

### Policy Library Pro Forma

This information will be used to add a policy, procedure, guidance or strategy to the Policy Library.

**Title:** Adult Social Care Travel Policy

#### Aim / Summary:

To set out the criteria and charge for the provision of transport funded by the County Council

#### Document type (please choose one)

Policy	<input checked="" type="checkbox"/>	Guidance	<input type="checkbox"/>
Strategy	<input type="checkbox"/>	Procedure	<input type="checkbox"/>

**Approved by:**

**Version number:** 8

**Date approved:**

**Proposed review date:**

#### Subject Areas (choose all relevant)

About the Council	<input type="checkbox"/>	Older people	<input checked="" type="checkbox"/>
Births, Deaths, Marriages	<input type="checkbox"/>	Parking	<input type="checkbox"/>
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Leisure	<input type="checkbox"/>	Travel and Transport	<input checked="" type="checkbox"/>
libraries	<input type="checkbox"/>		<input type="checkbox"/>

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#### Please include any supporting documents

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2.

**Review date**

**Amendments**

April 2014

Inclusion of criteria to be met before a transport assessment is carried out. Clarification of criteria to be met for transport assistance to be provided. New clause on failure to use the service and loss of transport place. New policy

	re use of a direct payment to fund transport. New clause on collection of the charge. New Appeals process. Amendment to complaints section. Change of name for policy.
September 2011	Changes to charges for some preventative services and inclusion of an additional Transport Charge Agreement Form for these service user – see section 5.1. Inclusion of how to contact Transport Section - see section 4.2. Inclusion of additional exception criteria for the Transport Charge – See section 5.4. Change to how funding for transport is to be allocated to a person within their Personal Budget – see Section 3.1. Amendment to recording requirements – see Section 4.1 and 4.3.
3/5/2011	Change to 5.2 – Notice to avoid charge.
2/3/2011	Introduction of transport assessment episode in Framework, see section 4.2
October 2010	Updated to reflect context of personal budgets. See new information about charges in 5.1 and changes to exemption criteria in 5.4.
April 2010	Transport charges updated.
31/1/2008	Clarification given of charges for transport and additional trips. See section 3.1
26/8/2008	Increase in flat rate charge for transport. Approved by DD dated 29 <sup>th</sup> July 2008.



## Adult Social Care Travel Policy

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## 1 Purpose of this policy

This policy should be used to determine if a person, who is eligible to receive services or support funded by the County Council under the [national eligibility framework](#) (also referred to as “Fair Access to Care Services” or FACS) , is also eligible to use County Council transport or to receive funding to assist with transport costs to access services.

## 2 Criteria to determine if the person is eligible to be assessed for assistance with transport

### 2.1 Criteria

Two criteria must be met, before an assessment will be carried out to determine if a person is eligible to receive transport assistance from the Council.

**a)** The service user must be eligible for services or support from the Council.

**AND**

**b)** The service user must have a need for provision of community care services, as defined by section 46(3) of the National Health Service and Community Care Act 1990. This excludes the provision of services specifically organised to provide a break for carers. Transport to and from health appointments (including hospital) is also excluded as the provision of this assistance is not a required duty of the Council.

### 2.2 Exceptional circumstances

In some exceptional circumstances, the Council reserves the right to consider if transport assistance should be provided to any individual or group of individuals who does not meet either or both of the criteria above. The Council should be asked to consider an individual case using the Appeal process (see section 8).

### 3. Determination of Eligibility for transport assistance

#### 3.1 Transport Eligibility Assessment process

If the service user meets the criteria listed in section 2, or has made a successful Appeal (as at section 9), then the Transport Eligibility Assessment should be carried out. Please see Appendix 1 for detail of this assessment.

For the purposes of this Assessment, the Council believes that it is reasonable to conclude that a person may not need assistance from the Council with transport in the following circumstances:

- A Mobility Car is funded by the service user's DLA/PIP Mobility Component and this car is available with a driver, to transport the person to services. The driver could be the service user or another person who is insured to drive the car, including a Personal Assistant employed to support the service user. If any Personal Assistant is available, can drive and is not currently insured to drive the Mobility Car, this option should be discussed.
- An appropriate vehicle is owned by the service user, their main carer or care provider and the vehicle is or could be available to transport the service user.
- Public transport is available, for example, a bus or train and the service user has the skills, or could develop the skills through training provided by the County Council, to use this transport safely. The public transport would need to be available at appropriate times so that the person has sufficient time at the service to ensure that outcomes from the Support Plan are met. The person should be able to get to the appropriate bus stop or station safely. Part of the support planning process will involve encouraging people to develop their skills around travelling independently.
- An accessible taxi or community / voluntary transport scheme is available locally and is available at the time required, at an affordable cost.
- The person can walk or cycle safely to services located within a manageable distance for the service user
- If someone is undertaking voluntary work, then the voluntary organisation is expected to pay the transport costs.
- If someone has paid work, then the employee should pay their own transport costs or ask for a contribution from Access to Work funding.

The fact that the service user has received transport from the Council for a long time and, in some cases, enjoys the journey (eg. due to meeting friends on the bus) is not sufficient reason for the Council to continue providing the transport.

