

## Policy for Transport in Adult Social Care

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## 1. Introduction

- 1.1 East Lothian Health and Social Care Partnership (ELHSCP) aims to provide the best health, best care and best value for East Lothian's communities.
- 1.2 ELHSCP has a responsibility to assess those who seek an assessment of their needs and subsequently has a requirement to fund services for individuals who fall within the criteria of Critical and Substantial. Eligibility criteria can be found at: [Eligibility Criteria for Service Users | East Lothian Council](#)
- 1.3 ELHSCP acknowledges that the ability of service users to access social care by appropriate means of transport is an essential component of their support plan. It can also play a key role in ensuring breaks for carers. Carers, families and communities are key partners in providing care and support.
- 1.4 ELHSCP faces challenges in funding transport, due to a limited budget, as well as a shortage of supply in transport which has driven up costs further.
- 1.5 In developing this policy, ELHSCP is keen to ensure a fair balance between the need to charge and the risk of financial hardship of individuals especially to vulnerable groups including disabled people and carers.
- 1.6 This policy has been developed in line with national policy, including the National Care Standards and in reference to local priorities set out in East Lothian Health and Social Care IJB Strategic plan:
  - Develop services that are sustainable and proportionate to need
  - Deliver new models of community provision
  - Working collaboratively with communities
  - Focus on Prevention and Early Intervention
  - Enable people to have more choice and control and provide care closer to home
- 1.7 The policy applies to adults who are eligible for services and sets out how an individual is assessed for eligibility for transport. Funded Transport is primarily provided for people over the age of 18 who cannot use public transport independently due to disability or health related issues.

## 2. Purpose of the Policy

The purpose of this Policy is to provide clarity and fair access to funded transport and travel arrangements for eligible service users, making the best use of limited resources and reducing the level of expenditure, where possible. The policy seeks to:

- Provide clarity on the circumstances in which transport will be provided, arranged, and funded for service users, by setting out eligibility criteria
- Set out clear guidance for staff to follow when considering the need for funded transport with service user and carers (see checklist in appendix)
- Provide clear information to service users and carers
- Provide information for young people and families moving from children's services to adult services
- Ensure that funded transport is provided in a fair and equitable way when assessed as required
- Promote independence and inclusion by promoting self-travel
- Align with the ELHSCP financial charging policy and provide clear guidance that transport is not financially assessed and is charged at a flat rate (see section 5)

### 3. Key Principles

The policy is underpinned by the following key principles:

#### **Recognition of the complexity of need and the impact on carers:**

Staff will work in Partnership with carers and service users, 1) recognising there are often competing pressures on households in relation to disability related expenditure 2) respecting their individual needs and circumstances and 3) acknowledging that carers have a right to a break.

#### **All other options will be explored:**

Funded transport provision should not be put in place until all other options have been considered and there is no alternative. For example, options such as sharing transport, coordinating access in local communities with other service users, asking if providers can arrange transport and discussion with informal carers around their ability to support with transport should be explored. If transport is required, then it should be stated whether it is interim (for example, to allow time for travel training) or longer term.

#### **A service user's personal income will be considered when discussing transport needs:**

Where possible, the expectation is that service users will meet the cost of their transport to access services. However, this is based on affordability- income and disability related expenditure will be fully considered in agreeing what is affordable.

**When travelling to a Further Education College, a service user will apply to the Student Discretionary Fund:**

The Student Discretionary Fund can assist students who experience financial difficulty while at college and includes financial help with Travel expenses and Disability related costs. Applications should be made via the Student Services at the relevant institution.

**Service user safety must not be compromised:**

Assisted transport will be provided by ELHSCP if alternatives are inappropriate or it is the only reasonable way to allow a person to safely access an eligible service.

**Financial Risks and Hardship are considered in the assessment:**

Assisted transport will be provided if there is an assessed risk that charging for assisted travel/transport could lead to significant negative financial impact on the individual or carers.

**Funded transport is subject to regular review:**

Transport requirements will be included as part of the review process for a support plan to ensure that the eligibility criteria are still met.

