



Social Policy, Policy Development and Scrutiny Panel

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

25 October 2019

A meeting of the **Social Policy, Policy Development and Scrutiny Panel** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre** on **Friday 1 November 2019** at **9:30am**.

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Confirm Draft Minutes of Meeting of Social Policy, Policy Development and Scrutiny Panel held on Friday 30 August 2019 (herewith)
5. Revenue Budget Strategy 2020/21 to 2022/23 - Potential Additional Saving Measures - Report by Head of Social Policy (herewith)
6. Chief Social Work Officer's Annual Report 2018-2019 - Report by Chief Social Work Officer (herewith)
7. Scottish Government's Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care - Report by Head of Social Policy (herewith)

DATA LABEL: Public

8. Performance Report - October 2019 - Report by Head of Social Policy (herewith)
9. Social Policy Contract Activity Update - Report by Head of Social Policy (herewith)
10. Workplan (herewith)

NOTE **For further information please contact Anastasia Dragona on tel. no. 01506 281601 or email anastasia.dragona@westlothian.gov.uk**

CODE OF CONDUCT AND DECLARATIONS OF INTEREST

This form is to help members. It is not a substitute for declaring interests at the meeting.

Members should look at every item and consider if they have an interest. If members have an interest they must consider if they have to declare it. If members declare an interest they must consider if they have to withdraw.

NAME	MEETING	DATE

AGENDA ITEM NO.	FINANCIAL (F) OR NON-FINANCIAL INTEREST (NF)	DETAIL ON THE REASON FOR YOUR DECLARATION (e.g. I am Chairperson of the Association)	REMAIN OR WITHDRAW

The objective test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.

Other key terminology appears on the reverse.

If you require assistance, please ask as early as possible. Contact Julie Whitelaw, Monitoring Officer, 01506 281626, julie.whitelaw@westlothian.gov.uk, James Millar, Governance Manager, 01506 281695, james.millar@westlothian.gov.uk, Carol Johnston, Chief Solicitor, 01506 281626, carol.johnston@westlothian.gov.uk, Committee Services Team, 01506 281604, 01506 281621 committee.services@westlothian.gov.uk

SUMMARY OF KEY TERMINOLOGY FROM REVISED CODE

The objective test

“...whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor”

The General Exclusions

- As a council tax payer or rate payer or in relation to the council's public services which are offered to the public generally, as a recipient or non-recipient of those services
- In relation to setting the council tax.
- In relation to matters affecting councillors' remuneration, allowances, expenses, support services and pension.
- As a council house tenant, unless the matter is solely or mainly about your own tenancy, or you are in arrears of rent.

Particular Dispensations

- As a member of an outside body, either appointed by the council or later approved by the council
- Specific dispensation granted by Standards Commission
- Applies to positions on certain other public bodies (IJB, SEStran, City Region Deal)
- Allows participation, usually requires declaration but not always
- Does not apply to quasi-judicial or regulatory business

The Specific Exclusions

- As a member of an outside body, either appointed by the council or later approved by the council
- The position must be registered by you
- Not all outside bodies are covered and you should take advice if you are in any doubt.
- Allows participation, always requires declaration
- Does not apply to quasi-judicial or regulatory business

Categories of “other persons” for financial and non-financial interests of other people

- Spouse, a civil partner or a cohabitee
- Close relative, close friend or close associate
- Employer or a partner in a firm
- A body (or subsidiary or parent of a body) in which you are a remunerated member or director
- Someone from whom you have received a registrable gift or registrable hospitality
- Someone from whom you have received registrable election expenses

MINUTE of MEETING of the SOCIAL POLICY, POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 30 AUGUST 2019.

Present – Councillors Angela Doran (Chair), Dave King, Sarah King, Dom McGuire and Damian Timson

Apologies – Councillor Charles Kennedy and Senior People’s Forum Representative Maureen Finlay

Absent – Councillor George Paul

1 DECLARATIONS OF INTEREST

There were no declarations of interest made.

2 ORDER OF BUSINESS

The Chair ruled that agenda item 6 would be considered before agenda item 5.

3 MINUTE

The panel approved the minute of its meeting held on 17 May 2019 as a correct record. The Chair thereafter signed the minute.

4 TRANSFORMING YOUR COUNCIL REVIEW OF ADULT DAY CARE (INCLUDING COMMUNITY TRANSPORT) (SJ1A) AND EFFICIENCIES IN THE PROVISION OF CONCESSIONARY LEARNING DISABILITY AND PHYSICAL DISABILITY TRANSPORT (SJ1E)

The panel considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on the progress of the measures associated with the Transforming Your Council (TYC) review of adult day care and the provision of concessionary transport for adults with a disability.

The council’s agreed revenue budget strategy for the five years 2018/19 to 2022/23 included a revised measure to review adult day care services. The review would cover a number of elements, and engagement work with stakeholders was ongoing to help inform the review. Appendix 1 to the report contained the integrated impact assessment completed prior to the review.

Officers clarified that the engagement exercise was a targeted process which utilised a number of approaches and confirmed that alternative proposals that might emerge from the engagement process, especially in

relation to material changes, would be given due consideration.

Further development was required regarding Community Transport and Ancillary Support services, while officers also proposed to redesign the model for concessionary transport, allowing savings to be delivered without impacting on quality of service. Officers reassured members that individual transport needs would always be met.

Finally, the report indicated that the outcome of the review would be reported at budget setting in early 2020.

It was recommended that the panel:

1. Note that the Council at its budget setting meeting on 13 February 2018 had agreed to a measure (SJ1a) to review adult day care services with a saving of £755,000 to be delivered in 2020/21 and further note that the phasing had been amended at the budget setting meeting on 19 February 2019;
2. Note that the Council at its budget setting meeting on 13 February 2018 had agreed to a measure (SJ1e) for efficiencies in the provision of concessionary learning disability and physical disability transport with a saving of £41,000 to be delivered in 2020/21;
3. Note that the Council directed officers to present proposals for both measures to the Social Policy PDSP and Council Executive;
4. Note that following the TYC consultation in 2017, the revised model for adult day care required to be based on the retention of the three existing day care centres; and
5. Note that engagement with day care service users was being undertaken and that this would be used to inform the Integrated Impact Assessment.

Decision

1. To note the contents of the report.
2. To agree the recommendations that would be presented to a future meeting of Council Executive.

5 CONTRIBUTIONS POLICY FOR ADULT NON-RESIDENTIAL SOCIAL CARE

The panel considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on the implementation of the contributions policy for adult non-residential social care as well as details of proposed revisions to the policy as a result of the annual policy review.

The report indicated that the council had introduced its new contributions policy in October 2018, and service users who had been assessed as

having to make a contribution towards their package of care had been invoiced. This had resulted in a number of enquiries from service users, which had been dealt with in line with the agreed policy and procedures and West Lothian Council's Anti-Poverty Strategy.

Following feedback from officers, benchmarking with other authorities and engagement with service users, the Contributions Policy approved in September 2018 had been reviewed and proposed changes were marked on the version in Appendix 2. The equality impact assessment undertaken at the time of policy development was shown in Appendix 1.

During discussion, members were reassured that service users requesting to have elements of their care reduced were appropriately assessed to ensure any risks to them were eliminated.

In response to a query, it was noted that full benchmarking information against other local authorities with regard to contributions for adult non-residential social care services could be found in Appendix 1 to the *Contributions Policy for Non-Residential Social Care Services* report submitted to Council Executive on 11 September 2018.

It was recommended that the panel:

1. Note that on 14 May 2019, full council resolved that officers should provide a report to Social Policy PDSP to outline the uptake of the policy as well as the range of mitigating measures in place to ensure people were not entering into poverty as a result of the policy;
2. Note and consider the recommended revisions to the policy in section D.6 of the report, which was intended to be submitted to Council Executive for approval; and
3. Note and consider the recommendation in relation to the date of the annual review of the policy in section D.7 of the report, which was intended to be submitted to Council Executive for approval.

Decision

1. To note the contents of the report.
2. To agree the recommendations that would be presented to a future meeting of Council Executive for approval.

6 CARE INSPECTORATE INSPECTIONS FOR CHILDREN & FAMILIES SERVICES

The panel considered a report (copies of which had been circulated) by the Head of Social Policy informing members of the inspection grades achieved by Children & Family services during the period April 2018 to March 2019.

The report indicated that the Care Inspectorate work aimed to improve the

quality of care services. The contents and areas of focus of a typical visit were then set out and it was noted that inspection visits could be unannounced.

The quality inspection reports from the Care Inspectorate of Services for Children and Young People showed that of all areas assessed, 100% had been awarded grades of 3 (Adequate) or above with 37% awarded grade 5 (Very Good). Appendix 1 to the report contained an overview of the grades achieved by Children & Family services over the past year following inspections.

It was recommended that the Panel note the performance of Children and Families Services inspected by the Care Inspectorate between April 2018 and March 2019 and recognise the high standards and positive inspection reports achieved.

The panel congratulated Children & Family services on the high standard of their work and the positive results achieved at inspection.

Decision

To note the contents of the report.

7 NATIONAL STATISTICS PUBLICATION: CHILDREN'S SOCIAL WORK STATISTICS SCOTLAND 2017/18

The panel considered a report (copies of which had been circulated) by the Head of Social Policy advising members of the National Statistics Publication *Children's Social Work Statistics Scotland 2017/18*.

The *Children's Social Work Statistics Scotland Bulletin*, attached to the report as an appendix, highlighted that in many aspects the figures for West Lothian did not vary greatly from the national averages. West Lothian had adopted an early intervention and prevention approach and continued to work with partners to ensure that children and young people had the best start in life and were ready to succeed.

It was recommended that the Panel:

1. Note the Scottish national statistics in relation to:
 - looked after children and young people
 - child protection and
 - young people in secure care; and
2. Note the performance of West Lothian Council in comparison to national figures.

Decision

To note the contents of the report.

8 2018/19 FINANCIAL PERFORMANCE - MONTH 12 MONITORING REPORT

The panel considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on the financial performance of the Social Policy portfolio for the General Fund Revenue budget.

The position for the Social Policy portfolio was an underspend of £1.956 million and was part of the overall outturn position for 2018/19 which had been reported to Council Executive on 25 June 2019.

The overall position reflected the very challenging financial position the council was facing after many years of funding constraints and requirements to make significant savings with demand for services continuing to grow. Specifically for the Social Policy portfolio, there were key risks around the ability to meet growing demands for care provision in the challenging economic environment due to demographic growth and price pressures, both of which were well in excess of the current rate of inflation.

Finally, it was noted that the council's risk-based approach to budget monitoring would ensure that effective action was taken to manage risks during the course of the financial year. Officers would continue to provide updates on risks as part of the quarterly budget monitoring reporting to Council Executive.

It was recommended that the Panel:

1. Note the financial performance of the Social Policy portfolio for 2018/19;
2. Note that the Social Policy portfolio position for the year formed part of the outturn reported to Council Executive on 25 June 2019; and
3. Note any actions required to be taken by Heads of Service and budget holders to manage spend within available resources.

Decision

To note the contents of the report.

9 WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.



SOCIAL POLICY POLICY DEVELOPMENT AND SCRUTINY PANEL

REVENUE BUDGET STRATEGY 2020/21 TO 2022/23 – POTENTIAL ADDITIONAL SAVING MEASURES

REPORT BY HEAD OF SOCIAL POLICY

A. PURPOSE OF REPORT

This report provides the Panel with a summary of potential additional saving measures within the remit of the Panel for their scrutiny.

B. RECOMMENDATION

It is recommended that the Panel:

1. Notes the revised estimated budget gap of £6.730 million as the latest planning assumption for the three years 2020/21 to 2022/23;
2. Notes the potential additional saving options identified by officers within the Social Policy portfolio, as set out in Appendix 1, including service developments which would generate additional savings, noting that these are provided for information at this stage and could potentially be utilised to address any remaining budget gap;
3. Notes and considers the Integrated Relevance Assessments undertaken on the potential options as included in Appendix 1.
4. Notes that, where a full Integrated Impact Assessment (IIA) is assessed as being required, that this will be completed in advance of any of these measures being presented to the budget setting meeting and will be included in the budget report;
5. Notes that, in relation to revenue budget reduction measures, decisions by members which substantially change or delete decisions made by Council at the annual budget setting meeting each year must be made at full Council;
6. Notes that the Head of Finance and Property Services will continue to review and refine the budget model assumptions and present a three year detailed revenue budget for 2020/21 to 2022/23 to Council in February 2020 for consideration and approval.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | Being honest, open and accountable, making the best use of resources, focusing on our customers' needs and working in partnership. |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | The council is required to approve a balanced revenue budget for each financial year. Audit Scotland, Accounts Commission and Chartered Institute of Public Finance and Accountancy (CIPFA) best practice guidance recommends medium term financial plans are prepared for at least five years, and detailed budgets are prepared for at least three years. |

The initial equality impact of the options has been assessed in compliance with public sector duty requirements as set out in the Equality Act 2010, the

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and Fairer Scotland Duty, Part 1 of the Equality Act 2010.

III Implications for Scheme of Delegations to Officers	No implications at this stage.
IV Impact on performance and performance Indicators	Ongoing restraint in relation to government grant funding inevitably has implications for the council's budget and performance.
V Relevance to Single Outcome Agreement	The revenue budget provides resources necessary to help deliver the Single Outcome Agreement, Corporate Plan priorities and council activities. Effective prioritisation of resources is essential to achieving key outcomes.
VI Resources - (Financial, Staffing and Property)	Scottish Government revenue grant funding is not sufficient to meet the increasing costs and demand for services. Based on updated budget assumptions, the council faces an estimated budget gap of £6.730 million for 2020/21 to 2022/23.
VII Consideration at PDSP	<p>The Partnership and Resources PDSP considered the proposed approach to reviewing the ideas from the Transforming Your Council (TYC) consultation on 1 June 2018. An update on the results of the review was presented to the panel on 5 October 2018.</p> <p>Three reports on the revenue budget position, covering the updated budget gap, potential additional saving measures, potential council tax scenarios and the review of the loans, insurance and modernisation funds, were considered by the Partnership and Resources PDSP on 12 September 2019. The Panel noted that the potential savings options would be reported in more detail to relevant PDSPs.</p>
VIII Other consultations	Depute Chief Executives and Heads of Service

D. TERMS OF REPORT

D.1 Background

On 19 February 2019, West Lothian Council agreed an updated financial plan for four years and detailed revenue budgets for the two years 2019/20 and 2020/21. This complies with best practice which states that public bodies should focus on their medium to long term sustainability.

D.2 Summary of Relevant Committee and Elected Member Decisions

In June 2018, Council Executive considered a review of councillor involvement in financial planning. A number of planning principles and recommendations were agreed:

- The council should continue to have a five year revenue strategy, aligned with political administrations, and detailed three year budgets.

- Potential budget saving measures required to address the remaining budget gap to 2022/23 should be considered by the relevant PDSP before presentation to Council or Council Executive.
- Where timescales permit, all potential additional future savings measures should be considered by PDSP before approval by Council or Council Executive, with the only exceptions relating to factors out with the council's control such as late amendments to the local government finance settlement.

As noted above, the updated medium term financial plan for 2019/20 to 2022/23 was presented to Council in February 2019. When approving the updated plan Council:

- Noted that agreement of the budget reduction measures in the report left a balance of savings to be identified of £4.4 million for 2020/21 to 2022/23.
- Agreed that officers should consider options to address the remaining budget gap, including potential additional efficiency measures and use of the new council tax flexibility, whilst minimising any adverse impact on service delivery, and that options will be brought back to elected members for consideration in 2019/20.

Council agreed on 19 March 2019 that future decisions by members which substantially change or delete budget reduction measures agreed when setting the revenue budget, should be made by Council.

D.3 Estimated Budget Gap for 2020/21 to 2022/23

The Partnership and Resources PDSP considered a budget update and potential additional saving measures report on 12 September 2019. This report included information on current assumptions regarding the council's estimated budget gap for the period 2020/21 to 2022/23.

Taking account of the anticipated changes, the revised budget gap is £6.730 million. The updated budget model gap, compared to the revised saving measures and the revised financial value for eligibility and contributions agreed savings is as follows:

Table 1: Updated Budget Gap

	2020/21 £'000	2021/22 £'000	2022/23 £'000	Total £'000
Updated Budget Gap	13,687	11,668	12,504	37,859
Revised Savings	(11,105)	(9,112)	(10,315)	(30,532)
Updated Eligibility & Contributions Savings	(300)	(58)	(239)	(597)
Estimated Remaining Budget Gap	2,282	2,498	1,950	6,730

At this stage, the updated gap is for budget planning assumptions only. It is not proposed, at this time, that agreement is sought by Council to agree and implement the changes outlined above. In line with the requirement to report items that substantially change or delete approved savings to full Council, it is proposed that the changes will be incorporated into the updated three year detailed budget to be reported to Council in February 2020. In addition, reflecting established practice, officers will continue to review the budget model in advance of the annual budget setting process in early 2020 to take account of changes in circumstances and updated forecasts.

D.4 Potential Options to Address the Remaining Budget Gap

As noted in section D.2, officers were asked to develop potential options to address the remaining budget gap whilst minimising any adverse impact on service delivery. In addressing the remaining gap the council has a number of potential options available for consideration, including:

- A real terms increase in council tax;
- Additional budget saving measures;
- Utilisation of one off resources which, after providing additional resources for the modernisation fund, could be used over the medium to long term to support development and implementation of a sustainable financial plan.

Reports on each of these options were considered by the Partnership and Resources PDSP on 12 September 2019. This report provides further information on additional budget saving measures for the Social Policy PDSP.

After scrutiny of options by PDSPs, taking account of the approval by Council on 24 September 2019 of the outcome of the loans fund review, and following the publication of the local government finance settlement in December 2019, officers will work to develop a balanced budget position to present to members. This will likely include a combination of potential options, reflecting elected member feedback and scrutiny, to ensure that the council meets its statutory requirement to balance the budget.

D.4.1 Potential Additional Budget Saving Measures

Following the initial consideration of measures by the Partnership and Resources PDSP on 12 September 2019, and in line with the Council Executive decision that relevant PDSPs should consider potential savings measures within their remit, this report provides the Social Policy PDSP with further information on potential additional budget saving measures.

Appendix 1 expands on the initial information included in the report to the Partnership and Resources PDSP. Some of the descriptions for the options have been refined to provide more clarity, however the nature of the saving has not changed from the Partnership and Resources PDSP report. For the Social Policy PDSP, 17 additional saving measures have been identified by officers for consideration. The measures include two options noted below where the Social Policy service has identified changes to the approaches to service delivery. The proposed changes provide for more accessible support and more homely care, and they appropriately support current and future demand and the council's priorities and strategies.

The service propose to introduce health and social care drop in community hubs which help to improve access to support and services in the community and has generated substantial benefits in relation to waiting list times in other authorities.

It has also been identified that the council, as a responsible corporate parent, should provide residential care for young people in a setting most similar to a family home. The service could adopt an alternative model for looked after children staying in our residential houses by supporting them to take a more active role in preparing for independent living. In line with West Lothian's Corporate Parenting Priorities this model will help our young people to sustain positive destinations through gaining skills required in their adult life.

An Integrated Relevance Assessment has been undertaken for all potential additional budget saving measures. A copy of each assessment is included along with information on the options in Appendix 1. Where it has been identified that a full IIA is required, officers would undertake the assessment in advance of the budget setting meeting, with the full IIAs being included as an appendix to the budget report, if they are being proposed to balance the council's budget.

In summary the potential budget saving measures for Social Policy PDSP are:

Table 2: Summary of Social Policy PDSP Additional Potential Saving Measures

Saving Option – Non IJB	Value £'000
Children and Families Practice Team review	30
Review of Social Care Emergency Team (SCET)	20
Review of criteria for section payments	72
Redesign of residential care for children and young people	75
Review of youth justice service	70
Early Years Change Fund review	62
Review of commissioned (non-IJB) services	50
Total	379

Saving Option - IJB	Value £'000
Adult service non direct care budget review	80
Development of health and social care drop in community hubs	75
Servicing of maintainable equipment for private homeowners/RSLs	100
Eligibility criteria aligned to aids and equipment	218
Community Equipment Store review	75
Review of ancillary support in council older peoples' care homes	150
Older people non-direct care budgets	30
Integrating technology into assessment and care management	100
Telecare inflationary increase and increase in uptake	40
Review of commissioned (IJB) services	295
Total	1,163

D.5 Next Steps and Key Timescales

To facilitate the provision of detailed three year revenue budgets to Council in early 2020, the following key dates should be noted:

Table 3: Key Dates and Actions

Action	Date
Scottish spending review and budget	Mid December 2019
2020/21 local government finance settlement	Mid December 2019
Report to Council Executive on Scottish budget and local government finance settlement	21 January 2020
Updated three year budget to West Lothian Council, including updated fees and charges for 2020/21 to 2022/23	February 2020

At this stage, it is unlikely that the council will receive a three year settlement. Developments in this area will be kept under review and reported to elected members.

E. CONCLUSION

This report provides the Panel with a summary update on the development of the council's revenue financial plan for the remaining three years 2020/21 to 2022/23. As noted at the Partnership and Resources PDSP on 12 September 2019, further information on the potential additional saving measures within the remit of the Panel is provided for scrutiny and consideration. Following scrutiny by PDSPs and the local government finance settlement announcement in December 2019, the options will be considered when preparing an updated three year revenue budget to be considered by Council in February 2020.

F. BACKGROUND REFERENCES

Review of Elected Member Involvement in Financial Planning – Report by Head of Finance and Property Services to Council Executive on 12 June 2018

Revenue Budget 2019/20 to 2022/23 – Report by Head of Finance and Property Services to West Lothian Council on 19 February 2019

Budgetary Decisions and Loans Fund Legislation Motions at West Lothian Council on 19 March 2019

Revenue Budget Strategy 2020/21 to 2022/23 – Budget Update and Potential Additional Saving Measures – Report by Head of Finance and Property Services to Partnership and Resources PDSP on 12 September 2019

Appendices/Attachments:

Appendix 1 – Potential Additional Saving Measures for Information

Contact Person: Lynda Ferguson, Group Accountant
Email: lynda.ferguson@westlothian.gov.uk, Tel: 01506 281293

Jo Macpherson
Head of Social Policy
1 November 2019

Appendix 1 – Potential Additional Saving Measures for Information

Service	Social Policy
Saving Measure	Children and Families Practice Team review
Prioritisation or Efficiency	Efficiency
Value	£30,000
FTE Reduction	Nil
Lead in Time	12 months

Description of Measure

A recent restructure of the Children and Families Practice Teams has identified a greater demand for family support to be provided at an earlier stage to prevent the need for statutory or child protection measures. The option would replace two social worker posts with two family support worker posts to ensure that families referred to the service receive the most appropriate level of support at the earliest point following assessment of need and risk. Family support workers currently provide a range of early support and this would see an increase to that provision.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

As this change would result in more effective support for families, which reflect current demand for the service, this would have a positive impact on early intervention and delivering positive outcomes.

Potential Impact on Performance

The review and alignment of cases and actions to the most appropriate member of staff will be managed and have no impact on performance.

Potential Impact on Public/Users

No impact identified. The potential change should mean that appropriate and relevant support is provided at an earlier stage in the process, improving the service the families receive. Support will be provided by a social worker when that is required and by a family support worker where that is appropriate.

Risks and Uncertainties

- Detailed review does not support initial assumptions regarding the required skills mix, although based on current evidence this is unlikely to be the case.

Mitigating Factors

This option is a realignment of case work and resources to reflect current demand. The assessment process will continue to ensure families receive the most appropriate support to meet their needs.

Actions Required to Deliver Measure

- Complete detailed review of demand for service.
- Agree new structure for team.
- Implement new structure including recruitment into new family support worker posts.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Children and Families Practice Team review
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	X
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	X
Socio-economic Background – social class i.e. parents education, employment and income	X

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of management arrangements in Social Care Emergency Team (SCET)
Prioritisation or Efficiency	Efficiency
Value	£20,000
FTE Reduction	1.0
Lead in Time	12 months

Description of Measure

A review of the management arrangements within SCET. Currently the service is being effectively delivered with this management vacancy.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

No impact identified, changes to the management arrangements of the service should not impact on the delivery of priorities.

Potential Impact on Performance

No impact identified, the service currently has a management vacancy with no impact on the unit's performance. The council will continue to provide emergency care support through SCET.

Potential Impact on Public/Users

No adverse impact anticipated, however implementation would be monitored to ensure it did not have an adverse impact on the public and partners who require access to social care out of hours.

Risks and Uncertainties

- Availability of locum staff to support service delivery, if required, although experience to date would suggest that this risk is minimal.

Mitigating Factors

Statutory duties would continue to be provided. Revised management arrangements would include use of locum support where necessary.

Actions Required to Deliver Measure

- Completion of review of management arrangements.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of management arrangements in Social Care Emergency Team (SCET)
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
This is a change of management structure. There is no evidence that these changes will reduce or increase discrimination or equality of opportunity for those individuals or groups with protected characteristics, service will continue to be available to those who require emergency assistance.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of criteria for section payments
Prioritisation or Efficiency	Prioritisation
Value	£72,000
FTE Reduction	0.0
Lead in Time	12 months

Description of Measure

Change to guidance and procedures for allocating support payments to individuals, resulting in a 20% reduction in payments. A full review of all payments will be undertaken and enhanced control measures and guidance will be developed to inform levels of financial support and promote further consistency. An initial analysis of payments suggest that there is a high degree of discretionary spend and that there is the potential to deliver savings through developing more detailed guidance.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

No impact on priorities anticipated, individuals who require emergency financial support would continue to have access to this service subject to clearer guidance. Changes would be implemented to ensure that the council continues to meet obligations and commitments as detailed in the Anti-Poverty Strategy.

Potential Impact on Performance

As this focuses on reviewing and changing guidelines and operational procedures, it should have no impact on service performance.

Potential Impact on Public/Users

Service users will continue to be supported, subject to revised guidance. The revised controls will focus on the utilisation of specific section budgets. Enhanced controls may mean some users may no longer have access to payments that they would have previously had access to from the service. Signposting to other options will be available (e.g. welfare fund or budgeting advice from the Advice Shop).

Risks and Uncertainties

- A full review of all payments and processes is required to fully ascertain the level of savings that can be delivered.

Mitigating Factors

Directing people to the most appropriate service (e.g. the Anti-Poverty Service) will mean that individuals will be supported in other ways, including helping them to access other funds, support and benefits. The service review will ensure that the controls and measures are proportionate and do not impact on core service delivery to individuals who require this support.

Actions Required to Deliver Measure

- Review of section payments, processes and controls.
- Implementation of new procedures and controls.
- Understanding of range of other support options that individuals can be signposted to by the Anti-Poverty Service.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of criteria for section payments
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:	
<ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input checked="" type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	X
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	X
Socio-economic Background – social class i.e. parents education, employment and income	X

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Redesign of residential care for children and young people
Prioritisation or Efficiency	Efficiency
Value	£75,000
FTE Reduction	3.3
Lead in Time	12 months

Description of Measure

Building upon the new model of care delivery being progressed by Social Policy, there is an opportunity to develop a service that replicates, where possible, family based care. To mirror a family unit, daily tasks such as cooking and cleaning will be undertaken by the staff caring for the young people. Young people will be encouraged, in accordance with their age and stage of development, to develop the skills required to move on to independent living when they are ready to do so. This will involve them being supported by residential care workers rather than specialist staff to develop skills such as budgeting and cooking. This will promote independent living skills young people will need when they have their own homes. This change will result in a reduced requirement for cooks and domiciliary staff.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

This will have a positive impact on the council's priorities and outcomes. By providing more homely environments and building resilience and life skills for young people in local authority residential care, they will have the best care and will be supported to achieve improved life changes and more positive destinations.

Potential Impact on Performance

No impact anticipated. This will improve the life skills of young people in council residential care, helping them to have improved life chances after they leave care.

Potential Impact on Public/Users

This will improve the care provided for young people by providing more homely care. This will also improve the resilience and life skills of young people in residential care, helping them to adjust after leaving care and manage their own homes. It will prepare the most vulnerable young people to cope and manage day to day activities.

Risks and Uncertainties

- Redeployment of staff currently undertaking these activities.

Mitigating Factors

Risk assessments will be undertaken to minimise any potential risk to the young people. The council, as the corporate parent, will support young people to develop skills to prepare for independent living as would be the case in other family settings. Consideration will also be given to the use of volunteers where appropriate.

