



A Strategy for Self Directed Support

UNISON Scotland's response to Scottish Executive Consultation on A Strategy for Self Directed Support

May 2010

Executive Summary

- UNISON Scotland is committed to the principle of the right to independent living for all care users
- We therefore welcome the publication of a strategy, to be followed by appropriate legislation to govern and regulate the use of self directed support.
- We support the strategy's aims of drawing together all the current information, results from pilots, etc involving COSLA, the community and voluntary sector, training providers and other relevant stakeholders in the field and assessing the way forward on a long-term basis.
- However, we have concerns at the long term future of core services which we believe should be maintained at a sustainable level, to provide real choice for people who do not want to use direct payments or individual budgets.
- We also believe that the lack of uptake of direct payments should not be taken as a negative performance indicator and comparing Scottish figures with those in England is not comparing like with like.
- We are also concerned at the implications of self assessment for the services that are needed.
- In a recent survey commissioned by UNISON and Community Care magazine in England and Wales, social workers and managers in social care raised serious concerns about the roll out of personal budgets.
- In the survey, social work professionals said that the introduction of personal budgets had led to vital local services being shut down, and qualified social workers being replaced with cheaper staff.
- We welcome the proposals to assess the payment levels required for individuals to pay adequate rates to Personal Assistants (PAs).
- We welcome the proposal to develop a national organisation to support PAs and the acknowledgement in the Strategy that there are training needs for both the employers and the PAs.
- However, we do believe that trade unions are in a unique position to support PAs and that employers' networks and other groups should promote membership of trade unions, including UNISON.
- We would welcome the opportunity to discuss ways of being involved with the national support organisation.

Introduction

UNISON is Scotland's largest trade union representing approximately 160,000 members working in the public sector. UNISON Scotland represents over 25,000 workers employed in social work services throughout Scotland, with members employed as social workers, home care workers, residential care workers, welfare rights workers, and others administrating and supporting the social work team.

UNISON Scotland is committed to supporting its many disabled members to overcome barriers which they face in the workplace, encourages them to organise within the union through our Disabled Members Group and believes in the principle of the right to independent living for all care users

Response

UNISON Scotland welcomes the opportunity to respond to the consultation on the Strategy for Self Directed Support.

In the past, UNISON was wrongly criticised for what was seen as our opposition to direct payments, and assertions were made that our members discouraged their take up.

To counter this in 2006/7 UNISON met with various representatives of disabled people's organisations, such as the Glasgow Centre for Inclusive Living (GCIL), Scottish Personal Assistants Employers Network (SPAEN), and the Scottish Consortium of Direct Payment Support Organisations (SCODPSO). In the meetings, we clarified our position and confirmed that whilst not agreeing on all aspects, we shared many of the same objectives and produced a joint statement confirming our support for the principle of independent living. More importantly, all parties agreed to work together on areas of mutual acceptance.

The joint statement acknowledged that direct payments to enable disabled people either to purchase services directly, or to employ staff directly, had a legitimate role. However, the statement made it clear that direct payments were not a substitute for other flexible and responsive public services, and were not appropriate for all people's needs. It was further agreed that direct payments must complement a range of public services and must not be used to cover for inadequacies in public provision.

Where direct payments were deemed to be the most appropriate method of providing services, and were the choice of the service user who wished to employ a personal assistant, for example, we believed that the payment had to be set sufficiently high to cover the cost of a decent level of pay, training, and holidays, and to enable that person to fulfil their other responsibilities as an employer.

During our discussions with the disabled people's organisations we jointly agreed that workers employed as personal assistants (PA's) were entitled to good conditions of employment, including the right to join a trade union such as UNISON and that they were entitled to access training.

We welcome, therefore, the commitments in the Strategy to put in place the necessary arrangements to enable personal assistants to access training and for those employing them to be trained in their role as employers.

