

Swindon Borough Council

Adult Social Care

**Care and Support Planning &
Personal Budgets Policy**

June 2024

Version: 1.0	Published Date: June 2024
Review Frequency: 3 years	Expiry Date: June 2027

This policy will be reviewed in line with the above expiry date, or when changes in legislation or the Council's commitments mean changes are required.

Version	Date	Author	Changes
1.0	June 2024	PPL (ASC commissioned partner)	Combined previous policies on Care Planning and Personal Budgets, ensuring they reflect local practice and relevant legislation

1. INTRODUCTION

Care and support planning is the process through which Swindon Borough Council ('we' or 'the Council') work together with people in need of care and support to develop a suitable plan to meet their needs. This document sets out the Council's approach to care and support planning, including the role that personal budgets play. Personal budgets are part of the way that we provide people with choice and control over how to meet their care and support needs.

This document reflects the requirements of the Care Act 2014 and how they are applied by the Council. The duties and responsibilities set out in this policy document are part of the Council's Corporate Strategy for 2024 to 2027, the draft of which is available [here](#). By making sure that care and support planning is person centred and strengths-based, the Council will:

1. **Build a Fairer Swindon** by ensuring that all residents with eligible needs have care and support that meets their needs and is considerate of their personal context
2. **Improve health and wellbeing** by promoting independence, supporting people to maximise their own strengths, and tailoring care and support to the outcomes people want to support their wellbeing

By supporting people to be independent for longer, connected to the right universal services and taking a strengths-based approach to care and support planning we will also support sustainable **management of the Council's budget**.

The Council's Adult Social Care Department has set out its priorities in the Adult Services Strategy for 2024 to 2029, available [here](#). Delivering on the duties and responsibilities set out this policy will ensure that:

1. Swindon residents exercise **choice** over the support they are entitled to receive.
2. Swindon residents are **empowered** to live independently and take positive risks.
3. Swindon residents receive support that is **personalised** and tailored to their needs.

Throughout this document we refer to a person with care and support needs participating in the care and support planning process and making informed decisions. We know that some people will need support in order to do that, and so in all cases where this is mentioned we will ensure that appropriate

support is in place. This is often through a family member acting as their advocate, but we can also arrange for [independent advocacy](#) where there is no one else appropriate.

2. KEY PRINCIPLES

The following principles underpin this policy and its application:

- Promoting wellbeing is key at every stage of the care and support planning process
- People are best placed to judge their own wellbeing, goals, desired outcomes and how best to meet them (though may need an advocate to support them in this)
- A person's wishes, feelings and beliefs will always be listened to and taken into account
- People will be supported in a way that aims to prevent or delay the development of care and support needs, and reduce existing needs
- All decisions are based on a person's circumstances and every effort will be made to understand their needs and goals
- A person will be given every opportunity to participate as fully as possible
- The care and support plan developed belongs to the person that it is there to support
- A person's needs will be considered in the context of their family and support network
- People will be protected from abuse and neglect

3. WHAT IS A CARE AND SUPPORT PLAN?

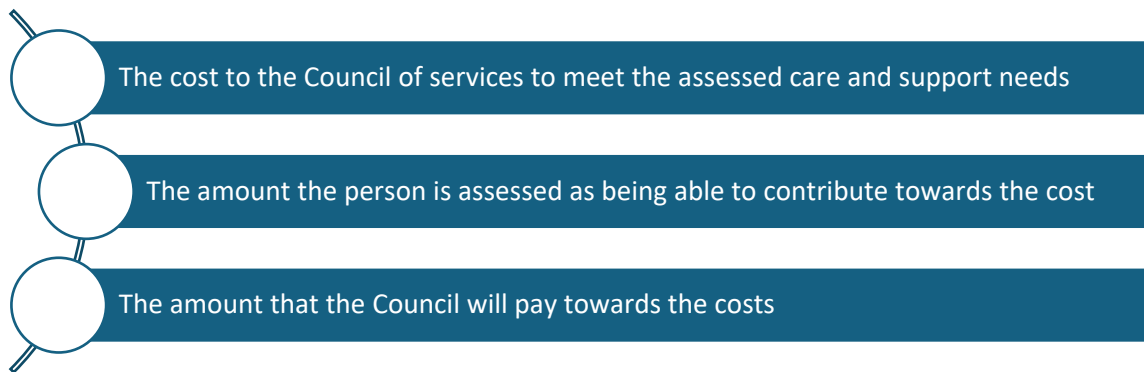
Care and support planning takes place after the needs assessment if a person has care and support needs which are eligible and will be met by the Council. The plan is prepared with a person and those supporting them, and together we will decide how those care and support needs are going to be met. The plan aims to build on a person's strengths as well as their support network of family, friends and the community. Needs can be met in a variety of ways, such as providing service, offering information and advice, or connecting the person to universally available services. The contents of a care and support plan include:

- The needs identified by the assessment, and to what extent they meet the eligibility criteria
- The needs that the Council will meet and how they will be met
- The desired outcomes and how elements of support are relevant to them
- Where there is a carer, what their desired outcomes are for which support could be relevant
- The personal budget for arranging care and support
- Information and advice on preventing, reducing and delaying needs
- Details on any needs being met via direct payments and how that works.