Actions Required to Deliver Measure

- Introduction of new approach, including early work with young people to support their development of life and independence skills.
- Consultation and engagement on organisational change for the implementation of revised staffing structure.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Redesign of residential care for children and young people
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	X	NO	

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	X
Disability – people with disabilities/long standing conditions	
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	
Marriage or civil partnership – people who are married or in a civil partnership	
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	
Religion or belief – people with different religions and beliefs including those with no beliefs	
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of youth justice service
Prioritisation or Efficiency	Efficiency
Value	£70,000
FTE Reduction	1.4
Lead in Time	12 months

Description of Measure

Alignment of staffing resource to service requirements, delivering efficiencies in service provision. Will be achieved through natural staffing turnover within the service.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

No impact anticipated. Service will be redesigned to be more efficient while continuing to deliver an effective youth justice service.

Potential Impact on Performance

No impact anticipated, the council will continue to provide an effective youth justice service to those who require it.

Potential Impact on Public/Users

No impact identified, service will continue to be delivered albeit in a more efficient way. Users should see no change in the service they receive.

Risks and Uncertainties

- Future patterns of staffing turnover do not allow the saving to be delivered without implementing workforce management and organisational change procedures.

Mitigating Factors

Work will be reorganised and opportunities to streamline and improve processes will be identified and implemented to minimise any potential impact on service delivery.

Actions Required to Deliver Measure

- Review of work and opportunities to streamline processes.
- Implement improvements to processes and activities to allow the reduction in staffing resource to be achieved.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of youth justice service
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
Service will be redesigned to be more efficient while continuing to deliver an effective youth justice service, users should see no change in the service they receive. These changes will not reduce or increase discrimination or equality of opportunity for individuals or groups with protected characteristics.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Early Years Change Fund review
Prioritisation or Efficiency	Efficiency
Value	£62,000
FTE Reduction	2.0
Lead in Time	None

Description of Measure

Realignment of budget to reflect early years change activities no longer provided by the council. The saving relates to two vacant posts. There is no requirement to fill these posts following the redesign of children's services and the mainstreaming of the former Early Years Change Fund.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

No impact anticipated. Activities formerly undertaken by these posts have been incorporated into mainstream children's services.

Potential Impact on Performance

No impact anticipated – posts are currently vacant and early intervention activities have been incorporated into mainstream children's services.

Potential Impact on Public/Users

No impact anticipated. With activities incorporated into mainstream children's services, the removal of these two vacant posts should have no adverse impact on service users.

Risks and Uncertainties

- No risks to the delivery of this saving or service delivery have been identified.

Mitigating Factors

No mitigating actions required.

Actions Required to Deliver Measure

- As budget provision is currently surplus, no further action is required.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Early Years Change Fund review
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:	
<ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
The redesign of children’s services and the mainstreaming of the former Early Years Change Fund reflect early years change activities no longer provided by the council with no detriment to any staff or impact on any people with protected characteristics.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of commissioned (non-IJB) services
Prioritisation or Efficiency	Efficiency
Value	£50,000
FTE Reduction	Nil
Lead in Time	12 months

Description of Measure

Following the redesign of children's services there will be a requirement to align contracts to the revised service provision within the Children's and Families service. Block purchased and commissioned services through third parties will be reviewed. This reflects the suggestion received during the TYC consultation to review third party payments and will ensure that commissioned services reflect current and future anticipated demand for services. Commissioning plans will be updated along with associated contracts.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

The review of commissioned care will be based on current and future anticipated demand for services. As the review will focus on aligning demand with procurement contracts, there should be no negative impact on priorities or outcomes. Procurement exercises will be consistent with the council's Corporate Procurement Strategy and delegated authority for social care contracts.

Potential Impact on Performance

Appropriately matching supply and demand is critical to ensuring changes do not have a negative impact on performance. It should help ensure that resources are appropriately targeted to help improve performance in areas such as cost of care per head of population.

Potential Impact on Public/Users

Those assessed as requiring support following the redesign of children's services will continue to have access to services. Saving is focused on aligning commissioning contracts to service demand.

Risks and Uncertainties

- Unexpected and unanticipated increases in tender prices when contracts are retendered.
- Local providers do not have the necessary skills to allow them to submit tenders.

Mitigating Factors

Commissioned spend is monitored under a risk framework to ensure assessed needs continue to be met. Supply is monitored in line with need and available resources. All commissioned contracts are subject to the council's robust procurement processes with contract delivery being monitored on a regular basis.

Actions Required to Deliver Measure

- Review of current contract arrangements, including benchmarking with other authorities.
- Tender exercises where new contracts are required to support service delivery.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of commissioned (non-IJB) services
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
Those assessed as requiring support following the redesign of children’s services will continue to have access to services. Saving is focused on aligning commissioning contracts to service demand. These changes will not reduce or increase discrimination or equality of opportunity for individuals or groups with protected characteristics.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Adult services non direct care budget review
Prioritisation or Efficiency	Efficiency
Value	£80,000
FTE Reduction	0.0
Lead in Time	4 months

Description of Measure

Review of historic funding arrangements that do not support the council's priorities or deliver direct care to individuals. It will align budget provision with the updated eligibility criteria for access to adult social care.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

Adults who are eligible for social care support will continue to have their care needs met, therefore this should not impact adversely on the council's priorities or outcomes. The review will ensure that all budgets and resources are correctly aligned, delivering support to those most at need in the community.

Potential Impact on Performance

No impact anticipated. The option focuses on aligning budget to expenditure to reflect service changes that have already been implemented.

Potential Impact on Public/Users

The alignment of resources to activities incorporates decisions already implemented regarding changes to care provision.

Risks and Uncertainties

- No risks identified – budget saving has been identified following previously implemented changes to social care provision.

Mitigating Factors

Individuals with critical and substantial needs will continue to have their assessed care needs met and no further changes are required to deliver this saving as the budget refers to historic non direct care.

Actions Required to Deliver Measure

- Alignment of budget to reflect contracted expenditure.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Adult services non direct care budget review
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
Adults who are eligible for social care support will continue to have their assessed care needs met. The proposal will not result in change to service users beyond the change to eligibility which was implemented in 2018. Saving is focused on aligning budget to contracted spend therefore it should have no direct impact on service users.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Development of health and social care drop in community hubs
Prioritisation or Efficiency	Prioritisation
Value	£75,000
FTE Reduction	2.0
Lead in Time	18 months

Description of Measure

Introduction of a new model where social care advice and assistance can be accessed from agreed locations in different communities. It will see a reduction in waiting lists as people can drop in for advice in their local community rather than requesting and waiting for a formal assessment. It will allow for more effective delivery of support through using the hub as a key access point and facilitating community led conversations. It is anticipated that direct face to face access to social care staff will result in fewer referrals, reducing resource requirements and providing a more responsive early intervention service.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

This will have a positive impact on improving the quality of life and health priorities. Access to advice and support in community settings should aid community capacity building and foster closing relationships with other partners. It will positively support the Customer Services Strategy by designing services that meet the needs of customers and help manage relationships in a positive way.

Potential Impact on Performance

This has the potential to improve waiting lists and performance with users accessing information face to face in a community setting chosen by the community. Similar models in other authorities have seen an increase in both service user and staff satisfaction.

Potential Impact on Public/Users

This will have a positive impact on users, with increased access to social work services in the community.

Risks and Uncertainties

- Suitable drop in locations, identified by communities, are not available at required times.
- Processes will have to change to allow community care assistants to respond flexibly and quickly to a range of queries and requests.
- Access to IT to enable work to be concluded during drop in sessions.

Mitigating Factors

This additional way of accessing social care services will improve the waiting list time and provide an alternative option for people to receive advice and assistance. By being more proactive, and visible in the community, it should help prevent cases reaching a crisis point. The full level of staffing savings would not be achieved until the new model is embedded.

Actions Required to Deliver Measure

- Development of the new model of social care interaction with service users.
- Identification of appropriate access locations by communities.
- Implementation of new model including marketing, technology needs and ensuring staff are equipped to respond quickly and directly to requests in the community.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Development of health and social care drop in community hubs
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	X
Socio-economic Background – social class i.e. parents education, employment and income	X

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Servicing of maintainable equipment for private homeowners and RSLs.
Prioritisation or Efficiency	Efficiency
Value	£100,000
FTE Reduction	0.0
Lead in Time	12 months

Description of Measure

Following the introduction of the contributions policy for adult non-residential care and revisions to the Scheme of Assistance, there has been a change to how stair lifts and maintainable equipment is provided. For new service users, the equipment is provided via the grants scheme which means that the service users own the equipment. This ownership means they are responsible for any ongoing maintenance. The option would bring existing service users, of which there are approximately 800, in line with new users and ensure equity. Ownership of the equipment would transfer to the homeowner or registered social landlord (RSL), along with responsibility for servicing and repairs.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

Changes to ownership of equipment would have to be monitored to ensure there is no adverse impact on service users or health priorities and outcomes. Change has currently been implemented for new clients only under the revised Scheme of Assistance.

Potential Impact on Performance

No impact identified. New clients requiring equipment, and who are eligible under the eligibility criteria receive a grant for the purchase of maintainable equipment. The current system only applies to new service users which means there is inequity within existing service users.

Potential Impact on Public/Users

Service users would be supported to arrange maintenance of their equipment which will ensure that all service users receive the same level of service.

Risks and Uncertainties

- Individuals and RSLs may be unwilling to become responsible for maintenance.
- It is unlikely that full responsibility for maintenance will transfer, meaning that the council will continue to have some liability in cases where vulnerability or risk is high.

Mitigating Factors

Risk assessments would be undertaken before removing any equipment individuals do not wish to maintain to ensure no vulnerable person is at risk. A small emergency fund would be retained to address any maintenance emergencies and a reduced provision for those who will not accept the transfer of responsibility.

Actions Required to Deliver Measure

- Analysis of current users and existing maintainable equipment.
- Liaise with RSLs on transfer of ownership.
- Transfer ownership to individuals and RSLs, exit/reduce current maintenance contracts.
- Update Scheme of Assistance.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Servicing of maintainable equipment for private homeowners and RSLs.
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	X
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	X
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Eligibility criteria aligned to aids and equipment
Prioritisation or Efficiency	Efficiency
Value	£218,000
FTE Reduction	0.0
Lead in Time	None

Description of Measure

Following the introduction of the contributions policy for adult non-residential social care, and the changes to eligibility, a saving can be delivered in the aids and equipment budget. The changes have resulted in reduced demand for aids and equipment, with a 30% reduction being seen in this area since 2018.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

Those who are assessed as being eligible for aids and equipment would continue to have their assessed need for aids and equipment met.

Potential Impact on Performance

No impact anticipated. Those who assessed as requiring aids and adaptations would continue to have access to this service.

Potential Impact on Public/Users

No impact identified. Support would continue to be provided to those assessed as requiring it under agreed eligibility criteria. Potential saving reflects current and reducing demand for this type of support.

Risks and Uncertainties

- There is an unforeseen increase in demand for aids and equipment beyond the revised budget provision.

Mitigating Factors

Risk assessments would be undertaken when assessing needs and requirements for aids and equipment. This support would continue to be provided to those assessed as requiring aids and equipment where the eligibility threshold has been met.

Actions Required to Deliver Measure

- Alignment of budget to reflect revised demand for aids and adaptations.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Eligibility criteria aligned to aids and equipment
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Community Equipment Store review
Prioritisation or Efficiency	Efficiency
Value	£75,000
FTE Reduction	1.0
Lead in Time	12 months

Description of Measure

Review of the operation of the store with consideration to be given to improved inventory management, introduction of just in time delivery and improved recycling of equipment. The review will also consider alternative approaches to delivery including sharing routes with other partners and community based provision in GP surgeries. It will require close joint working with Health to deliver efficiencies in the provision of this joint service.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

More efficient and timely provision of aids and equipment will improve health priorities and outcomes. Investigating options to share delivery with other partners, and recycling equipment, would have a positive impact on the environment.

Potential Impact on Performance

A more efficient and responsive service would reduce wait times for equipment, improving hospital discharge performance. It would improve customer satisfaction with users receiving their equipment quicker.

Potential Impact on Public/Users

The review would improve access to equipment for users whilst reducing waiting times.

Risks and Uncertainties

- Review and revised arrangements have to be jointly developed between the council and Health. Any change would require agreement by both parties.
- Availability of suitable suppliers who can facilitate just in time procurement.
- Some equipment will not be suitable for recycling.

Mitigating Factors

The review will consider all operational aspects of the store, creating new supply arrangements and improving how equipment is provided. The review will be undertaken in partnership with Health to ensure all partners are comfortable with the anticipated changes.

Actions Required to Deliver Measure

- Review of delivery of the community store by Social Policy and Health.
- Agreement of revised operations.
- Implementation of changes, including introduction of technological solutions for new delivery options and development of just in time procurement arrangements.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Community Equipment Store review
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
More efficient and timely provision of aids and equipment will improve health priorities and outcomes. These changes will focus on internal ordering and inventory processes and will not reduce or increase discrimination or equality of opportunity for individuals or groups with protected characteristics.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of ancillary support in council older peoples' care homes
Prioritisation or Efficiency	Efficiency
Value	£150,000
FTE Reduction	8.0
Lead in Time	18 months

Description of Measure

The option seeks to review the non-direct care support services in older people's care homes to identify business efficiencies. It is anticipated that this will be achieved through new models of delivering ancillary support for catering, cleaning, gardening etc. and will not impact on delivery of direct care.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

This focuses on ancillary services with no changes to direct care provision. This should therefore have no impact on the council's older people priorities and outcomes.

Potential Impact on Performance

As the savings relate to ancillary services and hotel and housekeeping costs such as gardening, catering and cleaning it would not affect direct care. The redesigned model will continue to comply with Care Inspectorate ratios and National Care standards.

Potential Impact on Public/Users

Realigning the model should mean that there is no impact on the 135 residents currently in council care homes. Clients would continue to receive the level of care required by Care Inspectorate requirements and National Care standards.

Risks and Uncertainties

- New legislation or health and safety requirements may require an increase in staffing resources in care homes.
- Consultation and engagement on organisational change for changes in staff models.

Mitigating Factors

Any redesigned model of delivery will continue to be compliant with all regulatory and compliance requirements. Application of the council's organisational change policy to support changes in the model.

Actions Required to Deliver Measure

- Working group to benchmark and map council services to identify opportunities to create efficiencies.
- Implementation of new model using council organisational change policy.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of ancillary support in council older peoples' care homes
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	X	NO	

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	X
Disability – people with disabilities/long standing conditions	X
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	
Marriage or civil partnership – people who are married or in a civil partnership	
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	
Religion or belief – people with different religions and beliefs including those with no beliefs	
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Older people non-direct care budgets
Prioritisation or Efficiency	Efficiency
Value	£30,000
FTE Reduction	Nil
Lead in Time	None

Description of Measure

Saving from ancillary support budgets that are not aligned to the eligibility criteria. The option will include the review of existing non direct care budgets that had been impacted by previous changes to service delivery or policy changes.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

Resources will continue to be aligned to the provision of social care and support to meet assessed eligible needs, meaning that the impact on older people priorities and outcomes should be minimised.

Potential Impact on Performance

No impact identified – the option is not linked to assessed needs, reflecting changes already implemented in relation to eligibility criteria.

Potential Impact on Public/Users

No impact identified – the option reflects changes already implemented in the delivery of social care services.

Risks and Uncertainties

- No risks to the delivery of this saving or service delivery have been identified.

Mitigating Factors

No mitigating actions required.

Actions Required to Deliver Measure

- As budget provision is currently not linked to assessed eligible needs, no further action is required.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Older people non-direct care budgets
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES		NO	X

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
Adults who are eligible for social care support will continue to have their assessed care needs met. The proposal will not result in change to service users beyond the change to eligibility which was implemented in 2018. Saving is focused on aligning budget to contracted spend therefore it should have no direct impact on service users.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Integrating technology into assessment and care management
Prioritisation or Efficiency	Efficiency
Value	£100,000
FTE Reduction	Nil
Lead in Time	3 months

Description of Measure

Greater use of technology in developing care packages helps to ensure the most efficient model is identified whilst also supporting vulnerable individuals and their families. Assessors can streamline certain elements, such as checking visits, where technological solutions are able to replace or augment hands on care visits. Includes equipment such as home safety systems and just checking equipment such as movement sensors and door monitoring. The saving is an estimate based on a three month trial conducted in 2019 which achieved a reduction in care hours.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

This preventative approach to care encourages independence and improves the outcomes for older people. This should have a positive impact on the older people and health priorities and outcomes. The solutions will be aligned with the objectives of West Lothian's Health and Social Care Partnership frailty programme and will be consistent with the Older People Joint Commissioning Plans. Innovative use of technology to support service delivery is consistent with the council's Digital Transformation Strategy.

Potential Impact on Performance

Optimum use of technology to supplement formal care will help meet increasing demand. It should have a positive impact on people being able to maintain or regain their independence and assist with timely hospital discharge.

Potential Impact on Public/Users

Improved use of technology should help people to maintain or regain their independence and reduce the reliance on models of dependency linked to hands on care hours.

Risks and Uncertainties

- Digital skills audit highlighted areas of development for social policy. Care managers will have to become more comfortable and familiar with technological solutions.
- Client and family concerns may be a barrier to implementation.

Mitigating Factors

Capital investment should ensure appropriate technology is available. Changes to service will be fully developed before implementation to ensure that the transition to the new model is safe for clients. Families and carers will also be fully involved to ensure any potential anxieties are addressed. Staff will be trained on solutions and benefits.

Actions Required to Deliver Measure

- Working with technology providers to ensure equipment and support is available to support the change.
- Training and supporting staff to embrace new technological solutions.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Integrating technology into assessment and care management
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	X	NO	

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	X
Disability – people with disabilities/long standing conditions	X
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	
Marriage or civil partnership – people who are married or in a civil partnership	
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	
Religion or belief – people with different religions and beliefs including those with no beliefs	
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Telecare inflationary increase and increase in uptake
Prioritisation or Efficiency	Efficiency
Value	£40,000
FTE Reduction	Nil
Lead in Time	None

Description of Measure

3% annual increase in charges for final two years of the financial plan (2021/22 and 2022/23) reflecting the commitment not to increase charges in the first three years of the five year financial plan.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

No adverse impact anticipated. The telecare service will continue to be available to clients, consistent with the Reshaping Care for Older People Joint Commissioning Plan. Use of technological solutions as part of care planning also consistent with the council's Digital Transformation Strategy.

Potential Impact on Performance

No impact anticipated.

Potential Impact on Public/Users

Some users may find a 3% increase in costs difficult to manage, although West Lothian Council will continue to have some of the lowest levels of fees and charges in Scotland.

Risks and Uncertainties

- The further inflationary increase in charges may be seen as prohibitive to some users, meaning that the anticipated increase in demand for the service is not realised.

Mitigating Factors

The original undertaking not to increase charges for the first three years of the financial plan has been maintained. The Anti-Poverty Team will continue to be available to support individuals who may struggle with the increase.

Actions Required to Deliver Measure

- Revised charges to be published and customers notified of increases.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Telecare inflationary increase and increase in uptake
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

<p>3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
Age – older people, young people and children	<input checked="" type="checkbox"/>
Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who’s gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities? Consideration must be given particularly to children and families	
Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	X
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	X
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	

Service	Social Policy
Saving Measure	Review of commissioned (IJB) services
Prioritisation or Efficiency	Efficiency
Value	£295,000
FTE Reduction	Nil
Lead in Time	12 months

Description of Measure

The change to eligibility and the introduction of the contributions policy in 2018 has meant changes to the demand for a number of Social Policy adults and older people services. Block purchased and commissioned services through third parties will be reviewed. This reflects the suggestion received during the TYC consultation to review third party payments and will ensure that commissioned services reflect current and future anticipated demand for services. Commissioning plans will be updated along with associated contracts.

Impact on Council Priorities, Single Outcome Agreement or Corporate Strategies

The review of commissioned care will be based on current and future anticipated demand for services. As the review will focus on aligning demand with procurement contracts, there should be no negative impact on priorities or outcomes. Changes will be consistent with Reshaping Care for Older People Joint Commissioning Plan. Procurement exercises will be consistent with the council's Corporate Procurement Strategy and delegated authority for social care contracts.

Potential Impact on Performance

Appropriately matching supply and demand is critical to ensuring changes do not have a negative impact on performance. It should help ensure that resources are appropriately targeted to help improve performance in areas such as cost of care per head of population and delayed discharge.

Potential Impact on Public/Users

Those assessed as requiring support and care under the new eligibility criteria, which was implemented in 2018, will continue to have access to services. This saving will result in no change to users beyond the change to eligibility which was implemented in 2018. Saving is focused on aligning commissioning contracts to service demand.

Risks and Uncertainties

- Unexpected and unanticipated increases in tender prices when contracts are retendered.
- Local providers do not have the necessary skills to allow them to submit tenders.

Mitigating Factors

Commissioned spend is monitored under a risk framework to ensure assessed needs continue to be met. Supply is monitored in line with need and available resources. All commissioned contracts are subject to the council's robust procurement processes with contract delivery being monitored on a regular basis.

Actions Required to Deliver Measure

- Review of current contract arrangements, including benchmarking with other authorities.
- Tender exercises where new contracts are required to support service delivery.

Integrated Relevance Assessment Form

1. Details of option	
Policy Title	Review of commissioned (IJB) services
Service Area	Social Policy
Lead Officer	Jo Macpherson
Other Officers/Partners Involved	None
Date relevance assessed	12 September 2019

2. Does the council have control over how this policy will be implemented?			
YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to:	
<ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not <p>NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights</p> <p>Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).</p>	
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Disability – people with disabilities/long standing conditions	<input checked="" type="checkbox"/>
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	<input type="checkbox"/>
Marriage or civil partnership – people who are married or in a civil partnership	<input type="checkbox"/>
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	<input type="checkbox"/>
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	<input type="checkbox"/>
Religion or belief – people with different religions and beliefs including those with no beliefs	<input type="checkbox"/>
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	<input type="checkbox"/>
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	<input type="checkbox"/>

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Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	
Socio-economic Background – social class i.e. parents education, employment and income	X

5. Integrated impact assessment required? (Two ticks above = full assessment necessary)			
YES	X	NO	

6. Decision rationale If you have ticked no above, use this section to evidence why a full IIA is not required
No rationale required – full integrated impact assessment will be undertaken.

Signed by Lead Officer	Jo Macpherson
Designation	Head of Social Policy
Date	12 September 2019
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	
Date	



SOCIAL POLICY – POLICY DEVELOPMENT AND SCRUTINY PANEL

CHIEF SOCIAL WORK OFFICER’S ANNUAL REPORT 2018-2019

REPORT BY CHIEF SOCIAL WORK OFFICER

A. PURPOSE OF REPORT

This report provides the Social Policy PDSP with the opportunity to comment on the Chief Social Work Officer’s Annual Report. This report provides an overview of the statutory work undertaken during the period 2018 -2019.

B. RECOMMENDATIONS

It is recommended that the Panel:

1. note the contents of the Chief Social Work Officer’s annual report for 2018 - 2019;
2. note that the report will be submitted to:
 - a) West Lothian Council on 19th November 2019
 - b) West Lothian Integration Joint Board on 21st January 2020
3. note that the final report will be submitted to the Scottish Government Chief Social Work Advisor.

C. SUMMARY OF IMPLICATIONS

I. Council Values	<ul style="list-style-type: none">• Focusing on our customers’ needs• Being honest, open and accountable• Providing equality of opportunity• Developing employees• Making best use of resources• Working in partnership
II. Policy and Legal	No new implications; Equality Impact Assessments will be applied to specific commitments where appropriate.
III. Implications for Scheme of Delegations to Officers	None
IV. Impact on performance and performance indicators	All activities and actions have performance indicators and targets applied
V. Relevance to Single Outcome Agreement	None
VI. Resources (Financial, Staffing and Property)	All commitments are consistent with the Council’s budget decisions.

- VII. **Consideration at PDSP/Executive Committee required** The report will be considered at the :
- Full Council
 - Meeting of the West Lothian Integration Joint Board
- VIII. **Details of consultations** None

D. TERMS OF REPORT

Background

The legislation governing the delivery of Social Work Services requires the Chief Social Work Officer to exercise a general level of oversight.

The Scottish Government published national guidance for local authorities on the appointment and responsibilities of Chief Social Work Officers, including related reporting arrangements. The arrangements in West Lothian are consistent with this guidance.

Service Overview

The role of the Council's Social Work Services is to support, care for and protect people of all ages, by providing or purchasing services designed to promote their safety, dignity and independence, and to contribute to community safety by reducing offending and managing the risk posed by known offenders.

Services are delivered within a framework of statutory duties and powers imposed on the Council. Services are required to meet national standards and to provide best value. Where possible, services are delivered in partnership with a range of stakeholders, including, most importantly, people who use them.

Chief Social Work Officer Duties

The role of the Chief Social Work Officer is to ensure the provision of appropriate professional advice in the discharge of the local authority's statutory functions and to provide a focus for professional leadership and governance in regard to these functions. In addition, there is a small number of duties and decisions that relate primarily to the curtailment of individual freedom and the protection of both individuals and the public, which must be made either by the Chief Social Work Officer or by a professionally qualified social worker to whom responsibility has been appropriately delegated.

The Council's scheme of delegation provides for senior social work staff to make certain decisions on behalf of the local authority in the following areas:

Chief Social Work Officer Annual Report

01/04/18 – 31/03/19

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1. Chief Social Work Officer's Summary of Performance- Key challenges, developments and improvements during the year

West Lothian Council is committed to providing high quality social work and social care services, albeit within an increasingly complex environment. In 2018-2019, services were successfully delivered against a challenging financial and legislative backdrop. As with other local authorities across Scotland, West Lothian Council faces significant budgetary pressures and difficult decisions have to be taken on how services will be designed and delivered in the future. Within this context the Chief Social Work Officer has a key role in ensuring that these financial decisions do not compromise the safety and wellbeing of people who require support from social work services ¹.

The Chief Social Work Officer also has a key role in providing advice and guidance to the West Lothian Integration Joint Board (IJB) for the social work functions that have been formally delegated to the IJB.

Increased personalisation of services, renewed focus on prevention and early intervention and an ever increasing requirement for joint working aimed to improve outcomes for people who use services and their families bring considerable organisational and financial pressures to bear on the service.

A range of measures were implemented during 2018-2019 to ensure that planned reductions in budget allocations were taken forward while ensuring that the impact on care was not a negative one, but one that allowed for service improvements through service reform and redesign.

Working in a climate of continuing constrained public spending remains a significant challenge for a demand led service such as Social Policy. Along with reduced funding, the service is also faced with an increasing cost of service delivery through factors such as inflationary pressures, an increase in the demand for services due to an increasing population and increased complexity of need.

The council's social work services do not work in isolation but rather work in partnership with private, public and third sector partners to meet the needs of some of the most vulnerable people in West Lothian. The financial pressures of our partners are considered and reflected in our future service planning.

One of the many challenges faced by social work and social care services in West Lothian is the recruitment and retention of a suitably qualified workforce. This is a challenge that we share with our partners and the organisations that we commission to deliver services on our behalf. The challenge of maintaining a stable highly skilled workforce has been further exacerbated by the uncertainty surrounding the impact of exit from the European Union (EU) and changes to free movement of workers across the EU.

¹ [Audit Scotland Report - Social Work in Scotland](#)

The delivery of the Welfare Reform Programme, including the implementation of Universal Credit continues to impact upon the most vulnerable in our community and sees increase in the demand for social work services.

As well as the challenges faced in 2018-19 there have also been many positive developments and improvements for social work and social care services in West Lothian. Although challenging within the current context, health and social care services are committed to applying a much greater focus on earlier intervention across all areas, including building capacity within families and communities to help people maintain their independence wherever possible. It is recognised that for such approaches to be successful resources will require to be moved upstream and that interventions must be early enough to optimise the opportunity for success.

In terms of services for children in 2018-19, there was a positive reduction in the use of secure care with only 3 young people requiring such provision all secure placements made during the year were for short time periods. Similarly there is a continuing positive downward trend in the use of residential school placements outwith West Lothian. At the end of quarter 4 of 2016-17 there were 29 young people placed in such resources. By the end of 2018-19 there were 19 young people placed. This constitutes a 34% reduction over a two year period and demonstrates our commitment to reducing the numbers of children and young people receiving care and education outwith West Lothian. Services have been working positively to ensure that young people at risk of moving to external care placements are supported to remain within West Lothian. In 2016-17 34% of children who were resident in internal residential resources went on to be placed in external provision out of West Lothian. In 2017-18 this fell to 13% and in 2018-19 this was largely sustained at 15%. Services have also worked well in reducing the number of young people receiving their day education outwith West Lothian with this figure reducing from 17 young people in 2017-18 to 12 young people by the end of 2018-19.

There has been effective joint working between Social Work and Education services to improve the position as outlined above. In the longer term, we aim to further shift the balance of care to ensure that, where possible, children are looked after in community settings rather than in residential care, regardless of whether these services are provided by council or by an external provider.

