

The Low Review: Personal Mobility in State-Funded Residential Care

**A Call for Evidence
July 2011**

Leading disability charities have commissioned Lord Low of Dalston to undertake a review into how the personal mobility needs of people living in state-funded residential care are met. This call for evidence is one of several methods being used to gather information. Evidence submitted will be used to create a final independent report.

About this call for evidence

Who it is aimed at

The call for evidence is aimed at any individual or organisation who can provide information that is relevant to the review. In particular, the steering group is looking for evidence from local authorities, residential care services and individuals who are living in state-funded residential care.

Purpose of the call for evidence

The review aims to consider how the personal mobility needs of care home residents are currently met, how they are funded and what responsibilities care home providers and local authorities have in relation to the mobility needs of residents.

The call for evidence will help inform the views of the steering group chaired by Lord Low as they seek to identify key issues and develop appropriate recommendations. This independent review of findings and recommendations will be published and presented to the Department for Work and Pensions.

You can respond anonymously if you would prefer, but please be clear about whether you are an individual or if you are responding as an organisation / local authority.

Scope of the call for evidence

The call for evidence applies to England, Wales and Scotland.

Whilst the Welfare Reform Bill which proposes to enact changes to mobility support applies only to Great Britain the steering group welcomes contributions from individuals and organisations in Northern Ireland which may identify any differences in the way needs are met in comparison to provision in the rest of the United Kingdom.

Duration of the call for evidence

The call for evidence will last for 12 weeks, starting on 18th July and running until midnight 10th October.

How to respond to this call for evidence

Leonard Cheshire Disability and Mencap are providing the secretariat for this independent review. Please send your responses to:

The Low Review
c/o Leonard Cheshire Disability
66 South Lambeth Road
London
SW8 1RL

E-mail: info@lowreview.org.uk

Alternative Formats

An Easy Read version of this call to evidence document has been published online alongside this one. For other alternative formats, contact the secretariat at the address and e-mail above.

Freedom of information

The information you send us will be shared with the steering group and members of the secretariat. It may be published in a summary of responses received and referred to in the published report.

All information contained in your response, including personal information, may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for the purposes of the public consultation exercise, it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information provided or remove it completely. If you want the information in your response to the consultation to be kept confidential, you should explain why as part of your response although we cannot guarantee to do this.

More information about the Freedom of Information Act can be found at <http://www.direct.gov.uk/>

Context

1. The Spending Review announced that from October 2012 the Government will no longer pay the mobility component of Disability Living Allowance (DLA) to disabled people living in state funded residential care.

What do we mean by 'personal mobility needs'?

Personal mobility is the ability to get around. People can face additional costs associated with mobility because of their disability. For example, someone may need to purchase a mobility aid (e.g. an electric wheelchair) or they may need to pay for things like accessible transport. Some people may not be able to travel independently or are unable to drive because of their disability and are therefore reliant on others for their transport requirements.

2. At publication of the Welfare Reform Bill the Government announced its intention to delay the removal of this benefit until March 2013 when Personal Independence Payment (PIP) is introduced.
3. From March 2013 everyone between 16 and 64 currently receiving DLA will be assessed for PIP and many people currently receiving mobility component of DLA will instead receive the mobility component of PIP.
4. The Welfare Reform Bill 2011 contains powers to create regulations removing the mobility component of PIP from people living in state-funded residential care.
5. The Government is currently carrying out an internal review into how personal mobility needs are met and funded and the Low Review is intended to run in parallel to and complement the Government review by providing an opportunity for public contributions.

The Review

Terms of reference

- The review should provide an independent report evaluating:
 - how the mobility component of Disability Living Allowance (DLA) is being used by care home residents and the impact of loss of this benefit
 - funding arrangements for meeting personal mobility needs as between local authorities and care home providers
 - responsibilities of care home providers in relation to mobility needs of residents
- It should review existing guidance in relation to responsibilities of care home providers to meet the mobility needs of residents;
- Review what mobility needs are being met by social services through community care assessments and what is being left to be met by DLA;
- Review and comment on the degree of access to and control individuals have over DLA mobility payments to meet their mobility needs and/or the degree of control where money is used to buy an adapted car (inc. through the Motability scheme);
- Identify any areas of good or bad practice in relation to meeting the personal mobility needs of people living in residential care and make recommendations for associated guidance; and
- Make recommendations based on its findings for the future funding arrangements to meet mobility needs of care home residents.
- The review should seek to consult a wide range of external stakeholders, including disabled care home residents, family carers, care home providers, local authorities and independent experts/researchers. It should be overseen by an independent scrutiny group.
- The review should present its report and recommendations by the end of October 2011.

