

FALKIRK COUNCIL

**SUBJECT: CONSULTATION ON SOCIAL WORK ASSISTANCE WITH
TRANSPORT POLICY AND PROPOSED CHANGES**
MEETING: EXECUTIVE
DATE: 17 SEPTEMBER 2013
AUTHOR: DIRECTOR OF SOCIAL WORK SERVICES

1. PURPOSE

- 1.1. The Social Work Service has been undertaking a review of current arrangements for the provision of transport to service users in order to ensure that our arrangements are efficient, effective and financially sustainable. This report sets out proposals for a Social Work Transport Policy and members are asked to consider taking these proposals to the next stage of formal consultation with service users who may be affected.

2. BACKGROUND

- 2.1. Social Work Services provides transport through a variety of ways and for a range of purposes to a cross section of service users. Transport, in itself, is not deemed to be a Social Work Service. Therefore, careful consideration requires to be given to providing transport assistance. This should only happen, following an assessment of need and as part of a care plan, when the service user has no access to more appropriate means of transport (e.g. access to DLA mobility component, bus pass or public transport).
- 2.2. Social Work Services operates within a defined allocated budget and is accountable for use of this budget, which includes spending the money we have in the most effective and efficient ways and ensuring the Service does not incur unnecessary expenses.
- 2.3. In the current economic climate, and to ensure that scarce resources are appropriately targeted, a draft policy and guidance has been developed which would provide criteria to assist staff to make robust decisions in determining if transport assistance is to be provided for service users based on need.

3. LEGAL FRAMEWORK

- 3.1. The requirement of the Service to carry out assessments and provide Children & Families, Criminal Justice and Community Care Services is set out within a legislative framework and local policies and procedures.
- 3.2. The legislative framework, in particular section 87 of the Social Work (Scotland) Act 1968, gives local authorities a significant degree of discretion in charging for residential social work services subject to some restrictions where the service is imposed on a compulsory basis.

4. PROPOSALS

- 4.1. The proposals are governed by the overarching principle to ensure that all service users are encouraged and assisted as far as possible to travel independently and to make optimum use of mainstream transport options, including public transport. This is consistent with local and national strategies to promote independence and re-ablement.
- 4.2. The proposed policy and procedures are based on the following.
 - The Service will assess the service user's requirements for assistance with transport in relation to accessing a service they have been assessed as requiring.
 - The Service will only provide assistance with transport where it is clear that such assistance is **essential** in enabling the service user to access a service;
 - All assistance with transport will be provided in the most cost effective way possible.
 - Where service users are in receipt of state benefits (in money or kind) that are provided for the express purpose of aiding mobility, the Service has an expectation that the individual will utilize these to access services they require.
 - Any assessment for assistance or actual assistance will be provided in a fair, transparent and consistent way.
- 4.3. It therefore does not automatically follow that an individual assessed as requiring a Social Work Service will also receive assistance with transport. Whether a service is directly provided, or commissioned, any assessment for transport provision would be undertaken as part of the assessed need and be included in the resulting care plan, if appropriate.
- 4.4. We are therefore proposing to develop specific eligibility criteria for assistance with transport, as follows:-
 - The service user must have been assessed as eligible to receive a Social Work Service.
 - The assessment will require to take into account whether the service users is in receipt of state benefits (in cash or kind) that are provided for the express purpose of aiding mobility.
 - The assessment of need has demonstrated that assistance with transport is essential to enable the service user to access the service.
 - It must be demonstrated that all other reasonable transport options have been explored.
- 4.5. Also it is proposed that where transport is provided, charges should be levied where reasonable and in accordance with what the legislation allows.

5. POTENTIAL IMPACT

- 5.1. An equality and poverty impact assessment (EPIA) has been completed and will be reviewed in light of the consultation responses.
- 5.2. Currently there are no strict criteria applied to the provision of transport and no service users pay for transport; accordingly, the implementation of any of the proposals is likely to lead to a reduction of provision and/or an increase in cost for existing service users. The group with a protected characteristic most likely to be adversely affected are those who are disabled, for example, by the proposal to reconsider the current practice of service users in receipt of benefits specifically for assistance with transport (e.g. DLA with higher rate of mobility component or mobility car) being provided with transport to attend either adult day centres or activity schemes for children for example. The impact in this case can be mitigated by the fact that the benefit is available to pay for transport. More broadly, the impact on disabled people can be mitigated by ensuring that service provision is focused on people with the greatest mobility needs.
- 5.3. If these proposals are progressed, they would affect all age groups and population groups outlined in the EPIA without any significant differential impact other than noted above, as well as all wards across Falkirk Council. There is also a potential impact on the third sector, for example, on increased pressure on organisations like “Dial a Journey”.
- 5.4. The withdrawal of transport for people in receipt of benefits specifically designed to pay for this and/or the possibility of charging all service users for the provision of transport is likely to be less popular than the current arrangements. However the proposed changes are striving to equalise service as well as to ensure that services are sustainable in the future.
- 5.5. Proposals would potentially impact on all Social Work service users, the majority of whom are on low incomes or benefits. However the charging arrangements attached to these proposals can be tailored to ensure that people in receipt of specified benefits would be exempt and that there would either be a means testing formula thereafter or fixed charge. If agreed a more detailed, level of detail would be subject to a future report to Members, following the consultation exercise with service users..
- 5.6. The consultation would also require to consider whether the proposals would be likely to impact on the decisions that service users make about accessing services.

6. IMPLICATIONS

- 6.1. At this stage there has been no discussion with HR; Finance or Unison regarding these proposals. However given the significant proposed change to practice, it is recognized that there will be a need to enter into a wide ranging consultation with service users, staff, HR, Unions and other stakeholders
- 6.2. There would not appear to be any legal impediment to proceeding with these proposals, other than the issues outlined under paragraph 3.3.

7. CONCLUSION

- 7.1. In summary, as a service, we have concerns regarding how sustainable current arrangements are in the current economic climate and for this reason have developed proposals which, if approved in principle by members, would be subject to consultation.
- 7.2. The detail of any consultation would have to be carefully considered to ensure we were asking questions regarding what impact this might have on service users and if and how this might be mitigated.

8. RECOMMENDATIONS

- 8.1 **Note the content of this report and the proposed changes to the provision of assistance with transport related to the assessed need for Social Work Services.**
- 8.2 **Agree that the Social Work Service should undertake a wide consultation with all groups outlined in 6.1.**
- 8.3 **Request the Director of Social Work Services to bring back final proposals following the consultation period.**

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Director of Social Work Services
23 August 2013.

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