In support of this intention the use of Family Group Decision Making was extended during 2018-19. It is intended that this service will be further extended to ensure that more children and young people are able to experience wider family network support where they may not otherwise have had the opportunity to do so.

As part of the Scottish Attainment Challenge fund the Chief Social Work Officer and Chief Education Officer agreed to the development of the Looked After Children attainment project. The project was established as a collaboration between Education Services and Social Policy. The aim was to support the most vulnerable and disengaged Looked After Children and young people in West Lothian to access education. The pilot year of the project focused on pupils in the senior phase of their education with a view to then moving towards an earlier intervention approach. The evaluation of the pilot showed positive improvements in the participants engagement with their education and involvement in wider educational activities. The young people were supported to achieve increased and improved qualifications through the outreach teaching model.

There has also been a positive impact in relation to reducing the number of care experienced young people presenting as homeless with ongoing joint working with housing services to reduce this further. West Lothian was the first Housing First project piloted for young people leaving care. The Housing First project commenced working with 5 young people and has recently been successful in extending this to 10 young people with Almond Housing Association agreeing to provide a further 5 tenancies. The further development of housing first models for all client groups with multiple complex needs is a key strand for the West Lothian Rapid Rehousing Transition Plan.

Responses and support in relation to Violence Against Women and Girls in West Lothian continues to be positive with the Domestic and Sexual Assault Team (DASAT) responding to an increased number of referrals. In 2017-18 the team received 1,588 referrals, this increased to 1,647 in 2018-19. 95% of children and 98% of women reported feeling safer as a consequence of intervention by DASAT. As a result of specific Scottish Government funding, improvements have been made to the number of court ordered contact rights interventions for children in cases where domestic abuse is a feature and also in the number of young people supported by the Children Experiencing Domestic Abuse Recovery (CEDAR) Project.

Initial scoping was undertaken in early 2019 in relation to the Up2U Domestic Abuse Programme. This programme is evidence based and has been developed in consultation and with the support of a Quality Assurance Group consisting of representatives from Victim Support Services, Mental Health, Children's Services, Substance Misuse Services and Health. It is based on research and practice successfully used in service user rehabilitation, motivational interviewing and attachment theory.

The programme can also be tailored to work with both males and females from the age of 16 and can also be delivered for people who use domestically abusive behaviours in same sex relationships. If it is identified and evidenced that both members of a couple use unhealthy and abusive behaviours they can also be referred to the programme, although they would be assessed on an individual basis. Staff training is underway and the programme will be launched early 2020. Options for supporting the programme's review and evaluation are being explored.

The Criminal and Youth Justice Service successfully continued to operate the Almond Project in partnership with DASAT. The project aims to support women in the criminal justice system through an intensive key worker approach.

Positive use continued to be made of Unpaid Work requirements in Community Payback Orders. 154 bikes were repaired, recycled and passed on to members of the community who would otherwise not have benefitted from cycling. 34,700 tonnes of metal was recycled and the scrap value resulted in £4,000 being donated to local charities. This was an increase from £3,000 in 2017-18.

Overall, across Social Policy, work continues to redesign services to ensure that they best meet the needs of those who are most vulnerable in our society and are sustainable for the future.

During the period of this report two major shifts in policy were introduced relating to services for adults and older people.

On 1st October 2019 West Lothian Council implemented the eligibility criteria. The threshold for paid care being provided in West Lothian is now set at substantial risk. People who are assessed as having any substantial or critical risks are eligible for social care support. By implementing this criteria the Council ensures that services and support are provided equitably, prioritised to those with the greatest needs and within the resources available.

To support the implementation of this major policy change a Review Team was established to review long term packages of care to ensure appropriate levels of support. The work of the Review Team will be ongoing until autumn 2020.

The Contributions Policy for Non-Residential Social Care was approved by the Council Executive in September 2018. This was a major change for West Lothian and brought the approach into line with the majority of other local authorities across Scotland.

To support the transition for people the contributions policy for non-residential social care was developed to include a range of measures to help address concerns around in particular the risk of people with disabilities falling into relative poverty. There has been a significant degree of collaborative working with the Anti-Poverty Service and a positive impact on benefit maximisation for affected individuals and their families.

The strategic focus of shifting the balance of care from hospital to community based services is being supported through the Royal Edinburgh Campus Redesign Programme. This is a collaborative approach to remodel services focusing on people accessing care, support and treatment within the West Lothian Health and Social Care Partnership. As part of this programme Social Policy is working with key partners, including the Scottish Government, to develop a specialist 16 tenancy facility for people with complex learning disabilities which will be supported by a highly skilled staff team and will be based in Pumpherston, West Lothian.

In 2018/19 the Learning Disability and Physical Disability Supported Employment services were merged to establish a single specialist support service for people aged 16-65 with additional support needs or a disability into employment. The West Lothian Project Search programme, which aims to support young people, aged 16 to 24 who have a learning disability and/or autism, into employment was the highest performing Project Search site in the UK.

There have been improvements made in performance in relation to the numbers of people whose discharge from hospital has been delayed and where there is delay, a reduction in the length of that delay. Further detail regarding approaches that have contributed to improvement is outlined in Section 5 of this report.

In 2018/19 West Lothian Alcohol and Drug Partnership (ADP) services received 1,510 referrals for treatment. In November 2018 the Scottish Government allocated an additional £522,823 for the West Lothian ADP. This additional investment saw more addiction and recovery workers employed across commissioned services than ever before. This included an increase in psychological therapies, additional recovery groups, assertive outreach workers and mental health advocacy.

The NHS Addictions Service and Social Work Addictions Team is now a fully integrated service and is known as Community Addictions (West Lothian). The team has also benefited from substantial investment which has allowed for additional staff to be recruited enhancing the capacity of the service.

In December 2019 the ADP commissioned a Needs Assessment from Public Health which will report in 19/20 on the health needs (prevention, care and treatment) of problem drug and alcohol users and their families in West Lothian and will make specific recommendations to improve the experience of most at risk populations.

This summary outlines a range of key challenges and some significant policy changes that have applied to the service during 2018/19. Despite the challenging context there have been a range of positive developments and improvements over the year. The service has embarked on major programmes of change and reform with a focus on continuous improvement and meeting the needs of service users in different and more sustainable ways.

Social work and social care employees in West Lothian have worked extremely hard over the year to deliver change and improvement and have made a significant contribution to enhancing outcomes and supporting vulnerable people.

The following information is an extract from the Social Policy Management Plan for 2018/19 setting out an overview of key activities, outcomes and resources required to deliver these over the period. Social Policy makes a meaningful and measurable contribution to the delivery of the Council's Corporate Plan 2018/23 as detailed in the following tables:

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
2 Delivering positive outcomes and early interventions for early years	(P2.1) Providing sustainable models of parenting support work within home, community and education settings.	<ul style="list-style-type: none"> ■ Children and Young People Teams for Mental Wellbeing, School Attendance Improvement and Parenting Groupwork and Support ■ Integrated Early Years Services ■ Family Placement Team ■ Community Addictions Services West Lothian 	SPCF130_Percentage of Children and Families Care Inspectorate Inspections graded good, very good or excellent	92%	100%	100%
2 Delivering positive outcomes and early interventions for early years	(P2.2) Providing support for vulnerable children and young people to achieve sustainable positive outcomes and destinations in line with priorities in the West Lothian Corporate Parenting Plan.	<ul style="list-style-type: none"> ■ Child Care and Protection Teams ■ Child Disability Service ■ Reviewing Officers Team ■ Domestic and Sexual Assault Team ■ Social Care Emergency Team ■ Whole Family Support Service ■ Residential Houses ■ Inclusion and Aftercare Service ■ Family Centre Service 	SPCF138_Percentage of children involved with the Whole Family Support service who have avoided becoming accommodated who were assessed as being at high risk of being accommodated.	87%	75%	80%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
3 Minimising poverty, the cycle of deprivation and promoting equality	(P3.6) Contributes to providing a route out of poverty through work and continuing to support those further from the labour market to progress towards work.	<ul style="list-style-type: none"> ■ Whole Family Support Service ■ Inclusion and Aftercare Service ■ Sure Start ■ Youth Justice Team ■ Community Payback Team ■ Support to adults with physical disabilities, learning disabilities and mental health issues ■ Domestic and Sexual Assault Team ■ Community Addictions Services West Lothian 	SPCF127_Percentage of young people who are eligible for Aftercare Services who present as homeless	2.8%	3%	2%
4 Improving the quality of life for older people	(P4.1) Through the delivery of the Integration Joint Board Strategic Plan, older people are able to live independently in the community with an improved quality of life.	<ul style="list-style-type: none"> ■ Assessment and Care Management Services (including Self Directed Support and compliance with the Carers (Scotland) Act 2016) ■ Facilitating Hospital Discharge ■ Care Homes including respite care ■ Housing with Care ■ Day care and personalised support ■ Care at Home and specialist provision 	CP:CC017_Percentage of customers who rated overall satisfaction with the Older Peoples service they received as good or excellent	97%	98%	98%
4 Improving the quality of life for older people	(P4.2) To increase the range of available support to enable older people to achieve better outcomes by choosing and directing their own support.		CPSW02_Self Directed Support (SDS) Spend on Adults 18+ as a Percentage of Total Social Work Spend on Adults 18+	9.58%	2.5%	9.5%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
			SW03a_Percentage of People Aged 65+ with long-term care needs who are receiving personal care at home	65.7%	64%	64%
4 Improving the quality of life for older people	(P4.3) Redesigning services for older people with a focus on supporting those most in need and maximising the use of technology enabled care where appropriate.	<ul style="list-style-type: none"> ■ Provision of Home Safety Service and further development of Telecare ■ Reablement and Crisis Care Services ■ Occupational Therapy Service ■ Home Safety and Technology Enabled Care programme 	CP:SPCC100_Increasing the number of people aged 75+ supported by technology to remain at home.	2683	2770	2755
			SPCC019_Average Number, per month, of West Lothian patients whose discharge from hospital is delayed by more than 2 weeks	28	15	13
4 Improving the quality of life for older people	(P4.4) Developing a more sustainable service delivery model targeted to those most in need with an increased emphasis on reablement to retain or regain independence within their home or community setting.		CP:SPCC014_Percentage of Occupational Therapy assessments allocated within 6 weeks of referral	86%	90%	90%
			SPCC024_Net cost per head of population on social care services for older people.	£1,378	£1,200	£1,432

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
4 Improving the quality of life for older people	(P4.5) As part of the delivery of the Integration Joint Board Commissioning Plan for Older People, the council will focus on: a) Improving dementia care, with particular emphasis on improving post-diagnostic support; b) Expanding use of technology-enabled care to support older people and carers of older people; c) Supporting older people to live at home or in a homely setting for longer; d) Ensuring specialist mental health provision for the over 65's; e) Ensuring support needs of carers are met, particularly carers of those with dementia; f) Developing single points of information for all older peoples' service provision.	<ul style="list-style-type: none"> ■ Assessment and Care Management services for older people ■ Reablement and Crisis Care ■ Short Breaks/Respite and Day Care ■ Review Housing with Care ■ Redesign of Post Diagnostic Support Service ■ Provision of Home Safety Services and development of Telecare ■ Review of Care Home Liaison service ■ Older People Acute Care Team ■ Review Access Systems 	CP:SPCC101_Increasing number of carers of older people who have an adult carer support plan	48	45	80
			CP:SPCC100_Increase the number of people aged 75+ supported by technology to remain at home	2,683	2,770	2,755
			SPCC019_Average Number, per month, of West Lothian patients whose discharge from hospital is delayed by more than 2 weeks	28	15	13
			CPSW02_Self Directed Support (SDS) Spend on Adults 18+ as a Percentage of Total Social Work Spend on Adults 18+	9.58%	9.5%	9.5%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
6 Delivering positive outcomes on health	(P6.1) The development of more targeted care at home, the use of assistive technology and provision of reablement will positively contribute to improved outcomes for people.	<ul style="list-style-type: none"> ■ Reablement and Crisis Care ■ Home Safety Service and Development of Technology 	CP-SPCC015_Number of households receiving telecare	3,708	4,300	3,750
6 Delivering positive outcomes on health	(P6.2) Through the delivery of the Integration Joint Board Strategic Plan, increase well-being and reduce health inequalities across all communities in West Lothian. Locality planning will provide a key mechanism for strong local, clinical, professional and community leadership.	<ul style="list-style-type: none"> ■ Assessment and Care Management ■ Improve % of Personalised Care Options ■ Develop Core and Cluster Housing Models ■ Access to Employment ■ Community Addictions Services West Lothian ■ ■ 	CP:SPCC005_Percentage of all clients waiting no longer than three weeks from referral to appropriate drug or alcohol treatment (HEAT A11)	61%	90%	90%
			SPCC003_Number of adults with learning disability provided with support to enable them to obtain employment or training for employment.	43	44	44

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
6 Delivering positive outcomes on health	(P6.3) Improving our approach to integrated models for mental health services for children, young people and adults recognising the importance of mental health and wellbeing on people achieving positive outcomes.	<ul style="list-style-type: none"> ■ Acute Care and Support Team ■ Child and Adolescent Mental Health Service ■ Older People Acute care Team ■ Post Diagnostic Support (Dementia) ■ Development of Core and Cluster 	SPCC102_The hospital readmissions rate for mental health patients	13.5%	18.5%	12%
6 Delivering positive outcomes on health	(P6.4) Improving support to carers over the next five years through improved identification of carers, assessment, information and advice, health and well-being, carer support, participation and partnership.	<ul style="list-style-type: none"> ■ Joint management of the Community Equipment Store ■ Support to adults with physical disability and mental health issues 	CP:SPCC101_Increasing number of carers of older people who have an adult carer support plan SOA1306_17 Percentage of carers who feel supported in their care role	48	45	80
				42%	40%	46%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
6 Delivering positive outcomes on health	(P6.5) Delivering effective and integrated equipment and technology solutions to promote independence, support the ongoing shift in the balance of care, reduce and prevent hospital admissions and facilitate speedier hospital discharge.	<ul style="list-style-type: none"> ■ Day care and personalised support plans ■ Occupational Therapy Services ■ Access to Employment ■ Short Breaks from Caring ■ Provision of HSS and development of Telecare 	CP-SPCC015_Number of households receiving telecare	3,708	4,300	3,750
			CP-SPCC028_Percentage of people with a learning disability supported in their own tenancies	43% latest available data 17/18	42%	42%
			CP-SPCC002_Percentage of Care Inspectorate Inspections undertaken within registered learning disability services graded good or above	100%	100%	100%
6 Delivering positive outcomes on health	(P6.6) Improving the health and well-being of service users through rehabilitation and reablement, which will, in turn, have a positive impact on carers.	<ul style="list-style-type: none"> ■ Reablement and Crisis Care ■ Joint Management of Equipment Store ■ Development of Independent Housing Options 	CP-SPCC015_Number of households receiving telecare	3,708	4,300	3,750

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2018/19 Performance	2018/19 Target	2019/20 Target
7 Reducing crime and improving community safety	(P7.4) Protecting those in our community who are most at risk by providing effective interventions across the four main strands of public protection; Child Protection, Adult Support and Protection, Violence Against Women and Girls	<ul style="list-style-type: none"> ■ Child Care and Protection Teams ■ Prison based Social Work Team at HMP Addiewell ■ Criminal Justice Throughcare Team ■ Domestic and Sexual Assault Team ■ Public Protection Team 	CP:SPPPVAWG004 Percentage of women who report that they feel safer as a result of intervention by the Domestic and Sexual Assault Team	100%	100%	100%
7 Reducing crime and improving community safety	(P7.5) Working with our partner agencies to deliver the priorities agreed in the Community Justice Strategy; focused on ensuring that those over the age of 16 involved in the justice system are best supported not to reoffend.	<ul style="list-style-type: none"> ■ Youth Justice Team ■ Community Payback Team ■ Unpaid Work Order Team ■ Assessment and Early Intervention ■ Early and Effective Intervention 	SOA1304_30_Percentage of Early and Effective Intervention cases 8 to 15 years who do not reoffend within 12 months of initial referral	79%	80%	80%

2. Partnership Structures/Governance Arrangements

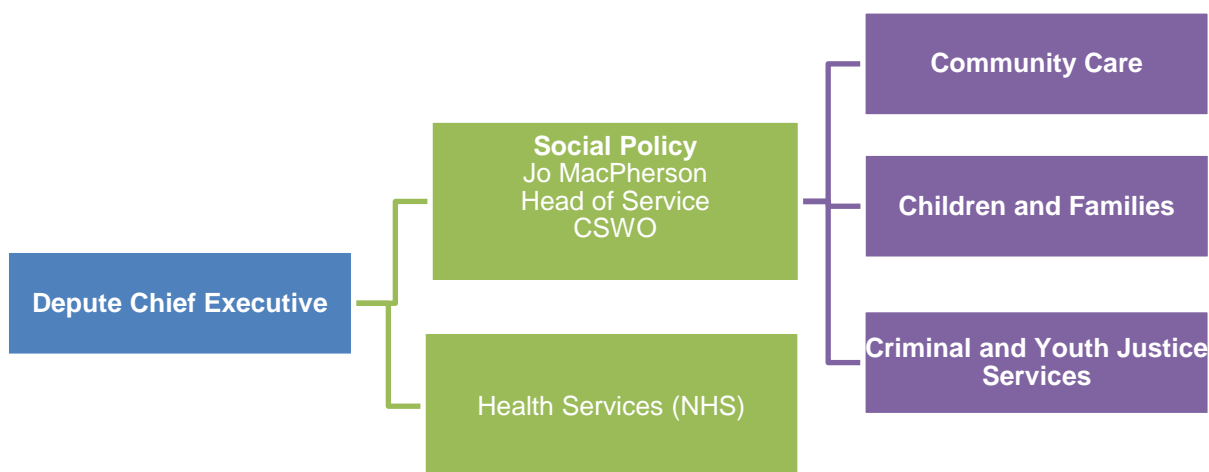
i. Service Context

Social Policy forms part of the Health and Social Care Partnership Directorate and has responsibility for the operational delivery of health and social care services including children and families, community care and justice services.

West Lothian Health & Social Care Partnership is designed to deliver improvements to our services and to deliver services which are seamless, integrated and inclusive. As we reshape and redesign our services to meet our commitments, our workforce will be required to do different things, to work in new and innovative ways and to further strengthen our partnership working arrangements.

The management structure is outlined below:

Figure 1 West Lothian Health and Social Care Partnership Management Structure



Social Policy encompasses a wide range of services planned and delivered for a large number of people with a spectrum of differing needs and works towards achieving the council's strategic aims, in particular:

- Delivering positive outcomes and early interventions for early years
- Improving the quality of life for older people
- Minimising poverty, the cycle of deprivation and promoting equality
- Reducing crime and improving community safety
- Delivering positive outcomes on health

The service contributes to a series of joint plans with key partners including:

- The council's Corporate Plan and the deliverables for which Social Policy is responsible for achieving or contributing to;
- Supporting the delivery of the council's transformation programme and Digital Transformation strategy
- Implementing the priorities outlined in:
 - the Children's Services Plan 2017/2020
 - the Corporate Parenting Plan
 - the Community Justice Strategy 2018/23
 - the Violence Against Women and Girls Strategy 2018/20
- Integration Board Strategic Plan 2019/23
- Integration Participation and Engagement Strategy 2016/26
- West Lothian Autism Strategy 2015/25
- Joint Commissioning Plans for all main operational areas to ensure a clear focus on delivery of Transforming Your Council priorities

ii. Partnership

Social Policy has a key role to play in the wider Community Planning process especially where there is a focus on the needs of vulnerable or disadvantaged people and makes a significant contribution to partnership working by its continued input to the Integration Joint Board, Integration Strategic Planning Group, Children and Families Strategic Planning Group and Safer Communities Strategic Planning Group, The Chief Officers' Group oversees the work of the Public Protection Committee and has responsibility for ensuring that their agencies, individually and collectively, work to protect the children, young people and vulnerable adults of West Lothian.

Figure 2 Strategic Planning Structure



■ West Lothian Integration Joint Board

The Integration Joint Board has responsibility for the governance of the range of health and social care functions including all Social Policy services delivered for adults and older people, plus domestic abuse and health improvement functions. The functions that have been delegated to the West Lothian IJB are set out in the West Lothian Integration Scheme ([West-Lothian Integration Scheme.pdf](#)).

Following a review of the West Lothian Integration Joint Board Strategic Plan 2016-26 it was recommended that a replacement plan would be developed to

take account of new legislation, national contract changes, market and workforce factors and to drive forward transformational change in health and social care aligned to the medium term financial plan.

The new West Lothian Integration Joint Board Strategic Plan 2019-23 was launched in April 2019. ([Link to Strategic Plan 2019-23](#))

■ **West Lothian Integration Joint Board Strategic Planning Group**

The West Lothian Integration Joint Board Strategic Planning Group has a significant role in supporting the IJB to deliver against the National Health and Wellbeing Outcomes and in accordance with the Integration Delivery Principles. The Strategic Planning Group (SPG) reports directly to the IJB and is responsible for the following:

- Developing the initial baseline strategic plan for the IJB, including strategic commissioning priorities, organisational development, localities based activity, and a three year action plan
- Overseeing the implementation of the three year action plan
- Monitoring performance against national outcomes and locally agreed outputs
- Reviewing the strategic plan and the three year action plan
- Providing views and comment to the IJB in responding to emerging Scottish Government policy and regulations
- Supporting the IJB on key proposals and service changes by linking effectively with staff.

■ **West Lothian Integration Joint Board - Health and Care Governance Group**

The Health and Care Governance Group (HCGG) was established in 2017 to provide assurance regarding the quality of care, the planning and delivery of services and maintenance of professional standards and regulation of staff. The IJB also approved the West Lothian Health and Care Governance Framework. The framework covers the delegated functions set out in the West Lothian Integration Scheme and was developed to ensure that explicit local lines of accountability exist across health and social care, with clear paths of escalation where evidence of risk is beginning to rise. It also builds on existing duties, systems and processes already in place within NHS Lothian and West Lothian Council for the proactive promotion of safe, high quality, integrated care for the residents of West Lothian. An action plan has been put in place to further develop the processes required to assure the IJB of the quality of health and social care services in West Lothian. The focus of the plan is on providing transparency and maintaining a culture which supports the safe and effective delivery of care.

■ **West Lothian Children and Families Strategic Planning Group**

The West Lothian Children and Families Strategic Planning Group is part of the West Lothian Community Planning structure.

The Strategic Planning Group oversees the development of Getting It Right For Every Child (GIRFEC) across West Lothian and has responsibility to enact the range of duties of the Children and Young People (Scotland) Act 2014, including the development of a joint Children's Services Plan and the Corporate Parenting Plan.

In compliance with the requirements of part 3 of the Children and Young People (Scotland) Act 2014, the Children and Families Strategic Planning Group is responsible for reporting on the progress made in taking forward the priorities detailed within the West Lothian Children's Services Plan 2017-2020.

- **West Lothian Public Protection Committee**

The Public Protection Committee has oversight of the areas of Child Protection, Adult Protection, Multi-Agency Public Protection Arrangements (MAPPA) and Violence Against Women and Girls. The Committee works alongside other key groups including Children and Families and Safer Communities Strategic Planning groups and the Integration Strategic Planning Group to work towards better outcomes for the most vulnerable populations in our society.

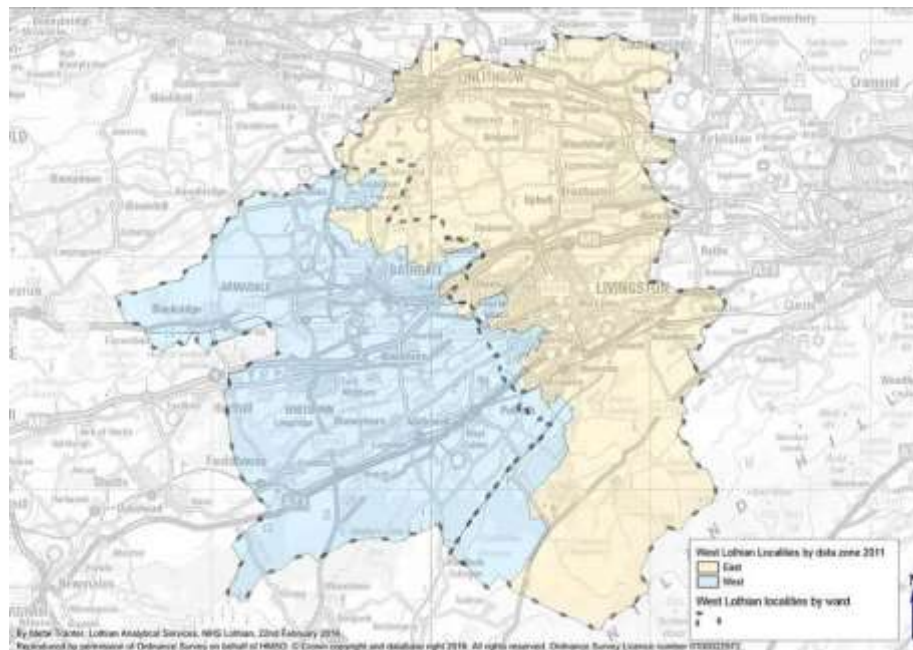
- **Community Justice**

New Community Justice arrangements came into place in April 2017, with oversight across the partnership services involved in the delivery of Community Safety and the compliance with multi-agency Criminal and Youth Justice arrangements.

We will continue to work closely with key partners in the West Lothian Community Planning Partnership to share information which will enable us to identify those most at risk and to intervene to prevent harm.

- **Locality Planning**

Locality planning contributes to the successful delivery of services at a community level. The Health and Social Care Partnership has established two locality groupings, East (incorporating the ward areas of Linlithgow; Broxburn, Uphall and Winchburgh; Livingston North; Livingston South; East Livingston and East Calder) and West (incorporating the ward areas of Bathgate; Armadale and Blackridge; Whitburn and Blackburn; Fauldhouse and the Breich Valley) with the aim of joining up health and care services ever more closely within communities.



iii. The Role of the Chief Social Work Officer

The Chief Social Work Officer (CSWO) in West Lothian is responsible for monitoring all social work and social care service activity across the council and within any integrated arrangements.

Monitoring is in place to ensure that agreed targets are being met, professional standards are maintained and reports to outside agencies reflect the true position of services either provided directly or purchased by the Council. The CSWO is a member of a number of significant decision making teams and groups, both within the Council and in multi-agency settings, providing reports to and receiving reports from them, and having the opportunity to contribute to decision making as appropriate.

In the context of Health and Social Care Integration and the Public Bodies(Joint Working)(Scotland) Act 2014, the CSWO is required to be appointed as a non-voting member of the Integration Joint Board (IJB). The influence of high quality professional leaders in integrated arrangements is central to the effectiveness of improving the quality of care locally and nationally. The CSWO also has a defined role in professional and clinical and care leadership and has a key role to play in the Health and Care Governance systems which support the work of the Integration Joint Board.

The CSWO is required to report annually to the council and the arrangements set out here will form the basis of the content of the annual report. The CSWO also reports annually to the IJB.

There are a range of other roles undertaken by the CSWO and these include:

Significant case reviews: the CSWO will sign off all significant case review reports across Social Policy. The CSWO is a member of the Significant Case Review sub-committee in relation to child protection.

External audits and inspections: the CSWO is the lead officer for all social work related audits and inspections, and must be notified of any related issues as they arise. In general, the external body will communicate directly with the CSWO. The CSWO must be informed of any requirements imposed by the Care Inspectorate on any of the council's registered services (adults or children), or on any registered service purchased by the council on behalf of service users or delivered within West Lothian to vulnerable clients.

Human resources: the CSWO needs to be aware of any matters which may impinge on 'Safer Recruitment' practices within the council. The CSWO will be involved in all instances where referral of a staff member to the Scottish Social Services Council on conduct issues is being considered; or where referral of a member of staff to the Central Barring Unit (Protection of Vulnerable Groups legislation) or the Disqualified from Working with Children List is being considered.

Senior meetings: within the council or with partner agencies the CSWO is a member of the:

- Corporate Management Team
- West Lothian Health and Social Care Partnership Senior Management Team
- Social Policy Senior Management Team
- West Lothian Integration Joint Board
- West Lothian Integration Strategic Planning Group
- Health and Care Governance Group
- Children and Families Strategic Planning Group
- Protection of Vulnerable Groups (PVG) Referral Panel
- Chief Officers Group
- Public Protection Committee
- Edinburgh, Lothian and Scottish Borders Strategic Oversight Group

The CSWO also attends:

- Full Council Meetings as required
- Council Executive Meetings as required
- Council Executive Management Team as required
- Social Policy, Policy Development and Scrutiny Panel
- Health and Care Policy Development and Scrutiny Panel

There are two types of specific reporting:

1. Regular, planned reports relating to statutory decision making.
2. Critical incident reports, where the CSWO is advised of events so that appropriate decisions can be made, action taken, and where necessary, information relayed to other bodies.

