

Adult Social Care Policies and Procedures

Individual Service Fund Policy

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POLICY VERSION CONTROL

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1. POLICY STATEMENT

Lancashire County Council are committed to offering the users of its service access to a variety of methods of managing their personal budget to meet their statutory eligible social care needs whether they be personal care or other activities of daily living tasks.

Individual Service Funds (ISF's) are one such method along with Direct Payments or care arranged and managed by the Council (known as 'care managed'). They can be an alternative for people who do not want to take on the responsibility or are not able to manage a direct payment but want the increased flexibility, choice and control of choosing who, how and when their individual care is delivered.

Someone can choose to receive all or some of their personal budget as an ISF for individual care support. An ISF cannot be used for 'shared costs' which are care managed for example shared support in supported living or shared accommodation arrangements

2. KEY DEFINITIONS AND PRINCIPLES APPLICABLE TO THIS POLICY

An ISF is defined as an arrangement whereby a care provider both receives and manages the personal budget. They can provide care and support from their own organisation and/or purchase support on an individual's behalf from another organisation. The ISF provider will work with the individual or their representative to agree how they want their care needs to be met, how the budget is spent and will contribute to the support planning process.

The ISF provider will keep detailed records to make sure that the personal budget is only spent on the individual and will make these available to both the person and the Council upon request.

National & Local Policy Context

Those with care needs have rights set out in legislation and guidance that the Council is required to follow, specifically

- The Care Act 2014
 - Mental Capacity Act 2005
 - Support Planning Policy
 - Homecare Framework
 - Housing with Care and Support Strategy 2018 – 2020

2.1 Local Context: Our vision and principles

In Lancashire we see ISF's as a provider service that works in partnership with their clients to offer users of their service choice and control over how they meet their eligible care needs.

Principle 1 – the person can use their personal budget flexibly, has choices about what they are supported with, has the opportunity to do this in a more creative way and is able to plan for occasions when more or less support might be needed.

Principle 2 – the person has the choice of where and when they are supported

Principle 3 – the person has the choice of who they receive their support from whether that be the organisation as a whole or the individual that actually delivers the care.

Principle 4 – co-production. The person is involved in planning their care and support with the care provider and the council. All three parties sign an 'Individual Service Fund Agreement' (FIN3)

The ISF personal budget will only be spent on meeting the eligible social care needs of the person; as detailed in the agreed support plan, and will only be spent on services or items that are proportionate to that need and are safe and legal.

They can be useful for people that:-

- Have care needs that fluctuate from day to day or week to week
- Require a frequent care management type oversight on their daily care needs e.g. those with complex care needs
- Need the flexibility of a direct payment but cannot manage it themselves and have no representative to do it for them
- Commit part of their personal budget via a care managed arrangement to shared costs such as those in a supported living or shared accommodation but want to use the rest of their budget in a flexible way.
- Wish to carry forward surplus funding from one month to the next to meet future needs
- Wish to access a wider range of care and support options than can be commissioned by the council.

They also provide benefits to providers:-

- ISF care providers can commission from another provider(s) for services they cannot offer – which expands their portfolio of services
- ISF providers can offer a more tailored person centred service to their customers, which may increase customer satisfaction and customer retention

They also provide benefits to the Council:-

- The Council is able to deliver on the Care Act requirement of market shaping
- ISF's enable providers to work directly with their customers which has the potential to deliver choice and control to users of services
- Supported a 'trusted assessor' relationship with the providers

An individual can choose to use all of their personal budget that is for their individual support as an ISF, or use it conjunction with a Direct Payment or a care managed arrangement.

2.2 Individual Service Fund Defined

- 2.2.1 The ISF personal budget is paid to the approved ISF provider.
- 2.2.2 The ISF Personal Budget is only to be used to meet the eligible care needs of the person and as agreed in the support/care plan.
- 2.2.3 The ISF personal budget should not be spent on any management or business costs that the ISF provider might occur, these costs are intended to be included in the hourly rate.
- 2.2.4 ISF provider co-produces budgeting and plan of how that is to be delivered and costed with the person or their representative
- 2.2.5 ISF provider and the person agree the parameters of their service such as how budget and hours might be accrued and what hours and budget cannot be accrued.
- 2.2.6 The Council agrees the delivery plan with the ISF provider and the person or their representative
- 2.2.7 The ISF provider keeps detailed records of expenditure and the current balance of the personal budget payment
- 2.2.8 The ISF provider provides those records to the person and the council on request
- 2.2.9 Every 4 weeks (or calendar monthly as agreed) the person or their representative receive a statement of expenditure and income of the personal budget. This will detail any budget kept aside to contingencies or planned periods of extra need.
- 2.2.10 The personal budget that the ISF Provider receives can be spent on services that the ISF delivers or can be used to buy services or items from other organisations. The ISF Provider must ensure that the organisation can meet the service users' needs safely and legally.
- 2.2.11 The ISF provider will manage any contingency needs from within the personal budget and manage any surplus as detailed in the agreed support plan
- 2.2.12 The ISF provider must inform the council if there is an excess of over 4 weeks in the balance of the ISF personal budget that they have received which may need to be returned to the Council.

2.2.13 An ISF cannot be used for 'shared costs' which will be care managed, for example, shared support incurred in supported living or shared accommodation arrangements.

2.3 Individual Service Fund and Mental Capacity

2.3.1 If the person does not have the mental capacity to make a decision about how their care needs are met and it is considered that an ISF may be an option then a 'best interest decision' under the Mental Capacity Act will need to be made by a representative or the council.

2.3.2 If no representative can be identified then the delivery plan will be agreed by the Council and the ISF Provider. They will both sign the 'Individual Service Fund Agreement' (FIN3).

2.3.3 If the person does not have the mental capacity to make a decision about how their care needs are met and 2.3.2 applies the ISF Provider will make sure that all decisions and plans they make comply with the Mental Capacity Act and the Code of Practice.

3. PROCEDURES – to be added after the public consultation

4. FLOW CHARTS OR DIAGRAMS

5. DOCUMENT HISTORY

6. EQUALITY IMPACT ASSESSMENT

RELATED DOCUMENTS	
OTHER RELATED DOCUMENTS	
LEGISLATION OR OTHER STATUTORY REGULATIONS	

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