



Changing the world for deaf
and hard of hearing people

Modernising Commissioning

Cabinet Office

5 January 2011

1. RNID is the charity working to change the world for the UK's 9 million people with hearing loss. Our vision is a world where deafness and hearing loss are not barriers to opportunity and fulfilment. We aim to achieve this vision by campaigning and lobbying vigorously, by raising awareness of deafness and hearing loss, by providing services and support, and through social, medical and technical research.

2. RNID welcomes the opportunity to comment on the Modernising Commissioning Green Paper. Effective commissioning is central to high quality service provision; it is essential that this takes place in a transparent manner and that central government continues to hold bodies, such as local authorities, to account in terms of the quality of the services that they commission.

3. With the introduction of individual budgets people have begun to commission their own services. It is important that the government recognises that individuals, as well as organisations, are commissioners. Similarly, it is essential for the government to ensure that people are provided with good quality, reliable information and support in accessible formats in order to choose the service that they use.

4. We have answered specific questions where appropriate:

In which public service areas could the government create new opportunities for civil society organisations to deliver?

5. As well as creating new opportunities for civil society organisations to deliver, it is important to ensure that the government acts in a way that maintains the involvement of civil society organisations and ensures that the market is accessible to new providers.

6. Local authorities will increasingly commission rather than provide services. At the same time, under individual budgets, they will be responsible for ensuring that there is a range of providers from which service users can choose. Therefore, it is essential that local authorities are held accountable by central government to ensure that these types of opportunities are used to the advantage of the population that they represent.

7. Similarly, the government's vision around health and social care outlines a situation where local citizens hold local authorities to account. Where this level of change is foreseen and where service users are themselves becoming commissioners, it is important that the roles of the service users and all authorities are clearly designated and effectively communicated to service users and other authorities.

How could the government make existing public service markets more accessible to civil society organisations?

8. RNID recognises that moves towards more locally determined service markets reflect the government's goal that services are more tailored to the needs of the local population. However, RNID runs specialist facilities, in the field of social care, that provide a service for the whole country; within each of our residential care homes, we provide services to residents who originate from a range of local authority areas (and the residents are therefore funded by a range of different local authorities). Therefore, we find that rules around local authority boundaries and funding can have unintended consequences and make public service markets less accessible to civil society organisations.

9. RNID finds that existing regulations, such as the ordinary residence rules, make it more difficult for us to operate within this sector. For instance, if one of our service-users wished to move from a residential care home to a more independent setting, the ordinary residence rules would make this difficult if this meant that a different local authority became responsible for funding their support. The new local authority might refuse to assess or to fund their needs, something that might mean that they remain in our care home. Ultimately this means that some service users are not in the setting most beneficial to them.

10. Similarly, if RNID wished to deregister one of their care homes (because, for instance, the residents' needs had changed so that supported living arrangements would be more appropriate for them), current ordinary rules would make this more difficult. This is because, where residents originate from outside the local authority area of the care home, deregistration of the care home will mean that they are considered to have moved their place of ordinary residence. The new authority may not be willing to assess or fund the resident's support needs, something that might deter RNID from deregistering the care home. In this way, the current rules make the market less accessible to civil society organisations.

11. Therefore, rules around ordinary residence should change so that service users are able to move local authority areas or to a more independent living arrangement without their eligibility for care and support being affected.

How could commissioners use assessments of full social, environmental and economic value to inform their commissioning decisions?

12. It is important that the knowledge that is currently held within local authorities is not eroded as services are increasingly commissioned from other providers. This is because expertise in particular areas, such as the provision of care and support, is required in order to evaluate the value and quality of services commissioned.

13. For instance RNID provides care and support to people who are deaf and have other disabilities. We are currently working to develop a Social Return on Investment assessment of our services. However, this is complex because, for instance, some of our service users have limited capacity in terms of communication; therefore, it is difficult to capture their views around RNID's services. It is important that commissioners work to understand these challenges and the type of evidence that it is possible to generate. It is also important that they communicate, in a timely manner, the type of assessments that they require so that service-providers are able to generate robust evidence around their services.

How could civil society organisations support greater citizen and community involvement in all stages of commissioning?

14. RNID currently involves service-users extensively in staff recruitment. Similarly, as personal budgets are rolled out, citizens are increasingly becoming commissioners of services. It is important that they are supported in order to commission high quality services that meet their needs. It is essential that they are provided with good quality, reliable

information and support in accessible formats in order to choose the service that they use. However, evidence shows that many councils are not providing this universal support and information that will enable people to make informed choices around social care and benefit from personalisation. Research undertaken by Opportunity Links showed 40% of local authorities did not achieve the April 2010 milestone of developing a universal information strategy.¹

15. Similarly, some citizens will be unable or will not wish to be involved in all stages of commissioning, however, it is important that local authorities and other commissioners take account of their needs when commissioning services. Therefore, RNID welcomes plans to refresh Joint Strategic Needs Assessment. However, when RNID looked at a small sample of these we found that they were not taking account of hearing loss. Therefore, we would like to see more robust national guidelines introduced so that JSNAs capture the needs of all groups.

What are the implications of payment by results for civil society organisations?

16. It is important to ensure that the introduction of payment by results does not lead to any unintended consequences. For some services it is difficult to measure results, particularly where service users have complex needs. It is important that the introduction of payment by results does not lead councils and other commissioning bodies to divert funding to those areas where short term improvements are seen. If this does happen it may result in smaller, specialist or high quality providers being pushed out of the market, something that would ultimately reduce the options available to service-users. Similarly, the introduction of payment by results may make service-providers more risk averse if they are unwilling to test new approaches. In this way, payment by results should be managed in a way that does not impede innovation.

Conclusion

17. RNID welcomes the opportunity to comment on the Modernising Commissioning Green Paper. Overall, RNID is concerned that Joint Strategic Needs Assessments are not capturing the needs of people with hearing loss. It is essential that this changes so that commissioners, such as local authorities, have robust evidence on which to base their decisions.

18. RNID recognises the rationale for more locally determined commissioners. However particular rules, such as those around ordinary residence, make the market less accessible to civil society organisations.

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¹ Harriet Mathie, Adult Social Care Information and Advice services review, July 2010.

