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## Report of the Director of Adult Social Care Services

### Scrutiny Board (Adult Social Care)

Date: 8<sup>th</sup> April 2009

Subject: Income Review – Review of Consultation

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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### Executive Summary

This report details the work undertaken by Adult Social Care Officers to review the consultation that was undertaken on the Income Review for non-residential care services in 2008.

Although extensive consultation was undertaken in 2008 on this issue, Adult Social Care are keen to maintain themselves as listening and learning organisation and to continue to improve the effectiveness of its consultation and involvement activity with and for Stakeholders.

This review of the consultation presents an opportunity not just to obtain information retrospectively on the Income Review consultation, but to obtain the views of key Stakeholders about how we can improve involvement in the future. It also gives us an opportunity to show Service Users and key Stakeholders that they can determine/influence the involvement agenda.

## **1.0 Purpose Of This Report**

- 1.1 At the Scrutiny Board meeting on 24<sup>th</sup> November 2008, Officers of Adult Social Care Services undertook to review the consultation/engagement it had undertaken with Service Users and other Stakeholders and report the finding back to the Scrutiny Board in April 2009.
- 1.2 This report details the outcomes from the review and also how Adult Social Care intends to use the intelligence gained from this review to improve its engagement with Stakeholders.

## **2.0 Background**

- 2.1 Executive Board on 11<sup>th</sup> June 2008 approved the consultation and the process to be undertaken. Additionally it supported the context for the consultation which was the need to generate more income from Service Users to improve our ability to invest in social care services and to support fairness, equity and consistency within Leeds and in comparison with other authorities.
- 2.2 Between the 13<sup>th</sup> June and 4<sup>th</sup> November 2008, Adult Social Care Services engaged with Service Users and other interested Stakeholders on the issue of Income Review.
- 2.3 Scrutiny Board (Adult Social Care) considered the detailed consultation plan on 23<sup>rd</sup> July 2008. On 24<sup>th</sup> November 2008 the Board received an update report on the consultation process, including the initial outcomes. At that meeting Members were invited to make comments they wished to submit to Executive Board about the consultation process. No comments were received.
- 2.4 Adult Social Care distributed consultation documentation to all service users and this served two purposes. The first was to ensure that everyone who might be affected by any changes in service user contributions was informed about the options being considered. The second was to give them the opportunity to comment on these options if they wished to do so. Full details of the consultation process are attached at Appendix 1.
- 2.5 It was important to ensure the integrity of the process by sending information and a copy of the survey out to all service users and not just a sample so that everyone was aware of what was being considered even if they did not want to tell us their views. Additionally, we provided options rather than proposals so that the consultation would be more meaningful but inevitably made the documentation more complex.
- 2.6 In total 1,053 survey forms were returned (excluding the Citizens' Panel), giving sufficient data for it to be robust in statistical terms. The majority came from service users, but some were from organizations and members of the public. For adult social care service users only, excluding people who only receive Supporting People services, 869 responses were received from the 6,831 service users. With over 1,000 responses in total there is sufficient data for it to be robust.
- 2.7 Additionally we wrote to 138 voluntary, community and faith organizations who we would possibly expect to respond to the survey as a number of them work with or represent service users and carers, yet only 22 responded.

- 2.8 Adult Social Care was keen to review the consultation process to find out why people and organizations did or did not respond for the following reasons:
- To reflect on the issues arising with the consultation on Income Review
  - To learn lessons from the review of the consultation that will help us improve our engagement with Stakeholders, particularly the people who use our services
  - To obtain information from organisations about their engagement preferences so that we can target our future communication and consultation to try and ensure that engagement is more efficient and effective for all parties.
- 2.9 Account was taken of the outcome and recommendations of relevant Ombudsman's Reports and Judicial Reviews in deciding upon the consultation plan, and Officers reviewed the wealth of advice on involvement and consultation that is available including the guidance from the National Consumer Council on Involving Consumers in Public Services.

