

## **Cabinet – 23 October 2013**

### **Outcome of a Consultation on the Introduction of an Assisted Transport Policy**

**Portfolio:** Councillor McCracken - Social Care

**Related portfolios:** None

**Service:** Social Care and Inclusion

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Summary**

- 1.1 Cabinet received a report in June 2013 seeking to enter in to consultation on a draft Assisted Transport Policy (ATP).
- 1.2 A revised transport policy has now been drafted and states that service users will pay for their own transport costs, in line with the implementation of Personal Budgets for social care. Cabinet in June 2013 agreed to enter in to a consultation with service users and family carers as a basis for finalising the new policy prior to implementation.
- 1.3 The revised policy is based on the view that transport costs are an everyday expense for service users which should be met through their own personal resources (including welfare benefits), so the council should not continue to subsidise transport and will apply a full cost recovery model. Prior to this revision to the policy those who were deemed to need transport received this for a minimal charge and the cost was subsidised by the council whatever the person's personal circumstances. This arrangement has caused confusion. In future, benefits with a mobility component should be used to contribute to the costs of transport where people are in receipt of them.
- 1.4 The proposal for the future is that transport will only be funded by the Council as part of a Personal Budget following an assessment of the persons' needs and an agreement as to how these needs will be met. Those people who are eligible for a personal budget from the Council can use it to fund transport to achieve support plan outcomes; for example for people with dementia to attend day care, or people with learning disabilities to attend day services. The revised policy will be applied to everyone who is eligible to receive a community based service, irrespective of whether the service is provided by the Council or external providers.

- 1.5 The number of service users who receive support with transport was around 260 at the start of this consultation. This number has reduced as a result of some people starting to make their own arrangements. Those who continue to be eligible to receive support will use transport provided via the Council's contract arrangements with taxi and minibuss providers, or via community based transport options.

## **2. Recommendations**

- 2.1 That Cabinet agrees to adopt the revised policy for assisted transport.

## **3. Report detail**

- 3.1 A consultation exercise was undertaken to seek the views of those in receipt of assisted transport regarding proposals to include transport as part of the assessment and support planning process when awarding customers a personal budget.
- 3.2 A range of communication and engagement methods was used to find out people's views about assisted transport. Letters were sent to around 260 people who use services and may be directly affected by the introduction of the proposed approach. The letters invited comments through a variety of channels which included a series of 6 open meetings, where 12 people attended, to hear about the proposals and make comments.
- 3.3 The open meetings were held, one in each of the 6 area partnership areas, in community locations. The meeting times were varied across the locations and the same presentation was delivered by members of the Directorate Management Team. Feedback was sought and recorded from each meeting; the notes are a matter of public record and are shown on the Council's website. A further 8 telephone enquiries were received from those who are in receipt of services or their carers. Staff were also consulted on the changes and their views used to shape practice.
- 3.4 A summary of the key themes emerging from the consultation is as follows:
- People felt it was important that where transport was to be arranged privately the council should have a role in ensuring that people get the best deal from local providers, making sure that the price does not increase for example when they realised they are purchasing directly;
  - The provision of payment for mileage where an individual appoints a Personal Assistant should also be taken into account through this process, and people should not be advantaged or disadvantaged through this arrangement;
  - Consideration needs to be given to the associated costs of transport with attendance at college; any arrangement for transport must include this group of people as well and must be an equitable process;
  - Concerns over what would happen when people do not attend day centres on specific days and how this would be taken into account were also expressed;

- Some day centres provide transport within the cost of the day centre place and others operate on the basis that the transport must be arranged and paid for separately. This should be made clear at the point at which an individual is choosing which centre to attend;
- Some carers who have a mobility car also work and the day centres do not open early enough for them to drive their family member to the day service;
- Some people expressed concerned about the quality of the transport provision, and were seeking reassurance that the council continues to ensure the quality of the provision available;
- One day centre works with Ring and Ride and this may be a model for other day centres;
- Escorts are needed for some people with dementia or learning disability and it is essential that a consistent approach is taken;
- Some older carers find it difficult to take people to and from day centres;
- The current system for billing requires attention. There are occasions when invoices are delayed so that one is sent to cover a long period, and this makes it difficult to check its accuracy and difficult to pay for. Families are keeping their own records and making regular payments to ensure they do not run up huge bills. This needs to be addressed in the new system;
- An understanding of the back office process and roles and responsibilities for staff is key to the successful implementation of the proposed approach, staff were keen to be involved in all phases of the design of the management processes.

