

Co-Production Working Group Meeting 6

Tuesday 18 January 2024 – 10.30am to 12.30pm

Online via Microsoft Teams

In Attendance:

Peter Scott, ILF Scotland (Co-Chair)

Iain MacAllister, Scottish Government (Co-Chair)

Jim Elder-Woodward, ILF Scotland Advisory Group

Andy Higgins, ILF Scotland Advisory Group

Tressa Burke, Glasgow Disability Alliance

Fran Holligan, COSLA

Catherine McGoldrick, Health and Social Care Scotland

Gaby Nolan, Lothian Centre for Inclusive Living

Jenny Miller, PAMIS

Donna Murray, Social Work Scotland

Lyn Pornaro, Disability Equality Scotland

Pauline Nolan, Inclusion Scotland

Joe McGready on behalf of Fiona Collie, Carers Scotland

Margaret Petherbridge, Falkirk Council/ILF Liaison

Oonagh Brow, Scottish Human Rights Commission on behalf of Jan Savage

Donald Macleod, Self-Directed Support Scotland

Calum Macaulay, Glasgow Centre for Inclusive Living

Present:

Robert Peterson, Scottish Government

Steven Hanlon, Scottish Government

Lauren Glen, Scottish Government

Jack Blaik, Scottish Government

Amelia Andrzejowska, Scottish Government

Robert White, ILF Scotland

Erika Mather, ILF Scotland

Linda Scott, ILF Scotland

Harvey Tilley, ILF Scotland

Apologies Received:

Fiona Collie, Carers Scotland

Sam Smith, CCPS

Item 1: Welcome

Everyone was welcomed to the 6th meeting of the Co-Production Working Group. Hopes were expressed that everyone managed to have a restful break.

Main objectives of today's meeting outlined.

Item 2: Declarations of Interest

A reminder issued about the need to disclose conflict of interest.

Item 3: Minutes of Previous Meeting

Minute circulated prior to the meeting. No further comments shared and minute approved by the group.

Item 4: Matters Arising and Actions

Nothing raised at this point.

Update on actions recorded during last meeting provided:

Action: ILF to work with DES or others to develop some visual concepts and any suggestions from the group members are welcomed.

Through internal discussion ILF identified video / videographic as a possible solution but nothing has been confirmed yet and they will come back on this matter in due course.

Action: ILF to follow up with Scottish Independent Advocacy Alliance to gain more understanding re advocacy issues in relation to independent living.

ILF provided an update that overall, there is no capacity at the SIAA but further conversations in the context of re-opening are possible in regard to the national availability and access to the advocacy. It seems that advocacy is only obtainable in relation to social security issues and SSS recently completed a large recruitment campaign to increase number of advocacy workers. However, further discussion is needed – including SG Sponsor Team on the latest plan re NCS.

A short discussion on advocacy followed:

- The value and need of peer support and other collective support was emphasised.
- Offer extended from Inclusion Scotland to support and advance the discussion.

- Some sought reassurance that the conversation is about additional support rather than ILF package to be used to buy advocacy services. This was confirmed.
- It was pointed out that there is a need to establish a clearer definition of what advocacy is, as it is often misinterpreted as functions of welfare rights officers.
- Further thoughts shared included the need for advocacy to have a national coverage, however not necessarily delivered by a single agency perhaps as strong network of local providers.
- SWS happy to share learning from the review of SDS Standards and the standard on independent support and advocacy.

Action: ILF to consider whether self-assessment is appropriate for the reviews.

Action: ILF to provide feedback from existing network of SWs in relation to plans of cooperation on re-opening.

Discussions on both of the above topics is included in the today's meeting agenda.

Item 5: Co-Production Check In

Easy Read versions as always helpful and shared on time.

Item 6: Summary of Decisions to Date

A short introduction was provided on paper 13 with emphasis on key elements considered and agreed so far.

It was stressed that purpose of discussing summary paper is not to re-open discussion about each of the topics but to check whether things were heard

correctly in case anything is needed to be revised. This summary offers a sense of the group's position on each point.

Group comments included:

- It was repeated that removal of links with existing benefits supports ILF recipients in case of losing eligibility for social security benefits. Some voiced that removing the link to existing benefits could make the allocation of funds harder to determine, especially if a person-centred plan isn't in place.
- Regarding recipients doing their own assessment of needs, the risk was raised of generating a lengthy and unclear process of award allocation.
- It was suggested that instead of existing recipients paying £43 per week available income contributions while new recipients did not pay charges, it would be fairer to split contributions equally.
- The issue of who is responsible for funding extra needs identified during the review process was discussed. Additional needs identified during review should be picked up by LAs. However, it also depends on what the specific proposed additional need is – if it falls into eligibility criteria or not. If does not meet LA eligibility criteria then ILF can consider if they ought to fund that “extra”.
- Some clarification was requested on the issue of the threshold being aligned with the actual local authority care package in place at the point of application. This policy safeguards additionality. It was pointed that there are some risks involved in this mechanism, for instance how a change in eligibility criteria in LAs could affect individual's care package and their ILF award. It was emphasised that decisions on threshold are still to be made and are crucial from the perspective of sustainability and affordability perspective.
- Reassurance was sought on whether the decisions the group had made so far had reduced the number of people who could be supported. It was

confirmed that ILF's objective is to support up to 1000 people in Year 1. It will be a challenge to achieve and robust engagement is needed with LAs – but objective remains unchanged.

