

**Forward**

**Midlothian**

**Disabled People**

[www.forwardmid.org.uk](http://www.forwardmid.org.uk)

**Equality - Diversity - Inclusion**



## Scotland Against The Care Tax

The world premiere of a hip-hop music video responding to the care tax and the effect it has on people who need support was held on 11 August. TAX ON ME, created by Kiana Kalantar-Hormozi, is a 4 minute film which exposes the reality of living with the care tax.

More than 10,000 disabled people in Scotland are charged for the basic help they need to lead a 'ordinarily' life. Kiana said "the care tax denies people like me my human rights to move about, to work, to live my daily life. Imagine if you were taxed to eat, to drink, to go to the toilet and leave the house? That's what is happening to people like me."



Johann Lamont MSP submitted a motion to the Scottish Parliament which said; "the Parliament congratulates Kiana Kalantar-Hormozi on her short film production, Tax on Me; the film exposes what it sees as the unjust reality for disabled people dealing with the so-called care tax, and the impact of this on the human rights of disabled people; commends Kiana on making a film that raises awareness of the daily challenges faced by disabled people and the effects of charging for social care; understands that the current system of social care charging remains largely unchanged after the introduction of free personal care, and supports calls to address what it considers the inconsistencies and variances in how social care charging is applied, with a view to ending the practice altogether

The campaign group Scotland Against the Care Tax who commissioned the film have lodged a petition with the Scottish Parliamentary Petition Committee asking for the government to abolish all social care challenges for disabled and older people and people with long-term conditions. Jeff Adamson, chair of SACT said, "This is an extremely original and creative film which highlights the injustice of charging for social care. Many people do not know about the care tax, I'm sure the content of this film will surprise and shock them and hopefully provide encouragement for them to join our fight to abolish it. No one should be asked to pay for their basic human rights"

You can read about Kiana's next project by following this link [www.facebook.com/KianaADocumentary](https://www.facebook.com/KianaADocumentary)

You can learn more about the care tax and join the protest by visiting [www.scotlandagainstthecaretax.com/](http://www.scotlandagainstthecaretax.com/) You can view the video at [www.forwardmid.org.uk/](http://www.forwardmid.org.uk/)

You can also view this film on SACT's facebook page [www.facebook.com/ScotlandAgainstCareTax/](https://www.facebook.com/ScotlandAgainstCareTax/)

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# Free Personal Care For People Under 65.

## Scottish Government's Programme for Government

On 5 September the First Minister, Nicola Sturgeon, announced in her statement on the Programme for Government that “work will begin to fully implement Frank’s Law (named after Frank Kopel, a former footballer with Dundee United, was diagnosed with vascular dementia at the age of 59. He died after struggling with the condition for six years – 3 weeks after his 65th birthday – he had only been entitled to free personal care for these 3 weeks).



The First Minister said; “Scotland is rightly proud to have Free Personal Care for those aged over 65, ensuring that older people who require this support receive it. Following the last Programme for Government, we have conducted a feasibility study to examine the possible extension of Free Personal Care to people under the age of 65 who are assessed as needing it. We sought the views of stakeholders, not least Mrs Amanda Kopel of the Frank’s Law campaign, to examine potential benefits, unmet need, and the interaction with social security.

While there are challenges to be addressed, we will take the necessary steps to make it a right for Free Personal Care to be provided to all who need it, regardless of age. This will include ensuring that those diagnosed with a terminal illness receive the personal care they are assessed as requiring for free. We will now work with the Convention of Scottish Local Authorities (COSLA) and a range of stakeholders to shape implementation and to put in place the capacity that will be needed to meet the demand – while ensuring a sensitive interaction with the social security system.”

## Feasibility study

The feasibility study the First Minister mentioned was published on the same day as this announcement. This study is the result of a number of strong campaigns, namely those by Amanda Kopel by Scotland Against the Care Tax, which called for the extension of Free Personal Care (FPC) to under 65s who need it..