3.5 One outcome of the consultation process has been to clarify that these changes may not need to be considered as implementation of a new policy as such. Instead it may be seen as ensuring that everyone is treated equally in the way that Benefits Based Charges and the process of Personalisation are implemented. Some people have continued to receive support for transport, whilst others who have more recently started attending a day service have been charged the full amount. The process of reviewing the current transport service users will ensure that everyone is supported in the same way in the future.

3.6 A further outcome of the consultation is to recognise that there will continue to be some people in exceptional circumstances who will continue to need to have their transport arranged by the Council.

#### **4. Council priorities**

4.1 Supporting people to make their own transport arrangements to day services is in line with helping people to retain their independence and well being by overcoming social isolation and supporting their carers.

## **5. Risk management**

- 5.1 There is a risk of challenge if the process of assessing need for transport and including transport provision in the support plan is not applied consistently. Social care staff will need to be trained on how they deal with transport issues in the assessment and support planning processes.

## **6. Financial implications**

- 6.1 The budget for 2013/14 was £236k and the year end expenditure for 2012/13 was £324k. Service users are currently charged £2 per journey, and during 2012/13 this generated £89k income, therefore less than 1/3 of the current costs of operating the assisted transport scheme are recovered via charges.

## **7. Legal implications**

- 7.1 The council must meet its obligations and legal duties to meet service users assessed need.

## **8. Property implications**

- 8.1 There are none that directly relates to this report.

## **9. Health and wellbeing implications**

- 9.1 The successful delivery of this initiative will support people to be independent by removing barriers that create social exclusion within the borough.

## **10. Staffing implications**

- 10.1 There are no direct implications as a result of this report.

## **11. Equality implications**

- 11.1 An Equality Impact Assessment has been conducted as part of the consultation process. Some service users will no longer be eligible to receive support for transport as a result of the new policy, but this is a matter of eligibility for service and not of equality.

## **12. Consultation**

- 12.1 This report has detailed the findings of the consultation process.

## **Background papers**

Internal Audit reports 2010 and 2012

Draft Assisted Transport Policy, guidance for employees and assessment criteria

Cabinet Report - June 2103

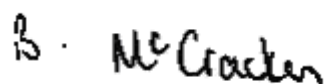
Social Care Scrutiny and Performance Panel - September 2013

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14 October 2013



# **Assisted Transport Policy Vulnerable Adults and Older People**

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Policy Reference:	Assisted Transport
Authors	Maureen Cooper
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## **Part 1: Introduction**

- 1.1 Transport costs are an everyday expense for all citizens and as such should be met through personal resources. The introduction to transferring Walsall citizens who are eligible for social care provision to this position began with a subsidised charge for transport and will now progress towards full costs of transport being met by the citizen. There will be some exceptional circumstances. (See Section 5 - Determining Need)
- 1.2 The purpose of this policy is to define clearly those citizens who will be assisted/supported to access transport in a fair equitable and transparent way, which will always seek to maximise the use of public and community transport and to reduce dependency as far as it is reasonable and safe so to do.
- 1.3 The Department of Works and Pensions include in their financial assessment for people with disabilities and opportunity for people to claim various allowances to assist with costs towards their mobility. The benefits that people receive for this purpose are expected to be used to help them access care services that is part of meeting their needs.
- 1.4 All of this policy operates within the Walsall Adult Social Care Operating Model that was approved by Cabinet in June 2013. This includes the importance of preventive measures to reduce the need to rely on state funding where appropriate and a commitment that for those who need on-going care and support that this is taken in the form of a personal budget (as laid out by Cabinet in April 2013).

## **Part 2: Legal Framework**

- 2.1 Walsall Council has a duty to assist some citizens with transport arrangements in certain circumstances set out in:
  - Section 29 of the National Assistance Act 1948
  - Section 2 of the Chronically Sick and Disabled Person Act 1970.
- 2.2 The Council also has a responsibility to respond to requests for assistance by assessing needs and determining eligibility for services under the NHS & Community Care Act 1990 and Department of Health 'Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care' 2010. People's needs for transport will be assessed in the same way as other eligible needs under Walsall Council's policy of helping those with critical and substantial social care needs.

