



Merton Centre for Independent Living. Adult Social Care Consultation Response

02/02/2015

Overall response:

Merton CIL has already written an open letter¹ to London Borough of Merton (LBM) outlining our key concerns and spoken at Scrutiny². This formal response is a detailed overview of our concerns, and a direct comment on the individual proposals set out in the consultation document³ and Business Plan⁴.

LBM already offers a pared-down service with little scope to cut further. The consultation data which compares LBM to the national picture clearly demonstrates that Merton is already spending less on Adult Social Care (ASC) per person, on average, and supporting fewer people than average⁵. In the face of increasing demand, service user numbers have remained steady, indicating that fewer people are getting the support they need. Merton CIL is concerned that there is little scope for efficiency savings now, and, as indicated in the business plan, there will be a service reduction. This will have a direct, and negative impact on the lives of service users.

Setting cuts targets by proportions is inappropriate. It has been repeatedly stated by officers that a 1:1 ratio has been applied to the amount ASC is being asked to cut. Merton CIL considers this inappropriate because:

- a) Cuts to ASC are contrary to the July Principles
- b) The impact of cuts cannot be assessed by a mathematical calculation and our members have advised us that pound for pound, a cut to ASC has a greater impact than a cut to eg waste services
- c) Given that the total targeted cut over the next 4 years for ASC is £13.7mn, this is actually 43% of the total savings (£32mn)

¹ Appendix 1

² <http://democracy.merton.gov.uk/ieListDocuments.aspx?Cid=151&Mid=1948&Ver=4>

³ <http://www.merton.gov.uk/health-social-care/adult-social-care/adult-social-care-consultation.htm>

⁴ <http://democracy.merton.gov.uk/ieListDocuments.aspx?Cid=157&Mid=1958&Ver=4>

⁵ See slides 5-10 http://www.merton.gov.uk/asc_budget_savings_consultation_2015-2019_final.pdf

required over the period, and therefore ASC is in actual fact being disproportionately targeted, and not a 1:1 ratio at all.

The impact on disabled people has not been properly assessed.

As highlighted in our Frequently Asked Questions⁶ prepared for members, Merton CIL feels that the potential impact on disabled people has not been properly assessed. The Business Plan says that the cuts will impact on Merton Council's ability to meet its statutory duties, carry out safeguarding activities, promote independence and monitor the quality of services. The Equality Analysis provided doesn't mention this at all. In our members group, disabled people agreed with the predications in the Business Plan and based on their lived experience, they feel that the likely impact of the proposed cuts will be to reduce independence, increase isolation, and reduce well-being.⁷

There is a fundamental failure to understand the cumulative impact of cuts on disabled peoples' lives. Cuts to social care are happening at the same time as national cuts to Welfare Benefits. The Centre for Welfare reform states that disabled people are affected 9 times more than other people by the cumulative impact of these changes.⁸ Any changes to Social Care should take the national picture into account.

The mitigation plan is service-led, not person-led. The mitigation plan mentioned in the Equality Analysis relies heavily on consultation and communication, which doesn't really mitigate the negative impact on individuals. Other items in the plan are to carry out more reviews and implement changes quickly. Those are service-led rather than person-led mitigations.

Consultation hasn't been properly accessible. The report explaining the changes was difficult to read, and very short notice was given for consultation meetings which were at difficult times for many people. The consultation survey didn't explain the proposals properly. Accessible versions were made available much later than the standard versions, so anyone needing an accessible version hasn't had as much opportunity to respond. This is discriminatory. For example, the Easyread consultation document was not available for the December

⁶ <http://www.mertoncil.org.uk/some-frequently-asked-questions-on-the-cuts-to-adult-social-care/>

⁷ Appendix 2

⁸ <http://www.centreforwelfarereform.org/library/by-az/a-fair-society1.html>

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consultation event and the Easyread and hard copy surveys were only made available after the holiday, whereas standard versions were available earlier.

Consultation meetings were too heavily officer-led. Feedback from Merton CIL members from the December consultation was that officers taking notes in some cases interpreted and amended the language used by participants, who then had to ask officers to redo the notes to reflect what they actually said.

The experience of disabled people has been largely invisible in this process. As Merton CIL and our members have engaged with the budget-setting process, it has become increasingly clear that the experience of disabled people is largely invisible. As mentioned, the target is set by maths rather than with regard to people, the Equality Assessment fails to address the impact on individuals, and the scrutiny meeting focussed primarily on the impacts on staff, third-party providers, and occasional mentions of the impact on carers.

Response in Detail:

Proposal 1: Initial Access Service, Closing MAAT

Merton CIL's members are concerned by the proposed closure of MAAT and the plan for this to be picked up by the Link and the Voluntary Sector.