**Use of local resources within East Lothian:**

People will be expected to access the support and services based nearest to where they live in East Lothian, if they are appropriate to meet their assessed, eligible needs and outcomes. It would not be appropriate to arrange a service outside of a service user's local area unless it is not possible to meet their assessed need. Where service users choose to access a service that is not the nearest to where they live, or in another Local Authority area, they will usually be expected to self-fund to meet the costs of additional travel.

#### **4. Eligibility**

For some people, independent travel is not possible and support/assistance with travel will be required. To establish this, the HSCP will consider (as part of a social work assessment for people with critical and substantial needs) all available transport options to ensure that the person's individual outcomes can be met, in the most cost-effective way, ensuring a safe mode of transport. Assisted transport provision will only be granted once all other options have been considered, evidenced, and recorded and will be provided in the most efficient way.

#### Assisted transport will be considered essential if:

- Statutory powers are in place and a person is attending a service as per as per an agreed support plan. (See section 27 of Mental Health Care and Treatment (Scotland) Act 2003) <https://www.legislation.gov.uk/asp/2003/13/section/27>
- There is no other appropriate transport alternative, due to specific health and safety issues identified by the assessment (section 27 of Mental Health Care and Treatment (Scotland) Act 2003) <https://www.gov.scot/publications/mental-health-care-treatment-scotland-act-2003-codepractice-volume-1/pages/5/>
- A person is subject to Compulsion Order under Criminal Procedure (Scotland) Act 2003
- A carer is caring for more than one dependent and the competing demands have been identified through an Adult Carer Support Plan that the carer is unable to support with transport.
- An assessed risk of financial hardship has been identified and a failure to provide assisted transport could lead to greater expense later. This should be identified in an assessment by adult social work.
- Following assessment by Adult Social Work staff, it has been identified that the person meets the eligibility criteria, and that assisted transport is essential in enabling the person to meet their identified outcomes (using community support or rehabilitation services) and their own financial resources have been exhausted and will not meet such costs.

#### Additional factors that will be considered:

- Where an assessment or risk assessment clearly indicates that the person is able to walk and /or use mobility aids, either independently or with the support of others to get to a local community service (including Further Education).
- Where the person can use public or community transport, such as voluntary transport (for example, Dial -a-Ride, Taxi card), either independently or with support to get to and from community activities, including Further Education.
- Where the service user is in receipt of benefits and/or sufficient income to facilitate their mobility needs and it is considered reasonable for them to utilise the benefit for travel/transport purposes (unless the benefit is insufficient to meet the person's identified outcomes or other needs).
- Where the person has a lease car through the Motability scheme of which they are not normally the driver themselves and they have carers who are able to transport

them. The willingness and/or ability of a carer to undertake the travel/transport task must be assessed and agreed as part of the Adult Carer assessment process.

- Whether they have a taxi card to use to attend the community-based services and when used for attending a day activity it does not result in an additional unmet need (e.g., shopping can no longer be undertaken), or where a supported person's ability to use the taxi card may be present an unreasonable level of risk.
- Where they have a bus pass to use to attend community-based services and whether their ability to use the bus pass may present an unreasonable level of risk.
- The willingness and/or ability of a carer to undertake the travel/transport task must be assessed and agreed as part of the assessment process. It is acknowledged and understood that some identified conditions mean that a person's physical or mental ability may fluctuate – this should be reflected in the assessment.

## **5. Processes**

### **Assessment**

ELHSCP, via Adult Social Work, will undertake a social work assessment of need which will identify outcomes and consider the need for transport in line with the criteria for critical and substantial needs. Any transport costs identified will be considered as part of an individual's personal budget. Assessment should consider all modes of transport and transport will be provided in the most cost effective way.

### **Allocation and Assessment**

A social work assessment will be completed and the assessor must demonstrate in the support plan that all options have been considered, and that a request for any travel/transport component (including Passenger Assistance, taxi, and assisted travel) meets the agreed outcomes expressed within the person's overall support plan. This should take also into consideration those that care for the person.

### **Roles and Responsibilities**

The agreement to fund assisted travel is to be authorised by the relevant Resource Allocation Group as part of process to agree the Support Plan.

