

The Disabled People's Right to Control (Pilot Scheme) (England) (Amendment) Regulations 2012

Government response to consultation on the proposal to extend the current Right to Control pilot schemes by a further 12 months, and the draft amendment regulations required to effect that extension.

Government Response
October 2012

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Introduction

This document is the Government response to the consultation on the proposal to extend the current Right to Control pilot schemes by a further 12 months, and the draft amendment regulations required to effect that extension.

Background

The Disabled People's Right to Control (Pilot Scheme) (England) Regulations 2010, put in place a right for disabled people to request choice and control over certain public funding streams they receive to support them in going about their daily lives. These Regulations enabled a number of local authority areas in England (known as Trailblazers), to test the best ways of delivering that right.

Although real progress has been made in the past 18 months, and many disabled people have benefited from the Right to Control, the interim evaluation of the Trailblazers, published in February 2012 at odi.dwp.gov.uk/docs/wor/rtc/rtc-process-evaluation.pdf, found that the Right to Control had not been extended to a sufficient number of people to provide the evidence to inform a decision about the future of the Right to Control approach. The necessary changes to organisational structures, and the significant culture change required have extended the time taken to set up and embed the Right to Control processes within Trailblazers. This has meant it has taken longer than had been expected for measurable differences to start to be realised. As it will be Spring 2013 before the formal evaluation will be published, the Government chose to consult on new regulations required to extend the pilot for a further 12 months. The current regulations expire on 13 December 2012.

What the consultation said

The consultation asked for views on the proposal to extend the current Right to Control pilot schemes and the draft amendment regulations (namely the Disabled People's Right to Control (Pilot Scheme) (England) (Amendment) Regulations 2012), whose purpose it is to effect that extension.

Consultation questions

The consultation asked the following questions:

- Do you agree that there should be a 12-month extension to the Right to Control Trailblazers?
- Do you have any comments on the draft amendment regulations?

Responses to the Consultation

We received a total of 40 responses from a range of organisations including:

- Disabled People’s User Led Organisations
- Trailblazers and partner organisations
- Disabled people
- Service providers
- Other interested organisations.

There was unanimous support amongst those who commented, for the extension of Right to Control for a further 12 months, and two minor technical comments on the amendment regulations.

We wrote separately to each of the Trailblazer authorities, asking for confirmation of their continued involvement in the pilot, should it be approved. The Metropolitan Borough of Oldham has decided that they will not participate in the pilot beyond 12 December 2012. All other local authorities confirmed their agreement to continue. A list of Trailblazer authorities is at Annex A.

A list of people and organisations that responded to the consultation is at Annex B.

Response analysis

Question 1:

Do you agree that there should a 12-month extension to the Right to Control Trailblazers?

We received 36 responses to this question, and all agreed with the proposal that Right to Control be extended for 12 months. Of these:

- 17 responses were from representatives of interested organisations
- 11 responses were from people working in Trailblazer or partner organisations
- 8 responses were from people who commented as individuals
- 3 responses were from people who stated they have exercised their Right to Control.

Question 2:

Do you have any comments on the draft amendment regulations?

We received two responses to this question. Both supported the amendment regulations. One respondent stated it was important to ensure there was a seamless transition to the amended regulations. The other respondent suggested the amended regulations should oblige organisations to provide details of the responsibilities that accompany a disabled person taking up their Right to Control.

Several responses included other comments, such as the opportunity extension would provide to address culture change, embed Right to Control and build on a personalised approach within delivery organisations. As these matters were not part of the consultation they have not been addressed in this response, but have been noted for future policy development.

Government Response

As a result of the level of support for the proposed extension of the current Right to Control pilot scheme by a further 12 months, it is our intention (subject to approval by Parliament) to make The Disabled People's Right to Control (Pilot Scheme) (England) (Amendment) Regulations 2012, whose purpose it is to effect that extension, to come into force from 12 December 2012. This will ensure there is a seamless transition into the extension period.

We have considered the suggestion regarding the provision of information, advice and support to users, and concluded that no further amendment to the regulations is required. As drafted, the regulations place a duty on Trailblazers to provide individuals with information on Right to Control. This may include information on an individual's responsibilities.

Conclusion

We would like to thank all those people and organisations who took the time to submit comments in response to the consultation, and note in particular the consensus on the direction of travel to embed a personalised approach to the delivery of services to disabled people.

Next steps

The draft regulations will be laid in Parliament in October, with the aim of bringing them into force on 12 December 2012.

During the extension period we will work with Trailblazers to maximise the available evidence base. The independent evaluation report, due to be published in Spring 2013, together with the further Trailblazer management information and case studies, gathered during the extension period will be used to assess the Right to Control's impact on disabled people and to inform future decisions about the Right to Control.

Annex A – List of Trailblazers

Essex County Council

Barnsley Metropolitan Borough Council and Sheffield City Council

Leicester City Council

London Borough of Barnet

London Borough of Newham

Manchester Area Partnership, which comprises Manchester City Council, Oldham Metropolitan Borough Council, Bury Metropolitan Borough Council, Stockport Metropolitan Borough Council and Trafford Metropolitan Borough Council

Note: Oldham Metropolitan Borough Council will not participate in the pilot beyond 12 December 2012

Surrey County Council (two parts only: Epsom and Ewell Borough Council and Reigate and Banstead Borough Council).

Annex B – List of respondents

Christine Deal	Surrey Trailblazer
Brain and Spinal Injury Centre	Leicester Centre for Independent Living
Richard Micklethwait	Greater Manchester Coalition of Disabled People (Manchester Area Partnership Design Group)
Taking Part Telford and Wrekin	Oxfordshire County Council
Apex Enabled	Stockport Local Implementation Team
Vaughan Bruce	Brentwood Community Print
DLA/PIP Help Group	Coventry Citizens Advice
Fiona Austin	Barnet Trailblazer
Patricia Bradley	Partners for Inclusion
Alister Rowe	Leatitia Turner
Karen Harris	Wendy Carr
Just Services	Barnsley and Sheffield (Trailblazer)
Essex Trailblazer	Right to Control Board
Mandy McCann	Clarion
Manchester Area Partnership Trailblazer	Positive Placements
Mikaela Paterson	Social Security Advisory Committee
Equality 2025	Low Income Tax Reform Group
This is Living	Leicester City Council
Trafford Council	Disability Rights UK
Hampshire County Council Adult Services	Breakthrough UK
Bristol Disability Equality Forum	