■ **Planned Reports: Statutory Decision Making**

Delegated statutory decision making: the CSWO must monitor the statutory decision making, which has been delegated to managers across the council. This will be achieved in two ways:

1. by regular summaries of the activity; and
2. by sampling of a number of cases on an agreed and regular basis.

The main areas for monitoring are listed below. There are some less frequent statutory decisions, which are delegated and these will be discussed with the relevant managers in order for a mutually agreeable system to be developed.

Complaints: the CSWO receives regular reports on Social work complaints, the outcomes and actions taken as a result if the complaint is upheld and any learning to be applied.

Secure accommodation authorisations: Where secure care is being considered for a child the CSWO will convene a Secure Care Panel. The CSWO will review and consider all of the information presented and decide if the legal test has been satisfied and if secure care best meets the child's needs. The CSWO through the panel process reviews the progress of children placed in secure care and the plans made for their safe exit.

Emergency movement of children subject to a supervision requirement: a quarterly summarised report is submitted.

Adoption and fostering: the CSWO retains an oversight of decisions through delegated authority to the senior managers for Children & Families.

Mental Health Officer decisions: the relevant managers submit quarterly reports to the CSWO, summarising the decisions made in that quarterly meeting.

Adults with Incapacity Act decisions: the relevant managers submit quarterly reports to the CSWO, summarising the decisions made in that quarterly meeting.

Multi-Agency Public Protection Arrangements (MAPPA): the relevant managers submit quarterly reports to the CSWO in relation to all high and very high risk offenders. The CSWO is required to attend MAPPA Level 3 case conferences.

■ **Critical Incident Reporting**

These reports are required so that the CSWO can make a judgment as to whether additional measures need to be put in place, and whether outside agencies need to be informed. This is intended to be a helpful process, by which the CSWO can offer advice and support to lessen the impact of serious incidents, both on the council as a whole and on individual staff at a stressful time.

- The CSWO must be informed at the earliest possible time of the death of, or serious harm to, a child looked after by the council; on the Child Protection Register; receiving a service from the council; or referred for a service, but awaiting allocation. This will take the form of a written report detailing the facts of the incident and the actions put in place.
- The CSWO must be informed of the death of, or serious harm to, an adult subject to a statutory order under the mental health legislation; in residential or supported accommodation, whether provided or purchased by the council; receiving a service; or referred for a service, but awaiting allocation. This will take the form of a brief report detailing the facts of the incident and the actions put in place.
- The CSWO must be informed of any potentially adverse media attention to social work services. A verbal report from the communications team is required at the earliest opportunity.
- The CSWO must be informed of serious adverse staffing matters, such as the suspension of a member of staff, which may attract media interest or where the continued running of a service is under threat. This will take the form of a verbal report from the senior manager responsible for the service.

■ **Significant Occurrence Notification**

Both Community Care and Children and Families operate a significant occurrence notification procedure. All of the above incidents would result in a

notification under these procedures, however, there will be other examples covered by the procedures. For consistency, the CSWO should be copied in to all significant occurrence notifications.

iv. Corporate Governance

West Lothian Council, has adopted the Charter Institute of Public Finance and Accounting (CIPFA)/ Society of Local Authority Chief Executives (SOLACE) framework and has developed a Code of Corporate Governance in which each principle has a number of specific requirements which have to be met for the council to show that it complies with the code, and for each of those requirements a responsible officer in the council has been identified.

In West Lothian it is recognised that good governance is not merely an auditing requirement; it is crucial for effective public services and achieving the social outcomes which are the council’s objective.

v. Customer Engagement

Social Policy actively engages customers and potential customers in the delivery and redesign of services to ensure that these are accessible and focused on their needs and preferences.

Community Care - Customer Consultation Schedule 2018/19				
Customer Group	Method	Frequency	Responsible Officer	Feedback Method
All disability groups	Disability Equality Forum	Quarterly	Business Support Officer	Minutes
Older People service users	Survey	Annual	Group Manager	Survey returns
	Senior People’s Forum	Quarterly	Business Support Officer	Minutes
Learning Disability service users	Survey	Annual	Business Support Officer	Survey returns, feedback through newsletter
	Learning Disability Service Users Forum	Quarterly	Group Manager	Minutes
Physical Disability service users	Survey	Annual	Group Manager	Survey returns, feedback through newsletter
	Physical Disability Service Users Forum	Quarterly	Business Support Officer	Minutes
Adult Protection service users	Safe and Sound Adult Protection Forum	Quarterly	Adult Protection Officer	Minutes
Mental Health service users	Mental Health Service Users Forum	Quarterly	Team Manager	Minutes

Children's Services - Customer Consultation Schedule 2018/19				
Customer Group	Method	Frequency	Responsible Officer	Feedback Method
Service users	Survey	Annual	Business Support Officer	Reported via performance indicators
Service users	Consultative Forums	Quarterly (carers)	Team Manager	Newsletter
Partners / key stakeholders	Early Years event	Annual	Group Manager	Newsletter
Having Your Say	Looked After Children's forum	Monthly	Team Manager	Group meeting
Service users	Viewpoint	Monthly	Group Manager	Feedback Report

Criminal Justice and Youth Justice - Customer Consultation Schedule 2018/19				
Customer Group	Method	Frequency	Responsible Officer	Feedback Method
Service users	Survey	Annual	Group Manager	Public performance indicators Reporting on the council's website
Partners / key stakeholders	Survey	Annual	Group Manager	Public performance indicators Reporting on the council's website
Unpaid Work recipients satisfaction feedback	Survey	Ongoing reported/ annually	Unpaid Work Manager	Public performance indicators Reporting on the council's website
Unpaid Work consultation	Focus group	Annual	Unpaid Work Manager	Annual to Policy Development and Scrutiny Panel

3. Social Services Delivery Landscape

West Lothian is in Central Scotland, has a population of approximately 182,140 (National Records of Scotland 2018 mid-year estimate). This is an increase of 0.5% from 181,310 in 2017. Over the same period, the population of Scotland increased by 0.2%.

It covers an area of 165 square miles, two thirds of which are predominantly used for agriculture and a tenth of the area is taken up by urban development. In the east-central band there is a large shale oil field, whilst the area in the west is dominated by Scotland's central coalfield. Both of these natural resources were greatly exploited in the 19th and early 20th centuries and contributed to the development of a number of West Lothian's communities. The rapid development of these 'boom' communities meant the loss of these industries was felt heavily, and this legacy has resulted in some small but prominent concentrations of deprivation.

West Lothian has undergone significant change over the last ten years in demography, physical environment and its economy. These changes have presented opportunities and challenges for West Lothian's communities and the organisations that deliver services in the area.

West Lothian had the 9th highest population in 2018, out of all 32 council areas in Scotland. Between 1998 and 2018, the population of West Lothian has increased by 18.9%. This is the 2nd highest percentage change out of the 32 council areas in Scotland. Over the same period, Scotland's population rose by 7.1%.

West Lothian faces a growing and also an ageing population. The West Lothian population is growing faster than the Scottish average and the number of people aged 75 and over is forecast to increase by 119.7% by 2041. During the same period the working age population 25-49 years and 50-64 years are only projected to grow by 2.1% and 4.1% respectively.

The number of carers in West Lothian is similar to the national average and has not changed since the 2001 Census. There has, however, been a significant increase (35%) in the amount of care provided with nearly 7,800 people providing unpaid care for 20 or more hours a week, and 4,600 of these for 50 hours or more.

i. Inequalities

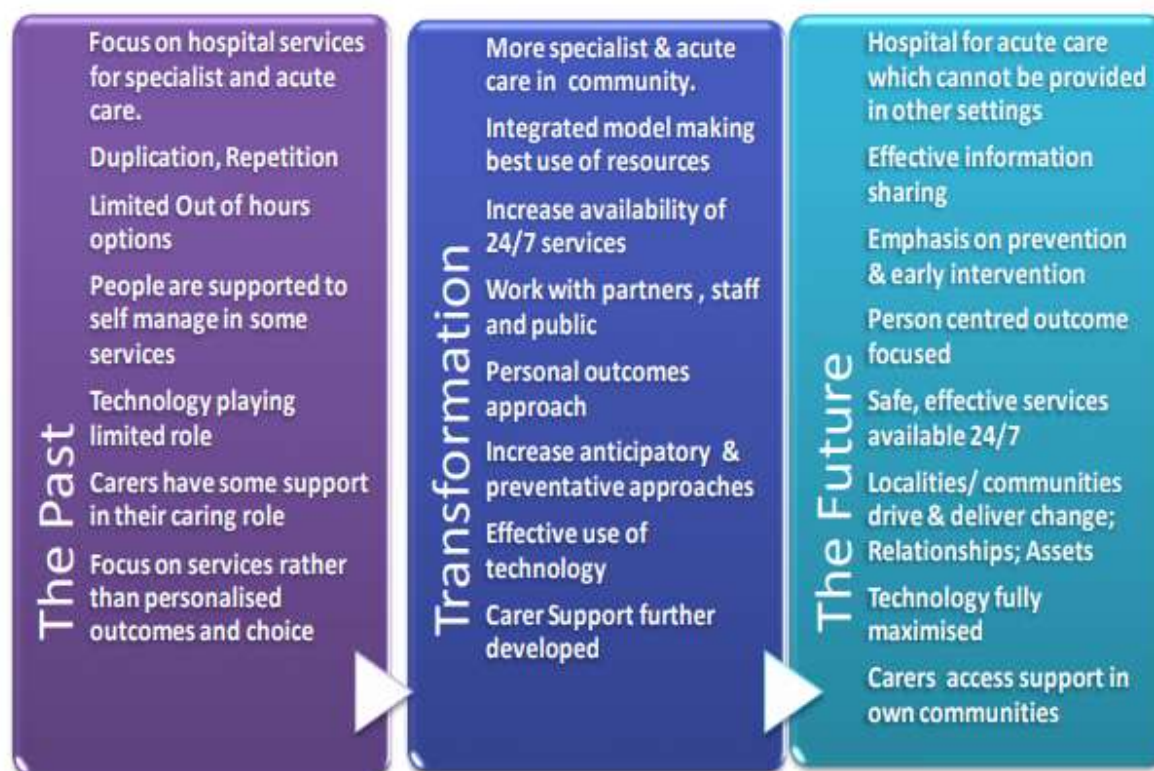
- West Lothian has 239 data zones, 38 of which fall within the most deprived 20% (quintile 1) of the 2016 Scottish Index of Multiple Deprivation (SIMD).
- West Lothian has 16 datazones in the 15% most deprived in Scotland
- Almost 9000 people in West Lothian live within some of the most deprived areas in Scotland, which accounts for around 5% of West Lothian's total population
- 24% of children in West Lothian live in low income working households, compared to 25% for Scotland
- Around 22,000 households in West Lothian (28%) are defined as fuel poor, spending more than 10% of their income on gas and electricity costs
- Approximately 22% of children in West Lothian experience poverty

A significant proportion of households are earning less than the average weekly wage; a quarter of West Lothian households earn less than £16,000 and approximately 38% earn less than £20,000.

Social Policy is committed to contributing to the delivery of the [West Lothian Anti Poverty Strategy 2018-23](#)

ii. Strategic Commissioning

Strategic commissioning is the term used for all the activities involved in assessing and forecasting needs, linking investment to agreed outcomes, considering options, planning the nature, range and quality of future services and working in partnership to put these in place. This includes challenging historical spending patterns in light of what we know about our population needs and in particular managing the major trends of a growing, ageing population with increasing comorbidity.



A strategic approach has been taken to commissioning and there is commitment to working with partners to:

- Empower people to live independently through applying the principles of personalisation in the way in which we commission services.
- Undertake appropriate consultation and involvement with service users and their carers to achieve their agreed outcomes when commissioning services.
- Engage positively with providers of health and social care services in the public, voluntary and private sector.

- Adhere to relevant procurement legislation and guidance and ensure that services are commissioned in a way that is fair, transparent and open;
- Ensure that quality, equality and best value principles are embedded through our commissioning processes.

Commissioning is an ongoing and evolving process and our approach is based on an annual Analyse, Plan, Do and Review cycle

iii. Strategic Commissioning Plans

The Public Bodies (Joint Working) (Scotland) Act 2014 placed a duty on Integration Authorities to develop a 'strategic plan' for integrated functions and budgets under their control. In compliance with this requirement strategic commissioning plans have been developed for all adult care groups. These strategic commissioning plans incorporate the important role of informal, community capacity building and asset based approaches, to deliver more effective preventative and anticipatory interventions, in order to optimise wellbeing and the potential to reduce unnecessary demand at the 'front door' of the formal health and social care system.

Strategic Commissioning Plans are being developed for:

- Substance Misuse Services
- Adults with Learning Disabilities
- Adults with Physical Disabilities
- Mental Health
- Older People.
- Children and Families
- Community Justice

iv. Contract Monitoring

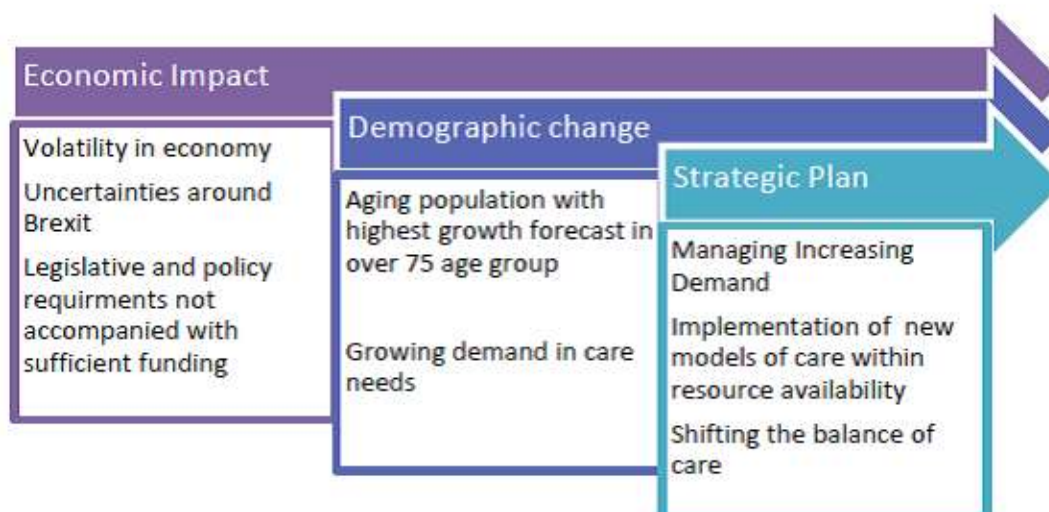
Contract monitoring and review is a fundamental function in the commissioning of social care services. It is required to evidence best value to the council and its regulators as well as ensuring the delivery of outcomes for vulnerable people living in West Lothian.

A comprehensive Contract Monitoring Framework is in place to provide a consistent approach to the monitoring of externally purchased care and support services. It is recognised that due to the impact on the quality of life, health and wellbeing of services users and their carers, the procurement of care and support service requires specialist consideration in order to ensure a focus on outcomes. The framework incorporates best practise for the monitoring and review of social care contracts.

4. Resources

The medium term financial plan plays an important role in informing the planning and prioritisation of future service delivery, and strategic planning and commissioning. Financial planning assumptions are reviewed on an ongoing basis to take account of events such as changes to funding levels, economic forecasts, care demands and policy decisions impacting on the delivery of social work services.

Medium-term financial planning requires to take account of a number of risks as summarised below:



In February 2018 West Lothian Council agreed a five year revenue budget strategy including measures to address a budget gap of £65.3 million over the five years from 2018/19 to 2022/23. The Social Policy element of these savings was £23.3 million. Social Policy delivered £3,106,000 of these savings in 2018/19. The council is now in the second year of this strategy and continues with its ambitious project management approach to ensuring a break even budget is achieved at the end of each financial year.

The total net expenditure for Social Policy in 2018/19 was £96,269,000 which represented an underspend of £1.956 million. This was as a result of early delivery of future year savings of £1.05 million and one off underspends related to Care at Home Delivery of £294,000 and £610,000 in Children's services.

While West Lothian Council did report an underspend for Social Policy in 2018/19 there remain a number of significant pressure areas as outlined below

Areas of pressure include:

- External and Internal Residential Placements for Looked After Children
- Care at Home for Adults – Particularly Residential Care for Adults with Physical Disabilities
- Residential Care for Older People.

These areas are all subject to ongoing monitoring and all form part of the councils redesign programme that will ensure that we can continue to deliver quality services within the available budget.

In common with Social Services across Scotland the council is operating within the constraints of Public Sector funding and as such is required to deliver savings on an annual basis.

5. Service Quality and Performance including delivery of statutory functions

Performance during the year is monitored and reported using the council's performance management system, Pentana. The Social Policy Management Plan outlines how services contribute to delivering these outcomes. There is alignment between Management Plans, Activity Budgets and services, providing a link between resources, performance targets and outcomes.

This information is reported annually to the Social Policy, Policy Development and Scrutiny Panel. The service performance is monitored on a monthly basis at the Senior Management Team meeting. The Social Policy Management Plan 2019 - 20 is the key document that details the strategic direction for service delivery, plans to improve outcomes and services. The Management Plan does not stand alone but is part of a wider planning and service development approach.

Social Policy also contributes to, and as a service is aware of, the benefits of the wider Community Planning process especially where there is a focus on the needs of vulnerable or disadvantaged people.

Social Policy continues to make a significant contribution to the preventative agenda by the work being taken forward by the West Lothian Community Planning Partnership (CPP) and the West Lothian Integration Joint Board (IJB). The service continues to seek areas and opportunities to move resources upstream or to identify existing service gaps that if measures were put in place would lead to improved outcomes and reduce social inequalities across West Lothian.

Regulation, Inspection and Improvement Activity

i. Inspection of Registered Services

During the inspection year 2018/2019, all of West Lothian Council's services received the minimum level of inspection:

■ Children and Families

The quality inspection reports from the Care Inspectorate of Services for Children and Young People show that of all areas assessed 100% were awarded Grades of 3 (Adequate) or above with 37% awarded 5 (Very Good) Where services grades of 3 (Adequate) were awarded the service has undertaken service review work to inform improvement activity.

This is a positive performance and demonstrates the continuing hard work and commitment on the part of these staff delivering some of the most challenging services in social work.

Services for children and young people	Quality of Care & Support	Quality of Environment	Quality of Staffing	Quality of Management and Leadership
Whitrigg House July 2018	4 Good	5 Very Good	Not Assessed	Not Assessed
Torcroft House July 2018	5 Very Good	Not Assessed	Not Assessed	4 Good
Letham House July 2018	5 Very Good	4 Good	5 Very Good	4 Good
Livingston Family Centre February 2019	5 Very Good	5 Very Good	5 Very Good	3 Adequate
Adoption Services October 2018	4 Good	Not Assessed	Not Assessed	4 Good
Fostering Services October 2018	4 Good	Not Assessed	4 Good	3 Adequate
Through Care After Care December 2018	4 Good	Not Assessed	Not Assessed	4 Good

■ Adults and Older People

From 31st July 2018 the Care Inspectorate introduced a new framework for inspections of care homes for older people. They also tested the framework on care homes for adults. Under the new framework Care Inspectorate officers undertake inspections and award grades in relation to the following 5 Key Questions:

1. How well do we support people's wellbeing?
2. How good is our leadership?
3. How good is our staff team?
4. How good is our setting?
5. How well is our care and support planned?

A six-point scale is used to describe the quality:

6	Excellent	Outstanding or sector leading
5	Very good	Major strengths
4	Good	Important strengths, with some areas for improvement
3	Adequate	Strengths just outweigh weaknesses
2	Weak	Important weaknesses – priority action required
1	Unsatisfactory	Major weaknesses – urgent remedial action required

Of the Care Homes inspected under the new framework:

- 100% achieved grades of 4 (Good) or above in relation to Key Question1
- 100% achieved grades of 4 (Good) or above in relation to Key Question2
- 100% achieved grades of 4 (Good) or above in relation to Key Question3
- 100% achieved grades of 4 (Good) or above in relation to Key Question4
- 80% achieved grades of 4 (Good) or above in relation to Key Question5

It should be noted that not all care homes have been inspected using the new methodology yet with some services continuing to be inspected on the previous frame work.

The quality inspection reports from the Care Inspectorate of Services for Adults and Older People inspected under the previous framework show that of all areas assessed 100% were awarded Grades of 3 (Adequate) or above. Where services grades of 3 (Adequate) were awarded the service has undertaken service review work to inform improvement activity.

Care Homes	Quality of Care & Support	Quality of Environment	Quality of Staffing	Quality of Management and Leadership
Limecroft Care Home	3 Adequate	3 Adequate	4 Good	3 Adequate
May 2018				

Day Care, Care at Home and Support Services	Quality of Care & Support	Quality of Environment	Quality of Staffing	Quality of Management and Leadership
Ability Centre	No inspection during the period			
Eliburn Day Centre	No inspection during the period			
Holmes Gardens Day Resource	No inspection during the period			
Adult Placement Service	No inspection during the period			
Pathways	No inspection during the period			
Housing with Care December 2018	5 Very Good	Not Assessed	5 Very Good	Not Assessed
Support at Home Services January 2019	4 Good	Not Assessed	4 Good	Not Assessed
Whitdale Day Care	No Inspection during the period			

Inspection reports are analysed and action plans to address any recommendations produced by the relevant service. These are routinely reported to elected members who have the opportunity to scrutinise progress.

Despite the above external scrutiny, responsibility for the quality of service delivery rests with the council and not with external scrutiny bodies. The council's social work services have a range of internal mechanisms to monitor the quality of provision and any improvement activity required. These include:

- Direct supervision of front-line practice by team managers
- Individual reviews of care plans and packages of care by case managers
- Analysis of social work complaints
- Monitoring of service level agreement and contracts for the purchase of care
- Regular case file audits
- An annual programme of quality assurance, reviews of teams and services
- Routine performance monitoring
- Self-evaluation through Customer Service Excellence/ West Lothian Assessment Model
- Monthly Performance Reporting
- Multi-agency self -evaluation and quality assurance activity in relation to adult and child protection

Significant Case Review and Learning Review

The West Lothian Chief Officers Group commissioned a Significant Case Review and a Learning Review in relation to child protection which both reported in 2018. Findings from these reviews are being addressed.

An e-IRD (Interagency Referral Discussion) system for recording protection referrals was introduced in 2018 enabling staff in the core agencies to communicate and record information on a single document, reducing the possibility of misunderstandings and misinterpretation of information. A review group of senior managers was established to quality assure decision making at the IRD stage of the child and adult protection process. The review group reports to the Public Protection Committee (PPC) on a 6 monthly basis and identifies any developing themes. IRD training was provided to those staff with responsibility for conducting IRDs. The introduction of the e-IRD system addresses one of the findings from the Significant Case Review conducted in West Lothian which identified that agencies' recording discussions on separate systems had led to misunderstandings and misinterpretation of information.

Collaborative Working

West Lothian Health and Social Care Partnership have introduced more collaborative ways of delivering services and have made improvements in several areas including reducing unplanned hospital activity and delays in discharging people from hospital. Whilst it is recognised that bed days occupied by people whose discharge from hospital was delayed rose significantly in West Lothian between 2017 and 2018 there has, however, been an overall improving trend in relation to delayed discharge in West Lothian since November 2018 as a result of targeted integrated interventions as follows.

A new integrated discharge hub was established at St John's Hospital in December 2018 with the purpose of enhancing flow through the hospital system to the community and improving delays. The hub brings together staff from the hospital, community, social work and Carers of West Lothian in a single location. Early indications are that there has been improvement in discharge planning, removal of unnecessary delays in the system and that patients have been discharged earlier. Staff within the acute hospital setting are working alongside staff in the hub to ensure that discharge planning takes place at the earliest possible opportunity and that there are no unnecessary delays in the discharge process.

On 1st September 2019, the discharge to assess phase of 'Home First' was introduced. Home First is a model of care which provides a step down approach to discharge from hospital to the community. The aim is to ensure people do not wait unnecessarily in hospital for assessment of ongoing care and support needs. Decisions made in a hospital environment often do not reflect someone's ability to cope at home and the Home First model addresses that by ensuring assessment of ongoing care and support needs happens in the individual's own home. Home First involves multi-disciplinary working across the health and social care system to maximise the opportunities for people to return to the community as early as possible.

Under the Home First approach, people requiring assessment of ongoing care and support needs on discharge are seen at home on the day of discharge when the process of assessment begins. Short term support is provided in the community by the Reablement Service and/or the Rapid Elderly Assessment Care and Treatment Team until decisions are made about longer term care requirements.

Additional investment has been made in the Reablement Service to increase capacity to deliver Home First. Work is also ongoing to refine the pathways required to support the Home First approach and impact will be monitored and evaluated.

There have been significant challenges in West Lothian around securing sufficient supply of care at home services to facilitate timely discharge from hospital as mentioned earlier. However, engagement with the sector resulted in a number of additional providers being available to work in West Lothian which in turn had a positive impact on the number of hours of care being delivered and on unmet need.

Work has also been done to develop a new care at home contract with focus on improving supply and ensuring care provision in hard to reach areas of West Lothian. The new contract takes effect from 1st October 2019 and will increase the number of providers delivering care in the area. Internal systems have been reviewed and improved to ensure quicker processes around matching packages of care to individuals and to support providers in the development of their services.

There has been an overall improvement since November 2018 in both the number of hospital delays and in the length of time people spend in hospital whilst delayed when compared with the position in 2017/18.

These improvements are welcome and show that integration can work within the current legislative framework.

ii. **Delivery of Statutory Functions**

The council's scheme of delegation allows senior social work staff to make certain decisions on behalf of the local authority in the following areas:

- Mental health
- Looked After Children and Young People:
 - Adoption
 - Secure accommodation and emergency placement of children
- Protection and Risk Management:
 - Child Protection
 - Adult Protection
 - MAPPA

Details of the annual monitoring in these areas are included in the subsequent paragraphs.

Mental Health

Section 32 of the Mental Health Care & Treatment (Scotland) Act 2003 places a statutory duty upon local authorities to appoint a sufficient number of Mental Health Officers (MHO) within their area to appropriately discharge the functions of Mental Health Officers.

The core tasks and responsibilities of Mental Health Officers stem from 3 main Acts of the Scottish Parliament and these are:

- Mental Health (Care and Treatment) (Scotland) Act 2003
- Criminal Procedures (Scotland) Act 1995
- Adults with Incapacity (Scotland) Act 2000

The Adult Support and Protection (Scotland) Act 2007 has also brought significant additional duties and responsibilities for all council staff including MHOs. There has been an increase in numbers of referrals to the MHO service to consider measures under the Adults With Incapacity Act for service users under the multi-agency Adult Protection procedures. This increase is due in part to better identification of matters relating to financial harm.

A duty Mental Health Officer is available 24 hours a day across the whole council area. MHOs undertake the full remit of work under the Mental Health Care and Treatment (Scotland) Act 2003. There has been depletion in the numbers of practising MHOs across the Council over the past year with a number of retirements. This is similar to the national picture where there are significant issues with the demographic of the MHO workforce and recruitment and retention of MHOs. While this is a national issue, West Lothian Council continues to prioritise the training of MHOs.

A significant part of the work and responsibility of a Mental Health Officer is work emanating from the Adults with Incapacity (Scotland) Act 2000. Under the Act the council has a protective function towards those adults who lack capacity. The largest area of work for MHOs under the 2000 Act falls within Part 6 of the Act namely Intervention Orders and Guardianship Orders.

Since the introduction of the 2000 Act, the trend in Guardianships has changed significantly and the number of applications granted by the Sheriff Courts continue to rise year on year. Guardianships are now routinely granted for a time limited period by the Court which has led to an increase in demand in relation to provision of MHO reports for renewal of Guardianship applications. With the predicted rise in population, and particularly for the over 75 age group, the increase in applications before the Courts is expected to grow placing additional pressure on the MHO service.

The following table indicates assessments undertaken under the Adults with Incapacity (Scotland) Act 2000.

	2016/17	2017/18	2018/19
New Guardianships granted	Private 50 CSWO 20	Private 56 CSWO 23	Private 61 CSWO 23
Total	70	79	84
Existing Guardianships	Private 215 CSWO 52	Private 241 CSWO 56	Private 292 CSWO 55
Total	267	297	347
New Intervention Orders	5	9	4

The following table indicates assessments undertaken under the Mental Health (Care & Treatment) (Scotland) Act 2003

	2016/17	2017/18	2018/19
Emergency Detention Certificates – Sec 36	75	82	44
Short term Detention Certificates – Sec 44	166	170	153
Compulsory Treatment Orders (new applications)	57	65	48
Assessments (Sect 86, 92, 95)	338	352	383

Looked After Children and Young People

Local Authorities have a responsibility to provide support to certain vulnerable young people, known as Looked After Children. A young person may become looked after for a number of reasons, including neglect, physical, sexual or emotional abuse, problematic parental substance misuse, complex disabilities which require specialist care, or involvement in the youth justice system, as well as for other reasons.

