

**Policy for Transport and Assisted Travel in Adult Social Care**

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# **Background**

## Context

* 1. East Lothian Health and Social Care Partnership (ELHSCP) aims to provide the best health, best care and best value for East Lothian's communities.
  2. East Lothian HSCP has a responsibility to assess those who seek an assessment of their needs and subsequently has a requirement to fund paid services for individuals who fall within the criteria of Critical and Substantial. Eligibility criteria can be found at: [Eligibility Criteria for Service Users | East Lothian Council](https://www.eastlothian.gov.uk/downloads/file/27362/eligibility_criteria_for_service_users)
  3. This policy has been developed in line with national policy, including the National Care Standards and in reference to local priorities set out in East Lothian Health and Social Care IJB Strategic plan:

• Develop services that are sustainable and proportionate to need

• Deliver new models of community provision

• Working collaboratively with communities

• Focus on Prevention and Early Intervention

• Enable people to have more choice and control and provide care closer to home

* 1. This policy applies to adults who are eligible for services and sets out how an individual is assessed as eligible for transport.
  2. East Lothian HSCP acknowledges that the ability of its Service Users to access Social Care by appropriate means of transport is an essential component of their support plan.

# **2**. **Purpose of the Policy**

The purpose of this Policy is to set out a course of action that provides clarity and fair access to available transport and travel arrangements for eligible service users, whilst reducing the level of dependency on transport provided by ELHSCP. The policy seeks to:

* Provide clarity on the circumstances in which transport will be provided, arranged, or subsidised for service users, by setting out eligibility criteria
* Ensure that transport is provided in a fair and equitable way when assessed as required
* Promote independence and inclusion by promoting self-travel, use of travel discount (NEC) cards and other the travel options available to service users
* Align with the ELHSCP financial charging policy
* Provide information for young people and families transitioning to adult services from children’s services
* Align Health & Social Care transport policies with those operated by Education and Children’s Services (both for transport and transitions from Children’s Services to Adult Services).

# **3**. **Key Principles**

The policy is underpinned by the following key principles:

**That a service user’s personal income is used to meet their own transport needs:**

This policy is underpinned by the expectation that service users will meet their own needs for transport to access services and/or support. For example, where a service user has Disability Living Allowance (DLA)/Personal Independence Payments (PIP) in place, it is expected that these or other relevant benefits will be used to directly meet travel cost requirements.

**That when travelling to a Further Education College, a service user will apply to the Student Discretionary Fund:**

The Student Discretionary Fund can assist students who experience financial difficulty while at college and includes financial help with Travel expenses and Disability related costs. Applications should be made via the Student Service at the relevant institution.

**That all other options will have been explored:**

Assisted transport provision should not be considered until all other options have been exhausted and the person has no other support (NB: This must be evidenced in the assessment of need). If transport is required to be provided then this should be stated as either a long term or temporary support.

**That service user safety is not compromised:**

Assisted transport will only be provided by ELHSCP if alternatives are either unavailable or inappropriate i.e., via an assessed outcome and/or it is the only reasonable way to allow a person to safely access an eligible service.

**That any financial risks are reflected in the assessment**:

Assisted transport will only be provided if there is a risk of financial hardship and a charging for assisted travel/transport could lead to significant negative financial impact.

**That assisted transport provision is subject to regular review:**

Transport will be included as part of the review process for a support plan to ensure that the eligibility criteria are still met

**That any transport arranged will be for local resources within East Lothian:**

This Policy promotes locally based services within East Lothian that are available and responsive to the needs of local people. It would be inappropriate to arrange a service outside of a service user’s local area unless it is not possible to meet their assessed need in that area. People will be expected to access the support and services based nearest to where they live, so long as they are appropriate to meet their assessed, eligible needs and outcomes. Where service users choose to access a service that is not the nearest to where they live, or in another Local Authority area, they will be expected to self-fund to meet the costs of additional travel.

# **4. Assisted Transport in Social Care**

Assisted Transport in Social Care is transport primarily provided for people over the age of 18 who cannot use public transport independently due to disability or health related issues. In addition, they have no reasonable access to private transport to enable them to access ‘community activities’ (a community activity being defined as a care and support service that an individual attends away from their home as an integral part of their identified outcomes.)

