unknown	0
Arab	
Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	1
Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	0
Gypsy or Traveller of Irish Heritage	0
Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other)	
White – English/Welsh/Scottish/Northern Irish/British	149
White – Irish	1
White – Other	2
Other ethnic group	0
Prefer not to say and Unknown	4
18 - 24	24
25 - 44	68
45 - 64	32
65 - 74	14
Over 75	19
Prefer not to say and Unknown	0
Physical impairment	33
Sensory impairment	7
Mental health condition	5
Learning disability/difficulty	110
Long standing illness or health condition	
Other	2
Prefer not to say and Unknown	0
Non-Disabled People	1
	157

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total

6. What is the total number of people in Cornwall currently in receipt of a Direct Payment for Social Care? Please also provide a detailed breakdown of this number according to their protected characteristic group as shown in Question 14.

Children's Social Care - 317 in receipt of a Direct Payment

Gender

Male - 207

Female - 110

Ethnicity

Unknown

Age

317 recipients under - 18

Disability

Learning Disability - 219

Physical Disability - 90

Multiple Disabilities - 2

Sensory Impairment - 2

Emotional / behavioural - 4

Sexual Orientation

Unknown

Religion / belief

Unknown

Transgender

Unknown

Adult Care, Health & Wellbeing.

		Q6
Gender	Female	524
	Male	432
	Unknown	1
Ethnicity	Arab	
	Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)	2
	Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)	0
	Gypsy or Traveller of Irish Heritage	0
	Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other	4
	White – English/Welsh/Scottish/Northern Irish/British	890
	White – Irish	2
	White – Other	19
	Other ethnic group	1
	Prefer not to say and Unknown	39
	Age	18 - 24
25 - 44		269
45 - 64		234
65 - 74		95
Over 75		179
Prefer not to say and Unknown		0
Disability *	Physical impairment	507
	Sensory impairment	32
	Mental health condition	33
	Learning disability/difficulty	337
	Long standing illness or health condition	
	Other	44
	Prefer not to say and Unknown	0
	Non-Disabled People	10
Grand Total		957

* NB some people have more than one primary disability and so the sum of the individual disability types are greater than the number of people shown in the grand total

7. What were the total number of formal complaints received by the Council in relation to Personal Budgets and Direct Payments for Social Care in 2011/12, 2012/13, 2013/14 and 2014 to date? Please provide the number of complaints per time-period. Please break down the number of complaints according whether they were a Direct Payment for Social Care and / or a Personal Budget. Please also provide a detailed breakdown of these numbers in each time-period according to their protected characteristic group as shown in Question 14.

Children's Social Care - None

Adult Care, Health & Wellbeing - information is recorded as one area and therefore cannot be separated into personal budgets and direct payments.

2011/12	Not held
2012/13	Not held
2013/14	2
2014/15 to date	3

As per correspondence we are unable to provide a breakdown of these numbers in each time-period according to protected characteristic group for adult services within the time limit available to respond to this Freedom of Information request.

8. Using the time periods in Question 7, how many of these complaints were upheld by a council investigation? How many were upheld by the Local Government Ombudsman? How many complaints were rejected? Please also provide a detailed breakdown of these numbers according to their protected characteristic group as shown in Question 14.

Children's Social Care - N/A

Adult Care, Health & Wellbeing -

2013/14	2 - both Local Government Ombudsman (LGO) complaints one upheld by LGO, one found no fault
2014/15 to date	3 - of which one has been upheld by the LGO, 1 upheld by council investigation and one not upheld

Note that The LGO did not use categories such as upheld and rejected until towards the end of last year, prior to this they had different complaint decision categories.

9. What performance indicators are in place at Cornwall Council in respect of the length of time it should take for:-

- a) Work on assessments for Personal Budgets to commence;
- b) Work on assessments for Personal Budgets to be completed;
- c) Services to be put in place following completion of Personal Budget assessments.

Children's Social Care - These are under development

Adult Care, Health & Wellbeing - We do not have any Key Performance Indicators for these three specific issues.

10. In each of the instances a - c shown in question 9, please state the Council's performance in achieving these performance indicators in 2011/12, 2012/13, 2013/14 and 2014 to date.

Children's Social Care - N/A

Adult Care, Health & Wellbeing - N/A

11. What process is in place for evaluating levels of satisfaction with the process of accessing a Personal Budget and / or Direct Payment among recipients of a Personal Budget and Direct Payment for Social Care?

Children's Social Care -

- Consultation meetings with parents and network meetings arranged with parents and carers via the Parent Carer Council Cornwall;
- Individual feedback meetings;
- Discussions at one-to-one supervision sessions;
- Six monthly direct payment / personal budget review meetings with parent / carers;
- Emails received from parents / carers; and the completion of complaints / compliments feedback information from parents and carers - no complaints received, only compliments.