There are several types of placements where Looked After Children or Young People could be placed in, including at home (where a child is subject to a Supervision Requirement and continues to live in their normal place of residence), foster care, residential house or school, a secure unit or a kinship placement (where they are placed with friends or relatives).

In West Lothian we have continued to see an increase in the number of Unaccompanied Asylum Seeking Children being looked after in West Lothian. For the most part young people in these circumstances are accommodated in the Council's internal residential provision while assessments are undertaken to enable appropriate support to be provided or placed in community settings within West Lothian.

The total number of Children Looked After in West Lothian at 31/03/2018 and 31/03/2019 by statute and length of time under statute is detailed in the table below:

Looked After Children												
	Under 1		1-4		5-11		12-5		16+		Total	
	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
At Home with parents	0	3	27	22	40	38	34	35	6	3	107	101
Away from home – Community setting	8	14	68	58	120	106	90	87	22	24	308	289
Away from home – Residential school	0	0	0	0	6	5	27	20	11	14	44	39
Secure care	0	0	0	0	0	0	0	1	0	0	0	1
Total	8	17	95	80	166	149	151	143	39	41	459	430

West Lothian Council is committed to improving planning for looked after children and strengthening permanence practice to improve the outcomes of all our Looked after Children, providing each individual child with a stable, secure, and permanent place to live.

	2016/17	2017/18	2018/19
Children registered for adoption	17	11	7
Children matched to adopters	14	12	7
Children registered for permanence order with authority to adopt	11	8	4

West Lothian Council is currently working in partnership with the Centre for Excellence for Looked after Children in Scotland (CELCIS) on their Permanence and Care Excellence (PACE) programme. The PACE programme has helped identify delays, blockages and difficulties to securing permanence for our looked after children. Tests for change are in the process of development with some already underway.

West Lothian Council achieved making a permanence decisions for our children under the age of 5 requiring adoption or a permanence orders on average within 40 weeks. For our under 3 year olds this was achieved in an average of 26 weeks. We know we are not achieving this for every child, particularly those in the older age group or in kinship care. West Lothian Council are however working with PACE and have set an aim of achieving a permanence decision with 40 weeks for all our looked after children. We are currently working extremely hard to achieve this.

Plans are in place to advance the knowledge, skills and confidence of our workforce, enabling them to deliver on permanence planning and produce robust, high quality assessments. A Parenting Capacity Assessment Framework has been implemented with the aim of improving the quality of care planning for all children, and a Contact Assessment Framework is under development. We as a Council are also clear on our commitments to post adoption support and are working hard to find the best means of delivery for this.

West Lothian Council has experienced success in our Concurrent Planning Service which we operate in partnership with St Andrew's Children's Society. We are currently looking at ways to build upon the learning and success of this work.

Concurrent planning has allowed us to avoid unnecessary delay in making permanent plans for very young children. Children are placed with concurrent carers who will be their foster carers while West Lothian Council pursues a rehabilitation plan with their parents. If the child cannot return to the birth parents the concurrent carers, who are already caring for the child, will apply to adopt the child. Concurrent planning offers parents the very best opportunity to make these necessary changes within a timescale that is in the child's best interests. Concurrent planning achieves the objectives of ensuring the child enjoys consistent care and has the opportunity to build secure attachments at a stage of development which is crucial to healthy brain development and long-term wellbeing.

As part of the redesign of children's services, Social Policy has extended the use of Family Group Decision Making to build on the strengths of families to ensure that, where possible,

children can remain within their kinship network and that residential and other forms of care are only used for those children who are assessed that this will meet their needs.

Emergency placement of children is subject to statutory provisions. Children's Hearings may impose conditions of residence on children subject to supervision requirements. Only a Children's Hearing may vary such conditions. The local authority must ensure that these conditions are implemented. If a child who is required to reside at a specified place must be moved in an emergency, the Chief Social Work Officer may authorise the move, following which the case must be referred to a Children's Hearing. The CSWO has awareness of the circumstances contributing to emergency placement moves and any themes arising which can then be addressed.

Secure Accommodation of Children

In very limited circumstances, when children are considered to present a serious risk of harm, either to themselves or to others, the Chief Social Work Officer may authorise their detention in secure accommodation. These decisions must be confirmed by a Children's Hearing and must be kept under close review. Courts also have the power to order the detention of children in secure accommodation.

During 2018-19, there was a positive reduction in the use of secure care with 3 children requiring such provision during the year and for short time periods. This reduction is in part due to the effective use of intensive support services and the Social Policy Risk Management Processes.

Protection and Risk Management

The assessment and management of risk posed to individual children, adults at risk of harm and the wider community are part of the core functions of social work.

The effective management of risk depends on a number of factors, including:

- Qualified, trained and supported staff, with effective professional supervision
- Clear policies and procedures and use of agreed or accredited assessment tools and processes
- Consistency of standards and thresholds across teams, service and organisational boundaries
- Effective recording and information sharing
- Good quality performance management data to inform resource allocation and service improvement
- Multi-disciplinary and inter-agency trust and collaboration.

Reflecting the importance of joint working, the following multi-agency mechanisms are well established in West Lothian:

- West Lothian Chief Officers Group
- West Lothian Public Protection Committee
- Community Justice Partnership

The Chief Social Work Officer is a member of each of the above committees. Membership of the Chief Officer's Group allows the Chief Social Work Officer to have an overview of related risk management activity, both within the council and across agency boundaries.

Each of the areas of Public Protection has a performance framework in place with regular reporting to the Public Protection Committee, Chief Officers Group and Community Planning Strategic Group.

The Chief Social Work Officer also chairs Critical Review Team meetings. Critical Review Teams are multi-agency teams of people of required seniority who meet as and when required to offer direction and guidance in complex cases (for those aged 15+).

Children at risk

	2016/17	2017/18	2018/19
Child protection referrals	461	479	413
Joint Investigations	168	207	192
Initial Child Protection Case Conferences	108	88	84

The Scottish Government notes that there is variability from year to year in the numbers of children on the child protection register at a local authority level due to the small numbers of children involved in each local authority. In many cases, there are no obvious reasons for changes, although in some areas, sibling groups entering and leaving the system has led to fluctuating numbers. Children's Social Work Statistics Scotland, 2017-18, Scottish Government

The number of child protection referrals has decreased since 2016/17 & 2017/18 but last year, 2017/18, saw an increase from 2016/17. It is too early to speculate whether this decrease is a trend that will continue or an inexplicable fluctuation in numbers. Similarly the number of Initial Child Protection Case Conferences has decreased during the last 2 years but the number of children on the child protection register has increased. This may be related to sibling groups or there may be no obvious reasons for these fluctuations.

	As of 31 st March 2017	As of 31 st March 2018	As of 31 st March 2019
Children on Child Protection Register	72	45	94
Children looked after at home	119	107	101
Children looked after away from home	375	352	328

Adults at Risk

	2016/17	2017/18	2018/19
Adult Protection Referrals	436	540	732
Inter-agency Referral Discussions (IRDs)	76	70	147
Adult Protection Case Conferences (this includes Adult Protection Case Conference Reviews)	89	72	82

There has been a year on year increase in the number of Adult Protection referrals recorded in West Lothian. The increase in the recorded number of referrals has been as a result of increased public awareness, through publicity campaigns and engagement events. The introduction of an electronic referral option for external agencies to submit reports of concern to the Adult Social Care Enquiries Team (ASCET) has also had a positive impact adding to the increased numbers of referrals.

As noted earlier in the report an Edinburgh and Lothian wide electronic IRD system was implemented in May 2018, enabling all three core agencies to communicate and record information on a single document, reducing the risk of misunderstanding of information. Feedback on the new system from multi-agency staff is extremely positive and there has been a 100% increase in the number of Adult Protection IRDs recorded in 2018-2019.

Domestic Abuse

West Lothian Domestic and Sexual Assault Team (DASAT) provide a unique framework of integrated services, housed within local government, responding to both domestic abuse and sexual assault. In 2018/19 the team received 1647 referrals, this is an increase of 4% on the previous year. The team offers a range of services including:

- **The Court Advocacy Service**

The Court Advocacy Service works closely with the Procurator Fiscal's Officer to deliver a high quality service for victims of domestic abuse involved in the court process. The service received 639 referrals during 2018-2019.

- **Living in Safe Accommodation (LISA)**

The LISA service aims to keep women and children safe in their own homes and provide multiple housing options to support women.

In 2018/19 the LISA project supported 142 women. In 32% of the cases, the project has supported women to remain in their own homes and prevented them from having to move into temporary accommodation.

Offenders in the Community subject to Statutory Supervision

Since April 2016 the responsibility for Community Justice moved from the Community Justice Authority to Community Planning Partnerships. In West Lothian this has been undertaken by the Community Justice Partnership which is part of the West Lothian Community Planning Partnership structure.

	At 31 March 2017			At 31 March 2018			At 31 March 2019		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
CPO requirement for supervision	295	56	351	301	52	353	284	59	343
CP O with a requirement for unpaid work	311	51	362	270	31	301	258	24	282
Drug treatment and testing orders	20	4	24	13	4	17	9	3	12
Number of individuals subject to Statutory Through Care	174	3	177	183	2	185	161	3	164

The figures in the table detail the new orders put in place during the period April 2018 to March 2019 and does not reflect existing orders that can be in place for up to 3 years. Throughcare Orders can be for life.

The Scottish Government committed in its 2018-19 Programme for Government to extend the presumption against short sentence of 12 months or less, once additional safeguards for victims in the Domestic Abuse (Scotland) Act 2018 were in force. It is likely that this will see an increase in the need for more community based support and will provide an additional challenge in the current climate of restricted public finances.

The management of dangerous sexual and violent offenders in the community is one of the highest priorities for Criminal Justice Social Work and Police working together. Housing and Health services along with other statutory agencies also play a significant role in the detailed multi-agency procedures which are followed in West Lothian. This activity requires to be reported to Scottish Ministers.

When subject to statutory supervision on release from prison or community supervision, such offenders require to comply with any conditions attached to their licence/orders. They are subject to robust risk management. If the offender breaches any of the conditions imposed on them they may be subject to further investigation or a recall to prison, either by Scottish Ministers, the Parole Board or the Courts.

Multi-Agency Public Protection Arrangements (MAPPA) are defined in legislation and national guidance currently applies to the management of all registered sex offenders. In West Lothian these arrangements are well established. During the period April 2017 – March 2018 partners were able to sustain a robust ability to contain or reduce risk. In 2016-17 this applied to 99.3% of cases and in 2017-18 it related to 97.4% of cases. Criminal and Youth Justice are responsible for 47% of the total offenders managed under MAPPA in the community with the remainder being managed by Police Scotland.

Young people who offend are also managed through either the above or the Young Person Risk Management Process depending on age and current statutory status.

iii. Improvement and Performance Activity

Contract Monitoring

Contract monitoring and review is a fundamental function in the commissioning of social care services. It is required to evidence best value to the council and its regulators as well as ensuring the delivery of outcomes for vulnerable people living in West Lothian.

The purpose of this Contract Monitoring Framework is to provide a consistent approach to the monitoring of externally purchased care and support services across Social Policy. It is recognised that due to the impact on the quality of life, health and wellbeing of services users and their carers, the procurement of care and support service requires specialist consideration in order to ensure a focus on outcomes.

The contract monitoring framework aims to ensure that service users receive the highest quality of service, which demonstrates value for money, meets contractual standards and is continuously improved.

West Lothian Assessment Model (WLAM)

Effective internal scrutiny provides performance challenge and helps ensure a proportional approach to internal and external scrutiny activity, based on a strong understanding of current performance and the capacity to improve.

The West Lothian Assessment Model is the council's self-assessment framework which helps services to ensure that they provide good quality and improving services to the people and local communities in West Lothian.

West Lothian Council recognises that there is always a way to make better and more efficient services for the people we serve, balancing quality of service provision with value for money. As a result of this commitment, our services are some of the highest performing in Scotland.

The West Lothian Assessment Model (WLAM) helps the council to do this by providing a consistent and challenging set of questions or statements that services will use to identify their strengths and weaknesses and importantly, it also provides a structure for improvement.

Services are assessed using evidence, performance information and feedback from customers, partners, stakeholders and staff, to answer a set of questions or statements, in order to identify:

- Where the problems in the service are
- How customers, employees, partners and stakeholders feel about the service
- How the service performs and how this performance compares to others
- Where things can be improved

Self-assessment is an important part of the council's improvement strategy, as it encourages innovation from within and involves our strongest asset in the process, our people.

Social Policy has three WLAM Units within the service, Children and Families, Community Care and Criminal and Youth Justice. All of the Social Policy WLAM units have

demonstrated an improvement after each cycle of assessment as highlighted by the increase in WLAM score across the service.

WLAM Unit	Cycle	WLAM	Change
Children and Families	2014/17	482	+57
	2017/20	539	
Community Care Services	2014/17	456	+72
	2017/20	528	
Criminal and Youth Justice	2014/17	488	+65
	2017/20	553	

External Assessment

To supplement our internal improvement processes, the council undertakes planned external assessment on a periodic basis. This ensures that the council is scrutinised across different standards and frameworks promoting excellence and the highest standards of practice. It also allows comparison with the best performers across all sectors in the UK and beyond.

The key external assessment processes for the council are:

Assessment	Assessment Method	Improvement focus	Assessed level
Customer Service Excellence	Three year programme of corporate assessment	Assessment of the organisation's customer focus and overall standards of customer service and delivery.	CSE standard (2018)
European Foundation or Quality Management (EFQM)	Period corporate assessment	Assessment against fundamental concepts of Excellence against a global framework.	EFQM 5-star (2017) EFQM Global Excellence Award Finalist (2017) EFQM Global Excellence Award Highly Commended "Adding Value for Customers" (2017)

West Lothian Health and Social Care Partnership (HSCP)

In 2016, the West Lothian Health and Social Care Partnership (HSCP) achieved Recognised for Excellence 3 Star Assessment. This was a first in Scotland for an organisation of its type.

The Ready for Excellence assessment feedback report will allowed the partnership to focus on areas for improvement and development to support the further transformation of health and social care services.

Complaints

Social Policy adopted the Social Work Model Complaints Handling Procedure as of April 2017. This is a two stage process:

- Stage 1 Frontline Resolution
- Stage 2: Investigation

Since the introduction of the new procedure the Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland.

The council's social work services are required by statute to report annually on statutory complaints received from service users, would-be service users, their carers and representatives.

The council is committed to improving social work services for the people of West Lothian and recognises that complaints are an important source of customer feedback. The following table provides an overview of the complaints received during 2018/19 and their outcome.

Total number of complaints	121
Percentage of complaints upheld	22%
Percentage of complaints partially upheld	31%
Percentage of complaints not upheld	47%
Percentage of complaints resolved within timescale	46%

User and Carer Empowerment

Social Policy services continue to work in partnership with other agencies, service users and their carers to ensure that the support and care services provided are as person centred and flexible as possible. It is anticipated that an increasing number of people will continue to seek control of their own care and support provision by accessing Direct Payments or other Self Directed Support options.

The Social Care (Self-directed Support) (Scotland) Act 2013; which came into effect on 1st April 2014, is a key building block of public service reform and is part of the nation Self-Directed Support Strategy 2010-2020. The key focus of the strategy is to empower people to have more say in the decisions that affect them both as individuals of social care services and as members of their communities.

Social Policy is committed to the principles of Self Directed Support and recognises that when people have more control over how they live their lives and any support they may require, they are likely to achieve better outcomes.

The Audit Scotland Self-directed Support progress report published 2017 looked at the progress being made in implementing Self-directed Support and the findings reflect our experience locally. In West Lothian we have made good progress but we recognise that there is still work to be done

Social Policy values the role that carers play within West Lothian and in particular how they enable the people they care for to enjoy a quality of life and independence that would otherwise not be possible. However, we recognise that without appropriate support there can be a cost to the carer in terms of their own health and well-being. In recognition of this, Social Policy and key partners are working together to identify how best the statutory and the voluntary sector could support carers in their caring role and ensure compliance with the requirements of the Carers (Scotland) Act 2016.

Community Choices places the decisions about investment in our communities into the hands of the people who live and work in them. Tackling poverty and community empowerment are two key priorities which are embedded in the Community Choices ethos. Social Policy is committed to the implementation of Community Choices as we know that our communities in West Lothian are best placed to address the inequalities in their own areas and therefore know what improvements can be made. Social Policy is progressing ways of delivering activities through Community Choices.

6. Workforce Planning and Development

The IJB Workforce Planning Development Group oversees implementation of the West Lothian Integration Joint Board's (IJB's) Workforce Development Strategy. The Group ensures that workforce planning is aligned to the delivery of the strategic priorities set out in the IJB's Strategic Plan. Representatives from across health and social care bring substantial knowledge, experience and commitment to ensuring delivery of the action plan developed in support of the West Lothian Workforce Development Strategy. The Group also ensures that the ongoing learning and development needs of the health and social care workforce are identified and progressed across the partnership.

The Group provides assurance to the Integration Joint Board that workforce planning across the Health and Social Care Partnership is robust, evidence based, integrated across all staff groups and is aligned to financial planning and transformational change programmes. Workforce plans will be further refined during the course of the year to ensure that they support the priorities identified in strategic commissioning plans which are being developed.

As our transformational change programmes progress our workforce will look different, it will be integrated, engaged, motivated and empowered, where innovation and positive response to change is necessary. Our traditional working boundaries will change with new ways of working such as multi-disciplinary team working, across, not just health and local authority, but also with our third and independent sector partners.

We are committed to workforce development, and by retaining ownership of their professional and personal development every employee will continue to be supported to be the best they can be through relevant training and development opportunities to ensure they are equipped to meet the new challenges ahead and be our workforce of the future.

Ensuring our workers are well supported, rewarded and motivated is an important element of recruitment and retention – and retaining our most experienced staff in front line practice is crucial to delivering excellent social services. It is therefore important that continuous professional development and career pathways are in place across the workforce to ensure people are equipped for their current jobs as well as to enhance their future career prospects.

In support of developing our workforce an outcome focused Social Policy Supervision Policy and Practice Framework was launched in June 2018. All appropriate staff members in Social Policy have been trained to effectively apply the policy to improve outcomes.

To ensure that the workforce is supported to continue to have the necessary skills and knowledge to meet these challenges, the Social Policy Business Support (Customer and Community) team will focus on work to deliver on the following key themes:

- Continued support to meet the Scottish Social Services Council's (SSSC) registration requirements alongside ongoing monitoring of our registration compliance.

- The development of the Social Policy Scottish Vocational Qualification (SVQ) Centre to deliver entry level social care qualifications to meet the needs of our workforce and recruitment requirements.
- The targeting of our resources to ensure mandatory and necessary training is paramount alongside the ongoing development of our in-house learning provision.
- Continued partnership working across the Council to ensure the best use of training resources to meet the Council's main objectives.
- The continued development of a blended approach to learning with an extended e-learning menu.
- Evaluation of the implementation and embedding of changing practices through a robust quality assurance function.

The Public Protection Committee is committed to promoting multi-agency training and events in order for practitioners to develop an understanding of each other's roles, develop trust, share a common approach to protection work, accept responsibility and share good practice. During 2018/19 social policy and multi-agency staff attended the following training sessions:

- **Child Protection Training**

- Child Protection Awareness Raising
- Risk Assessment Training
- Child Sexual Exploitation Awareness Raising
- CSE Sexual Exploitation Risk Assessment Framework
- Graded Care Profile
- Vulnerable Babies
- Non-engaging families
- Safe and Together
- IRD

- **Adult Protection Training**

- Adult Protection Basic Awareness Training
- Adult Protection Training
- Adult Protection Council Officer Training
- Adult Protection Independent Chairs Training
- Financial Harm

The following Adult Protection workshops and events were also held:

- Self Neglect and Hoarding – a workshop was held for multi-agency staff likely to come into contact with adults in their own home who have self-neglect and hoarding issues.
- The Financial Harm Reduction Group held numerous events with partners to engage communities who may be at risk of financial harm including workshops for people with early onset dementia and attendance at Flu Clinics.

Mandatory and statutory training remains a priority to ensure our workforce is meeting legislative and policy requirements. There are robust arrangements in place to identify

and address current and emergent development needs and to deliver and track completion of mandatory and statutory training.

The recently published SSSC report “The Demand for Social Workers” on the supply and demand of social workers in Scotland highlights that the number of completions from qualifying social work courses in Scotland has fallen for the last five years in succession (2013-2018). The overall number of people registered as social workers declined by 4% between 2014 and 2018. It fell by a further 2.2% between January 2018 and January 2019. This means there are over 840 fewer social work registrants than there were five years ago. This creates a serious challenge for the delivery of social work services and will be the key focus of our workforce planning going forward.

With regard to the effective delivery of social care services in West Lothian we must also consider the impact on our partners workforces. The shortage of suitably trained and qualified “Care at Home” staff represents a major challenge to workforce planning for our services. This is a problem at both a local and national level, with the impact of the UK leaving the European Union further reducing the pool of potential staff available. In order to address this, we have introduced a new “Care at Home” contract with our providers to ensure that we have greater control on the level of service provided to our service users.

7. The Challenge Ahead

The demographic profile outlined in the report combined with increased complexity of needs and ongoing financial restraint will continue to present significant challenges as we forward plan for social work and social care services within the West Lothian Health and Social Care Partnership.

These challenges drive the need for continued innovation and further transformation of the way we deliver our services with a focus on the integration of health and social care services ensuring that our service meets core needs in line with legislative duties, is fair and equitable and is delivered in partnership with other key stakeholders so as to ensure seamless and safe care to those with priority needs.

The context within which social work and social care services are being delivered also presents challenges for our workforce. In West Lothian we are committed to high professional standards and the constant renewal, enhancement and expansion of social work knowledge and skills. Supporting and retaining our staff is critical as is contributing to the drive to attract more people to join the social work and social care workforce. We must also ensure that we have succession plans in place to support our excellent employees to step up and lead the service of the future. It is also essential that we continue to focus on supporting a learning environment and promote the culture change needed to deliver enhanced focused collaboration across services keeping the persons or families needing support at the centre of decisions about their support and care.

The digitalisation agenda provides us with the opportunity to modernise some aspects of our social work and social care service. There are also opportunities through increased and advanced use of technology to support more people to retain independence at home for as long as is possible and safe. Revised strategic planning and commissioning Boards will take this work forward within the Health and Social Care Partnership.

In looking forward there will be opportunities to improve our practice in response to the Independent Care Review and the review of learning disabilities and autism within the Mental Health Act. The scale of the challenges ahead promote a culture of learning from best practice focussed particularly on building capacity within families and communities, taking a strengths based approach to practice and ensuring that all of our practice is underpinned by the principles of personalisation.

It is recognised that transformational change and whole system innovation will continue to be required across Social Policy to meet these unprecedented challenges. The role of the Chief Social Work Officer will be significant in embedding improvements into social work practice and leading on the transformation of culture, system and practice. The Chief Social Work Officer will continue to play a key role in ensuring priorities are met, and that the most vulnerable people of West Lothian are protected and empowered to live a safe and fulfilling life.



SOCIAL POLICY - POLICY DEVELOPMENT AND SCRUTINY PANEL

SCOTTISH GOVERNMENT'S PRE-LEGISLATIVE PUBLIC CONSULTATION ON FINANCIAL REDRESS FOR HISTORICAL CHILD ABUSE IN CARE

REPORT BY HEAD OF SOCIAL POLICY

A. PURPOSE OF REPORT

To inform the panel of the Scottish Government's Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care hosted by the Scottish Government and welcome views and comment.

B. RECOMMENDATION

It is recommended that the Social Policy PDSP considers the draft response to the consultation which is intended to be submitted to the Council Executive for approval, prior to its submission to the Scottish Government

C. SUMMARY OF IMPLICATIONS

- | | |
|---|---|
| I Council Values | <ul style="list-style-type: none">- Focusing on our customers' needs- Being honest, open and accountable- Providing equality of opportunity- Making best use of resources |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | <ul style="list-style-type: none">- Adoption and Children (Scotland) Act 2007- Children's Hearings (Scotland) Act 2012- Children and Young People (Scotland) Act 2014- Mental Health (Scotland) Act 2015 |
| III Implications for Scheme of Delegations to Officers | N/A |
| IV Impact on performance and performance Indicators | N/A |
| V Relevance to Single Outcome Agreement | <ul style="list-style-type: none">• Making our communities safer |
| VI Resources - (Financial, Staffing and Property) | N/A |

VII Consideration at PDSP

VIII Other consultations

D. TERMS OF REPORT

Background

On 1st December 2004 the First Minister made a public apology to those that have suffered emotional, sexual and physical abuse in Scottish Residential Care institutions. The FM also stated that the potential for abuse had led to alterations to the statutory and regulatory structure in which establishments operate.

In October 2018, the Deputy First Minister made a commitment to introduce a statutory redress scheme, following the receipt of recommendations from a consultation with survivors which was carried out in 2017. Those recommendations form the starting point for this consultation and are referenced throughout the attached report (Appendix 1).

The consultation seeks views on the detailed design of a statutory financial redress scheme in Scotland, scheme administration issues, and views on financial redress as part of a package of wider reparations for survivors of historical child abuse in care. The deadline for the submission of responses to this consultation is the 25th November 2019 and it is intended that the draft response will be submitted to the Council Executive on 12th November for approval.

The areas asked for comment within the report are as follows:

- PART 1 - Design of the redress Scheme including; Principals, Eligibility, Payment structure, evidence and Assessment, Managing the application and Financial Contributions
- PART 2 – Scheme Administration and Wider Reparations, Public Body, Wider Reparations, Acknowledgement & Apology and Support.

The response has been collated involving input from officers in Social Policy, Finance, Legal Services and the Insurance Team. The proposed consultation response states that the council is generally supportive of the development of the scheme and the principals behind it. It should however, be noted that West Lothian Council would expect that this scheme would fully funded by the Scottish Government as any contribution to this scheme would have an impact the delivery of Council's core services.

This consultation is a necessary part of the pre-legislative process for the Scottish Parliament to consider and approve draft legislation. It seeks further detail on the key findings from the 2017 consultation, covers a wider range of issues, and provides an opportunity for all interested parties to express their views now there is a firm commitment to introduce a financial redress scheme in Scotland.

E. CONCLUSION

West Lothian council has drafted a response to the Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care hosted by the Scottish Government. This draft response is being shared with the Social Policy PDSP for views and comment.

F. BACKGROUND REFERENCES

Appendices/Attachments: Appendix 1 - Proposed West Lothian Response to the Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care

Appendix 2 – Consultation documentation

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Jo MacPherson, Head of Social Policy

Date of Meeting: 01/11/2019

Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care

RESPONDENT INFORMATION FORM

Where possible, we prefer that you take part using the Scottish Government's online consultation platform, Citizen Space. Citizen Space can be found at: <https://consult.gov.scot/>. If you are responding by post or email, please use this form to share your views. You can choose if you want to answer some or all of the questions. If you prefer you can write to us with your own comments.

Please note we would appreciate that you complete all of the 'About You' section and return this with your response.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>

About You

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

West Lothian Council

If responding on behalf of an organisation, please indicate which category best describes your organisation. Please tick all that apply.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Local Authority | <input type="checkbox"/> Other Public Sector |
| <input type="checkbox"/> Current Care Provider | <input type="checkbox"/> Academia/Education |
| <input type="checkbox"/> Previous Care Provider | <input type="checkbox"/> Private Sector |
| <input type="checkbox"/> Third Sector or Community Group | <input type="checkbox"/> Legal Sector |
| <input type="checkbox"/> Survivor Organisations | <input type="checkbox"/> Other |

If other, please specify.

If responding as an individual do you identify as a survivor of abuse in care?

- Yes
- No
- Prefer not to say

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations only

The option 'Publish response only (without name)' is available for individual respondents only. An organisation's name will still be published even if this option is selected.

If you choose the option 'Do not publish response', your organisation's name may still be listed as having responded to the consultation in, for example, the analysis report.

If you have identified as a survivor of abuse in care, the Scottish Government will not publish your name unless you confirm that you are happy for that to happen. Please tick this box if you are.

Where respondents have given permission for their response to be made public, we will still check that the response does not contain any sensitive information of a personal nature, any potentially defamatory or offensive materials, or where publication would be contrary to copyright or data protection laws. All such information will be redacted.

If you provide information regarding a perpetrator of abuse, we will pass this information and your details to Police Scotland in order that an assessment can be made of any current risk posed by the perpetrator.