# **5. Eligibility**

For some people, independent travel is not possible and support/assistance with travel will be required. To establish this, the HSCP will consider (as part of a social work assessment for people with critical and substantial needs) all available transport options to ensure that the person’s individual outcomes can be met, in the most cost effective way, ensuring a safe mode of transport. Assisted transport provision will only be granted once all other options have been considered, evidenced, and recorded and will be provided in the most efficient way.

## Assisted transport will be considered essential if:

**•** Statutory powers are in place and a person is attending a service as per as per an agreed support plan. (See section 27 of Mental Health Care and Treatment (Scotland) Act 2003) <https://www.legislation.gov.uk/asp/2003/13/section/27>

• There is no other appropriate transport alternative, due to specific health and safety issues identified by the assessment (section 27 of Mental Health Care and Treatment (Scotland) Act 2003) <https://www.gov.scot/publications/mental-health-care-treatment-scotland-act-2003-codepractice-volume-1/pages/5/>

* A person is subject to Compulsion Order under Criminal Procedure (Scotland) Act 2003

• A carer is caring for more than one dependent and the competing demands mean the carer is not able to provide any assistance with transport. This should be identified as an outcome approved through an Adult Carer Assessment conducted by Adult Social Work.

• An assessed risk of financial hardship has been identified and a failure to provide assisted transport could lead to greater expense later. This should be identified in an assessment by adult social work.

* Following assessment by Adult Social Work staff, it has been identified that the person meets the eligibility criteria and assisted transport is essential in enabling the person to meet their identified outcomes using community support or rehabilitation services and their own financial resources (including any benefits and mobility allowance) have been exhausted and will not meet such costs.

## Assisted transport will not be provided:

* Where an assessment or risk assessment demonstrates that the person is able to walk and /or use mobility aids, either independently or with the support of others to get to a local community service (including Further Education).
* Where the person can use public or community transport, such as voluntary transport (for example, Dial -a-Ride, Taxi card), either independently or with support to get to and from community activities, including Further Education.
* Where the service user is in receipt of benefits and/or sufficient income to facilitate their mobility needs and it is considered reasonable for them to utilise the benefit for travel/transport purposes (unless the benefit is insufficient to meet the person’s identified outcomes).
* Where the person has been provided with a lease car through the Motability scheme, or owns a privately purchased car, the expectation is that this will be made available for travel/transport needs.
* Where the person has a lease car through the Motability scheme of which they are not normally the driver themselves and they have carers e.g. neighbours/ family/friends who are able to transport them. The willingness and/or ability of a carer to undertake the travel/transport task must be assessed and agreed as part of the Adult Carer assessment process. If carer/ family unable to support service user but a car has been leased through the Motability scheme then the suitability of the lease needs to be explored.
* If they have a taxi card which they are able to use to attend the community-based services and when used for attending a day activity it does not result in an additional unmet need (e.g., shopping can no longer be undertaken), or where a supported person’s ability to use the taxi card may be present an unreasonable level of risk.
* If they have a bus pass which they are able to use to attend community-based services but where a supported person’s ability to use the bus pass may present an unreasonable level of risk.
* The willingness and/or ability of a carer to undertake the travel/transport task must be assessed and agreed as part of the assessment process. It is acknowledged and understood that some identified conditions mean that a person’s physical or mental ability may fluctuate – this should be reflected in the assessment.

# **6**. **Processes**

## Assessment

The HSCP, via Adult Social Work, will undertake a social work assessment of need which will identify outcomes and consider the need for transport in line with the criteria for critical and substantial needs. Any transport costs identified/ incurred will be considered as part of an individual’s personal budget. Assessment should consider all modes of transport and transport will be provided in the most cost effective way.

## Allocation and Assessment

A social work assessment will be completed and the assessor must demonstrate in the support plan that all options have been considered, and that a request for any travel/ transport component (including Passenger Assistance, taxi, and assisted travel) meets the agreed outcomes expressed within the person’s overall support plan. This should take into consideration those that care for the person.

## Roles and Responsibilities

The agreement to fund assisted travel is to be authorised by the relevant Resource Allocation Group as part of process to agree the Support Plan.

