

HIGHLAND COUNCIL SOCIAL WORK SERVICE

ASSISTANCE WITH TRANSPORT FOR USERS OF COMMUNITY CARE SERVICES

POLICY, PROCEDURE AND GUIDANCE FOR COMMUNITY CARE MANAGERS AND STAFF

**September 2009
(as amended May 2010)**

1. INTRODUCTION

1.1 In January 2007, the Housing and Social Work Committee endorsed the report [hsw-16-07](#) by the Director of Social Work and agreed to support the adoption of a more efficient and fairer approach to the provision of transport. It was agreed that the Service would:

- provide transport only for service users where a specific need for this could be demonstrated;
- promote greater use of local public transport, where provision is available; and
- develop a charging policy.

1.2 This document sets out the policy and procedure for (1) assessing for and (2) providing assistance with transport for individuals who are in receipt of a Community Care service. Its aim is to ensure effective targeting of transport assistance to those in greatest need and to ensure that where the public purse is already making provision, there is no duplication in expenditure.

2. UNDERLYING PRINCIPLES

2.1 The policy and procedure is based on a set of explicit principles¹:

- the Service will assess the service user's need for assistance with transport separately from the assessment for a Community Care service;
- 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 Community Care 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 expressed purpose of aiding mobility, the Service has an expectation that the individual will utilise these to access Community Care services; and
- the Service will be able to demonstrate that any assessment for assistance or actual assistance it provides is done fairly and transparently.

3. SAFETY, CHOICE AND INDEPENDENCE

- 3.1 The Service seeks 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 national policies to promote independence and reablement and with reports such as '*Same as You?*' Furthermore it seeks to minimise any potential for discrimination and stigma which may result from the regular use of dedicated Council-owned vehicles.
- 3.2 There are individuals for whom some degree of assistance with transport is essential in order for them to access a Community Care service. Where this is this case, the Service will take account of the wishes of service users and carers but has a duty to ensure that any assistance that is provided or commissioned is both safe and cost-efficient.
- 3.3 Circumstances in which assistance with transport may be deemed to be "essential"
- Service user has no-one who is in a position and is willing to assist with transport and all other transport options, including use of public transport, have been fully explored and ruled out for specific reasons (this will be noted/evidenced both in service user record and application for approval for funding of transport costs);
 - Statutory powers are in place and service user is attending a service as per an agreed care plan. Statutory powers are in place to address risk issues and ensure compliance with the care plan. The service user, whilst subject to statutory powers and compliant with the care plan, is not prepared to meet transport costs;
 - There are no realistic/appropriate transport alternatives due to specific health and safety issues presented by a service user;
 - A carer is caring for more than one adult dependent and their competing caring demands mean they are not in a position to provide assistance with transport;
 - Where there are issues of risk and/or financial hardship exists and the giving of assistance would avoid the local authority being caused greater expense in the giving of assistance in another form, or where failure to provide transport would cause greater expense to the local authority on a later occasion.

4. ASSESSING THE NEED FOR ASSISTANCE WITH TRANSPORT

- 4.1 It does not automatically follow that an individual assessed as requiring a Community Care service will also receive assistance with transport. Whether a Community Care service is directly provided

or commissioned, any assessment for transport provision must always be undertaken separately. This includes transport to access a respite care service.

4.2 An individual will only receive assistance from the Social Work Service with transport in the following circumstances:

(a) the individual is in receipt of, or been assessed as eligible for, a care service in accordance with the relevant eligibility criteria;

and

(b) in determining whether to provide or commission assistance, the assessment must take into account whether an individual is in receipt of state benefits (in case or kind) that are provided for the expressed purpose of aiding mobility. This is to ensure that where the public purse is already making provision, there is no duplication in expenditure. (Where the individual is not in receipt of benefits, a benefits check will be undertaken to establish whether the service user is eligible for a Disability Living Allowance, including the mobility component. Help may also be provided to enable the individual to make a benefits application);

and

(c) where a separate assessment of need has demonstrated that assistance with transport is essential to enable the individual to access the Community Care service, it must be demonstrated that all other reasonable transport options have been explored and rejected.

4.3 An assessment or review of an individual's need for assistance with transport will normally be undertaken at the same time as any assessment or review of a Community Care service. However, it should be noted that a re-assessment of a transport need as a result of a change in circumstances (e.g. the award of a benefit specifically awarded to assist mobility) would not automatically trigger a re-assessment of need for a Community Care service.

4.4 Each assessment for assistance with transport will take full account of the needs and circumstances of the service user. It will

look in detail at all transport options for each individual journey. For example, where a carer can deliver but not collect a service user, assistance will only be provided for the return journey.

- 4.5 Direct or indirect provision of assistance will be reviewed initially after 6 weeks and thereafter at a minimum of 12 monthly intervals. This is consistent with the new Adult Care Review Framework. Where there are significant changes to circumstances or where it has been previously agreed to do so, a review will take place earlier than this.

5. ASSISTANCE WITH TRANSPORT FROM THE SOCIAL WORK SERVICE

- 5.1 Where it has been established that assistance with transport is essential, this will normally be provided (either directly or through a contractor) using the most cost-effective means available. Exceptionally and in any case where the most cost-effective solution is not the preferred option, use of the more expensive option must always be approved by the Area Manager or Assistant Area Manager. (For example, where there are exceptional health and safety issues, it may be necessary to consider more specialist transport, which may be more costly.)
- 5.2 Assistance with transport to enable carers or family to participate in one review per annum will be approved, including those which are 'out of area'². Any further transport costs for carers or family must be considered on a case by case basis and are subject to the specific approval of the Team Manager/ budget holder. Where approved, any travel must always be by the most cost-effective means. Consideration should always be given to the venue for the meeting and its cost implications. The possibility of sharing transportation must always be explored.³

6. MEETING THE COST OF ASSISTANCE WITH TRANSPORT

- 6.1 Any assistance with transport for an individual in receipt of a long-term, residential or nursing care service commissioned by the Council will normally be the responsibility of the provider.