4. HOW A PERSONAL BUDGET IS CALCULATED

A personal budget is the amount of money allocated to an individual to meet their eligible care and support needs. After an initial assessment, the Council will allocate an indicative budget, prior to developing a full support plan and financial assessment.

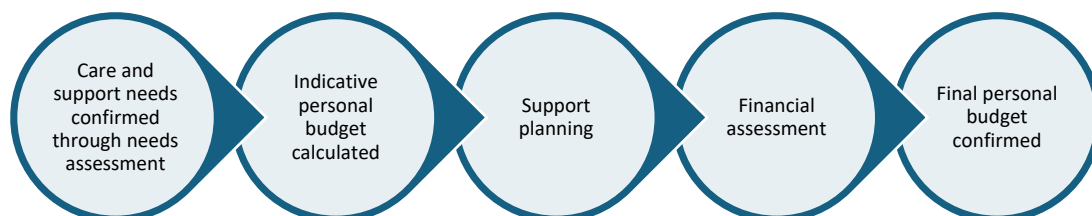
The indicative budget is subject to change as the support planning process and financial assessment is done. The final personal budget is worked out from:



5. HOW ARE THE CARE AND SUPPORT PLAN AND PERSONAL BUDGET DEVELOPED?

A person’s care and support needs are confirmed via an initial needs assessment. Following this assessment the Council will calculate an indicative personal budget for the individual. An indicative personal budget is the amount of money the Council estimates it will cost to meet the person’s eligible care needs and helps inform the care and support planning process.

Once the detailed support planning and financial assessment is complete, the Council will confirm the final personal budget amount. This is the amount the Council will contribute toward meeting a person’s eligible needs according to their preferences and requirements.



Our approach to care and support planning is person centred and person led, putting the person with care and support needs at the heart of the process. We want to support people to meet their needs and outcomes in the way that works best for them as an individual or as part of a family. It is designed to build on people’s wishes, feelings, needs, strengths and aspirations, irrespective of the extent to which they choose or are able to actively direct the process. Our role is to facilitate the development of the plan and sign it off to ensure that it is appropriate to meet the identified needs.

The length of the process will be proportionate to the needs being met and will allow enough time to thoroughly understand those needs and the options for meeting them. We will help people to be clear on their options, as well as to incorporate personal elements into the plan. From the appropriate options, a person will have choice and control over how their needs are met. The options available to people will be based on a number of factors, including suitability, availability and financial sustainability for the Council to make a fair offer to all residents and set a balanced budget.

The process will involve conversations with a person, and where appropriate their family or advocate, that may happen in person, virtually, over the phone or through written communications. The methods of communication will be accessible to the person and suitable to allow them to understand the information they are being provided with and to express their views and feelings.

The plan will start from the person's own strengths, their support networks and connecting them to their community and voluntary organisations that will support their needs. We will explore support such as reablement, assistive technology, equipment and adaptations to maximise a person's independence. We will then consider options to address any eligible unmet needs, such as care and support provided in their home or alternative accommodation such as supported living or care home settings. We will make sure that we are satisfied that all of the eligible needs in the plan are being met, but this holistic approach and the variety of options available means that the Council may not arrange services to meet any needs that can be met in another way.

Some of the options for how care and support may be arranged are set out below. Once a person has chosen from the available options it is written up and then it will progress through a verification and sign-off process to ensure quality and consistency of the process. The final plan is shared with the person and the next steps for arranging the care and support will be carried out.

The actual cost once services are arranged may be higher or lower, so the final personal budget is confirmed once care and support is in place. It also requires a financial assessment to be undertaken, as set out in the Charging Policy, which then allows for confirmation of the contribution that the Council will make and any contribution the person will make towards their costs.

6. CHOOSING CARE AND SUPPORT AND USING THE PERSONAL BUDGET

The care and support planning process will help a person to understand how their personal budget can be spent in a number of ways. These options may also be combined to meet different elements of the care and support plan:

Managed account	<ul style="list-style-type: none">•The Council can directly arrange services, either by providing them ourselves or arranging them with a provider, and manage payments to any provider
Direct payment	<ul style="list-style-type: none">•The person can receive a payment which they then use to arrange their own services, through a choice of providers or arranging a personal assistant
Managed direct payment	<ul style="list-style-type: none">•A third party can receive the direct payment on the person's behalf to be used to arrange care and support, with the third party managing the budget
Individual Service Fund	<ul style="list-style-type: none">•A service provider can receive payments into an managed account for the person and the fund then used in line with their wishes and specified outcomes

Further information on direct payments can be found in the Direct Payments policy. Information on providers offering Individual Service Funds is available upon request.

