

Leicester
City Council

WARDS AFFECTED
All Wards (Corporate Issue)

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Social Services and Personal Health Scrutiny Committee
Cabinet

17 December 2001
14 January 2002

THE TRANSPORT OF SERVICE USERS WITH SOCIAL CARE NEEDS

Report of the Director of Social Services

1. Purpose of Report

To outline proposals for improved management and greater consistency of decision making in respect of commissioning and providing transport for service users with social care needs.

2. Summary

2.1 Transport for service users is commissioned following an assessment of need where it is considered to be an essential part of a service package. The commissioning request is passed to Commercial Services, who arrange the transport through the in-house fleet or via an external supplier.

2.2 A joint management review of the current arrangements for commissioning of and providing transport has identified a number of areas for improvement. To address these and following from the corporate Transport Review, a programme of work has been undertaken between the Department and colleagues in Commercial Services and is described in the Supporting Information.

3. Recommendations

A. Scrutiny Committee

Scrutiny Committee is asked to comment on the proposals in the report for forwarding on to Cabinet.

B. Cabinet

Cabinet is recommended as follows:-

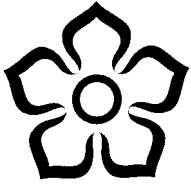
- i. That the Children's Transport Policy and Revised Eligibility Criteria for the provision of transport to those with social care needs (Appendix A & B and section 4.1 within the Supporting Information) is noted;
- ii. That arrangements to strengthen the commissioning function within Social Services (Section 4.2 of the Supporting Information) are noted;
- iii. That options for the future provision and procurement of transport are considered within the changes arising from "Revitalising Neighbourhoods" (see Section 5 of the Supporting Information);
- iv. That a review of the charging policy for transport is commissioned (Section 6 of the Supporting Information).

4. **Headline Financial and Legal Implications**

- 4.1 The transport budget for the current financial year is £1.3m. The transport expenditure outturn for 2000/01 totaled £1.85m, resulting in an overspend of some £600k. In conjunction with Commercial Services, an indicative target budget of £1.75m was set for 2001/02. This is being achieved by seeking efficiency gains in the current arrangements. Financial projections for the current year suggest an overspend in excess of that figure, with the in-house provision showing a reduction in expenditure, but the projected expenditure on taxis showing an increase over the previous year's figure.
- 4.2 The introduction of the new eligibility criteria should continue the reduction of the overspend, year on year, towards a revised target figure of £1.6m. The means of achieving this will be dependent on the profile of future service demand and implications of reassessments against the revised criteria.
- 4.3 Transport is provided by the Commercial Services Fleet and via a number of contracts (longer term and spot-purchased) with private providers.
- 4.4 The costs of strengthening the client function within Social Services will have to be met from the Transport Budget.
- 4.5 The only charge that is currently levied for transport is 50p per day for those being transported to adult day centres. Subject to the anticipated Department of Health guidance on charging policies, it may be possible to introduce more consistent charging for transport commissioned by the Department.
- 4.6 Any changes to existing transport arrangements will need to be reviewed in the light of the Council's contractual obligations. Some existing service users (adults and disabled children) will be receiving transport under the provisions of the Chronically Sick and Disabled Act 1970, which the Council is under an obligation to provide. Whilst such

provision can be in accordance with eligibility criteria set out by the Council, it would be lawful to apply any new criteria to those service users only in the context of a reassessment of their needs in accordance with the National Health Service and Community Care Act 1990. Indeed, there should be no reduction in service to any service user without such a reassessment or one undertaken in respect of children under the Children Act 1989. Eligibility criteria need to be determined for disabled children as a supplementary piece of work. (Guy Goodman, Assistant Head of Legal Services – ext. 7054).

- 5. Report Author/Officer to contact:**
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SUPPORTING INFORMATION

1. Introduction – Overarching Principles

- 1.1 The transport of service users with social care needs is not a welfare benefit, entitlement or right but relates to the take up of services provided, following an individual assessment of need, within the Social Services Department's statutory responsibilities. The delivery of these responsibilities is set down within the proposed Children's Transport Policy and Older People/Adults Transport Eligibility Criteria, attached as Appendix A and B.
- 1.2 It is also important that responsibility for the costs and provision of transport for service users should not fall to the Social Services Department as a result of shortcomings in other provisions – e.g. NHS and public transport. The Social Services function is not responsible for the provision of the recreational element of community transport – in this authority this currently falls within the Arts and Leisure Department's remit.