Appendix - questions

We are interested in your views on how the personal mobility needs of care home residents are currently met, how they are funded and what responsibilities care home providers and local authorities have in relation to the mobility needs of residents.

Supporting evidence – we would welcome copies of community care assessments or plans, even where these exclude personal mobility needs. Please remove any personal data, for example, name, date of birth, before sending these. We would also welcome any service level agreements between local authority and care home provider where mobility needs are referred to.

Below are the questions we would like addressed, these are divided into three sections aimed at local authorities, care home providers and care home residents. In formulating your response please consider the terms of reference.

If you do not feel able to answer all the suggested questions, please feel free to answer only those you consider most relevant. We are also interested in any additional points you may wish to raise or you may want to comment on some of the questions that are aimed at a different group of stakeholders – for example, as a care home resident, you may have views on how your local authority assesses mobility needs through the community care assessment.

Local authority call for evidence

1) Are any of the following considered an 'assessed need' in relation to an individual's community care assessment?

	Fully	Partly	Not at all
Attending medical appointments			
Attending a day service			
Attending other social services provision			
Visiting family			
Taking part in local groups/clubs			
Meeting friends			
Going shopping			
Going to pubs/restaurants			
Travelling to work			
Volunteering			

Going on holiday			
Other, please specify			

- 2) How do you include personal mobility within the community care assessment?
- 3) What levels of mobility need do you meet?
- 4) Do you take into account all of the benefits to which an individual is entitled in your assessment of an individual's care package?
- 5) What are your legal obligations in relation to the mobility needs of people living in residential care and how do you meet these?
- 6) Is there anything else you would like to tell us about how you meet the personal mobility needs of care home residents?

Provider call for evidence

1a) Does your local authority pay you to provide any of the following?

	Fully	Partly	Not at all
Medical appointments			
Cost of mobility aids			
Cost of taxis, petrol money to visit family, friends			
Cost of taxis, petrol money to volunteer			
Cost of taxis, petrol money to attend college courses			
Cost of taxis, petrol money to go to leisure centre/cinema/theatre music group			
Adapted/Motability car			

1b) If mobility (or transport) needs are more generally considered as part of the contractual arrangements, please specify how.

2) Do you have any policies on your residents' use of DLA mobility, and if yes what are these?

3) In relation to Regulation 17 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010¹, CQC Guidance² that to comply with the regulations, residential services must "Encourage and enable people who use services to be an active part of their community in appropriate settings...[and that] so far as reasonably practicable... provide appropriate opportunities, encouragement and support to service users in relation to promoting their autonomy, independence and community involvement". How do you meet the requirement to meet to promote your residents' independence?

4) Is there anything else you would like to tell us about how you meet the personal mobility needs of residents?

¹ Regulation 17 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, part 1 states that residential services must "so far as reasonably practicable, make suitable arrangements to ... provide appropriate opportunities, encouragement and support to service users in relation to promoting their autonomy, independence and community involvement".

² CQC: *Guidance about compliance: Essential standards of quality and safety*, March 2010

2) How are these mobility needs funded?

	DLA mobility	Local Authority	Residential Service	Private/family	Other/Don't know
Attending medical appointments					
Attending a day service					
Attending other social services provision					
Visiting family					
Taking part in local groups/clubs					
Meeting friends					
Going shopping					
Going to pubs/restaurants					
Travelling to work					
Volunteering					
Going on holiday					
Other, please specify: _____					

3) If you have access to your community care assessment or plan, what does it say about personal mobility?

4a) Who manages your DLA, for example yourself, a relative, residential service etc?

4b) If someone else manages it for you is it a formal (eg appointeeship) or informal arrangement?

5) Does your care home have any policies about how you use your DLA mobility, and if yes what are these?

6) Do you use your DLA mobility to fund a Motability vehicle, and if yes does anyone else have access to it and where is it kept?

7) Is there anything else you would like to tell us about how your personal mobility needs are met?