### **3.0 Review Methodology**

- 3.1 In undertaking this review of the Income Review consultation we decided that it was important to keep the review focused and not seek to include all of our service users and carers and not seek to duplicate work that was already been undertaken or planned, for the following reasons:
- We wanted to be able to support service users in the process and not send out another (although brief) questionnaire to people in their homes.
  - We wanted to achieve a good response rate and we decided that this could best be done by asking service users questions face-to-face.
  - We did not want to cause `consultation fatigue` with our Stakeholders. We would use information that we already had available from the 2008 consultation and we would seek to co-ordinate our review activity with consultation/engagement activity that was already planned.
  - In order to ensure that our consultation and engagement meets the standards required of Service Users and other Stakeholders, we focused on the quality of the information that we could obtain.
- 3.2 We therefore used the following methodology for the review of the consultation:
- 3.2.1 Comments received by people who responded to the 2008 Income Review Survey. 288 people made comments on their survey forms, a number of which were related to the questionnaire and the consultation itself.
- 3.2.2 Comments made and action taken by the Income Review Service User and Carer Reference Group.
- During the period of July and November 2008 Officers of Adult Social Care worked closely with the Income Review Service User and Carer Reference Group. Comments made (and action taken) during the consultation process and at the analysis of the outcomes are relevant to this review.
- 3.2.3 A brief questionnaire was produced for Service Users (please see attached at Appendix 2). This questionnaire was used in all day services for older people and younger people with a physical disability during one week in March.

- 3.2.4 This brief Service User questionnaire was used by the Adult Reviewing Team over a three week period, as an add-on to their scheduled 12 month reviews.
- 3.2.5 A questionnaire was devised for voluntary, community and faith organisations (please see Appendix 3). In addition to asking questions about the Income Review consultation, it also seeks to establish the interest areas and the communication and consultation requirements of these organisations.
- 3.2.6 Attendance at the Social Care Community Forum for Race Equality (SSCFE) and the Alliance of Service Users and Carers.

The Social Care Community Forum for Race Equality represents some 77 BME organizations and the Alliance of Service Users and Carers has a wider membership of some 60 people.

The Alliance of Service Users and Carers is a user led forum supported by Leeds Involvement Project. Leeds Involvement Project was asked to distribute copies of the survey form in 2008 to the Forums and Reference Groups that it supports.

Officers have planned to attend a wider number of Forum meetings in the near future, but outside of the time limit of this review. The reason for this is that the Forums do not meet monthly and their agendas are set well in advance. The outcomes from these meetings will still be taken into account in improving consultation and involvement with Stakeholders.

- 3.2.7 One of the actions of the Safeguarding Action Plan (dated November 2008) is to undertake a gap analysis of the communication needs and requirements of Carers. This work is due to commence in the near future and so we have not sought to duplicate this work for the review of the Income Review Consultation.
- 3.2.8 Comparison with other local authorities. We looked at the work that Sheffield and Kent had undertaken in relation to their review of their Fairer Charging Policy.

## **4.0 Outcomes of the Review**

A full analysis of the review is attached at Appendix 4. A summary of the outcomes is as follows:

### **4.1 Comments made by respondents to the 2008 consultation**

Of the 7,964 people who received the consultation survey 288 people made comments, and of this 40 respondents commented that they had difficulties with the survey and the documentation.

The main issues raised were:

- That Question 1 was too technical for a number of people to understand
- That there was too much paper and information to go through
- The need for clear and concise information
- That the survey was not appropriate for some people, for example people with dementia and people with a learning disability
- A number of people had to obtain the assistance of family to help them complete the survey.

- There was a suggestion that before we produce a survey in the future that we ask a group of carers or service users to vet the form.

Additionally, some respondents' responses showed that they distrusted the reason for the survey; with a perception that we would do what we wanted irrespective of the outcome of the survey.

