



**CYNGOR BWRDEISTREF SIROL  
RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL**

**GWŶS I GYFARFOD O'R CYNGOR**

C.Hanagan  
Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu  
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf  
Y Pafiliynau  
Parc Hen Lofa'r Cambrian  
Cwm Clydach CF40 2XX

Dolen gyswllt: Tracy Watson - Uwch Swyddog Democrataidd a Craffu (07747 485567)

**DYMA WŶS I CHI** i gyfarfod hybrid o **PWYLLGOR CRAFFU - GWASANAETHAU CYMUNED** gynnal ar **DYDD LLUN, 24AIN HYDREF, 2022** am **5.00 PM.**

Caiff Aelodau nad ydyn nhw'n aelodau o'r pwyllgor ac aelodau o'r cyhoedd gyfrannu yn y cyfarfod ar faterion y cyfarfod er bydd y cais yn ôl doethineb y Cadeirydd. Gofynnwn i chi roi gwybod i Wasanaethau Democrataidd erbyn Dydd Iau, 20 Hydref 2022 trwy ddefnyddio'r manylion cyswllt uchod, gan gynnwys rhoi gwybod a fyddwch chi'n siarad Cymraeg neu Saesneg.

**AGENDA**

**Tudalennau**

**YMCHWIL A CHRAFFU**

Mae cyfleuster ymchwil craffu ar gael yn Uned Busnes y Cyngor i gynorthwyo Aelodau â'u cyfrifoldebau craffu a'u rolau'n Aelodau Etholedig. Mae ymchwil o'r fath yn cryfhau rhaglenni gwaith y Pwyllgorau Craffu er mwyn sicrhau bod pynciau sy'n seiliedig ar ganlyniadau yn cael eu nodi. Os oes gyda chi unrhyw ymholiadau ynghylch gwaith ymchwil, e-bostiwch: [Craffu@rhondda-cynon-taf.gov.uk](mailto:Craffu@rhondda-cynon-taf.gov.uk)

**1. DATGAN BUDDIANT**

Derbyn datganiadau o fuddiannau personol gan Aelodau, yn unol â'r Cod Ymddygiad.

Nodwch:

1. Mae gofyn i Aelodau ddatgan rhif a phwnc yr agendwm mae eu

buddiant yn ymwneud ag ef a mynegi natur y buddiant personol hwnnw; a

2. Lle bo Aelodau'n ymneilltuo o'r cyfarfod o ganlyniad i ddatgelu buddiant sy'n rhagfarnu, rhaid iddyn nhw roi gwybod i'r Cadeirydd pan fyddan nhw'n gadael.

## **2. COFNODION**

Cadarnhau'r cofnodion o gyfarfod ar-lein y Pwyllgor Craffu – Gwasanaethau Cymuned a gynhaliwyd ar 5 Hydref 2022, yn rhai cywir.

**5 - 10**

### **ADRODDIADAU'R CYFARWYDDWR GWASANAETH - GWASANAETHAU DEMOCRATAIDD A CHYFATHREBU**

## **3. DOLENNI YMGYNGHORI**

Gwybodaeth mewn perthynas ag [ymgyngoriadau](#) perthnasol i'w hystyried gan y Pwyllgor.

### **ADRODDIADAU'R SWYDDOGION**

## **4. TREFNIADAU'R AWDURDOD LLEOL AR GYFER DIOGELU PLANT AC OEDOLION MEWN PERYGL**

Rhoi cyfle i Aelodau'r pwyllgor dderbyn trosolwg o'r gwaith y mae Grŵp Diogelu Corfforaethol y Cyngor wedi'i wneud dros y flwyddyn ddiwethaf.

**11 - 20**

## **5. AGWEDDAU AR SAFONAU MASNACH SY'N DIOGELU POBL SY'N AGORED I NIWED**

Rhoi cyfle i Aelodau'r pwyllgor dderbyn adroddiad ar agweddau ar Safonau Masnach sy'n diogelu pobl sy'n agored i niwed.

**21 - 26**

## **6. ARCHWILIO CYMRU - TALIADAU UNIONGYRCHOL AR GYFER GOFAL CYMDEITHASOL I OEDOLION**

Rhoi cyfle i Aelodau'r pwyllgor archwilio ymateb y Cyngor i'r argymhellion wedi'u nodi yn adroddiad Archwilydd Cyffredinol Cymru sy'n deillio o'r astudiaeth genedlaethol ar Daliadau Uniongyrchol ar gyfer Gofal Cymdeithasol i Oedolion.

**27 - 84**

## **7. ADOLYGIAD Y CADEIRYDD A DOD Â'R CYFARFOD I BEN**

Myfyrio ar y cyfarfod a'r camau gweithredu i'w dwyn ymlaen.

## **8. MATERION BRYS**

Trafod unrhyw faterion sydd, yn ôl doethineb y Cadeirydd, yn faterion brys yng ngoleuni amgylchiadau arbennig.

### **Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu**

#### **Cylchreliad:-**

(Y Cynghorwyr Bwrdeistref Sirol Y Cynghorydd J Bonetto a  
Y Cynghorydd G E Williams – Cadeirydd ac Is-gadeirydd, yn y drefn honno)

#### **Y Cynghorwyr Bwrdeistref Sirol:**

Y Cynghorydd S Bradwick, Y Cynghorydd R Davis, Y Cynghorydd A J Ellis,  
Y Cynghorydd D Evans, Y Cynghorydd A Fox, Y Cynghorydd H Gronow,  
Y Cynghorydd N H Morgan, Y Cynghorydd Owen-Jones, Y Cynghorydd D Parkin,  
Y Cynghorydd A Roberts, Y Cynghorydd G Stacey and Y Cynghorydd T Williams

Tudalen wag



**RHONDDA CYNON TAF**

## **RHONDDA CYNON TAF COUNCIL COMMUNITY SERVICES SCRUTINY COMMITTEE**

Minutes of the virtual meeting of the Community Services Scrutiny Committee held on Wednesday, 5 October 2022 at 5.00 pm

### **County Borough Councillors - Community Services Scrutiny Committee Members in attendance:-**

Councillor G E Williams    Councillor S Bradwick  
Councillor R Davis        Councillor N H Morgan  
Councillor D Parkin       Councillor A Roberts  
Councillor G Stacey

### **Officers in attendance**

Mr C Hanagan, Service Director of Democratic Services & Communication  
Mr P Mee, Group Director Community & Children's Services  
Mr N Elliott, Director of Adult Services  
Ms A Lloyd, Service Director, Children's Services  
Mr P Nicholls, Service Director, Legal Services  
Mrs T Watson, Senior Democratic and Scrutiny Officer

#### **1 APOLOGIES FOR ABSENCE**

Apologies of absence were received from County Borough Councillors J Bonetto, A J Ellis, D Evans, H Gronow, D Owen-Jones, and T Williams, from the Cabinet Member for Health and Social Care, County Borough Councillor G Caple and the Customer Feedback, Engagement and Complaints Manager, J Thomas.

#### **2 DECLARATION OF INTEREST**

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

#### **3 CONSULTATION LINKS**

Members acknowledged the information provided through the consultation links in respect of open consultations, Welsh Government consultations and those matters being consulted upon by the local authority.

#### **4 DRAFT WORK PROGRAMME 2022-23 AND TERMS OF REFERENCE**

The Service Director Democratic Services and Communications presented his report which sought Members' approval on the Committee's draft Work Programme for the 2022/23 Municipal Year, which identified a number of initial items from discussions with the Chair/Vice Chair and Officers, along with the Terms of Reference for the Committee, as agreed by the Overview and Scrutiny Committee, for noting. In response to a greater emphasis contained within the Local Government & Elections Act (Wales) (2021) Members were advised, there was a requirement for key or strategic decisions of the Cabinet to be scrutinised, with a number of items identified from the Cabinet Work Programme. Additionally, because of the changes to the Terms of References, for scrutiny

committees, there was a need to provide flexibility and capacity to scrutinise matters which may be identified, either in terms of service deliver, or performance, from the considerations undertaken, by the Overview and Scrutiny Committee.

Members had the opportunity to identify subject matters themselves, in line with the Terms of Reference for the committee and to promote public participation in scrutiny, members were also advised to provide sufficient capacity within the work programme to accommodate matters identified for scrutiny by the public. A Public Participation Strategy would be developed, which would provide a mechanism for stronger participation by the public and residents, following determination by Council.

The Service Director Democratic Services and Communications finished his presentation by advising Members that it was important to note that in the context of the subject matter contained within the Medium-Term Financial Plan, that there would inevitably be the need to necessitate additional meetings to consider business being presented to Cabinet, where appropriate, and therefore a need to factor in additional committee meetings to accommodate that business.

Following consideration by the Committee it was **RESOLVED** to:

1. Agree the issues for inclusion on the Community Services Scrutiny Committee's Work Programme for the 2022/23 Municipal Year as set out in Appendix A;
2. Request that the Service Director Democratic Services & Communications notifies the appropriate Cabinet Member and responsible Officer, of the matters identified for pre-scrutiny in advance of Cabinet consideration;
3. Agree that the Work Programme be reviewed at regular intervals to ensure the items identified for inclusion are relevant and that any additional referrals are incorporated;
4. Consider and determine any other matter that Members may wish to scrutinise over this period;
5. Note the draft Terms of Reference as attached at Appendix B to the report.
6. Agree the addition of Libraries to the Terms of Reference (TOR) for this Committee.

## **5 DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT 2021/22 (DRAFT)**

The Group Director, Community and Children's Services began by thanking Members for the opportunity to bring the Director of Social Services Annual Report 2021/22 to Scrutiny, advising that he would briefly go through some of the key points, and highlight the purpose of the report and advised that he was joined by Director of Children's Services and Director of Adult Services, and between them would answer Members questions or observations members may have, that could be fed into the Cabinet process, before being formally published.

The Group Director, Community and Children's Services continued that it was a statutory requirement that an annual report was published, following the end of each financial year that set out how the Council had delivered its social services functions during the previous year, including an evaluation of performance, and identified priorities going forward. The Group Director, Community and Children's Services acknowledged that this covered a period where service delivery continued to be dominated by the pandemic, with the impact on services being significant and noting the ongoing extraordinary efforts of staff, in their response to the challenge of supporting and protecting some of the most vulnerable people during those difficult circumstances.

The Group Director, Community and Children's Services continued that it was not his intention to go through the whole report, but would pick up some of the key points, which he then presented to Members including:-

- How are people shaping services;
- Performance against key measures;
- Key achievements for Children's Services;
- Key achievements for Adult Services;
- Community Hubs;
- Supporting Carers;
- Workforce support;
- Future priorities;
- Growing pressures.

Members felt it was important to recognise how much work had been undertaken throughout the service and this was evident in the report and wished to thank staff for their hard work and commitment to the service.

A Member recognised that many of the services were only known about, if people had access to them, therefore, felt that more could be done to raise awareness and promote access to available services which in turn could relieve pressure on other services, if enhanced signposting was in place.

The Group Director, Community and Children's Services thanked the Member for the comments about staff efforts and felt it was important to acknowledge the work that staff had done to respond. He acknowledged that the Service was always open to doing more to raise awareness of the services being providing, particularly around areas where there was the opportunity to intervene, as early as possible. Members then heard from the Director of Children's Services and Director of Adult Services on what they were specifically doing in their areas to promote those early interventions. The Group Director, Community and Children's Services advised that he would be interested to hear from Members about any thoughts they may have, about awareness raising, and acknowledged this was an important point.

A Member acknowledged that the report highlighted the ongoing effects of the pandemic but was concerned about the financial impact the cost-of-living crises was having on families, which could lead to a higher demand for services and asked for updated figures to be reported back to the Committee in 6 months' time.

The Group Director, Community and Children's Services acknowledged that the

pandemic had reset the baseline, and the difficulty was trying to determine whether the increases in demand were likely to continue and whether there was a deferred need, that was now coming through the system. So, felt it was absolutely important to revisit this. Members were reminded of the performance framework in place, which monitored delivery against key objectives. The Group Director, Community and Children's Services acknowledged the financial constraints that the Council, residents, and families were experiencing, which could potentially lead to even more demand for services, particularly over the winter months and shared members concerns about the impact the cost-of-living crises, particularly in the context of the ongoing pressures on health and social care.

A Member noted the reduction in the rate of children becoming looked after but acknowledged that the service was yet to see the full impact the pandemic had on vulnerable families, this together with the financial impact of the UK cost of living crises members remained concerned at how this would impact on the current figures and asked officers to keep the Committee informed of any significant changes in the figures.

Members heard from the Director of Children's Services with regard to children's services and safeguarding services, remaining business as usual, during the pandemic. What was seen in the report, was an increased demand, linked to small babies being born in the period, who hadn't had the same opportunities for socialisation and the impact of that for their development. The Director of Children's Services then provided Members with an explanation around the regular performance management and benchmarking done, acknowledging this was a very demanding area of work with the safeguarding duty coming first. The looked after children prevention strategy, was approved by Cabinet in January 2022, with targeted work being carried out. This was a well-connected strategy, in terms of policy and law, which would continue to be monitored closely.

A Member felt it was important, both in terms of management of resources and in terms of service users, for the need to accelerate the integration of adult social care and health care and demonstrate how this would take place and what the likelihood of success would be.

The Group Director, Community and Children's Services began by acknowledging this was a demand and capacity question, with pressures at all different points in the system across health and social care in Adult Services, and it was fair to say, a solution to that, hadn't been found yet, despite considerable efforts. Members were informed that work was done through a regional partnership board, with the strategic focus around integration of health and social care. There were a range of projects that attempted to address some of the system pressures, e.g., future solutions around integrated community services, and delivery of joint services in hospitals and through into social care, to improve that system, but it was hugely challenging.

Members then heard from the Director of Adult Services who acknowledged that whilst there was a need to accelerate the integration with health and social care, they already worked well together, with several joint services and teams, which supported each other, to provide care and support to people, whether they were in the hospital settings or the community. The Director of Adult Services then provided Members with a number of examples including the joint regional Stay Well @ Home Services to prevent unnecessary hospital admissions and ensure timely discharge for those people that require admission to hospital and the



Integrated Intermediate Care and Rehabilitation Service to enable people to remain at home safely and independently. The Director also referred to the joint work of the Specialist Dementia Intervention Team and joint Community Mental Health Teams. Members were also informed about the importance of developing integrated primary care and community services to make better use of resources across the health and system to better support people within their community and to remain at home.

The Director of Adult Services also acknowledged the importance of developing more regional approaches to improve the sustainability of the health and social care system, particularly around development specialist services. The Director informed Members that the changes required would result in significant change to health and social care system and the way services will be delivered in future, and whilst may be seen by some as negative, they were needed and need to be considered as positive developments to improve the care and support of Rhondda Cynon Taf residents.

The Group Director, Community and Children's Services acknowledged that the Director of Adult Services had described a lot of really good work going on, with a lot of teams and activity already delivered in an integrated way, but the pressures were not easing. What was once winter pressures, was now a pressure throughout the year. So, it remained a priority with further work that needed to be progressed and a move away from reacting to the crises that occurred sometimes in the hospital and acute settings, towards delivering more sustainable solutions, that would address some of these challenges, in the longer term.

Following consideration by the Committee it was **RESOLVED** to note the draft Rhondda Cynon Taf Director of Social Services Annual Report and provide recommendations to Cabinet.

## **6 SOCIAL SERVICES REPRESENTATIONS, COMPLIMENTS AND COMPLAINTS PROCEDURES ANNUAL REPORT**

The Group Director, Community and Children's Services presented the Social Services representations, compliments, and complaints procedures annual report to Members and explained this was very much part of the governance arrangements within social services. It was explained to Members that the Council had a statutory requirement to operate a complaints procedure in respect of social services and the report included details of complaints, representations and compliments received, during that period. This was a 2-stage process, the first instance, about trying to resolve things with the complainant informally and if that proved to be impossible, progressing to a more formal stage, involving the appointment of an independent investigator, outside the local authority. It was explained that some investigations could be complex and involved, with those reports individually signed off by the Group Director himself, when completed.

The Group Director, Community and Children's Services then highlighted to the Committee, a number of key areas, included in the report, in respect of the number of complaints, the current difficulty in determining a trend, the relatively low number of complaints across both services, with the number of compliments received continuing to be higher than the number of complaints, the majority of complaints being successfully resolved at stage 1 with no ombudsman investigations, and engagement with service users to capture any learning.

The Group Director, Community and Children's Services finished by thanking the Customer Feedback, Engagement and Complaints Manager, and her team, for maintaining robust procedures and ensuring that the voice of service users was heard.

