



Title of meeting: Community Wellbeing, Health & Care Portfolio Meeting

Date of meeting: 4 November 2024

Subject: Assisted Transport Policy

Report by: Jacquie Bickers (Policy Implementation Lead), presented by Andy Biddle

Cabinet Member: Councillor Matthew Winnington, Community Wellbeing, Health & Care

Wards affected: All wards

Key decision: No

Full Council decision: No

1. Purpose of Report

To detail the new Transport Policy for adults which sets out the Council's approach to the provision of travel assistance for Care Act 2014 eligible residents. This policy brings Portsmouth City Council in line with other councils in ensuring an equitable needs-based system is in place across Adult Social Care.

2. Recommendations

For the Cabinet Member to agree the new Assisted Transport Policy, (see Appendix 1)
For the Cabinet Member to agree the suggested timeframe for implementation of the policy and engagement with affected residents.

3. Background

This report outlines the proposed changes to the way in which Portsmouth City Council will assess for and determine eligibility for assistance with transport across Adult Social Care. The proposed changes seek to ensure that the provision of transport related support aligns with the Council's commitment to greater personalisation and strengths based practice that promotes independence, wherever possible.

3.1 The Legislative Framework

Adult Social Care has a legal duty to consider transport for people who are eligible for social care support in certain circumstances. The Care Act 2014, the Care and Support (Eligibility Criteria) Regulations 2015, and the Care and Support Statutory Guidance provide the legal framework for making such decisions.

The Statutory Guidance states that: 'Local authorities should consider the adult's ability to get around in the community safely and consider their ability to use such facilities as public transport, shops or recreational facilities when considering the impact on their wellbeing.'



The responsibilities of local authorities are clearly set out with regard to carers and their assessment.

If a person has an eligible care need that may be met through access to activities or services in the local community including but not limited to day opportunities, replacement care (respite), employment and training opportunities, then there is a duty to assess whether there is a need for transport.

Notwithstanding this duty, transport is not an eligible need in its own right, but rather a means of accessing services. When providing any kind of support Adult Social Care has to consider what is the most suitable form of help. Adult Social Care is not obliged to provide transport directly but rather to provide whatever support or resource is needed to get someone where they need to go. Adult Social Care can also take cost into account. *'In determining how to meet needs, the LA may also take into account reasonable consideration its own finances and budgetary position and must comply with its related public law duties. This includes the importance of ensuring that the funding available is sufficient to meet the needs of the entire local population'* (Care Act).

4. Current situation

In line with the Assisted Transport Policy and the decision that transport is not an eligible need in its own right; it sits outside of the charging policy for care services.

Historical decisions mean that there are different arrangements in place with some clients being charged for day services following a financial assessment and for others, the cost of providing transport is being met by the council to meet the eligible need.

The costs as set out below are primarily attributed to the use of taxis to take people to and from a wide range of day/community services.

Taxi Costs¹

	LD Costs	Non LD		
2019/20	110,512.00	9,969.00		
2020/21	55,305.40	17,200.00		
2021/22	145,094.00	35,900.00		
2022/23	176,551.40	36,200.00		
2023/24	172,334.00	39,920.00		
2024/25	109,972.00	14,900.00	Actual Apr - Sep	220,000.00 Forecast
	769,768.80	154,089.00		

Current gross cost of providing in house day care² related transport is £335,578 with an additional £109k being paid for taxi services. The forecast spend for taxi services 2024/25 is £220,000.

5. Summary of the Assisted Transport Policy

¹ LD - refers to residents with a learning disability.

² 'In-house day care' refers to those services provided directly by Portsmouth City Council, these often have access to specific transport.



