



Making choice and control a reality for disabled people: Consultation on the Right to Control – Response from Citizens Advice

Introduction

1. In 2008-9, the CAB service in England and Wales saw 1.93 million clients. Of these 28,000 asked about issues connected with adult social care. 10 bureaux have Legal Services Commission contracts to provide advice in relation to community care or mental health. There are also locally funded CAB services involved in social care issues. The Devon Welfare Rights Unit, which is part of the CAB network, provides financial assessments for adult social care clients in the county, and Tameside CAB provides an information and advice service about local care and related services for older people, and also an advocacy service for care home residents.

2. Citizens Advice is strongly committed to the rights of individuals and, through its FAIR strategy seeks to provide support for people who face discrimination on grounds of disability, race, gender, sexual orientation or age. We support the intention of Right to Control, to allow disabled people to have control over the support they need to live their lives.

Managing a Budget

3. The Right to Control builds on the initiatives that are already in hand to develop direct payments and personal budgets for social care. These are initiatives that we support, since they promote choice for individuals, but we have seen evidence of the problems that can arise when these initiatives fail to acknowledge that some people will need support to manage their direct payments or personal budgets, or may not wish to go down this path at all. In

particular we have been concerned where clients have not received assistance they need to find and purchase services, or have not fully understood the employer responsibilities they have taken on when they have employed a carer. This can lead to problems over PAYE and national insurance payments, funding maternity or sick leave, and, in one case, a frail man of 94 being taken to an Employment Tribunal by a care worker he had dismissed for dishonesty. CABs have also seen care workers who have been treated badly by their employers, who should not have been assessed as able to manage direct payments. In one case two salary cheques had bounced.

4. It will be important that the Right to Control recognises the importance of these issues and is set up with proper provision of support for disabled people who are participating.

Trailblazer Sites

5. We welcome the recognition that it is desirable to try out the Right to Control in trailblazer sites to get a better picture of the benefits, and of the issues that need to be addressed to run the scheme successfully. In particular, we welcome the recognition on page 6 of the consultation paper, that:

“It is important that we involve disabled people, local public bodies, service providers and relevant third sector organisations in the planning and delivery of [trailblazer sites].”

Most of the trailblazer sites are likely to have a local CAB service. These should be amongst the local third sector organisations to be consulted, to identify how they can help to make the trailblazer a success. Bureaux have particular strengths in providing welfare rights, consumer and debt advice, and may be able to develop tailored services for Right to Control clients if resources are made available for the purpose.

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30 September 2009