A Member congratulated staff on the work they were doing, highlighting the fact that there were more compliments than complaints, however there was a need to focus, a little bit, on the complaints, and particularly on the lessons learnt. The Member referred to page 9, of the Appendix, areas where improvements had been identified, noting the first referred to improving the quality of complaint response, at stage 1, presuming this was about the time taken to give a response. A Member wondered what the barriers were, in respect of quicker responses and meeting the target.

The Group Director, Community and Children's Services acknowledge that this was simply about the pressures on services, in terms of the increased demand, with Officers having less time to be able to respond as quickly as they would like to. Members were advised it was an area that the service was aware of and trying to improve.

Additionally, Members heard from the Director of Children's Services and Director of Adults Services. Members were advised that for Children's services when a complaint happened, what was wanted was to resolve that at the right level, as quickly as possible. It was felt in Children's Services, what needed to be done was to tighten up monitoring around timescales, which had been done, with improvements seen in most areas of timeliness, acknowledging that some complaints were complex and required a lot of additional manager administration time.

Similarly, for Adult Services, timescales had been an issue and Members were advised that the service was working together, particularly with the Customer Feedback, Engagement and Complaints team, to ensure quicker responses, and where timescales slipped, to keep communication in place and keep people informed. In terms of this particular case, there was lessons to be learnt, in terms of the detail and the involvement undertaken, as part of that particular complaint.

Following consideration by the Committee it was **RESOLVED** to note the work undertaken by the Social Services Complaints Team, contained within the annual report.

## **7 CHAIR'S REVIEW AND CLOSE**

The Chair thanked Members for their attendance and contributions, and Officers for answer questions and reminded Members that the next meeting of this Committee would be held on Monday 24 October 2022, at 5pm.

## **8 URGENT BUSINESS**

None.

**This meeting closed at 5.54 pm**

**Cllr G Williams**



## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2022-23

### COMMUNITY SERVICES SCRUTINY COMMITTEE

24 OCTOBER 2022

#### LOCAL AUTHORITY ARRANGEMENTS TO SAFEGUARD CHILDREN AND ADULTS AT RISK

#### REPORT OF GROUP DIRECTOR COMMUNITY & CHILDREN'S SERVICES

**AUTHOR:** Nikki Kingham, Business Manager Cwm Taf Morgannwg Safeguarding Board

#### 1. **PURPOSE OF THE REPORT**

The Purpose of this report is to:

- Provide an overview of the work undertaken by the Council's Corporate Safeguarding Group over the past year.
- Set out the further actions that require attention.

#### 2. **RECOMMENDATIONS**

It is recommended that the Committee:

- Reviews the progress made on the Delivery Plan to support Corporate Safeguarding requirements and requests further information on any areas where this is deemed insufficient.
- Agrees that a further update will be provided to a future meeting of the Committee.

#### 3. **REASONS FOR RECOMMENDATIONS**

- 3.1 The safeguarding of children and adults at risk is a high priority for Rhondda Cynon Taf County Borough Council. Safeguarding is everyone's responsibility, whether they work for, or on behalf of, the Council. Everyone should have the ability to identify what constitutes a potential safeguarding issue and know how to raise a concern.

## **4. BACKGROUND**

- 4.1 The Council has in place a Corporate Safeguarding Policy, which provides a framework setting out how we can be assured that we are fulfilling our duties to safeguard the people of Rhondda Cynon Taf.
- 4.2 A Corporate Safeguarding Group is responsible for ensuring that the Council carries out its responsibilities for the safeguarding of children and adults at risk, as set out in its Corporate Safeguarding Policy. The Group ensures that robust arrangements for safeguarding are in place across the Council. This includes seeking assurances that the Council has effective performance management processes in place to fulfil its duties corporately and in partnership with other statutory agencies.
- 4.3 The Council's responsibilities for Corporate Safeguarding add to and complement the work of the Cwm Taf Morgannwg Safeguarding Board, which is the multi-agency statutory partnership that has the responsibility for safeguarding across the region. Each agency must ensure that there are adequate arrangements in place to safeguard children and adults at risk.
- 4.4 A review of the Council's corporate arrangements for safeguarding was carried out by the Wales Audit Office in 2019. Overall, the findings set out in the WAO report found that the Council had met, or partially met, most of the previous recommendations and proposals for improvement. However, some further proposals for improvement were made to strengthen aspects of the Council's Corporate Safeguarding arrangements.
- 4.5 A report to Cabinet in February 2021 presented the progress made in relation to these recommendations.

## **5. CURRENT POSITION**

- 5.1 A new Corporate Safeguarding Delivery Plan for the period 1st October 2021 to 31st March 2023 was approved by the Corporate Safeguarding Group in August 2021. The Plan reflects how the Corporate Safeguarding Group will deliver the aims of the Corporate Safeguarding Policy, which are based on the following themes:
- Safe Practice
  - Safe Governance
  - Safe Recruitment
  - Safe Workforce
  - Safe Procurement
- 5.2 Progress against these themes is detailed below.

5.3 Safe Practice

5.4 **Key Aim – to ensure all those employed by, or working on behalf of, the Council, including Councillors, are aware of their responsibilities to report concerns**

5.5 The latest version of the Corporate Safeguarding Policy continues to be promoted via the Intranet and links to the Regional Safeguarding Board website are available. Posters have been printed and shared as appropriate.

5.6 Plans are in place to promote corporate safeguarding via the new iTrent self-service landing page.

5.7 The Council-wide survey, recently circulated to all staff included questions to assess staff awareness of the Corporate Safeguarding Policy and how to report concerns. The results of the survey were promising, indicating that:

- 97% of respondents were aware of the Council's Corporate Safeguarding Policy
- 93% know how to report suspected or known abuse/neglect

5.8 An open question was asked with regards to how the Council can improve information and awareness raising about safeguarding and this generated almost 400 responses which will need to be considered in more detail at the next Corporate Safeguarding Group meeting.

5.9 The survey results will be used as a benchmark for future years and to identify any areas for targeted improvement.

5.10 Data relating to the source of safeguarding referrals indicates some evidence that staff and providers are reporting concerns (details below). The figures for Q4 are lower due to a change in the process of reporting in Adult Services. Changes in the way that the information is recorded for Children Services has meant that it was not possible to provide a comparison to last year's figures. This will be resolved in the coming year so that there is consistency going forward.

SOURCE	2021-2022				TOTAL
	Q1	Q2	Q3	Q4	
Staff/Internal	177	161	149	82	569
School	95	38	117	124	374
Youth Offending Service	4	6	3	4	17
Other Local Authority	23	17	18	1	59
Provider	61	74	49	0	184

5.11 Safe Governance

5.12 **Key Aim – to ensure that the Council carries out its safeguarding responsibilities**

***through effective governance arrangements***

- 5.13 The Group Director, as the Chair of the Regional Safeguarding Board, ensures that regional and national safeguarding work is reflected in the work of the Corporate Safeguarding Group. Corporate safeguarding arrangements are regularly reported to Council meetings and as part of the Director's Annual Report.
- 5.14 The Terms of Reference of the Corporate Safeguarding Group are regularly reviewed to ensure that the remit of the group is maintained.
- 5.15 Elected members and school governors are provided with information and training as appropriate. For example, RCT schools receive an updated Safeguarding Policy for schools each year which is presented to governing bodies at the start of the Autumn Term.

5.16 Safe Recruitment

**5.17 Key Aim – to ensure that safe recruitment processes are in place to prevent, wherever possible, unsuitable people from working in or volunteering for certain roles, particularly roles that involve children or adults at risk**

- 5.18 Regular reviews of recruitment and selection procedures are carried out to ensure that they continue to be compliant with safeguarding requirements. The new Job Description format now includes a safeguarding statement as standard.
- 5.19 A DBS process renewal map has been completed and performance data is provided in relation to the % of required DBS checks requiring renewal that are carried out in Adults and Children Services. This information for 2021-2022 is provided in the table below. This performance measure is new so will be used as a benchmark for future comparisons.

	Q1	Q2	Q3	Q4
<b>% of required DBS checks requiring renewal that are carried out in Adults and Children Services</b>	<b>60%</b> <b>(45/74)</b>	<b>61%</b> <b>(37/63)</b>	<b>66%</b> <b>(38/57)</b>	<b>66%</b> <b>(65/98)</b>

- 5.20 Delays in renewals include those who are on maternity leave or who are front-line and harder to reach. Arrangements are put in place to escalate to the line manager after the second chaser e-mail, following a recommendation by the Corporate Safeguarding Group. Previous quarters are continually revisited to ensure no renewals are left outstanding.
- 5.21 In Quarter 4 a regulatory registration exercise was carried out in Adult Residential Homes which accounts for the increase in the figures.
- 5.22 There were no referrals to the DBS for staff working in social care or schools during 2021-2022.

5.23 Safe Workforce

**5.24 Key Aim – to ensure that all employees undertake mandatory safeguarding training**

5.25 This year, a draft Safeguarding Competency Framework has been developed which sets out the levels of training required according to staff responsibilities and job roles. This is expected to be completed in the coming months and will link to the planned National Competency Framework which is being launched by Social Care Wales in November 2022.

5.26 At present, Level 1/Group A training completions can only be monitored via the RCT Source. This is an area for improvement and a new training monitoring mechanism will be developed as part of the new iTrent system. The completion figures for 2021-2022 are provided in the table below. Again, changes in the way that this information is reported has meant there is no comparison to last year's data. This will be addressed as a priority in the coming year.

	Q1	Q2 – Q3	Q4
<b>% of staff trained on L1 Safeguarding</b>	69.6% (3,928 completed out of 4,410 enrolled)	69.3% (4,130 completed out of 5,963 enrolled)	72.1% (4,392 completed out of 6,094 enrolled)
<b>% of staff trained on L1 Ask and Act</b>	72.9% (4,410 completed out of 6,051 enrolled)	72.5% (4,621 completed out of 6,373 enrolled)	75.3% (4,392 completed out of 6,094 enrolled)

5.27 From September 2022, the new Group A training module, launched by Social Care Wales will replace the current module on the RCT Source, which will make the training across Wales consistent. For those that start the new module in September, they will be enrolled to refresh their learning 3 years after completion. Further consideration needs to be given to refresher training for those who completed the original modules in 2017 when they were first introduced.

5.28 Pilot work has been undertaken with Vision products and catering staff to make the e-learning modules more accessible.

5.29 New staff are required to complete the mandatory safeguarding induction training within commencing employment. The data available for 2021-2022 is:

Q2 – 44% (112/252)

Q3 – 93.7% (119/127)

5.30 Data is also collected on the number of taxi drivers that complete the SQA Level 2 Certificate in the Introduction to the role of the Professional Taxi Driver and Private Hire Driver. This training includes an element of safeguarding. Figures provided by Licensing indicate that all 33 new drivers completed the training in 2021-2022.

5.31 Safe Procurement

**5.32 Key Aim – to ensure that for those contracts where the Corporate Safeguarding Policy applies, the Council has in place appropriate arrangements whereby awareness of the Council’s corporate safeguarding requirements is monitored**

5.33 This monitoring requirement has been carried out centrally by the Council’s Procurement Service whereby a sample of contractors/suppliers are contacted to establish if their staff are aware of what to do in the event that they observe an issue that may be of concern. This does not relate to social care contracts.

5.34 A pilot exercise was undertaken in April 2021. Having reviewed the outcome of the pilot, the survey was amended and the approach to capturing feedback was formalised. Rather than contacting suppliers from across different categories/service areas of the Council, specific categories were selected for each survey.

5.35 The following table summarises those areas that were contacted:

Category	Number of Suppliers
Construction	106
Supplies	88
Transport	76
Services	64
ICT	38

5.36 Embedded within the body of the survey was the safeguarding poster. This poster has previously been communicated to suppliers asking them to place it in the workplace (where possible) – this with the aim of raising awareness amongst staff on how to report safeguarding concerns.

5.37 Each supplier was asked to share the survey link to all their staff for them to complete. A total of 212 responses were received from across our supply chain. The responses to each question have been summarised as follows:

5.38 Q1. Do you know that as you work for a company that works on behalf of the Council, you can help protect children, young people and adult at risk?

Yes 92%

No 8%



5.39 Q2. Have you seen this poster in your workplace (or as part of other communication) that tells you that in Rhondda Cynon Taf keeping people safe is everyone's business?



Yes 55%  
No 45%

5.40 Q3. If you saw or heard something while you were at work that concerned you about the safety of a child/adult at risk, or the behaviour of a colleague towards others, who would you contact?

- Your manager 62%
- A colleague 2%
- The Council 27%
- The Police 5%
- Somebody else 3%

## 6. OUTCOME OF INTERNAL AUDIT

6.1 An Internal Audit of the Council's Corporate Safeguarding arrangements was completed by the South West Audit Partnership (SWAP) on behalf of the [Regional Internal Audit Service](#) in August 2022.

6.2 The scope of the audit reviewed the risks and controls in place, including a review of the compliance with legislation, policies, procedures, monitoring activities and training. In addition, two service areas were sampled to review local levels processes.

6.3 The outcome of the audit reported a reasonable assurance opinion that identified a generally sound system of governance, risk management and control.

6.4 Recommendations for improvement have been identified relating to the following areas:

- Actions from the Corporate Safeguarding Group need to include timescales and formal resolutions of decisions should be recorded

- The Corporate Safeguarding Policy needs to be more visible on the public facing website and include version control
- With regards training, updates on the development of the iTrent system are required to progress towards a central record of staff training. The draft Training Framework needs to be finalised and improvements are required to the quarterly data report to clearly reflect the Council's position in regards to safeguarding training.

6.5 The results of the audit will be factored into the next iteration of the Delivery Plan to enable recommended improvements to be implemented

## **7. FURTHER WORK AND NEXT STEPS**

7.1 The Corporate Safeguarding Group will continue to monitor the delivery of the actions contained in the Delivery Plan which runs up to 31<sup>st</sup> March 2023. In addition, we have noted the following key areas of work that will be factored into the work of the group during 2022-2023:

- The Welsh Government has published a Corporate Safeguarding guidance as part of its National Action Plan to tackle Child Sexual Abuse. This will be used to inform a refresh of the Corporate Safeguarding Policy.
- A new risk related to Digital Exploitation has been identified and, as a result, a representative from the IT Department has been added to the membership of the Group. This additional member will assist the Group in updating the Corporate Safeguarding Policy to address this area of concern.
- A Corporate Safeguarding Performance Framework is in development to provide consistency in relation to data gathering.

## **8. EQUALITY AND DIVERSITY IMPLICATIONS**

8.1 An Equality Impact Assessment screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time.

## **9. CONSULTATION**

9.1 All members of the Corporate Safeguarding Group have approved this report and take ownership of its content.

## **10. FINANCIAL IMPLICATION(S)**

10.1 There are no additional costs associated with this report.

## **11. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

11.1 Extracted from the Corporate Safeguarding Policy:

- Social Services and Well Being (Wales) Act 2014
- Education Act 2002 – plus 'Keeping Learners Safe' -The role of local authorities, governing bodies and proprietors of independent schools under the Education Act 2002

- Children Act 1989 and 2004,
- Section 17 of the Crime and Disorder Act 1998,
- Mental Capacity Act 2005
- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Housing Act 2004
- Licensing Act 2003
- Human Rights Act 1998

## **12. LINKS TO THE COUNCIL' S CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

- 12.1 Safeguarding and protecting children and adults at risk is a key priority for Rhondda Cynon Taf County Borough Council and 'is everyone's business'. By keeping our residents, both young and old, safe, the Council is contributing to the National Well-being goals, in particular a Healthier Wales, a More Equal Wales and a Wales of more cohesive communities in particular.
- 12.2 The Council's Corporate Safeguarding arrangements support the 'PEOPLE' priority of the Council's Corporate Plan 2020-24, '[Making a Difference](#)', particularly "... supporting our residents who are older, vulnerable or who have disabilities to remain independent and have a good quality of life...and ensuring the needs of children are considered in everything we do".

## **13. CONCLUSION**

- 13.1 The Council continues to make progress in delivering its Corporate Safeguarding responsibilities as evidenced by the information provided in this report and the ongoing nature of the actions being delivered.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2022-23**

**COMMUNITY SERVICES SCRUTINY COMMITTEE**

**MONDAY 24<sup>TH</sup> OCTOBER 2022**

**ASPECTS OF TRADING STANDARDS WHICH PROTECT THE VULNERABLE**

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES**

**Author:** Judith Parry, Trading Standards and Registrar Service Manager

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to update the Community Services Scrutiny Committee on those aspects of the Trading Standards role that protect vulnerable consumers; and which are more important during the current cost-of-living crisis.

**2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Note the content of this report.
- 2.2 Consider whether they wish to scrutinise in greater depth any matters contained in the report.