We are well aware that many people require support to enable them to live independently. Some need to use care services as part of this support. These services can be delivered by a number of different agencies - social work, health, housing, independent organisations and organisations controlled by the service users themselves. Whoever provides these services, the service users have a right to expect that they will be appropriate, flexible and responsive to their needs. They are also entitled to expect that services empower them rather than make them dependent.

We recognise that in order to achieve this people must be supported to be involved in and influence the development, provision and monitoring of services. Genuine service user involvement is essential to the success of providing improved services in all sectors.

UNISON Scotland firmly believes that these services should be publicly accountable and come under the appropriate regulatory frameworks in order to ensure quality services and the safety and protection of the service users.

We therefore welcome the publication of a strategy, to be followed by appropriate legislation to govern and regulate the use of self directed support. We support the strategy's aims of drawing together all the current information and best practice, using results from pilots, and other studies and involving COSLA, the community and voluntary sector, training providers and other relevant stakeholders in the field and assessing the way forward on a long-term basis.

However, we have concerns at the long term future of core services which we believe should be maintained at a sustainable level, to provide real choice for people who do not want to use direct payments or individual budgets. We believe that core services are essential for those who for whatever reason are unable to manage their own care.

We also believe that the lack of uptake of direct payments should not be taken as a negative performance indicator and comparing Scottish figures with those in England is not comparing like with like. There are many factors that influence whether people elect to take a direct payment or not and the run down of in-house services and far greater privatisation of home care, day care and residential care in England could well be a significant reason why more people there choose a direct payment.

We are also concerned at the implications of self assessment for the services that are needed. Assessment procedures are often complicated and involved multi-faceted needs which could be very difficult for service users or their carers to assess. Service users may believe they need one kind of assistance, whereas a professional would realise that they needed different things entirely.

In a recent survey commissioned by UNISON and Community Care magazine in England and Wales, social workers and managers in social care raised serious concerns about the roll out of personal budgets.

In the survey, social work professionals said that the introduction of personal budgets had led to vital local services being shut down, and qualified social workers being replaced with cheaper staff. Further concerns were raised about the levels of consultation with people and families that depend on care services, and the amount of support available to help people self-assess their care.

They also believed that a lack of resources was leading to large numbers of qualified adult social workers being replaced with cheaper staff. Staffing levels are said to be a key factor in why many staff do not feel they have enough time to consult care users and their families, or to support them through the assessment process.

Our colleagues in England report that many staff are reporting that essential services, such as day centres, are being shut down. Councils are apparently making these decisions purely on the

assumption that less people will be using them due to personal budgets.

We are concerned that cuts proposed by the new coalition government, which will eventually be made to the Scottish Budget will hit the process even harder still, and lead to the pro-choice principles of personalisation being lost.

We welcome the proposals to assess the payment levels required for individuals to pay adequate rates to their Personal Assistants, allowing sufficient for training, pensions and holiday payments, etc.

With the aid of funding from the Scottish Government, UNISON recently carried out research, along with SPAEN, into the situation many PAs find themselves in and how their working lives could be improved. We believe we raised the level of awareness of the terms and conditions under which many PAs were employed. We very much welcome the acknowledgement in the Strategy that there are training needs on both sides, from the potential employer who needs advice on employment law, health & safety and other rights as well as support for PAs to enable them to know their rights and training to enable them to carry out their jobs satisfactorily. We therefore, welcome the proposal to develop a national organisation to support PAs.

However, we do believe that trade unions are in a unique position to support PAs, and, as agreed with the provider organisations, when issuing our joint statement, we believe that employers' networks and other groups should promote membership of trade unions, including UNISON. UNISON is the biggest trade union in Scotland and already has many members employed to provide support and services to service users with physical and learning disabilities, elderly people, those with dementia and young people. On a daily basis, our members support these people to overcome the barriers they face in the workplace and the home and are committed to the principle of the right to independent living for all people who need services.

We would welcome the opportunity to discuss ways in which UNISON could be involved with the national support organisation.

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