Adult Care, Health & Wellbeing -

- Consultation meetings with people who use services and carers etc. for example Learning Disability Partnership Board, Carers Partnership Board.
- Discussions at one-to-one supervision sessions;
- Care Management reviews undertaken at a minimum of every twelve months with people who are in receipt of services and their families/carers.
- Lessons learnt from the complaints and compliments process.

12. Please provide both qualitative and quantitative findings of your evaluation of levels of satisfaction with Personal Budget and / or Direct Payments for Social Care for the time periods 2011/12, 2012/13, 2013/14 and 2014 to date. Please also provide a detailed breakdown of these numbers in each time-period according to their protected characteristic group as shown in Question 14.

Children's Social Care - Number of complaints relating to Direct Payments for the years 2011/2012, 2012/2013, 2013/2014 and 2014 to date - 0.

Adult Care, Health & Wellbeing - Please see response to Question 7.

As per correspondence we are unable to provide a breakdown of these numbers in each time-period according to protected characteristic group for adult services within the appropriate limit.

13. Please provide details of any service changes that have been implemented as a result of evaluation processes described in Question 11.

Children's Social Care -

- Realignment of budgets to meet increasing needs and demands from parents and carers.
- Changes made to Direct Payments financial reconciliation process, positive feedback received from parents and carers that the changes have simplified the process.
- Introduction of separate policies for children and young people in receipt of Direct Payments who are prescribed require rescue medication for epilepsy, type 1 diabetes and anaphylaxis.
- Introduction of one-off payments to meet assessed, identified needs.
- Continued development of Personal Budgets processes, consultations with parents and carers at network meetings.

Adult Care, Health & Wellbeing -

- Changes made to Direct Payments financial reconciliation process linked the annual care management review reflecting a light touch approach.
- Introduction of one-off payments to meet support identified within emergency plan as part of the Support Plan.

The Council is required to comply with The Equality Act 2010 s149 (i.e. The Public Sector Equality Duty) and the Equality Act 2010 (Specific Duties) Regulations 2011. The Specific Duties Regulations require the Council to publish information to demonstrate their compliance with the general equality duty by 31 January 2012, and at least annually thereafter. This includes information relating to:

- the number of people with different protected characteristics who access and use services in different ways;
- customer satisfaction levels and informal feedback from service users with different protected characteristics and results of consultations;
- complaints about discrimination and complaints from people with different protected characteristics;
- service outcomes for people with different protected characteristics.

As such, the information requested below should be readily available, perhaps being published as part of an annual equalities report or within an annual report of Personal Budget activity. Should the requested information not be available in relation to the protected characteristic groups, please provide a reason stating why the council has deemed the publication of this information to not be required as part of activity to comply with the requirements of the Specific Duties Regulations when considering the legislation and range of associated guidance available to public authorities.

14. For questions 2 - 8 and question 12, please provide a detailed breakdown according to the following protected characteristics (1 - 45):

Gender

1. Males
2. Females

Ethnicity

3. Arab
4. Asian/Asian British people (including Bangladeshi, Indian, Pakistani, Chinese and Other Asian/Asian British)
5. Black/African/Caribbean/Black British (including African, Caribbean and Other Black/African/Caribbean/Black British)
6. Gypsy or Traveller of Irish Heritage
7. Mixed/Multiple Ethnic Groups (including White & Asian, White & Black African, White & Black Caribbean and Other Mixed/Multiple Ethnic Groups)
8. White - English/Welsh/Scottish/Northern Irish/British
9. White - Irish
10. White - Other
11. Other ethnic group
12. Prefer not to say and Unknown

Age

13. Under 18
 14. 19 - 24
 15. 25 - 44
 16. 45 - 64
 17. 65 - 74
 18. Over 75
 19. Prefer not to say and Unknown
- Or other appropriate age groups as identified by yourselves.

Disability

20. Physical impairment

- 21. Sensory impairment
- 22. Mental health condition
- 23. Learning disability/difficulty
- 24. Long standing illness or health condition
- 25. Other
- 26. Prefer not to say and Unknown
- 27. Non-Disabled People

Sexual Orientation

- 28. Bisexual
- 29. Gay man
- 30. Gay woman / lesbian
- 31. Heterosexual
- 32. Other
- 33. Prefer not to say and Unknown

Religion / belief

- 34. Buddhist
- 35. Christian
- 36. Hindu
- 37. Jewish
- 38. Muslim
- 39. Sikh
- 40. Any other religion
- 41. No religion
- 42. Prefer not to say and Unknown

Transgender

- 43. Those who identify as a transgender person
- 44. Those who do not identify as a transgender person
- 45. Prefer not to say and Unknown

It is recognised that the Council may use slightly different 'categories' to the above and if so, please provide the requested information disaggregated according to the protected characteristic groupings utilised by Cornwall Council.

Information provided by: Education, Health and Social Care

Date of response: 12 November 2014



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