

*From Jacqui S.: In Surrey where I live the L A are recruiting SEND commissioners after a big review. No need for disability knowledge or experience but a strong focus on commissioning cost effective support. Lots of commissioner jobs are similar. How can anything change when people are employed to spend less, not to “zoom out” as you said?*

Thanks for this feedback. How depressing and how short sighted of the council.

At the end of the month (June 2021) we are publishing a research report (provisionally entitled ‘Institutionalising Parent Blame’). This concludes that it is unlawful for local authorities to fail to have staff who are suitably skilled / trained in relation to disability issues. A copy of the report will be on my website (among many others).

We are planning to focus on the lack of disability (and human rights) trained staff in the coming months by working with the BBC and with genuinely independent parent carer groups – to engage with their local authorities on this issue. Hopefully, this (and the possibility of strategic litigation) may create a momentum for real change at the ‘coal face’.

If you know of any genuinely independent parent carer groups (ie groups not – among other things - beholden to a local authority for funding) who might be interested in being part of this next phase of the research – please let me know.

*From Suzi S.: This might be overly simplistic - but can we get these budgets shared rather than all separate pots of money?*

Many thanks for this comment. This is – of course – what needs to happen – or at least mechanisms for budget transfers to become routine – rather than ‘once in a blue moon’. I cannot fathom out why in practice this proves to be such a problem. In my book on Clustered Injustice – I suggest that a major barrier to this happening is the managerial way public bodies are run – but one would have thought that just one or two authorities would have found a sensible way of doing this. We live in hope though.

*From Ben: Interesting point regarding the money spend on Community DoLS. Do you have some rough figures on how much the LA is spending on this?*

Many thanks for this comment. In my book on ‘Clustered Injustice’ I consider this (chapter 4) and cite (footnote 29):

In 2017 it was estimated that the cost of full compliance with the revised legal regime would be £2.2 billion per year – approximately two per cent of the entire budget of NHS England – see Law Commission *The Law Commission Mental Capacity and Deprivation of Liberty* Law Com 372 HC1079 (Law Commission 2017) para 2.24.

*From Kirsten L.: Is there any evidence from Scotland where health and social care are now integrated, that this has made a difference in terms of pooling budgets and working more locally as a system?*

No, I don’t have this data. I am not sure how integrated the budgets really are in Scotland. In Northern Ireland where health and social care have been administered

by the same body for many years – the evidence seems to suggest that (the superficially appealing idea of) physically integrating two bodies into one is not necessarily the answer. It is about culture and budgets and maybe health and social care need quite different cultural approaches – the NHS is pretty good at mass health (vaccinating half the population) but maybe not terribly good at ‘personalisation’ etc. A [2013 Kings Fund](#) report makes for interesting reading – concluding that despite the 40 years of integration in Northern Ireland problems remained including ‘the continuing dominance of health care over social care, cultural differences between these areas, separate training systems, and GPs not being fully engaged in a whole system approach’ page 21. A system’s thinking approach would suggest that these are two complex systems and that simple solutions – such as physical integration – are likely to have many unforeseen consequences (and I for one am at all convinced that integration of this kind is the solution).