Our concerns are principally in 4 areas:

- 1) **It is unclear how safeguarding concerns will be appropriately raised and tracked within the suggested model.** This is acknowledged in the business plan. There are already concerns over how safeguarding is carried out for mental health service users, and poor communication between the Trust and MAAT. There are already issues that safeguarding referrals are refused unless the person concerned is already a service user or in the opinion of the team (prior to an assessment) likely to be. This situation is likely to worsen in a system where there is no clear hub for concerns to be raised.
- 2) **The Link is unlikely to be able to deal with lengthy or complicated calls.** Our experience is that it takes time to listen to

people in order to identify the need and appropriate referral or signposting. In the busy Link environment, there is a risk that callers will be rushed and/or signposted to the wrong place. Disabled people are already dissatisfied with the responsiveness of the council and this is likely to worsen (see Annual Residents Survey⁹).

3) The Voluntary Sector can only offer a fragmented alternative to MAAT. While some organisations will have good information, advice and guidance (IAG) knowledge, this won't be true of all. Organisations run their own systems, have their own knowledge repositories and we already see people bounced through several organisations before getting the right information. Sometimes, we see people accessing different services and getting conflicting advice. Some organisations are issue or impairment specific, and may not be accessed by all, even if they have great IAG, while the new Merton Advice Service website relies on individual organisations to update, and Merton-i is difficult to navigate.

4) May see longer waiting lists and slower assessments and reviews, leading to increased stress and anxiety for people. We already know of cases where from the initial referral to getting an indicative budget has been nearly a year long process, and very stressful and confusing for the individual.

Suggested mitigations:

- a) A dedicated safeguarding team to cover all people, including mental health service users, and direct lines of communication with them where necessary (previously referrals would be via MAAT)
- b) Disability equality training and detailed awareness of signposting options will be key for Link staff
- c) Dedicated named contacts at LBM for support on more difficult or complicated questions, eg perhaps they could sit within brokerage
- d) Simplify the assessment process, make it more person-led.

Proposal 2: Day Services, Reduction in Staff

Merton CIL's members are concerned by the reduction in staff at day centres and their proposed replacement with volunteers.

⁹ <http://www.merton.gov.uk/council/performance/residentssurvey.htm>

Overall, these plans reduce the independence of disabled people, and our concerns cover 3 key areas:

1) Fewer external activities will result in greater segregation of disabled service users. At a time when other external opportunities are also reducing (eg MAE changes, possible closure of Deen City Farm), the reduction in community-based activities will isolate and reduce the independence of service users.

2) More large group settings means less individualised and personalised support. This is a step backwards in terms of support available for disabled people and raises the spectre of disabled people being herded into large group environments where minimum care and support can be provided, regardless of their individual need.

3) Increased use of volunteers not comparable to situation in libraries. While LBM has been successful in recruiting volunteers for libraries, Merton CIL is seriously concerned by the suggestion that volunteers can fill the role of trained and experienced staff in day centres and feel that this suggestion undermines the work that day centre staff do, and poses a quality control risk.

Suggested mitigations:

Work with local organisations to improve access for disabled people to external opportunities, including improved access to leisure, businesses, and the built environment generally. This could be done through eg incorporating the cross-cutting role of Access Officer within the corporate team.

Proposal 3: Review of care packages

LBM has consistently maintained in meetings that cuts to care packages focus on re-ablement, however, it is clear that this is not the case given that all user groups are being targeted for cuts, including groups with long-term needs. Merton CIL considers it to be unacceptable to target care packages for cuts, as these packages reflect people's assessed need.

In detail:

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1) **Reviews are being conducted within a cuts context.** Although officers have suggested that all reviews will be based on need, we have already heard of cases where the social worker carrying out the review has explicitly talked of savings requirements and pushed to reduce the care package. This is unacceptable.

2) **Reviews taking place without additional staff training.** Part of the mitigation plan for conducting reviews is for all staff to be trained to do reviews in a “new way”. Reviews are already taking place, while the training does not appear to have happened yet.

3) **Lack of clarity over how targets have been set.** Projected cuts to care packages range from 5%-15%. Direct Payment users are targeted with consistently higher cuts than people on other care packages, even though Direct Payments is just a delivery mechanism. Different user groups are targeted with different levels of cuts. The process by which this has been done is unclear.

4) **Talk of “clawing back” support misunderstands the causes of under-spend.** In scrutiny¹⁰, officers talked of “clawing back” unspent Direct Payments. However, Merton CIL members say that sometimes Direct Payments are unspent because of lack of support to access services or resolve problems when they do arise. Just taking back unspent cash without identifying and supporting problems which have arisen simply compounds the challenges disabled people face in accessing the support they need.

5) **The language around promoting independence is misleading.** Numerous council documents suggest that these cuts will promote independence. Merton CIL members disagree, as a reduction in care packages is unlikely to achieve this. Within a re-ablement agenda, it may be a possibility, however, this is not the case for people with long-term support needs, as their assessed need and existing care packages have already been designed within a promoting independence framework. It is difficult to see how cuts to support will increase independence.