Around 9,000 adults between the ages of 18 and 64 currently receive personal care services, for which they may currently be charged. These services may be provided as home care or through direct payments. To put this in context, around 47,000 older people receive personal care services in their own homes free of charge. Around 95% of older home care clients receive personal care while fewer than 75% of younger adult clients receive personal care. Based on Local Financial Returns, it is estimated that younger adults contribute around £8 to £10m in charges for their personal care.

## Response from Disabled People's Organisations

The announcement by the First Minister has received a mixed response from Disabled People's Organisations throughout Scotland. Whilst welcoming the Government's commitment to working towards the full implementation of this policy along with the cross-party support there are a number of areas of concern. Inclusion Scotland have released a briefing paper which highlights DPO's anxieties. Here are some of the points they raise.

- Providing free personal care to under 65s will still leave many disabled people facing significant charges to receive the social care they need for independent living.
- The impact of social care charges on the lives of disabled people are clearly illustrated in the film “Tax on Me” . produced by disabled film studies graduate Kiana Kalantar-Hormozi The problems highlighted by Kiana will not be resolved by implementing “**Frank’s Law**” alone.
- Local authorities have restricted free personal care to help at home with, for example, showering, dressing, eating and drinking, and getting up and going to bed. This does not include many other elements of a social care package a disabled person may receive for example respite care, day care centres, employment of Personal Assistants, which can still be charged for.
- Many people receiving social care, making personal care free will make little or no difference, as they will still have to pay for the other parts of their social care package.

 [www.facebook.com/ScotlandAgainstCareTax/](https://www.facebook.com/ScotlandAgainstCareTax/)

## Costs

On the issue of the costs of the implementation of FPC Inclusion Scotland again echo the sentiments of many DPOs.

- The Scottish Government feasibility study estimates that the income raised from charges for personal; care amounts to about £10m per annum. This will reduce the total income received by local authorities from social care charges to less than £35m.
- The cost of assessing and collecting social care charges outweigh the financial benefits of doing so. Although robust estimates of the administrative costs are not easy to determine, it is generally accepted that these are between £7.5 - £12.5m to raise just £45m. In effect. This means that for every £4 a person is charged for their social care, only £3 is spent on that care and £1 on administration.
- Continuing to charge for “non-personal” elements of a social care package will add additional complexity to the system as local authorities will have to determine which parts of the package can be charged for and which must be free. This will increase rather than reduce administration costs
- Inclusion Scotland, and most DPOs welcome the commitment to extend free personal care to under 65s, but believes that the opportune it should be taken to end all charges for services provided as part of an assessed social care package.

**Abolishing all social care charges will remove the current discrimination against disabled people whereby they are charged for the essential support they need to enjoy the same human rights as anyone else.**



# Audit Scotland report on Self Directed Support (SDS)

## About the audit

Audit Scotland is a statutory body set up in April 2000 under the Public Finance and Accountability (Scotland) Act 2000. We help the Auditor General for Scotland and the Accounts Commission check that organisations spending public money use it properly, efficiently and effectively.

Health and social care series

## Self-directed support

2017 progress report



The aim of this audit was to establish whether councils, integration authorities and the Scottish Government are making sufficient progress in implementing SDS to achieve the aims of the ten-year SDS strategy.

The ten-year SDS strategy was introduced jointly by the Scottish Government and the Convention of Scottish Local Authorities (COSLA) in 2010. It is one of a number of national policies designed to empower people and communities to become more involved in designing and delivering services that affect them.

## What is Self Directed Support?

SDS aims to improve the lives of people with social care needs by **empowering** them to be **equal partners** in decisions about their care and support. Four fundamental principles of SDS are built into legislation – **participation** and **dignity, involvement**, informed **choice** and **collaboration**. This means social care should be provided in a way that gives people choice and control over their own lives and which respects and promotes their **human rights**. It requires **significant changes** to the way social care has been provided in the past. Crucially, authorities should work in **partnership** with people and communities to design and deliver the services that affect them.

