
**POLICY FOR THE PROVISION OF TRANSPORT FOR ADULT SOCIAL CARE
SERVICE USERS**

**Responsible Cabinet Member – Councillor Veronica Copeland,
Adult Social Care and Housing Portfolio**

Responsible Director – Murray Rose, Director of People

SUMMARY REPORT

Purpose of the Report

1. The purpose of the report is to seek approval for the proposed Adult Social Care Policy for the Provision for Adult Social Care Transport for Adult Social Care service users.
2. Members' attention is drawn to the potential adverse impacts that have been identified through consultation as a consequence of implementing this policy. Cabinet are therefore being recommended to consider the impact of the decision within the context of the Council's wider budget strategy.

Summary

3. The introduction of a policy for the Provision for Adult Social Care Transport (**Appendix 1**) was one of 92 budget reduction proposals contained in the Draft Medium Term Financial Plan (MTFP) 2012/13 to 2015/16, which was approved by Cabinet for consultation on 22 November 2011.
4. By introducing the policy, the following budget reduction is estimated:

2012/13	2013/14	2014/15	2015/16
£000	£000	£000	£000
30	40	50	50

5. The reduction will be achieved by reviewing eligibility for the provision of transport and by implementing the Fairer Contributions Policy in respect of transport (a decision made in 2010 but delayed in implementation until a policy had been developed).

Recommendation

6. It is recommended that :-

- (a) Cabinet considers the impact assessment against the need to achieve the savings within the context of the MTFP as approved by Cabinet on 22 February 2012.
- (b) Cabinet approve the Policy for the Provision for Adult Social Care Transport for Adult Social Care service users, to be implemented from 1 April 2012.

Reasons

7. The recommendations are supported by the following reasons :-

- (a) That Members have now been provided with the feedback from the consultation on the draft MTFP 2012/13 – 2015/16 to allow them to give full consideration to the impacts not only of the Equality Impact Assessment and proposed mitigations attached in the main report, but also the Equality Impact Assessments of the other budget proposals.
- (b) That savings are required to support the Council in meeting its overall budget savings.

Murray Rose
Director of People

Background Papers

Adult Social Care Policy Review. Cabinet - 22 November 2011

Medium Term Financial Plan 2012/13 TO 2015/16. Cabinet - 22 November 2011

Author: Jeanette Crompton
Programme Manager
Ext 2327

S17 Crime and Disorder	None noted.
Health and Well Being	Negative impacts have been identified for people who currently receive transport or a direct payment in lieu of transport. This will be mitigated by individual reviews which where appropriate will signpost individuals to universal supports thus promoting, choice and control, social inclusion and independence.
Carbon Impact	None noted.
Diversity	The consideration of all of the budget proposals together aims to provide an equitable approach to all those presenting to Adult Social Care for transport to access support services.
Wards Affected	All.
Groups Affected	Older people and adults with long term care needs that require social care funding.
Budget and Policy Framework	The budget savings are included in the 2012-2015 MTFP proposals being presented to Council on the 1 March 2012.
Key Decision	Yes.
Urgent Decision	No.
One Darlington: Perfectly Placed	May have a detrimental effect on two key outcomes- that people are healthy and supported and are financially secure. However, mitigation is proposed to minimize the impact and to ensure that the outcomes continue to be met for the most vulnerable people.
Efficiency	The proposal to implement the policy for the Provision for Adult Social Care Transport for Adult Social Care service users is presented as a saving to the Council.

MAIN REPORT

Information and Analysis

Introduction

8. The Fairer Contributions Policy introduced in 2010, confirmed that individuals would be financially assessed to contribute towards Adult Social Care services including Transport, provided in conjunction with the provision of community care services (supported transport). However, the inclusion of the charge for transport in the financial assessment was deferred until such time as the Council developed a policy to determine eligibility for supported transport. This report presents a draft policy for Council funded transport.

