

Adults Social Care Transport

To: Adults Committee

Meeting Date: 14 January 2021

From: Charlotte Black - Service Director, Adults and Safeguarding

Electoral division(s): All

Forward Plan ref: N/A

Key decision: No

Outcome: A fairer and consistent approach to the provision of transport to ensure the best possible outcomes for Cambridgeshire citizens.

Recommendation: Committee is being asked to;

- a) Note a refresh of the Adult Social Care Transport Policy
- b) Acknowledge the links to the Business Planning Savings proposal already approved in December 2020 and the associated Transformation project to drive further improvements that will start in 2021
- c) Approve the recommendation to review the policy again once the Transformation project is complete to ensure the policy still promotes the best possible outcomes.

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1. Background

- 1.1. A transport transformation project group has been established in order to analyse the council's Adults Transport Services, including contracts, expenditure, payments, current routes, the rationalisation of these and potential future demand. It was identified through this group that there is a need for a refresh of the Adults Transport Policy to reflect strengths based practice and to give more clarity by updating the language in the policy and therefore making it easier for practitioners to implement in a fair and consistent way and that continues to fit with Cambridgeshire County Council's (CCC) strategic aims, the Care Act and desired outcomes for Adult Social Care.
- 1.2. The transformation project is looking to realise a number of key financial benefits and efficiencies for Cambridgeshire County Council (CCC), the details of which were reported in the Business Planning savings proposal approved at Adults Committee in December 2020¹. This involves detailed work via a Transformation project that will require Transformation Fund investment. The Transformation Fund bid will go to General Purposes Committee for approval in January 2021 and the intention is to fund specialist support to review the way in which the Council plans and delivers support with transport to the Adult Social Care client group. It will also ensure that the design work is robust, sustainable and offers significant consultation with service-users who may be affected. This will result in further improved outcomes in addition to those that will already be achieved from the revised policy detailed here.
- 1.3. This report outlines the refresh of the policy and does not currently contain any significant changes. A full Equalities Impact Assessment is ongoing to support the transformation project to outline any implications that may impact citizens if any subsequent changes are made.

2. Main Issues

- 2.1. The refresh of the policy has not fundamentally changed from the previous version agreed in 2016. The language has been refreshed ensuring it fits with a strengths based practice approach and the wording in the policy has been simplified and consolidated. No changes have been made to the criteria used for accessing transport services.
- 2.2. A clear concise and strengths based policy is necessary to achieve the following key objectives:
 - a) Make clear that the council should only provide transport where no alternative solution is practical. This includes using family and friend networks and public transport;

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https://cambridgeshire.cmis.uk.com/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=rTYzwz01tJpSyShsYNIuLNTThGTPC%2fh1sxDrH%2fifv081HHhZjs%2buZnQ%3d%3d&rUzwRPF%2bZ3zd4E7lkn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWctPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlq%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPIIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJgFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xgBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJFf55vVA%3d

- b) Specify how and when charges will be levied for services provided to those who are assessed to contribute to their cost, as well as people who are funding their own day opportunities arrangements;
 - c) Where an alternative solution is not available the policy sets out clear criteria, which staff responsible for support planning will use to determine any transport assistance from the Council.
- 2.3 It is important to remember that in line with the Adults Positive Challenge Programme principles, promoting well-being and meeting needs is not always about direct service provision. In many cases maintaining an individual's independence is more likely to promote good outcomes such as information and advice, universal services, preventative interventions, tapping into local community assets and resources, support for carers and access to direct payments.
- 2.4 CCC provides transport using a range of methods including its own fleet of (leased) minibuses, contracts with external providers and (where it is the only viable option) taxis. Drivers can be part of CCC's permanent establishment, external contractors or volunteers. These transport services help people to access services including but not limited to day opportunities and respite care where alternatives are not available.
- 2.5 The overall objective of the policy is to ensure identified assessed need for transport is provided safely and efficiently whilst offering value for money and limiting the impact on the environment.
- 2.6 This refreshed policy will be shared with operational teams and implemented, but as noted there is an ongoing Transformation project that will provide further recommendations for improvements and cost efficiencies. It is proposed and recommended that the policy is reviewed again once the Transformation work is complete to ensure it reflects the opportunities for transformation that the project work identifies.
- 2.7 It is noted that this Adults Transport policy and associated Transformation project links to wider piece of work being completed to pull all of the separate pieces of transport work across People and Communities together. This will be reported at a later date, and will provide assurances that all Council Transport policies and transformation work is viewed across all directorates and the benefits are broad reaching.