The answers to all of the Transport Eligibility Assessment questions should be negative for a decision to be reached that the service user is "eligible" to receive transport assistance from the Council, as there is no viable alternative provision. A service user will not be provided with transport assistance if he/she does not have a decision of "eligible" following this assessment.

### **3.2 Exceptional circumstances**

A person with authority (ie. Team Manager or more senior) may determine that a person should receive transport, even if the Transport Assessment outcome is that the person is “not eligible” . In this situation, there needs to be good reason for overriding the decision which should be noted on the Assessment including any time period stated for the transport assistance to apply. In this way, each case can be considered on its own merits.

## **4 The provision of assistance with transport**

### **4.1 Cost-effectiveness**

Transport will always be provided to meet the service user’s need in the most cost-effective way, for example, using shared transport if this is appropriate. The form of transport could be:

- Transport operated by the County Council, including specialist transport such as a wheelchair accessible vehicle
- Transport operated by another Council on behalf of the County Council
- Transport operated by a third party contracted by the County Council
- Transport arranged by the County Council, but provided by the voluntary or independent sector,
- Transport arranged by the service user but funded by the County Council, for example, as a direct payment made towards mileage costs

### **4.2 Transport to the nearest appropriate service**

The Council will only provide transport assistance to the nearest appropriate location that is assessed as being able to meet a service user’s needs.

### **4.3 Failure to use the service**

If a service user fails to use the booked transport for 20 working days, or on 5 consecutive occasions (whichever is the lesser) without providing prior notice or explanation, then the service user will be contracted to advise them that the allocated provision will be cancelled.

## **5 Direct payments for transport costs**

A direct payment can be given to fund transport costs.

The usual mileage rate will be 45p per mile for petrol costs and 50p per mile for community transport scheme costs. Confirmation of the final amount will be given

when the direct payment is awarded to each individual, to allow for discretion based on individual need.

A direct payment for transport costs will not normally be agreed if the person providing the transport for the service user lives at the same address as the service user. However, this could be agreed if exceptional circumstances apply.

It might be reasonable to fund the return journey for a neighbour or friend who is being paid mileage costs by the service user via a direct payment, providing that this option remains the most cost-effective transport option available to the service user.

## **6 Charging for transport**

All service users, who are provided with transport or who receive funding to meet transport costs, must pay the flat rate transport charge to the Council. This rate of charge is agreed annually by the Council and set out in the “Contributions towards the cost of a personal budget” policy. The charge is applied for a single or return journey, per day, and does not vary depending on the mileage travelled or cost of the transport provision.

The Council will ensure that the level of charge made to any individual each week does not bring their total level of income below the minimum level set by national government guidance.

### **6.1 Exemptions from the charge**

The charge will be incurred unless the service user gives 48 hours notice of cancellation, except in the following circumstances:

- emergency hospital admission
- death of the person

Some people are exempt from the transport charge. These are people who:

- have transport assistance to attend services provided as aftercare under Section 117 of the Mental Health Act 1983.
- are already contributing to a means-tested Independent Living Fund care package.
- have Creutzfeldt Jacob Disease (CJD)
- have transport funded 100% by the NHS or another public body
- have been granted exemption from the charge as a result of becoming a new user of County Council transport when transferring day service locations, caused by the Day Service Modernisation Programme (2011-2013).

## 6.2 Collecting the charge

The charge is collected by invoice, issued by Adult Care Financial Services, for all service users who have their transport arranged by the Council.

If a service user takes a direct payment for transport, then the value of the transport charge per day must be deducted from the total amount of the direct payment so that the service user receives the net amount. This will be actioned by the assessor or broker at the support planning stage.

## 6.3 Refusal to pay the charge

Transport will not be provided if a service user, or their appointee, refuses to pay the charge. In this situation the assessor will consider if the service user's outcomes can be met in a different way:

- which does not involve the provision of any transport assistance.
- with minimal provision of transport.

If neither of the above options are possible, consideration will be given to taking legal action to recover any outstanding charges and legal action will be sought regarding the continuation of the service.

## 7. Reviewing eligibility for assistance with transport

The provision of transport or funding for transport, any charges and discretionary decisions will be reviewed at least annually.

If a decision has been made to withdraw provision of transport assistance following a review, notice of this decision will be given in writing, at least 28 working days in advance of the withdrawal.

## 8. Complaints

If any service user is not satisfied with the process that has been followed or the way that their case has been handled, he or she can make a complaint under the Council's [complaints procedure](#).

Staff must ensure that service users and their representatives are informed of their rights. See the Publications Directory for the fact sheet "[Have your say about our services](#)". There is also an [easy read version](#).

## **9. Appealing for transport assistance in exceptional circumstances**

As stated at section 2.2, there may be situations where a person who does not meet either or both of the criteria described in section 2 wishes to ask the Council to provide assistance with transport and the Council will consider these requests.

The Transport Appeal Form should be completed by the service user or their appointee, with the support of Council staff if necessary, clearly setting out the reason why exceptional circumstances should apply.

The appeal should be submitted to the Customer Service Centre. The case will be considered by a senior officer within 20 working days of receipt. The outcome will be communicated to the service user within 5 working days of the decision being made.