



The Future of the Independent Living Fund - ILF Consultation Response

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Cc: Caroline Barlow

Hi

Please find attached St Helens Council's response re the Future of the Independent Living Fund - Consultation

Question 1

Do you agree with the Government's proposal that the care and support needs of current ILF users should be met within the mainstream care and support system with funding devolved to Local Government in England? This would mean the closure of the ILF in 2015

In principle St Helens Council agrees that there should be one system for administering care and support and that this system should be administered through the Local Authority in England. This is dependent upon the Local Authority receiving the funding to go with it.

One system for administering care and support will create a fairer more transparent system for allocating resources.

For Group 2 users it will also significantly reduce bureaucracy. Currently Group 2 users have to go through 2 separate assessment processes, one for the Council and one for the ILA. Under the government's proposal this will become one. This will also remove the need for users and their carers to complete a set of accounts for ILF.

Both ILF and the Local Authority also operate 2 separate funding regimes, with Group 2 users having to make a financial contribution to their ILF and to the Local Authority. The Local Authority needs to account for the ILF contribution in calculating a user's contribution to the Local Authority to ensure that no individual pays more than they can afford to pay for their care, adding another layer of complexity. Having one mainstream care and support system will simplify this.

It is important that the mainstream care and support system needs to be sufficiently resourced in order to continue to meet assessed needs. The ILF Fund is currently closed to new users and diminishing. The value of ILF funds within St Helens has reduced by approximately £364,000 since the Fund was closed to new users.

In order to ensure that the Local Authority is able to continue to meet needs under one mainstream care and support system, it is essential that the value of the ILF Fund to be transferred to local authorities value should be no less than at the point that the Fund was closed to new users, i.e. as at December 2010, and not that as at April 2015.

Service users and carers would also seek to have the ILF fund ring-fenced for those individuals who meet ASCH eligibility criteria.

Question 2

What are the key challenges ILF users would face in moving from joint ILF/Local Authority to sole Local Authority funding of their care and support needs? How can any impacts be mitigated?

As part of this consultation response the Local Authority has met with a group of carers of ILF users. Carers expressed a number of concerns regarding the Government's proposals and these are set out below:

Carers and service users do not mind where the money is coming from as long as need continues to be met. They are very worried that the funding will not follow to the Local Authority or if it does it will be subsumed into the wider Council pot and not protected for existing ILF users.

This impact can be mitigated by confirming that the value of the Fund will be as at December 2010 and that there will be transition funding to guarantee that there is no loss of funding on transfer.

Carers are concerned that some aspects of the ILF would not fit the Fair Access to Care (FACS) eligibility criteria for ASCH and this may impact upon the level of funding they may receive in the future.

ILF carers and service users may not understand the Council's FACS eligibility criteria and what is or is not 'eligible need'. This may be a particular issue with regard to users who live at home with their parents and who may get ILF funding to allow for socializing. This provides respite for the families but may not be an eligible ASCH need.

This impact can be mitigated by early and constant communications between the DWP and the service users and carers. Services will need to be reassessed and this reassessment should commence as soon as possible. The Local Authority will need to see copies of all ILF assessments in order to complete a Local Authority only assessment, and there may be Data Protections issues with regard to this that will need to be resolved.

ILF Carers and service users expressed concern about the potential charging impact, moving to one Local Authority charging regime and early and regular reassurances should be provided with regard to this.

It is likely that the needs and vulnerabilities of carers will need to be considered, particularly in cases where the ILF recipient lives at home with his/her family and the Local Authority should plan on completing carers assessments in all cases.

It is important to review and agree common terminology to avoid unnecessary anxiety. (e.g. ILF may fund a 'holiday', the Local Authority will not fund a 'holiday' but may fund 'respite' as an assessed need. This may end up being the same service.)

Question 3

What impact would the closure of the ILF have on Local Authorities and the provision of care and support services more widely? How could any impacts be mitigated?

As responded in Question 1 the Local Authority supports having one care and support funding stream. Administratively it will be simpler for the Local Authority and for service users and carers, as well as more cost effective.

It is impossible to assess the impact that the closure will have on Local Authorities and the provision of care and support services more widely until the Government produces detail on the funding amounts to be transferred to local authorities and the specific funding mechanism (e.g. transitional funding).

It is essential that the Government says now what it is planning in order that the Local Authority can start to prepare for any impact.

Individual risk assessments as well as carer risk assessments may need to be completed and the local authority may need to consider the role of social support, particularly with regard to maintaining support for families and carers.

Question 4

What are the specific challenges in relation to Group 1 users? How can the Government ensure this group are able to access the full range of Local Authority care and support services for which they are eligible?

Social Care Services provided by the Local Authority are subject to a statutory framework and provided based on eligible, assessed need. They are also subject to charging under the Local

Authority's Fairer Charging Policy. Group 1 users may find that, following a financial assessment that they are liable to pay Local Authority charges that they have not had to pay previously.

Group 1 users have never been subject to a social services assessment or review. It is possible that these services may therefore be reduced following a social services assessment process.

Question 5

How can the DWP, the ILF and Local Authorities best continue to work with ILF users between now and 2015? How can the ILF best work with individual Local Authorities if the decision to close the ILF s taken?

ILF users need early and immediate notification of what the proposed changes are following the period of consultation. The DWP needs to consider establishing a communications plan with service users, carers and other partners. This Communications Plan needs to include events for service users and carers to attend (that are not fully booked, as stakeholder events which have been held during the consultation have been fully booked!!!)

On an individual basis the ILF needs to identify and meet with all Group 1 and 2 recipients. All change needs to be managed sensitively as there is already a high level of anxiety from service users and carers that there may be a reduction in their funding. They need to be reassured that eligible need will continue to be met. The Local Authority also needs reassurance from the DWP that there will be sufficient funding transferred to Local Authorities to allow these reassurances to be given.

The Local Authority has recently experienced significant reductions in funding. It is managing changes to its structures, roles and powers with reduced resources. The Local Authority needs to be notified by the Government as soon as possible as to what the arrangements are with regard to transferring the ILF Fund to Local Authorities to administer. This will allow the Local Authority sufficient time to plan and implement safely.

Thanks

Barbara

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PA to:

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