**3. BACKGROUND**

- 3.1 Trading Standards has a legal duty and / or powers to enforce legislation which falls within its remit. At present, this relates to around 70 primary Acts of Parliament and around 250 secondary legislation. Broadly speaking, the legislation seeks to protect and support both consumers and genuine traders; and offer sanctions for criminal conduct. The enforcement requirement may be delivered through reactive means, such as responding to complaints, or proactive means, such as carrying out inspections, interventions, sampling and projects.

- 3.2 Increasingly, the work of Trading Standards focuses on ensuring that those who are experiencing vulnerability are not being taken advantage of by unscrupulous traders. Vulnerability is not limited to a characteristic of a person ('situational vulnerability'): it is neither limited to the elderly, nor suggested that all elderly are vulnerable. Consumer vulnerability is fluid and dynamic and consumers can move in and out of periods of vulnerability. Recent studies have focussed on 'market context vulnerability', and the pandemic, the focus on net zero, and the current cost-of-living crisis has increased the number of persons that may be experiencing market context vulnerability.
- 3.3 The pandemic pushed more consumers to purchase online than previously, and there is still a prevalence in markets to maintain online or electronic transactions with consumers, such as cash-less high street businesses and digital only receipts.
- 3.4 The focus on net-zero has brought with it both the opportunity of grants to reduce household carbon footprints and increased descriptions of good sold as sustainable or made with recycled fibres. The terminology used is still new and can be confusing; unscrupulous traders know this and are taking advantage.
- 3.5 Finally, the cost-of-living crisis means consumers are turning to cheaper alternatives, which are often unsafe, unregulated and place a greater risk on the consumer, whilst creating real competition for our local high street traders.

#### **4. UPDATE / CURRENT POSITION**

##### **4.1 SAFEGUARDING AND SCAMS**

- 4.1.1 Since 2016, Trading Standards has carried out a programme of installing call-blocking units into the homes of those that are vulnerable to telephone and other scams. The units were purchased using funds received from Proceeds of Crime. Relevant persons are identified by a number of means, including referral from internal and external partners, such as social services, Alzheimer's UK and Age Cymru; and via events such as talks and fora. Persons are assessed for risk and prioritised for installation. During November 2022, officers will take part in partner events for Safeguarding Week, and this usually generates a new list of names.
- 4.1.2 There are currently 92 of 106 trueCall call blocking units installed around the County Borough, with the aim of protecting vulnerable residents from nuisance and scam phone calls. Since 2016, these units have blocked 121,360 nuisance calls (over 95% of such calls received). The units record that on average those residents receive 28 nuisance calls per month; Ofcom say that the average across the UK is 9 per month. 33% of all incoming calls received by the units are identified as nuisance calls.
- 4.1.3 Recent reviews include one from a long-term user who was diagnosed with an early on-set form of dementia. She stated, "It has been so good for us. We used to be frightened to answer the phone before having it." This demonstrates the difference having the call blocker makes to people answering the phone. For some, it is a lifeline, as they rely on it to communicate with friends and neighbours, something which became so much more important during the isolation of the pandemic. Other quotes include "It's wonderful, scam calls are a distant memory to us now!", "We are so glad to have it. We are not worried about the phone ringing now!", "Quite simply, it has made a huge difference to my day-to-day living, thank you." and "It's been a blessing for me, I feel much safer now."

- 4.1.4 The call blocker installations have already prevented 198 scams and made savings of £1,456,379. Over the operational life of these units they will have blocked 131,517 nuisance calls (of which 36,286 will have been scam phone calls), prevented 214 scams, saved vulnerable households £631,987 and lead to a reduction of £587,029 in public service costs (NHS, social care & police). There will be wellbeing benefits of £195,233 across all users, and for those who would have been scam victims there are quality of life benefits of £359,239. This gives total project benefits of £1,773,488 of which £1,219,016 are direct financial benefits. Estimated financial benefits of £1,219,016 will be achieved with project costs of £26,159 – direct financial savings of 47 times the outlay.
- 4.1.5 Trading Standards works with the National Trading Standards Scams Team (NTSS) to train and empower representatives to become more aware of scam and share their learning where they can. Across the authority area there are 1,671 registered Friends Against Scams, 15 registered SCAMchampions, 82 registered Scam Marshals and 6 registered Scambassadors. Rhondda Cynon Taf has the highest number of Scam Marshals in Wales and is fourth across the UK.
- 4.1.6 A recent initiative is the delivery of Young Friends scam awareness training for 8–12-year-olds which is delivered in partnership with schools. A grand roll-out of this was curtailed by the pandemic, so at present one English speaking school has piloted, and arrangements are in place with one Welsh school for a Welsh pilot. Thirty-three Year 6 pupils learned about scams and how to keep safe, with the teacher linking it to the current curriculum theme of ‘enterprise’ where pupils learn about handling money and budgets, and how to prioritise spending. The teacher provided feedback that looking at documents (based on real scams received) and highlighting the indicators that these were scams prompted great discussion. Pupil feedback included: "I enjoyed the lesson, it helped me understand more about scamming and I can help explain things to my parents", "I learned that I need to be careful on random websites", "I learned that I need to be more aware of websites as some may be scams" and "I think the resources were clear and precise about scams. I think they are good materials for teaching us about scams."
- 4.1.7 During the Spring, an operation by NTSS and departments in the USA led to recovery of an amount of funds that has been posted by consumers in response to scams. During September and October, officers have been visiting those consumers, returning funds, providing advice and installing call blocking units. In total, £2,314.25 was recovered and returned to residents of Rhondda Cynon Taf. In addition to this, the officers receive ongoing refunds for identified ‘Category 1 scam victims’: one lady in Aberdare received funds which related to four cheques, totalling £210 and one lady in Pontypridd received £50.
- 4.1.8 Trading Standards continues to share timely information about current scams via the Trading Standards Facebook presence. 24 local and national scams have been shared on the Trading Standards Facebook page so far this year, these have been wide-ranging and have included topics such as suspicious doorstep callers, fake energy supplier emails and messaging service scams, to name a few. The most impactful posts this year were our warnings about traders selling potentially dangerous items door-to-door and scam calls targeting lifeline users in RCT. These posts were shared 278 and 310

times respectively, with commenters on the doorstep scam post also offering further information on where and how these traders were operating. We have identified some interesting audience insights to our posts: Over 70% of the page followers are women and the biggest sub-section of those are in the 35-44 age group. The vast majority are also located somewhere in the Rhondda, with the biggest locations after that being Pontypridd and Aberdare. This helps us identify where we may have a gap and consider how to close it. Social media and messaging platforms are always changing, and a challenge to Trading Standards is both reaching consumers to provide warnings and information, and being able to contact businesses trading across social media to advise them on compliance to support them to be successful.

## 4.2 VAPES AND ILLEGAL TOBACCO

- 4.2.1 Vapes are a growing area of concern for Trading Standards. Traders are not aware of the capacity labelling and registration requirements of the products, current age restrictions only relate to those that contain nicotine although best practice is that no underage sales take place and there are many unsafe products on the market. Within Rhondda Cynon Taf, there are 50 premises selling vapes, and this is on the increase.
- 4.2.2 Vapes are used by persons trying to quit smoking, but are also popular with youngsters so conversely can end up being a way into smoking, especially if they purchase vapes containing nicotine.
- 4.2.3 Over an 8-month period, a trade audit was carried out at these premises. There was a 74% failure rate recorded: being defined as a significant breach of one or more pieces of Trading Standards legislation. The majority related to incorrect labelling, which could further indicate unsafe product. 1,640 products were voluntarily surrendered, the business owners were provided with advice, and revisits to check for compliance were subsequently carried out. No further breaches have been identified. The coordinating officer has since provided some simple guidance notes and forms for officers to use on inspection or when responding to complaints.
- 4.2.4 The last three years has seen a rise of the availability of illegal tobacco within Rhondda Cynon Taf. Smokers may seek this out as a way of curbing costs, but cheaper products also entice underage smoking. More worryingly, there are clear links to organised crime, safeguarding and attracting the young to county lines activity. As genuine businesses have left the high street during the pandemic, landlords have vacant premises with no income. All authorities along the M4 corridor have experienced persons originating from Gloucester through to Birmingham rent local properties as a front for supplying illegal tobacco. Shops are often identified by a limited amount of stock on the shelves, leaving one to wonder about the viability of the premises. Covert test purchases and nationally coordinated activity with South Wales Police and tobacco detection dogs ('Operation Cece') has led to the discovery of a series of concealments where the products are stored within shops.
- 4.2.5 Since April 2020, there have been 15 prosecutions of this type within Rhondda Cynon Taf. Analysis of the seized cigarettes often reveals that they fail the propensity test; this means that the cigarette will not self-extinguish if left unguarded, resulting in a real safety risk for consumers. Unfortunately, the fines awarded at court are insufficient to curb the activity, so other means of disrupting the supply has been instituted. Landlords have been contacted and advised about the risks of renting to businesses that operate



illegally, and more recently work is progressing on the use of anti-social behaviour related legislation to permanently close the premises once a criminal offence is identified. This has been used with some success in other authorities.

### 4.3 ANTI-COUNTERFEITING

- 4.3.1 Those experiencing financial vulnerability may not be willing victims of counterfeiting: purchasing from whom they believe is just a cheaper supplier, they may be inadvertently purchasing counterfeit and unsafe items.
- 4.3.2 Anti-counterfeiting no longer consists of poor standard music or clothing. The purchase of counterfeit items undermines honest traders within the County Borough, and even those 'willing victims' who know the item they are purchasing is counterfeit may not have considered other inherent risks: increasingly there is a safety aspect involved with the supply of counterfeit cosmetics, electrical items, toys and car parts.
- 4.3.3 In addition to responding to consumer complaints, Trading Standards monitors social media for sales of counterfeit goods, and is involved in national multi-agency operations which may result in website 'take-downs' as well as investigation and resolution in courts. Appropriate, court-approved and audited surveillance activity may be used to corroborate intelligence of anti-counterfeiting activity, which will lead to warrants of execution, investigation and prosecution where necessary. As we head towards the Christmas period, we know activity in this area will increase.

### 4.4 SUPPORTING BUSINESS

- 4.4.1 Integral to supporting the vulnerable is ensuring that businesses within Rhondda Cynon Taf know their legal requirements and are operating legally. Being aware of how the cost-of-living crisis is affecting businesses is key to being able to support them. This work is varied, but two such examples are provided below.
- 4.4.2 Food businesses may be reformulating their recipes or using different suppliers for their raw materials in order to save costs. Both these activities have an impact on the labelling of the finished products, including allergen labelling, for example some satay sauce may contain crustacean, whereas another may not. The implications in getting allergen labelling wrong can be catastrophic. Officers have been working with business to ensure their labels are accurate for allergens: this work may include review of labels against recipes and product specification, through to product sampling. To help with this, a suite of 14 language resources are available, after being developed by Caerphilly Trading Standards and funded by Trading Standards Wales and the Food Standards Agency.
- 4.4.3 Recycling of products is increasing, but often businesses or charities are unaware of legal restrictions that may exist in relation to second hand supply of goods. Officers have good relationships with charity shops in the County Borough, and have also provided advice to suppliers such as 'The Shed'.

## 5. EQUALITY AND DIVERSITY IMPLICATIONS/SOCIO-ECONOMIC DUTY

- 5.1 There are no negative or adverse equality or diversity implications associated with this report.

## **6. WELSH LANGUAGE IMPLICATIONS**

- 6.1 There are no Welsh language implications arising from this report. Media messaging, contracts for TrueCall units, learning resources for Young Friends and other associated service delivery documents are all available in English, Welsh or Bilingual. The two schools selected for initial Young Friends rollout are one English and one Welsh speaking school.

## **7. CONSULTATION/INVOLVEMENT**

- 7.1 There are no consultation implications aligned to this report.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 There are no negative financial implications aligned to this report.
- 8.2 The legal duties and powers placed on Trading Standards are met through the current structure, and new challenges will continue to be met through pending service redesign which will also release some funds for financial savings within authority.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 9.1 There are no legal implications associated with this report.

## **10. LINKS TO THE COUNCILS CORPORATE PLAN/OTHER CORPORATE PRIORITIES/WELLBEING OF FUTURE GENERATIONS ACT**

- 10.1 The aspects of Trading Standards that feature in this report fit into all three areas of the Corporate Plan, namely ensuring PEOPLE are independent and healthy, creating PLACES where people are proud to live and work, and enabling PROSPERITY for people and business to fulfil their potential and prosper.
- 10.2 These also meet five of the seven Well-being Goals under the Well-being of Future Generations Act, namely a Prosperous Wales, a Resilient Wales, a Healthier Wales, a More Equal Wales and a Globally Responsible Wales.

## **11. CONCLUSION**

- 11.1 Trading Standards has an important role in protecting vulnerable persons and disadvantaged communities. Trading Standards no longer has to simply keep up to date with changes in legislation, but changes in tactics used by unscrupulous traders. Officers individually, and the team as a whole, are continually innovating and searching for new ways of operating which will provide the best outcome to support both reputable traders and the consumers of Rhondda Cynon Taf.
- 11.2 When consumers are confident that they are protected, they are confident in purchasing from their local traders, which in turn feeds into stimulation of the local economy and supporting our local businesses.

## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### MUNICIPAL YEAR 2022/23

#### COMMUNITY SERVICES SCRUTINY COMMITTEE

24<sup>TH</sup> OCTOBER 2022

#### REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES

AND

#### REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES & COMMUNICATIONS

Author: Neil Elliott, Director of Adult Services

Agenda Item No. 6
<b>AUDIT WALES – DIRECT PAYMENTS FOR ADULT SOCIAL CARE</b>

### 1. PURPOSE OF THE REPORT

- 1.1 This report has been prepared to provide the Community Services Scrutiny Committee with the Council's response to the recommendations raised within the Audit General for Wales' report arising from its national study of Direct Payments for Adult Social Care (dated April 2022).

### 2. RECOMMENDATIONS

It is recommended that the Community Services Scrutiny Committee:

- 2.1 acknowledges the Council's response to the Auditor General for Wales's report arising from its national study of Direct Payments for Adult Social Care and scrutinises the action plan to address the recommendations made.

### 3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide the Community Services Scrutiny Committee with an opportunity to examine the Council's response to the recommendations raised within the Audit General for Wales' report arising from its national study of Direct Payments for Adult Social Care.

### 4. BACKGROUND

- 4.1 On 6<sup>th</sup> April 2022, Audit Wales released their national report looking at how Direct Payments are helping people to live independently. A copy of the report is attached at Appendix A.

- 4.2 The report states that Direct Payments are an alternative to Local Authority arranged care or support and can help meet an individual's or a carer's need. Direct Payments aim to give people more choice, greater flexibility and more control over the support they get.
- 4.3 Audit Wales' report looked at how Direct Payments help sustain people's wellbeing and whether they are improving quality of life. Audit Wales also looked at how Local Authorities manage and encourage take up of Direct Payments and whether these services provide value for money.
- 4.4 The Council's Adult Services Department have considered the findings of the report and produced an Action Plan (attached at Appendix B) outlining the progress to date and the actions to be taken in order to address the recommendations made. These actions will be included in the Adult Services Service Delivery Plan for action.
- 4.5 Over the last year, Adult Services have reviewed its Direct Payment processes and Policy via a service user led approach, and a new updated Policy is currently being prepared for approval. Following approval of the new Policy, Adult Services will invest time and effort in promoting and engagement to further encourage participation and take up of Direct Payments.
- 4.6 The current number of adults in receipt of a Direct Payment has increased to 421 as at 30<sup>th</sup> September 2022, continuing an upward trend over the past 4 years as shown in the table below.

<b>Adult Services</b>	
2018-19	373
2019-20	402
2020-21	400
2021-22	412
2022/23	421

## **5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY**

- 5.1 There are no equality and diversity or socio-economic implications as a result of the recommendations set out in the report.

## **6. WELSH LANGUAGE IMPLICATIONS**

- 6.1 There are no Welsh Language implications as a result of the recommendations set out in the report.

## **7. CONSULTATION / INVOLVEMENT**

- 7.1 There are no consultation implications as a result of the recommendations set out in the report.

## **8. FINANCIAL IMPLICATION(S)**

- 8.1 There are no financial implications as a result of the recommendations set out in the report.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 9.1 The Social Services and Well-being (Wales) Act 2014 and accompanying Part 4 Code of Practice sets out that where an Authority has carried out an assessment which has revealed that the person has needs for care and support then the local authority must decide if those needs meet the eligibility criteria, and if they do, it must meet those needs, which could include the offer and provision of Direct Payments.