We may wish to contact you again in the future, but we require your permission. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

If you would like to join our mailing list for any further updates on the financial redress scheme, you will need to sign and return a form (privacy notice). Please tick a box below if you would like to join our mailing list (if you do we will send you a privacy notice by email or post).

- E-mail
 Post

Questionnaire

Please refer to the full consultation paper or the summary version for further detail.

PART 1 Design of the Redress Scheme

This part includes questions about the detailed design of the statutory financial redress scheme. It includes key issues from the 2017 consultation which were identified as requiring further detailed consideration.

Part 1.1: Purpose and Principles of the Financial Redress Scheme

Purpose

Q1. We are considering the following wording to describe the purpose of financial redress: “to acknowledge and respond to the harm that was done to children who were abused in care in the past in residential settings in Scotland where institutions and bodies had long-term responsibility for the care of the child in place of the parent”.

What are your thoughts on this? Do you agree?

- Yes No

If no, what are your thoughts on purpose?

The wording could be improved as the financial redress scheme is more aligned with compensating victims rather than just acknowledging and responding it is proactively focused on monetary compensation, which should be reflected in the purpose of the scheme.

Principles

It is our intention that the financial redress scheme should be underpinned by guiding principles.

Q2. We are considering the following as guiding principles:

- To ensure that redress is delivered with honesty, decency, trust and integrity;
- To make the scheme as accessible as possible;
- To treat applicants with fairness and respect and to offer them choice wherever possible;
- To ensure that the assessment and award process is robust and credible;
- To make every effort to minimise the potential for further harm through the process of applying for redress.

Do you agree with these guiding principles?

Yes No Unsure

Would you suggest any additions or amendments to the proposed principles?

There should also be recognition and acknowledgement that the scheme will need to work with other bodies to ensure victims are fully compensated, and that they may choose to use other routes to seek compensation, or in addition to this scheme.

The guiding principles uses synonyms when they could be stated more positively and clearly for victims, for example the redress scheme will be delivered with honesty, decency....

A principle about the scheme having a clear process and being easy for applicants to understand may be helpful.

A principle about supporting people through the process and making an application, being sensitive to their needs/vulnerabilities and working with support groups etc as required to provide them with support.

Part 1.2: Eligibility for the Financial Redress Scheme

Defining 'in care'

We intend that 'in care' for this redress scheme is based on two criteria. First, where an institution or body had long-term responsibility in place of the applicant's parent, and secondly that the applicant was within an eligible residential setting.

Q3. Do you agree with the proposed approach in relation to institutions and bodies having long term responsibility for the child in place of the parent?

Yes No Unsure

Please explain your answer.

There needs to be a clear remit for the scheme, and how it will define "in care". At what stage does it become clear a survivor was "in care" and no longer a parent's responsibility or that their ability to make decisions for the child had ended on a day to day basis. This will be especially important for children who may have been placed in residential establishments, but for different purposes e.g. education than others, who may have resided there, or short/medium term hospitalisation. It will be important to be clear about this for both compensation levels, but maybe more so for stage 2, where it is more likely to be examined before accepting any claim.

Q4. Subject to the institution or body having long term responsibility for the child, do you agree that the list of residential settings should be the same as used in the Scottish Child Abuse Inquiry's Terms of Reference?

Yes No Unsure

Please explain your answer.

There does not appear to be any reason to change this.

Q5. Where parents chose to send children to a fee paying boarding school for the primary purpose of education, the institution did not have long-term responsibility in

place of the parent. Given the purpose of this redress scheme, applicants who were abused in such circumstances would not be eligible to apply to this scheme.

Do you agree?

Yes No Unsure

Please explain your answer.

The Scottish Ministers wish to offer an apology to survivors of historical child abuse, who were in care. This does mean other children who suffered abuse in care are not to receive compensation by way of an apology and to use alternative forums to seek redress.

A decision should be taken to consider addressing all historical child abuse, whether in care or not or whether the scheme simply provides a Stage 1 compensation payment, by way of an apology and unless the organisation no longer exists or cannot be found should the redress scheme consider extending the offer of larger compensation payments to survivors. All survivors could be supported to seek redress through existing forums e.g. a civil claim.

As an alternative it could be that parties agree to remit the claim to the public body for them to consider it, as an alternative to the courts. This would be akin to an alternative dispute resolution mechanism that might offer a more streamlined approach suitable to the type of claim being made.

Q6. Where children spent time in hospital primarily for the purpose of medical or surgical treatment, parents retained the long-term responsibility for them. Given the purpose of this redress scheme, applicants who were abused in such circumstances would not be eligible to apply to this scheme.

Do you agree?

Yes No Unsure

Please explain your answer.

It seems inequitable that the Scottish Ministers wish to apologise and compensate some survivors of historical child abuse and not others that may arguably have been subjected to the same levels of abuse just over a shorter period of time? An explanation of this approach should be provided to survivors and consideration given to whether even a short term stay in hospital should be excluded, albeit they were not in care parents were not capable nor responsible for their care during that time, even if it was only a short visit.

Defining 'abuse'

Q7. We intend to use the same definition of abuse as the Limitation (Childhood Abuse) (Scotland) Act 2017 for the purpose of the financial redress scheme. This includes sexual abuse, physical abuse, emotional abuse and abuse that takes the form of neglect.

Do you agree?

Yes No Unsure

Please explain your answer.

To ensure consistency the same definition should be applied.

Defining 'historical' abuse

Q8. In our view 1 December 2004 represents an appropriate date to define 'historical' abuse for this financial redress scheme.

Do you agree?

Yes No Unsure

Please explain your answer.

As this is the date the Scottish Government issued their apology we believe this is a reasonable date to use for the redress scheme.

Child migrants

Q9. Do you have any comments you would like to make in relation to child migrants who also meet the eligibility requirements of this redress scheme?

No comment.

Those with a criminal conviction

Q10. Do you have any comments about the eligibility of those with a criminal conviction?

A criminal conviction should not determine whether someone is eligible or not to submit a claim to the redress scheme. It should be open to everyone.

Other

Q11. Do you have any other comments on eligibility for the financial redress scheme?

Consideration should be given to the possibility of a referral to the scheme, by parties or organisations to ensure consistency in compensation and providing victims with an easier/more supportive route by which they can obtain compensation. It should work in line with current models of compensation e.g. criminal injuries, civil actions and appreciate that whilst if stage 2 compensation was to be introduced this should only be done with an organisations agreement to contribute at an appropriate level to any compensation. The stage 1 compensation should continue to be funded by Scottish Government, as it is this payment which is seen as compensation by way of an apology and is a standard amount to compensate survivors. For stage 2 payments each case will be different and each person's circumstances to be examined for determining the amount or type of compensation they should be entitled to. Each organisation being held accountable or responsible needs to be able to bring its insurers into that action, with the possibility that the case then needs to be remitted to the civil courts. If setting up a compensation scheme which will determine the amount due to a survivor there should be a right of appeal from that to the civil court, possibly Court of Session.

Part 1.3: Payment Structure, Evidence and Assessment

In line with the views expressed in the 2017 survivor consultation, we intend to design a redress scheme with a combination payment approach which would have two possible stages (please see full consultation or the summary version for further details).

Evidence Requirements

Q12. What options might be available for someone who has been unable to obtain a supporting document which shows they spent time in care in Scotland?

The question suggests this is only in relation to stage 1 payments. However, evidence of an oral nature should be acceptable, or a statement from a witness/other survivor or family member.

It is assumed that support that is already in place for the Advance Payment Scheme will continue and assistance is provided for people who are unable to obtain their documentation on their own. It is not seen as necessary that for example legal representation should be necessary, and if anything discouraged for stage 1 payments.

Advocacy services may be used to support those that require it for either stage 1 or stage 2. Consideration must be given to those that have additional support needs and a clear statement about how they access information, seek support etc. Scottish Government provide that just for the Advance Payment Scheme, and are likely to offer their knowledge and expertise to the new Public Body. However, much is to be learnt from the civil courts and criminal courts in how they support people to claim compensation.

A template letter to confirm in care status can be signed off by Chief Social Work Officers in Local Authorities to confirm in care status for stage 1 payments and this exists for the Advance Payment Scheme.

Q13. Do you think the redress scheme should have the power, subject to certain criteria, to require that bodies or organisations holding documentation which would support an application are required to make that available?

Yes No

Please explain your answer.

If they are consider the merits of a compensation claim, and the organisation is unwilling to comply with a reasonable request. However, it is understood that an applicant can make a subject access request initially and would be supported to do so. Where this is not possible then yes, an order from the Public Body for them to produce documentation may be appropriate.

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Q14. For Stage One, what evidence do you think should be required about the abuse suffered?

A signed declaration by the applicant that they suffered abuse, but no other supporting evidence	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
A short written description of the abuse and its impact	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Any existing written statement from another source which details the abuse in care	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

Q15. Do you have any additional comments on evidence requirements for a Stage One payment?

<p>This should be consistent with the advance payment scheme. The Scottish Government has already provided payments on the basis of a simple signed declaration. The payment will not change and should not require a higher evidential bar.</p>
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Q16. For Stage Two, what additional evidence of the abuse, and of its impact, should be required for the individual assessment?

Any existing written statement from another source which details the abuse	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Oral testimony of abuse and its impact	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Short written description of the abuse and its impact	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Detailed written description of abuse suffered and its impact	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Documentary evidence of impact of the abuse				
- Existing medical and/or psychological records	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
- New medical and/or psychological assessment	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Supporting evidence of the abuse/impact from a third party	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Q17. Do you have any comments on evidence requirements for a Stage Two payment?

All evidence should be considered as viable and the same rules as apply in the civil courts taken into account in determining what might be suitable in the way of evidence. It is assumed that the Body would consider all evidence, and take a view as to whether they require more information/documentation etc and would guide an applicant as to what that might, or require an organisation to provide it. There is also the question of how that evidence will be shared with responding parties, verified and obtained even in the first instance to support an applicant. If the Public Body's remit is to be extended widely to support applicant's then all of this will need to be considered at the outset and implications for local authorities in providing information through subject access requests

Provision for oral testimony

Q18. Do you think applicants should be able to give oral evidence to support their application?

Yes No

If yes, under what circumstances might it be available?

Some survivors may not be legally represented, wish external support, be unable to offer evidence in writing.

Stage Two Assessment

Q19. Do you have any views on whether the length of time in care should be factored into the Stage Two assessment?

Yes No

If so how?

See above question around the decision to limit in care to a period of time, and how this might be decided.

Q20. Do you have any views on the balance the assessment should give to different types of abuse (physical, emotional, sexual, neglect)?

No form of abuse should be given priority over another.

Q21. What are your views on which factors in relation to the abuse and its impact might lead to higher levels of payment?

This should be decided on a case by case basis and dependent on circumstances, evidence and trauma to the victim.

Q22. Do you think:

<ul style="list-style-type: none">the redress payment is primarily for the abuse suffered	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<ul style="list-style-type: none">the redress payment is primarily for the impact the abuse has had	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<ul style="list-style-type: none">both the abuse suffered and the impact it has had should be treated equally	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Please explain your answer.

In determining any claim consideration should be given to the abuse and the trauma suffered by the survivor. Stage 1 payments are to be made on the basis of having suffered abuse and being in care. Stage 2, if introduced would need to reflect a civil claims approach in considering the balance of harm done and relationship to any award.

Q23. How do you think the scheme should ensure all parties are treated fairly and that the assessment and award process is sufficiently robust?

By reflecting current practice in Tribunals and courts to support survivors, training for judges/decision makers etc and offering guidance and help where necessary. The scheme should operate with a structured and consistent approach with all parties engaged in communication at the earliest opportunity.

Stage 2 should be operated in a similar fashion to the Diffuse Mesothelioma Payment Scheme (DMPS) as a measure of last resort. Where successor organisations/authorities exist, civil action is considered more appropriate and in a significant number of cases legal liability insurance policies exist mitigating the public financing required for the scheme. Compensation is paid appropriately to those who suffered abuse and the associated legal costs of the action covered. Should

compensation be issued through the Stage 2 process, the current position would be that authorities would be unable to recover these costs from insurers.

Supporting evidence/documentation required for any successful Stage 2 applications should be consistent with the evidence required to establish liability in any civil proceeding.

Consideration of other payments

Q24. Do you agree that anyone who has received a payment from another source for the abuse they suffered in care in Scotland should still be eligible to apply to the redress scheme?

Yes No

Please explain your answer.

If a survivor has successfully obtained payment to compensate them for their abuse then there is arguably no basis on which they should be further compensated. Stage 1 payments are however viewed as an apology by Scottish Government, and unlikely to be taken into account in determining what someone should be compensated in civil courts.

Q25. Do you agree that any previous payments received by an applicant should be taken into account in assessing the amount of the redress payment from this scheme?

Yes No

Please explain your answer.

Not for stage 1. Stage 2 compensation should not be open for a claim if they have already pursued their case and a decision made by the civil courts or extra judicially.

Choosing between accepting a redress payment and seeking a payment from another source

Q26. Do you agree applicants should choose between accepting a redress payment or pursuing a civil court action?

Yes No

Please explain your answer.

As above.

Part 1.4: Making an Application

Time period for making an application

Q27. We are proposing that the redress scheme will be open for applications for a period of five years. Do you agree this is a reasonable timescale?

Yes No

Please explain your answer.

There is concern that if this is set for a fixed period, those out with the set period will simply revert to civil action once the scheme is closed.
Initial timescales with a review in 3-5 years.

Practical help making an application

Q28. Should provision be made by the redress scheme administrators to assist survivors obtain documentary records required for the application process?

Yes No

Please explain your answer.

As above.

Legal advice

Q29. In your view, which parts of the redress process might require independent legal advice? Please tick all that apply.

- | | |
|---|-------------------------------------|
| • In making the decision to apply | <input type="checkbox"/> |
| • During the application process | <input type="checkbox"/> |
| • At the point of accepting a redress payment and signing a waiver? | <input checked="" type="checkbox"/> |

Q30. How do you think the costs of independent legal advice could best be managed?

This is not for a local authority to comment on.

Part 1.5: Next-of-Kin

We intend that surviving spouses and children of those who meet all the eligibility criteria, including that they were abused in an eligible residential setting in Scotland, prior to 1 December 2004, should be able to apply to the financial redress scheme for a “next-of-kin payment”.

Q31. What are your views on our proposed approach to allow surviving spouses and children to apply for a next-of-kin payment?

There should be some demonstration by the next of kin as a secondary victim that they have suffered trauma as a result of the abuse suffered by their next of kin.

Q32. We are considering three options for the cut-off date for next-of-kin applications (meaning that a survivor would have had to have died *after* that date in order for a next-of-kin application to be made). Our proposal is to use 17 November 2016.

• 17 December 2014 - the announcement of the Scottish Child Abuse Inquiry	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
• 17 November 2016 – the announcement of the earlier consultation and engagement work on the potential provision of financial redress	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
• 23 October 2018 – the announcement that there would be a statutory financial redress scheme in Scotland	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

What are your views on which date would be the most appropriate?

Unsure.

Q33. We propose that to apply for a next-of-kin payment, surviving spouses or children would have to provide supporting documentation to show that their family member met all the eligibility criteria. What forms of evidence of abuse should next-of-kin be able to submit to support their application?

Verbal evidence, documentation or whatever is available for stage 1 payments. No next of kin payment would be open in stage 2 unless can demonstrate they were a secondary victim.

Q34. What are your views on the proportion of the next-of-kin payment in relation to the level at which the redress Stage One payment will be set in due course?

- 25%
- 50%
- 75%
- 100%

Please explain your answer.

Unsure why it would be different, if take view they are entitled to a payment.

Part 1.6: Financial Contributions

Contributions to the redress scheme

Q35. We think those bearing responsibility for the abuse should be expected to provide financial contributions to the costs of redress. Do you agree?

Yes No

Please explain your answer.

The Scottish Government must provide clear guidance on which exactly 'those bearing responsibility' are. , is it the individual care homes or foster carers or the Local Authority who placed the child?

With regard to Local Government there is no specific funding available to provide a

contribution towards this scheme

Q36. Please tell us about how you think contributions by those responsible should work. Should those responsible make:

• an upfront contribution to the scheme	<input type="checkbox"/>	Yes	X <input checked="" type="checkbox"/>	No
• a contribution based on the number of applicants who come forward from their institution or service	<input type="checkbox"/>	Yes	X <input checked="" type="checkbox"/>	No
• another approach to making a financial contribution to the redress scheme costs?	<input type="checkbox"/>	Yes	X <input checked="" type="checkbox"/>	No

Please explain your answer.

If contributions are sought from individual care homes then it is likely that this will be at a level that will financially jeopardise their position as a sustainable business. This could mean that a number of these organisations go out of business leading to a shortage of care placements.

It would seem unfair to seek funding directly from Local Authorities as these placements were made in good faith and were subject to the scrutiny and rigour that was in place at the time.

It is our opinion that as this is a Scottish Government proposal we would expect the cost of the scheme to be fully funded.

Any other comments?

No

Q37. Are there any barriers to providing contributions and if so how these might be overcome?

Yes, there is no specific funding available to Local Authorities to provide a contribution. If this is required and not funded it will impact on ability to provide current services. Local authorities will also be required to make provision for individuals who decide against seeking compensation from the financial redress scheme and decide instead to pursue action directly against the authority.

While we are also unable to comment on the financial position of individual organisations it is difficult to see how they can provide a meaningful contribution without jeopardising the ongoing viability of their business.

Q38. Should the impact of making financial contributions on current services be taken into account and if so how?

X Yes No

Please explain your answer.

Council budgets and in particular budgets for social care are under extreme pressure. A requirement to make a contribution without full funding will impact on the level of services that can be provided to current service users

Q39. What other impacts might there be and how could those be addressed?

It is highly likely that a requirement to make contributions will impact on the availability and quality of current and future care placements. This can best be addressed by providing central funding

Q40. How should circumstances where a responsible organisation no longer exists in the form it did at the time of the abuse, or where an organisation has no assets, be treated?

Funding would have to be available from a central resource

Q41. What is a fair and meaningful financial contribution from those bearing responsibility for the abuse?

We do not consider that a financial contribution should be made by those bearing responsibility due to the concerns outlined above

Q42. What would be the most effective way of encouraging those responsible to make fair and meaningful contributions to the scheme?

We do not consider that a financial contribution should be made by those bearing responsibility due to the concerns outlined above

Q43. Should there be consequences for those responsible who do not make a fair and meaningful financial contribution?

Yes No

If yes, what might these be?

We do not consider that a financial contribution should be made by those bearing responsibility due to the concerns outlined above

Contributions to wider reparations

In some other countries, the care provider representatives have funded support services, separate from any contribution to financial redress.

Q44. In addition to their financial contributions to the redress scheme, what other contributions should those responsible for abuse make to wider reparations?

As is the case with contributions towards the financial redress scheme there is no funding available to make a contribution towards wider reparations. A requirement to make a contribution would impact on funding available to provide current care services.

PART 2: Scheme Administration and Wider Reparations

This part includes questions related to the implementation of the statutory financial redress scheme and the opportunity to bring together related elements of a package of reparations, including acknowledgment, apology and support.

Part 2.1: Decision-Making Panel for Redress

The financial redress scheme will be administered and governed independently of the Scottish Government. This will ensure that decisions on assessment of applications to the scheme will not be made by the Scottish Government.

Q45. Do you agree that the decision making panel should consist of three members?

Yes No

Please explain your answer.

No view

Q46. Do you agree that the key skills and knowledge for panel members should be an understanding of human rights, legal knowledge, and knowledge of complex trauma and its impact?

X Yes No

Are there other specific professional backgrounds or skills you feel are essential for the decision making panel?

Panel members should have an understanding of the legal complexities and evidential requirements for claims.

Q47. We propose that a Survivor Panel be established to advise and inform the redress scheme governance and administration, ensuring survivor experience of the application process is considered as part of a culture of continuous improvement.

Do you agree?

Yes No

Please explain your answer.

Unsure if this is a necessary step, and whether ongoing consultation and customer feedback may be sufficient.

How do you think survivors should be recruited and selected for this panel?

As above.

Part 2.2: Public Body

We propose that the financial redress scheme will be administered and governed by a new public body which, although accountable to Scottish Ministers, will be operationally independent of them in particular in regards to the decision making panel and process.

Q48. Do you agree that the financial redress scheme administration should be located in a new public body?

Yes No

Please explain your answer.

Unclear what justifies a different approach for these cases than others, where people have suffered harm. The civil courts could be used, with new court process or procedures to support survivors. Stage 1 payment scheme would remain with Scottish Government.

Q49. Do you have any views as to where the public body should be located and what it should be called?

No.

What factors should be taken into account when deciding where the public body should be?

None.

Q50. How can survivors be involved in the recruitment process for these posts?

None.

How should survivors be selected to take part in this process?

None.

Part 2.3: Wider Reparations

Learning from other countries has highlighted the unique circumstances of individual survivors and that, whilst not every survivor will want or need any wider reparation, choice and access to a broad range of remedies is important. These remedies often include acknowledgment, apology and support.

Q51. What are your views on bringing together the administration of other elements of a reparation package such as support and acknowledgement with financial redress?

Yes, this would give people a holistic support mechanism.

What would be the advantages?

An effective one stop shop for survivors

Would there be any disadvantages, and if so, how might these be addressed?

Unless the package is all encompassing and individuals agree to limit claims within this forum then it could lead to forum shopping for reparation

Q52. Do you agree that it would be beneficial if the administration of these elements were located in the same physical building?

No view

What would be the advantages?

No view

Would there be any disadvantages, and if so, how might these be addressed?

No view

Q53. Should wider reparation be available to everyone who meets the eligibility criteria for the financial redress scheme?

Yes No

Please explain your answer.

Emotional support should be provided to those who require it.

Q54. Should there be priority access to wider reparation for certain groups, for example elderly and ill?

Yes No

Please explain your answer.

Those that have significant challenges with managing their mental health could be prioritised. As mentioned before those that are older or terminally ill may also be given priority.

Clear guidance should be provided to explain who are priority groups and this should be made clear and easily accessible.

Q55. If a person is eligible for redress, should they have the same or comparable access to other elements of reparation whether they live in Scotland or elsewhere?

Yes No

Please explain your answer.

More information would be required to form a view on this matter.

Acknowledgement and apology

Q56. To allow us more flexibility in considering how acknowledgment is delivered in the future, we intend to include provision in the redress legislation to repeal the sections of the Victims and Witnesses (Scotland) Act 2014 which established the National Confidential Forum.

Do you have any views on this?

No view

Q57. Do you have any views on how acknowledgment should be provided in the future?

No view

Q58. Do you think a personal apology should be given alongside a redress payment?

Yes No

Please explain your answer.

As this is the Scottish Government's Scheme, it would be expected that this decision would be a decision for them.

If so, who should give the apology?

Support

Q59. Do you think there is a need for a dedicated support service for in care survivors once the financial redress scheme is in place?

Yes No

Please explain your answer.

Those applying to the scheme may require support throughout the process. It would be hoped that they would not have to go on waiting lists to access other services. This would ensure a constant approach across the whole of Scotland.

Q60. Do you have any initial views on how support for in care survivors might be delivered in Scotland, alongside a redress scheme?

No views

Thank you for taking the time to participate in this consultation.

Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care

September 2019



Scottish Government
Riaghaltas na h-Alba
gov.scot

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MINISTERIAL FOREWORD

Survivors have told me that financial redress is an important part of acknowledging what happened to them in the past as children in care in Scotland. I have listened to those views and have committed to establishing a financial redress scheme. This will require legislation to be passed by the Scottish Parliament.

Getting the design of a financial redress scheme right is of the utmost importance if it is to give survivors the acknowledgement they need and deserve, and if it is to do so with compassion and sensitivity.

We heard the views of many survivors to an earlier consultation in 2017 on the potential provision of financial redress. Those views provide the starting point for this consultation. We now need to build on those with the level of detail required for scheme design and implementation.

This consultation asks questions about scheme design and also includes wider issues, including how those responsible should contribute to the scheme, the establishment of a public body to administer the scheme, and the potential alignment of financial redress with other elements of a reparation package for survivors of historical abuse in care.

The responses to this consultation will help shape the legislation which will be introduced to the Scottish Parliament during 2020.

I encourage survivors and other interested parties to take part in this consultation and look forward to hearing your views.

JOHN SWINNEY
Deputy First Minister and
Cabinet Secretary for Education and Skills

INTRODUCTION

This consultation

This consultation seeks your views on the detailed design of a statutory financial redress scheme in Scotland, scheme administration issues, and high level views on financial redress as part of a package of wider reparations for survivors of historical child abuse in care.

The Deputy First Minister committed to introducing a statutory financial redress scheme in October 2018, following the receipt of recommendations from a consultation with survivors which was carried out in 2017. Those recommendations form the starting point for this consultation and are referenced throughout this document.

The consultation paper is in two parts. Part 1 includes questions about the detailed design of the statutory financial redress scheme. Many of the recommendations from the 2017 survivor consultation highlighted that further consideration of the detail would be required. Part 2 includes wider questions related to the implementation of the statutory scheme and elements of a package of reparation, including acknowledgement, apology and support.

This consultation is a necessary part of the pre-legislative process for the Scottish Parliament to consider and approve draft legislation. It seeks further detail on the key findings from the 2017 consultation, covers a wider range of issues, and provides an opportunity for all interested parties to express their views now that there is a firm commitment to introduce a financial redress scheme in Scotland.

The consultation will run for 12 weeks and will close on 25 November 2019. Please see paragraph 17 for details about how to respond to this consultation. You do not need to answer every question in the consultation. Your responses will still be valid if you only answer some of the questions.

Once the consultation has closed, the results will be analysed independently by an external analyst, and a report published. The consultation findings will help shape the content of the draft legislation, which will be introduced to the Scottish Parliament during 2020. It is expected to be one of the final pieces of legislation considered before the end of this Parliamentary term in March 2021.

It should be noted that the Scottish Child Abuse Inquiry is independent of government and any other organisation and does not therefore form any part of this consultation.

Recent progress on financial redress

In November 2016, the Deputy First Minister made a statement to Parliament in which he acknowledged that, while elements of reparation were in place in Scotland, he wished to explore the specific matter of financial redress. He defined this as follows: *“By redress in this context I mean monetary payment to provide tangible recognition of the harm done, as part of a wider package of reparations which this Government is already delivering... I am therefore committing to a formal process of consultation and engagement on this specific issue with survivors and other relevant parties, to fully explore the issues and gather a wider range of views.”*

This was taken forward in partnership with the SHRC InterAction Action Plan Review Group and the Centre for Excellence for Looked After Children in Scotland (CELCIS). The Review Group monitors the implementation of the SHRC Action Plan on Justice for Historic Abuse of Victims of Children in Care. It is a national group that includes survivor representatives, representation from care providers, Social Work Scotland, the Scottish Human Rights Commission, the Scottish Government and CELCIS.

The consultation and engagement on redress involved three main activities which took place over the course of 2016-18. There was a survivor consultation in 2017, which received just over 180 responses, an engagement exercise to gather initial views from residential and foster care providers and other relevant professional groups, and a review of available information about financial redress schemes in other countries.

A set of recommendations were drawn from this work, in particular the information gained from the consultation with survivors. The recommendations were submitted to the Deputy First Minister in September 2018 and are summarised in Box A. The reports from each of these activities, along with the full recommendations, are available at <https://www.celcis.org/our-work/key-areas/historical-abuse/financial-redress/>.

Box A: Recommendations based on the 2017 survivor consultation

- A financial compensation/redress scheme for victims/survivors of abuse in care should be established.
- Approval of a financial compensation/redress scheme for victims/survivors of abuse in care should take place as soon as possible following detailed scheme design.
- The preferred approach to financial compensation/redress is a combination payment.
- Next-of-kin of deceased victims/survivors of historic abuse should be eligible to apply to a scheme.
- There should be arrangements for interim payments which would allow priority groups of victims/survivors to access payments prior to full payment.

- A range of written and verbal information, where available, should be used to assess individual applications.
- A range of support and guidance should be put in place for applicants to assist them through the process of the scheme.
- Victims/survivors should be represented in the administration and governance of a full financial compensation/redress scheme.
- A range of knowledge and understanding should be represented in any panel or board which will have a decision making role in the scheme.
- All those responsible should contribute to a financial compensation/redress scheme.
- Scheme design should take account of a number of key principles to ensure the integrity and effectiveness of a scheme.
- It is essential that any potential negative consequences are considered during scheme design.
- The Scottish Government should discuss next steps with the Review Group and other victims/survivors, particularly the process to take forward detailed scheme design and implementation.
- An 'advanced payment scheme' for the elderly and ill should be progressed as soon as possible and before the main financial compensation/redress scheme is established in statute.

