Appendix E



Health, Housing and Adult Social Care

TRANSPORT POLICY CONSULTATION REPORT























Introduction

This report describes the design and results of the consultation for the Enfield Adult Social Care DRAFT Transport Policy. This report will demonstrate how the consultation not only sought to inform residents of the draft policy's proposed changes to the provision of transport for clients of adult social care, but first and foremost engaged regular users of transport services in having their say on the proposals.

The primary transport service available in Enfield is the Council-run fleet service that uses vehicles specially adapted to safely transport people with a wide range of social care needs. However the policy covers all transport services from statutory, private and voluntary providers, whilst also including resident's own vehicles.

Transport services are most commonly used to access day-care provision also referred to as door to door transport, however the policy covers transport used to access any assessed eligible social care service.

A great deal of work went into the organisation and delivery of the consultation from teams across the Council, especially the day care centres from Enfield's Independence and Wellbeing Service.

Getting ready for the consultation

To ensure that our draft policy document, questionnaire and consultation plan was clear and would adequately enable residents to participate in the consultation, we ran three events with key groups of residents that most commonly use transport services (please see appendix C for details about these events). The feedback we received helped us to make our documents clearer and easier to understand. The feedback we received on our consultation plan informed us of key groups we should meet with and present the draft policy.

We would like to thank all those that gave their time to review our draft documents and continued to give feedback throughout the consultation.

The consultation

The consultation began on 10th August and ended on 10th November 2015 lasting for 13 weeks. The closing date was originally 30th October 2015 but was extended a further 11 days.

To take part in the consultation residents were asked to read the draft policy documents and complete the questionnaire. Respondents were also able to give written feedback on any points regarding the proposed policy through the questionnaire.

Publicity

The consultation was advertised using a wide range of methods, including:

- The Council website
- Letters sent to residents with a current community care package
- Letters sent to local organisations providing social care services
- Emails and reminder emails sent to local providers, Council staff, staff of partner organisations and residents that most commonly engage with the Council
- Enfield Voluntary Action e-newsletter (September and October editions)
- Enfield Racial Equality Council e-newsletter (October edition)

Letters

The Council sent letters to 1,690 addresses of people with a current community care package containing 1 letter, 1 draft policy document, 1 easy read version, 1 questionnaire and 1 freepost return envelope.

The Council also sent parcels to 53 Council-run, voluntary and private organisations containing 1 letter, 30 draft policy documents, 30 easy read versions, 30 questionnaires each.

Accessibility

There were six different means of responding to the consultation, these were:

- 1. The online questionnaire
- 2. Printed copies of the questionnaire
- 3. A printed easy read version of the questionnaire
- 4. Face to face meetings
- 5. Emails
- 6. Telephone

The questionnaires asked respondents to express whether they were in favour or not in favour of the key principles of the draft policy, whilst also asking them to provide further comment to explain their decision. The questionnaire also asked some questions about the respondent such as the types of transport services they use and their background. Respondents were able to complete and return the two printed questionnaires by using either the Freepost envelope provided with our letter or by using the freepost address displayed on the questionnaire. This proved to be the most common way people responded to the consultation with 419 out of the total number of completed questionnaires, 472, being completed and posted. The full results of the question naire can be seen in Appendix A.

Our face to face meetings were either arranged with providers and their clients or were arranged by the Council and were open to the general public. At these meetings the draft policy and the governance of the consultation (i.e. the approval process) was explained in detail, time was allocated for questions and answers and people were encouraged to respond to the consultation via the different means listed above.

For face to face meetings arranged with people who require support to understand the key messages of the draft policy and to respond to the consultation due to their disability or communication problems an easy read presentation was used. The presentation covered the key principles of the draft policy using pictures printed on large cards. Attendees were able to tell the Council how they felt about these principles by holding up pictorial cards that showed if they agreed or disagreed or if they were unsure.

A number of respondents communicated with council staff, that were responsible for the draft policy, through emails sent to either staff's own email addresses or to a generic email account created for the consultation (transport. consultation@enfield.gov.uk). All comments received through emails were added to the Record of literal responses to the consultation (Appendix B) and were replied to directly via email.