### **Financial Assessment**

Transport to and from assessed day opportunities as per the individuals support plan, is not financially assessed. For all transport, there will be a flat rate charge, in accordance with East Lothian HSCP Non-Residential Charging policy, which is updated annually can be found at

[https://www.eastlothian.gov.uk/downloads/download/13039/non-residential\\_social\\_care\\_charges](https://www.eastlothian.gov.uk/downloads/download/13039/non-residential_social_care_charges)

### Payment

The agreed charges for transport will be invoiced on a monthly basis, in arrears. The amount invoiced will be for the agreed transport arrangements. Cancellations are required 24 hours in advance otherwise the individual will be liable for the payment.

### Equipment

As part of the assessment process by Occupational Therapy, provision of any specialist equipment (e.g., to manage positioning or behaviour) should be considered and provision will be based on a full risk assessment. The Council no longer provides specialist equipment because it is specific to the individual and cannot be reused.

Generic equipment (which can be used by multiple users) will be provided by the transport provider and should be based on a risk assessment.

### Passenger Assistants

Passenger Assistants will only be provided where the assessment/risk assessment identifies that there would be a risk to the health and safety of the service user or other service users.

## 6. Policy Review

This policy will be reviewed every 2 years from its approval to ensure it is operating effectively. The policy will also be revised if any new legislation affects how the policy or if changes are made to other Partnership policies which affect how this policy works. Completion of an Integrated Impact Assessment will occur prior to and then at point of review of the policy.

## 7. Complaints & Appeals

Any formal complaints regarding the management of assisted travel under this policy can be made via the East Lothian Council feedback team. The appeals process is set out in the East Lothian HSCP Non-Residential Charging policy, which is updated annually can be found at

[https://www.eastlothian.gov.uk/downloads/download/13039/non-residential social care charges](https://www.eastlothian.gov.uk/downloads/download/13039/non-residential-social-care-charges)

## Appendices

### Appendix 1 Guide Checklist for Staff

Factor	Yes/No/NA
Does the person meet the eligibility criteria and is assisted transport essential in enabling the person to meet their identified outcomes?	
Have the person's income and benefits been considered?	
If travelling to FE college, has an application been made to the college Discretionary fund?	
Is the person in receipt of ILF?	
Have alternatives been explored e.g. sharing transport, asking the provider?	
Would the person benefit from travel training, if available?	
Has the person's safety been considered?	
Have any financial risk or financial hardship been highlighted?	
Have review arrangements been made?	
Is the resource identified within East Lothian?	
Are statutory powers in place under section 27 of Mental Health Care and Treatment (Scotland) Act 2003) and is the person is attending a service as per as per an agreed support plan?	
Is there no other appropriate transport alternative, due to specific health and safety issues identified by the assessment (section 27 of Mental Health Care and Treatment (Scotland) Act 2003)?	
Is the person subject to a Compulsion Order under the Criminal Procedure (Scotland) Act 2003?	
Have the Carers needs been considered and is there a requirement for an Adult Carer Support Plan?	
Is there an assessed risk of financial hardship that could lead to greater expense later?	



## Appendix 2 Supporting legislation

This assisted travel/transport policy provides a framework, which is consistent with a range of legislation, including;

- Adult Health and Social Care Integration
- Mental Health (Care and Treatment) (Scotland) Act 2003
- Public Bodies (Joint Working)(Scotland) Bill
- Social Care (Self-directed Support) Scotland Act 2010
- The Public Services Reform (Social Service Inspection)(Scotland) Regulations
- The Social Care and Social Work Improvement Scotland (Requirement for Care Services) Regulations 2011
- The Welfare Reform Act 2012 – Shift from Disability Living Allowance (DLA) to Personal Independence Payment
- Audit Scotland ‘Transport for Health and Social Care’

## Associated Definitions and Abbreviation

Service User – A service eligible person in receipt of statutory care and/or services

DLA – Disability Living Allowance

ADP - Adult Disability Payment

PIP – Personal Independence Payments

SDS – Self-Directed Support

IJB – Integration Joint Board