## **10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT**

- 10.1 This report supports two of the Council's corporate priorities, namely:
- People - promoting independence and positive lives for everyone.
  - Living within our means - where services are delivered efficiently to achieve value for money for the taxpayer.
- 10.2 The offer and provision of Direct Payments, allows the Council to meet the requirements of the Social Services and Wellbeing (Wales) Act 2014 and the Wellbeing of Future Generations (Wales) Act 2015. They can meet the needs of the Council's residents, including an ageing population and those with more complex needs, are more sustainable and increases focus on wellbeing and independence, resulting in the wellbeing goals of a Wales of cohesive communities, a healthier Wales and more equal Wales being supported

## **11. CONCLUSION**

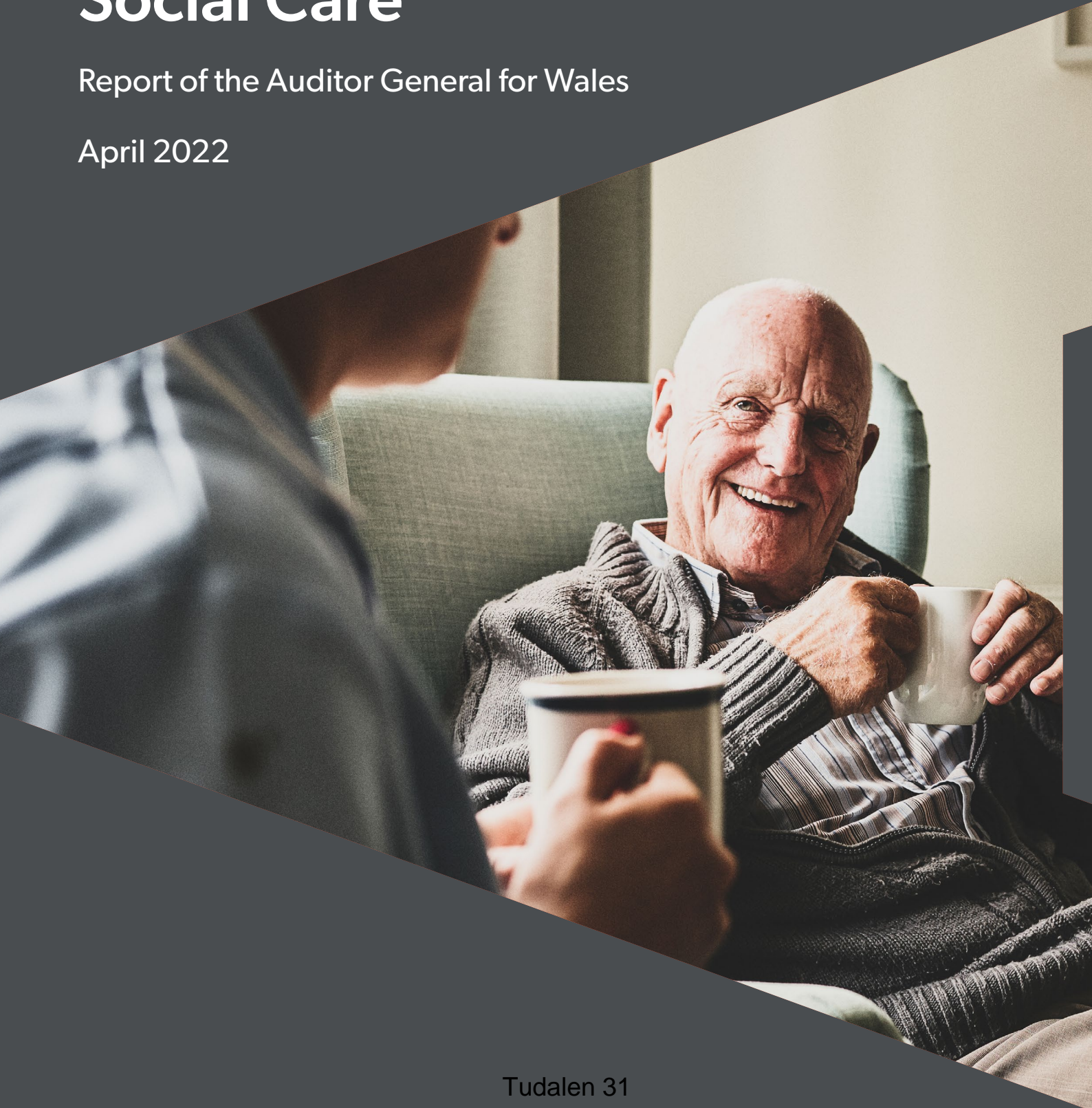
- 11.1 This report provides the Council's response to the recommendations raised within the Audit General for Wales' report arising from its national study of Direct Payments for Adult Social Care (dated April 2022).

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# Direct Payments for Adult Social Care

Report of the Auditor General for Wales

April 2022





This report has been prepared for presentation to the Senedd under the Public Audit (Wales) Act 2004.

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Mae'r ddogfen hon hefyd ar gael yn Gymraeg.



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# Summary report

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## Background

### The Social Services and Well-Being (Wales) Act 2014

- 1 The Senedd passed the Social Services and Well-being (Wales) Act in 2014 and it came into force in April 2016. The Act seeks to shift away from the traditional ways of providing social care, which were considered unsustainable, to approaches focused on:
  - a placing the wellbeing of people at the heart of services;
  - b giving people a strong voice and real control over the decisions that affect them;
  - c encouraging new models of service by mobilising community resources and promoting social enterprises and co-operatives;
  - d prioritising preventative services to avoid or delay the need for care;
  - e making systems easier and more accessible by reducing complexity and streamlining assessment and care planning arrangements;
  - f integrated working across professional and organisational boundaries to make the best use of resources and deliver the best outcomes; and
  - g strengthening safeguarding arrangements.

### Direct Payments can improve people's choice, control and independence

- 2 Direct Payments can help meet an individual's eligible need for care and support, or a carer's need for support. They are an alternative to local-authority-arranged care or support. The aim of Direct Payments is to give people more choice, greater flexibility and more control over the support they get. Direct Payments can be provided to people of all ages if they have been assessed as needing social care services to support them with daily living, consent to receiving a Direct Payment and they (or their representative) can manage the payment.

- 3 Many people use their Direct Payments to fund a Personal Assistant to help them with various tasks. In these instances, Direct Payment recipients become employers and must meet the associated legal obligations. Some choose to use a care agency instead. Local authorities are required to provide support and assistance to people to manage their Direct Payment and employment responsibilities. This is often done through a local-authority-commissioned support service.
- 4 Direct Payments can be used to purchase a wide variety of services or equipment if these contribute to meeting an individual's agreed wellbeing outcomes. Payments can be made for day-to-day things such as dressing, cooking, driving and support to facilitate discharge from hospital. They can also be used for social activities – visiting friends, evening classes and gardening – as well as for assistance to access training and employment. The main benefit of Direct Payments is their adaptability. Service users can use them to organise their care in a whole range of new and more effective ways and local authorities are encouraged to explore innovative and creative options for meeting people's needs.
- 5 This report looks at how local authorities provide Direct Payment services to adults, examining their impact and value for money. **Appendix 1** provides more detail about our audit approach and methods. **Exhibit 1** sets out our characteristics of a good approach to Direct Payments.

## Exhibit 1: the characteristics of a local authority that effectively encourages, manages and supports people to use Direct Payments



### Local authorities who are good at **promoting** Direct Payments

Have simple and concise public information that is made available in a wide range of mediums and has been tested to ensure it is effective and tells people what they need to know

Offers and encourages people to use independent advocacy to help people make informed choices

Uses the 'What Matters' conversation in the assessment process to explain Direct Payments

Direct Payments are promoted as an option at least equally with other choices



### Local authorities who are **managing** Direct Payments effectively

Help people to access and use Personal Assistants

'Demystify' what Direct Payments are and provide sufficient support to assure people on employment requirements, liabilities and fallback processes. Bureaucracy is kept to a minimum

Clearly set out what Direct Payments can be used for giving examples of the type of support that is available and, wherever possible, encourage innovation

Have regular and ongoing contact and provide support and information to adults using Direct Payments to clarify responsibilities and ensure people remain safe

Work to shape the 'market' and by improving access to Personal Assistants, encouraging more providers, managing costs and encouraging the pooling of budgets

Jointly agree with NHS bodies on how best to address the needs of clients who use Direct Payments and Continuing Healthcare so they are not disadvantaged



### Local authorities who are **delivering** positive outcomes for people using Direct Payments

Evidencing that people's wellbeing is maintained or improving as a result of Direct Payments

Have a comprehensive system for monitoring and evaluating all aspects of Direct Payments

Involve and value input from all stakeholders/partners in evaluating the impact of services

Compare and benchmark individual and collective performance with others and use the findings of evaluation to shape current plans and future approaches

Know what works and whether the approach of the authority is delivering the aspirations of the Act



# Key messages

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- 6 Our overall conclusion is that **Direct Payments support people's independence and are highly valued by service users and carers, but inconsistencies in the way they are promoted and managed by local authorities mean services are not always equitable and it is difficult to assess overall value for money.**
- 7 People are not consistently encouraged to take up Direct Payments. A responsive person-centred approach is essential in helping people take up Direct Payments, but current engagement and involvement by local authorities is inconsistent. While the value of Direct Payments is recognised by senior managers, social care staff do not always display confidence in promoting their use with service users and carers. Direct Payments are valued by service users and carers, but this is not always translating into broadening their use.
- 8 Managing and supporting people to use Direct Payments varies widely and service users and carers are receiving different standards of service. Personal Assistants are essential to people making the most of Direct Payments, but service users often struggle to recruit them. People have mixed views on the support they receive from their local authority after they have taken up Direct Payments. The interface between use of NHS continuing healthcare and social care on access to Direct Payments also remains a problem.
- 9 Despite some significant challenges, local authorities ensured service users and carers were mostly supported during the pandemic, but a significant number of service users and carers we surveyed experienced difficulties. While the numbers using Direct Payments slightly grew before the pandemic, local authorities continue to use them differently across Wales. There is a need to address this 'post-code lottery' to ensure people are being treated fairly and equally.

- 10 Direct Payments are seen by recipients and care providers alike as making an important contribution to people's wellbeing and independence. However, it is difficult to assess the overall value for money of Direct Payments in their own right, or in comparison with other forms of social care, because systems for managing and evaluating performance are inadequate.



Direct Payments can make an important contribution to meeting an individual's care and support needs and they are highly valued by service users and carers. The Welsh Government and local authorities need to work together to address weakness in the management and evaluation of performance, which currently means it is not possible to judge how well local authorities are performing and whether Direct Payments represent value for money compared with other forms of social care. There is also a need to address the 'post-code lottery' where local authorities are using them differently across Wales, to ensure people are treated fairly and equally.

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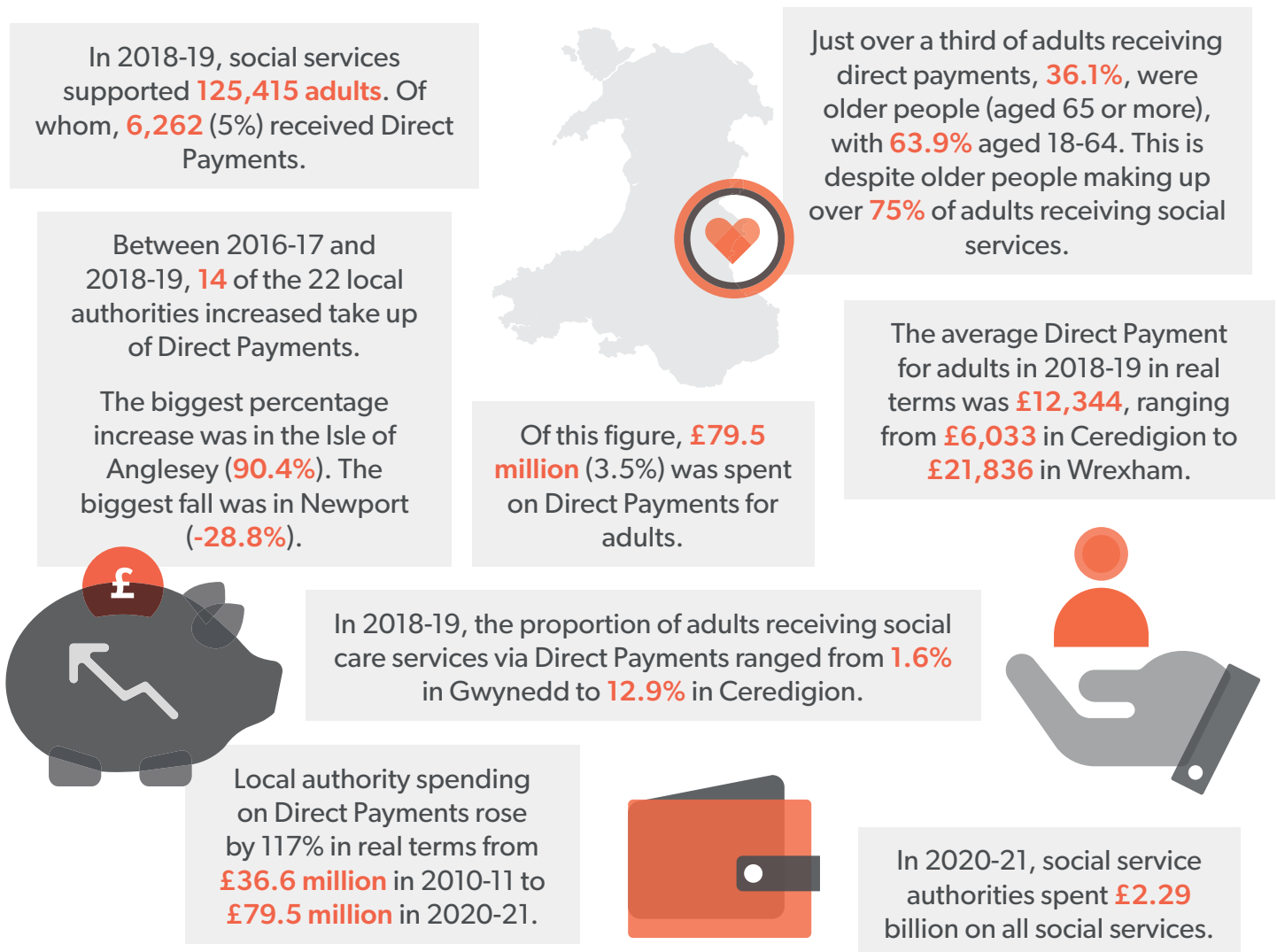
**Adrian Crompton**

Auditor General for Wales



# Key facts

11 The infographic below summarises key facts from our report about Direct Payments. Following the Welsh Government’s decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been reported nationally since 2018-19.



12 Figures relating to the numbers of people receiving social services support and Direct Payments for 2018-19, including the average value of Direct Payments, do not include Caerphilly due to technical issues with their ICT systems.

Source: Audit Wales analysis of StatsWales data

# Recommendations

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- 13 Our recommendations are set out below. We expect each local authority to consider the findings of this review and our recommendations, and that its governance and audit committee receives this report and monitors its response to our recommendations in a timely way.

## Exhibit 2: recommendations

### Recommendations

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In **Part 1** we set out the how local authorities promote and raise awareness of Direct Payments (**paragraphs 1.2 to 1.7**). To ensure people know about Direct Payments, how to access these services and are encouraged to take them up, we recommend that local authorities:

- R1** Review public information in discussion with service users and carers to ensure it is clear, concise and fully explains what they need to know about Direct Payments.
- R2** Undertake additional promotional work to encourage take up of Direct Payments.
- R3** Ensure advocacy services are considered at the first point of contact to provide independent advice on Direct Payments to service users and carers.

In **Part 1** we set out the importance of the ‘What Matters’ conversation and the importance of social workers in helping people make informed choices on Direct Payments (**paragraphs 1.8 to 1.13**). To ensure Direct Payments are consistently offered we recommend that local authorities:

- R4** Ensure information about Direct Payments is available at the front door to social care and are included in the initial discussion on the available care options for service users and carers.
- R5** Provide training to social workers on Direct Payments to ensure they fully understand their potential and feel confident promoting it to service users and carers.



## Recommendations

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In **Part 2** we highlight the central role of Personal Assistants in helping service users and carers to get the best positive outcomes from their use of Direct Payments (**paragraphs 2.2 to 2.7**). To ensure there is sufficient Personal Assistant capacity, we recommend that local authorities through the All-Wales local authority Direct Payments Forum and with Social Care Wales:

**R6** Work together to develop a joint Recruitment and Retention Plan for Personal Assistants.

In **Part 2** we highlight that while local authorities recognise the value of Direct Payments in supporting independence and improving wellbeing, the differences in approach, standards and the amount paid out means that people with similar needs receive different levels of service (**paragraphs 2.9 to 2.18 and 2.23 to 2.27**). To ensure services are provided equitably and fairly we recommend that local authorities and the Welsh Government:

**R7** Clarify policy expectations in plain accessible language and set out:

- what Direct Payments can pay for;
- how application and assessment processes, timescales and review processes work;
- how monitoring individual payments and the paperwork required to verify payments will work;
- how unused monies are to be treated and whether they can be banked; and
- how to administer and manage pooled budgets.