A number of respondents who had difficultly completing either the online or printed questionnaire or attending one of the face to face meetings due to their disability or illness responded via the telephone. A telephone number was provided on the letter and people who called this number expressing their difficultly to respond to the consultation were taken through the questionnaire with a Council officer over the telephone.

Engagement

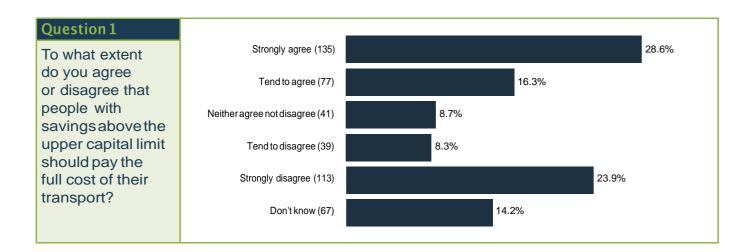
Letters and emails sent by the Council encouraged any group or organisation to contact the Council to arrange a face to face meeting. In total 19 meetings were organised, 3 of which were public meetings before the consultation began and 16 meetings were held the consultation period. The attendance of these meetings was not counted for 7 of them and the attendance of the remaining 12 meetings was 150 in total. The meetings that were arranged and their attendance can be seen in Appendix C.

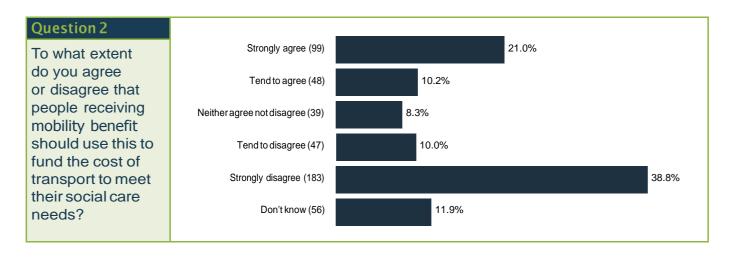
Next steps

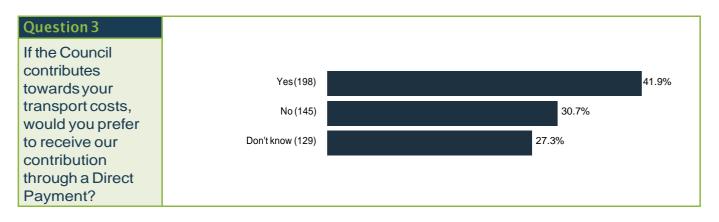
Following the close of the consultation on 10 November 2015 a report, which shows our proposals and what people have said about them, will be presented to the Councillors who sit on the Council's Cabinet. The Cabinet will then make a decision about what the Council will do next at their meeting in February 2016. Any changes agreed by Cabinet will happen from 1st April 2016.

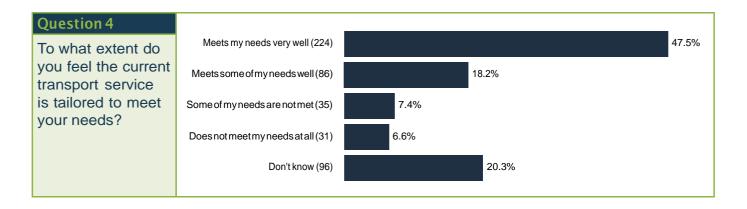


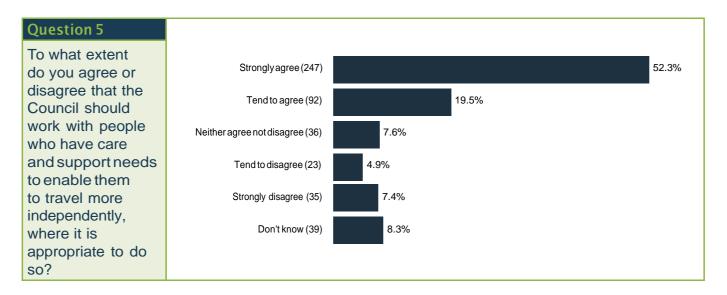
Results of the Enfield Adult Social Care Draft Transport Policy Questionnaire Appendix A