3. Alignment with corporate priorities

- 3.1 A good quality of life for everyone
The report above sets out the implications for this priority in section 2.
- 3.2 Thriving places for people to live
There are no significant implications for this priority.
- 3.3 The best start for Cambridgeshire's children
There are no significant implications for this priority.
- 3.4 Net zero carbon emissions for Cambridgeshire by 2050
The report above sets out the implications for this priority in section 2.

4. Significant Implications

4.1 Resource Implications

There are no significant implications within this category. Any resource implications for the associated Transformation project will be reported in the separate proposal.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category. Any associated implications for the associated Transformation project will be reported in the separate proposal.

4.3 Statutory, Legal and Risk Implications

There are no significant implications within this category.

4.4 Equality and Diversity Implications

There are no significant implications within this category. This report outlines the refresh of the policy and does not currently contain any significant changes. A full Equalities Impact Assessment is ongoing to support the transformation project to outline any implications that may impact citizens if any subsequent changes are made.

4.5 Engagement and Communications Implications

The Policy does not require a public consultation process as no key decisions or significant changes are being made at this time. Any further changes that may be made as a consequence of the associated Transformation project will include significant consultation with service-users who will be affected.

4.6 Localism and Local Member Involvement

There are no significant implications within this category.

4.7 Public Health Implications

There are no significant implications within this category.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Stephen Howarth
Have the procurement/contractual/Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes Name of Officer: Gus Di Silva
Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law?	Yes Name of Legal Officer: Salma Kantharia

Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Beatrice Brown
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Matthew Hall
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Charlotte Black
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Emily Smith

5. Source documents guidance

5.1 Source documents – none.

6. Appendices

6.1 Appendix A - Final Draft Adults Social Care Transport Policy

Equality Impact Assessment For employees and/or communities

Appendix A

Cambridgeshire County Council – Adults’ Transport Policy

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Policy approval:	<i>Adults Committee January 2021</i>
Date created:	<i>December 2020</i>
Date of next review:	<i>December 2021</i>

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Equality Impact Assessment

For employees and/or communities

Introduction

The purpose of this policy is to provide a fairer and more consistent approach to the provision of transport that fits with the strategic aims of Cambridgeshire County Council (hereafter “CCC” or “the Council”) in addition to achieving our desired outcomes for Adult Social Care.

This policy:

- Makes clear that the Council should only provide transport where no alternative solution is practical. This includes using family and friend networks and public transport.
- Specifies how and when charges will be levied for services provided to those who are assessed as able to contribute to their cost of care, as well as people who are funding their own day opportunities arrangements.
- Where an alternative solution is not available the document sets out clear criteria, which staff responsible for support planning will use to determine any transport assistance from the Council.

It is important to remember that promoting well-being and meeting needs is not always about direct service provision. In many cases maintaining an individual’s independence is more conducive to their wellbeing and other means of support may be more appropriate to meet an individual’s needs. Such other means of support could include information and advice, universal services, preventative interventions, community resources, carers and direct payments.

This policy aims to encourage people where possible to meet their transport needs independently through means such as walking, mobilising with the use of aids (either independently or with support), using their own vehicle, utilising transport assistance monies (e.g. PIP) or taking advantage of concessionary rates on public transport.

CCC provides transport using a range of methods including its own fleet of (leased) minibuses, contracts with external providers and (for urgent/exceptional circumstances only) taxis. Drivers can be part of CCC’s permanent establishment, external contractors or volunteers. These transport services help people to access things including but not limited to day opportunities and respite care where alternatives are not available.