- 6.2 Transport to and from any college/employment placement, after the service user leaves school⁴, is the responsibility of the service user and costs will normally be met by the service user in full.⁵ It is recognised that mobility benefits may not cover all transportation costs and this is a matter for the service user and family to consider when initiating a service/agreeing a care plan.
- 6.3 Normally, where an individual is provided with a vehicle through the Motability Scheme, the individual will be deemed to have no requirement for additional assistance with transport or associated costs.
- 6.4 Where assistance with transport has been agreed by the Service, the cost of this should be clearly detailed and be budgeted for.
- 6.5 In January 2009, the Council agreed to introduce a nominal charge for people using Council-provided transport for the purpose of attending Council-provided day care and lunch club provision. This 50p per journey charge became effective in August 2009 and is collected at the site of the service.
- 6.6 Charging rates and practices were further revised in May 2010 when Housing and Social Work Committee endorsed the report [hsw-55-10](#) which recommended the implementation of full cost recovery for specified services and a new weekly flat rate charge for day care. The Council agreed a new charge for day care of £5.00 per person per week which will include transport where transport has been assessed as essential. This charge will be implemented on 1 September 2010 and will replace the current separate transport charge. The weekly charge will cover the total number of sessions that the service user had been assessed as requiring.
- 6.7 From time to time, individuals in receipt of a Community Care service are offered recreational outings that use either Council-owned vehicles or vehicles that have been hired specifically for the purpose. Where these trips are purely recreational, then unit managers should seek to achieve full-cost recovery.
- 6.8 Regular use of Council-subsidised vehicles for the transportation of service users will only be sanctioned when clearly demonstrated to be part of an individual's care plan. A support worker who

transports a service user where there has been no approval of the transport as part of the care plan will not be able to recover expenses for these costs.

7. NEXT STEPS

- 7.1 There is important work ongoing within the Service and the Council to achieve longer-term efficiencies in relation to transport. This includes working with TECS towards integrated transport management; contracts for taxis, etc. This document will be updated on a regular basis to take account of any changes.

References

¹ Such an approach fits within the legislative framework and in particular the Social Work (Scotland) Act 1968; the Mental Health (Care and Treatment) (Scotland) Act 2003; and the Chronically Sick and Disabled Persons Act 1970, relevant sections as follows:

Social Work (Scotland) Act 1968

29 Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals

(1) A local authority may make payments to any parent, relative or other person connected with

(a) a person, other than a child, in the care of the authority or receiving assistance from the authority; or

(b) a child who is being looked after by the authority,

in respect of travelling, subsistence or other expenses incurred by the parent, relative or other person in visiting the person if it appears to the authority that the parent, relative or other person would not otherwise be able to visit without undue hardship and that the circumstances warrant the making of the payments.

Mental Health (Care and Treatment) (Scotland) Act 2003

27 Assistance with travel

A local authority—

(a) shall—

(i) provide, for persons who are not in hospital and who have or have had a mental disorder, such facilities for, or assistance in, travelling as the authority may consider necessary to enable those persons to attend or participate in any of the services mentioned in sections 25 and 26 of this Act; or

(ii) secure the provision of such facilities or assistance for such persons;

Chronically Sick and Disabled Persons Act 1970

2 Provision of Welfare Services

(1) Where a local authority having functions under section 29 of the National Assistance Act 1948 are satisfied in the case of any person to whom that section applies who is ordinarily resident in their area that it is necessary in order to meet the needs of that person for that authority to make arrangements for all or any of the following matters, namely—

(a) the provision of practical assistance for that person in his home;

(b)the provision for that person of, or assistance to that person in obtaining, wireless, television, library or similar recreational facilities;

(c)the provision for that person of lectures, games, outings or other recreational facilities outside his home or assistance to that person in taking advantage of educational facilities available to him;

(d)the provision for that person of facilities for, or assistance in, travelling to and from his home for the purpose of participating in any services provided under arrangements made by the authority under the said section 29 or, with the approval of the authority, in any services provided otherwise than as aforesaid which are similar to services which could be provided under such arrangements;

² **Out of Area Placements:** Current practice varies significantly in the area of facilitating contact between service users who are placed out of area and their families. It is recommended that the benchmark should be that the offer of assistance with transport costs (or sharing of transportation if that is feasible) to attend a formal review meeting is made (annual or more frequent if necessary) but that meeting of all other transport costs associated with families maintaining contact with relatives who are placed out of area is the responsibility of the service user and their family. In only essential circumstances such as those described in para 3.3 should assistance with travel costs associated with out of area placements, other than those associated with attendance at a formal review meeting, be provided by the local authority.

Where a service user travels home for holiday breaks such trips should be funded by the service user. In only essential circumstances such as those described in para 3.3 should assistance with travel costs be provided by the local authority. **PLEASE NOTE:** Some out of area placement contracts may currently include travel costs for trips home and these should be reviewed to ensure compliance with the transport policy.

³ It should be noted that the provisions of section 29 Social Work (Scotland) Act 1968 apply here.

⁴ Please refer to Transitions Planning Procedure: Section 10: Financial Responsibilities During and After Transition to Adulthood and the Relevance of Thresholds of Needs.

⁵In very exceptional circumstances, and where it is established that the service user is "a specified person who is in need," assistance in terms of section 12 of the Social Work (Scotland) Act 1968 may be given. It is also recognised that some individuals may receive funding from other sources such as the college, etc.