2. The Current Arrangements

- 2.1 At the point of Local Government Reorganisation in 1997 the fleet of vehicles and staff, based at Sulgrave Road, was transferred from the County Social Services Department to the City Council's Commercial Services Department, where it was subsumed within the Council's fleet.
- 2.2 The commissioning of transport and the management of external transport contracts beyond the Council fleet was managed within the Social Services Department's Client Services function until this was disbanded in March 2000 as part of the Council's 2000/01 budget decisions. At that point the major part of the commissioning function was transferred to Commercial Services where it was absorbed within the administration of the transport service.
- 2.3 At the same time the Transport Budget was reduced by £400k in anticipation of a range of efficiency savings arising from changes introduced jointly by the Department and Commercial Services. A joint assessment has identified the following areas for improvement, which are currently the focus of discussion between the two departments.

- a) Spending on transport is in excess of the available budget. The budget has consistently overspent and yet since Local Government Review the budget has been reduced.
 - b) There is insufficient management/performance information to support effective monitoring of expenditure and quality.
 - c) Work has begun to improve the quality and safety of transport and the processes for addressing complaints and concerns.
 - d) The inconsistent treatment of people arises from the lack of clear eligibility criteria for decisions to provide transport.
- 2.4 There are shared concerns that the current arrangements are unfair, based on history, do not reflect the available budget and do not promote healthy lifestyles, principles of normalisation or independence.

3. The Council's Transport Review

- 3.1 The Council's Transport Review made a number of proposals for changing arrangements across the board within the Council, but also some that were specific to Social Services.
- 3.2 Work already in hand to address these includes;
- a) A separation of the client and provider roles within Commercial Services, and work to improve efficiency and performance.
 - b) The development of a service specification for the provision of transport leading to a Trading Agreement.
 - c) Development of revised eligibility criteria for adults and children's services.
 - d) Negotiation with Commercial Services to establish a realistic indicative target budget for transport (£1.75m in 2001/02 and £1.7m thereafter) and proposals within the Social Services Departmental Revenue Strategy for 2002/03 to fund the budget to those levels in future years.
- 3.3 To address the above and following from the corporate Transport Review, a programme of work has been undertaken between the Department and colleagues in Commercial Services. Taking into account, however, the increasing urgency of the issues within Social Services and the changes likely to arise from the "Revitalising Neighbourhoods" initiative, the existing programme could be re-focused within the following priorities:
- a) Achieving of greater consistency of decision making and providing of the service within budget targets, through the introduction of revised eligibility criteria for transport and considering the options for charging.

- b) The introduction of improved scrutiny of transport requests and the arrangements for meeting them, through the strengthening of the commissioning function within Social Services. This would be responsible for commissioning approved transport via a third party and for providing accurate activity and financial management information.
- c) Given the organisational changes likely to affect Commercial Services – the options for the future provision of transport (by in-house or external means) should be considered.

4. Proposals for the Commissioning of Transport

4.1 Eligibility Criteria

To achieve greater consistency of decision making, proposed revised Children's Transport Policy and Older People/Adults eligibility criteria are attached as appendices A and B. Appendix A describes the policy for Children's Services and Appendix B for Adults Services.

The existing arrangements are based largely on custom and practice inherited from the County Council. The main differences between current working practice and the proposed criteria are as follows;

- The new criteria would lead to a reduction in transport for very short journeys and in transport for adults where public transport provides an alternative.
- Overall there may be cases of transport being provided to individuals or groups resulting from historical decisions, but where these people can no longer be considered priorities in terms of social care needs.

It is proposed that the new criteria would come into force for all new requests for transport from 1st April 2002. After that point transport provision will be agreed, subject to review. All existing transport runs will be reviewed against the new criteria by March 2003 with a view to ensuring that all comply. Any specific exceptional cases continuing outside of the criteria would require approval by the appropriate Assistant Director.

4.2 Organisation of the Commissioning Function.

In line with the "Revitalising Neighbourhoods" Initiative proposals, this report seeks to separate out in a more constructive way the commissioning of a service and the practical delivery of it.