Background

9. Adult Social Care currently provides, free of charge, transport to those individuals who have an eligible assessed need for adult social care and require assistance to access these

services. (Typically transport is provided to support individuals to access day opportunities for social activities or for employment and training opportunities). The service is provided by a combination of in house and commissioned transport, and where required Passenger Assistants are also provided to support individuals with their journey.

10. The Council currently provides transport to approximately 230 adult service users at a cost of £400,000 per annum. Whilst transport is a key enabler for service users to access care services that they need, there is currently no clear eligibility policy to guide the assessment of need for transport provision by the Council. As a result the Council is funding transport for individuals who may no longer require it and/or who receive benefits which are intended to meet such transport needs.

Legal Framework

11. The legal framework for the assessment and provision of transport is contained within:
 - (a) Section 47 (1) of the National Health Service and Community Care Act 1990
 - (b) Section 29 of the National Assistance Act 1948
 - (c) Section 2 of the Chronically Sick and Disabled Persons Act 1970
 - (d) The Carers (Equal Opportunities) Act 2004.

The provision of transport falls within the Division's Eligibility Criteria for Adult Social Care.

Strategic links to national and local priorities

12. The policy context reflects national and local policies and plans including, Our Health, Our Care our say, Valuing People and Valuing People Now. Locally the policy also supports the Sustainable Community Strategy.

Policy Aims

13. The aims of the policy are based upon:
 - (a) Promoting Independence
 - (b) Choice and Control
 - (c) A Healthy Lifestyle
 - (d) Improved Quality of Life
 - (e) Dignity and respect
 - (f) Provision of local accessible services.

Principles of the Policy

14. The overarching principles are that:
 - (a) the transport policy will promote inclusion and independence of those individuals who are able to travel to a community activity independently or with assistance, to do so.
 - (b) staff from Adult Social Care will act as facilitators to identify suitable appropriate transport options.

- (c) following an assessment of need, transport will only be provided to meet assessed eligible needs recorded on the Support Plan
- (d) transport will be appropriate for the need, and will provide value for money and be cost effective
- (e) those who qualify for concessionary travel (bus pass) will be expected to apply and use this where appropriate to assessed need
- (f) the assessing officer will apply the principle of reasonableness as part of the assessment of need
- (g) a reasonable charge will be applied for the provision of supported transport.

Application of the Policy

15. Detailed Practice Guidance is included within the draft policy (**Appendix 1**) and states that transport is unlikely to be provided where an individual:
- (a) is able to walk independently or with support to get to a local community service and it is reasonable for them to do so
 - (b) can use public or community transport either independently or with support
 - (c) is in receipt of the mobility component of the Disability Living Allowance, the purpose of which is to assist those who have mobility problems with getting about out of doors
 - (d) lives in residential care, as transport is included within the contract that the Council has with the home
 - (e) has access to a private car, including family, friends, paid care worker and or their own “Motability” car and it is not unreasonable to expect this to be available.
16. Those individuals who are assessed as eligible for supported transport will be financially assessed to determine whether they have the means to contribute towards the cost of the transport. However, where the individual is already making the maximum contribution to the cost of their support, this will not increase as a result of the inclusion of the transport costs within the financial assessment.

Proposed Financial Savings

17. It is estimated that the savings from the implementation of the policy will be as follows:

2012/13	2013/14	2014/15	2015/16
£000	£000	£000	£000
30	40	50	50

Consultation and Impact Assessment

Who we consulted with and why?

18. To inform the assessment process for its decision-making, the Council has undertaken a number of actions to fully understand both views and opinions about the introduction of the Supported Transport Policy.
19. The consultation period ran for 11 weeks commencing with information being made available on the Council’s website and individuals were invited to comment via the on line

forum, from 15 November 2011. “Talking Together” events were also held between 5 December and 17 January 2012, with two sessions specifically targeted at older and disabled people.