Public information should be reviewed regularly (at least every two years) to ensure they are working effectively and remain relevant.

## Recommendations

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In **Part 2** we highlight difficulties in the interface between NHS continuing healthcare and Direct Payments and note that current practices do not support service users and carers to exercise voice, choice and control (**paragraphs 2.28 to 2.31**). We recommend that the Welsh Government:

**R8** Ensure that people who receive both NHS continuing healthcare and Direct Payments have greater voice, choice and control in decision making.

In **Part 3** we note that having the right performance indicators and regularly reporting performance against these are important for local authorities to manage operational performance, identify areas of improvement and evaluate the positive impact of services (**paragraphs 3.8 to 3.10**). To effectively manage performance and be able to judge the impact and value for money of Direct Payments, we recommend that local authorities and the Welsh Government:

**R9** Work together to establish a system to fully evaluate Direct Payments that captures all elements of the process – information, promotion, assessing, managing and evaluating impact on wellbeing and independence.

**R10** Annually publish performance information for all elements of Direct Payments to enable a whole system view of delivery and impact to support improvement.



**People are not  
consistently  
supported to take  
up Direct Payments**

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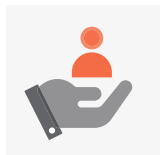
**01**

1.1 In this part of the report, we consider how local authorities encourage people to use Direct Payments. We review local authorities' public information, how they promote take up of Direct Payments and the importance of the 'What Matters' conversation.

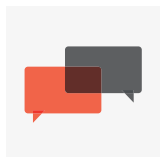
### Local authorities who are good at promoting Direct Payments



Have simple and concise public information that is made available in wide range of mediums and has been tested to ensure it is effective and tells people what they need to know



Offers and encourages people to use independent advocacy to help people make informed choices



Uses the 'What Matters' conversation in the assessment process to explain Direct Payments



Direct Payments are promoted as an option at least equally with other choices

## **A responsive person-centred approach is essential in helping people choose Direct Payments, but current engagement and involvement by local authorities are inconsistent**

### **Good quality and accessible information, support people to take greater control of their care and support and make well-informed choices**

- 1.2 Information and advice help to promote people's wellbeing and are vital components of preventing or delaying people's need for care and support. Our focus group and survey work with the All-Wales Direct Payments Forum<sup>1</sup> found that all local authorities undertake some form of activity to promote public awareness and understanding of Direct Payments, but the options used vary. Local authorities focus on mediums such as their website, providing bilingual leaflets and promotional activity with established service user, carer groups and partnership forums. Less priority is given to using social media (for example, Facebook or Twitter) and proactive campaigns using press articles, adverts and local authority newsletters. Overall, only 3% of recipients responding to our survey<sup>2</sup> first found out about Direct Payments through published information (for example, online or a leaflet).
- 1.3 Overwhelmingly, service users report relying on a conversation with a local authority officer to find out about Direct Payments. Almost all (96%) of service users who responded to our survey said that they first found out about Direct Payments following a discussion with a local authority officer – most frequently a social work professional. Around half of carers we surveyed said that they first found out about Direct Payments following a discussion with a local authority officer. Carers are more likely than service users to find out about Direct Payments in discussion with other bodies (ie not their local authority), a care and support agency, NHS or third sector body for instance. These findings highlight that local authorities need to do more to ensure carers are better supported to fully access and use services, an issue flagged in recent research by [Carers Wales](#)<sup>3</sup>.

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1 The All-Wales Direct Payments Forum is made up of officers from all Welsh local authorities with responsibility for Direct Payments within their respective organisations.

2 Our survey covers both service users and carers who receive Direct Payments. We report information at three levels. Where we say Direct Payment recipients, we mean both carers and service users; and where we specifically reference either 'service users' or 'carers' the findings of the survey are specific to these distinct groups of people who receive Direct Payments. In **Appendix 1** we set out our survey methodology in more detail.

3 Carers Wales is part of Carers UK and campaigns on behalf of carers. They recently reported that 40% of carers in Wales say they are unaware of services and sources of support for carers in their local community – [State of Caring 2021: Wales Briefing, Carers Wales, December 2021](#).

- 1.4 Direct Payments Forum members acknowledge that local authorities need to do more promotional work with some partners, in particular health and independent providers, to ensure Direct Payments are adequately promoted in all routes into social care. Roughly a quarter of local authority officers with responsibility for Direct Payments believe they have sufficient capacity to effectively promote Direct Payments and are investing resources to encourage take up. Less than a quarter of local authority officers consider themselves good at promoting awareness and encouraging take up of Direct Payments among hard-to-reach groups such as minority ethnic groups, Gypsies, Roma and Travellers and LGBTQ people.
- 1.5 The best local authorities are innovatively and actively promoting Direct Payments. For example, Isle of Anglesey Council uses a wide range of promotional materials to improve awareness for service users but also local authority staff and care providers. This includes YouTube videos of recipients talking about the positive experience and benefits of Direct Payments and roadshows to promote the benefits of Direct Payments. By proactively encouraging people to choose Direct Payments, the local authority saw the numbers in receipt of Direct Payments rise by 90.4% between 2016-17 and 2018-19.
- 1.6 Regarding the quality of the information and advice provided, three quarters of Direct Payments service users told us this was good but only half of carers in receipt of Direct Payments agreed this was the case. Only half of local authorities have tested or sought feedback on the quality of Direct Payments public information to ensure it is easy to understand, and only around a third of those have involved service users and carers in testing the quality of the information. Several service users who responded to our survey noted that they did not always find the public information they had been provided helpful and too often it reads as if it is written for the 'professional' not the 'client'. Notwithstanding, the overwhelming majority of people (98%) were able to access information about Direct Payments in their preferred language, and 4% chose to use Welsh.
- 1.7 Paragraph 37 of the [Social Services and Well-being \(Wales\) Act 2014 Part 10 Code of Practice \(Advocacy\)](#) notes that 'Advocacy services are fundamental to supporting people to engage actively and participate in development of their own well-being outcomes.' Paragraph 41 of the Code of Practice also says that independent professional advocacy must be made available from 'the moment of first contact'. We found that just over half of All-Wales Direct Payments Forum members believe that their local authority has adequate advocacy services in place to provide independent advice to service users and carers at this time.

## The 'What Matters' conversation

- 1.8 Unlike many community-based, preventative services<sup>4</sup> that people are often signposted to when seeking social care help, service users must be assessed as having 'eligible'<sup>5</sup> needs to receive Direct Payments. When a local authority considers if someone has eligible needs, it looks at what causes that need for care and support; whether their needs affect their ability to do certain things; whether someone has a carer or access to community support that can meet their needs; and whether they are able to achieve a personal outcome without help from the local authority.
- 1.9 Local authorities are required to assess and determine whether someone is eligible for social care following an established process of which the 'What Matters' conversation is a critical element. **Appendix 2** sets this process out in more detail.

### The 'What Matters' conversation

A 'What Matters' conversation is a targeted discussion to establish a person's situation, their current wellbeing, what can be done to support them and what can be done to promote their wellbeing and resilience for the better. It is not an assessment in itself: it is a way of carrying out the assessment by having the right type of conversation to identify with the individual:

- how they want to live their life;
- what might be preventing that; and
- what support might be required to overcome those barriers.

Knowing what matters can play a huge part in helping to make someone's life enjoyable and worthwhile.



4 There is no agreed definition of what constitutes a preventative service. They can range from relatively formal intermediate care services provided by health and social-care professionals to interventions that could include befriending schemes, the fitting of a handrail or help with shopping, to non-health or social-care services.

5 The Welsh Government is working with ADSS Cymru to produce a [national assessment and eligibility tool](#).

- 1.10 Importantly, those seeking help and those assessing what is needed must work as equal partners in identifying issues and solutions in their 'What Matters' discussion. Ultimately, it requires social work professionals to let go of some control when assessing what is best for people. Direct Payments takes this ethos a step further – not only do individuals have an equal voice in shaping their care and support outcomes during the assessment, but they can also go on to take full control over their own care and support. The extent to which professionals feel able to let go shapes people's experience of their assessment, and in many cases the likelihood of them being offered and encouraged to use Direct Payments.
- 1.11 Overall, recipients of Direct Payments that we surveyed are positive about local authority assessment processes; the time spent by local authority staff clarifying employer responsibilities; and the 'What Matters' conversation. For instance:
- a 83% felt that what was agreed during the assessment was right for them;
  - b of the 83% that felt their assessment was right for them, the vast majority (88%) agreed that the subsequent care and support plan accurately set out what was agreed during their assessment;
  - c 76% felt encouraged to tell their local authority about the things that mattered to them, and felt listened to during their needs assessment;
  - d 75% discussed their ability to manage Direct Payments before taking them up; and
  - e 74% felt that they had a clear understanding of their legal obligation as an employer when taking up a Direct Payment.
- 1.12 Despite this, many local authority officers we spoke to acknowledge that they do not always have the capacity to work co-productively and identify creative solutions using Direct Payments. People are often in crisis when they contact social services and in practical terms, delivering early intervention, prevention and co-produced approaches requires time. Effective early intervention works to prevent problems occurring, or to tackle them head on when they do, and before problems get worse. It is important therefore for local authorities to consider the potential impact and value of Direct Payments as early as possible in the information, advice and assistance process to enable meaningful co-production and ensure all possible solutions that can help improve someone's wellbeing are considered.



1.13 We conclude that there is more for local authorities to do to promote awareness and understanding of Direct Payments amongst service users. Addressing this requires local authorities to promote opportunities for early intervention by raising awareness of the front door to adult social care, and ensuring adequate consideration of the potential for Direct Payments at the Information, Advice and Assistance (IAA services) stage. Local authorities are yet to strike this balance, something that echoes our recent review of IAA services<sup>6</sup>.

### **While the value of Direct Payments is recognised by senior managers, social care staff do not always display confidence in promoting their use with service users and carers**

1.14 Strong leadership on Direct Payments is key to making progress and it is important that senior managers set the tone from the top. Through our engagement with local authority staff and representative bodies we found this to be key to creating the right conditions and culture for social workers to feel empowered to promote and encourage take up of Direct Payments.

1.15 We found that roughly three-quarters of Direct Payment managers with responsibility for Direct Payments believe their authority has an open and encouraging culture that promotes making best use of Direct Payments. In addition, a similar number believe that their local authority Corporate Management Team members understand the benefits of Direct Payments, and two-thirds that senior leaders actively encourage increasing take up. However, only a quarter of Direct Payment managers believe that councillors understand the benefits of Direct Payments. Half did not know.

1.16 Most local authorities have information and workflow management systems in place (for example the Welsh Community Care Information System<sup>7</sup>) which include prompts for social workers to offer Direct Payments as part of what matters assessments, or to confirm that they have offered this. However, officers we interviewed highlight the limitations in the assurance that this data provides because the likelihood of service users opting to use Direct Payments is mostly dependent on the tone, sincerity and genuineness of the offer and discussion with their social worker. To do this, social workers need to feel both confident in being able to promote the benefits of Direct Payments and empowered to make this offer. To make this work requires effective leadership and a whole-system approach.

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6 Auditor General for Wales, [The front door to adult social care](#), September 2019.

7 We reported on the rollout of the [Welsh Community Care Information System](#) in October 2020, including commentary on the performance of the system.

- 1.17 The overwhelming majority of All-Wales Direct Payments Forum members told us that they continue to promote and provide training and information to social workers, care managers and frontline staff to support take up and roll out. Most also believed that social workers understand what Direct Payments can be used for, although officers we interviewed nevertheless identified some concerns.
- 1.18 Only half of Direct Payments Forum members think that their local authority encourages people to take up Direct Payments. Direct Payment managers expressed concerns that, from their experience, too often social workers lack confidence in discussing Direct Payments as an option, partly because of their inherent flexibility and potentially wider use compared to other forms of social care. They also noted that, increasingly, Direct Payments are seen as potentially placing other traditional care services at risk if their take up increases and demand for other services falls off. Just over half of Direct Payment managers believe that their local authority treats Direct Payments as favourably as other social care services and options when developing care plans.



**Managing and supporting people to use Direct Payments varies widely with service users and carers receiving different standards of service**

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02

2.1 In this section of the report, we look at opportunities to streamline the management and administration of Direct Payments. We look at the change in take up of Direct Payments in Wales and comparison with England. We consider how local authorities support people to make the best use of Direct Payments.

### Local authorities who are managing Direct Payments effectively



Help people to access and use Personal Assistants



'Demystify' what Direct Payments are and provide sufficient support to assure people on employment requirements, liabilities and fallback processes. Bureaucracy is kept to a minimum



Clearly set out what Direct Payments can be used for giving examples of the type of support that is available and, wherever possible, encourage innovation



Have regular and ongoing contact and provide support and information to adults using Direct Payments to clarify responsibilities and ensure people remain safe



Work to shape the 'market' and by improving access to Personal Assistants, encouraging more providers, managing costs and encouraging the pooling of budgets



Jointly agree with NHS bodies on how best to address the needs of clients who use Direct Payments and Continuing Healthcare so they are not disadvantaged

## Personal Assistants are essential to people making the most of Direct Payments, but service users struggle to recruit them

2.2 While some people will need additional support to manage Direct Payments, this should not be a barrier to encouraging people to use them. Local authorities must maintain a support service and make it available to those who need it – for example, help with employment responsibilities, payroll and reporting processes. Often this support is provided via a Personal Assistant.

### Personal Assistants

Personal Assistants work directly with one or more individuals to help them with various aspects of their daily life and to help them live as independently as possible.

They are employed directly by an individual who is managing and paying for their own care through a Direct Payment or personal budget.

Personal Assistants usually support individuals in their own home.

People can be employed directly by one employer or work for a number of different people.

The role can include:

- organising and supporting individuals with their social and physical activities;
- booking and going with individuals to appointments;
- helping individuals to get to work, college or university;
- helping with personal care such as showering and dressing (although not all Personal Assistant roles involve personal care);
- supporting with tasks around the house such as shopping, cleaning and cooking;
- monitoring their health, for example, measuring body temperatures or administering medication; and/or
- managing a team of Personal Assistants if you are in a senior Personal Assistant role.



- 2.3 Employing a Personal Assistant cannot be entered into lightly and people pursuing this option need to be fully aware of their responsibilities. For instance, an employer must provide staff they employ with written information, including start date, hours of work, remuneration (which must meet the National Minimum Wage), place of work and a job title, or brief description of the job. Employers also need to set out whether employment is fixed term or permanent, the employee's statutory entitlement to sick pay, annual leave, pension scheme provision and notice requirements. Although local authorities expect people to take out employer's liability insurance and often provide advice about this, it is down to the individual to ensure they have fully considered the contractual arrangements with the care staff they employ.
- 2.4 People we surveyed noted differences between local authorities regarding their eligibility criteria for Direct Payments, the number of hours of personal assistance that individuals are assessed as needing, and the hourly rates paid. Our research shows that there is variation between hourly rates of pay for Personal Assistants across local authorities, with rates ranging from £8.72 to £12.94 per hour being reported in early 2021 – see **Appendix 4** for more detail.
- 2.5 The importance of Personal Assistants in supporting people to make the best use of Direct Payments cannot be overestimated. One person responding to our survey stated that: 'Direct Payments have given me the opportunity to employ my personal assistant who has been with me for 10 years now. This continuity with my personal assistant has empowered me, improved my self-confidence and given me the freedom to make my own decisions and choice with my personal assistant's support.' While another noted that: 'I think the whole system works around Direct Payments, you get to pick the personal assistants yourself rather than getting strangers thrust upon you.' Comments such as these highlight the value placed on Personal Assistants and the important role they play.
- 2.6 Notwithstanding, several people responding to our survey noted difficulties in both attracting and retaining Personal Assistants. For instance, one respondent stated that: 'there have been periods when we have been unable to find a suitable personal assistant, so I have been unable to use the Direct Payments. At one point this lasted over a year.' Another noted a 'major problem is being able to recruit Personal Assistants' and another 'issues with a Personal Assistant meant I've had to readvertise the job so as a result I haven't yet used my Direct Payment'.

2.7 Direct Payment managers we spoke to also highlighted the ongoing challenge of attracting and retaining Personal Assistants. Ongoing workforce pressures have meant that adult social care employers and providers have needed to adopt a range of strategies to help retain and support their workforce and these approaches need to be extended to Personal Assistants. The Care Provider Alliance, Association of Directors of Adult Social Services and Local Government Association in England have brought together approaches taken by organisations to reduce staff turnover and help retain people in the care and health workforce, which are of use for local authorities to consider in encouraging more Personal Assistants<sup>8</sup>.