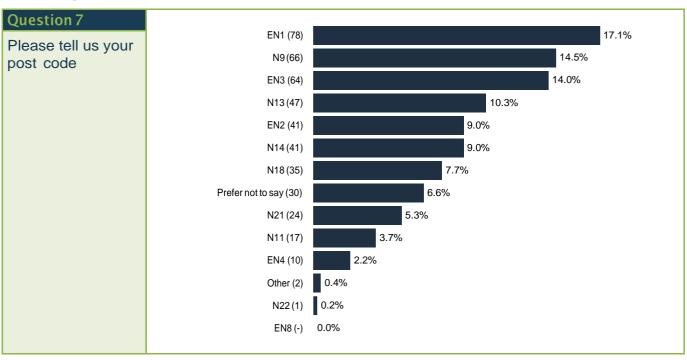




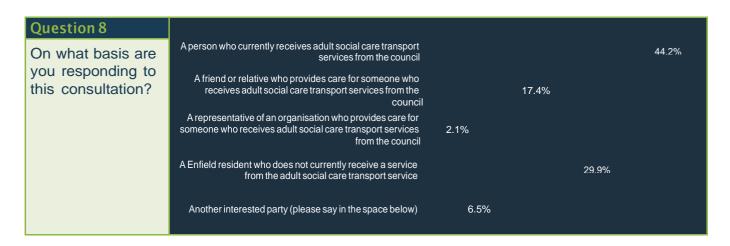


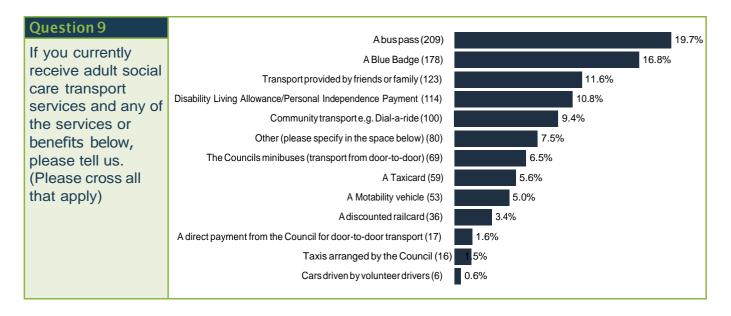


About you

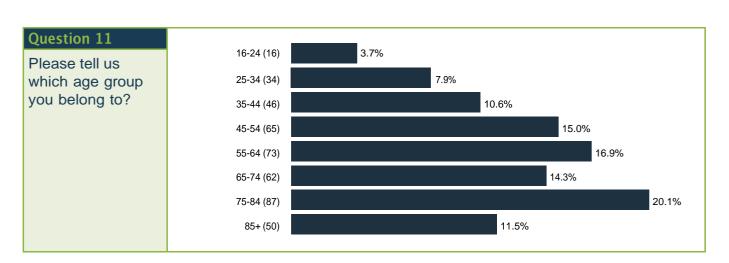


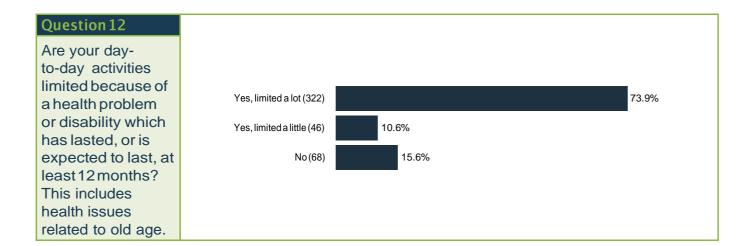


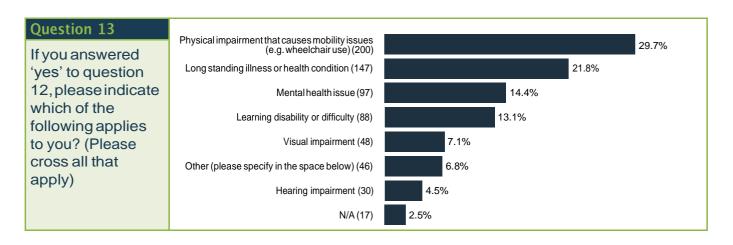


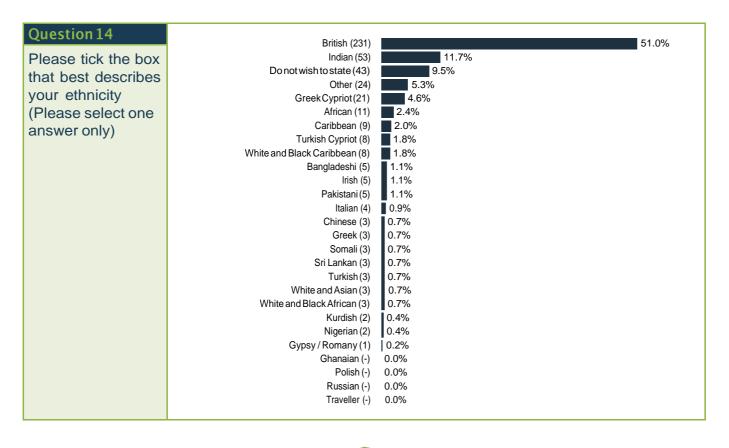














Record of literal responses to the consultation Appendix B

Comment	Council response	Amendment to Policy
Will the policy apply to all providers, not just to in house Council provided transport services?	Yes, the policy applies to all transport, regardless of which type of provider you use. (Council, private or voluntary sector)	ASC Transport Policy to show that it applies to transport provided by the Council, private and voluntary sector providers.
Does the £1.3m you state was spent last year on adult social care transport include transport provided by the private and voluntary sector?	The Council spent £1.3m on Council fleet transport and 'spot purchase' transport provision through the Council contract where fleet transport was either not available or not able to meet specific needs (e.g. taxis and ambulance transport.	None
Can you clarify the period over which the £900,000 savings will be made?	£500k saving agreed by Cabinet for 2015/16 and 2016/17. A further £400k to be agreed for 2016/17.	Policy now states that the full £900k saving has been allocated to 2016/17.
How many people will be affected by the changes?	650-700	None
This is a breach of human rights.	This policy does not affect or deny anyone's rights under the European Convention on Human Rights. The Councilis seeking to provide personalised and appropriate transport options for people with eligible needs which promote independence and choice.	None

Comment	Council response	Amendment to Policy
The policy does not refer to carers needs. This will affect carers a lot. Carers desperately need respite. If the carers is not willing or able to meet the person's needs, then the Council has a duty to do so. Any entitlement to mobility benefits does not affect that duty and the Personal Budget must be sufficient to meet that eligible need. Would it be helpful to say in the policy that assessment of needs is 'carer blind' and that the LAs' duty to meet eligible assessed needs applies unless a carer is willing and able to meet any of those needs.	