The development of the commissioning function within Social Services would be to ensure that all transport requests met the eligibility criteria; to commission the approved transport request; to ensure that transport provision met specified quality and safety criteria; to ensure that all concerns or complaints were investigated; and to provide accurate activity and financial management information. This development would be based, initially within the Service Contracting and Procurement Unit (funding for this would be drawn from the transport budget).

5. Future Options for the Provision of Transport

- 5.1 The existing work on the development of a service specification/TAG should continue. This would enable consideration of future options for the delivery of transport; including a TAG with a Council Transport provider; a commercial tendering and contracting exercise, or a combination of both.
- 5.2 The options for providing transport could be considered within the context of the charges arising from the “Revitalising Neighbourhoods” initiative

6. Charging Policy

The only charge currently levied for transport is 50 pence per day for those being transported to adult day centres. Subject to the anticipated Department of Health guidance on charging policies, it may be possible to introduce realistic charges for transport commissioned by the Department.

7. Financial and Legal Implications

See paragraph 4 in the covering report.

8. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	YES	4.1	
Policy	YES	4.1	
Sustainable and Environmental	NO		
Crime and Disorder	NO		
Human Rights Act	YES	4.1	
Elderly/People on Low Income	YES	4.1	

9. Background Papers

None.

10. Consultations

Commercial Services

11. Report Author/Officer to Contact:

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CHILDREN'S TRANSPORT POLICY

Purpose of Report

The frequency and cost of transporting children, particularly by taxi, has steadily risen over the last four years. The purpose of this policy is to outline the introduction of new criteria for providing transport and improved monitoring arrangements.

Background

Transport costs have been increasing, year on year, significantly beyond the allocated budget. A number of factors have contributed to the increase, including the impact of the Quality Protects Programme and the increasing expectations and requirements of the courts in relation to the frequency of contact and assessments, which involve both the children and their families. The current level of the 'Looked After' population is also a significant factor.

Currently within the Child Care Service over a hundred social workers and their managers are involved in the commissioning process, engaging a range of internal and external resources to provide the service. Whilst in many respects transport services are 'needs led' and primarily to meet the statutory duties of the authority in respect of children they are for, it is important that the budget is rigorously managed and a culture of viewing all service users as entitled to transport is avoided.

The Corporate Value for Money Transport Review identifies the need for all departments to review their eligibility criteria, commissioning forms and review mechanisms.

Criteria for Providing Transport

The new criteria for children's services are set out at Annex 1.

In relation to young people who are 'Looked After' by the authority the emphasis is on transport being for the children and not their parents, being provided by the carers from the element of the allowance for this purpose or from departmental resources such as team support workers to achieve the most cost effective service, leaving the use of a taxi as the last resort. In the case of young people accommodated under Section 20, where the local authority does not hold 'Parental Responsibility' parents should be encouraged to continue to meet their obligations to provide transport.

Where a child's name is on the Child Protection Register, this does not automatically entitle them to transport provided or funded by the local authority. Transport can only be authorised when this has been included in the Child Protection Plan as an essential element of protecting the child from significant harm, or when it is needed in an emergency situation to secure immediate protection.

The most significant change in the criteria is the restricting of transport, particularly taxis in relation to those families we are working with on a voluntary basis (Family Support), to those where it is clearly identified and costed as an essential element of a Family Support/Service Plan on a time limited basis or as a short term arrangement to avoid a young person coming into local authority accommodation.

Leicester City has an excellent public transport system and the emphasis, where the local authority do not have a legal duty to do so, is for parents and young people where they are capable, making their own travel arrangements. Where assistance must be provided, this must be through the most cost effective means, such as refunding bus fares or petrol costs and providing a bus pass for regular travel. The offer of a place at a nursery or an assessment which also involved parents/carers does not place any responsibility on the local authority to provide or fund transport.

Commissioning and Review

The new commissioning form requires information about the purpose of the journey and the authorisation of a Team Manager and will provide better management information about the use of taxis. The requirement to consider transport issues and costs within Care, Protection and Family Support Plans is reinforced by the need to explore all options and be explicit about the need for a taxi before it can be commissioned. It is also required that care providers at all levels have their responsibilities to provide/fund transport included in their contracts before the placement is commissioned.

The commissioning of transport is restricted to six weeks and a framework of review is specified which includes the Team Manager and Service Manager and particular attention to those cases which involve high costs or longer term commitments.

