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Derbyshire County Council Adult Care Transport Policy

Approval and Authorisation

Name	Job Title	Date
Authored by: Iseult Cocking	Commissioning Manager	July 2014
Approved by: SMT	Senior Management Team	June 2014
Authorised by: Cabinet	Derbyshire County Council Cabinet	June 2014
Authorised by:	Quality Assurance Group	September 2016

Change History

Version	Date	Name	Reason
V 1	July 2014	Iseult Cocking	New policy following approval from Cabinet on the 17 th June
V 2	September 2016	Roger Miller & Becky Roberts	Review and update
V 2.1	December 2018	Simon Stevens	Minor amendment

This document will be reviewed on a regular basis – if you would like to make any comments, amendments, additions etc please email Phil Robson – Policies and Procedures, phil.robson@derbyshire.gov.uk

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1. Introduction

This Transport Policy introduces eligibility criteria to ensure that support with transport is fair and applies consistently across the county.

The transport covered in this Policy is that which is commissioned by or provided to Adult Care clients who are eligible for services such as day services or short breaks (respite care), to enable them to access these services.

Adult Care will only arrange or provide transport where it has been assessed as a separate eligible social care need under the Care Act 2014.

2. Legal Framework

Whether transport is an eligible social care need requires Derbyshire County Council to be satisfied it is necessary to provide transport in order to meet another eligible social care need. The Care Act 2014 and the Care and Support (Eligibility Criteria) Regulations 2015, together with the Care and Support Statutory Guidance provide the legal framework for making such decisions. People with assessed eligible needs and their carers have the right to have their views taken into account by the Council when it is assessing and considering provision for support or services.

3. Scope

The Adult Care Transport Policy applies to people:

- Who have an assessed eligible social care need for transport
- Are aged over 18 and not in full time education
- Are ordinarily resident in Derbyshire. Ordinary residence is defined in the Care Act 2014.

4. Purpose

The Adult Care Transport Policy will apply to transport provided or arranged by the County Council to ensure:

- Support with transport is provided in a fair and equitable way, for people with assessed eligible needs on the basis of clear criteria;
- Eligibility for transport for people aged over 18, who are not in full-time education is identified through the social care needs assessment process;
- The independence and inclusion of people is promoted by encouraging and supporting a range of travel options including independent travel and the use of concessionary travel passes;
- Efficient use of resources and avoid spending public money unreasonably;
- The reduction in air pollution and encourage the use of sustainable resources by promoting the use of public and shared transport.

5. Eligibility for Transport

- The person is assessed as having an eligible social care need for transport – see *Appendix 1* for details of the criteria;
- Although a client may attend a specific community service/ activity to meet their assessed needs, they will not be eligible automatically for transport to and from the service/activity.

6. Process

- Part of the needs assessment process will consider what support, if any, is needed in getting out and about; including for example, risk management (see section below), accessing reasonable alternative methods of transport and whether or not it is reasonable to expect people to make their own arrangements (*Eligibility Criteria for Transport are set out in Appendix 1*)
- Where the way a person physically accesses a service is resolved by one of the alternative methods identified below in *Appendix 1*, this should be recorded in the support plan
- Where there is no alternative means of accessing the particular service/activity, the person has an eligible social care transport need
- Transport may be provided on a temporary basis and reviewed when the client is able to use an alternative method of transport, for example, public transport.

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Then:

- The best way to meet the eligible transport need will be determined at the support planning stage. This may be partially or wholly provided or arranged by the Council
- The transport will be arranged, if required as part of the support plan
- Transport needs will be included as part of the regular assessment and support planning reviews
- Fieldwork staff are required to complete an X79 transport application form for new/altered requests for transport (which is available the Case Management System – formerly Framework i), and then send the completed form to the Adult Care Transport team at least 7 days prior to the service commencing
- If a client has to cancel their transport due to illness or holidays they are requested to inform the transport provider and the service giving as much notice as possible, preferably at least 48 hours-notice.