When assessing what care and support a service user will need, the needs of any (informal) carer must also be taken into account and clearly evidence what the carer can and cannot continue to do or is willing or unwilling to do. This also includes help with transport to meet eligible needs. If the carer is not willing or not able to meet eligible any needs, then they are not performing an informal carer role so they would not receive a needs assessment in their own right. The Care Act explains how an assessment is done independently of the support that an informal carer is willing or able to provide. It is not relevant to the transport policy.	Policy updated to clearly state that wellbeing of the carer/s will also be taken into account when assessing and support planning. Examples also updated to reflect this in policy.
People will be isolated in their homes through no fault of their own. When people go to day care centres they don't just stay there, they go on outings and the transport for outings needs to be paid for. Escorts need to be provided for outings and trips from the day centre. Will the Council continue to pay for transport and the people needed to escort them on trips? It is really unfair that people with disabilities are being compelled to suffer even more.	Transport services which meet eligible needs are not being removed from people who need them. The Council is seeking to reduce the cost of transport to a level which represents good value for money and to provide transport options which are appropriate, personalised and promotes choice and control. Paying for these services will depend on financial means available to each individual and weekly income will not be reduced below the MIG plus 25%.	None
If someone is severely disabled, the day service is part of their assessed package of care to meet their needs. This group of people are likely to attend day services more often than people less disability and also receive mobility allowance. Therefore, they will lose all their allowance if they have to pay £10 per day.	Principle which describes taking mobility benefit into account when planning for transport support has now been removed. Normal charging rules within the charging policy will apply.	Policy amended to reflect this.