#### **4.2 Recommendations made by the Income Review Service User and Carer Reference Group.**

Some of the key issues raised by the Reference Group are contained in the report that they produced on the Income Review consultation and the Equality Impact Assessment undertaken with members of the Reference Group (attached at Appendices 5 and 6 respectively). Issues that were raised that are relevant to this review are as follows:

- Information on the Fairer Charging Assessment process to be available in easy read and different formats and languages
- Information relating to consultation to be readily available in appropriate languages and formats
- Assistance to people in understanding the proposed changes and assistance with completion of the questionnaire as required.
- Extend the consultation process.
- Alternatives to the written word available to people during the consultation process for people who cannot read.
- Listen to what people have told us in order to gain the trust of the people who participated in the consultation and the wider service user and carer populations.

In addition, the Reference Group in their report stated that they felt that the process had been an example of 'Best Practice':

*In addition, it should be acknowledged that we feel this process has been an example of 'Best Practice' in the meaningful involvement of service users and carers and that it represents a positive model that should be shared and promoted across all services within the City Council. We feel that Leeds Adult Social Care Services and all of the Officers involved should be congratulated on their facilitation of this process and their openness, honesty, leadership, accountability, objectivity, integrity and professionalism that delivered a process that was meaningful, accessible and inclusive to the needs of service users and carers within Leeds.*

#### **4.3 Comments received from Service Users during the review of the Income Review consultation.**

As you will note from Appendix 4 attached, the majority of Service Users that were included in this review do not remember receiving the Income review consultation. Appendix 4 also suggests some reasons for this. One of the issues is that a number of day services sent the 2008 Income Review documentation to carers and family members, and whilst they were included in this review in some instances (for example a day service for people with dementia) we did not wish to send out another form for carers and families to complete.

Not all of the Service Users who remember receiving the documentation completed the survey, the main reason being that they did not find the survey and documentation accessible (language and complexity for example).

Some Service Users were unable to complete the survey on their own, and the issue of support is one issue that we have dealt with in the lessons learned section of this report (section 5).

#### 4.4 Comments received from Voluntary, Community and Faith organizations.

##### 4.4.1 A small number of comments were made by organisations during the consultation process in 2008 that are relevant to this review, a summary of which is as follows:

- A comment was made about the amount of information that sent out to people and organizations.
- A comment was made about the size of the survey form.
- The Service Users and Carers that sit on the Learning Disability Partnership Board commented that we could have involved them earlier and that they would have helped us with the consultation.
- A number of people would not be able to understand the information and the survey.
- That the way that the Options in Question 1 was set may lead people to choose Option C (please refer to the Survey Form attached at Appendix 7) because of the lowest unit cost, without realising that the higher amount of disposable income would have a bigger impact on them.
- People would need one month's notice of the changes once they were agreed.
- One person had a problem getting through to the helpline but another person got through straight away and found the response really helpful.
- Could the deadline be extended.

The majority of time was spent with organisations and members of Forums discussing the options in the survey and the potential impact of these options on service users.

##### 4.4.2 Adult Social Care Officers contacted 60 organisations by telephone, initially to establish that we had the right information in terms of address and key contact person. The person in charge of the organisation, (Manager, Chief Executive etc) was then contacted personally to complete the questionnaire.

To date 42 organisations have responded to our request for information for this review of the 2008 consultation. Of the remaining 19 organisations, only 1 has refused to take part. We are awaiting information from 18 other organisations (details of reasons given in Appendix 4).

Of the 41 organisations 23 remembered receiving the Income Review documentation and of that number 14 responded. A number of organisations reported that there had been a number of changes at their organization and so people who were no longer there may have received the documentation.

There were a number of reasons why organisations did not complete the survey, one of which was clarity around the reason they had received the documentation. We did put support and information mechanisms in place for organisations as well as Service Users, specifically:

- Following the Executive Board approval in June 2008 to continue with the consultation, these organisations received information updating them on the Income Review and our broad intentions to consult in the near future
- Free phone help line and dedicated e-mail address
- Invitation to two Focus Groups
- Invitation to four open events

A number of comments were made supporting the consultation, with some organisations recognising that both the subject matter and the process were important:

*“It provided the service users with an opportunity to have a say in the charges and make additional comments. We are a service user led organization and believe service user consultation empowers and encourages agency involvement.”*

A number of suggestions were made relating to how we could have done it better and we have considered these comments and will seek to address them in our future involvement work (please refer to sections 5 and 9 of this report).