In 2010, when the SDS strategy was introduced, councils tended to provide or buy traditional services such as homecare, day centres, care home places and respite care. They would allocate these services to people assessed as being eligible for social care. Since 2014 SDS is, or should be, **the only way** that social services are delivered in Scotland.

People who are eligible for social care services are now given the choice of 4 options to choose how they want their care and support delivered.

The 4 options are:

**Option 1:** The individual or carer chooses and arranges the support and manages the budget as a direct payment.

**Option 2:** The individual chooses the support and the authority or other organisation arranges the chosen support and manages the budget.

**Option 3:** The authority chooses and arranges the support.

**Option 4:** A mixture of options 1, 2 and 3.

## The results of the audit

- ✓ There are many examples of positive progress in implementing SDS.
- ✓ Most people rate their social care services highly.
- ✓ There are many examples of people being supported in new and effective ways through SDS.
- ✓ Social work staff are positive about the principles of personalisation and SDS.
- ✗ There is no evidence that authorities have yet made the transformation required to fully implement the SDS strategy.
- ✗ Not everyone is getting the choice and control envisaged in the SDS strategy. People using social care services and their carers need better information and help to understand SDS and make their choices. More reliable data is needed on the number of people choosing each of the SDS options.

- ✗ A significant minority lack understanding or confidence about focusing on people's outcomes, or do not feel they have the power to make decisions with people about their support. Front-line staff who feel equipped, trusted and supported are better able to help people choose the best support for them.
- ✗ Authorities are experiencing significant pressures from increasing demand and limited budgets for social care services. Within this context, changes to the types of services available have been slow and authorities' approaches to commissioning can have the effect of restricting how much choice and control people may have. In particular, the choices people have under option 2 are very different from one area to another.
- ✗ There are tensions for service providers between offering flexible services and making extra demands on their staff.
- ✗ There are already challenges in recruiting and retaining social care staff across the country owing to low wages, antisocial hours and difficult working conditions.
- ✗ SDS implementation stalled during the integration of health and social care services. Changing organisational structures and the arrangements for setting up, running and scrutinising new integration authorities inevitably diverted senior managers' attentions.
- ✗ Some experienced staff are being lost through early retirement and voluntary severance schemes as the pressures on budgets mount.

### The report's recommendations

Here are some of the actions they say Local Authorities should take to improve Self Directed Support for people who currently use social care services and for those who have been assessed as needing these services:

- Work in **partnership** with service users, carers and providers to design more **flexibility** and choice into support options,
- **Work with** service users and carers to review their assessment and support planning processes to make them simpler and more transparent,
- Ensure they are **providing information** on sources of support to those who are accessing SDS,
- work with service users, carers and providers to review the information and help they offer to people during assessments, reviews and planning discussions. Implementing the national SDS strategy.

Here are some of the actions they say Local Authorities should take to improve Self Directed Support for people who use social services:

- Review their processes for supporting children to transition into adult services,
- Provide staff with further training and help on identifying and planning for outcomes,
- Establish clear guidance for staff on discussing the balance between innovation, choice and risks with service users and carers and implementing local policies in practice,
- Support staff in applying professional judgement when developing innovative solutions to meet individual needs flexibly,
- Develop targeted information and training on SDS for healthcare professionals who have a direct or indirect influence on people's health and social care support,
- Monitor and report the extent to which people's personal outcomes are being met and use this information to help plan for future processes and services.

### Don't despair

With all the ✗s in the audit's report you may be forgiven for thinking that SDS is not working and the future looks bleak for anyone needing social care services but this is not the case. In Forward Mid's next newsletter we will give examples of how SDS, by giving people the choice and control over the support they need, has dramatically improved people's lives.

You can read Audit Scotland's report in its entirety by following this link:

[www.audit-scotland.gov.uk/uploads/docs/report/2017/nr\\_170824\\_self\\_directed\\_support.pdf](http://www.audit-scotland.gov.uk/uploads/docs/report/2017/nr_170824_self_directed_support.pdf)



3. How will you arrange your support?
4. How will you spend your money?
5. How will you manage your support?
6. How will you stay in control of your life?
7. What will you do to make this plan happen?