In response to these recommendations, in October 2018, the Deputy First Minister committed to establish a statutory financial redress scheme for survivors of abuse in care. He also offered an unreserved and heartfelt apology on behalf of the Scottish Government to all those who were abused as children while in care. His statement to the Scottish Parliament can be accessed at <https://www.gov.scot/publications/response-to-recommendations-on-financial-redress-for-survivors-of-child-abuse-in-care/>.

He also committed to make advance payments as soon as possible to survivors who may not live long enough to apply to the statutory scheme. The Advance Payment Scheme opened for applications six months later in April 2019. Advance Payments are being made on a discretionary basis to those who have a terminal illness, or who are age 70 or over. Further information and guidance on eligibility and how to apply for an Advance Payment can be found at <https://www.gov.scot/publications/financial-redress-for-survivors-of-child-abuse-in-care-advance-payment-scheme/>. The intention is that the Advance Payment Scheme will remain open until the statutory redress scheme is operational.

Overview of wider reparations

The Scottish Government has made good progress in taking forward a package of reparations for survivors of abuse in care in the context of the Action Plan on Justice for Victims of Historic Child Abuse (2014) and the SHRC Human Rights Framework for Justice and Remedies for Historic Child Abuse (2010).

A statutory financial redress scheme will form part of a wider package of measures identified in the Action Plan and already in place. These include:

- the Limitation (Childhood Abuse) Scotland Act 2017, which removes the three year time limit for bringing civil action for child abuse;
- the introduction of the Apologies (Scotland) Act 2016;
- the apology on behalf of the Scottish people made by the then First Minister on 1 December 2004, and the apology on behalf of the Scottish Government made by the Deputy First Minister on 23 October 2018
- the establishment of the Scottish Child Abuse Inquiry in 2015;
- the National Confidential Forum, which provides an acknowledgement function for survivors of abuse in care;
- Future Pathways, which provides personal outcomes focussed support to survivors of abuse in care.

One element of the Action Plan which has not yet received attention is the issue of commemoration. Some survivors have expressed the view that this should be turned to once the other key elements are in place.

How to respond to this consultation

We are inviting responses to this consultation by 25 November 2019.

Where possible, our preference is for responses to this consultation to be submitted using the Scottish Government's online consultation platform, Citizen Space. Citizen Space can be found at: <https://consult.gov.scot/redress-survivor-relations/financial-redress-historical-child-abuse-in-care>. You can save as you go along and return to the questions as many times as you wish. Please remember to submit your response before the closing date. You will receive a copy of your response by email if you submit it via Citizen Space.

If you would prefer to respond by post or email, you should download the Respondent Information Form which includes the list of consultation questions. If you wish, we can send you a hard copy by post for you to fill in. You can request this by contacting us by e-mail or post at the details shown. Please email the completed form to redress@gov.scot or send to:

*Redress and Survivor Relations Division
Scottish Government
2A South
Victoria Quay
Edinburgh*

EH6 6QQ

Whether you respond by Citizen Space or by post or email, you will need to indicate whether you are content for your response to be published online. This is normal practice for public consultations. Once the consultation has closed, individual responses from those who gave their consent, are published online at <https://consult.gov.scot/>. Citizen Space will ask for your permission to publish your response before you submit it. For postal/email responses, the Respondent Information Form will ask you about this.

If you ask for your response not to be published, we will regard it as confidential, and will treat it accordingly. All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Where respondents have given permission for their response to be made public, we will still check that the response does not contain any sensitive information of a personal nature, any potentially defamatory or offensive materials, or where publication would be contrary to copyright or data protection laws. Sensitive information will be redacted.

To find out more about how we handle your personal data, please see the Scottish Government privacy policy at <https://www.gov.scot/privacy/>.

If you have any comments or complaints about how this consultation exercise has been conducted, please send them by e-mail or post to the address at the bottom of page 6.

Please be aware that responses to a public consultation cannot be used as a way to address individual concerns and comments about your own circumstances.

If thinking about redress and this consultation is causing immediate distress Breathing Space and the Samaritans can provide help.

Breathing space: Call free of charge on 0800 83 85 87, Monday to Thursday from 6pm to 2am, weekend from Friday at 6pm to Monday morning at 6am.
<https://breathingspace.scot/>.

Samaritans: Call free of charge on 116 123 from the UK, any time of the day or night. <https://www.samaritans.org/scotland/samaritans-in-scotland/>.

PART 1: DESIGN OF THE REDRESS SCHEME

This part includes questions about the detailed design of the statutory financial redress scheme. It includes key issues from the 2017 consultation which were identified as requiring further detailed consideration.

Part 1.1 Purpose and Principles of the Financial Redress Scheme

Purpose

The introduction to this consultation paper (at pages 3 to 7) sets out the recent background to financial redress in Scotland, tracing its development from the *Action Plan on Justice for Victims of Historic Abuse of Children in Care* in 2014 to the statement in Parliament on 25 April this year launching the Advance Payment Scheme for survivors of abuse in care who are age 70 years or over or have a terminal illness.

It is clear that systemic failings existed in the past and the Deputy First Minister has made clear that the Scottish Government wholeheartedly accepts the need to provide acknowledgement and tangible recognition of the harm that was done to children in the past who were abused in care in Scotland, acknowledging at the same time that such recognition cannot in any way take away the pain that individuals have suffered.

Question 1

We are considering the following wording to describe the purpose of financial redress: “to acknowledge and respond to the harm that was done to children who were abused in care in the past in residential settings in Scotland where institutions and bodies had long-term responsibility for the care of the child in place of the parent”.

What are your thoughts on this? Do you agree?

Yes No

If no, what are your thoughts on purpose?

Principles

Views from the 2017 survivor consultation

- **Scheme design should take account of a number of key principles to ensure the integrity and effectiveness of a scheme.** Victims/survivors who answered this question noted that the scheme will need to address important principles of choice, fairness, respect, integrity and individual experience, needs and wishes. The integrity of the scheme is crucial and it must be robust and credible; the evidence required, and the scrutiny of it, must create a balance which will deter fraudulent claims, without putting off applicants or refusing genuine applications because of lack of evidence.

It is our intention that the financial redress scheme should be underpinned by guiding principles which respect these views. Expectations of the scheme will vary, as will the broad range of needs and interests sought by those applying. It will, nevertheless, be important to ensure that principles which reflect survivors' views are embedded within the scheme. The design of the scheme will also comply with our wider legal obligations, including those which arise from the European Convention on Human Rights.

We are considering the following as guiding principles:

- To ensure that redress is delivered with honesty, decency, trust and integrity;
- To make the scheme as accessible as possible;
- To treat applicants with fairness and respect and to offer them choice wherever possible;
- To ensure that the assessment and award process is robust and credible;
- To make every effort to minimise the potential for further harm through the process of applying for redress.

Question 2

Do you agree with these guiding principles?

Yes No Unsure

Would you suggest any additions or amendments to the proposed principles?

Part 1.2 Eligibility for the Financial Redress Scheme

The financial redress scheme is for survivors of historical child abuse in care in residential settings in Scotland where institutions and bodies had long term responsibility for the care of the child in place of the parent.

Defining 'in care'

We intend that 'in care' for this redress scheme is based on two criteria. First, where an institution or body had long-term responsibility in place of the applicant's parent, and secondly that the applicant was within an eligible residential setting.

By 'long-term responsibility in place of the parent' we mean where institutions/bodies took decisions about the child's care and upbringing and were morally responsible for their physical, social and emotional needs in place of parents.

We know from survivors that the ways in which children found themselves in residential settings were many and varied in the past. Examples might include situations where families were unable to provide sufficient care for their children at a point in time, often because of the death or serious illness of one or both parents, or because a court order or other legal process placed the child in a setting.

As regards the second part (eligible residential setting) we propose using the Terms of Reference of the Scottish Child Abuse Inquiry which define 'children in care' as *'children in institutional residential care such as children's homes (including residential care provided by faith based groups); secure care units including List D schools; borstals; Young Offenders' Institutions; places provided for Boarded Out children in the Highlands and Islands; state, private and independent boarding schools, including state funded school hostels; healthcare establishments providing long term care; and any similar establishments intended to provide children with long term residential care. The term also includes children in foster care.'*

As this financial redress scheme is for those in the circumstances set out above, not all those who are covered by the terms of reference of the Inquiry would be eligible for this scheme. For example, children who attended fee paying boarding schools, and who were sent there by their parents for the primary purpose of education, were not the long-term responsibility of the institution in place of the parent, and therefore would not be eligible under this financial redress scheme.

Similarly, those in hospital care primarily for the purposes of medical or surgical treatment, where parents retained the long-term responsibility, would not be eligible.

We recognise that abuse may have taken place in these settings and that other routes to justice and support are available to these groups.

We will ensure that eligibility for the scheme is consistent with its purpose as set out above, including through careful analysis of the rights of potential applicants under the European Convention on Human Rights.

Question 3

Do you agree with the proposed approach in relation to institutions and bodies having long term responsibility for the child in place of the parent?

Yes No Unsure

Please explain your answer.

Question 4

Subject to the institution or body having long term responsibility for the child, do you agree that the list of residential settings should be the same as used in the Scottish Child Abuse Inquiry's Terms of Reference?

Yes No Unsure

Please explain your answer.

Question 5

Where parents chose to send children to a fee paying boarding school for the primary purpose of education, the institution did not have long-term responsibility in place of the parent. Given the purpose of this redress scheme, applicants who were abused in such circumstances would not be eligible to apply to this scheme.

Do you agree?

Yes No Unsure

Please explain your answer.

Question 6

Where children spent time in hospital primarily for the purpose of medical or surgical treatment, parents retained the long-term responsibility for them. Given the purpose of this redress scheme, applicants who were abused in such circumstances would not be eligible to apply to this scheme.

Do you agree?

Yes No Unsure

Please explain your answer.

Defining ‘abuse’

We have considered two options for the definition of abuse for the purpose of this financial redress scheme. The Limitation (Childhood Abuse) (Scotland) Act 2017, which defines abuse as ‘*sexual abuse, physical abuse, emotional abuse and abuse that takes the form of neglect*’ and the Terms of Reference of the Scottish Child Abuse Inquiry which defines abuse as ‘*primarily physical abuse and sexual abuse, with associated psychological and emotional abuse*’.

The Limitation (Childhood Abuse) (Scotland) Act 2017 changed the rules around the time limits within which a claim for compensation can be made in the civil courts. This change meant that there is no longer a time bar on childhood abuse claims in the civil courts (although cases cannot be pursued through the civil courts where the only incidents of abuse took place prior to 26 September 1964). In our view the definition in the Limitation Act 2017 is broader as it specifically includes neglect, and it also includes emotional abuse whether or not physical or sexual abuse also occurred.

Question 7

We intend to use the same definition of abuse as the Limitation (Childhood Abuse) (Scotland) Act 2017 for the purpose of the financial redress scheme. This includes sexual abuse, physical abuse, emotional abuse and abuse that takes the form of neglect. Do you agree?

Yes No

Please explain your answer.

A more detailed description of what constitutes emotional, physical and sexual abuse and neglect can be found in the National Guidance for Child Protection in Scotland (2014) <https://www.gov.scot/publications/national-guidance-child-protection-scotland/>.

Defining ‘historical’ abuse

Similar to financial redress schemes in some other countries, we need to define what we mean by ‘historical’ abuse.

On 1 December 2004 the then First Minister Jack McConnell made a public apology endorsed by the Scottish Parliament as a whole and Scotland began to face up to the harm done to children in care in the past. In his apology he said that Scotland would ensure that inspection, regulation and standards would be in place to prevent, detect and deal with abuse.

We propose therefore that this redress scheme defines ‘historical’ abuse as that which took place prior to 1 December 2004.

Rapid and substantial change in relation to the monitoring and regulation of the care system and its staffing in Scotland took place in the period immediately following the creation of the Scottish Parliament. This included legislative, policy, supervisory and regulatory change.

These changes included the Regulation of Care (Scotland) Act 2001, with the key aim of improving standards of care services, leading to the establishment of the Care Commission and the Scottish Social Services Council. Also in 2001, the Scottish Social Services Council was established for the mandatory registration and regulation of care services and social workers. In 2002, the Care Commission was established, with responsibility for the inspection of adult and children services, as was Disclosure Scotland, to provide criminal records disclosure services for employers and voluntary sector organisations.

As a result the regulation, inspection and child protection guidance and standards now in place are radically different to the past.

Question 8

In our view 1 December 2004 represents an appropriate date to define 'historical' abuse for this financial redress scheme. Do you agree?

Yes No Unsure

Please explain your answer.

Other eligibility issues

Child migrants

Survivors who suffered abuse in Scotland, meet all the eligibility criteria of the redress scheme, and who were also part of the UK Child Migration Programmes would be eligible to apply. In our view this would be the case even if they have already received a payment under the UK Government's payment scheme for former British child migrants, or are planning to apply to that scheme. The UK Government's scheme for British child migrants is for a different purpose and does not require the applicant to have suffered abuse.

Question 9

Do you have any comments you would like to make in relation to child migrants who also meet the eligibility requirements of this redress scheme?

Abuse in care that occurred in other countries

This redress scheme is for abuse that took place in Scotland. For abuse that occurred in any other country, it would be the responsibility of the other jurisdiction to provide redress for abuse that occurred there. Child migrants or others who meet the eligibility of this redress scheme would be eligible to apply even if they have already received a payment for any abuse they also suffered in another country.

(The position of individuals who have already received a payment for historical abuse that occurred in care in Scotland is provided at page 19).

Those with a criminal conviction

Redress schemes in other countries have taken different approaches to the eligibility of those with a criminal conviction. In our view, someone with a criminal conviction should not be excluded from applying for redress if they meet the eligibility requirements of the scheme.

Question 10

Do you have any comments about the eligibility of those with a criminal conviction?

Other

Question 11

Do you have any other comments on eligibility for the financial redress scheme?

Part 1.3 Payment Structure, Evidence and Assessment

Views from the 2017 survivor consultation

- **The preferred approach to financial compensation/redress is a combination payment.** The majority of victims/survivors who answered this question felt that the preferred approach is a combination payment which involves a flat-rate standard payment along with an individual experience payment which takes account of a range of factors such as: the nature of abuse; the severity of abuse; the period of abuse; and the life-long consequences of the abuse. The operational design and detail will need further consideration.
- **A range of written and verbal information, where available, should be used to assess individual applications.** Victims/survivors who answered this question considered that, where available, a range of written and verbal information should be used to assess applications, and this included: information about placement details; nature and severity of abuse experienced; information on impact of the abuse; testimony from a third party; police records of alleged or convicted perpetrators of abuse; previous or ongoing civil/criminal action; and, material prepared for another purpose. Challenges in the availability and securing of information, the impact on individuals through the process and the importance of choice were also noted.

Payment structure

In line with the views expressed in the 2017 survivor consultation, we intend to design a redress scheme with a combination payment approach which would have two possible stages.

Stage One would not attempt to assess individual experience of abuse or its impact. This stage may be viewed as more straightforward for applicants. Applicants could choose to apply for an additional payment over and above Stage One. This would assess their individual experience of abuse and the impact it has had on their life. By its nature, this Stage Two payment would require more information and supporting evidence than Stage One.

An assessment for a Stage Two payment, for those who chose to do so, would take account of a number of factors in a fair, consistent and transparent way.

Evidence Requirements

Supporting documentation which confirms in care status and in relation to abuse

To apply for a payment from this financial redress scheme we consider that documentary evidence of having been in care in Scotland will be required. Some form of verification of the documents submitted would be required.

Question 12

What options might be available for someone who has been unable to obtain a supporting document which shows they spent time in care in Scotland?

Many institutions and bodies have committed considerable resource to helping survivors to obtain access to historical records. Drawing on the approach to redress in Ireland, we are however considering whether there should be a power set out in legislation which requires bodies or organisations, subject to certain criteria, to release any documents they hold which relate to an applicant's identity, placement details, abuse or injury suffered as a consequence of that abuse.

Question 13

Do you think the redress scheme should have the power, subject to certain criteria, to require that bodies or organisations holding documentation which would support an application are required to make that available?

Yes No

Please explain your answer.

Question 14

For Stage One, what evidence do you think should be required about the abuse suffered?

	Yes	No
A signed declaration by the applicant that they suffered abuse, but no other supporting evidence	<input type="checkbox"/>	<input type="checkbox"/>
A short written description of the abuse and its impact	<input type="checkbox"/>	<input type="checkbox"/>
Any existing written statement from another source which details the abuse in care	<input type="checkbox"/>	<input type="checkbox"/>

Question 15

Do you have any additional comments on evidence requirements for a Stage One payment?

Question 16

For Stage Two, what additional evidence of the abuse, and of its impact, should be required for the individual assessment?

	Yes	No
Any existing written statement from another source which details the abuse	<input type="checkbox"/>	<input type="checkbox"/>
Oral testimony of abuse and its impact	<input type="checkbox"/>	<input type="checkbox"/>
Short written description of the abuse and its impact	<input type="checkbox"/>	<input type="checkbox"/>
Detailed written description of abuse suffered and its impact	<input type="checkbox"/>	<input type="checkbox"/>
Documentary evidence of impact of the abuse	<input type="checkbox"/>	<input type="checkbox"/>
– Existing medical and/or psychological records	<input type="checkbox"/>	<input type="checkbox"/>
– New medical and/or psychological assessment	<input type="checkbox"/>	<input type="checkbox"/>
Supporting evidence of the abuse/impact from a third party	<input type="checkbox"/>	<input type="checkbox"/>

Question 17

Do you have any comments on evidence requirements for a Stage Two payment?

Provision for oral testimony

The majority view from the survivor consultation in 2017 was that an applicant should be able to give oral testimony of abuse and its impact if they are unable to provide documentary evidence. In some redress schemes in other countries, oral hearings have only been used in some circumstances, for example when a case was complex and could not be resolved based on documentary evidence or when a payment offer was rejected by the applicant.

Question 18

Do you think applicants should be able to give oral evidence to support their application?

Yes No

If yes, under what circumstances might it be available?

Stage Two Assessment

As described above, the additional Stage Two payment would require an assessment of an individual's experience of abuse and the impact it has had. It is inherently difficult to assess this given that individuals can have very different responses to similar abuse experiences and the impact of the abuse on their life can manifest in very different ways. We will therefore take account of a range of factors in a consistent, fair and transparent way.

From the survivor consultation in 2017, the types of factors considered relevant for an individual assessment were length of time in care, the type of abuse, the frequency and severity of abuse, the impact of abuse, and loss of opportunity as a result of the abuse and its impact.

Question 19

Do you have any views on whether the length of time in care should be factored into the Stage Two assessment?

Yes No

If so how?

Question 20

Do you have any views on the balance the assessment should give to different types of abuse (physical, emotional, sexual, neglect)?

Question 21

What are your views on which factors in relation to the abuse and its impact might lead to higher levels of payment?

Question 22

Do you think:

- **the redress payment is primarily for the abuse suffered** yes/no
- **the redress payment is primarily for the impact the abuse has had** yes/no
- **both the abuse suffered and the impact it has had should be treated equally** yes/no

Please explain your answer.

Question 23

How do you think the scheme should ensure all parties are treated fairly and that the assessment and award process is sufficiently robust?

Consideration of other payments

Where an applicant has already received some form of compensation in respect of their abuse (for example a court award following a civil court action, or an out of court settlement) most redress schemes in other countries have dealt with this by deducting an appropriate amount from the redress payment. The principle underlying this is that a person should not be compensated twice for the same matter.

Some other schemes have taken a different approach, and have excluded people who have already received damages or settlements in respect of the same abuse from applying to their redress scheme.

We intend that those who have received a payment from another source should still be eligible to apply for redress, but that the corresponding amount should be deducted from the redress payment. Consideration would need to be given to how to adjust any previous payment to take account of inflation and any other relevant factors.

Question 24

Do you agree that anyone who has received a payment from another source for the abuse they suffered in care in Scotland should still be eligible to apply to the redress scheme?

Yes No

Please explain your answer.

Question 25

Do you agree that any previous payments received by an applicant should be taken into account in assessing the amount of the redress payment from this scheme?

Yes No

Please explain your answer.

Choosing between accepting a redress payment and seeking a payment from another source

Many redress schemes in other countries have required applicants to choose between accepting a redress payment and pursuing remedies in the civil courts. We are proposing to take the same approach. In other words, an applicant should find out how much they would receive by way of a redress payment and take legal advice before deciding whether to accept it, or reject it and pursue an award in the civil courts instead. This will commonly require the signing of a waiver at the point of accepting a redress payment, which means the applicant would give up their right to raise an action in court in respect of their experience in care.

Question 26

Do you agree applicants should choose between accepting a redress payment or pursuing a civil court action?

Yes No

Please explain your answer.

Part 1.4 Making an Application

Time period for making an application

Question 27

We are proposing that the redress scheme will be open for applications for a period of five years. Do you agree this is a reasonable timescale?

Yes No

Please explain your answer.

Practical help making an application

The 2017 survivor consultation highlighted that different types of help might be required during the application process. For example practical support might include help filling out the application form, or with obtaining records.

Question 28

Should provision be made by the redress scheme administrators to assist survivors obtain documentary records required for the application process?

Yes No

Please explain your answer.

Legal advice

We are considering whether the redress scheme should address the cost of legal advice or representation in some form. We intend to explore all options for delivering this including Legal Aid. We propose at a minimum that independent legal advice should be provided at the point of accepting a redress payment if this were to require the signing of a waiver.

Question 29

In your view, which parts of the redress process might require independent legal advice? Please tick all that apply.

In making the decision to apply

During the application process

At the point of accepting a redress payment and signing a waiver?

In redress schemes in some other countries the cost of providing legal advice has been significant and has been criticised by survivors. Possibilities for managing the costs of independent legal advice could include a set payment per application or a payment to take into account the time spent on an application capped at a certain level, including through Legal Aid.

Question 30

How do you think the costs of independent legal advice could best be managed?

Part 1.5 Next-of-Kin

Views from the 2017 survivor consultation

- **Next-of-kin of deceased victims/survivors of historic abuse should be eligible to apply to a scheme.** The majority of victims/survivors who answered this question indicate support that the next-of-kin of deceased victims/survivors should be eligible for compensation/redress. However, there were a number of cautions about the eligibility of next-of-kin, in terms of the definition of next-of-kin, personal relationships with the deceased victims/survivors while they were living, and practical operational issues. These matters require further consideration.

We intend that surviving spouses and children of those who meet all the eligibility criteria, including that they were abused in an eligible residential setting in Scotland, prior to 1 December 2004, should be able to apply to the financial redress scheme for a “next-of-kin payment”. The purpose of the next-of-kin payment is to acknowledge the fact that the survivor passed away before the financial redress scheme was in place. It may not always be straightforward to assess potential applications by surviving spouses and children, particularly where family circumstances were complex.

Question 31

What are your views on our proposed approach to allow surviving spouses and children to apply for a next-of-kin payment?

Some schemes in other countries have provided for next-of-kin applications. Where this is the case they have set a “cut-off” date to determine next-of-kin eligibility. This is the date **after** which a survivor must have died. For example, in the Republic of Ireland’s scheme a survivor had to have died after 12 May 1999 for their next-of-kin to be eligible. This was the date of the announcement of the inquiry in Ireland which led to the establishment of their redress scheme.

It may be appropriate for Scotland to take a similar approach and to use 17 December 2014, the date of the announcement of the Scottish Child Abuse Inquiry, as the cut-off date. It may also be appropriate to use 23 October 2018 as that was the date that the Deputy First Minister confirmed there would be a redress scheme for Scotland and that there would be some form of provision of next-of-kin. Our intended approach is to provide a cut-off date of 17 November 2016, the date on which the Deputy First Minister announced that he wanted to hear wider views on the potential provision of financial redress. That consultation led to the recommendation that next-of-kin of deceased victims/survivors should be eligible for redress.

Question 32

We are considering three options for the cut-off date for next-of-kin applications (meaning that a survivor would have had to have died *after* that date in order for a next-of-kin application to be made). Our proposal is to use 17 November 2016.

- **17 December 2014 - the announcement of the Scottish Child Abuse Inquiry** yes/no
- **17 November 2016 – the announcement of the earlier consultation and engagement work on the potential provision of financial redress** yes/no
- **23 October 2018 – the announcement that there would be a statutory financial redress scheme in Scotland** yes/no

What are your views on which date would be the most appropriate?

Given the next-of-kin payment makes no attempt to assess the individual experience of the deceased survivor, it will be a flat-rate payment. It is not an attempt to assess the impact of the deceased survivor's abuse experience on surviving family members. Instead it is intended to recognise and acknowledge the harm done to the deceased survivor while they were in care in Scotland.

Question 33

We propose that to apply for a next-of-kin payment, surviving spouses or children would have to provide supporting documentation to show that their family member met all the eligibility criteria.

What forms of evidence of abuse should next-of-kin be able to submit to support their application?

Question 34

What are your views on the proportion of the next-of-kin payment in relation to the level at which the redress Stage One payment will be set in due course?

- **25%**
- **50%**
- **75%**
- **100%**

Please explain your answer.

Part 1.6 Financial Contributions

Views from the 2017 survivor consultation

- **All those responsible should contribute to a financial compensation/redress scheme.** Victims/survivors who answered this question consider that all those responsible should contribute, including: Scottish Government, residential and foster care providers, local authorities which placed children in care and those which provided care placements, and religious bodies responsible for care services. The SHRC Framework also makes clear that institutions should contribute to reparation packages in a manner proportionate to the extent to which they are accountable.

Contributions to the redress scheme

In the previous survivor consultation, most respondents felt the particular provider/institution should contribute. The Scottish Human Rights Commission notes that, in line with international good practice, providers/institutions should contribute to reparations packages to the extent to which they are accountable. We expect all those responsible to make a meaningful contribution to the costs of delivering a financial redress scheme in Scotland. To ensure that this is done fairly we are building on existing information to understand the status of organisations and institutions over time as well as their relative roles and responsibilities.

In developing our scheme, we will learn from examples of funding models applied in redress schemes in other countries. Two examples are provided below which illustrate different approaches.

In Ireland, a funding arrangement was agreed at the outset based on a 50/50 split between the state and an umbrella organisation representing religious congregations. This was based on a forecast of costs for their redress scheme, a forecast which turned out to be greatly under-estimated. There were significant difficulties in obtaining the funds and property assets which were to have met these organisations' share of the costs.

The Australian National Redress Scheme follows the 'responsible entity pays' principle. The Australian Government bears the cost initially, and is then reimbursed by a funding contribution from participating institutions. Under the Australian scheme rules, applications for redress can only be processed from survivors whose institution has joined the scheme (it is not our intention to take this approach in Scotland).

In Scotland, earlier engagement with providers and other professional groups carried out by CELCIS suggested that the creation of a structured national financial redress scheme could achieve greater consistency of processes and outcomes for survivors. Providers also felt that there may be advantages to a national redress scheme rather than the existing legal process. A paper summarising the views expressed, including possible opportunities and barriers, is available at https://www.celcis.org/index.php/download_file/view/2854/1326/.

Question 35

We think those bearing responsibility for the abuse should be expected to provide financial contributions to the costs of redress. Do you agree?

Yes No

Please explain your answer.

Question 36

Please tell us about how you think contributions by those responsible should work. Should those responsible make:

- **an upfront contribution to the scheme** Yes/No
- **a contribution based on the number of applicants who come forward from their institution or service** Yes/No
- **Another approach to making a financial contribution to the redress scheme costs?** Please explain

Other comments?

Question 37

Are there any barriers to providing contributions, and if so how might these be overcome?

Question 38

Should the impact of making financial contributions on current services be taken into account and if so how?

Yes No

Please explain your answer.

Question 39

What other impacts might there be and how could those be addressed?

Question 40

How should circumstances where a responsible organisation no longer exists in the form it did at the time of the abuse, or where an organisation has no assets, be treated?

Question 41

What is a fair and meaningful financial contribution from those bearing responsibility for the abuse?

Question 42

What would be the most effective way of encouraging those responsible to make fair and meaningful contributions to the scheme?

Question 43

Should there be consequences for those responsible who do not make a fair and meaningful financial contribution?

Yes No

If yes, what might these be?

Contributions to wider reparations

In some other countries, the care provider representatives have funded support services, separate from any contribution to financial redress. In Ireland, a national counselling and support service is funded by the Catholic Church. The service aims to meet the support needs of survivors of religious, institutional and clerical abuse and their families. In Queensland, religious organisations contributed along with the Government to a trust fund to support former residents rebuild their lives.

Residential service providers and other professional groups in Scotland previously indicated that financial redress should be viewed in the context of a broader reparation package and outlined opportunities where they have or could contribute. This includes:

- Enabling supportive access to records;
- Financial support for counselling sessions;
- Signposting people to a range of relevant supports;
- Tracing and unifying families;
- Offering after-care support;
- Individual sessions to promote reconciliation;
- Individual apology;
- Ensuring that previous residents are aware of the scrutiny by current registration and inspection regimes.

