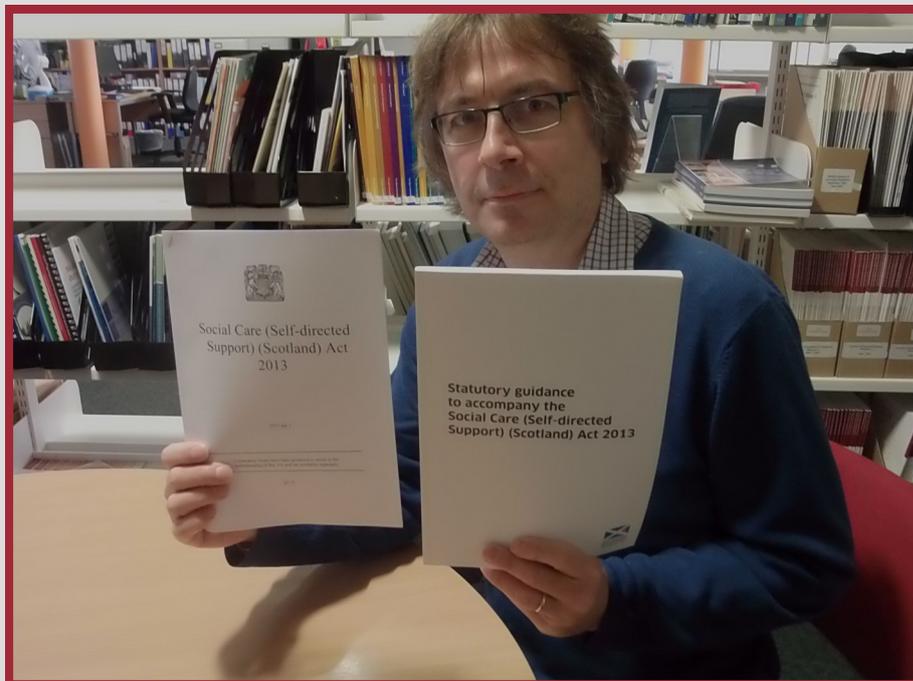
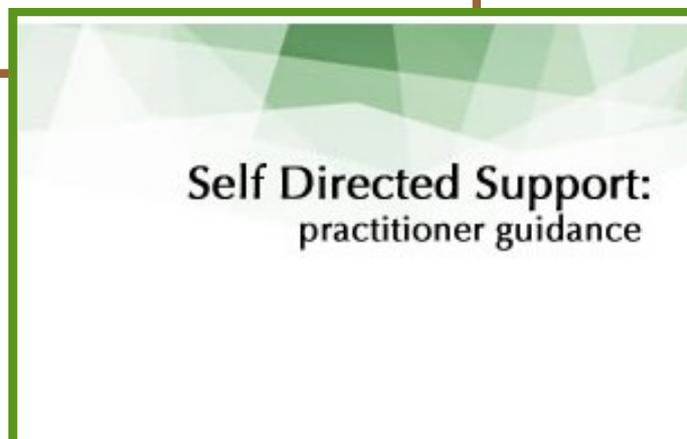
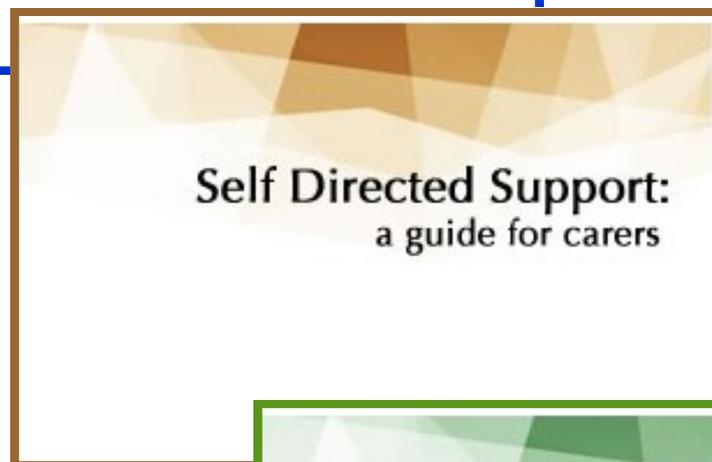


TOP 10 TIPS :



In Control Scotland's Top 10 Tips to getting the most from the Self-Directed Support law and guidance

The aim of this **'Top 10 Tips'** is to help you to get the most from the Self-Directed Support Act and Guidance. Both the Act - The Social Care (Self-Directed Support) (Scotland) Act 2013 – the statutory guidance that underpins it and the good practice guides, which are also available, are extensive and finding the right information you need can be difficult.





Tip 1

Being involved in all aspects of directing your own support is a statutory principle of the new law, this includes the assessment, planning and delivery of your support

One of the main purposes of the Self-Directed Support Act is to “promote and protect the human rights and independent living of care and support users in Scotland’. One way of achieving this is ensuring that people are involved as full participants in the all of the aspects of directing their own support.

The Act sets this out as each person’s statutory right. It states that a person **must** have as much involvement as they wish both in the assessment and in the provision of support or services. The law also states that each person **must** be provided with any assistance that is reasonably required to help them to be involved.

Find more information in the Act at section 1(2) and 1(3) and in the statutory guidance on Pages 4; Page 9; Page 16 sections 4.5 - 4.9, Pg.18 4.11, 4.12, Pgs.21 -23, Pg. 32, 7.1,7.2 Pg. 33, 7.3,7.4, Pg. 38, 7.14 pg.40 7.21, Pg.41 7.26 - 7.28



Tip 2

You can use your money to get a good life and not just a service from staff.