#### 4.4.3 Attendance at the Social Care Equality Forum

Members of the Forum had no issues relating to the consultation process for the Income Review, but did make comments relating to how we can get information out to communities and to community organisations that can support Service Users and Carers.

The members of the Forum volunteered their assistance in helping Officers make contacts with local radio stations and smaller community organisations.

#### 4.4.4 Attendance at the Alliance of Service Users and Carers.

The Chair of the Alliance was a member of the Income Review Service User and Carer Reference Group.

This review was addressed in a meeting of the Alliance by the Leeds Involvement Support Officers.

The Alliance did not complete a questionnaire on behalf of the Forum as a whole and the comments that they made related to members as individual service users and carers.

In summary, not all of the members received a survey form. Some four out of the sixteen members who were at the Alliance meeting on the 19<sup>th</sup> March 2009 were this was discussed remember receiving a survey.

Some members did fill in the questionnaire as they believed that if they did not offer their opinion they would face excessive charges.

In terms of improving the consultation, they commented that the language in the questionnaire could have been made easier and more accessible and that more information could have been provided about the questionnaire.

#### 4.5 Comparison with other Local Authorities.

There is no comprehensive data available and so we have had to look at individual authorities' websites. Not all Local Authorities have undertaken a review of their Fairer Charging Policies in recent years, but we looked at two that had, that is Sheffield and Kent. Sheffield sampled 2,421 of their 4,154 service users and received 761 responses. Kent consulted with 9,000 people and received 2,294 responses.

We have looked at how they undertook their surveys and two main issues come to light and they are that both authorities asked a smaller number of questions and that they offered proposals that required a yes/no answer whilst we provided options for people to choose from.

Also, in making comparisons other issues can be relevant, such as the fact that Kent has a higher percentage of people who contribute to their services than Leeds (62% compared with 42% in Leeds) and so more people seemed to have an interest in responding to the survey.

## **5.0 Lessons learned**

### **5.1 Action taken to date.**

5.1.1 Financial issues are not an easy subject for most people and we knew that there would be some difficulties in terms of some people's ability to understand the information. For this reason we planned to work with a small number of Service Users and Carers from user led organisations to assist us in the process, and from this the Income Review Service User and Carer Reference Group was formed.

Additionally, we also planned to attend a number of meetings of Forums and organisations that worked with or represented Service Users and Carers so that we could discuss the issue in more detail which as well as helping us understand the issues would help the organisations and Forum members explain the issues to their members.

We sent information and a copy of the survey form to 138 organisations with the offer to meet with them to discuss the issue in more detail, so that they would be aware of the issues and be able to support Service Users and Carers.

5.1.2 In working closely with the Reference Group we were able to act immediately in response to the any issues or concerns made by the members in relation to the planned consultation.

The action taken by Officers to mitigate these concerns was as follows:

- The survey and information was produced in easy read as standard for all Service Users with pictorial and other formats and languages available on request;
- To enlist the assistance of Age Concern and Leeds Advocacy to support Service Users in understanding the documentation and to assist in completing the survey;
- To provide a freephone helpline for people so as to assist them in understanding the documentation and to complete the survey. 202 calls were made to the helpline. Additionally people could request a home visit to help complete the questionnaire.



- Home visits by Financial Assessment Officers to assist people to complete the survey. 47 home visits were made during the consultation period.