In supporting the person to make a decision, the Council will help them to consider outcomes and value for money. We will need to make sure that there is clear alignment between the anticipated outcomes and the budget.

The personal budget will be enough to cover the actual costs of receiving appropriate care and support, but sometimes a person may prefer to choose a more expensive service. When this is the case, they would need to pay the extra amount and it would not be recorded as part of the personal budget but will be noted alongside it.

In some cases, people may wish to pool their personal budgets together to increase the choices available to them. For example, this could be the case for two people with care and support needs living together, or for a cared for person and their carer. We will consider opportunities to do this in the care and support planning process.

The final personal budget will be recorded in the care and support plan, along with how it will be spent to meet the needs and outcomes of that plan.

The personal budget will be reviewed as part of the regular reviews of the care and support plan. If there are changes in the care and support that are needed, we will follow the same process of sharing an indicative personal budget ahead of planning the revised care and involving the person in the decision making process.

Some types of care and support provision are not included in the personal budget as the Council does not charge for these services. Details of which services are chargeable can be found in the Charging Policy. The main services not included in the personal budget are intermediate care, such as reablement support to maintain or regain skills to live independently, and community equipment or minor adaptations.

7. PLANNING FOR PEOPLE WHO LACK CAPACITY

The Council recognises that person centred care and support planning is particularly important for people with complex needs, and that many people receiving care and support have mental impairments such as dementia, learning disabilities or mental health needs. As well as the equal application of the Care Act to them, if the person lacks capacity the Mental Capacity Act 2005 also applies.

In accordance with the Mental Capacity Act, the Council will assume that people have capacity and can make decisions for themselves, unless otherwise established. As set out above, we will offer support to each person to help them to understand and weigh up information and to make informed choices. The person may also have a family member or friend support them during the process.

If we believe a person may lack capacity to make a decision even with support, we will carry out a capacity assessment. If the assessment concludes that someone lacks capacity to make particular decisions in the care and support planning process, the Council will develop a plan in their best interests. The Council will consult with appropriate family members or friends to support the person to identify and communicate their needs. If there are no appropriate family members or friends, the Council will appoint an independent advocate.

Capacity is decision specific, so we will continue to involve the person in the planning process as far as possible.

The plan will reflect that the person's rights and freedoms are paramount and will be based on the least restrictive option that is in the person's best interest and necessary to prevent harm. We will undertake a risk assessment and the plan will reflect the likelihood of the person suffering harm and the seriousness of the harm.

8. COMBINING PLANS

Part of our commitment to person centred planning means recognising that some people will have other relevant plans in place relating to care and support from other sources, or wider than the subject of care and support. For example, we will seek to combine plans with health colleagues where someone is receiving health care and it is appropriate to do so. We will also aim to minimise bureaucracy in the processes, such as aligning reviews, monitoring, and quality assurance of the combined plan.

It may also be appropriate to combine a person's plan with that of another person. If there is consent and no conflict of interest, we will consider combining these plans. For example, if the person has a carer with eligible needs, we may combine the plan for the person and the plan for the carer. If the other person is a child, they may have the capacity and competence to consent to this themselves or, if not, the Council may make a decision in the best interest of the child to combine plans. We will ensure that any combined plans reflect the needs and circumstances of each person involved.

9. PROTECTION OF PROPERTY

The Council has a duty to take all reasonable steps to protect the moveable property of an adult being cared for away from home (in a hospital or a residential home) where the Council is meeting their care and support needs and the person cannot make their own arrangements for the property being protected. Moveable property includes pets as well as personal property. If the Council believe that moveable property may be lost or damaged, we will take steps to protect the property. If entering a person's property is necessary to do this, we will seek their consent or the consent of a person authorised under the Mental Capacity Act 2005 on their behalf. If nobody else is authorised to act on their behalf and they lack capacity, the Council will take action in their best interests. If costs are incurred, the Council may recover reasonable expenses from the adult whose property we are protecting. The duty lasts until the person returns home or gains the ability make their own arrangement for the protection of the property.

10. SAFEGUARDING

If the care and support planning process identifies that a person may be experiencing or at risk of experiencing abuse or neglect, the Council will instigate a safeguarding enquiry. Where such an enquiry leads to further specific interventions being put in place to address a safeguarding issue, this will be included in the support plan.

11. CONTACT INFORMATION

The Council is committed to putting Swindon residents first and is always keen to hear what residents have to say about the services the Council provides and use this feedback to improve services and address any issues or failings in specific cases.

You can complete an online form to register a formal complaint, or to record a compliment or comment. You may submit a complaint about Swindon Borough Council services via email at customerservicecomplaints@swindon.gov.uk or by calling 01793 445500.

Visit [this website](#) for more details on the complaints, compliments and comments process.