This is one of the important changes and opportunities available when you direct your own support. It is now possible to use the money in your budget to pay for things other than support hours. Anything that you want to use money for must be legal, part of your plan and meet your agreed outcomes. This means being able to be creative and think differently, using your budget to get a good life as well as the support and help you need. You can use the money in this way regardless of which of the four options you choose to manage your budget!

Find more information in the statutory guidance on page 16-section 4.8, Pg 32 - 7.1, Pg.46 – 8.12, Page 51 – 8.22



Tip 3

There is a duty to provide information about self-directed support that is accessible and understandable

One of the new duties of the Act is that enough information about the options and opportunities of self-directed support is available in every local authority in a way that is accessible and understandable. You should be able to easily find out where you can get information, advice and support about self-directed support in your area - not just in thinking about the different options, but also in helping you to plan so you can make informed choices about how you can use your budget so that it is most useful to you.

Find more information in the Act at sections 9 and 10 and in the statutory guidance on pages 11; section 2.18 and pages 25 – 31.



Tip 4

Your eligible needs must be met as a priority

Your safety and wellbeing are important and it will still be a priority that your needs are met when you are directing your own support – this doesn't change. Your local authority continues to have a duty of care to ensure your eligible needs are met, but with self-directed support, you should be more involved in deciding how this happens. There also remains a duty for the local authority to review both the assessment of your needs and how they are being met.

Find more information in the statutory guidance on Pages 7, 8- sections 2.1 - 2.11, Pg.21, Pg.80-12.2



Tip 5

You can choose to manage your budget through an Individual Service Fund under option 2 of the Act.

This is a new opportunity which enables people to have more control of their budget and their services without taking all the responsibilities that go with a direct payment. The Individual Service Fund can be held by a third party organisation and managed on your behalf. This approach has been demonstrated and pioneered in Scotland and it means self-directed support can be an option for many more people regardless of abilities and support networks. No guardianship is required for option 2 and it can also be used under option 4 mix and match.

Find information in the statutory guidance on Pages 11- 2.18, Pg.43 - 8.1, pg.51 8.20 – 8.25, Pages.77/78/79 11.39 - 11.46



Tip 6

You don't need to only choose one option; you really can mix and match

One of the benefits of the new Act is that Option 4 allows you to mix and match from the other three options because “one size doesn't fit all”. Being aware of what makes most sense for you and using the planning process will really help. Don't be afraid to ask even if it doesn't seem to be offered.

“For David we chose to have an ISF (Option 2) which provides a budget for his support at home, this gives him control, creativity and flexibility. David also had a day placement which we didn't want to change so this became an arranged service using Option 3. For him this makes a great package giving him control over the bits he wants to have control over.” - **Brenda (David's mum)**

Find more information in the Act at section 4 and in the statutory guidance on Pages 10/11, Pg. 25 6.1, table 5, Pg.27/28, Pg.43 -8.1, 8.2, Pg.52- 8.28



Tip 7

Everybody should get information about the amount of money they can access to meet their eligible needs

You should get information about and know your budget (how much has been set aside for your support), whichever option you choose to manage it. In the Act, the amount of budget you are able to access (if you are assessed as having eligible needs) is called the 'relevant amount' and you must be informed of your 'relevant amount' and the period of time to which the amount relates. When you are told this before you do your support plan, this will be described as an 'indicative' or 'estimated' amount and it will only become your actual budget when it is agreed by your local authority and it can be shown that it can help you to achieve what you need in your support plan.

Find more Information in the Act at Sections 4(2), 5(4), 7(4), 8(4) and in the statutory guidance on page 36, sections 7.6 – 7.10



Tip 8

You are entitled to sufficient funding from your local authority to meet your eligible needs

When you make a plan of how you want to use your budget, you are entitled to a sufficient amount of funding to meet the needs that have been identified as eligible for support in your assessment. This means that you should be able to afford what you need with the budget that has been identified. Of course, it doesn't mean that there is unlimited money available, but it does mean that if your need for additional support has been assessed as eligible for funding, your budget must be enough to help you meet the need described.

Find more information in the statutory guidance on Page 36 – section 7.10



Tip 9

Not having a choice is not one of the options!

Everyone should be offered choice through self-directed support. This means that everyone needs to be given information and the appropriate support to think about what they want to achieve and the ways they would like to do this. Some people will make the choice to keep things the same or to ask the local authority to manage their support on their behalf. This can be a positive choice if it is made on the basis of good information and an understanding of what is possible

Find more information in the Act at sections 5(2), 6(4), 7(2), 8(2) and 9 and in the statutory guidance on Page 11, section 2.18; Pg 43, sections 8.1,8.2 and Pages 64-68



Tip 10

You can get support and help if you need it, or if you are not happy

Wherever you live in Scotland, your local authority should be able to tell you the organisations in your area that are able to provide information, advice and support about self-directed support. If you are not happy with the way things have gone, it may be helpful to contact a local advocacy organisation to talk through your options. Every local authority has a complaints procedure and this can be used if you are not able to resolve difficulties through discussion with your local authority. There are also further options for legal redress if you are still unhappy after using the complaints procedure.

Find more information in the statutory guidance on Pages 25 – 31 and Pg 79, sections 11.47 – 11.49

Useful Links and Contacts:

In Control Scotland:

www.in-controlscotland.org

The Social Care (Self-directed Support) (Scotland) Act 2013 :

<http://www.legislation.gov.uk/asp/2013/1>

The Statutory guidance to accompany the Social Care (Self-directed Support) (Scotland) Act 2013:

<http://www.scotland.gov.uk/Resource/0044/00446933.pdf>

The three good practice guides developed for service users, carers and practitioners:

<http://guidance.selfdirectedsupportscotland.org.uk/index.html>