- It was noted that the group had discussed equitably reflecting contributions from unpaid care in ILF access. It was confirmed that this was reflected in the summary paper. Others added that a discussion about what the carer is willing and able to do should be part of any assessment.
- It was indicated the existing threshold figure of £340 remains unchanged since approx. 2010. Important to note that the new figure will have to be established but also to be mindful that the threshold level would have to be kept under review for many reasons including inflation and risk associated with lack of robust data; all those factors impact eligibility and demand control and need to be closely monitored; at the same time we intend to look at alternative mechanisms to the threshold sum.
- Still some consideration to be given how to “soften” the threshold even if bringing the minimum figure down is not possible; if min threshold to be kept an individual level, would it add the pressure on LAs and ILF role; ILF motivation is additionality, and to ensure resource transfer is not taking place.
- The importance of working in partnership between LAs and ILF was stressed to support applicants and recipients. Collaboration and discussion are required to enhance understanding of each other's role despite differences across the country; building trust among each other is also necessary.
- A question was posed about the use of professional judgment by ILF assessors in determining the additionality and how it would interact with SWs' judgment. It was clarified that SWs provide support to improve quality of life within statutory framework whereas ILF assessors work without statutory pressure but similarly to SWs have experience and knowledge. Through combined support with LAs and SWs they have

brought positive outcomes over years and offered constructive feedback – both parties have shared desire of being supportive to disabled person. ILF Assessors are trained Social Workers and they adhere to practice principles and values.

- It was noted that increased positivity about the relationship and collaboration with LAs has been observed through the co-production process.
- When it comes to complexity of health issues of the disabled person the assessments need to include the wider team. Self-assessment could support this as we need to be aware that often third sector non statutory practitioner has immense knowledge about the individual.
- Direct payment funding includes funding (sometimes referred to as contingency) to cover the cost of holiday/sick leave cover etc and a balance can be held in the account to cover this with paid care.
- The issues of using the fund to support organising holidays especially re PA expenses.

Item 7: Engagement Events Feedback

Group members were encouraged to look at the report form the Murrayfield Event and a verbal update was provided from the recent online engagement event.

So far, the attendance is positive with 64 participants at the Murrayfield out of 75 registered. 17 attended first ever ILF's online consultation. Only 10 attended Aberdeen however there were very difficult weather conditions. The event itself was successful with active participation. Upcoming events are: online event planned for 25 Jan with focus on reaching out to individuals or their representative living and working in Highland & Islands; Scottish Borders Chamber of Commers requested an additional meeting which is yet to be planned as well an additional stakeholders event set up out of office

hours, probably evening of 12 Feb; the last two in person events to take place in Stirling and Glasgow.

It appears that flexibility in the use of funds is the most common request across the feedback groups, alongside more flexible eligibility criteria, so that not only threshold financial figure is considered but also other elements, so that for instance complexity of needs and unpaid carers can be accommodated.

It was noted by participants that removing upper age limit brings disability connected with aging. There was a common recognition that it is not the right time to open the fund for under 16s. However, some suggested to consider inclusion of those who qualify for the transition support around the 16 years of age.

During the engagement events it was voiced that in rural areas the cost to fulfil needs is generally higher, so it should be at the discretion of ILF to increase payments to maximise the benefits to the recipients living in those areas.

The issue of increasing support to Award Manager to help assisting recipients more effectively was also pointed out.

The majority believe that there should be no charge – as disabled people already face barriers it seemed to them that re-opening with charge would add barrier to the support required.

Most agreed that it is best not to incorporate a capital limit in the re-opened fund.

In terms of relationship with LAs, many pointed that the 3-way agreement works, and it should continue so all parties - Recipients, ILF and LAs - can

work together on developing the award package to meet aspirations of the disabled person. The pressures on LA resources are understood, but nonetheless some participation of LAs is needed whether the input to take place via phone, in person or online.

Overall, many agreed that the funding should serve as a top up to cover additional needs – not only PAs - to allow people do different things to break the barriers to active life; some described life of disabled people as very “narrow” after the pandemic so the aspirational use of ILF funds should be encouraged. The focus on outcomes should be maintained but disabled people should have more support to develop their objectives and personal plans.

Group’s comments included:

- It was appreciated that suggestions from the group and disabled people are being noted and seriously considered, as this is not always the case.
- Some voiced that we still must think about how not to overlook the people who don’t have existing links with social work and for various reasons may not be known to social services, but who get support from the third sector and have independent living needs.
- The topic of PA’s expenses remains at the forefront and use of funds to support the affordability of holidays should be accounted for, especially in the context of the cost-of-living crisis. There is a real challenge for disabled person to cover holiday costs which on average are 3 times higher than for non-disabled person.
- It was indicated whatever maximum award is agreed there should be flexibility for assessors to increase this, that it must be linked to inflation and pay awards (to ensure that it moves as costs do) and have some variation for those in island and remote rural communities.