7. Support Planning Considerations

Where there is more than one service or support being accessed, or accessed on more than one day, there may be more than one solution or option available and so each journey needs to be considered separately, as part of the client's support plan. Each day, service or journey may require different travel arrangements or no travel arrangements at all. Each situation is different and specific to the client's assessed eligible social care transport needs.

Support planning should consider the impact, the travel arrangements will have on the sustainability of the plan and on family carers. This needs to be considered through assessment of the person's and the carer's needs.

Determining the best way to meet the eligible transport need will be addressed at the support planning stage. Transport may be partially or wholly provided or arranged by the Council and will include consideration of the following:

- Promoting independence and inclusion, and not increasing a client's dependence on others;
- How transport support or services that can help people meet their eligible needs will be accessed;
- The clear identification of travel arrangements including a contingency plan in cases of unforeseen changes;
- Ensuring clients and their family carers are aware of options for transport and that these are reflected in their support plans;
- The need to provide passenger assistance, where required due to health and safety reasons;
- The support plan will have regard to the sustainability of the caring role;
- Making good and effective use of the resources available.

8. Risk Management and Safeguarding

The Council policy, [‘Passenger Transport Guidelines for Passengers with Additional Needs’](#) will apply.

In order to make a safe and fair decision, assessors and clients will need to consider the risks involved in accessing one of the transport options, and whether there are actions that can be put in place to ensure the option selected is safe and reasonable.

To determine the risks involved in getting out and about or travel arrangements, the following factors will have been considered as part of the social care assessment of need:

- Does the person have a disability, frailty, physical health issue?
- Is there any reason to doubt the person’s ability to make safe decisions regarding their transport arrangements?
- Can the person travel independently and is it safe for them to do so?
- Are there any barriers to independent travel? Can these barriers be resolved?
- What public transport is available to the person? Is it safe for them to access the public transport? Do they need help to use public transport?
- Is there a risk to other people, for example in shared transport?

9. People who do not have an Eligible Need for transport provided by the Council

Where a person is not eligible for the provision or arrangement of transport as an assessed need/community care service, including where a client chooses to access a community service or activity that is further away than the closest appropriate setting to meet their eligible needs then they would need to make their own transport arrangements, if they are able, or with support.

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10. Appeals

The assessment for an eligible social care need, which including any assessed need for support with transport, will be carried out by an operational team member with the client and/ or their family/carer representative.

In cases where agreement cannot be reached the matter will be referred to a Service Manager who will attempt to resolve the issue. If the client/their representative remains dissatisfied with the Council's decision they will be invited to make a complaint under the [Adult Care complaints procedure](#).

Appendix 1 – Eligibility for Transport

The needs assessment process will consider what support, if any, is needed in order to meet an assessed eligible social care need. It will include:

- Whether people can access reasonable alternative methods of transport: as set out in the 'Definitions' *Appendix 2* below.
- Whether or not it is reasonable to expect people to make their own arrangements; with or without support.

In order to identify if transport needs to be part of the support plan the checklist below need to be asked, in conjunction with the definitions set out in *Appendix 2*, to assist with the decision-making process:

- *How far is the support or service from where you live?*
People will be expected to access support and community services based nearest to where they live, as long as they are appropriate to meet the assessed, eligible needs.
- *Can you walk or cycle to the service?*
Being able to walk might mean by walking alone or with the assistance from someone else, for example, using a buddying scheme or assistance from family, friends or a carer.
- *Can you use your own transport?*
If you have your own motor vehicle, a vehicle obtained through the Motability scheme, a specially adapted vehicle or some other vehicle that you have access to, it is expected that this would be available for use.
- *Can you arrange your own transport from an independent source and meet the cost of transport from any mobility allowance awarded to you?*
A client who receives a benefit for example, the mobility component of Disability Living Allowance (DLA) or Personal Independence Payment (PIP), to facilitate their mobility needs, a reasonable proportion of it should be available for transport needs in accessing support and services.
The actual amount will depend on individual needs and requirements.
Consideration will need to be given about other critical demands placed on the allowance.
If the client is not in receipt of mobility allowance, then support can be provided to make an application.
- *Can you use public transport?*
This might be travelling independently or with assistance from someone else for example, a buddying scheme, family, friends or a carer.

