

## Appendix 1

Letter from Rt. Hon. Alistair Burt MP, Minister of State for Community and Social Care

*Rt Hon Alistair Burt MP*

*Minister of State for Community and Social Care*

# Department of Health

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0 5 Jan 2016

Dear Colleague,

Following the completion of the Direct Payment in Residential Care trailblazer project in September I am writing to let you know that a decision has been taken to postpone the national rollout of direct payments in residential care until 2020.

As a trailblazer site, I wanted to thank you, and all the staff involved, for all your hard work in participating in the trailblazer.

We are aware of the amount of effort that you have put in to make this work so far and are committed to ensuring that your knowledge, experience and lessons learned are captured both to support the rollout in 2020 and to inform further policy development about how we can deliver personalisation in residential care at scale. The Department has also asked SCIE to work with trailblazers to capture the learning from the trailblazer project.

The lower than expected take up of Direct Payments during the trailblazer indicates that direct payments alone do not deliver personalisation in residential settings at scale. However, we do intend to proceed with the rollout to all local authorities in 2020 alongside the introduction of the cap on care costs so that direct payments can operate as a mechanism for local authorities to fund people in residential care once they have reached the cap.

The Department remains resolutely committed to the principle that choice and control should be at the heart of care and support - irrespective of whether the setting is residential or in the community. We are working with the Social Care Institute for Excellence (SCIE) and the Think Local Act Personal (TLAP) partnership to design and implement a new programme of work to find, develop and share good practice in personalisation in residential care.

The independent evaluation by Policy Innovation Research Unit (PIRU) will continue as planned, with publication of the final report expected in autumn 2016 and I am grateful for your ongoing and valued support of their work. The Department is committed to learning lessons from the independent evaluation.

The current position for trailblazers is that under the current regulations they meet an adult's needs for long term residential care by making a direct payment if that is how the adult wishes those needs to be met, and the local authority considers it an appropriate way to meet the needs in question — that is if all the conditions in section 31 or, as the case may be, section 32 of the Care Act 2014 are met.

We propose that this position will remain because we consider there are likely to be

advantages in maintaining the status quo rather than dismantling the structures already in place only to expend time and costs when reinstate them in 2020. The low level of demand by care home residents in trailblazer LA's for direct payments suggest that this will not create an additional burden for trailblazer sites

However, we recognise that as the trailblazer funding is no longer available, you may not wish to make direct payments for long-term residential care in care homes for the time. If this is the case and you have reasonable grounds for not wishing to use direct payments to meet needs for long term residential care we will amend the regulations accordingly by removing your authority from the schedule

I want to be absolutely clear that we will ensure that there will be no change for anyone who is getting a direct payment in residential care, unless they request it. As such, whichever option you take you will continue to provide direct payments for anyone who is currently receiving a direct payment as part of the trailblazer scheme, provided, of course, that the relevant conditions are met This ensures that no inconvenience or distress is caused by a requirement to change the way in which you are currently meeting their needs.

Please can I ask you to email the Department a letter, acknowledging receipt of this letter? Please send your decision and, if you do not wish the status quo to continue, your reasoned decision, at the following email address [scpppersonalisation@dh.gsi.gov.uk](mailto:scpppersonalisation@dh.gsi.gov.uk) by 6.00pm on Thursday 28 January 2016. This will enable us to make any necessary changes to the regulations at the earliest legislative opportunity, in order for them to come into force in April 2016.

If you have any questions or would like more information please direct these to Laura Smith at [laura.smith1@dh.gsi.gov.uk](mailto:laura.smith1@dh.gsi.gov.uk).

**ALISTAIR BURT**