

Health and Adult Social Care Scrutiny Committee

Friday 21 January 2022

Financial Assessments Improvement Programme – Supplementary Information

Following the publication of committee papers and to assist HASC scrutiny of Agenda Item 6 - Financial Assessments Improvement Programme, this paper provides the Committee with additional detail and clarification, in response to the recommendations and narrative included within Healthwatch West Sussex's submission (p.41 – 47 of the agenda pack).

Responses to the recommendations as set out in the Healthwatch West Sussex report

- *An external audit of any assessments (care and financial) carried out since January 2021 where an individual's assessed contribution has increased by over £10 per week and to remedy any findings.*
 - The Council does not believe that there is any basis arising from the change in the charging policy to believe that the quality or appropriateness of care assessments is anything but of good quality, therefore there is no basis to require these to be reviewed.
 - Throughout the Covid-19 pandemic, with staff resources at an absolute premium, the Council continues to undertake to explore and review any issue, whether with the care or financial assessment and therefore would question the appropriateness of prioritising resources to undertake an external audit of the assessments undertaken since January 2021.
 - An external audit would extend the uncertainty for individuals unnecessarily, not least in that the Council has repeatedly confirmed that it is willing to investigate any issue or concern that an individual has.
 - The Council commissioned Civica, a respected external company with demonstrable expertise in financial assessments and the requirements of the Care Act, to undertake a significant part of the financial assessment exercise, in order to provide additional resources and to expedite the process.
- *Adjust the re-assessed contribution effect date from January 2021 to the date the Council supplied a written breakdown of calculation of the contribution to the individual (as required in the Care Act).*
 - The Council informed all customers before March 2020 that the review of financial assessments was going to happen and again before it happened i.e. the letter sent in January 2021. In every case a breakdown of the revised financial assessment was sent to the individual. The Council had already taken the decision not to backdate any changes beyond January 2021, recognising that the delay in implementation of the policy change was as a consequence of decisions made by the Council.
- *Mandatory disability awareness training for all financial assessment staff by the end of the first quarter of 2022/23 that provides learning to improvement practice and communication.*

- Disability awareness training has been undertaken by staff since 2018 and continues to be part of the approach to inducting and continuously developing staff. The Council is keen to learn from the experiences, including those where staff may not have shown appropriate awareness and react to this however, there have also been a number of compliments paid by individuals to our staff, thanking them for their support and openness.
- *The Council Quality Assurance process is extended to include the end of the customer journey for Adult Social Care, including case audits of staff twice yearly.*
 - The Council undertakes to explore this approach, as part of its quality assurance processes.
- *Community organisations that support people who may or receive adult social care are given an appropriate level of information/training so they can support people going forward.*
 - The Council is committed to providing public information regarding financial assessments in plain English and accessible formats and will explore the support to the wider social care community further in terms of the delivery of information and training further.
- *Communication and written resources are co-produced with Healthwatch relevant community partners and people who may need adult social care in the future by the end of this financial year.*
 - The Council has already committed to working with Healthwatch to develop and improve public communication and information and is happy to continue to commit to this, similarly the Council would welcome engaging with more community partners to support this approach.

Additional Information

The Committee is asked to take into consideration a number of points contained within the Healthwatch report, which are believed to be inaccurate/misleading, examples of which are detailed as follows:

- The Council does not dispute that there have been instances of individuals and their families or carers that have experienced stress and anxiety, which are a consequence of the changes arising from the review of financial assessments and to the outcome and impact of the revised financial assessment.
- *"The Council has confirmed its Policy, which was due for review at the end of September 2021 needs to be improved."* (p.4).

It should be noted that the Policy was scheduled for review, in line with the need to ensure all areas of the Councils work are periodically considered to see if changes and improvements should be made.

- *"The financial assessment services to ensure the Welfare Benefit Advisers are available to ensure all benefits are maximised. The Council has shared that the advisers were needed for other pandemic work, so it is unclear how much support was available from Welfare Benefit Advisors at the time the Council issued letter and when a lot of the assessment work was carried out." (p.5).*

Healthwatch were informed that resources had on occasion been stretched as the Council implemented necessary changes to financial assessments and responded to the demands of the Covid-19 pandemic. Support was however prioritised to individuals throughout the process of reviewing financial assessments.

- *"Both individuals and the Council have told us that historical Disability Related Expenses (DRE) and care assessment information have been used in the reassessments that have happened since January 2021. When individuals or families/advocates have queried this, the Council has retrospectively reassessed the DREs. However, this is not happening routinely, with the onus being on those receiving care (or their families/advocates) to rectify rather than the Council" (p.5).*

The Council is dependent upon individuals or their representatives informing them of changes in their circumstances, which then allows the Council to undertake an appropriate review. This applies to any potential DREs that need to be taken into account through reviews.

- *"Vulnerable people have been asked to contribute to care that has ceased, either because of shielding under the extremely vulnerable measures or through a lack of available support arising from the pandemic. People feel this is unfair, particular given the impact isolation will have had on them and those that care for them." (p.7).*

The Council was aware that customers were not receiving services, in particular day services and agreed that all day service only customers would be reviewed and charges cancelled on the basis of information supplied by the providers. Additionally, when customers contacted the Council who had more than just day services, then charges were cancelled, e.g. a person may have day service and respite both of which were difficult to access. To proactively alert customers and/ or carers to the situation a letter was issued in June 2020, which requested that customers contact the Council if they were not in receipt of services and that charges would continue if the Council was not contacted. Those customers who responded were supported by social workers to arrange alternative support to ensure the customers safety.

Complaints

The Council is actively addressing any concerns or issues related to financial assessments and will consider matter raised at no cost to the individual, as whilst any issues are being explored, any additional charge will be suspended until the situation is resolved. It is clearly not the intention of the Council to create any distress to individuals and it is committed to resolving any instance where there is misunderstanding and/ or any mistake within the financial assessment. It is however also important that the Council implements decisions made and applies

policies consistently. This is all evidenced by the progress that the Council has made in addressing issues and complaints raised to date. The Council would, of course, be very willing to explore or investigate further any individual instances that Healthwatch is able to share with us.

The Council has invested significant effort into resolving the issues raised by individuals and has had resolved these issues for the vast majority of them. Out of approximately 6,400 non-residential care clients 3,750 (58.5%) had a full financial re-assessments in 2021, in total the Council has received approximately 350 formal complaints (approximately 5.5% of the total non-residential cohort) and those outstanding numbered 174 (2.7%) at the time of writing the HASC report, which has now reduced further to 92 (1.4%) as of 11 January 2022.

The majority of complaints were not related to the charging policy change relating to the value of the Minimum Income Guarantee (MIG). Most were as a result of individuals disclosing that their income had increased since their previous financial assessment, whilst others related to not being able to access day care during the pandemic. Of those complaints that weren't related to the value of the MIG, the majority were related to a change in financial circumstances, including the DREs that an individual felt were relevant to their circumstances. Prior to this exercise there had been very few issues raised in relation to the value of their DREs. The review of DREs was undertaken separately from the financial assessment, e.g. a separation of duties to avoid any conflict of interest.

The Council is aware that there is more that can be done to improve transparency and understanding and is committed to continuing this work. The Council has committed significant resources to addressing all of the issues raised and has completed this in the majority of cases.

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