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Title: Transport 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)

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Please include any supporting documents

1. [ACM/25/TRAN.CHARGE](#)

2. [ACM25A/TRAN.CHARGE\(preventative services\)](#)

Review date

Amendments

November 2013

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.
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 th July 2008.



Transport Policy

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1 Purpose of this policy

This policy should be used to determine if a person, who is eligible under the [national eligibility framework](#) to receive services or support funded by the County Council, 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

Three basic requirements must all be met, before a transport eligibility assessment is carried out:

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

AND

b) The service user must have a need for services or support defined within:

- the National Assistance Act 1948
- the Chronically Sick and Disabled Act 1970
- the NHS and Community Care Act 1990
- the Local Authority Circular LAC(93) 10

For the purposes of this policy, services include:

- People in urgent need of residential accommodation
- Facilities for social rehabilitation and adjustment to disability
- Facilities for occupational, social, cultural and recreational activities
- Workshops for engaging in work
- The provision for that person of lectures, games, outings or other recreational facilities outside his/her home or assistance to that person in taking advantage of educational facilities available to him/her.

With the exception of “people in urgent need of residential accommodation”, the outcomes where transport is relevant should be identified in the following sections of the community care assessment or review:

- Being part of the community (Section 9)
- Work, formal education or training (Section 11)

Activities to enable people to be part of the community could include meeting up with friends, attending a day service, or using community facilities, for example, a leisure centre.

AND

c) The service user must **not** be in receipt of the Mobility Component of Disability Living Allowance (DLA) or Promoting Independence Payment (PIP), since this component provides funding towards transport costs.

3 Eligibility for transport assistance

If the service user meets all three basic requirements listed in section 2, then the Transport Eligibility Assessment should be carried out to ask:

- Has the service user got access to any form of transport which the Council could reasonably expect to be used to meet their transport needs?
- Is there is any other Agency who is responsible for funding the transport need, for example, another Local Authority or the NHS for people with 100% Continuing Care Agreements Section 256?
- Are the transport costs being incurred due to voluntary or paid work?

The answers to all of the above questions should be negative for the service user to be eligible to receive transport assistance from the Council. A service user will not be provided with transport assistance if he/she does not have a decision of “eligible” following this assessment.

The Council believes it is reasonable to expect that a person could travel to the services he or she needs, in the following circumstances:

- A Mobility Car is funded by the service user’s DLA/PIP Mobility Component.
- An appropriate vehicle is owned by the service user, their main carer or care provider
- Public transport is available, for example, a bus or train. The person might need training to develop the skills to travel independently. The public transport would need to be available so that the person has a reasonable amount of time at the service. Part of the support planning process will involve encouraging people to develop their skills around travelling independently.
- A taxi or community transport scheme can be used. Any cost up to and including £7 per day would be seen as reasonable.
- Walking or cycling to services (possibly only relevant to some younger adults who live close to services)

3.1 People doing voluntary work

The Council believes that if someone is undertaking voluntary work, then the voluntary organisation should refund their transport costs. Also, if someone has paid work, then the employee should cover their own transport costs or ask for a contribution from Access to Work funding. Training for work is a valid activity where the Council can be asked to meet transport costs.

4 The provision of assistance with transport

Transport will always be provided 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 arranged by the County Council, but provided by the voluntary or independent sector, funded by the Community Care Support Budget
- Transport arranged by the service user but funded by the County Council, for example, as a direct payment made towards mileage costs

4.1 Transport to the nearest appropriate service

The Council will only provide transport assistance to the nearest appropriate location that meets a service user's needs. Where the service user chooses to access a different service or activity / support which is further away, the level of transport assistance will be equal to that which would be provided for access to their nearest appropriate provision.

4.2 Failure to use the service

If a service user fails to use the service for 28 working days, without providing prior notice or explanation, then the allocated provision will be cancelled and offered to other service users on the waiting list.

5 Direct payments for transport costs

A direct payment can be given to fund transport costs, if there are no other transport options available to the person and no "reasonable" option as outlined in section 3. For example, for a direct payment could be given for a community transport scheme or mileage costs of a friend or neighbour. The mileage rate will be 45p per mile for petrol costs and 50p per mile for community transport scheme costs. The mileage rate will **not** be payable to someone living at the same address as the service user. It might be reasonable to fund the return journey for a neighbour or friend who is claiming mileage costs, but if a taxi or community transport would be cheaper option then this method will be used

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 by annually by the Council and set out in the Fairer Contributions 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 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 services as defined under section 2.3 which are part of aftercare under part of Section 117 of the Mental Health Act.
- 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, a risk assessment must be completed by the assessor to establish what risks the service user would be exposed to, if the transport to that particular service was not provided and the service user did not attend the service. The risks to the individual should be assessed alongside a best interests assessment. The appropriate manager will then determine the best course of action.

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. The review will include the offer for the person to have his or her mobility benefit status checked.

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 his/her 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 support with transport in exceptional circumstances

If a service user or their appointee is not satisfied with any of the decisions reached under this policy, then they may appeal for the decision to be reviewed because of exceptional circumstances.

The Transport Appeals 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.