20. Darlington Council’s impact assessment process has strived to ensure that the Council fulfils its legal duties to pay “due regard” to the need to eliminate discrimination and promote equality with regard to race, disability and gender, including gender re-assignment, as well as to promote good race relations. The officers have followed the corporate model and have started at the “top of the funnel” and identified broad potential impacts from the general public and then focussed in, to identify the impacts on those individuals who are affected by the proposed policy.
21. Following the “Talking Together” events, four targeted drop in sessions aimed at older people, and people with learning disabilities and physical impairments who currently access supported transport were held at a range of venues that were used and accessible to service users. One to one discussions were offered to individuals to gather their views and identify the potential impacts of the policy on them. Within the drop in sessions, individuals were supported by family members and support service staff. Colleagues from Advocacy Together were also available at some of the sessions to support individuals. Approximately 230 invites were sent to the targeted audience with options to attend any of the drop in sessions or alternatively they were invited to complete the Disability Equality Impact Assessment proforma and return via the post.
22. Consultation with family carers was carried out as part of a meeting to seek views and impacts in respect of the review of the Carer Support Service or by attending one of the above drop in sessions..
23. Two further drop in sessions were held, with assistance from DAD, the first at Dimensions and the second one at Enterprise House, specifically for people who receive a direct payment for transport costs.
24. In total 93 individuals responded to the consultation, with 52 attending the drop in sessions and had the opportunity to give their views on the proposals and potential impact on them if they were affected.
25. A further 41 gave their comments either by telephone or by completing and returning the Disability Equality Impact Assessment pro-formas.
26. Consultation closed on 3 February, although some comments / impacts received after that date have still been accepted, with the policy being amended on points of clarity, or included in this Impact Analysis. The consultation responses are attached at **Appendix 2**.

Emerging themes

27. During the process of talking to people about the impacts of the proposed policy on them individually and as family units, the following themes emerged:

Theme	No. of people identifying impact in theme area
Social Interaction and Isolation	36
Financial hardship	33
Health & Well Being, including mental health	26
Increase demand on family carers	19
Physical difficulty	22
Feeling safe	16

(These impacts were identified at more than one of the engagement events/ drop in sessions and by more than one person).

Impact analysis and Options for Mitigations if the Policy was to be approved

28. All of the engagement events/ drop ins' confirmed that the proposed policy would have a disproportionate effect on older people and disabled people. This is due to these groups being the main recipients of adult social care. The events also confirmed that older people, disabled people and carers were also affected by a wide range of the other budget proposals as set out in the Medium Term Financial Plan, such as supported buses, and the review of the Arts Centre and Libraries. Decision makers should be aware of this multiple impact effect on individuals.
29. Whilst the above themes outlined above clearly emerge, analysing the potential impact on individuals is difficult as they are unique to that person, their families and carers, with different aspects of their lives being affected to varying degrees. Examples of the themed impacts are used below for illustration purposes, but all impacts are set out in full in **Appendix 2**.

Negative Impact 1: Social Interaction and Isolation

- (a) *“I would become isolated if I lost this transport, and unable to improve myself, attending courses and becoming more independent”*
- (b) *“If I were to stay at home it would be very sad for me, as I would be on my own as my carer goes shopping”*

Analysis of impact

30. A number of people said that they would be socially isolated if they did not continue to receive transport to access their day opportunity. For some people attendance at these services was the only source of social interaction outside of their family and many had built up long term friendships with others who attended the same service. A number of individuals commented that if they were no longer were eligible to receive transport, they would lose the sense of independence that the transport gave them, as they did not have to rely on family members to support them to social activities.

Opportunities to reduce the perceived negative impact

31. For those in receipt of funded transport, the review of their social care needs would take into account the risks to the independence of the individual should the transport be withdrawn.
32. The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
33. All reviews of supported transport will be carried out by existing, experienced staff.
 - (a) Advice and guidance will be given to those who are signposted to other providers of transport.
 - (b) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
 - (c) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.

Options for monitoring

34. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
35. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
36. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Negative Impact 2: Health and Well Being, including mental health

- (a) *“If I couldn’t come I would be cooped in my flat all day, things start going through my head, “Hara Kiri.... sorry I shouldn’t say that”*
- (b) *“I will feel unhappy or unsure of what is going on, I might harm myself”*
- (c) *“A change of transport causes stress, he needs to be with people he knows”*

Analysis of impact

37. Some individuals said that getting out of the house was very important to them and was beneficial to their mental health. Some said that they did not know what they would do, if they no longer had transport to able to attend their day opportunity and some people said this could lead to suicidal thoughts.

