

**6<sup>th</sup> January 2014**

**Agenda Item: 11**

**REPORT OF THE TEMPORARY DEPUTY DIRECTOR FOR ADULT SOCIAL  
CARE, HEALTH AND PUBLIC PROTECTION**

**UPDATE ON THE INDEPENDENT LIVING FUND**

**Purpose of the Report**

1. To provide members with an update report regarding the current position of the Independent Living Fund (ILF).

**Information and Advice**

2. Following a consultation period by the Government on the future of the ILF, on the 18 December 2012 the Minister for Disabled People announced the Government's decision that on 31 March 2015 the ILF would close. From that date funding would be devolved to local authorities in England who would have sole responsibility for meeting the eligible care and support needs of ILF users.
3. A Committee report was presented to the Adult Social Care and Health Committee on 28 October 2013 recommending approval for a request to be made to the Finance and Property Committee for a contingency fund to be established to ensure the department had sufficient funding at the point of transfer.
4. However, on the 6 November, the Court of Appeal ruled against the government's decision to close the ILF. All activity relating to the Transfer Review Programme has been cancelled, which includes all joint transfer review visits.
5. The Department for Work and Pensions informed the ILF that all closure activity was to cease with immediate effect. All literature relating to the Transfer Review Programme is no longer valid and information regarding Group 1 ILF Users (pre 1993) who provided consent to share their data, has been deleted. All Nottinghamshire County Council financial assessments of ILF users has also ceased.
6. The Department for Work and Pensions are working closely with ILF colleagues as a further decision regarding the future of the ILF will need to be made.

7. Although the transfer activity has stopped, the ILF are maintaining regular visits with service users and completing outcome focussed support plans.
8. It is therefore recommended that the contingency funding of £0.5 million requested within the medium term financial plan to ensure sufficient funding to meet the needs of ILF recipients (as stated in the Adult Social Care and Health October 2013 Committee item) is no longer required.

#### **Reason/s for Recommendation/s**

9. This is an update for the Adult Social Care and Health Committee.

#### **Statutory and Policy Implications**

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### **Implications for service users**

11. There will be no changes for service users who receive support from Adult Social Care and the ILF. The ILF will continue reviewing these users and producing outcome focussed support plans until the Department for Work and Pensions make a decision.

#### **Financial Implications**

12. All activity in relation to the transfer of the ILF has been halted therefore the contingency funding of £0.5 million requested in the medium term financial plan to ensure the Council had sufficient funding to meet the needs of ILF recipients from April 2015 (as stated in the Adult Social Care and Health October 2013 Committee item) is no longer required.

#### **RECOMMENDATION/S**

- 1) Members should note that the contingency funding of £0.5 million requested in the medium term financial plan to ensure the Council had sufficient funding to meet the needs of ILF recipients (as stated in the Adult Social Care and Health October 2013 Committee item) is no longer required.

**JON WILSON**

**Temporary Deputy Director for Adult Social Care, Health and Public Protection**

**For any enquiries about this report please contact:**

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**Constitutional Comments (LM 16/12/13)**

13. The Adult Social Care and Health Committee has delegated authority within the constitution to approve the recommendation in the report.

**Financial Comments (KAS 18/11/13)**

14. The financial implications are contained within paragraph 12 of the report.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- ASCH161 Closure of the Independent Living Fund, dated 28<sup>th</sup> October 2013

**Electoral Division(s) and Member(s) Affected**

All.

ASCH184