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# Policy Circular

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**Owner:** Corporate Affairs Team

**Subject:** Short Term Care

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## 1.0 Background

The types of short term care regularly forming part of users' care packages are:

- Regular & ongoing, eg school holidays
- Holiday Breaks – UK or abroad
- Stays with family abroad
- University opportunities abroad
- Respite (not in a care home)
- Respite (in a registered care home)
- Planned hospital admissions
- Fluctuation in care needs
- Parenting
- Emergency Care

Trustees have confirmed which of these scenarios ILF can and cannot fund.

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## **2.0 Policy**

### **Definitions**

**Holiday** – A break taken mainly for the benefit of the user

**Respite** – A break taken mainly for the benefit of the carer

### **Short Term Care That ILF Funding Can Be Used For**

Where possible the ILF will seek to maintain the existing support that to our users. However we will not normally agree to fund additional care needs above and beyond those previously identified.

Where a user already has replacement offers of funding because their package is variable throughout the year, these costs can continue to be met. This is inclusive of all current holiday offers.

### **Flexible use of the award**

The ILF wishes to promote real choice and control for all our users; we do not expect users to spend the exact amount of the weekly award on care each week. Rather it is for each user to decide how their needs can best be met using the ILF award and to decide how much to spend in any given week. ILF awards can only be used to pay for Qualifying Support and Services (QSS), including any future liability for the cost of QSS.

Users can use their award flexibly in order to pay for care whilst on holiday, but no additional payment for this will be made.

### **Ongoing, such as school holidays**

Where there is already a replacement offer in the system, the ILF can continue to provide funding for users who require support for certain periods of the year only, such as holiday periods during a college, school or university course. These packages may only amount to a few weeks a year but genuinely enable users to lead independent lives.

### **Staying with family abroad**

Some ILF users have family outside the UK and choose to spend part of a given year residing with relatives abroad. The ILF has always supported users to do this. The residence and presence test, which forms part of the common eligibility criteria of the trust deed was drafted to ensure that we can continue funding these users. This is on the condition that there is already a replacement offer in the system, or that the cost of staying with family abroad can be met out of the normal award. Users must also continue to meet all other eligibility criteria

### **Educational opportunities abroad**

Some ILF users in further education, for example university students, spend a part of their course in another country. As long as the residence and presence test continues to be met as well as all other eligibility criteria, ILF can support these users by paying for their care needs during these times abroad where there is already a replacement offer in the system, or where the care costs can be met out of the normal award.

### **Breaks in a relative's home**

As our users have wide ranging living arrangements (as with any member of society), we often support requests for different levels of care while a user stays with a family member. This is on the condition that there is already a replacement offer in the system or the care costs can be met out of the normal award.

For example, the user lives with one parent who provides a lot of unpaid care and requires extra care during stays with the other parent who is not able to provide the same level of care.

### **Respite (not in a care home)**

Where a user takes respite care somewhere other than in a care home in order to give the main carer a break or to enable the main carer to take a holiday, for example in the PA's home, the ILF can support extra care needs associated with this. This is on the condition that there is already a replacement offer in the system or the care costs can be met out of the normal award.

### **Respite (in a registered care home)**

The ILF will continue to pay a user's award for 28 days whilst they are in respite in a registered care home. Any payments made whilst a user is in respite will be limited to 28 days at a time and 26 weeks a year. Please see the Group 5 payments section of the ILF Payments policy for further details.

### **Planned hospital admissions**

Where the ILF had received dates by 17 June 2010 for a planned hospital admission for the user's carer, the ILF will cover the cost of the replacement care. New requests will not be considered unless the care costs can be met out of the normal award.

### **Fluctuation in care needs**

Many users have conditions which fluctuate or that are exacerbated by certain things, such as colds. These affect everyone throughout the year, but may have a particular effect on the care needs of someone who is disabled. Other examples could include a user who has fallen and needs to use a wheelchair on a temporary basis.

Others whose conditions fluctuate regardless of unforeseen events include people with Multiple Sclerosis, for example.

The ILF can support extra care arising from fluctuating care needs as long as there is already a replacement offer on the system or the care costs can be met out of the normal award.

### **Short Term Care That ILF Funding Cannot Be Used For**

#### **Parenting**

Requests may include having children to stay who do not normally reside with the user, with the user requiring extra short term support to enable them to carry out their parenting tasks.

At the present time the Trust Deed does not enable trustees to pay parenting costs.

#### **Emergency Care**

The ILF cannot fund emergency care. Emergency care refers to situations where unforeseen, short-term needs are identified that require an immediate response and emergency care may be needed in order to prevent a user coming to harm. This type of care is classed as critical and therefore the local authority (Local Authority) has a duty to provide it.

### **3.0 Transfer arrangements**

In partnership with a User's Local Authority the ILF will take steps to ensure the User's transfer to the Local Authority in 2015 is as smooth a process as possible. To assist this it will be beneficial for the ILF assessor to identify any variances in the way the ILF package currently operates (such as detailed in the above policy) so that the Local Authority is aware of this and can consider if they are able to accommodate similar arrangements or where this will not be possible to enable the user to be prepared for the likely changes to patterns of support from July 2015.

In some circumstances discussions may identify that it would be beneficial to alter patterns of ILF funded support following the review so they are better aligned with support that the Local Authority is likely to offer to the user after June 2015. Where the user is in agreement with such changes and these can be accommodated by ILF policies the package may be changed accordingly.

#### **4.0 Source**

Trustees Meeting 12 March 2008

Trustees 9 June 2010

Trustees 20 April 2011

Trustees 20 July 2011

SMB 13 March 2013

Trustees November 2013

#### **5.0 Cross References**

Qualifying Support and Services policy

Engaging Care Abroad policy

ILF payments policy

Residence & Presence policy

Regular & Ongoing Local Authority input policy

Local Authority Threshold Sum policy

Guidance on maintaining user packages

#### **6.0 History Date Reviewed**

29 March 2010

10 June 2010

3 May 2011

8 August 2011

March 2013

November 2013

6 March 2014