### **People have mixed views on the support they receive from their local authority after they have taken up Direct Payments**

2.8 Direct Payments must be embraced as a core component of delivering support – not as an exceptional option – so that the positive impact can be realised. There will be initial costs associated with setting up or commissioning an effective Direct Payment Support Service and training staff in Direct Payment processes. But once fully operational, Direct Payments should at least be cost neutral and should realise savings from, for instance, reduced administration, review and management of providers. It is important for local authorities to therefore focus on setting up the right support service to both encourage take up and to realise the potential for cost savings. Ultimately, the Direct Payment must be enough to cover the reasonable cost of buying services that the local authority has a duty to provide.

### **Some people find the administration of Direct Payments challenging**

2.9 It is important that local authorities provide adequate support and have regular contact with service users and carers. Local authorities should be proactive in organising these discussions to make sure the care and support plan remains right, is legal, affordable and effective in meeting wellbeing outcomes.

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8 <https://www.local.gov.uk/top-tips-retention-briefing-adult-social-care-providers>

- 2.10 Overall, 78% of people we surveyed said they receive good quality support to help them manage their Direct Payment. However, while 55% say that they can cope with the administration side of Direct Payments, finding the level of paperwork reasonable and manageable, 13% feel it is overwhelming. The other third of respondents stated that they are not required to keep any paperwork (23%) or their local authority rarely asks for paperwork (10%). Carers are generally more dissatisfied than service users with the quality of the Direct Payments services their local authority provides to help meet their needs. Our focus group work with All-Wales Direct Payments Forum members found that just over half of local authorities have sought to streamline their systems for administering Direct Payments to reduce the burden on clients, Personal Assistants and care providers.
- 2.11 Just over a third of care and support providers we surveyed felt that from their experience local authorities did not provide good support to help people manage their Direct Payments. There is also some concern from providers that people who may struggle to manage a Direct Payment are being directed to select this option simply because of pressures on domiciliary care services and reductions in the availability of other care services. Only half of Direct Payment managers stated that their local authority has an up-to-date directory of approved service providers to help people purchase support.

**People in areas where support services to help manage Direct Payments are directly provided by local authorities have a more positive overall experience than those using a 'commissioned' service**

- 2.12 Many local authorities commission others to provide support services for Direct Payments, but according to feedback from members of the Direct Payments Forum, a growing number of councils are in the process of reviewing or considering bringing these services back in house, primarily to improve service quality, to be able to better respond to service user and carer needs, and reduce administration costs. As of January 2021, seven<sup>9</sup> of the 22 local authorities had in-house services.

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<sup>9</sup> The six councils with in-house provision at the time of our review were: Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Flintshire County Council, Monmouthshire County Council, Neath Port Talbot Council and Torfaen County Borough Council.



2.13 Our survey of people using Direct Payments sought their views regarding a number of factors which we consider to be indicators of service accessibility and quality. To establish how different service configurations impact on accessibility, quality and user satisfaction, we analysed our survey data by comparing the responses from Direct Payments recipients in areas where the local authority delivers its support function in-house, with those where the service is commissioned externally and provided by third parties. **Exhibit 3** shows that survey responses from those in local authority areas with in-house services have higher levels of positive responses against a number of key metrics.

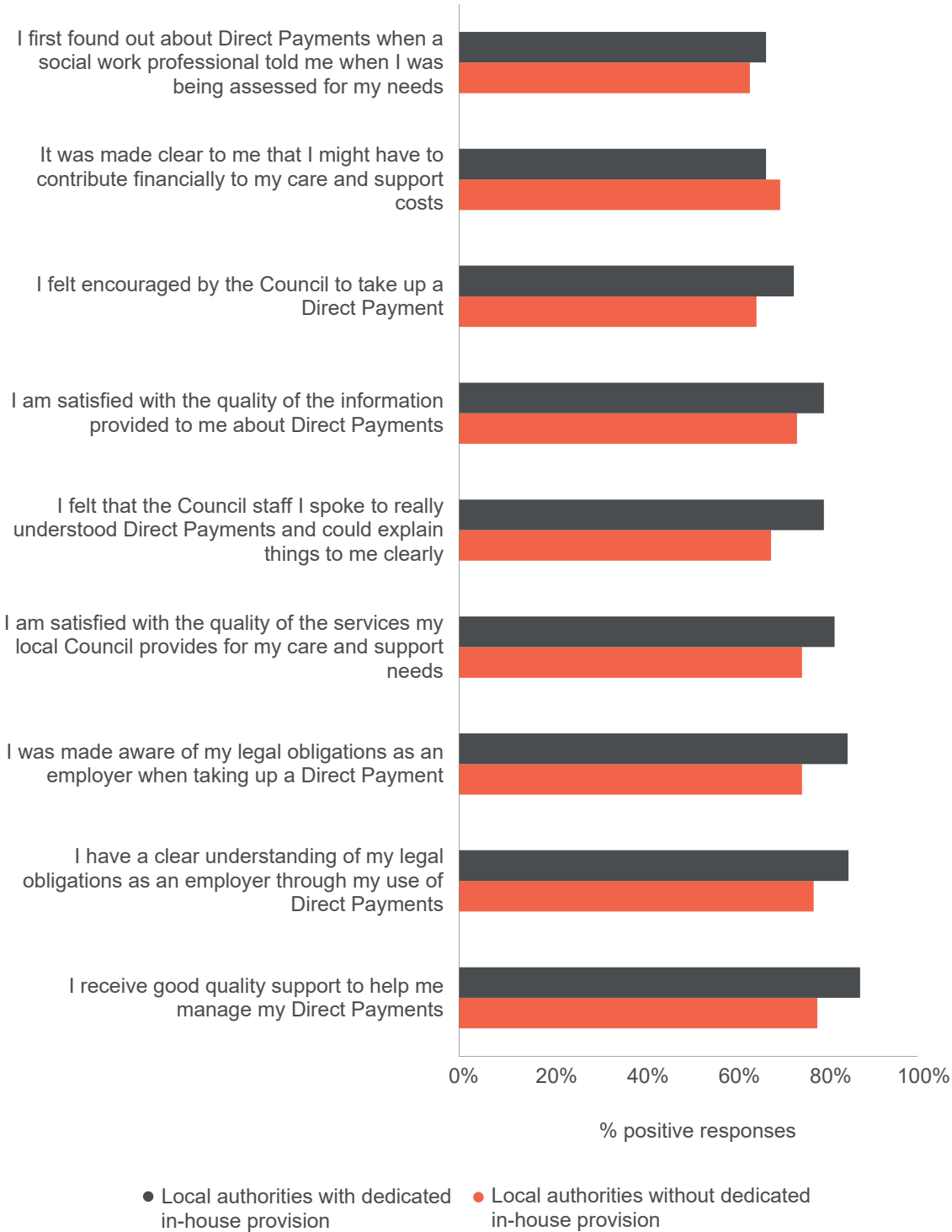
**“ I’m grateful for the support and payments. I don’t have to deal with the money. Going out with someone other than family gives me independence that I’ve longed for**

Source: Audit Wales, Survey of people receiving Direct Payments, September 2021.



**Exhibit 3: Direct Payment recipients’ views about services, by type of administrative support service (in-house or commissioned)**

Overall, people living in areas where support services are provided directly by local authorities are more positive about the service they receive than those provided by a third party.



Source: Audit Wales, Survey of people receiving Direct Payments, September 2021

2.14 Our focus group work with the All-Wales Direct Payments Forum highlighted that, in addition to supporting external clients, in-house Direct Payment teams have greater ability to work flexibly and focus on providing training and expert support to front line social workers who offer and administer Direct Payments. Given the key barriers we highlight in accessing Direct Payments (see **paragraph 1.16**) and coupled with our survey findings, this support is clearly important and is making an impact, leading to greater satisfaction with information about Direct Payments, a greater perception of social workers' understanding, and service users feeling encouraged to take up a Direct Payment.

**Local authorities mostly ensured people were supported during the pandemic, but a significant number of service users and carers we surveyed had no contact during the initial lockdown and restrictions**

2.15 The pandemic created many challenges for social care services and local authorities were forced to respond creatively to ensure vulnerable people were safe and supported. As with other frontline staff working in NHS or care settings, the pandemic has also had a huge impact on people providing care services organised under Direct Payments, especially Personal Assistants.

2.16 We found that where a service was interrupted or could not continue to be provided due to COVID-19, most local authorities arranged alternative provision. Local authorities also made contact to check on individuals' welfare and to ensure services continued to be provided. Direct Payment managers we spoke to however, also noted some difficulties in maintaining services. In particular, the lack of availability of Personal Assistants and/or care staff when people were self-isolating and unable to visit and support service users.

2.17 Officers we spoke to also highlighted their local authority's positive work to ensure social care staff were supported and equipped to work from home. They described how senior leaders acted proactively, keeping staff informed and up to date with changes in services and work priorities, and responded to challenges as they arose quickly and efficiently. For example, relocating staff to fill gaps in services and flexing information gathering systems to reduce the burden of administration on Personal Assistants and care providers.

2.18 57% of people receiving Direct Payments we surveyed said that their local authority did not help source Personal Protective Equipment (PPE) for their care or support provider. Service users and carers we spoke to noted that some local authorities provided PPE free of charge, some reimbursed individuals who purchased their own, but others expected service users and/or their personal assistant to purchase PPE themselves and meet the cost from their Direct Payment. In April 2021, we reported that some frontline health and social care staff experienced shortages of PPE during the pandemic<sup>10</sup>. Some people using Direct Payments experienced similar if not greater difficulties trying to source PPE on an individual level. Some service users and carers we spoke to noted that on occasion the lack of PPE and inability to source this directly resulted in services being suspended. In addition, 40% of the Direct Payments recipients we surveyed said they had received no contact from their local authority specifically to check if they had any problems resulting from the lockdown and restrictions.

### **While the number of people receiving Direct Payments has grown slightly in recent years, local authorities continue to use them differently across Wales**

#### **Just under two-thirds of local authorities increased take up of Direct Payments between 2016-17 and 2018-19, but only 5% of all adults in receipt of social care services were receiving them**

2.19 The most recent data on Direct Payments use published in 2018-19 shows that 125,415 adults were in receipt of social care services in Wales<sup>11</sup>. Of these, 6,262 (5%) received Direct Payments. The proportion of social care services provided via Direct Payments ranged from 1.6% of clients in Gwynedd to 12.9% in Ceredigion. **Appendix 3** provides more information. This data for 2018-19 does not include Caerphilly.

2.20 Just over a third of those receiving Direct Payments (36.1%) are older people (aged 65 or more). This is despite this particular age group making up over 75% of the overall number of adults receiving social services. The bulk of those receiving Direct Payments, 63.9%, are aged between 18 and 64.

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10 [Procuring and Supplying PPE for the COVID-19 Pandemic, Report of the Auditor General for Wales, April 2021](#)

11 In response to the pandemic, the Welsh Government suspended collection and reporting of social services performance data in 2019-20 and the most up-to-date data is 2018-19.

2.21 Between 2016-17 and 2018-19, there had been a 5.2% increase in the numbers receiving Direct Payments with 14 of the 22 local authorities seeing a growth in take up – **Exhibit 4**. The biggest percentage rise, of 90.4%, was in the Isle of Anglesey, although the proportion of adults receiving social care services via Direct Payments in 2018-19 was still below the Wales average. The biggest fall was in Newport, -28.8%.

**Exhibit 4: the number of adults receiving Direct Payments by local authority in 2016-17 and 2018-19 and change in take up over the period**

Local authority	2016-17	2018-19	% Change
Isle of Anglesey	73	139	90.4%
Gwynedd	158	137	-13.3%
Conwy	221	239	8.1%
Denbighshire	106	177	66.9%
Flintshire	403	437	8.4%
Wrexham	196	272	38.7%
Powys	551	504	-8.5%
Ceredigion	199	336	68.8%
Pembrokeshire	293	331	12.9%
Carmarthenshire	448	538	20.0%
Swansea	521	517	-0.8%
Neath Port Talbot	341	433	26.9%
Bridgend	177	232	31.1%
Vale of Glamorgan	378	271	-28.3%
Rhondda Cynon Taf	372	306	-17.7%
Merthyr Tydfil	95	102	7.4%
Caerphilly	114	-	-
Blaenau Gwent	145	149	2.3%
Torfaen	131	130	-0.8%
Monmouthshire	154	131	-14.9%
Newport	132	94	-28.8%
Cardiff	746	787	5.5%
<b>TOTAL</b>	<b>5,954</b>	<b>6,262</b>	<b>5.2%</b>

Note: Caerphilly was unable to provide data for 2018-19, due to technical issues with their ICT systems.

Source: StatsWales, [CARE0118: Adults receiving services by local authority](#)

2.22 The use of Direct Payments in Wales still lags behind England. Data published by NHS Digital Services<sup>12</sup> shows that in 2020-21, 26.6% of people who receive social care services including 75.3% of carers in England receive Direct Payments. Performance ranges from 19.8% of all service users in the north-east of England to 38.3% in the East Midlands.

### **Direct Payments are used differently across Wales and local authorities have different approaches in how they deal with unused funds**

- 2.23 How Direct Payments are used and what they pay for varies. Through our discussion with Direct Payment Forum members we found that some authorities have few, if any, restrictions and encourage people to use the money flexibly; paying for holiday accommodation, leisure activities, trips abroad and mobile phones. In comparison, other local authorities only allow Direct Payments to pay for practical help directly associated with an individual's personal care and define what Direct Payments can and cannot pay for.
- 2.24 Direct Payment service users and carers we surveyed raised concerns with this situation. One user of Direct Payments noted that: 'It would be very helpful to have a written list of what Direct Payments can actually be used for.' Another survey respondent summed up their experience as follows: 'The council does not make it clear how to spend the money. You still have to continually ask questions and the people in the council don't know the answers. The system is very slow and 'drawn out'. They are not flexible.'
- 2.25 Those who have similar support needs can also pool their Direct Payments to organise joint activities or services by taking some or all of their Direct Payment and adding these funds together to jointly purchase services<sup>13</sup>. This enables people to share the cost of activities, have the opportunity to spend more time with other people and get better value through increasing their spending power. However, we found that pooling budgets is very limited. And past approaches in some local authorities ended relatively quickly, despite the best endeavours of staff we interviewed.
- 2.26 Welsh Government guidance<sup>14</sup> requires local authorities to work flexibly, allowing Direct Payments recipients to be able to 'bank' any unused payment to use as and when they need to. However, in reality the approach taken by local authorities varies and some local authorities seek to recover unspent money. The findings from our survey of recipients (**Exhibit 5**) are echoed in the feedback we received from local authority staff where we found wide differences in approach.

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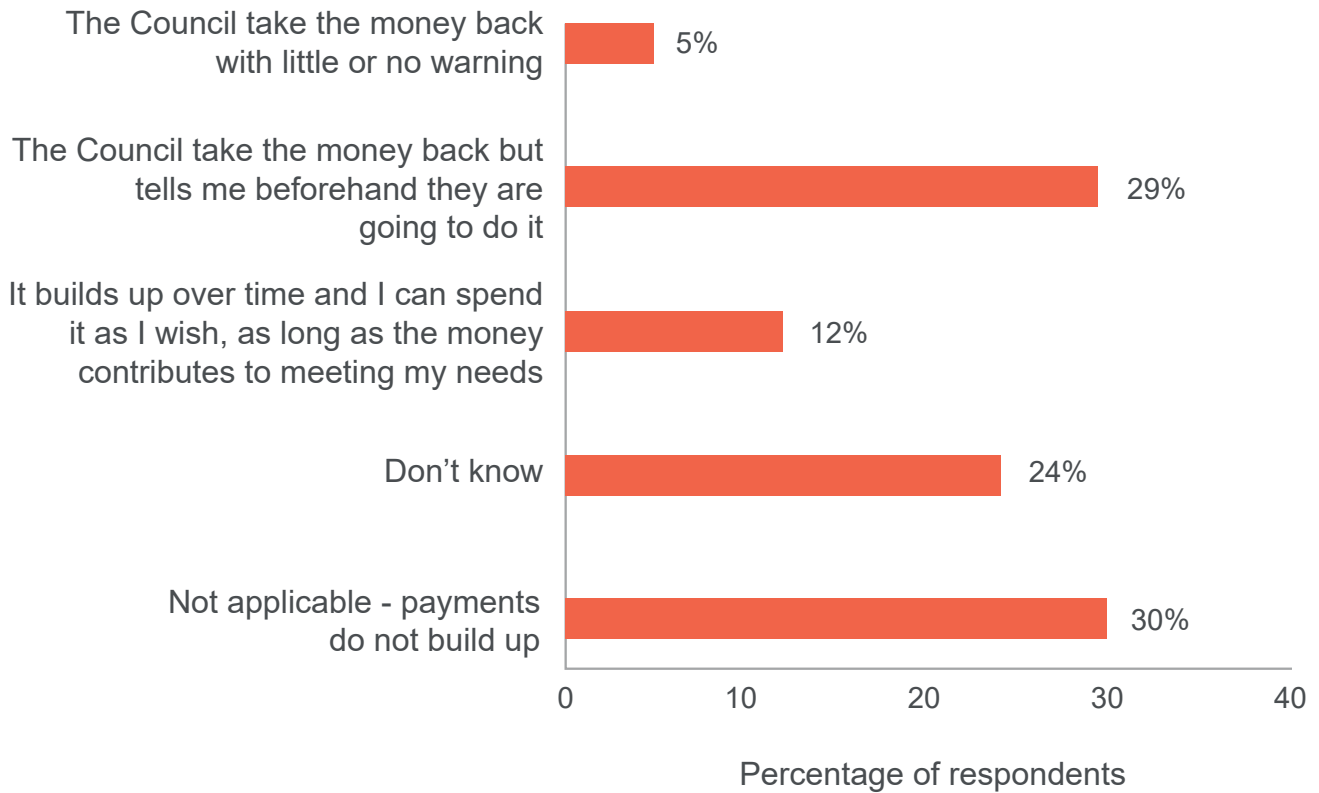
12 NHS Digital Services, [Adult Social Care Outcomes Framework](#), October 2021.