Evidence of this can be found in the report produced by the Service User and Carer Reference Group (attached at Appendix 5) and the Equality Impact Assessment completed in partnership with the Reference Group members (attached at Appendix 6)

Quote from the Service User and Carer Reference Group:

*“As we noted above, we and Officers and the Council acknowledge that the subject matter was complicated and not the easiest of subjects to try and translate into easy read. Officers have taken these comments seriously and will consider how it can best communicate such difficult subjects in the future.”*

### 5.1.3 Other adjustments that were made to the consultation process arising from comments received:

- The consultation period was extended to the 31<sup>st</sup> October 2008 and all surveys received after this date was included in the analysis of the survey that was reported to Executive Board on 13<sup>th</sup> February 2009.
- For people whose first language was not English, arrangements were made for a three-way telephone translation.
- Members of staff in Day Services assisted Service Users attending those services to understand the information provided and complete the survey. Where appropriate, the Day Service Officers forwarded the information and the survey form to carers, for example in day services for people with dementia.
- Pictorial surveys were pro-actively sent to people who we considered might best benefit from this version of the survey.

## 5.2 Considerations for the Income Review consultation

- 5.2.1 The consultation events and some comments received from respondents to the survey highlighted that Question 1 on the three options was quite complicated for some people and it may have been better to ask this question after Question 2 that went through the 4 main aspects of Question 1.
- 5.2.2 It would probably have been helpful to make use of individual service user scenarios to illustrate what the four main aspects meant more clearly and how they would affect people in different circumstances. However, this would have made the documents even longer.
- 5.2.3 We used the opportunity to ask a range of questions, for example issues about Telecare and sitting services, with hindsight not asking these questions would have made the questionnaire shorter and perhaps just on this basis alone, more palatable to people. However, this would have resulted in not being able to cover all of the issues that we wanted to bring to the attention of Service Users and which would probably have resulted in additional consultation being undertaken with the same people at a later date in the not so distant future, which is not considered good practice.
- 5.2.4 Ideally undertaking face-to-face interviews would have been preferable as we would also have been able to explain to people what the issues were and explore with

them why they thought what they did. However, there are a number of constraints with this approach, specifically; we would not have been able to interview all Service Users; and it is resource intensive in terms of both time and cost. Face-to-face interviews could have played a part in the process and can in the future, but if we have to inform and consult with all service users, then we have to use alternative methods as well.

- 5.2.5 On the issue of complexity, we worked with the Reference Group to try and make it as simple as possible, but greater simplicity means less explanation so people may not have all of the information they need to make an informed choice.

We planned for and actively sought the assistance of some organisations and/or community groups in the consultation process. Specifically, we were willing to make small sums available to organisations for them to work with groups of Service Users on the issue of the Income Review. Unfortunately there was no interest expressed.

### **5.3 Considerations for future Adult Social Care consultation and involvement.**

- 5.3.1 Test out surveys on Service Users and Carers

For the Income Review consultation we tested the survey on a small number of people outside of the Reference Group and the Reference Group was made up of Service Users and Carers

The proposals for the future are that we set up a number of involvement panels (similar to the Citizen's Panel) for Service Users, Carers and members of staff. This received approval at Adult Social Care Directorate Management Team meeting on 29<sup>th</sup> January 2009.

Part of the work of the panels will be to act as a reading group to look at any consultation, policy documents as examples that will go into the Service User and public domain.

- 5.3.2 Make better use of existing consultation and involvement structures in the voluntary, community and faith sector and statutory sectors, and of their links with communities and groups.

One of the challenges when planning consultation and involvement is to ensure that we do reach what is termed the `not yet heard` groups. By working closer with other council directorates, statutory organisations and the third sector we will hopefully be able to ensure that no groups or communities are excluded from our activities and that they are adequately supported.

On this issue, Officers in key statutory (including Adult Social Care) and third sector organisations have formed a network to develop a co-ordinated approach to involvement; to make best use of existing structures and expertise; and to develop best practice across all organisations and for all Stakeholder groups.

However, working closer with organisations (statutory and third sector) is not just about reaching the `not yet heard` groups but also about using the links that other organisations have with service users, carers etc and smaller community organisations in order to provide information and support. In January 2009, the Adult Social Care Directorate Management Team meeting approved a paper, `Adult Social Care Services Involvement Framework`, (please refer to Appendix 8 for the

`Key Elements of the Involvement Framework`), that identifies the need to work closer with these organisations. An Action Plan showing how initiatives such as this will be taken forward will be presented to the Directorate Management Team meeting in the near future.

