

ILF Consultation Team
Ground Floor
Caxton House
Tothill Street
London
SW1H 9NA

10th September 2012

Dear Sir

Enham is pleased to respond to the Government's consultation on the future of the Independent Living Fund. Enham is a pan-disability organisation providing support to over 4000 disabled people per year through a variety of services, including care and support to 60 people living in three residential care homes, supported living type services, and information, advice and guidance to people in receipt of Direct Payments. A number of our service users are currently in receipt of, or have been in receipt of, funding from the Independent Living Fund.

Our responses to this consultation have been informed by the first-hand experiences of staff involved in supporting service users to apply for and use funding from the Independent Living Fund.

Enham's primary concern is that if the Independent Living Fund is abolished, severely disabled people who could previously be supported by the Fund to live in the community will be forced into residential care, regardless of whether this is in their best interests.

Below are Enham's specific responses to the questions posed in the consultation document.

Question 1: The Government's proposal that the care and support needs of current ILF users be met within the mainstream care and support system.

Enham agrees that the care and support needs of current ILF users *could* be met through the mainstream care and support system. However, this can only occur if the care and support system is flexible enough. Our specific concern is that the aim of the ILF may be compromised by providing care through the mainstream care and support system.

The purpose of the ILF is to enable severely disabled adults to continue to live independently in the community, with all the choice and health and wellbeing benefits this offers. An individual's care and support may be provided more cost-effectively through a place in a residential care home, but the ILF provides top-up funding to disabled people to ensure they can remain in the community. We are concerned that by removing the ILF, disabled people may be forced into residential care because Local Authorities will not be able to afford the additional support they require to live independently.

We do not believe that this is in the interests of disabled people – nor does it support the personalisation agenda's aim of giving disabled people choice and control over where they live.

Question 2: Key challenges that ILF users face in moving from joint ILF/Local Authority to sole Local Authority funding of their care and support needs.

We are concerned that by moving to sole Local Authority funding of care and support needs, ILF users will not be able to access funding of sufficient flexibility. The value of ILF is that service users have significant choice and control over the activities they pay for using it. These activities may be, for example, social or leisure activities that enhance service users' quality of life; our concern is that Local Authorities will not fund these activities in future.

Therefore, the key challenge facing ILF users in moving to sole Local Authority funding is in ensuring that quality of life is not sacrificed by inflexible rules on what can be funded.

We call on the Government to mitigate this by guaranteeing under law that the funding provided by Local Authorities will not be more restrictive than the funding ILF users currently receive, and that the total amount of financial support an individual receives will not be eroded.

Question 3: Impact of the closure of the ILF on Local Authorities.

Local Authorities will bear an additional bureaucratic burden with the closure of the ILF, as some ILF users do not currently use Local Authority services but may have needs that in future the Local Authority will need to assess. Local

Authorities and care and support services more widely will have to provide greater support to such service users initially, as they will have had little experience of the mainstream system. These individuals may have complex needs; Local Authorities will need to ensure that they work in partnership with the NHS and other bodies to provide holistic care and support.

It is vitally important that each Local Authority reaches out to ILF users to fully engage them in the handover process. Communication should be through a range of accessible formats, media and languages. In addition, Local Authorities must provide as much information as possible to each service user's "circle of support" (i.e. friends, family) to enable them to provide informed support to service users.

In addition, our concern is that some ILF users will be forced out of the community and into residential care, further stressing residential care services. If analysis shows this to be the likely outcome of removing the ILF, the Government and Local Authorities must commit to additional funding for residential care services to ensure disabled people do not lose the care and support they need.

Question 4: Challenges in relation to Group 1 users.

The key challenge in relation to Group 1 users is that Local Authorities may not know who they are. For individuals in Group 1 Local Authority support is not part of the eligibility criteria for the ILF and some users have not given consent for the ILF to contact their Local Authority. However, this does not remove the duty from Local Authorities to assess their needs if the ILF closes. It is vitally important that the needs of these individuals are not missed by Local Authorities.

Local Authorities should liaise with all relevant agencies in the area (including charities, local surgeries and other healthcare providers, religious organisations, community groups etc.) and provide information about the right to assessment to users of those services. Communication should be available in a range of accessible formats, media and languages to ensure disabled people can access it.

We are pleased to see that DWP conducted Impact and Equality Impact Assessments to assess how abolition of the ILF would impact on disabled people. We now call on DWP, ILF and Local Authorities to actively engage with Group 1 users in particular, to provide the support and guidance they will need in moving to the mainstream care system.

Question 5: Working with ILF users up to 2015.

DWP, ILF and Local Authorities must continue to engage with ILF users and ensure continuity of support and care packages to 2015 and beyond. ILF users (and their 'circle of support' if appropriate) must be encouraged to fully engage with Local Authorities in the process of support planning.

The ILF and Local Authorities must work together, as much as possible, to ensure contingencies are in place if a large number of ILF users (in particular Group 1 users who Local Authorities may not be aware of) require assessments and support packages to be put in place. In addition, the ILF should keep users informed and ensure they are aware of the potential closure of the fund. In each case, if possible, the ILF should encourage users to consent to sharing their details with the relevant Local Authority, so that the best possible preparations can be put in place.

Our concern remains, however, that severely disabled people will be forced to live in residential care as a result of removing the ILF, reducing their choice, independence and control. We urge DWP, ILF and Local Authorities to take action to ensure that this does not happen; guarantees are not enough.

Enham looks forward to reading the DWP response to the Future of the Independent Living Fund consultation, in due course.

Yours faithfully



Mark Deal

Director of Development, Research & Policy