Conclusion

The introduction of new criteria will provide consistent and effective control of the transport budget.

Dave Starling, Service Manger, Child Care Service
Andrew Bunyan, Assistant Director, Chidlren and Family Assessment Strategy

CHILDREN'S TRANSPORT
THE CRITERIA FOR PROVIDING TRANSPORT

1. Transport will only be provided where:
 - a) the Department has the financial resources to do so, and
 - b) the Department deems it essential to do so to enable a child in need to participate in services provided to meet his/her assessed needs, and
 - c) where the need for transport is greater than the financial resources available at any point in time priority in allocating and renewing funding for transport will be given to children falling into the following categories in descending order:

Priority 1 - Looked After Children

Priority 2 - Children on the Child Protection Register or those in need of emergency protection

Priority 3 - Children in Need who have a CiN Service Plan.
2. Transport will only be provided for children.
3. Transport will not be provided for journeys of less than one mile where it is reasonable to expect a child to walk or use public transport unaccompanied by an adult.

Exceptional Circumstances

The criteria for providing transport are subject to the Department in exceptional circumstances exercising its discretion to provide transport otherwise than in accordance with those criteria.

Special Cases

In addition to the criteria for providing transport in the following special cases additional criteria apply:

Placement Providers

Where children are 'Looked After' in residential or foster placements, these providers should contribute to the provision or cost of transport e.g. an element of the fostering allowance is given in recognition of transporting costs for the child. Where specialist providers/services, such as Agency Placements are involved, expectations regarding transport should be established before the service is commissioned and included in the contract, including contracts with 'Contract Care' fostering arrangements.

If the placement is provided under S20 the Department does not hold 'Parental Responsibility'. Therefore the cost and arrangement of transport should not be assumed to be one which the Department is solely responsible.

The expectation that parents/carers fund or contribute to the provision of costs/taxis should be vigorously pursued, especially where the parent/carer is eligible or in receipt of welfare benefits which include recompense for transport costs (e.g. Mobility Allowance).

Home to School

It is not the legal responsibility of the Department to provide transport for children to attend school. However, short time limited assistance may be given in the following exceptional circumstances in order to enable more permanent arrangements to be made:

Necessary for a LAC to remain at same school (as part of a Care Plan) and transport is not provided by Education under the 'Code of Practice'.

Part of time limited element of a Family Support Plan.

In order to provide transport the following will be examined:

Discussion with the Local Education Authority to establish whether the Education Department will provide transport for the child/young person.

Consideration of bus pass, mileage to foster carer, parents/child's ability travel on their own, mobility issues, bus routes etc.

Appropriate use must be made of Team Support Worker/Child Care Support Worker resources

Taxi provision must be as a last resort and subject to a cash limited budget for each social work team

Contact

Consideration of venue and travel costs - use of public transport for parents and children 14 years of age or older.

Bus pass/refunding bus fares/travel warrant/mileage/foster carer/vehicle hire

Team Support Worker/Child Care Support Worker/Social Worker/specialist workers - issues of escort and appropriateness of taxi (subject to a cash limited budget for each social work team).

Day Care/Respite

The considerations outlined above apply.

Priority should be given to Child Protection assessments where the transporting of the parent/child is specified in the Child Protection Plan or Care Plan. It should not be assumed that an assessment entitles any party to transport.

Children and Family Centres

All of the criteria and priorities outlined above apply - in addition bus routes and the number of other pre-school children in the family should be taken into account, also whether

attendance is designated essential by a Conference, Child Protection Plan or an emergency arrangement to avoid accommodation

Access to minibus (where available) will follow the same priorities and be subject to review, but vacant spaces may be offered as a cost effective alternative to more expensive transport

Flexible start/finish times should be used to enable parents and foster carers with other child care responsibilities to retain responsibility for getting the child to and from the Centre.

Secure Accommodation

A Social Worker from the Authority must accompany a young person when transported to/from a Secure Unit and subject to a Secure Order

The Team Support Worker/Social Worker will be responsible for making the arrangements and providing a worker where the need arises in working hours or it is known will arise after office hours. Negotiations will be needed with EDT for transfer of responsibility at an agreed time after office hours. All requests received out of office hours will be directed to EDT and dealt with by this service

Use of a private agency to assist in the process will require the agreement of an Assistant Director

Where possible the assistance of staff within the Department of the unit involved will be sought to secure the most effective option.