Comment	Council response	Amendment to Policy
Some people may stop attending services and be at risk through loss of services. Day services are a lifeline to the most vulnerable and ensure assessed needs are met.	Day services are one way of meeting eligible assessed needs but they are not the only way. For some people, day centres will be their fichoice, but others would prefer not to go to a day centre. The proposals in this policy will give people the freedom and choice to use their Personal Budget in the way that suits them best by encouraging a range of different transport options. The policy is not saying transport will be withdrawn from people who need it. It describes how transport must be more personalised and options for funding, which do include potential use of mobility beneficierous.	Purpose of the policy has been clarified.
People will lose the opportunity to travel anywhere except day centres.	On the contrary, the proposals in this policy promote independence and choice. Rather than depend on Council fleet transport to take people to day centres, the Council is increasing the options available to people so that they can use their Personal Budget in the ways that suit them best.	Policy amended to reflect this.
I would be happy to come by minicab, but I need help getting in and out of my home and in and out of the car and minicab drivers wont help me as they are not insured for this.	If the only way you can travel is with assisted transport, this will be determined at your needs assessment and shown in your support plan. Transport is not being taken away. We are simply ensuring that people have access to the cheapest and most appropriate form of transport for them.	None
You are cost shunting to people with learning disabilities. This policy only appears to affect people with Learning Disabilities.	The policy applies to all client groups, of which the largest group affected is older people.	Mobility principle removed from policy.

Comment	Council response	Amendment to Policy
Younger adults are currently worse off than older people by £60 a week, this being the difference in the Minimum Income Guarantee. Is Enfield Council discriminating against young adults by maintaining an unequitable MIG level? Anything above the MIG is not disposable income.	The draft policy has been revised to reflect feedback, particularly with regards to mobility benefit. It is not a charging policy. Any comments regarding MIG levels applied by the Council will be covered under the charging policy which will be revised early in the new year for 2016/17.	None
You cannot take all of someone's mobility benefit as it is provided by government to help with other things, including to help people get out and about, it is not just about meeting assessed eligible needs. Mobility benefit is supposed to allow choice, not to have enforced payments which reduces the person's already low income. Have you accounted for the fact that people with the highest mobility allowance have the highest level needs and will have used their mobility benefit for other things like attending GP and hospital appointments.	Mobility benefit principle has been removed.	Policy updated to reflect this.











Comment	Council response	Amendment to Policy
The examples you give at the end which show that mobility allowance will be taken into account as part of the financial assessment. This is misleading as the Care Act states that mobility benefit should be disregarded as part of the financial assessment. If someone has an eligible assessed need and the carer is not willing or able to meet that need, then the LA has a duty to do so. Any mobility allowance does not affect that duty and the Personal Budget must be sufficient to meet that eligible need. Mobility benefits must not be included as income. We have problems with the examples for many reasons, but particularly how to do comply with the requirement to exclude mobility benefit as income when calculating any service user charge.	Mobility benefit principle has been removed.	Policy updated to reflect this.
Where the changes recommended in the policy to the way that mobility benefits are used in assessing charged proposed because of the new Care Act? If so, which specific part of the Act supports these changes.	Mobility benefit principle has been removed.	Policy updated to reflect this.
What happens if people are contributing to their transport and they are ill and cannot use it? Will they still have to pay?	Individual providers will have their own policy and this may include advanced warning to avoid charges. The same rule applies to providers of other services such as homecare or daycare.	Charges for cancelled services will be covered under the new charging policies for 2016/17.
How will providers charge and collect payment?	There will be no separate charges for transport now. Any charges payable for adult social care services will be covered under the current charging policies.	Policy updated to reflect this.