- SWs involvement across the country varies – some places have designated ILF contact officer while others do not – and the re-opening will add to day-to-day workload. The issue of lack of time to accommodate reviews will create challenges. Hence the timing of communication across social work is important so that LAs have time to familiarise themselves with the re-opened fund and to plan who/how to benefit and how applications to be accommodated across the system. Having said that, there are concerns how to maximise the benefit for people and balance against resources issues.
- It was emphasised that managing expectations from wider public is important especially given the small number of disabled people will benefit.
- The view was expressed that Year 2 budget is connected with Year 1 spend and there is a risk that if we don't use the money, the growth of the fund will be slower. At the same time, establishing a solid foundation for the application process is also important.
- The role of third sector was discussed, including possible funding to manage the award and employment related issues on the behalf of disabled person. There is some money paid – on top of the awards – to account for services provided to ensure effective employment of PAs and admin, but also first and foremost the fulfilment of wishes of the person. Having said that, more collaboration and support provision for voluntary sector is needed as one size don't fit all – and there is often a challenge to find the best person to support and empower the individual to be as involved with the choice and direction as possible.
- The example of supporting BME families was shared and there is lots of learning from the work of local organisations which support families when otherwise social work may have difficulties to engage with due cultural or religious background.

Item 8: ILF LA Leads Meeting Update (Verbal)

This issue was included on the agenda as a follow up to the action which arose during the last meeting when discussing relationship with LAs.

ILF met with existing network of SWs on 20 December and follow up meeting is planned for 31 January – the feedback from the recent engagement was very positive in relation to cooperation on re-opening. There was a good attendance and overall attitude of support towards jointly developing the application and assessment process.

The draft of the application is already being developed and the aim is to be able to complete the application in less than hour; 6 or 7 LAs were asked for feedback and general model from gov.uk was used with one page per question to support accessibility.

Self-assessment was discussed in the context of the existing practice model focused on strengths and outcomes.

Communication channel was opened for LAs to contact ILF directly – hope it will save time and improve efficiency; other digital and technological solutions are being looked at in relation to support independent living outcomes for disabled people.

It was pointed out that often that the budget provided by the local authority will pay for the employment costs of a PA but not the cost associated with things like activities that enhance their lives and other expenses associated with supporting the individual with independent living, examples might be tickets, fees, transport etc. These costs then come out of the pocket of either the cared-for person or the carer themselves.

It was suggested that a simple change such as ILF awards being paid in advance not in arrears would make a significant difference in people's lives.

Some proposals discussed included scenarios where LAs would be asked to identify in advance several people about whom eligibly they feel confidently based on existing knowledge and history of supporting them; it would help immensely to start receiving some applications immediately after re-opening. Others suggested that balance is needed between those identified through LAs and those applying through self-referral and this approach could be tested in the first year while developing a way to target people who are underrepresented in ILF and SDS.

A call for improved communication with wider network (charities and voluntary sector) was made. Contacting other organisations working with disabled people may support spreading the news. However, unfortunately many organisations don't know information about the SDS budget, and it is a challenge, so either way LAs input is crucial. Some suggestion was made to provide case studies on the website and other supporting resources for people to be able to understand the process and comprehend the eligibility criteria and support those who will be applying. However early communication also imposes risk for managing expectations and managing the balance between informing but not misleading and avoiding disappointment.

It was indicated that around 70% of applications will be from someone supporting the person applying (based on current figure of 30% of people managing their own awards). Many applicants will lack legal capacity and the requests made to avoid social work being the primary referrer may create access issues to those who don't have family and are not known to third sector support organisations.

It was suggested that the voluntary sector could also put forward people for ILF applications. However, it was noted that LA input is required and we need to make the process straightforward. In addition, experience from when the fund was operated at UK level was that there was a risk that the fund could become unsustainable without LA referrals.

There was further discussion of different application models. It was noted that ILF would not be able to support applications from individuals immediately. A discussion on potential options for self-referral to local authorities will be held 31 January meeting with ILF's Leads.

It was voiced that some social care packages were cut significantly during the pandemic and many have not been restored. In other cases, people struggle to get support at all. These difficulties, and other challenges, cause significant trust issues in relation to LAs.

A risk was pointed out in relation to an oversimplified self-referral where the individual underestimates their own potential. Addressing this could create a culture of applicants who successfully secured ILF funding because they had identified their own potential.

There was a discussion on the matter of even distribution, proportionality and the ways how we can ensure there is fairness in onboarding people across hugely different LAs. The example of research exercise conducted in relation to the Transition Fund was shared; it looked at access across the country and findings confirmed that LAs' proactivity in the past was crucial in relation to uptake in the given locality. This has allowed ILF to focus on promotion in underrepresented areas.

Item 9: AOB

None raised.

Item 10: Next Meeting Arrangements

Next meeting is planned for 5 February and the proposal is to provide an update on the IT topic and the ongoing development behind the scenes which is taking place to build effective application process. Furthermore, the agenda will include conversations re details around threshold and maximum award as well working towards the initial outline of recommendations.