## What is important to you?

If someone reads your plan they should be able to get a good understanding of:

- Who you are
- Your interests
- Your lifestyle
- The important people in your life
- Your likes and dislikes
- Your hopes for the future.

**Start by writing a list of things about yourself, such as:**

- Your age
- What you like doing
- Things you are good at
- Things you would like to do
- How you communicate.

## What do you want to change or achieve?

What you want to change about your life, for example:

- Where you live
- What services you have
- How you spend your time.

**Things you would like to do in the future, for example:**

- A course
- Plans to live independently
- Get a job.

Only put down things that have a real chance of happening and that will make your life

better, not worse. People who help you will need to agree with what you put. However, don't put things down just because other people think you should. They must be things that are important to you.

## How will you arrange your support?

Put in your plan the help and support you need to make the changes you want in your life.

There are different ways to organise your support. You can:

- Organise it all yourself – perhaps with the help of family and friends
- Ask the local authority to organise it all for you
- Ask an organisation to help – for example, Lothian Centre For Inclusive Living.
- Ask a service provider to organise your support
- Organise some parts yourself and let others do the rest.

## How will you spend your budget?

You need to say:

- How you want the money to be paid, for example as a direct payment or to an agent
- What your support will cost for the year
- What money you will need for the following two years.

**About Me**

Name. *Ann Other*

Age. *25*

Gender. *Female*

Communication: *Sign Language*

I like: *Music, Cinema, Eating Out. Long lies, Cooking*

I do not Like: *Washing dishes, Ironing, Steps*

Hopes: *To get a degree, an electric wheelchair, To hear again and listen to my son and daughter laughing.*

## You can manage the money yourself or have someone else manage it:

- Someone you trust – a family member or friend
- A Trust (a legal group set up to act for you)
- Someone you pay – a broker, an independent social worker or an advocate. Lothian Centre For Inclusive Living run a Payroll Service.
- A service provider who manages the budget for you and provides support using an Individual Service Fund
- A care manager or social worker.

Midlothian Council like the budget to be paid into a separate bank account. They require to see Quarterly returns. You need to say what you'll spend the money on. Some people use their money for:

- Personal assistants – people who work just for you (although you don't need to employ them yourself)
- Expenses, equipment or transport
- Housing, adaptations or supported living services
- Sharing costs with people who have the same needs or interests
- Supported employment or setting up a business
- Therapists and specialists like speech therapists or counsellors
- Social services such as: respite services, day centres, adult placement services, home helps.
- Using local people and resources can be cheaper than just
- Buying services 'off the peg' from a provider.

The support in your plan must not cost more than the agreed budget.  
Your plan must not include anything illegal!

## How will you manage your support?

Your plan must be clear about how you will organise and pay for support. You can do it all yourself or get help. If you are going to employ people you need to do everything legally.

Your plan must show:

- How you will pay salaries. For example, are you going to use an accountant?
- Who is responsible for what
- That you will comply with employment law and with the race and sex discrimination laws
- What agreement you have with any support provider you will use.

## How will you stay in control of your life?

Your plan must say what decisions you will make and what decisions other people will make.