Comment	Council response	Amendment to Policy
My son is totally dependent on those who care for him. This has a huge effect on the family and coping can be difficult. My son has had to find £500 per year for food at his centre, how much more do you want to deprive him of?	Mobility benefit principle has been removed.	Policy updated to reflect this.
Transport services for people with very high needs can be complex and I would rather than the Council identified the services and arranged them.	This can be done through our Brokerage Service, either separately or as part of a Council Managed Service package. The same transport charges will apply regardless of whether you arrange your own transport or the Council arranges it for you.	The policy does explain that any support or services needed can be brokered by the Council on your behalf, including transport.
How much per day will Council transport actually cost for people with savings above the upper capital limit? The consultation is not telling us what we are going to have to pay.	The Council will be working to reduce the cost of the type of service it currently offers directly. As with any other service, we will be clear and up front about how much each different type of service will cost.	Transport charges for Council transport for next year will be included in the Adult Social Care Charging Policies for 2016-17.
Will you be giving a car usage allowance? Will you pay for petrol?	No, every family that runs a car has running costs and expenses, so car expenses are not solely for the benefit of the person with the disability. If you have a Motability Car all your servicing, maintenance, insurance and breakdown cover is paid for under the terms of your Agreement. However, where a family for example takes a disabled family member out and about (not part of their assessed needs) it is reasonable that they would contribute towards the costs of doing this.	Policy updated to reflect this.
If someone has a Motability car that someone else drives, then the cost of a carer to take them to and from the day care centre in the car would be £30 so an extra £30 would need to be included in the Personal Budget.	When a personal budget is allocated to a service user it will be based on a support plan which considers how to make best use of all available resources. A Motability car, for example, is intended for the benefit of the disabled person and to enable them to be mobile. This does not have to be day care, it could be time out and about.	Policy updated to reflect that the vehicle must be available to the person when they need it. Principle updated to reflect this.











Comment	Council response	Amendment to Policy
I have a Motability Car. When my car is broken down or the garage I become housebound and unable to work.	All repairs and maintenance are covered in your agreement. Many people who use their car for work or travel cannot do so whilst their car is being serviced or repaired. However, employers must make reasonable adjustments and where you are unable to physically get into work you may be able to work from home, for example.	None
Under item 5.107 of the Care Act, it states 'Local authorities should consider whether the adult has an opportunity to apply themselves and contribute to society through work, training, education or volunteering subject to their own wishes in this regard. This includes the physical access to any facility and support with the participation in the relevant activity.' This indicates that physical access to a facility includes transport, so transport is a social care service in itself.	This section does not indicate this. Transport to the facility and physical access to the facility are not the same thing. Transport covers the getting there and physical access how you enter once you get there, for example, wheelchair accessibility.	The policy has been amended to reflect how needs will be discussed, agreed and met.
Should there be a reference to the fact that Direct Payments would not normally be used to purchase services provided by the Council?	Payment for transport via a direct payment will be covered within the new charging policy for 2016/17.	None
Transport costs' is very vague. Do you include the cost of escorts in transport. I presume other things, such as petrol, use of family vehicle, parking, cleaning driver, etc. are included?	If you need an escort to travel independently, this will be included in your support plan. If you need assisted transport, the escort is included in the cost. Other transport costs necessitated by illness or disability, including costs of transport to day centres, over and above the mobility component of DLA or PIP, if in payment and available for these costs. In some cases, it may be reasonable for a council not to take account of claimed transport costs — if, for example, a suitable, cheaper form of transport, e.g. council-provided transport to day centres is available, but has not been used.	Reference to this in the policy is made.

Comment	Council response	Amendment to Policy
Will you confirm that no reduction will be made to a service user's personal budget (which includes services provided by an independent provider) unless changes are made to the service user support plan and the financial assessment linked to that. Where a Direct Payment is used to purchase transport, will that direct Payment be affected by this Policy.	A person's personal budget will be appropriate to meet their assessed needs as described in their support plan. The support plan reflects which needs are eligible and funded and at what level. The financial assessment is an assessment linked to funding provided through the personal budget. Where any support is provided through other means (e.g. unpaid carers) this will not be part of the personal budget or financial assessment. Any direct payments made are always net (minus) of any contribution a service user makes.	Section on assessment and support planning and personal budget expanded in policy.
Transport should be organised efficiently.	We absolutely agree and this is why we want to make the proposed changes. We are aiming for cost effective, efficient and safe transport options for everyone who has eligible assessed social care needs.	None
We are self-funders. It is not fair that self-funders have to pay the full cost of transport while others pay nothing.	Current charging rules for Adult Social Care support will apply. Where people self fund they will continue to pay the full cost of their service.	None
Will you be having discussions with day care centre providers?	Yes and discussions have been taking place.	None
Do you intend to consult with Dial A Ride?	London Dial A Ride is a national service for people with disabilities who are unable to travel on public transport. Dial A Ride is accessed independently by service users. More people may choose to use this service as a result of this policy so we will discuss any potential impact on the service with them.	None
How will you have carried out the required assessments in time for April 2016? Does the Council have the staff and resources to do this?	The Council will ensure that sufficient resources are available to review the support plans of people affected by the policy.	None