38. A number of carers of people with a learning disability also said that changes to routine, such as changes to transport or passenger assistants, not seeing their friends on the bus would be very stressful for them and that this would place extra stress on the carers. A number of carers said that changes to routine often resulted in challenging behaviour of their sons and daughters and this was very stressful for them.

Opportunities to reduce the perceived negative impact

39. For those in receipt of funded transport, the review of their social care needs would take into account the risks to the independence of the individual should the transport be withdrawn.
- (a) The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
 - (b) All reviews of supported transport will be carried out by existing, experienced staff.
 - (c) Advice and guidance will be given to those who are signposted to other providers of transport.
 - (d) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
 - (e) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.

Options for monitoring

40. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
41. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
42. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Negative Impact 3: Financial Hardship

- (a) *“It would be difficult for me, my daughter and I struggle from month to month”*
- (b) *“If I would have to pay, I would have to see if I could afford it – it would mean less money for food and rent”*

Analysis of impact

43. A number of people said that they valued the service so much that they would prefer to keep their supported transport and pay extra for it. However, for others there was concern as to how they would be able to pay any increase in their contribution to the cost of their support. A number of those who receive the Disability Living Allowance mobility component,

reported that this money is being used as part of the household budget and there were no additional resources to meet the costs. Those who only received the lower rate of the mobility component of Disability Living Allowance pointed out that it was not sufficient to pay for transport to access many social activities and was insufficient to fund a mobility vehicle. Several people said that they were worried that the removal of the Severe Disability Premium disregard in the financial assessment would mean that they may have to contribute more to towards the cost of their care and they were concerned as to whether they could afford any increase.

Opportunities to reduce the perceived negative impact

- (a) For those in receipt of funded transport, the review of their social care needs would take into account the risks to the independence of the individual should the transport be withdrawn.
- (b) The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
- (c) All reviews of supported transport will be carried out by existing, experienced staff.
- (d) Advice and guidance will be given to those who are signposted to other providers of transport.
- (e) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
- (f) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.
- (g) The Fairer Contributions policy allows for individuals to identify additional transport costs, (as recorded in their support plan), that they incur as a consequence of their disability (Disability Related Expenditure) and these will be taken into account as part of the financial assessment.

Options for monitoring

- 44. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
- 45. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
- 46. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Negative Impact 4: Increased demand on family /informal carers

- (a) *“carers and family members may be pressured to provide transport and it wouldn’t be fair to expect that”*
- (b) *“would put extra stress on carers and families”*

Analysis of impact

47. Generally carers reported that they were satisfied with the supported transport and had peace of mind that the person they cared for was safe and supported. If carers were required to provide transport, many of them felt that this would put them under additional pressure and reduce their “time out” from their caring role. The provision of transport and day opportunities was seen as a way to make sure that carers also “had a life.”
48. A number of carers who gave their views were elderly and had their own health issues and were very concerned that they would not be able to provide transport for their family member, safely.

Opportunities to reduce the perceived negative impact

- (a) For those in receipt of funded transport, the review of their social care needs, would take into account the risks to the independence of the individual should the transport be withdrawn.
- (b) The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
- (c) All reviews of supported transport will be carried out by existing, experienced staff.
- (d) Advice and guidance will be given to those who are signposted to other providers of transport.
- (e) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
- (f) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.