The primary driver for the Assisted Transport Policy is to have in place an equitable and transparent approach. The proposed changes outlined in the draft will apply to those who have been assessed, in accordance with the Council's statutory duties under the Care Act 2014, as eligible for support from Adult Social Services. Assistance with transport will be considered as part of the assessment and support planning process, to take account of the following:

- what needs and outcomes the person is able to meet independently;
 - what needs and outcomes they are able to meet from allowances that are provided specifically to meet the person's needs to get out about;
 - what needs and outcomes they are able to meet through the support provided by a family member or informal carer;
 - the availability of existing transport;
 - Any factors that may pose an unreasonable demand or risk to health and safety when travelling.
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- i. The policy rests upon a general assumption and expectation that wherever possible and in line with promoting independence, the person will meet their own needs for travel.
 - ii. The decision to provide support with travel will be based on the person's individual circumstances including their strengths, needs, risks and to meet agreed outcomes. Travel arrangements will be subject to a risk assessment and will include independent travel options, assistance to enable the person to travel independently, as well as help from family, friends and other support networks.
 - iii. If the person has a Motability vehicle which they drive themselves, they will be expected to use this to travel to an assessed eligible service, work, activity, education or training where this is reasonable.
 - iv. Where an individual is reliant on an informal/family carer to drive a mobility car, consideration must be given to supporting the carer's respite needs, including enabling them to work. However, health and social care practitioners must ensure that a carer's inability to assist with transport does not prevent an individual from accessing a service that meets their assessed needs. Discussions with the individual and carer should explore the conditions of the Motability scheme, namely that the mobility car is to be used by or for the benefit of the disabled person.
 - v. If the person receives the mobility element of Disability Living Allowance (DLA) or Personal Independence Payment (PIP), the purpose of which is to assist those who have mobility problems with severe difficulty walking or who need help getting around outdoors and in the community. The expectation is that the person will need to make full use of this benefit for their assisted travel.
 - vi. People who qualify for concessionary travel (i.e. bus passes) will be expected to apply for, and use this, to meet the costs of their travel to community services or activities that meet their social care needs. If the ability to travel would be made possible by an accompanying companion, assistance will be provided in applying for a companion pass. The constraints of concessionary travel (i.e. no free travel before 0930) will be taken into account during the assessment.



7. Implementation

Scoping of the work to develop an implementation plan is underway before the policy is ready to 'go live'. Finance, contracts, adult care and support and learning disability services are currently identifying all those who may be affected by the change. Further discussion is needed on recharge of 'actual costs' not 'subsidised costs' for those in receipt of continuing health care who are attending Portsmouth City Council day services.

It is anticipated that full implementation of the policy will be after April 2025.

8. Integrated Impact Assessment

Attached as Appendix 2.

9. Director of Finance's Comments

The policy is to support health and social care practitioners apply a clear framework when assessing for assistance with transport so that there is a consistent and equitable decision making approach across adults social care.

There are no associated costs to implement the policy as it will form part of 'business as usual'. It is anticipated that some savings will be made by reducing the reliance on council funded taxi provision for those who can draw on their own resources to travel.

10. Legal implications

The Care Act 2014 requires the Local Authority to carry out assessments of need for potentially eligible individuals (section 9). Such assessment will need to consider an individual's needs for care and support. The type of eligible needs is set out in legislation (Care Act and The Care and Support (Eligibility Criteria) Regulations 2014) These could include the need for transport to meet an assessed eligible need.

The assessment of whether assistance with transport should be met by adult social care requires careful consideration of the person's individual circumstances. As a result of this new policy some individuals may no longer have their transport costs paid for and may wish to challenge that decision. Where agreement cannot be reached the matter will be referred for further consideration to the Deputy Head for that service. If the person/their representative then remains dissatisfied with the Council's decision they can make a complaint under the Adult Social Care complaints procedure.

11. Conclusion

Portsmouth city council must have an equitable needs based framework in place for how decisions are made by health and social care practitioners responsible for assessment and support planning on whether an adult is eligible to be provided with assisted transport from the Council.

The overarching principle of the policy is to promote safe and independent travel using an adult's own strengths and community assets (i.e., the resources available to the adult in the community where they live) wherever possible. Where transport assistance is



assessed as needed, the aim is to ensure the method of provision maximises independence, supports personalised approaches and offers best value for money in line with the Council's strategic aims and objectives.

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Signed by:

Appendices:

Assisted Transport Policy - Appendix 1

Integrated Impact Assessment - Appendix 2

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: