

Enfield Disability Action (EDA) The Future of the Independent Living Fund Consultation

EDA's Response to Consultation Questions

Background

If the ILF is closed in 2015, Local Authorities will continue to have a duty to assess the care and support needs of those disabled 16,309 Group 2 users who are already jointly funded by local authorities and the 1,737 Group 1 users who receive some local authority care and support; and will be required to assess the needs of those ILF users who do not currently have a relationship with their local authority.

Question 1

Do you agree with the Government's proposal that the care and support needs of current ILF users should be met within the mainstream care and support system, with funding devolved to local government in England and the devolved administrations in Scotland and Wales? This would mean the closure of the ILF in 2015.

EDA do not agree with this proposal. Given the existing cuts to Local Authorities we have no confidence that care and support needs will be fully met unless we have assurance that the funds will be ring-fenced specifically for this purpose.

Question 2

What are the key challenges that ILF users would face in moving from joint ILF/Local Authority to sole Local Authority funding of their care and support needs? How can any impacts be mitigated?

The challenges and issues arising are:

- ILF funding provides support to many individuals who have high support and access requirements. EDA is concerned that individuals will be unable to exercise choice and control and access truly personalised services that fully meet their support requirements.
- The process needs to be personalised, flexible and accessible to ensure that current support package levels are met. For example, a client living at home who has profound learning difficulties with associated support requirements receives 26 hours a week for a personal assistant from the ILF. If his needs are not met at this current level there is a risk he may not be able to continue living at home as the pressure on his family carers would be too great
- The Local Authority must assure that funding is ring-fenced and a like for like service provided
- Advocacy support would be required to ensure the transition meets individuals support needs and is person centred.
- ILF funding is tailored to meet individual's circumstances and has flexibility this may not always dovetail with Local Authority FACS criteria. The impact of this will need to be mitigated and support identified for these individuals and family carers. All individuals receiving ILF funding would therefore require a full person centred review.

Question 3

What impact would the closure of the ILF have on Local Authorities and the provision of care and support services more widely? How could any impacts be mitigated?

We do not have access to the Local Authorities current financial position but are aware the sector is experiencing a climate of leaner working and budgetary reviews. Again ILF funding would need to be ring fenced to ensure there is no further impact on local authority resources in terms of social care provision. If these funds are not ring fenced there will be a greater burden on local support structures including charities and user led organisations as well as health and social care providers. These sectors are already working with considerable financial constraints and limited resources.

If the proposed change is to take place it would be appropriate to provide a person centred review to each individual receiving ILF funding and to offer Advocacy support with the process. These areas fall under the remit of the Local Authority and would therefore impact on current resources and staffing levels.

Information advice and guidance would need to be available to individuals affected by the changes. This would impact on Community and Voluntary sector groups who currently provide many of these services. Resources would need to be identified to meet the requirements of this group.

Should the ILF funding be administered by the Local Authority difficulties will arise from current resource allocation systems which are unlikely to support transitioning individuals effectively. As the operation of a resource allocation methodology separate from that of mainstream clients is unlawful it is difficult to see how this can be addressed.

Background

We know that the closure of the ILF would be more difficult for those Group 1 users who are not currently receiving any Local Authority funding, and who in some cases have little experience of the mainstream care and support system. It is important that those users engage with the local authority care and support services for which they are eligible

Question 4

What are the specific challenges in relation to Group 1 users? How can the Government ensure this group are able to access the full range of Local Authority care and support services for which they are eligible?

It is essential that individuals who currently do not receive access to the full range of Local Authority care and support services are provided with support to access these services. Self directed assessments should be offered to individuals alongside the provision of an independent Advocate. Advocacy support is essential to ensure the individual understands the transition process and accesses the appropriate level of service to meet support requirements.

Implementing this would mean that many Group 1 users would have to become employers as they are likely to be assessed for a personal budget or direct payment to meet their support requirements. Support services for these individuals would need to be identified to ensure understanding in this often complex area.

The following would also need to be considered regarding the transition for this group

- The support plan and budget would need to be equitable to meet current support requirements.
- Adequate, accessible, local information and advice would need to be made available.
- Funding would need to be identified to deliver all of the above.

Background

The Government remains committed to funding current ILF care packages until 2015. But we know that it will take some time to manage the move to sole Local Authority funding. It would be necessary to start such a process well in advance of 2015. This consultation is only the start of a process of working with users, Local Authorities and the Governments of Scotland, Wales and Northern Ireland.

Question 5

How can DWP, the ILF and Local Authorities best continue to work with ILF users between now and 2015? How can the ILF best work with individual Local Authorities if the decision to close the ILF is taken?

Many users of the ILF have very specific access requirements are often marginalized and find it difficult to engage. Work with ILF users and further consultation should be facilitated independently by Community and Voluntary sector groups to ensure access requirements are met and that individuals have a full understanding in order to engage in the process.

User Led Organisations are particularly well placed to deliver this support and can ensure that the process is inclusive. For example adults with learning disabilities accessing ILF may require one to one support to understand the process and to have the opportunity to feedback any concerns. This work would need to be completed in realistic time scales and lead by the individual.

Funding would need to be identified but implementation and learning in this area would support the DWP, ILF and Local Authority to work in a meaningful way with ILF users.

Accessible information, impartial support, guidance and advocacy must be made available to everyone. Further advice and guidance sought from individuals and relevant groups on access requirements is required in order to access meaningful feedback on consultations. The easy read version of this consultation for example would still have required one to one support for someone with a Learning Disability to engage due to the complexity of the subject matter.