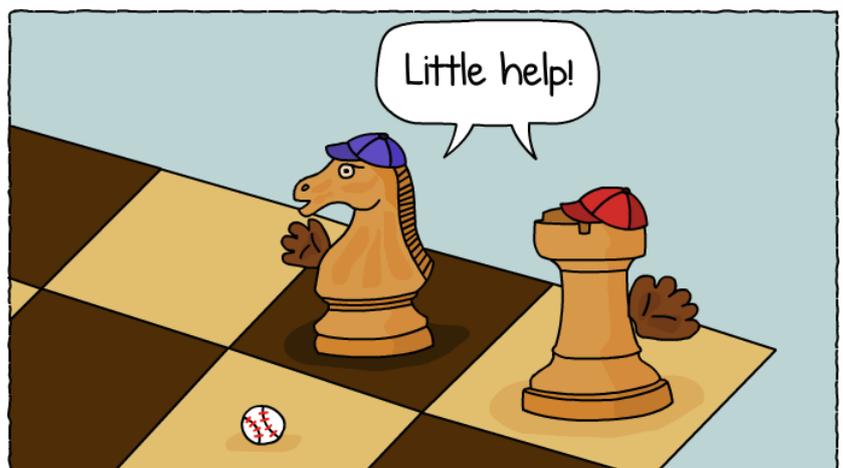
If your plan relies on other people making decisions, it must say how they will help you make as many decisions as you can and how they will know whether you agree. If someone else will manage your money for you, how will you review your support with them?

## Decision-making agreement

If other people are making decisions on your behalf, your local authority may want you to have a decision-making agreement.

### In a decision-making agreement you put down:

- Important decisions that you or other people need to make about your life
- Which decisions you will make and which you need help with



- Who will make the final decisions.

You and the person helping you must sign and date the agreement. If you can't sign, you can ask someone to be a witness or make a mark that people will know is yours. You may need someone to agree this for you. This person is called your 'lead representative' or 'agent'. They will say if the agreement is OK and take on the legal responsibility of the contract for your self-directed support.

#### **An agent can be:**

- A member of your family or a friend
- Someone you trust – someone who always wants the best for you
- Someone who will not be moving on in the near future
- A paid professional such as an independent support broker.

For some people making big decisions like choosing where you live may be difficult to make. The Mental Capacity Act is there to help with this. [www.publicguardian-scotland.gov.uk/](http://www.publicguardian-scotland.gov.uk/)

#### **What are you going to do to make this plan happen?**

A clear action plan will help you make sure your plan happens.

An action plan should say:

- **Who is responsible for each action**
- **When each action will be done**
- **How these actions will help you make the changes you want**
- **How you will keep a check on what has been done**
- **How you will deal with any problems.**

#### **More Reading and Information**

[www.gov.scot/Publications/2014/04/5438](http://www.gov.scot/Publications/2014/04/5438)

The easy read version of Self-directed Support (Scotland) Act 2013 is available to download from [www.forwardmid.org.uk/pdf/SDS-Act2013-Easy-Read-Guide.pdf](http://www.forwardmid.org.uk/pdf/SDS-Act2013-Easy-Read-Guide.pdf)

[www.lothiancil.org.uk/](http://www.lothiancil.org.uk/)

[www.ccpsscotland.org/](http://www.ccpsscotland.org/)

[www.sdsinfo.org.uk/](http://www.sdsinfo.org.uk/)

[www.selfdirectedsupportscotland.org.uk/  
quarriers.org.uk/](http://www.selfdirectedsupportscotland.org.uk/quarriers.org.uk/)

[www.centreforwelfarereform.org/library/categories/health-equality/the-flexibility-of-selfdirected-support.html](http://www.centreforwelfarereform.org/library/categories/health-equality/the-flexibility-of-selfdirected-support.html)

A discussion paper self directed support : your choice, your right from the Centre for welfare reform is available to download from [www.forwardmid.org.uk/pdf/selfdirected-support-your-choice-your-right.pdf](http://www.forwardmid.org.uk/pdf/selfdirected-support-your-choice-your-right.pdf)

[www.scottishhumanrights.com/health-social-care/social-care/#self-directed-support-1440](http://www.scottishhumanrights.com/health-social-care/social-care/#self-directed-support-1440)

Forward Mid are committed to a fair and equal implementation of Self Directed Support in Midlothian. If you have experience and wish to share your story please contact Iain  01875825937 or  [iainwisharttait@live.co.uk](mailto:iainwisharttait@live.co.uk)





# One Big Day - Royal Highland Centre, Edinburgh

One Big Day at Royal Highland Centre in Edinburgh provides the perfect opportunity to discover everything you need to know about worry-free motoring with Motability. There is a huge range of cars, adaptations, Wheelchair Accessible Vehicles, scooters and powered wheelchairs on display and what's more, admission is free!