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- *Do you have a concessionary bus pass? If not, could you be assisted to apply for one?*
If an escort assistant is essential, are they eligible for a bus pass?
If you cannot currently use public transport services, could you do so following a period of reassurance, support, enablement and transport training?

- *Can you access transport with a carer, family member or friend?*
Sharing transport with another person may be an option.
Do you live in:
 - Residential care?
 - Supported living scheme?
 - Shared lives?
 - Some other supported housing setting?Where clients are living in settings funded by the council there is an expectation that the cost of the placement will meet the full range of support needs, including transport to and from community activities, unless assessed as otherwise.

- *Should another agency be providing the transport?*
A client may be eligible for funding for their transport from another agency or organisation, for example to attend a service to meet an assessed health need.

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Appendix 2 – Definitions

Closest Appropriate Setting/Local Area - a geographical area to which a client has reasonable access around where he or she lives.

To promote local inclusion, it is not generally appropriate to arrange a community service outside of a client's local area, unless it is not possible to meet their assessed need in that area. The perception of a local area can be different for people who live in rural areas compared to those who live in towns. But broadly, people will be expected to access support and community services based nearest to where they live, as long as they are appropriate to meet the assessed, eligible needs.

Community Activity - the service/s that a client accesses in the local community (short breaks/ respite/ day service/ volunteering opportunity etc.)

Concessionary Travel - a bus pass for those who are eligible, which allows clients to use the local transport network at a reduced rate or free, as per the conditions of the pass.

'Reasonable' alternative methods of transport - To promote independence and social inclusion a client who can travel to a community activity, either independently or with assistance from family, friends or support providers will not normally be provided with transport. Transport may be provided on a temporary basis and reviewed when the client is able to use an alternative method of transport, for example, public transport:

- Where a client can use public transport, voluntary transport, Community Transport etc. either independently or with support.
- Part of the support planning process may involve investing resources in the short term, to support people to be able to use public or community transport options, for example through transport training to support them to develop their skills around independent travel.
- Where it is identified that a carer will provide transport it is important to record that the impact of this has been appropriately considered in the carer's assessment. Where it is concluded that the carer cannot provide transport because it would place an unreasonable demand on them, then the assessment may lead to transport being provided or arranged by the Council.
- Where carers or friends have been identified as being able to provide transport, alternative arrangements should be detailed in a contingency plan to cover periods where they are unable to assist.
- A client who receives a benefit for example, the mobility component of Disability Living Allowance (DLA) or Personal Independence Payment (PIP), to facilitate their mobility needs, a reasonable proportion of it should be available for transport needs in accessing support and services. The actual amount will depend on individual needs and requirements.

- Where a client has access to their own transport, for example a Motability car. Where a person uses their own or Motability vehicle, neither fuel or other costs will be met by the Council. It will not be acceptable for family members to claim priority over the use of such vehicles.
- Suitable alternative transport is available, for example clients living in settings funded by the council including: residential care, supported living, shared lives. There is an expectation that the cost of the placement will meet the full range of support needs, including transport to and from community activities, unless assessed as otherwise.
- People who qualify for concessionary travel will be expected to apply for and use this, to meet the costs of transport to community services or activities that meet their social care needs.
- A client is eligible for funding for their transport from another agency or organisation, for example to attend a service to meet an assessed health need.

Appendix 3 – Frequently Asked Questions

1. Why do we need a Transport Policy?

Answer: We need to make sure that support with transport arrangements is fair and equitable, and provided for people with eligible assessed needs on the basis of clear criteria.

2. What services may be affected?

Answer: Mainly transport to day opportunities and short breaks (respite care), but other regular journeys may also be affected.

3. Will this affect my free Travel Pass e.g. Gold Card?

Answer: No.

4. Who makes the decision as to whether the Council will provide transport for me?

Answer: The decision will be made as part of your needs assessment or review through discussion with you and/or your carer.

5. Can I appeal if I disagree?

Answer: You can either contact your allocated worker or make a formal complaint.

6. Who do I contact if I need more help?

Answer: You should contact your allocated worker.