## Financial Assessment

Transport to and from assessed day opportunities as per the individuals support plan, is financially assessed. For all other transport, there will be a flat rate charge. Financial assessment will be carried out in accordance with East Lothian HSCP Non-Residential Charging policy, which is updated annually can be found at

<https://www.eastlothian.gov.uk/downloads/download/13039/non-residential_social_care_charges>

The above policy set out the charges for 2024/25, which are subject to annual review.

|  |  |  |  |
| --- | --- | --- | --- |
| **Service** | **Full Charge (actual charge will depend on financial**  **assessment) 2024-2025** | | |
| 1 session with transport (discount bundle) | £3.55 per person | | |
| 2 sessions with transport (discount bundle) | £5.88 per person | | |
| Transport per journey (to destinations other than day centres and resource centres) | | £2.47 per person, per journey |

## Mileage

Mileage rates are paid in line with HMRC guidance on Travel — mileage and fuel rates and travel allowances. See [HMRC Guidance- Travel allowances](https://www.gov.uk/government/publications/rates-and-allowances-travel-mileage-and-fuel-allowances/travel-mileage-and-fuel-rates-and-allowances)

## Payment

The agreed charges for transport will be invoiced on a monthly basis.

## Equipment

As part of the assessment process by Occupational Therapy, provision of any specialist equipment (e.g., to manage positioning or behaviour) should be considered and provision will be based on a full risk assessment. The Council no longer provides specialist equipment as it is specific to the individual and cannot be reused. Those in receipt of benefits (including mobility allowances or a motability car) will be expected to purchase these as recommended by health and social care professionals.

Generic equipment (which can be used by multiple users) will be provided by the transport provider and should be based on a risk assessment.

## Passenger Assistants

Passenger Assistants will only be provided where the assessment/risk assessment identifies that there would be a risk to the health and safety of the service user or other service users.

# **7.** **Policy Review**

This policy will be reviewed every 2 years from its approval to ensure it is operating effectively. The policy will also be revised if any new legislation affects how the policy or if changes are made to other Partnership policies which affect how this policy works. Completion of IIA will occur prior to and then at point of review of the policy.

# **8. Complaints & Appeals**

Any formal complaints regarding the management of assisted travel under this policy can be made via the East Lothian Council feedback team. The appeals process is set out in the East Lothian HSCP Non-Residential Charging policy, which is updated annually can be found at

<https://www.eastlothian.gov.uk/downloads/download/13039/non-residential_social_care_charges>

# Appendices

# Appendix 1 Guide Checklist for Staff

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| --- | --- |
| **Factor** | **Yes/No/NA** |
| Does the person meet the eligibility criteria and is assisted transport is essential in enabling the person to meet their identified outcomes? |  |
| Have the person’s income and benefits been considered? |  |
| If travelling to FE college, has an application been made to the college Discretionary fund? |  |
| Has the person’s safety been considered? |  |
| Have any financial risk been highlighted? |  |
| Have review arrangements been made? |  |
| Is the resource identified within East Lothian? |  |
| Are statutory powers in place under section 27 of Mental Health Care and Treatment (Scotland) Act 2003) and is the person is attending a service as per as per an agreed support plan? |  |
| Is there no other appropriate transport alternative, due to specific health and safety issues identified by the assessment (section 27 of Mental Health Care and Treatment (Scotland) Act 2003)? |  |
| Is the person subject to a Compulsion Order under the Criminal Procedure (Scotland) Act 2003? |  |
| Is there a requirement for an Adult Carer Assessment? |  |
| Is there an assessed risk of financial hardship that could lead to greater expense later? |  |

# Appendix 2 Supporting legislation

This assisted travel/transport policy provides a framework, which is consistent with a range of legislation, including;

* Adult Health and Social Care Integration
* Mental Health (Care and Treatment) (Scotland) Act 2003
* Public Bodies (Joint Working)(Scotland) Bill
* Social Care (Self-directed Support) Scotland Act 2010
* The Public Services Reform (Social Service Inspection)(Scotland) Regulations
* The Social Care and Social Work Improvement Scotland (Requirement for Care Services) Regulations 2011
* The Welfare Reform Act 2012 – Shift from Disability Living Allowance (DLA) to Personal Independence Payment
* Audit Scotland ‘Transport for Health and Social Care’

## Associated Definitions and Abbreviation

Service User – A service eligible person in receipt of statutory care and/or services

DLA – Disability Living Allowance

ADP - Adult Disability Payment

PIP – Personal Independence Payments

SDS – Self-Directed Support

IJB – Integration Joint Board