Options for monitoring

49. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
50. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
51. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Negative Impact 5: Physical difficulty

- (a) *“I can’t get to my day centre unless they send a bus. I am 82 years old, partially sighted and I walk with a stick and suffer with asthma and diabetes”*
- (b) *“I am unable to use buses because they are not adapted for access with my powerchair”*

Analysis of impact

52. Many people said that public transport was not accessible to them due to their physical impairments, and for others the frequency of the transport or the distance that they would need to walk to catch a bus, would prevent them from using public transport to enable them to attend their day opportunity. An individual said he was unable to use public transport as he lived 7.5 miles from Darlington and the bus only came every 2 hours.
53. Similarly a number of people said that they required the support of a Passenger Assistant whilst travelling and therefore would not be able to use public transport

Opportunities to reduce the perceived negative impact

54. For those in receipt of funded transport, the review of their social care needs would take into account the risks to the independence of the individual should the transport be withdrawn.
55. The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
 - (a) All reviews of supported transport will be carried out by existing, experienced staff.
 - (b) Advice and guidance will be given to those who are signposted to other providers of transport.
 - (c) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
 - (d) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.

Options for monitoring

56. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
57. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
58. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Negative Impact 6: Fears for personal safety

- (a) *“To get to Foundations X would need to get 2 buses and cross a very busy main road without a crossing. X has very little/no experience of travelling alone”*
- (b) *“Y suffers from seizures and feels secure on DBC transport, with people who know her well”*

Analysis of impact

59. Many people had used the same transport arrangements for many years and felt safe doing so. They felt well supported by the drivers and passenger assistants and felt anxious if they had to consider using public transport or having to negotiate crossing busy roads. Some carers reported that they did not think their sons/daughters had the skills to be able to travel independently and safely.

Opportunities to reduce the perceived negative impact

60. For those in receipt of funded transport, the review of their social care needs would take into account the risks to the independence of the individual should the transport be withdrawn.
- (a) The individual review will also consider if an individual has been impacted by any other changes to adult social care. Where there are multiple impacts these would be taken into account and consideration given on a case by case basis as to whether actions could be agreed to mitigate these impacts.
 - (b) All reviews of supported transport will be carried out by existing, experienced staff.
 - (c) Advice and guidance will be given to those who are signposted to other providers of transport.
 - (d) Reasonable notice will be given to those no longer eligible for supported transport to enable them to make alternative arrangements.
 - (e) As with all social care support needs, individuals would be advised to contact Adult Social Care should there be a change in their transport needs.

Options for monitoring

61. Where the review has indicated the individual is no longer eligible for transport, monitoring of the impact would be via the submission of cases to the Adult Social Care Validation Forum.
62. Those identified as no longer eligible would be signposted to alternative transport providers and a follow up call would be made after six weeks to ensure that alternative transport had been secured.
63. The impact of the introduction of the policy would be monitored via feedback and complaints received from those who have had their transport needs reviewed.

Areas of Impact outside of the Council's Control

64. Proposed changes to welfare benefits, including the Personal Independence Payment was also a concern for people as they felt that this could have an impact on them.
65. People said that in addition to the increasing costs of living that affect everyone, they are also being affected by changes to their financial assessment (Severe Disability Premium Disregard).

Positive Impacts

- (a) Some people said that the opportunity to take more exercise by walking would be good for them.
- (b) It was also felt that by accessing universally available transport people would feel the same as other people and reduce the stigma of using Council provided transport.

Conclusion- the decision makers next steps

- 66. The Council's process to assess the proposed policy against the nine protected characteristics of the 2010 Equality Act and local Disability Equality Scheme, has been closely followed and those likely to be affected by the proposed policy, their families, carers and support groups have been consulted to obtain their views and any potential impacts, positive and negative.
- 67. The key message is one of multiple impacts not only within the Social Care portfolio but also the effects of other Council proposals, such as supported buses, libraries and the Arts Centre closure, as well as external factors including the major reviews of the welfare benefits system, housing benefit and economic concerns for the third and private sector providers.
- 68. Decision-makers may consider the following options in reaching their decision about the proposed policy:
 - (a) Approve the introduction of the Eligibility Policy for Provision of Transport for Adult Social Care Service Users with effect from 1 April 2012, having given "due regard" in the decision making process to the potential equality impacts which have been identified as part of the engagement and consultation.
 - (b) Agree to seek to make the savings associated with the proposed policy elsewhere.