The overall objective of this policy is to ensure identified assessed need for transport is provided safely and efficiently whilst offering value for money and limiting the impact on the environment.

Scope of this policy

This policy applies to all adults aged 18 years and above who have an assessed eligible need for support and require transport to access their service and where there are no other alternatives available.

The policy applies to any of the following Adult Service areas:

- Older People’s Services
- Physical Disability and Sensory Services

Equality Impact Assessment

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- Mental Health Services
- Learning Disability Services
- Adult and Autism services

This policy does not cover travel assistance for service-users under the age of 18 who need assistance to travel to and from education establishments, for which more details can be found in the Home to School Transport Policy.

Legal Framework

The Care Act 2014 and associated Regulations and statutory guidance provide the legal framework for the assessment of social care and support needs and for determining eligibility for adult social care support with effect from April 2015

This means that transport will be considered as part of a broader assessment of needs based on the national eligibility criteria for adults and carers: and on the duty to meet needs through a care and support plan.

Assisted transport will generally only be provided to clients where following a needs assessment it is determined that this is necessary because the client has no other travel option available to meet their needs in line with the national eligibility criteria.

Adult Social Care has a legal duty to provide transport to clients who are eligible for social care support in certain circumstances. The paragraph 6.106(i) of the Care and Support Statutory Guidance details that:

'...Local authorities should consider the adult's ability to get around in the community safely and consider their ability to use such facilities as public transport, shops or recreational facilities when considering the impact on their wellbeing...'

Equality

In designing this policy, due regard has also been given to the Equality Act 2010, and in particular the local authority's public sector duties under this act.

Precisely, whether an individual receives a service directly from the Council or makes alternative travel arrangements for themselves, they have rights not to be discriminated against as a service-user under The Equality Act 2010. Furthermore, service providers have obligations to make reasonable adjustments to ensure their provision is accessible.

Eligibility Criteria for Assisted Transport

The Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The aim of this policy is to ensure a fair, lawful, consistent and transparent approach is taken to identifying and meeting the transport needs of service-users where these have been clearly

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identified by a needs assessment and these are set out in the Care and Support Plan, and all other suitable alternatives to meet their needs have been explored and ruled out.

Of the protected characteristics, those most likely to be affected by this policy are the disabled. However, by the Council adopting an approach of provision on a needs basis, subject to assessment, this will help promote equality in relation to the nine protected characteristics.

During social care and support planning, all relevant transport options will be considered and Assisted Transport will be offered as a last resort, where it is appropriate to meet an individual's assessed eligible needs and there are no other options available to meet this need.

Transport may be provided where a prospective service-user (this is not an exhaustive list):

- Has specific identified health and safety concerns requiring specialised transport arrangements.
- Is unable to access transport services without supervision or support.
- Has no access to transport and cannot mobilise, use assisted mobility (wheelchair/aids) or use public transport, either independently or with support.
- Cannot attend their nearest community activity, because there is no placement available, and all other options have been explored and exhausted. This may be on a temporary basis until an appropriate place is found nearer to home.
- Is temporarily ill (or an important carer / family member is). Such circumstances may justify temporary flexibility and a review of the Care and Support Plan may be appropriate in such cases.

Transport will not be provided where a prospective service-user (this is not an exhaustive list):

- Is assessed as able to mobilise safely to their destination, with or without mobility aids, either independently or with support from family, friends, support worker, volunteer, etc.
- Can use public transport, voluntary transport, or similar services, either independently or with support (e.g. from willing family, friends, carers, support workers etc.) to get to and from their destination.
- Receives the higher rate mobility element of Disability Living Allowance or Personal Independence Payment, the service-user will be required to fully utilise this benefit to access transport options. (Note: as part of financial assessment, the Council's officers will help to maximise the legitimate benefits received by the person in question).
- Has access to a private car, including a car leased through the Motability Scheme. In this instance the service-user will be required to travel to the community activity independently using that vehicle (assuming this expectation is reasonable). Note that no petrol costs or other expenses will be considered for funding by the Council where a service-user uses their own car to access services. Exceptions may apply.
- Contributes to the cost of a shared community vehicle (which they can use to attend the activity).

