

WEST DUNBARTONSHIRE COUNCIL

Report by the Director of Community Health & Care Partnership

Community Health & Care Partnership Committee: 2 February 2011

Reissued for Meeting of West Dunbartonshire Council: 23 February 2011

Subject: Eligibility criteria for the Independent Living Fund (ILF).

1. Purpose

- 1.1** The purpose of this report is to update members about how the recent changes made by the Independent Living Fund could impact on West Dunbartonshire Council.

2. Background

- 2.1** The ILF was established in 1988 and is managed by an independent board of trustees. The Fund's purpose statement is: "To provide financial assistance, under the terms of the Trust Deeds, in an efficient, cost effective way that reflects a disabled person's requirements for personal care and domestic assistance, which enables independent living".
- 2.2** In Scotland there are 3645 individuals in receipt of an ILF award. The value of this funding is approximately £64m per annum.
- 2.3** In recent years ILF has made a number of changes to the eligibility criteria. These changes have impacted negatively on the numbers of individuals eligible to apply.
- Upper age limit reduced from 66 years to 65 years
 - Local authority contribution raised from £200 to £320 per week
 - For existing users the local authority input would require to increase to £320 per week before ILF would increase its award.
- 2.4** In March 2010 social work directors were notified of additional changes seriously affecting the number of disabled people who could make application to the Fund. These further changes came into effect on 1st May and are detailed below.
- The local authority contribution would be increased from £320 to £340 per week.

- Only people in paid employment of at least 16 hours per week would be eligible to apply to the Funds.

3. Main Issues

- 3.1** In December 2010, Maria Miller MP, Parliamentary Under-Secretary of State (Disabled People) Work and Pensions, issued a statement confirming that ILF would stay in place to fund existing users until the end of the current parliament in 2015. ILF payments would most likely be transferred to councils to administer as part of personal budgets though it is unknown if payments will be protected at existing levels after 2015.
- 3.2** The Minister stated that after informally consulting with disability organisations, local government representatives, the ILF Board of trustees, and colleagues in the Department of Health the current model of ILF as an independent discretionary trust is financially unviable. The statement added that it was the government's priority to safeguard the position of existing ILF users and that it would consult next year on how their needs would be met in future, following the report on the government's Commission on the Funding of Care and Support.
- 3.3** In addition, the Minister stated that councils would be expected to provide for people who would otherwise have received ILF funding before its doors closed to new members.
- 3.4** It is now clear that there are unlikely to be new claims to ILF thus removing a significant funding stream to individuals and their carers. In addition, existing recipients whose support needs change and who have not reached the upper limit of ILF funding, will no longer be able to request additional funding support from the ILF. A request to ILF to increase funding would normally have resulted in this additional support being met. The lack of this extra funding places greater pressure on the parent/carer.
- 3.5** The ILF has also stated that no additional funding will be available for agency rate increases thus adding a further financial burden to users or leading to a reduction in support if they are unable to pay the additional costs.

4. People Implications

- 4.1** ILF recipients currently contract with local care agencies to provide support using their ILF award. Alternatively, they can employ Personal Assistants to meet their support needs. These changes will have a negative impact on the local economy in terms of employment. The number of support staff employed by both care agencies and ILF recipients to support disabled ILF users in West Dunbartonshire will be affected if no further applications are made.

5. Financial Implications

- 5.1** There are 122 I.L.F. recipients in the West Dunbartonshire area with total I.L.F. funding of £1.9 million. A further 21 applicants who met the eligibility criteria in May 2010 had their claims rejected with the loss of approximately £385,000 of I.L.F. funding.
- 5.2** The changes to I.L.F. rules mean that local authorities will face further challenges in meeting additional package costs, Increases in provider rates or changes in need will now have to be met by the local authority.
- 5.3** The implications of the minister's statement regarding the future of I.L.F. are not yet clear. However, based on the figures above and an average uptake of 12 applicants per year the local authority is likely to face increased demand for services to a value of £150,000 - £200,000 per annum.
- 5.4** In addition, it is likely that the total value of £1.9 million currently received by the 122 recipients in WDC will be lost by 2015, with incremental reductions over the next 4 years. This will place a considerable burden on the local authority.

6. Risk Analysis

- 6.1** As previously stated, there is a considerable financial risk to the local authority.
- 6.2** There is likely to be a negative impact on the local economy as a result of the I.L.F. changes.
- 6.3** The removal of I.L.F. funding is likely to present particular challenges to carers who benefit greatly from the additional support provided by I.L.F.
- 6.4** The changes are likely to have a significant impact on the Scottish Government's Self Directed Support Strategy and on local authorities' desire to promote personalised budgets.

7. Equalities Impact

- 7.1** No significant issues were identified in a screening for potential equality impact of this measure.

8. Conclusions and Recommendations

The CHCP is recommended:

- 8.1 to note the concerns expressed in this report and the impact it will have on West Dunbartonshire Council and disabled service users;
- 8.2 to agree that a briefing note on the issue be issued to all elected members, including MSPs and MPs, for their information; and
- 8.3 to agree that further reports will be brought back to the committee to advise of any developments announced at National level and on how the CHCP is responding to the increased pressure for support.



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Date:

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Appendices: None

Background Papers:

Wards Affected: All