

ILF Consultation questions

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

Yes in principle as this approach will support the personalisation agenda if the needs of both social care and ILF users were met within mainstream services. For the majority of service users who have a joint package it will streamline their funding into a single process, and provide an holistic view of their needs and the support they require..

Barnsley MBC Social Services would request that the funding being transferred on the 1st April 2015 is calculated using the award amounts as of 31st March 2015 to ensure that there is no financial implications on the Authority at time of transfer.

It is not yet clear if there will be any conditions attached to the funding that is proposed to be transferred, Barnsley MBC Social Services would request that the fund is ringfenced to Adult Social Care so that the funding can be utilized to fund care and support across all users, thus reducing the element of inequity that currently exists between those who access IL and those who don't, Historically people accessing ILF along with social care funding have received a significantly increased combined care package, using ILF funding to purchase services that the local authority would not consider to meet FAC's eligible needs, this has created a two tier system within the current social service population.

The length of time the funding will be available for has yet to be determined, Barnsley MBC Social Services would request that this be identified on transfer to enable future financial planning,

Clarification is needed to support Social Services should someone previously receiving the award become no longer eligible, would the funding be available to transfer to another user, what would the conditions of this "new award" be.

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?

Currently users of ILF use the funding to purchase services that the Local Authority would not normally fund, this difference to how the funding is applied may cause users anxiety and stress, a clear communication plan would need to be in place detailing the ILF proposal and its implications, the Local Authority would then need to identify and communicate the implications of this devolvement to the users.

Group 1 users who are not yet identified to Social Services may not currently receive social care support, this creates a risk if these individuals are not considered FAC's eligible and the funding is not ring fenced.

The length of time the funding is available would need to be communicated to users, presently this is to April 2015 however due to the nature of users disability they will require support in the longer term, lack of detail as to how long this funding is available will increase users anxiety.

Clarification if the current eligibility requirements for ILF will continue when the funding transfers, this has particular implications with regards to the changes to benefits under the Welfare Reform as users may no longer qualify for funding.

Clear and comprehensive expectations need to be in place from the DWP, both to the current users and the Local Authorities to ensure that any service user anxieties are minimized, and that expectations placed on the LA are manageable .

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?

It is not yet clear if there will be any conditions attached to the funding that is proposed to be transferred, Barnsley MBC Social Services would request that the fund is ringfenced to Adult Social Care so that the funding can be utilized to fund care and support across all users, thus reducing the element of inequity that currently exists between those who access IL and those who don't , historically people accessing ILF along with social care funding have received a significantly increased combined care package, using ILF funding to purchase services that the local authority would not consider to meet FAC's eligible needs this has created a two tier system within the current social service population.

There will be a significant increase in the administration functions if the fund is transferred to the Local Authority due to the increased activity required to monitor the spend of the fund.

There would need to be adequate investment provided to enable both a smooth transition and ensure the ongoing monitoring/management of this funding is achieved, at this time it is unclear if there is any additional funding to meet this requirement.

The fund would need to be increased annually in line with inflation to ensure that the Local Authority is not at a financial disadvantage in future years. Ideally there should be a growth in the funding to ensure equity in provision for new service users, plus to reflect the demographic pressures we face with people living longer with support needs.

Financial implications may arise for the Local Authority if the amount transferred is the "net funding" as currently users are required to contribute towards their ILF award, although this would continue the Local Authority limit the service user

contributions under the Fairer Charging Policy so there would be a shortfall that would potentially have to be met by the Local Authority.

Payment dates would need to be aligned as the ILF pay in arrears and Local Authority pays in advance, if this were to continue there would be un-necessary dual payments made.

The length of the offer needs to be clarified to enable the Local Authority future financial planning and if necessary develop an exit strategy.

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?

Group 1 users are not known nor is there a current requirement for these individuals to be known to Local Authorities.

The Local authority would need detailed information on these individuals who are not currently known to commence discussions once the DWP requirements are known.

If the fund is not ring fenced for all individuals then some of the Group 1 users may not have FAC's eligible needs which is the criteria for Local Authority support, therefore this would have implications for their future funding, Alternatively the LA can provide them with information and advice to access alternative provision and the resources as currently provided could be redeployed to those in greatest need.

Some Group 1 users may not wish to engage with the Local Authority and feel that the transfer of funding is an infringement on their rights to dictate that they have to engage with Local Authorities.

The criteria for funding of Group 1 users is set at mid rate DLA care, which is lower than Group 2 users, if the funding is transferred there is a risk that the criteria be aligned and these users would no longer be eligible.

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?

Although the funding transfer is not proposed to take effect until April 2015, detailed information on DWP/ILF requirements will need to be provided to Local Authorities well in advance of this date to ensure that communication plans, systems and resources are in place to ensure a smooth transition.

The proposal needs to consider both the transfer implications and the longer term implications on Local Authorities to administer this fund when the decisions are taken.

On behalf of the joint Right to Control Trailblazer Project (Barnsley & Sheffield) we would like to have noted the impact that the uncertainty of ILFs future is creating for existing recipients and the risks that this has and continues to present for the trailblazer. Whilst the need for any transition to be well planned is a given, any protracted process will have an impact on any potential outcomes identified through the Right to Control Trailblazer. It is therefore unclear at this moment in time what value there can be in continued inclusion of the ILF as a funding stream within the Right to Control Extension and we ask that this is clarified prior to the Right to Control Extension period commencing'

Is there anything else you would like to tell us about in response to this consultation?

Given the current state of public finances, the biggest issue from a LA perspective is that any changes in ILF do not transfer any financial burden to LA's given the existing cuts in budgets and the impact this is already having on maintaining the current level of provision. There is an issue whether ILF should be ringfenced to protect those already in receipt, and whether this effectively maintains a dual approach as new service users can't access the fund. Or alternatively if the ringfence should be removed to allow the public finances available to be used most effectively in supporting the most vulnerable.