



Mark Drakeford AM
Health and Social Services Committee
National Assembly
Cardiff
CF99 1NA

March 6th 2013

Consultation on the Social Services and Well-Being Bill 2013.

Response from the Disability Advice Project

The Disability Advice Project (DAP) welcomes the opportunity to respond to the National Assembly's proposed Bill to reform social services and improve the well-being of people who need care and support, and carers who need support.

1. Introduction

The Disability Advice Project (DAP) provides accurate, relevant and appropriate advice and information to disabled people, their families and carers in relation to welfare rights across (but not limited to) the south east. This service is delivered face to face and includes assistance with form filling, support to appeal decisions and accompanying individuals to Benefit Tribunals.

DAP currently also provides life skills coaching to carers and ex-carers in the 4 southern "EU Competitiveness Area" counties.

DAP is based in Cwmbran and looking to develop outreach services within Torfaen, and beyond to neighbouring counties. In an average 12 month period the project advises and supports in excess of 800 people. It anticipates a period of growth in welfare rights work as a result of significant changes emanating from the UK government.



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2. Comments and responses to the consultation questions.

Question 1: DAP generally welcomes the principles and ambitions of the Bill, in particular the emphasis on partnership working within the statutory sector. DAP believes that the well-being of people in need (as proposed by the Bill) should be seen as the responsibility of all public agencies charged with health, social care, well-being and that consideration needs to be given to extending to those agencies providing related services, such as housing. The Bill has an ambition to end the "siloeing" of services, and care needs to be taken to ensure that particular agencies are not, by default, excluded from the requirement to work in partnership.

Question 8: Any other comments.

DAP welcomes the requirement upon Local Authorities to promote social enterprises, user led services and the third sector in the delivery of services under Part 2 (General Duties), Section 7 of the Bill. However, DAP believes that the range of services included in this section should be expanded from "to provide care and support and preventative services" to also include the provision of services that offer information and advice as defined in Section 8 of the Bill. It is fundamental that any service offering advice and support to individuals in relation to care services is not only independent of social services or local health boards, but also be seen to be independent. This is not, in DAP's view, a service that can, or should, be provided "in house" by local authorities either individually or in consortia.

In relation to Part 2 (General Duties), Section 8 of the Bill. DAP is concerned that paragraph 3 describes a minimum service that must be offered. Firstly, this is in direct contradiction to other aspects of the Bill which refer to the need to abandon the use of the term "National Minimum Standards" and replace these with "National Standards". While DAP understands that the Government feels it needs to define/regulate what should be available, DAP believes that the Government should include a description of the type of service available. DAP would suggest that National Standards be applied to advice services and these would cover matters such as accessibility and suitability of service provision. DAP suggests that the National Standard for advice services would, at least, include

- Provision of face to face advice
- No restrictive limits on time and activities

- In accessible premises
- Available at a local level
- Delivered at no cost to the person seeking advice
- Independently delivered

Secondly, the level of service as currently described in Section 8 (3) does not amount to a meaningful service. As it stands Local Authorities could discharge their responsibilities under the Bill by producing a range of leaflets and adding another page to their website. DAP firmly believes that advice services should be available face to face, at a local level and offered by an independent organisation (see above for proposed National Standards).

DAP would also like to see the Bill include advocacy in Sections 7 and 8 of the legislation and that there is an agreed definition and clear eligibility rules, and management of advocacy services. Again it is essential that advocacy services are delivered by independent third party individuals or organisations.

Consultation amongst DAP volunteers , who are also service users, has revealed that there are aspects of the Direct Payment system that need to be addressed if take up of Direct Payments provision is to improve across the country. In particular, Part 4, Section 37 (1) (g) support provided by local authorities should extend to the provision (by themselves or a contracted third party) of services that include a pool of trained support workers that are able to provide

- a) Services to more than one individual where each individuals allocated support hours are insufficient to provide an adequate living for the support worker. Our consultation cohort felt strongly that this should be available without the need to contract with a commercial agency AND that the service should be able to offer a high degree of continuity as to choice of support worker. One of the most often heard complaints from our cohort was that commercial agencies are not able to provide sufficient levels of continuity, and as a result users of Direct Payments using care agencies are still being put in the position of having care and support provided by virtual strangers.
- b) cover for sickness or annual leave of Support Workers is difficult to obtain.

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In relation to Part 3 (10) and Part 4 of the Bill, the consultation amongst DAP volunteers also revealed frustration with the model employed by local authorities to "assess need" and then "meeting the need". Examples were provided where the person carrying out an assessment was simultaneously advising service users that services would not be available as a particular allocation of funds was fully committed e.g. disabled parking spaces. The danger here is that some needs may not be assessed. Our consultation cohort felt that by separating the processes all needs would be assessed even if there some of those assessed needs were unmet. This would then provide information to help determine the level of unmet need in the community. There was a sense that the needs assessment procedure should be separated from the service allocation aspect so that assessments were "clean" and that once the assessment had determined the level of need that it should be passed to another individual to source and allocate services.

Disability Advice Project

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We provide the following services:

For individuals:

- Free information and advice on all disability issues to disabled people, family and carers
- Free form filling
- Free representation at benefits tribunals
- Life coaching for individuals and groups

For anyone providing goods and services

- Access auditing
- Access awareness training
- Disability awareness training
- Website auditing for disabled accessibility

All donations are gratefully received and ensure the survival of the project



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