

## CONSULTATION QUESTIONS

### Question 1

What aspects of the current ILF worked well and what elements did not work so well?

It can be seen within the consultation document that geographically the take-up rate of ILF has been mixed. The mean average of take -up being 6.2 % - Midlothian sitting slightly below that at 5.7%. It would appear from some of the higher rates of uptake that there has been a 'push' either by local authorities, or third sector groups to maximise uptake within their areas. This has created inequalities.

The changes in eligibility criteria over the years have made it much harder for applicants to qualify for an award, and to understand how one fund (ILF) has such differing criterion – depending on what date you were made the award. This has also lead to inequalities in the scheme.

Within the 2008 scheme, that is dependent on the amount of local authority contribution to the package, it has created tensions when a package of care is reviewed and as a result maybe reduced – potentially reducing someone's eligibility for ILF. The result being the need to increase the local authority's contribution to sustain the package.

The eligibility criterion (in all its forms) for ILF discriminates against older people.

There are anomalies within the ILF charging policy, as well as differences between local authority charges and financial assessments.

ILF was a discretionary award and not based on entitlement.

I would suggest that the Group 1 ILF users would consider that the scheme has worked well for them, as they have sustained their independence. Possibly many of them with no reference to, or dependence on, local authority services.

The closure of ILF is a further financial demand on the local authority's decreasing budget availability, this along with the Welfare Reform agenda, will make the councils resources more constrained than they are currently.

### Question 2

Should the money that becomes available after existing ILF recipients no longer need it be used in the same way for others in the future? If so, why? If not, how else might the money be used?

The suggested rate of attrition from existing users would make the likely amount of funds available quite small.

There is nothing in the consultation that suggests how any increase in the need of the existing fund users would be met, in particular as they are made their awards on a life long basis (subject to still meeting the criteria of their award). This needs to be addressed.

### **Question 3**

If the available resource is simply that which is transferred from the Treasury, how would you like to see it used if it was not to be a continuation of the existing approach?

It is accepted that a 'Scottish ILF' would not be sustainable, if it is based on the existing resource.

As stated in Question 2 the small amount of funds available to be recycled makes sustainable innovative projects not viable – this coupled with the geographical take-up and the inherent inequities of the fund, suggests little could be achieved.

### **Question 4**

What innovative ways might there be for increasing the overall amount of money in the pot?

There is more clarity required as to what is being asked here.

The existing 'pot' is potentially reducing (see Question 2 & 3) therefore with the increasing needs of the existing ILF users not being addressed, it seems difficult to answer this question.

Consideration could have been given to a rationalisation of the existing users across the criterion – however the assurances have been made by Scottish Government to the current ILF users (subject to them continuing to meet the criteria) that they will be continue to receive funding.

### **Question 5**

With any available resource, where is the most effective area to target resources which can have the biggest impact on an individual's ability to live more independently?

The suggestion that funds could be targeted at children in transition seems most helpful, and potentially would have the biggest impact.

If we invest planning and funds to young disabled adults at this crucial time we have the opportunity to assist them in achieving an 'ordinary life' as set out in The Vision for Independent Living in Scotland..

### **Question 6**

Once funding has been devolved to the Scottish Government, which option do you think will be most appropriate for Scotland?

### Option 1

- There is a high % of people in receipt of ILF who are also in receipt of services from the local authority. They will also be eligible for Self Directed Support, when Midlothian implements it in April 2014.
- The council already has good administrative procedures to manage the Fund. We are already managing existing charging, direct payments, financial assessments etc.
- There will be the opportunity to harmonise eligibility and charging anomalies, - depending on the amount of 'protection' afforded by Scottish Government to the existing users.

### Question 7

To assist with our partial Equality Impact Assessment in relation to the future development of a sustainable Fund to support disabled people in Scotland to live independently, please describe any equality issues (in relation to age, disability, sex, sexual orientation, gender re-assignment, race, religion or belief, pregnancy and maternity and marriage and civil partnership) that you feel may arise and suggest ways in which these could be addressed.

The Council agrees with the DWP's Equality Impact Assessment that there is no evidence that ILF discriminates on the grounds of, disability, sex, sexual orientation, gender re-assignment, race, religion or belief, pregnancy and maternity and marriage and civil partnership.

However it remains a fact that ILF does discriminate against older people.