Suggested mitigations:

¹⁰ <http://democracy.merton.gov.uk/ieListDocuments.aspx?CId=151&MId=1948&Ver=4>

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It is very difficult to identify ways to mitigate cuts to care packages. However, Merton CIL would suggest:

- a) Letting service users know of independent support available at reviews. This should be included in review letters and may include support workers from Wimbledon Guild, Merton Mencap, CSM, or advocates from MCIL, etc.
- b) Including disability equality training in staff training packages as a mandatory requirement
- c) Developing a simplified assessment tool, developed in partnership with disabled people
- d) Working with disabled people to identify waste and overspend within the system, eg on transport.

Other comments:

Plans to reduce capacity to monitor services likely to be counter-productive. The Business Plan points out that these plans will impact LBM's statutory duties under the Care Act. Merton CIL members are concerned that reduced monitoring of contracts and service provision will lead to worse services, and possibly more expensive services. There are already instances of poor quality services being delivered, and insufficient monitoring eg the poor CQC report for 138 All Saints Road.¹¹

Suggested mitigations:

- a) To set up user-led or self-advocacy groups to feed back on quality of services
- b) To continue and expand Merton Seniors Forum's Dignity in Care project to assess how people are being treated in eg residential care

¹¹ <http://www.cqc.org.uk/location/1-352100698#accordion-1>

Appendix One: Open Letter sent to LBM on 22/01/2015

To: Stephen Alambritis, Leader of the Council, Ged Curran, CEO of the Council, Caroline Cooper-Marbiah, Cabinet Member for Adult Social Care and Health, Simon Williams, Director of Communities and Housing

At Merton Centre for Independent Living, we are extremely concerned with Merton Council plans to cut £14 million from the Adult Social Care budget over the next 4 years.

To summarise, our concerns cover 3 key areas:

1. The process for setting the £14 million target is flawed, and the amount planned is too high
2. The full, negative, impact of these cuts on disabled people and older people in Merton has not been properly assessed and decisions are being made without reference to the full facts
3. The consultation process is insufficient given the scale of the cuts, and has not been accessible enough

At Merton CIL, our policy is to engage, and work together in partnership, rather than in opposition to you. However, our members say that they are not being heard by Merton Council, and their concerns are not being addressed.

We want to work with you to ensure that disabled people are heard, and ask you to commit to these requests as a sign of your engagement and good faith:

- Work with us to review and revise the £14 million target
- Put all cuts for 2016-19 back on the table for discussion, including any provisionally agreed in the current and previous budget-setting processes
- Work with us and other disabled peoples', older peoples' and carers' groups to monitor the impact of already significant cuts to services planned for 2015-16
- Ring-fence the Independent Living Fund, as other councils have already done

Merton CIL, our members, and disabled people in Merton look forward to hearing from you

Kind regards, Merton CIL

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Appendix Two: Response to Planned Cuts to Adult Social Care from Merton CIL Members Group 08/01/2015

Responses gathered from 6 disabled people attending the members group. We are:

	<p>Worried about being isolated by the cuts:</p> <p>“People stuck at home will get lonely and depressed”</p> <p>“Cuts will lead to loss of dignity for the cared for and for carers”</p> <p>“I wouldn’t be able to get to my club anymore. I would be bored. I would be stuck at home all day and night”</p> <p>“Disabled people will get even less confident because they never get out”</p> <p>“I won’t be able to make friends, I won’t be able to chat to other people, I won’t be able to meet people like me.”</p> <p>“I feel like a prisoner in Merton”</p>
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	<p>Angry at the choices the council is making:</p> <p>“People’s lives are more important than flower-beds”</p> <p>“Annual reviews are so wasteful of resources”</p> <p>“They should prioritise the people who need it most”</p> <p>“They should support the people who are less able to get out and about and manage life”</p> <p>“They have a choice about where to cut.”</p>
	<p>Frustrated at not being listened to:</p> <p>“There is no attempt to listen to us and understand what is happening”</p> <p>“They have to talk to us about what is important to us”</p> <p>“The council have to make the effort to link all the things happening at once to disabled people. Cuts to social care and cuts to Merton Adult Education have a combined effect”</p>

	<p>Confusion over the consultation process:</p> <p>“I don’t understand the forms the council has. I can’t get online. I can’t read or write, why can’t you just listen to me?”</p> <p>“I wrote to my councillors but I didn’t understand their reply”</p> <p>“I can read but there are all these big words and numbers. It is so confusing”</p>
	<p>Afraid for the future:</p> <p>“Local unemployment will increase because disabled people, carers, personal assistants and people in the care industry will lose their jobs”</p> <p>“There will be more acute distress and more suicides as disabled people and family carers face more pressure.”</p> <p>“Disabled people and family carers will become even more invisible.”</p> <p>“It’s all going to cost more in the long run because the council will have to deal with more complex problems caused by crisis”</p>

	<p>Ideas for what the Council should do:</p> <p>“Ring-fence the ILF to current users”</p> <p>“Why can’t you take from rich people instead?”</p> <p>“Look at other ways to save money. Don’t cut care packages.”</p> <p>“Do a proper impact assessment of the cuts so far”</p> <p>“Work with local people!”</p>
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