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- Has a mobility vehicle or private car of which they are not normally the driver and it is reasonable, taking into consideration the legal duty to assess carer needs, to expect the person's family and friends to help them travel to the care service or activity.
- Chooses to attend community, social or recreational, or education facilities which are not the nearest available suitable resource to meet their assessed need. Such people will be expected to travel independently or meet any additional cost of transport considered necessary.

Note on "reasonableness"

Transport assistance is not automatically provided by the Council as part of other service provisions. Transport assistance is a separate consideration and will only be provided when the assessor determines such provision is necessary as the adult could not otherwise be reasonably expected to safely access facilities or services in the local community.

There is no single definition of what is reasonable distance, time or expense to expect someone to cover in travelling to access services or activities that meet social care needs. An assessor should be able, having information about an individual's abilities and the transport options available, to consider what is 'reasonable' for that individual.

Detailed guidance for assessors – exploring alternative provision

Universal services within an individual's community will always be considered as the first option. Adults will be encouraged to use the resources around them to meet their travel requirements in the first instance.

Services, where possible, should be local and accessible, allowing service-users to meet their assessed needs close to where they live.

Where it is identified during the Care and support planning process that the adult has the potential to learn road safety and orientation skills, taking account of both physical and cognitive ability, Independent Travel Training should be explored. In this instance, a Progressive Support Plan could be put in place to ensure any risks are managed and access to a service is maintained whilst the adult undertakes a programme of Independent Travel Training.

During the care and support planning process, assessors should fully explore with the adult or their carer how the mobility component of DLA/PIP is being used to meet the adult's wider transport needs and whether the benefit may be utilised to meet the assessed transport need. The Support Plan should address this and record any flexible arrangements that are agreed with the adult and, where applicable, their carer. Any residual, unmet transport needs will then be considered and it will be recorded in the Support Plan how these are to be met. The Support Plan should explain how conclusions were reached as well as what they are.

Where an adult has chosen to use the higher rate mobility component of DLA or PIP to purchase a Motability vehicle, then the assessor will need to explore with the adult whether the vehicle can be used to access services independently. If the adult is unable to drive the vehicle themselves, the assessor must explore if it is possible for one of the named drivers (more than two named drivers are allowed, but the scheme only provides insurance for two named drivers) to transport the adult.

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Where it is identified the carer is able and willing to provide the transport, it is important to record that the impact of this on the carer's well-being has been considered as part of their caring role and in line with legislative duties of assessing carer needs.

In some limited circumstances, the Council may explore the option of providing unpaid carers (family and friends) a mileage allowance in order for them to provide transport to meet the assessed travel needs, if this enables the individual's assessed needs to be met, is in the best interests for all involved and offers the best value for money.

If following assessment/review and subsequent support planning the assessor determines none of the above options are feasible, transport assistance will be considered.

Charging Policy for Transport

All assisted transport provided, or arranged, by Cambridgeshire County Council is potentially subject to a charge in line with the Council's Charging Policy.

Refusal of Services

If a person has been assessed as able to make their own transport arrangements but declines to do so, and as a result is unable to attend the service for which they have an assessed eligible need, their reasons will be considered and this may be viewed as the person declining services.

Where a person has declined a service which they are eligible for, the assessor will evaluate whether the person has the capacity to make this decision.

If the decision is being made on behalf of another person, the assessor will check whether they feel the decision is being made in the best interest of the person who is eligible for the services.

Appeals and Complaints Procedure

Any service-user who is not satisfied with the Council's decision in relation to transport or the service provided should, in the first instance, liaise with their assessor. Should the service-user remain dissatisfied following the assessor reconsidering their decision, the service-user may instigate the Council's complaints procedure. The service-user is to be provided with a copy of the Council's complaints procedure. In conducting an investigation into the complaint, the appropriate manager will look at the operation of the policy and procedure, and will also be able to consider any special circumstances that may apply to the person in question.