- 5.3.3 Communicating the proposed involvement activity and feeding back the outcomes of the activity to communities using community media and contacts is important.

Although there were press releases, media adverts, posters and flyers in council offices and libraries, as you will note from section 4 above, the Social Care Community Forum for Race Equality commented that there are more local community sources that could be used to advertise our involvement and to provide feedback. Use of these will also help in involving communities and groups who may not always want to respond to our consultation.

- 5.3.4 Pro-active approach to involvement.

What this review of the 2008 consultation has shown us is that it was necessary to follow up the request for information in order to obtain feedback and to be pro-active in the collection of that information. If we really want to people to make a positive contribution towards the design, planning and commissioning of services, then we need to be more pro-active in our approach. One of the benefits to this will be that we continue to develop our approach to involvement, becoming more innovative in order to obtain the views of key Stakeholders.

- 5.3.5 Support to Service Users and Carers

This review has shown that we cannot under estimate the amount of support that Service Users and Carers need to make involvement meaningful. During the 2008 consultation we did have some support mechanisms in place and these were used, however, as with paragraph 5.3.4 we need to be more pro-active in providing this support as opposed to offering the support. This does have implications for the time that we allocate to our involvement and also other resources such as Officer time and the financing of the work. However, this review has shown us that there are more organisations in the third sector that are willing and able to assist us in the future.

## **6.0 Equality and Diversity Issues**

- 6.1 The Equality Impact Assessment (attached at Appendix 6) identified that there were a number of issues to be considered in relation to communication and consultation. These issues have been dealt with in sections 4 and 5 above.

- 6.2 The outstanding issue relating to the Equality Impact Assessment is communicating the changes to Service Users. On this issue, a leaflet and letter have been produced for Service Users taking into account the need to make the information accessible. Additionally, the former members of the Service User and Carer Reference Group were invited to comment on these documents before they were sent to printing. No comments have been received to date.

## **7.0 Implications for Council Policy and Governance**

- 7.1 Our approach on consultation and involvement is consistent with Leeds City Council's policies and strategies on engaging with communities and our customers.

## **8.0 Legal and Resource Implications**

8.1 There are no legal and resource implications.

## **9.0 Conclusions**

- 9.1 The consultation undertaken on the Income Review was one of the most extensive for Adult Social Care Services, in that we proactively involved all Service Users of non-residential services and opened the consultation to any organisation and citizen of Leeds.
- 9.2 Whilst we followed good practice from national guidance and from recommendations made by the Ombudsman from relevant complaints, not all of the Service Users and organisations were happy about receiving the information and the survey. There is no right way to inform and involve people, especially such a large number of people with differing needs and concerns. We can learn from the consultation we undertook in 2008 and this review of the consultation and will consider this in future planning for involvement.
- 9.3 This review has shown us that people and organisations are willing to work with Adult Social Care Services through our involvement work, and if we take forward the lessons learned and act on the feedback that we have provided, then we will have a good basis for an effective, meaningful partnership.

## **10.0 Recommendations**

10.1 That Scrutiny Board notes the contents of the report.

## **Background Documents referred to in this report**

- Appendix 1.** Income Review Communication and Consultation Plan 2008
- Appendix 2** Questions for Individual Users of Day Services and their Carers
- Appendix 3** Briefing Note and Questions to Organisations
- Appendix 4** Outcomes of the Income Review Consultation Review.
- Appendix 5** A Summary of Adult Social Care Income Review Consultation Feedback a Report of the Service User and Carer Reference Group.
- Appendix 6** Equality Impact Assessment of the Changes to the Fairer Charging Policy and its associated consultation.
- Appendix 7** Service User Income Review – Survey Form. Questions 1 and 2.
- Appendix 8** Key Elements of the Involvement Framework