

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**27th JUNE 2016**

**REPORT OF SENIOR  
MANAGEMENT TEAM**

### **CABINET DECISION**

**Adult Services and Health Lead Cabinet Member – Councillor Jim Beall**

#### **Travel Support for Adult Service Users and Carers**

1. Summary

The purpose of this paper is to present to Cabinet details of the development of the draft policy which outlines how Stockton-on-Tees Borough Council will provide a sustainable and equitable way of supporting Adults and Carers with eligible needs in the provision of Council funded transport.

The Council's current provision is based on professional assessment and practice in line with statutory guidance. The guidance including Putting People First (transforming Social Care) 2007 and Valuing People Now 2009, is superseded by the requirements of The Care Act 2014. The paper is presented to Cabinet to approve as a draft policy and to agree to a period of consultation.

2. Recommendations

1. Approve the draft Policy for Travel Support for Adult Service Users and Carers (**Appendix 1 attached**);
2. Approve the requisite 12 week formal consultation on the policy

3. Reasons for the Recommendation(s)/Decision(s)

The draft Policy for Travel Support for Adult Service Users and Carers reflects current legislation and will ensure that the local authority position is to support Adults and Carers with funded transport, subject to being eligible for care and support. The proposed consultation will ensure that the Council meets the statutory expectation of a consultation period of 12 weeks and will ensure that users, carers and key stakeholders have the opportunity to comment upon the proposed policy, changes to current practice and timeline for the implementation of changes.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a

member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code).

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

#### **Disclosable Pecuniary Interests**

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code).

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**SUMMARY**

The purpose of this paper is to present to Cabinet details of the development of the draft policy which outlines how Stockton-on-Tees Borough Council will provide a sustainable and equitable way of supporting adults and carers with eligible needs in the provision of Council funded transport.

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**RECOMMENDATIONS**

1. Approve the draft Policy for Travel Support for Adult Service users and Carers (**Appendix 1 attached**);
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**DETAIL**

1. Adult Social Care provides transport through a variety of options for Adults and Carers with eligible needs across Stockton-on-Tees.
2. The policy for the provision of adult social care is aimed at promoting the maximum possible independence for the service user. In extending this principle to the Council's provision of transport services, this policy sets the criteria that will be used to assess whether the service user's needs can be best met through independent travel arrangements, taking account of the service user's assessed needs and abilities, or whether Council provided transport services are necessary.
3. This policy rests upon a general assumption and expectation that service users will meet their own needs for transport to access and take advantage of services or support where reasonably possible, and taking into account their assessed needs and abilities. The intention is to promote a culture of:
  - a. Enabling service users to provide for themselves;

- b. Families and carers taking more responsibility for providing for themselves;
  - c. People using benefits and concessions they are entitled to in order to travel to activities/services; and
  - d. Social Workers enabling people who can and want to travel independently to do so, where this is appropriate, ensuring training is provided to achieve this.
4. Transport is not a service in its own right: it is a means of accessing services or support. The overriding principle is that the decision to provide transport is based on assessed needs, risks and outcomes and on promoting independence.
  5. Funded transport will only be provided if, in the opinion of the assessor, it is the only reasonable means of ensuring that the service user can be safely transported as part of their assessed and eligible care and support or support. Where there is appropriate transport available (either personal or public transport), it will be assumed that the service user will use this as a first option. Transport will only be provided if alternatives are unavailable or inappropriate for an identified reason.
  6. If funded transport is provided for a service user, a financial assessment will be required and a contribution may be payable towards the cost of all services received, including transport.
  7. An audit of 10% of current service users who receive community transport from the Council indicates that it is unlikely that any current users would not be eligible if the draft policy were in place. However, to ensure that all possible opportunities for efficiencies are considered in Adult Services, work is being undertaken to review the utilisation of Council buses, transport costs related to our in-house services at Allensway and Lanark Close and also through our commissioned day services. Services are already being developed locally for people with autism, which will reduce current transport costs for people traveling out of Borough.

## **COMMUNITY IMPACT IMPLICATIONS**

8. Implementation of the draft policy prepared for consultation may have an impact on service users who currently access this service, their carers and potential new clients. We therefore need ensure we consult with all service user groups and the wider community.
9. Carrying out the community impact assessment on the policy has demonstrated that we can mitigate some of the impacts through our recommendations.

## **FINANCIAL IMPLICATIONS**

The overall budget for Adult Services travel support is £845,000, however this policy is intended to minimise future escalation of cost.

## **LEGAL IMPLICATIONS**

10. The Care Act 2014 replaces key previous adult social care legislation. The National Minimum Eligibility Threshold identifies those who are eligible for care and support or support. In certain circumstances transport may be included in a care and support or support plan. The Care Act 2014 promotes the wellbeing and daily living needs of adults. The Council must be satisfied that eligible care and support or support needs are met.
11. Carers can be eligible for support in their own right. The threshold is based on the impact their caring role has on their wellbeing. When determining carer eligibility Local Authorities must consider the following three conditions:

1. The carer's needs for support arise because they are providing necessary care to an adult
2. As a result of their caring responsibilities the carer's physical or mental health is either deteriorating or is at risk of doing so or the carer is unable to achieve any of the outcomes that the carer has identified as part of the carers assessment.
3. As a consequence of being unable to achieve these outcomes, there is or there is likely to be, a significant impact on the carers wellbeing.

## **RISK ASSESSMENT**

12. This Policy and associated consultation is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES**

13. Any impact upon Council Plan, policy, principles and priorities are likely to relate to:

- Protecting the vulnerable through targeted intervention
- Promoting equality of opportunity through targeted intervention

This will be included in the report to Cabinet after the public consultation.

## **CORPORATE PARENTING IMPLICATIONS**

Not Applicable

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

14. It is recommended that this will be a 12 week Consultation and will take place between July and October 2016, consisting of meetings and engagements with key stakeholders including Members, family carers and service users, together with interested organisations and the general public. Advocacy will also be provided to support people. Group and individual meetings will be arranged in order that a range of formats for sharing information be used. An easy read consultation document will be produced and will be available for online completion through the Council's website. A report setting out the outcomes from the consultation will be presented back to Cabinet in the Autumn 2016.

**Name of Contact Officer:** Liz Hanley and Sean McEneany  
**Post Title:** Assistant Director (Social Care) and Transformation Team  
**Telephone No.** 01642 527045  
**Email Address:** liz.hanley@stockton.gov.uk  
sean.mceneany@stockton.gov.uk

Education related? No

Background Papers None

Ward(s) and Ward Councillors Not ward specific

Property There are no implications in relation to the Council's property. This report does not impact upon the Capital Programme and Asset Management Plan.