## **Part 3: Assessment of Need**

- 3.1 An assessment of need under section 47 of the NHS & Community Care Act 1990 forms the basis on which the Council responds to requests for assistance. The purpose of the assessment is to identify and evaluate individuals' presenting needs and how these needs impose barriers to that citizen's independence and/or well-being. Information from the assessment is used to determine eligibility. When eligible needs, which are critical or substantial, are identified a person centred support plan is developed in collaboration with the individual describing the support that can be provided to overcome barriers to independence and well-being, both immediately and over the long term.
- 3.2 The need for transport must be part of the initial assessment of a citizen's needs and can only be provided where the citizen is eligible for a service as



set out in the Council's eligibility criteria, Fair Access to Care Service (FACS) for Community Care Services, and where mobility related benefits and transport concessions are unable to meet the assessed eligible need. This means that only those needs that relate to critical and substantial risks to their independence will be considered alongside how the person may be asked to make a contribution to those costs through any benefits they receive.

- 3.3 The individual citizen, and where appropriate their carers, advocates or representatives, have a right to be consulted and involved during the assessment and planning process and their views taken fully into consideration.

#### **Part 4: Principles**

- 4.1 As part of Walsall Council's commitment to inclusion and independence, citizens who can travel to community activities either independently or with assistance from family, friends or support providers will be encouraged and expected to do so.
- 4.2 Following an assessment of need assisted transport will only be provided to meet an assessed need. The transport support provided will be appropriate to enable the need to be met, and where mobility benefits and expenses are insufficient to cover all the transport costs. Assistance with transport will provide value for money and will be cost effective. This will be given to the person as part of their personal budget (which may be in the form of a Direct Payment or as a Managed Account). Where the transport is to be provided by the Council this will have to be as part of a "managed account".
- 4.3 All citizens who are in receipt of social care provision will be supported to access public and community transport already available throughout the borough. Exceptional circumstances will be considered where evidence can be provided that the transport costs of those citizens are above the average cost incurred as an everyday expense. In these circumstances, if a citizen is eligible, they may be able to utilise part of their personal budget to contribute a proportionate amount towards the cost of transport which is over and above the average everyday expense.
- 4.4 Citizens who qualify for concessionary travel will be expected to apply and use this as and when appropriate according to their assessed needs.
- 4.5 The Council will always seek to apply the principal of reasonableness when it expects citizens to make their own travel arrangements. This will include an exploration of all travel options, identification of outcomes to be achieved and evidence to support the decision made.
- 4.6 The capacity to travel independently will always be subject to a risk enablement assessment taking into account all relevant factors, including where appropriate the Mental Capacity Act 2005.
- 4.7 Where there is a choice between travel options, both of which adequately meet the citizen's needs; the Council will prefer use of the most sustainable travel option which minimizes the impact on the environment.
- 4.8 Travel training should be offered to all people who may have an assessed need for transport but who also have the potential to undertake travel on their

own with some training and support. The funding for this travel training should also be considered within the personal budget. In line with the Walsall Council Operational Plan for Adult Social Care an investment in travel training to assist a person to become more independent is a significant way of meeting an eligible person's needs. In the future this means that they may not have the same needs when reviewed/re-assessed.

### **Part 5: Determining need**

The decision to provide assistance with transport must be part of a community care assessment or review and be part of the support planning process. The purpose, cost and outcomes of any assistance with transport must be clearly stated in the support plan. Factors that need to be considered when determining whether assisted transport is necessary to meet an eligible need include:

- That the needs identified meet the eligibility criteria that they are critical or substantial in the impact on the person's life and how their care needs are to be met.
- The extent to which the citizen can travel independently (including own transport; any vehicle purchased under the Motability scheme; public transport; walking with or without support; or via any other independent or naturally supported means);
- Any barriers to independent travel and how these can be addressed;
- Whether the citizen is able to access transport provided by others (family, friends, paid carer, support worker);
- Whether the citizen is accessing the nearest service to meet their needs;
- The availability of public transport;
- Whether the citizen would be able to travel independently having undergone a travel training programme;
- Time taken to travel to service destination;
- Citizen's disability, frailty or physical health;
- Citizen's emotional state and ability to cope with independent travel;
- Whether a volunteer could support the citizen with their travel requirements;
- Whether the citizen is eligible for benefit related to their mobility needs for which they haven't yet applied;
- Whether the citizen receives a benefit to facilitate their mobility needs and the extent to which this is being utilised for transport purposes or any other transport related expenses;
- Whether the citizen has a concessionary bus pass and if not whether they need assistance to apply;
- Cost of alternative means of transport, for example community transport, volunteer transport, or collective pooling of personal budgets;
- Carer's support needs e.g. support to remain in employment, education or for their leisure and volunteering activities;
- Risks to self and others.

There will be some citizens who by exception will continue to need help with funding their transport as part of their support plan and they will pay the full cost of the transport. These costs will be included in the calculation of their personal budget.