Comment	Council response	Amendment to Policy
The policy is unclear about how people living in residential accommodation will be affected by the changes.	It is normally expected that the cost of any outings or activities is included within the cost of a placement. Any discussion about additional costs will be subject to individual discussions with placement providers.	None
Will training will be given to staff to implement the policy?	Yes, training will be organised through the Council's Organisational Development Service. There will also be online guidance for staff to ensure consistency in the application of the policy.	None
What is the cost of implementing the policy and will it be greater than any savings generated?	The cost of implementing this policy will be managed within existing Council resources.	None
How will you let service users and carers know about the planned changes?	Once the consultation process is complete we will write to all people affected by this policy providing an update on any changes made, a copy of the revised draft policy and the product of the consultation process, including this Q&A document.	Revisions to policy will be subject to a further period of consideration before going to cabinet in February 2016.
Is the review referred to in the policy to be at the next planned review (normally only undertaken if there is a change of needs or circumstances).or is it an additional unplanned review.	Where a review is planned this will take place as normal. Where there is no scheduled review, a meeting will be scheduled to complete a review.	None
Various extracts from statutory guidance have been quoted in the policy, but these are out of context and therefore misleading. I suggest that they are removed and accurately paraphrased if necessary. Particularly the DRE references which do not state that DRE only applies to needs which are not being met by the Council.	We will add relevant extracts from the Care Act to the policy, including extracts about DRE.	Mobility principle removed from policy.
Some children in Enfield get mobility benefit. Are you going to be taking their mobility benefits too? If not, then you are not treating people equally.	This policy only covers adults, so children's transport and mobility benefits are not affected by this policy.	None

Comment	Council response	Amendment to Policy
Government has announced that all business rates collected will be kept by Local Authorities as a new funding stream. This is a significant amount of money so should be used towards paying for transport instead of charging people.	It is correct that from 2020 local authorities can keep all the monies collected from business rates to pay for local services. However, this is not a new funding stream. Currently, the business rates collected go to central government who give each local authority an allocation in the form of a 'revenue support grant' to pay for local services. From 2020, the Government won't be giving local authorities a revenue support grant. It won't be known what financial impact this will have in Enfield until nearer the time. However, the Government is keen that local authorities reduce business rates to attract new businesses and employment and to boost economic growth.	The cabinet report will reflect the comments people have made about potential savings the Council could seek to make from other means as part of the consultation feedback section.
Will this mean that the transport workforce will be reviewed and people will lose their jobs?	All Council services are being reviewed under the Enfield 2017 transformation programme. Where efficiencies can be made that include a reduction in posts then staff may be redeployed into other jobs or made redundant.	None
The Council must be spending a lot on its 50th anniversary celebrations. The Council must waste millions on publishing. Can you stop publishing all this material and divert that money to adult social care where it is needed?	The Council wants people to access services and information online where this is appropriate, as this is the most efficient and cheapest option. However, we recognise that many people cannot or do not want to use online services, so we have to communicate with them in other ways. Any printed publications cover a wide subject matter wherever practical. The Council does not print materials unnecessarily.	Reference to these suggestions in the Cabinet report.
Are Councillors and Members allowances being reviewed to contribute to part of the savings plans? Their expenses claims and contributions should be reduced too.	This is a matter dealt with by Democratic Services within the Council.	Reference to these suggestions in the Cabinet report.