Absconders

Arrangements for the return of young people outside office hours is undertaken by EDT, who have additional funding for the recover of those missing from care placements. If the young person is S20, consideration should be given to the parent accepting responsibility for recovery and/or any costs involved.

Review

The provision of transport will be subject to the review:

Six weekly, by the Team Manager, at the end of the maximum period the transport can be booked for

Three monthly, by Service Managers, for the teams they are responsible for

Team Managers are required to inform the Service Manager of any case which will involve high taxi costs

Team Managers will review **monthly** any case which involves taxi costs in excess of £100 per month

Team Managers and Senior Managers must ensure that expenditure relating to transport is contained within the specified and fixed cost centre budget.

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OLDER PEOPLE/ADULTS TRANSPORT – ELIGIBILITY CRITERIA

1. Purpose of the report

The cost of providing transport to older people and adults has increased over the last few years. One of the reasons for this increase is around the eligibility criteria. This report outlines the introduction of revised eligibility criteria for older people and adults.

2. Background

Fieldworkers Commission transport arrangements as part of a care plan drawn up after the assessment of need has been carried out. There are however a significant number of service users who attend day centres and who have not been assessed. This is because many of them have been attending day centres and receiving transport for the last ten to twenty years, and currently the Department does not have fieldwork resources to carry out about 400 assessments.

As part of the ‘modernisation of day services’ programme, required by the White Paper ‘Valuing People’, these service users needs, including transport requirements, will be reassessed over the next twelve to twenty four months. It is expected that these reassessments and revised/new care plans will improve the quality of services and also reduce the transport costs.

3. Eligibility Criteria

The current criteria, intended for Leicestershire, are attached as Annex 2. The revised criteria are based on the Department’s statutory duties and priorities.

3.1 Statutory responsibilities

Assessments of need are carried out under the NHS and Community Care Act 1990. Following this, care plans are drawn up to meet the assessed need. If transport is required as part of the care package to attend day centres, this needs to be arranged.

3.2 Revised Criteria

- * Transport should only be commissioned following assessment of an individual’s needs and it should form an integral part of a care package.
- * Where service users are able to use their own or public transport or where carers or others are able to provide transport, then the service user will not be eligible for transport from the Department.
- * Where service users do not have access to their own or public transport, the Departmental transport will only be provided to take them to and from services which are essential to meet their needs.

- * Under the terms of Leicestershire Health Policy Eligibility Criteria of Continuing Health Care, Leicestershire Health will provide transport to and from nursing homes and in some other circumstances where conventional transport may involve risk to the service user or others.

4. Reviews

Transport arrangements should be reviewed as a part of the review of the care plan by the specialist teams or the Review Team as appropriate. Where relevant, this should be done in consultation with the key workers of Day Care Services.

5. Process

All transport requests should be made through the 'transport request forms' and must have the Team Managers signature on it, as authorisation. Consideration must always be given to all the alternative options taking account of the service users abilities and available resources.

6. Respite Care/Day Care

Before committing Departmental transport, all other options should be considered. Departmental transport should be commissioned as a last resort.

ELIGIBILITY CRITERIA FOR TRANSPORT PROVISION

FOR ADULTS/OLDER PEOPLE

TRANSPORT PROVISION

1. A large amount of resources are devoted to transporting people to community care facilities and other settings by the Department. Transport services often form an integral part of the care package. To ensure the available resources are targeted to those in greatest need, the following criteria for transport services has to be agreed.
2. Transport should only be provided following assessment of an individual's needs when that individual has to attend a community care service to meet their needs but has no other means of getting there.
3. Where the service users are able to use public transport or where service users, carers or others are able to provide transport, then the service user will not be eligible for transport from the Department.
4. Where service users do not have access to their own or public transport, the departmental transport will only be provided to take them to and from a community care resources, which is essential to meet their needs.
5. Where service users require departmental transport, they will be expected to use the nearest community care resource suitable to meeting their needs.
6. Under the terms of Leicestershire Health's Policy and Eligibility Criteria for continuing Health Care, Leicestershire Health will provide transport to and from nursing homes and, in some other circumstances, where conventional transport may involve risk to the service users or others.