13 The Wales Co-operative Centre has published a guide setting out how people can pool budgets for Direct Payments, [Direct Payments: make them work for you](#)

14 [Social Services and Well-being \(Wales\) Act 2014: Part 4 Code of Practice \(Meeting Needs\)](#), 2015. Paragraph 159 notes that 'The flexibility inherent in direct payments means that recipients, or their representatives, must be able to adjust the amount of the direct payment they use from week to week. They must be able to 'bank' any unused payment to use as and when extra needs arise (this might particularly be relevant for those whose needs fluctuate).'

**Exhibit 5: Direct Payment recipients’ experiences of what happens to payments which build up**

Roughly one in eight recipients of Direct Payments build up ‘unused’ money to be used to meet future needs.



Source: Audit Wales, Survey of people receiving Direct Payments, September 2021

2.27 Taken together, our evidence highlights that further clarification, support and guidance are required to ensure that people are able to fully benefit from Direct Payments and receive a consistent standard of service.

## The interface between use of NHS continuing healthcare and social care on access to Direct Payments remains a problem

- 2.28 The Welsh Government's Programme for Government 2021 to 2026 includes a commitment to 'Improve the interface between NHS continuing healthcare and Direct Payments'. In August 2021, the Welsh Government strengthened the wording in the NHS Continuing Healthcare National Framework 2021 and Decision Support Tool.
- 2.29 Importantly, the new guidance reinforces the central ethos of individuals' right to exercise voice and control to decide how, when and who supports them to meet their eligible care and support needs, especially when transitioning from Direct Payments to NHS continuing healthcare. This includes providing specific examples of actions Local Health Boards can take to support this but also recognising that assessments needed to avoid putting up barriers and pushing service users from one service to the other. Theoretically therefore it should be possible for someone to receive a needs-led assessment that supports someone's independence, voice and control.
- 2.30 Some people we surveyed in receipt of Direct Payments noted a reluctance to access NHS continuing healthcare because they fear losing their Personal Assistants and the ability to determine who provides their services. They also raised concerns that the flexibility of Direct Payments – that enables them to access a wide range of non-traditional health and/or social care services that help improve their wellbeing – will be lost.
- 2.31 Direct Payment managers also noted instances where individuals with deteriorating health needs are refusing to access NHS continuing healthcare because of fear of losing the flexibility of Direct Payments and the wellbeing improvements it brings. Direct Payment managers and some providers also raised concerns that NHS colleagues are still not fully on board with service users 'driving' decision making and maximising the opportunity to promote independence, voice and control.





**Direct Payments  
are helping people  
live independently  
and improving their  
wellbeing, but it is  
difficult to assess  
overall value for money  
because of limitations  
in data and evaluation**

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**03**

3.1 In this final part of the report, we consider the impact of Direct Payments. We summarise spending on Direct Payments in Wales and highlight the variations between local authorities. Finally, we consider whether the current approaches to monitor and evaluate Direct Payments to ensure they provide value for money are effective.

### Local authorities who are delivering positive outcomes for people using Direct Payments



Evidencing that people's wellbeing is maintained or improving as a result of Direct Payments



Have a comprehensive system for monitoring and evaluating all aspects of Direct Payments



Involve and value input from all stakeholders/partners in evaluating the impact of services



Compare and benchmark individual and collective performance with others and use the findings of evaluation to shape current plans and future approaches



Know what works and whether the approach of the authority is delivering the aspirations of the Act

## **Direct Payments are seen as making an important contribution to recipients' wellbeing and independence**

- 3.2 Overall, the people we surveyed who receive Direct Payments provided positive feedback on the impact of Direct Payments. 91% of respondents to our survey stated that Direct Payments have had a positive impact on their independence and wellbeing. In addition, 85% stated that Direct Payments were definitely the right option for them. The majority of care and support providers who responded to our survey (87%) also agreed that Direct Payments are helping to support people's independence and maintain their wellbeing.
- 3.3 Some people we surveyed identified the critical role of Direct Payments in helping them remain independent. One Direct Payment recipient noted that: 'I get support to do everything I want to do and achieve' whilst another stated that: 'It's allowed me to do lots of new things and go out and enjoy and meet new people.' Another noted that: 'It (Direct Payments) gives choices and independence which have been very positive' and another that: 'the Direct Payments have enabled me to remain living in my own home'. Finally, one recipient stated that: 'I really like Direct Payments and how it lets me live as independently as I can.' And another person we surveyed noted that: 'Direct Payments allows me to have control and more importantly to have the care I need to be able to get the most out of life.' These comments were echoed by many others who responded to our survey.

## **It is difficult to assess the overall value for money of Direct Payments because systems for managing and evaluating performance are inadequate**

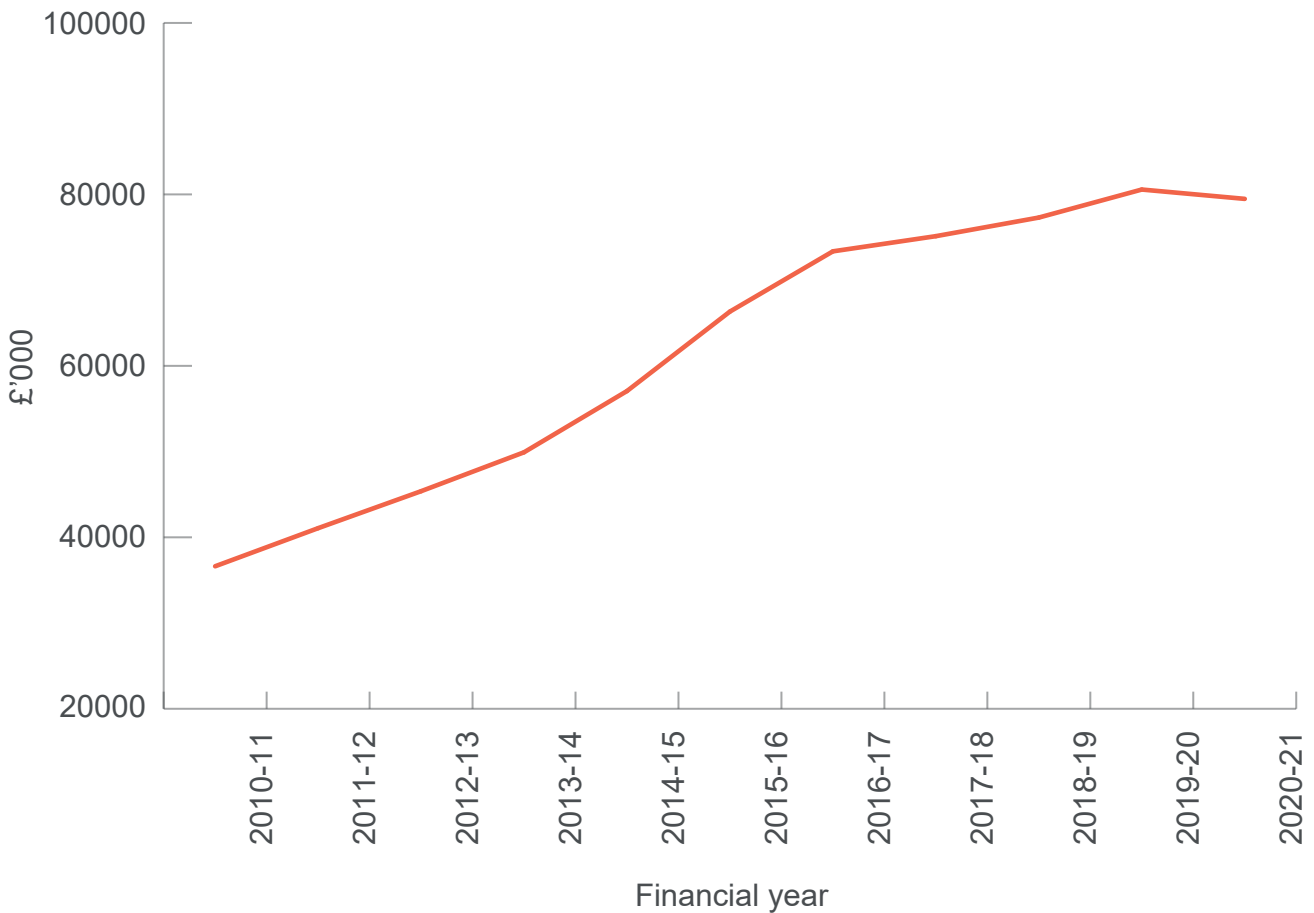
- 3.4 Despite the high value placed on Direct Payments by service users and carers, there is only a small range of national publicly reported indicators to judge performance. These simply cover the numbers receiving Direct Payments by need group (physical disabilities, learning disabilities, mental health and older people) and the amount spent on Direct Payments by local authority. The performance measures were revised following the implementation of the Social Services and Well-being (Wales) Act in 2014, and information has only been collated for three financial years: 2016-17, 2017-18 and 2018-19. Following the Welsh Government's decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been collected and reported nationally.

**Spending on Direct Payments has more than doubled in the last decade, but marginally fell in 2020-21. The average amount paid out per recipient varies widely**

3.5 The amount of money spent on Direct Payments is growing and in real terms, considering inflation, has increased from £36.6 million in 2010-11 to £79.5 million in 2020-21 – **Exhibit 6**.

**Exhibit 6: total spending on Direct Payments for adults by local authorities in real terms between 2010-11 and 2020-21**

Local authorities' spending on Direct Payments increased by 117% in the period but marginally fell in 2020-21.

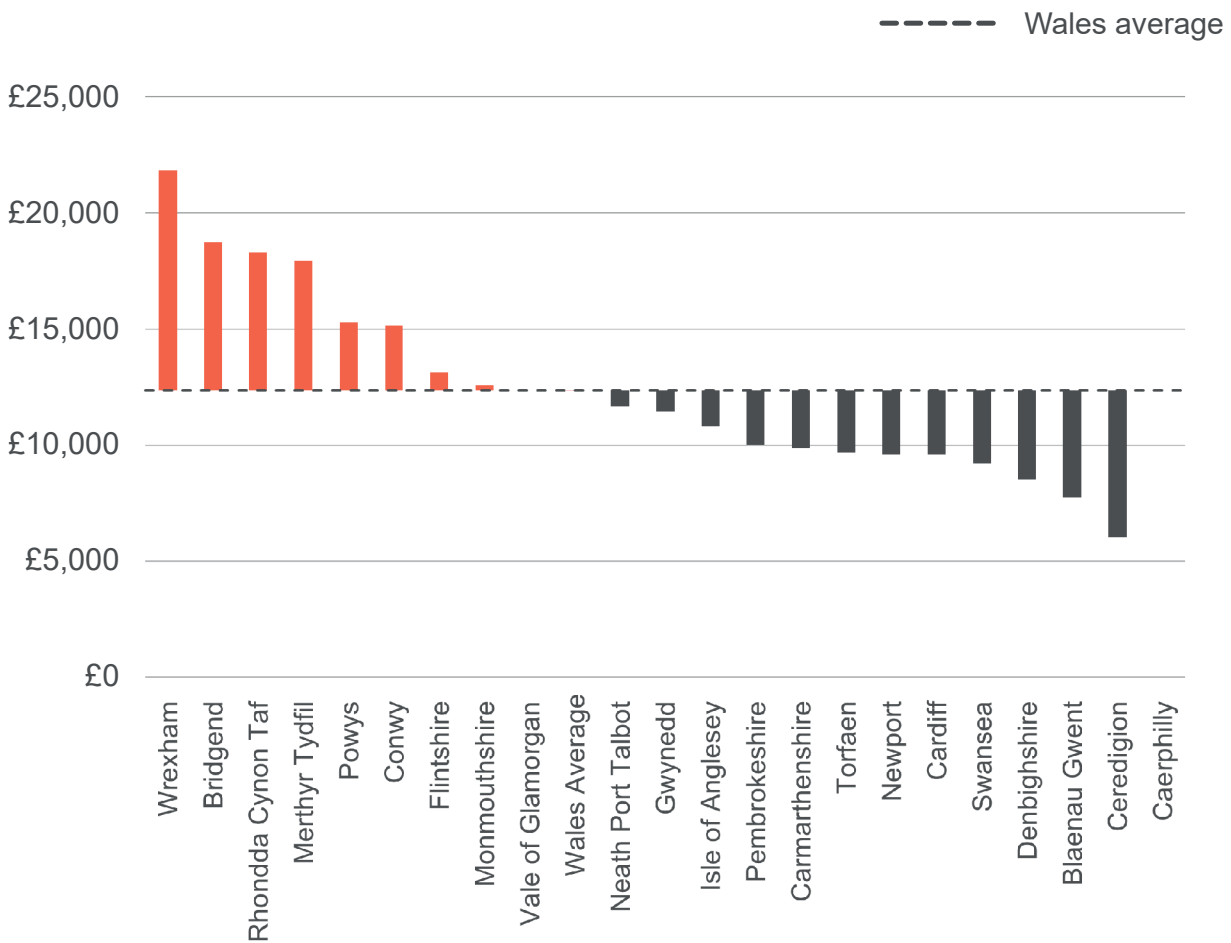


Source: StatsWales, [LGFS0015: Social services revenue outturn expenditure subjective analysis by authority](#). Analysis by Audit Wales

3.6 While each local authority is responsible for the format of care and support plans, they are required to be consistent across the country using the national eligibility criteria<sup>15</sup>. Our analysis in **Exhibit 7** shows that local authorities are paying out widely varying average amounts. Excluding Caerphilly, the average Direct Payment across Wales in 2018-19 in real terms was £12,344. This ranged from £6,033 per person in Ceredigion to £21,836, 3.6 times more, in Wrexham.

**Exhibit 7: average Direct Payment per recipient by local authority in 2018-19 in real terms**

The average amount people receive in Direct Payments varies widely across Wales.



Note: Caerphilly was unable to provide data on the number of recipients for 2018-19, due to technical issues with their ICT systems.

Source: StatsWales, [LGFS0015: Social services revenue outturn expenditure subjective analysis by authority](#) and [CARE0118: Adults receiving services by local authority and age group](#). Analysis by Audit Wales

15 The eligibility criteria are set out in the [Care and Support \(Eligibility\) \(Wales\) Regulations 2015](#) and the Welsh Government’s [Social Services and Well-being \(Wales\) Act 2014: Part 4 Code of Practice \(Meeting Needs\), 2015](#). Paragraph 39 of the Code of Practice notes that while people have a right to care and support from a local authority where that care and support are not otherwise available to them, the ‘pattern of service delivery will vary from authority to authority’.

3.7 Taking this information with the findings set out in **Part 2** of this report, we conclude that the policy choices and decisions of local authorities are resulting in people with similar needs receiving very different standards of service. Given the significant variation in approaches, the Welsh Government needs to set clear standards to ensure consistency for service users.