Question 44

In addition to their financial contributions to the redress scheme, what other contributions should those responsible for abuse make to wider reparations?

PART 2: SCHEME ADMINISTRATION AND WIDER REPARATIONS

This part includes questions related to the implementation of the statutory financial redress scheme and the opportunity to bring together related elements of a package of reparations, including acknowledgment, apology and support.

Part 2.1: Decision-Making Panel for Redress

The financial redress scheme will be administered and governed independently of the Scottish Government. This will ensure that decisions on assessment of applications to the scheme will not be made by the Scottish Government.

Views from the 2017 survivor consultation

- **Victims/survivors should be represented in the administration and governance of a full financial compensation/redress scheme.** The value and insight offered by victim/survivor representation was highlighted by the consultation participants. Similar to the types of support, victims/survivors suggested a broad range of ways by which victim/survivors could be represented, either through the development and administration of the scheme or the individual application process. These views accord with a human rights based approach where participation is a recognised key component. Representation and participation should be significant and meaningful, involving appropriate information available in accessible formats, and the provision of necessary support and guidance.
- **A range of knowledge and understanding should be represented in any panel or board which will have a decision making role in the scheme.** Victims/survivors who answered this question noted a number of suggested professional backgrounds and specified services, and highlighted the value of lived experience. Key areas of knowledge and understanding included: advocacy, finance, health, human rights law, social care, and trauma.

We propose that decisions are made by a panel of three people drawn from a group of suitably qualified people appointed for this purpose. Panel members could come from a variety of backgrounds. We think the skills and knowledge appropriate for panel members to have include an understanding of human rights, legal knowledge, and knowledge of complex trauma and its impact.

We believe that service development is best informed by the individuals that will use it. However, in line with some of the concerns raised by survivors in the 2017 consultation regarding matters of confidentiality and potential impact or harm, we do not think it would be appropriate for survivors to form part of the decision-making panel itself. That panel will be considering individual redress applications, based on an objective set of criteria, and the evidence provided in support. Instead, we propose a survivor panel should be established to ensure survivors have a voice in the development and administration of the redress scheme.

Question 45

Do you agree that the decision making panel should consist of three members?

Yes No

Please explain your answer.

Question 46

Do you agree that the key skills and knowledge for panel members should be an understanding of human rights, legal knowledge, and knowledge of complex trauma and its impact?

Yes No

Are there other specific professional backgrounds or skills you feel are essential for the decision making panel?

Question 47

We propose that a Survivor Panel be established to advise and inform the redress scheme governance and administration, ensuring survivor experience of the application process is considered as part of a culture of continuous improvement.

Do you agree?

Yes No

Please explain your answer.

How do you think survivors should be recruited and selected for this panel?

Part 2.2 Public Body

We propose that the financial redress scheme will be administered and governed by a new public body which, although accountable to Scottish Ministers, will be operationally independent of them in particular in regards to the decision making panel and process.

Question 48

Do you agree that the financial redress scheme administration should be located in a new public body?

Yes No

Please explain your answer.

Question 49

Do you have any views as to where the public body should be located and what it should be called?

What factors should be taken into account when deciding where the public body should be?

The Chair and Chief Executive of the public body will be appointed through the public appointments process.

Question 50

How can survivors be involved in the recruitment process for these posts?

How should survivors be selected to take part in this process?

Part 2.3 Wider Reparations

Learning from other countries has highlighted the unique circumstances of individual survivors and that, whilst not every survivor will want or need any wider reparation, choice and access to a broad range of remedies is important. These remedies often include acknowledgment, apology and support.

The establishment of a new independent public body provides an opportunity to consider whether other elements of a reparation package could be provided in a more joined-up way. This may make it easier for survivors to access the support and information that they need, and may benefit services in relation to efficiencies in delivery, promotion and communication.

For background, we have outlined below the current provision in Scotland in relation to acknowledgement, apology and support.

Acknowledgment

The Scottish Government established the National Confidential Forum (NCF) through the Victims and Witnesses (Scotland) Act 2014 to listen to and acknowledge people's childhood experiences of institutional care in Scotland. There is no need for applicants to provide verification of their placement details and all the information gathered is anonymised. Unlike the Scottish Child Abuse Inquiry, the NCF does not investigate any abuse disclosed by the survivor. Instead the purpose is to receive and listen to testimony.

Apology

The Apologies (Scotland) Act 2016 gives legal protection to an apology, in certain circumstances. It provides that an apology (as defined in terms of the Act) is inadmissible in certain civil proceedings as evidence of anything relevant to the determination of liability, and cannot otherwise be used to the prejudice of the person making the apology (or on whose behalf it is made). The Act has the broader purpose of encouraging a cultural and social change in attitudes towards apologising.

For the purpose of the Act, an apology is defined as a statement (which could be written or oral) made either by the person who is apologising (whether a natural person, or a legal person such as a company), or by someone else on their behalf. The core element is an indication that the person is sorry about, or regrets, an act, omission or outcome.

On 1 December 2004 then First Minister Jack McConnell made an apology on behalf of the people of Scotland to victims of child abuse in Scotland. On 23 October 2018 Deputy First Minister John Swinney issued an apology on behalf of the Scottish Government and announced the establishment of a financial redress scheme.

Support

The Scottish Government currently provides funding to a number of organisations to deliver support services for survivors. Future Pathways was set up by the Scottish Government in 2016 and is governed by an alliance of organisations. Future Pathways works with individual survivors to identify personal outcomes and then signpost or commission services on the person's behalf. Examples of the support accessed through Future Pathways include assistance with tracing records, help accessing work and education opportunities, arranging housing and benefits advice, and arranging access to counselling and specialist psychological therapies.

Bringing services together

There may be an opportunity to bring together the administration of other services for survivors with financial redress. We think this could benefit survivors by providing a single entry point for the financial redress scheme and wider reparation. In terms of service provision it could provide integration, efficiency and effectiveness. Some survivors have expressed a view that there would be benefits to bringing together all these elements of reparation into the same physical location.

Question 51

What are your views on bringing together the administration of other elements of a reparation package such as support and acknowledgement with financial redress?

What would be the advantages?

Would there be any disadvantages, and if so, how might these be addressed?

Question 52

Do you agree that it would be beneficial if the administration of these elements were located in the same physical building?

What would be the advantages?

Would there be any disadvantages, and if so, how might these be addressed?

Question 53

Should wider reparation be available to everyone who meets the eligibility criteria for the financial redress scheme?

Yes No

Please explain your answer.

Question 54

Should there be priority access to wider reparation for certain groups, for example elderly and ill?

Yes No

Please explain your answer.

Question 55

If a person is eligible for redress, should they have the same or comparable access to other elements of reparation whether they live in Scotland or elsewhere?

Yes No

Please explain your answer.

Acknowledgment and Apology

Acknowledgment and apology have been identified as key components of reparation. In other countries this sometimes includes a face to face apology or letter of apology from different representatives, for example the Government, care provider or other organisations. Some have developed a framework for a direct personal response that also allows for other actions, including acknowledgment of regret and/or an opportunity to meet a senior official within the relevant institution.

When the NCF was established in Scotland in 2014, it was the only acknowledgment forum available to survivors. That position has changed. We now have the Scottish Child Abuse Inquiry and the Independent Care Review examining people's experiences in care. We will have a financial redress scheme to acknowledge and respond to the harm done to survivors of abuse in care. We want to look again at how survivors access acknowledgment and apology in Scotland.

Question 56

To allow us more flexibility in considering how acknowledgment is delivered in the future, we intend to include provision in the redress legislation to repeal the sections of the Victims and Witnesses (Scotland) Act 2014 which established the National Confidential Forum.

Do you have any views on this?

Question 57

Do you have any views on how acknowledgment should be provided in the future?

Question 58

Do you think a personal apology should be given alongside a redress payment?

Yes No

Please explain your answer.

If so, who should give the apology?

Support

Support is a key element of a wider reparation package and can typically include the following:

- emotional or psychological health and wellbeing;
- work and education;
- housing, benefits and financial advice;
- physical health and wellbeing;
- access to records – finding out about time in care;
- befriending.

Some countries have established a national counselling service or advocacy service rather than a wider support coordination service.

The creation of a statutory financial redress scheme provides the opportunity to look at how support for survivors might be delivered in the future. This will require further extensive engagement to consider current provision and consider other models.

Question 59

Do you think there is a need for a dedicated support service for in care survivors once the financial redress scheme is in place?

Yes No

Please explain your answer.

Question 60

Do you have any initial views on how support for in care survivors might be delivered in Scotland, alongside a redress scheme?



Pre-Legislative Public Consultation on Financial Redress for Historical Child Abuse in Care

RESPONDENT INFORMATION FORM

Where possible, we prefer that you take part using the Scottish Government's online consultation platform, Citizen Space. Citizen Space can be found at: <https://consult.gov.scot/>. If you are responding by post or email, please use this form to share your views. You can choose if you want to answer some or all of the questions. If you prefer you can write to us with your own comments.

Please Note we would appreciate that you complete all of the 'About you' section and return this with your response.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>

About You

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

If responding on behalf of an organisation, please indicate which category best describes your organisation. Please tick all that apply.

- | | |
|--|--|
| <input type="checkbox"/> Local Authority | <input type="checkbox"/> Other Public Sector |
| <input type="checkbox"/> Current Care Provider | <input type="checkbox"/> Academia/Education |
| <input type="checkbox"/> Previous Care Provider | <input type="checkbox"/> Private Sector |
| <input type="checkbox"/> Third Sector or Community Group | <input type="checkbox"/> Legal Sector |
| <input type="checkbox"/> Survivor Organisations | <input type="checkbox"/> Other |

If other, please specify.

If responding as an individual do you identify as a survivor of abuse in care?

- Yes
- No
- Prefer not to say

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations only:

The option 'Publish response only (without name)' is available for individual respondents only. An organisation's name will still be published even if this option is selected.

If you choose the option 'Do not publish response', your organisation's name may still be listed as having responded to the consultation in, for example, the analysis report.

If you have identified as a survivor of abuse in care, the Scottish Government will not publish your name unless you confirm that you are happy for that to happen. Please tick this box if you are.

Where respondents have given permission for their response to be made public, we will still check that the response does not contain any sensitive information of a personal nature, any potentially defamatory or offensive materials, or where publication would be contrary to copyright or data protection laws. All such information will be redacted.

If you provide information regarding a perpetrator of abuse, we will pass this information and your details to Police Scotland in order that an assessment can be made of any current risk posed by the perpetrator.

We may wish to contact you again in the future, but we require your permission. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

If you would like to join our mailing list for any further updates on the financial redress scheme, you will need to sign and return a form (privacy notice). Please tick the box below if you would like to join our mailing list (if you do we will send you a privacy notice by email or post).

E-mail

Post



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SOCIAL POLICY - POLICY DEVELOPMENT AND SCRUTINY PANEL

PERFORMANCE REPORT – OCTOBER 2019

REPORT BY HEAD OF SOCIAL POLICY

A. PURPOSE OF REPORT

To report the current level of performance for the annual indicators those supports the Corporate Plan and are the responsibility of Social Policy and reportable to the Policy Development and Scrutiny Panel.

B. RECOMMENDATIONS

It is recommended that the Panel note the performance information and determine if further action or enquiry is necessary for any of the performance indicators in the report.

C. SUMMARY OF IMPLICATIONS

I.	Council Values	<ul style="list-style-type: none">• Focusing on our customers' needs• Being honest, open and accountable• Providing equality of opportunity• Developing employees• Making best use of resources• Working in partnership
	Policy and Legal	In compliance with the Code of Corporate Governance
II.	Implications for Scheme of Delegations to Officers	None
III.	Impact on performance and performance indicators	This report is an evaluation of current/historic performance
IV.	Relevance to Single Outcome Agreement	The indicators support the outcomes in the Single Outcome Agreement
V.	Resources (Financial, Staffing and Property)	All commitments are consistent with the Council's budget decisions.
VI.	Consideration at PDSP/Executive Committee required	N/A
VII.	Details of consultations	N/A

D. TERMS OF REPORT

D.1 Background

The Policy Development and Scrutiny Panel (PDSP) oversee and challenge council performance. They are a key element of the scrutiny of performance by elected members and form part of the council's wider scrutiny and public performance reporting arrangements. To support this, each PDSP is allocated areas of the Corporate Plan, strategic priorities and key council performance indicators, relevant to the focus areas of the Panel. They receive both quarterly and annual performance reports.

D.2 Annual Performance Report



The annual performance scorecard report for the Social Policy PDSP contains a range of relevant service performance information for scrutiny. A summary report of the performance indicators in the Social Policy PDSP scorecard is contained in Appendix 1. The scorecard report contains the most up to date annual data.






The performance indicators are categorised as follows:


Summary of Performance Indicator status (RAG)	
Status (against target)	Number of PIs
Green	25
Amber	7
Red	1

The Red/Amber/Green (RAG) status is against the performance target that has been set by the service in consultation with the relevant stakeholders.

A summary of the trend chart commentary for each indicator rated as amber or red is provided below to provide an explanation of the current performance levels against the target:

	Indicator	Performance	Target	Comments
	P:SPCC011_6a.7 Percentage of respondents in the Housing with Care annual survey who rated the overall quality of the service as good or excellent.	90%	95%	There are 7 housing with care developments and all tenants are requested to contribute to the survey; which is a total of 177 tenancies. In 2018/19, the response rate was 55% (98 surveys returned) and the scoring was 58% excellent and 32% good/ It has been highlighted that over the years, tenants needs have increased with particular reference to dementia and this may explain a reduction in completed surveys
	CP:SPCC014_6b.5 Percentage of Occupational Therapy assessments allocated within 6 weeks of referral.	86%	90%	Performance for 2018/2019 has dropped by 5% from the previous year. The value of 86% represents 2034 cases allocated. We are trialling a new management structure at present and developing mitigation strategies to progress these contacts, so that a wait time of 6 weeks can be met in the coming months

	P:SPCF071_6b.5 Percentage of review Child Protection Case Conferences taking place within 3 months	75%	90%	<p>Performance in quarter 1 of 2019-20 stood at 75%, with 35 from 47 on time. This was down from quarter 4 of 2018-19, which stood at 84%, similar to the previous quarter.</p> <p>In quarter 1, of the 12 that were late, four were due to cases being transferred from the short to long term team, one was due to a service user's child being admitted to hospital and another due to the availability of a member of staff from health. The remainder (6) were due to sickness/absence of key staff.</p>
	P:SPCF130_6b.5 Percentage of Children and Families Care Inspectorate Inspections graded good, very good or excellent.	92%	100%	<p>The target for 2018-19 remained at 100%. Seven establishments were inspected during the course of 2018-2019; Fostering Service (67%), Adoption Service (100%), Whitrigg House (100%), Letham Young Persons Unit (100%), Torcroft Young Persons Unit (100%), Livingston Family Centre (75%), Throughcare and Aftercare Services (100%).</p> <p>Fostering Services scored 3 (adequate) for Quality of Management and Leadership and Livingston Family Centre scored 2 for the Quality of the Environment, hence reducing the overall performance to 92%. There is a service review exploring how Fostering services can be improved. Both Livingston and Whitdale Family Centres are due to close by March 2021.</p>
	P:SPCJ001_6a.7 Percentage of Criminal & Youth Justice service users responding to surveys who rated overall quality of the Criminal & Youth Justice Service as being 'good' or 'excellent'.	88%	95%	<p>The 2018-19 survey saw performance of 88% with 190 from 216 respondents expressing that the service was good or excellent. This is a small dip from 2017-18 that had a rate of 90.2% from a sample of 201.</p> <p>The target for 2019-20 remains at 95% so that the service remains focussed on continuous improvement.</p>
	P:SPCJ043_6b.4 Percentage of complaints against the Criminal and Youth Justice Service upheld or partially upheld	100%	0%	<p>In quarter 1 of 2019-20, only one complaint was received and it was partially upheld; it concerned an employee challenging a prisoner at HMP Addiewell</p>
	P:SPCJ076_9a Total Number of hours for Community Payback Orders with an Unpaid Work Condition	36,536	41,000	<p>This is an indicator of the demand placed on Criminal and Youth Justice Services in relation to the supervision of offenders subject to Unpaid Work.</p> <p>The number of hours for a Community Payback Order is determined by the Courts, however for this service it is an indicator of demand and also a cost measure as the service will ultimately be paid in part by the amount of statutory business undertaken.</p> <p>Data for 2018-19 indicated that 36,536 hours were ordered by the court across 282 orders with unpaid work conditions.</p> <p>The target will reduce to 39,000 in 2019-20 to reflect anticipated decreases in the use of CPO's in the short term. This will be reviewed when the increase in the presumption against short sentences from 6 to 12 months comes into force.</p>

	CP:SPCJ127_9b Percentage of women who are charged with further offences during intervention or re-referred within six months following their engagement with the Almond Project	5%	3%	Tracking and reducing reoffending is a key focus for all justice services. Women should be specifically targeted in order to ensure they are kept out of the system as much as possible. Women who offend are a priority group for the Community Justice Strategic Plan 2019-24. In 2018-19 performance stood at 5%, with 7 from 130 women offending. The figure was affected by an anomaly in Quarter 1, when 6 from 40 women reoffended, only a further 1 did for the remainder of the year
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E. CONCLUSION

The performance scorecard shows that the majority of indicators are achieving targeted levels of performance. The information contained in Appendix 1 will allow the Panel to note current performance levels and actions being taken to address where current performance is below target.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: 1

Appendix 1 – Social Policy PDSP Performance Scorecard Detailed Report

Contact Person: Tim Ward - Senior Manager, Social Policy
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Email: Tim.Ward@westlothian.gov.uk

Jo MacPherson – Head of Social Policy
1st November 2019

_04 PDSP - Social Policy Committee Scorecard report

Data Label : OFFICIAL









(Data source=PDSP P&R scorecard only)















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Report Layout: .SC08_PDSP_Scorecard_Committee_DL

* PDSP Social Policy *

Performance Indicators - Displayed to the public/PDSP Annual (2019->)

Status	Performance Indicator	Last Update	Current Value	Current Target	Lead officer
	P:SPCC001_6a.7 Percentage of respondents who rated the overall quality of Learning Disability (adults) service as good or excellent.	2018/19	99.4%	98%	.Head of Social Policy (J MacPherson)
	P:SPCC002_6b.5 Percentage of Care Inspectorate Inspections undertaken within Registered Learning Disability Services graded good or above.	2018/19	100%	100%	.Head of Social Policy (J MacPherson)
	P:SPCC006_9b.1a Percentage of adults with a severe and chronic alcohol misuse issue maintaining or improving their health and wellbeing.	Q1 2019/20	92%	80%	.Head of Social Policy (J MacPherson)
	P:SPCC009_6a.7 Percentage of respondents who rated the overall quality of the Physical Disability Service as good or excellent.	2018/19	100%	97%	.Head of Social Policy (J MacPherson)
	P:SPCC011_6a.7 Percentage of respondents in the Housing with Care annual survey who rated the overall quality of the service as good or excellent.	2018/19	90%	95%	.Head of Social Policy (J MacPherson)
	CP:SPCC014_6b.5 Percentage of Occupational Therapy assessments allocated within 6 weeks of referral.	2018/19	86%	90%	.Head of Social Policy (J MacPherson)
	P:SPCC017_6a.7 Percentage of customers who rated overall satisfaction with the Older People's service they received as good or excellent.	2018/19	97%	98%	.Head of Social Policy (J MacPherson)
	P:SPCC024_9a.1a Net cost per head of population of services for older people.	2018/19	£1,378.00	£1,200.00	.Head of Social Policy (J MacPherson)

	P:SPCC025_9a.1c Average annual cost per person receiving community based Learning Disability services.	2018/19	£44,947.00	£44,975.00	.Head of Social Policy (J MacPherson)
	P:SPCC038_6b.3 Total number of complaints received by the Community Care Services	August 2019	6	6	.Head of Social Policy (J MacPherson)
	P:SPCC041_6b.4 Percentage of complaints received by the Community Care Service that were upheld or partially upheld against the total complaints closed in full.	August 2019	50%	50%	.Head of Social Policy (J MacPherson)
	P:SPCF001_6a.7 Percentage of customers who rated the overall quality of children and families services as good or excellent.	2018/19	99%	100%	.Head of Social Policy (J MacPherson)
	P:SPCF008_6a Percentage of children and young people who participate in Looked After (LAC) reviews.	Q1 2019/20	51.7%	55%	.Head of Social Policy (J MacPherson)
	P:SPCF040_6b.3 Total number of complaints received by Children and Families	Q1 2019/20	11	15	.Head of Social Policy (J MacPherson)
	P:SPCF045_6b.4 Percentage of complaints received by the Children and Families Service that were upheld or partially upheld against the total complaints closed in full.	Q1 2019/20	27%	40%	.Head of Social Policy (J MacPherson)
	P:SPCF060_9a.1c Net cost of Children and Families services per 1000 of population.	2018/19	£154,713.91	£159,000.00	.Head of Social Policy (J MacPherson)
	P:SPCF071_6b.5 Percentage of review Child Protection Case Conferences taking place within 3 months	Q1 2019/20	75%	90%	.Head of Social Policy (J MacPherson)
	P:SPCF090_9b.1b Current Number of Looked After Children (LAC)	Q2 2019/20	431	430	.Head of Social Policy (J MacPherson)
	P:SPCF097_9b.1a Number of Children supported in Residential Schools out with West Lothian.	Q2 2019/20	17	17	.Head of Social Policy (J MacPherson)
	P:SPCF112_9b Average time taken from point of accommodation of a child to permanent placement decision.	2018/19	29	50	.Head of Social Policy (J MacPherson)
	P:SPCF130_6b.5 Percentage of Children and Families Care Inspectorate Inspections graded good, very good or excellent.	2018/19	92%	100%	.Head of Social Policy (J MacPherson)
	P:SPCF134_9b1b Percentage of children on the child protection register as at 31st March who had been previously on the register	2018/19	7.5%	10%	.Head of Social Policy (J MacPherson)

					MacPherson)
	P:SPCF138_9b.1c Percentage of children involved with the Whole Family Support service who have avoided becoming accommodated who were assessed as being at high risk of being accommodated.	2018/19	87%	80%	.Head of Social Policy (J MacPherson)
	P:SPCJ001_6a.7 Percentage of Criminal & Youth Justice service users responding to surveys who rated overall quality of the Criminal & Youth Justice Service as being 'good' or 'excellent'.	2018/19	88%	95%	.Head of Social Policy (J MacPherson)
	P:SPCJ011_6a Percentage of recipients of Unpaid Work activity indicating that the work undertaken by an unpaid work team is good or excellent.	2018/19	98%	95%	.Head of Social Policy (J MacPherson)
	P:SPCJ040_6b.3 Total number of complaints received against the Criminal and Youth Justice Service	Q1 2019/20	1	4	.Head of Social Policy (J MacPherson)
	P:SPCJ043_6b.4 Percentage of complaints against the Criminal and Youth Justice Service upheld or partially upheld	Q1 2019/20	100%	0%	.Head of Social Policy (J MacPherson)
	P:SPCJ060_9a.1d Net cost of Criminal Justice services per 1000 of population.	2018/19	£ 15,889	£ 16,000	.Head of Social Policy (J MacPherson)
	P:SPCJ076_9a Total Number of hours for Community Payback Orders with an Unpaid Work Condition	2018/19	36,536	41,000	.Head of Social Policy (J MacPherson)
	P:SPCJ082_6b.5 Percentage of Criminal Justice Social Work Reports (CJSWRs) delivered to Court on time.	2018/19	99.02%	100%	.Head of Social Policy (J MacPherson)
	P:SPCJ083_6b.5 Percentage of new Parole or other Throughcare Licences seen within one working day of release from custody.	2018/19	100%	100%	.Head of Social Policy (J MacPherson)
	CP:SPCJ127_9b Percentage of women who are charged with further offences during intervention or re-referred within six months following their engagement with the Almond Project	2018/19	5%	3%	.Head of Social Policy (J MacPherson)
	P:SPCJ148_9b.1a Percentage of Criminal Justice Social Work reports resulting in a custodial sentence of less than 6 months.	Q4 2018/19	4.59%	5%	.Head of Social Policy (J MacPherson)



SOCIAL POLICY – POLICY DEVELOPMENT SCRUTINY PANEL

SOCIAL POLICY CONTRACT ACTIVITY UPDATE

REPORT BY HEAD OF SOCIAL POLICY

A. PURPOSE OF REPORT

In accordance with the Council's Standing Orders and West Lothian HSCP's Health, Care and Support Services Procurement Procedures this report provides an update on contracting activity for the provision of care and support services for the period 1 April 2019 to 30 September 2019.

. RECOMMENDATION

It is recommended that the Social Policy PDSP:

1. Notes the contacting activity for the provision of care and support services for the period 1 April 2019 to 30 September 2019.
2. Recognises the on- going development of clear contractual agreements between the council and providers of care and support services.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none">• Focusing on our customers' needs• Being honest, open and accountable• Making best use of our resources• Working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	European Union Treaty Principles, European Procurement Directives, Public Contracts (Scotland) regulations 2006, West Lothian Council Standing Orders, Social Policy Procurement Procedures.
III Implications for Scheme of Delegations to Officers	The Depute Chief Executive (CHCP) has delegated powers for the contracting and commissioning of Part B services.
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	All contracts have outcome measures consistent with the Single Outcome Agreement commitments for the provision of care and

	support services
VI Resources - (Financial, Staffing and Property)	Provision within the 2019/2020 revenue budget
VII Consideration at PDSP	Social Policy Contract Activity Report dated 17 May 2019 contained the activity for the period 1 October 2018 to 31 March 2019.
VIII Other consultations	Legal Services, Financial Management Unit and Corporate Procurement Unit are all represented at the Contracts Advisory Group (CAG).

D. TERMS OF REPORT

Under the council's Health, Care and Support Services Procurement Procedures the Head of Social Policy is required to report bi-annually to Social Policy PDSP on the care and support contracts awarded or extended within this period and any general update on contract activity. There is also a requirement to report bi-annually on contract performance.

Contract activity

Appendix 1 details the Social Policy contracts which have either been awarded or amended under the guidance of the Social Policy Contracts Advisory Group.

Contract performance

A total of 20 providers (from a total of 82) attracted a risk score which required more intensive monitoring as follows;

- Red (high risk) – three providers. Two providers were managed through adult support and protection protocol. The other was monitored on a regular basis through performance reporting and meetings.
- Amber (medium risk) – seventeen providers. Six providers operate under a framework which continues to underperform in relation to delayed discharge and timing of pick-up of packages in the community. Ten providers assessed as higher risk due to concerns about financial risk. One provider had the risk rating adjusted due to a drop in Care Inspectorate grades.

E. CONCLUSION

The report provides an update for the period 1 April 2019 to 30 September 2019 on the council's contract activity for the provision of care and support services in West Lothian as required under Council Standing Orders and Procurement Procedures.

F. BACKGROUND REFERENCES

- Council Executive: Social Policy Procurement Procedures 3 May 2011

Appendices/Attachments:

Appendix 1 – contracts awarded during period 1 April 2019 to 30 September 2019

Contact Persons:

Pamela Main, Senior Manager

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Jo MacPherson
Head of Social Policy

Date: 1st November 2019

SOCIAL POLICY CONTRACT ACTIVITY UPDATE 1 April 2019 to 30th September 2019

Appendix 1

Provider	Total Contract Value	End Date	Comments	CAG Meeting Date
Barony Housing Association Core	£2,269,623	30/9/20	One year extension	23 rd April 2019
Barony Housing Association Cluster	£759,623	30/9/20	One year extension	23 rd April 2019
With You (formerly Places for People)	£570,078	30/9/20	One year extension	23 rd April 2019
SAMH	£1,195,366	30/9/20	One year extension	23 rd April 2019
The Richmond Fellowship	£132,762	30/9/20	One year extension	23 rd April 2019
Cyrenians	£537,768	30/7/21	Two year direct award	17 th June 2019
Mental Health / Substance Misuse Framework	£1,350,000	30/9/20	One year extension. Five providers on framework – LAMH, Barony, Penumbra, Places for People, TRFS	17 th June 2019
Change, Grow, Live	£273,096	31/3/21	One year direct award.	27 th August 2019
Provider	Total Contract Value	End Date	Comments	CAG Meeting Date
Circle Scotland	£110,000	31/3/21	One year direct award.	27 th August 2019
Who Cares?Scotland	£30,000	30/6/20	Seven month direct award.	27 th August 2019

Social Policy – Policy Development and Scrutiny Plan – Workplan

Title	Responsible Officer	Date of PDSP	Reports to be finally submitted
24 th January			
Unpaid Work Activity	Tim Ward	24 th January	
PACE	Susan McKenzie	24 th January	
Community Care Services Care Inspectorate Grades	Pamela Main	24 th January	