Comment	Council response	Amendment to Policy
Will the consultation be extended as the timing for vulnerable groups was not long enough, as the easy read version of the policy?	The council has extended the consultation period from 30th October to the 10th November in response to feedback. There will be a further period of 5 weeks for comment until the 19th January 2016 on the revised draft policy.	Any feedback received will be considered with regards to both the draft policy and the Cabinet report.
1. I have attached an LAC issued by the Department of Health which details the treatment of the mobility component of DLA at paragraphs 9-11. Section 73(14) reads as follows: A payment to or in respect of any person which is attributable to his entitlement to the mobility component, and the right to receive such a payment, shall (except in prescribed circumstances and for prescribed purposes) be disregarded in applying any enactment or instrument under which regard is to be had to a person's means. (Local-Authority-Circular-DH201231). As such it is difficult, if not impossible to reconcile the Department's advice with that explained in the consultation document.	Mobility benefit principle has been removed.	Policy updated to reflect this.

Comment	Council response	Amendment to Policy
2. I have also attached Professor Clements' Autumn Newsletter and refer you to page 2, the comments on DLA and charging and Wellbeing. Professor Clements makes the point the Department's advice remains good law. In addition the approach (as I understood your comments you were invoking the Wellbeing principle to permit a crossover between council funding and individual funding) in the consultation document is compromised by both the Department's advice and the Wellbeing principle itself i.e. Individuals are best placed to judge their own well-being so why would they enter into an "arrangement" with an authority which involved contributing some or all of the mobility component when they had already been financially assessed? (See row below for text from newsletter quoted)	See above	See above
I understand what you have said. However, it does not throw light as to how the Wellbeing principle permits an authority to prescribe the best use of an individual's resource including mobility benefits leaving aside the applicability of section 73(14) and the Care and Support (Charging and Assessment of Resources) Regulations. In short the authority appears to hold the opinion that the legislation permits a two phase calculation/approach. I do not believe that is correct.	Mobility benefit principle has been removed.	Policy updated to reflect this.











List of Events Appendix C

Title	Where	Date	Time	Lead LBE Offi	Attendance	
Events before consultation						
Working Group Engagement Meeting 1	Park Avenue Disability Resource Centre	15.07.15	10am	Doug Wilson Janice Abraham Cenk Orhan	Not counted	
Working Group Engagement Meeting 2	Rose Taylor	16.07.15	1pm	Janice Abraham Cenk Orhan	Not counted	
Working Group Engagement Meeting 3	Civic Centre	20.07.15	3pm	Doug Wilson Janice Abraham Cenk Orhan	Not counted	
Events during consulta	ation period (10 Aug to	o 10 Nov)				
Learning Difficulties Partnership Board	Community House	17.08.15	10:30am	Janice Abraham Cenk Orhan	19	
Older Peoples Partnership Board	Dugdale Centre	16.09.15	10:30am	Doug Wilson Cenk Orhan	13	
САРЕ	Community House	24.08.15	7pm	Peppa Aubyn Tracey Owen	Not counted	
Carers Hub (Carers VCS Orgs)	Enfield Carers Centre	26.08.15	10:30am	Janice Abraham	Not counted	
Evening Carers Drop in	Enfield Carers Centre	26.08.15	6pm	Janice Abraham	Not counted	
Person Centred Day Opportunities	92 Chase Side	28.09.15	11am	Cenk Orhan	Not counted	
Rose Taylor	55b The Sunny Road	17.09.15	1pm	Janice Abraham Cenk Orhan	20	
New Options	25 Connop Road, Enfield EN3 5FB	08.10.15	11am	Chris O'Donnell Cenk Orhan	20	
Formont Centre	Waverley Road, Enfield, EN27BP	09.10.15	10:30am	Peppa Aubyn Cenk Orhan	28	
Community Link	(Enfield Town)	13.10.15	9:30am	Chris O'Donnell Cenk Orhan	11	
Community Link	(Edmonton)	19.10.15	2pm	Chris O'Donnell Cenk Orhan	7	
Provider & VCS Event	Green Towers, Edmonton	19.10.15	10am	Doug Wilson Cenk Orhan	3	
Public Event	Dugdale Centre, Enfield Town	21.10.15	10am	Doug Wilson Cenk Orhan	1	
Person Centred Day Opportunities	92 Chase Side	26.10.15	11am	Doug Wilson Peppa Aubyn	19	
Reardon Court	Winchmore Hill	28.10.15	11am	Janice Abraham Cenk Orhan	7	
Public Event	Park Avenue Disability Resource Centre	28.10.15	1pm	Doug Wilson Cenk Orhan	2	
19 events					150 attendees	

Notes