### **Systems for managing and evaluating performance are inadequate**

- 3.8 Local authorities are mostly focussing their performance management and evaluation on the numbers receiving services and the amount of money spent and not enough on impact, wellbeing and the wider benefits of investment. We found that only a fifth of Direct Payment managers believe that their local authority has robust measures in place and are able to judge quality, cost and outcomes of Direct Payments on individuals and for the local authority.
- 3.9 Through our engagement with Direct Payments lead officers across Wales, we found that most local authorities have some measures in place and evaluate some aspects of Direct Payments, but acknowledge it is not comprehensive and there are gaps. For instance, only:
- a a third capture information that helps to identify what is not working and what needs to change;
  - b a quarter capture and use information in real time;
  - c less than a fifth monitor how Direct Payments contribute to delivery of Corporate Priorities – for example, wellbeing goals, improvement objectives and service priorities; and
  - d less than a fifth capture positive and negative experiences from people who receive Direct Payments and know what it is like to receive them.
- 3.10 These weaknesses mean that it is not possible to fully evaluate and understand the performance or effectiveness of individual local authorities, or the efficiency and impact of Direct Payments. This makes it difficult to judge how well local authorities are performing and whether Direct Payments represent value for money in their own right or in comparison with other forms of social care.



# Appendices

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- 1 Audit methods and approach**
- 2 Determining eligibility for social care and support**
- 3 Adults receiving social care services organised by local authority in 2018-19**
- 4 Personal Assistant hourly pay rates by local authority**

# 1 Audit methods and approach

## Approach

We focused on local authorities' management and delivery of Direct Payments. The work follows on from our September 2019 report on [The 'Front Door' to Adult Social Care](#), which focussed on the impact of the Social Services and Well-being (Wales) Act 2014 and the prioritisation of preventative services to help reduce demand for social care services.

Our review assessed how Direct Payments are helping people to live independently and enable them to have more voice, choice and control. We looked at how Direct Payments help sustain their wellbeing and whether they are improving people's quality of life. We looked at how local authorities manage and encourage take up of Direct Payments and judge whether these services present value for money.

We established a study reference group and held project meetings with Care Inspectorate Wales, Carers Wales, the Older People's Commissioner, Age Cymru, the Welsh Government, and a small number of service users. The reference group helped to shape the focus of this review and provided challenge at our evidence review stage.

We managed delivery of the review to take account of the challenges facing social services in Wales in dealing with the pandemic. We ensured the scope and coverage of our fieldwork did not detract from local authority responsibilities towards service users and flexed our approach in discussion with individual local authorities when agreeing and delivering fieldwork.

## Methods

We completed our work between September 2020 and February 2022 and used a range of methods to inform our overall findings, conclusions and recommendations:

- **document review** – we reviewed Welsh Government, Association of Directors of Social Services Cymru and Social Care Wales documentation, guidance and announcements; local authority policy documentation and cabinet and committee papers; a range of materials on approaches for management of Direct Payments in England; and reports and information published by research bodies including the Joseph Rowntree Foundation, the Kings Fund and Think Local Act Personal.



- **focus groups** – we held:
  - three on-line focus groups with members of the All-Wales Direct Payments Forum made up of officers from each of the 22 Welsh local authorities with management responsibility for Direct Payments. In each of the focus groups, attendees completed a survey and we held facilitated discussions.
  - Carers Wales focus groups with Direct Payments service users and their carers.
- **local authority interviews** – we interviewed staff from Bridgend, Caerphilly, Cardiff, Flintshire, Gwynedd, Newport, Powys, Torfaen and Wrexham councils with responsibility for direct payments.
- **interviews with national bodies** – ADSS Cymru, the Welsh Local Government Association, British Association of Social Workers Cymru, Social Care Wales, Disability Wales, UK Home Care Association, Care Forum Wales, Wales Co-op Centre, the Equalities and Human Rights Commission Cymru, Wales School of Social Care Research, the Welsh Government, British Deaf Association and Think Local Act Personal.
- **surveys** – we undertook two surveys:
  - a commissioned telephone survey of service users and carers receiving Direct Payments. A total of 1,028 people from a database of 4,650 valid contacts were surveyed, with 71% completed via telephone and the remainder submitting online survey forms. Of this figure 5% surveyed are carers. All contacts were provided by local authorities using secure data transfer. The survey was conducted between 4 August and 24 September 2021, with 5% of responses completed in Welsh. Given our survey covers both service users and carers who receive Direct Payments, we report information at three levels. Where we say Direct Payment recipients, we mean both service users and carers; and where we specifically reference either ‘service users’ or ‘carers’ means the findings of the survey are specific to these distinct groups of people; and
  - a survey of individuals and agencies paid via Direct Payments to provide care and support to adults in need. The online open survey was completed between 11 June 2021 and 18 August 2021. We received a total of 166 responses, and these came from all 22 local authority areas, with 3% of responses completed in Welsh.
- **data analysis** – we analysed data published by StatsWales on Direct Payments expenditure, the number of adults receiving services and their needs. We also analysed data published by NHS Digital Services in England.

## 2 Determining eligibility for social care and support



Widely known as **the Information, Advice and Assistance service**, this is the front door to adult social care and is the first point of contact for most individuals looking for help.



At the first point of contact, individuals will be offered information, advice and assistance to help them make informed decisions about their wellbeing.

From here, local authorities will often signpost individuals to preventative or community-based services. If a person's needs cannot be met in that way, they will be directed to a professional social worker to discuss their needs in more detail.



Often referred to as the 'What Matters conversation', the assessment of needs undertaken with a social worker is a targeted conversation to gather more information about a person's strengths and needs, to identify the best solutions for them.



If a person's needs cannot be met without local authority support, a care and support plan is co-produced to set out how those needs will be met through the provision of services. This is often referred to as having 'eligible needs'.

These services can be arranged directly by the local authority or, alternatively, funded through Direct Payments – a monetary amount that can be used to purchase and arrange a person's own care and support.

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### 3 Adults receiving social care services organised by local authority in 2018-19

**Exhibit 8: adults receiving social care services organised by local authority in 2018-19**

Local authority	Total number of adults receiving social services	Number of adults in receipt of Direct Payments	Direct Payments as % of adults receiving services
Blaenau Gwent	3,826	149	3.9%
Bridgend	7,059	232	3.3%
Caerphilly	No data submitted due to technical issues with ICT systems		
Cardiff	15,331	787	5.1%
Carmarthenshire	7,658	538	7.0%
Ceredigion	2,595	336	12.9%
Conwy	7,060	239	3.4%
Denbighshire	2,872	177	6.2%
Flintshire	8,041	437	5.4%
Gwynedd	8,774	137	1.6%
Isle of Anglesey	3,382	139	4.1%
Merthyr Tydfil	2,696	102	3.8%
Monmouthshire	4,449	131	2.9%
Neath Port Talbot	3,371	433	12.8%
Newport	4,462	94	2.1%
Pembrokeshire	4,398	331	7.5%
Powys	5,827	504	8.6%
Rhondda Cynon Taf	7,094	306	4.3%
Swansea	8,932	517	5.8%
Torfaen	3,241	130	4.0%
Vale of Glamorgan	5,533	271	4.9%
Wrexham	8,814	272	3.1%
<b>Wales</b>	<b>125,415</b>	<b>6,262</b>	<b>5.0%</b>

Source: StatsWales, [CARE0118: Adults receiving services by local authority and age group](#)

Following the Welsh Government's decision to suspend data collection in response to the pandemic in 2020, no data on services other than expenditure has been reported nationally since 2018-19.

## 4 Personal Assistant hourly pay rates by local authority

The rates in the Vale of Glamorgan, Torfaen and Blaenau Gwent local authorities vary to take account of weekend, evening and unsocial hours working.

### Exhibit 9: personal assistant hourly pay rates by local authority

Local authority	Personal Assistants rate (per hour)
Merthyr	£12.94
Wrexham	£12.67
Swansea	£12.66
Flintshire	£12.63
Gwynedd	£12.62
Pembrokeshire	£12.40
Denbighshire	£12.33
Carmarthenshire	£12.20
Vale of Glamorgan	£11.24 - £12.18
Rhondda Cynon Taf	£12.15
Bridgend	£12.00
Torfaen	£8.72 - £11.85
Conwy	£11.75
Ynys Môn	£11.65
Powys	£11.41
Cardiff	£11.36
Monmouthshire	£11.04
Ceredigion	£11.00
Neath Port Talbot	£10.50
Blaenau Gwent	£8.72 - £10.00
Newport	£9.50
Caerphilly	£9.47

Source: Swansea Council, Corporate Management Team report, January 2021





Audit Wales  
24 Cathedral Road  
Cardiff  
CF11 9LJ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

We welcome telephone calls in  
Welsh and English.

E-mail: [info@audit.wales](mailto:info@audit.wales)

Website: [www.audit.wales](http://www.audit.wales)

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Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
<p>To ensure people know about Direct Payments, how to access these services and are encouraged to take them up, we recommend that local authorities: <b>R1 Review public information in discussion with service users and carers to ensure it is clear, concise and fully explains what they need to know about Direct Payments.</b></p>	<p>The Council's Direct Payment Policy has been reviewed and updated following feedback from service users, carers and staff and is subject to approval by Delegated Decision.</p> <p>Adult Services have recently reviewed its public information following feedback from service users, carers and staff that the existing information was not helpful. The new leaflet is designed to start with an explanation and to expand on the detail if the reader is interested to know more and will be available on the Council's website. An easy read version is being finalised for publication. Adult Services have also recorded service users on YouTube videos talking about their experience and demonstrating that a wide range of people access Direct Payments.</p> <p>Service users and staff have been complimentary of the changes made and agreed it addressed the concerns raised.</p>	<p>Seek approval of new Direct Payments Policy by Delegated Decision</p> <p>Update Council's website with new leaflet, including easy read version and You Tube videos.</p> <p>Share public information with staff, partner agencies and potential service users</p>	<p>Dec 2022</p> <p>Dec 2022</p> <p>Dec 2022</p>	<p>Neil Elliott</p> <p>Sian Nowell</p> <p>Sian Nowell</p>
<p>To ensure people know about Direct Payments, how to access these services and are encouraged to take them up, we recommend that local authorities: <b>R2 Undertake additional promotional work to encourage take up of Direct Payments</b></p>	<p>On approval of new Direct Payments Policy, training for all staff will commence to raise awareness and confidence and should have a positive effect on future take up.</p> <p>Adult Services will also arrange a social media campaign once the new Policy and public information is in place.</p>	<p>Commence awareness raising with staff through a series of training sessions.</p> <p>Launch social media campaign</p>	<p>Jan 2023</p> <p>Jan 2023</p>	<p>Sian Nowell</p> <p>Sian Nowell</p>

Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
To ensure people know about Direct Payments, how to access these services and are encouraged to take them up, we recommend that local authorities: <b>R3 Ensure advocacy services are considered at the first point of contact to provide independent advice on Direct Payments to service users and carers.</b>	<p>Advocacy options are available to all Direct Payment service users, promoting a service users led approach.</p> <p>Service users are referred to Dewis: Centre for independent living, who are Adults Services commissioned advisory service and support provider for Direct Payments if someone is interested in Direct Payments. They provide information around the benefits; how Direct Payments operates in detail and what support is available for people.</p>	No further action required	Not applicable	Not applicable
To ensure Direct Payments are consistently offered we recommend that local authorities: <b>R4 Ensure information about Direct Payments is available at the front door to social care and are included in the initial discussion on the available care options for service users and carers.</b>	Once a care need is determined, a conversation about options, including Direct Payments takes place at Adult Services Single Point of Access (SPA) with service users. There is also a requirement to discuss Direct Payments and other service offers to meet assessed need at assessment stage.	No further action required	Not applicable	Not applicable
To ensure Direct Payments are consistently offered we recommend that local authorities: <b>R5 Provide training to social workers on Direct Payments to ensure they fully understand their potential and feel confident promoting it to service users and carers.</b>	<p>Staff guidance has been reviewed and updated.</p> <p>Staff awareness and training will start following approval of new updated Policy. (Reference R2 above).</p>	Commence awareness raising with staff through a series of training sessions.	Jan 2023	Sian Nowell



Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
<p>To ensure there is sufficient Personal Assistant capacity, we recommend that local authorities through the All-Wales local authority Direct Payments Forum and with Social Care Wales: <b>R6 Work together to develop a joint Recruitment and Retention Plan for Personal Assistants.</b></p>	<p>Dewis: Centre for independent living, is Adults Services commissioned Direct Payments support provider. This includes supporting the recruitment of Personal Assistants for Direct Payment service users.</p> <p>Recruitment and retention of Personal Assistants, like other social care staff is a significant challenge currently and Dewis: Centre for independent living, like other support providers are supported by the Regional Cwm Taf Workforce Development Team to deliver training and support opportunities for Personal Assistants.</p> <p>The development of an overarching social services workforce development strategy is progressing, and will include actions that will support options to increase recruitment and retention of social care workers, including Personal Assistants</p>	<p>Complete overarching workforce development strategy</p>	<p>Mar 2023</p>	<p>Neil Elliott</p>
<p>To ensure services are provided equitably and fairly we recommend that local authorities and the Welsh Government: <b>R7 Clarify policy expectations in plain accessible language and set out:</b></p> <ul style="list-style-type: none"> <li>• what Direct Payments can pay for</li> <li>• how application and assessment processes, timescales and review processes work;</li> </ul>	<p>The Council's Direct Payment Policy has been reviewed and updated following feedback from service users, carers and staff and is subject to approval by Delegated Decision. (Reference R1 above).</p> <p>In addition, Adult Services following a review of its Direct Payments offer is also diversifying its current offer through social and micro enterprise development in partnership with Community Catalyst.</p>	<p>Seek approval of new Direct Payments Policy by Delegated Decision</p> <p>Commence Community Catalyst pilot</p>	<p>Dec 2022</p> <p>March 2023</p>	<p>Neil Elliott</p> <p>Mari Ropstad</p>

Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
<ul style="list-style-type: none"> <li>• how monitoring individual payments and the paperwork required to verify payments will work</li> <li>• how unused monies are to be treated and whether they can be banked; and</li> <li>• how to administer and manage pooled budgets.</li> </ul> <p>Public information should be reviewed regularly (at least every two years) to ensure they are working effectively and remain relevant.</p>				
<p>We recommend that the Welsh Government: <b>R8 Ensure that people who receive both NHS continuing healthcare and Direct Payments have greater voice, choice and control in decision making</b></p>	<p>Welsh Government recommendation</p> <p><b>Note:</b> Welsh Government are currently consulting on the means to deliver better access to Direct Payments for people eligible for CHC funding to support greater voice, choice and control in decision making</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Not applicable</p>
<p>To effectively manage performance and be able to judge the impact and value for money of Direct Payments, we recommend that local authorities and the Welsh Government: <b>R9 Work together to establish a system to fully evaluate Direct Payments that captures all elements of the process – information, promotion, assessing,</b></p>	<p>Await steer from Welsh Government regarding development of a Direct Payment evaluation system so consistent with other Local Authorities.</p> <p>At the outset of the Direct Payments Policy review Adult Services engaged using a community of enquiry approach with service users, carers and staff to seek their views from their experiences of using Direct Payments. This information had a</p>	<p>Retake Direct Payment survey with staff, service users and carers to review success of the introduction of the new Policy and approach to Direct Payments.</p>	<p>June 2023</p>	<p>Sian Nowell</p>

Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
<b>managing and evaluating impact on wellbeing and independence</b>	<p>significant influence on the work undertaken to make improvements and the draft changes were returned for further consultation to confirm that we had captured their views effectively in the new documentation, training, and guidance.</p> <p>It is intended to routinely survey staff, service users and carers following the introduction of the Policy and changed approach to maintain its relevance going forward.</p>			
<p>To effectively manage performance and be able to judge the impact and value for money of Direct Payments, we recommend that local authorities and the Welsh Government: <b>R10</b></p> <p><b>Annually publish performance information for all elements of Direct Payments to enable a whole system view of delivery and impact to support improvement</b></p>	<p>Current national metrics relating to Direct Payments required by Welsh Governments, include</p> <p><b>AD/013:</b> The total number of adults with a care and support plan where needs are met through a Direct Payment on 31st March</p> <p><b>AD/018:</b> The number of care and support plans for adults supported by Direct Payments that were due a review during the collection year</p> <p><b>AD/019:</b> The number of care and support plans for adults supported by Direct Payments that had at least one review during the collection year.</p> <p>Plus, the total number of adults on 31<sup>st</sup> March with a care and support plan by Direct Payments</p>	No further action required	Not applicable	Not applicable

Recommendations The Council should	Council's Response	Next Steps	Timescale	Responsible Officer
	<p>Not aware of any plans Welsh Government have to review/add to Direct Payments performance measures. Will adapt Adult Services reporting once Welsh Government advice received, if required.</p> <p>Adult Services local performance dashboards include information relating to Direct Payments. Plus, information relating to Direct Payments is captured through quarterly monitoring of Dewis: Centre for Independent Living Contract.</p> <p>Information on Direct Payments is included in the Annual Directors Report.</p>			