Saturday 23 September 2017 from 9am to 4pm  
Royal Highland Centre,  
Edinburgh One Big Day  
Edinburgh



More information [www.motability.co.uk/news-and-events/find-an-event/one-big-day-royal-highland-centre-edinburgh](http://www.motability.co.uk/news-and-events/find-an-event/one-big-day-royal-highland-centre-edinburgh)

## Midlothian Travel Team

Top travel information for Midlothian Issue 099 can now be downloaded from

The newsletter explains why Dalkeith Travel Shop is closing, also changes to 29/X29, 33, 49, N3 and N37 bus routes, Exciting new information about the new Hitachi Trains Due to enter passenger service in 2018. Information about additional benefits for Young Scot card holders that bear the European Youth Card Association logo which gives discounts to attractions across Europe.

Ask the Travel Team will be available to answer any questions at the following libraries between 18:00hrs until 19:00 hrs

Roslin – Thursday 7th September 2017  
Gorebridge – Thursday 5th October 2017  
Penicuik – Thursday 2nd November 2017



## Blue Badge Email Renewal

If you have provided Travel Team at Midlothian Council with an email address, you will be invited to renew your Blue Badge online. You will need the registration number of the vehicle and the previous Blue Badge number. You will also need an electronic Passport Style photograph 274 X 354 Pixels in Jpg or Gif format and a payment method.



The information required is straight forward and takes around 20 minutes to complete. After you have completed the online form, you may be asked to provide proof, this can be submitted by Email.

## Domestic Abuse affects men too

We provide a number of support services which are available to any man experiencing domestic abuse within Scotland. We work nationally to ensure the most support possible is given to men experiencing domestic abuse. We understand everyone deals with situations different, that's why we tailor support to suit the individual's needs.



We will support any man over the age of 16, regardless of sexual orientation, race, ethnicity, nationality, disability, religion, transgender history or gender identity. This includes any person who identifies or expresses their gender as non-binary.

We also welcome calls from friends/family who may be concerned about a loved one. We will support any man (including trans-gender and non-binary people), whether in a mixed-sex or same-sex relationship.

We know that it can be difficult to talk about domestic abuse, especially to a stranger on the phone. Our team are all trained and will meet your call with a non-judgemental and sensitive approach. You may have decided that we are the first place to disclose domestic abuse, but you won't be the first person we've spoken to.

If you think you are suffering from domestic abuse we can help you take the first steps to leaving the violence.

### Call Our Domestic Violence Helpline

Our Domestic violence helpline for men is open every weekday 9:00 am to 4:00 pm. whether you want to take the first steps to leaving an abusive relationship or just want to someone to talk too, give us a call today on;

Eric Liddell Centre,  
15 Morningside Road,  
Edinburgh,  
EH10 4DP

 0808 800 0024

[www.abusedmeninScotland.org/](http://www.abusedmeninScotland.org/)



## Alternative Publications

Please like us on Facebook [www.facebook.com/forwardmid/](http://www.facebook.com/forwardmid/) 

Forward Mid newsletters are available in large print on request from Eric Johnstone Tel: 0131-663-9471 or email [eric.johnstone@mvacvs.org.uk](mailto:eric.johnstone@mvacvs.org.uk) write to him at MVA, 4-6 White Hart Street, Dalkeith, EH22 1AE with your request. Electronic copies can be found on [www.forwardmid.org.uk](http://www.forwardmid.org.uk). The latest Firefox browser has the reader symbol  in the address bar, click and select narrate from left menu. The latest Safari Browser has the reader symbol  but does not read aloud. These only work on websites without errors. If you require help please contact Forward Mid and we will arrange to help you.

**Edited by Iain Tait for Forward Mid**