

## CONSULTATION QUESTIONS

### Question 1

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

We believe ILF funding awards worked well in providing additional funding alongside local authority service provision. The award allowed for increased choice and level of independence and offered a variety and flexibility of supports which local authority services were previously unable to provide. ILF awards provided the service user with supports that were person centred and offered choices about how they were to be supported, It allowed for the service user to become more independent, less isolated and have a more fulfilling lifestyle.

What worked less well: Even before the ILF was closed to new members in 2010, people with very high support needs were precluded from applying to the ILF, as were people aged over 66. Raising the eligibility threshold and then closing the ILF to new members increased the inherent inequality as it led to differing levels of support being available to disabled people with the same needs.

Most families managed their ILF award money responsibly, however there were incidents of mismanagement, and the resulting confusion for ILF and local authorities to correct the situation have been a challenge. We believe that cases should have been reviewed 6 monthly for the first year, then annually to address and rectify any areas of concern caused by the above.

The minimum "threshold sum" funding required from local authorities in order for a person to access and maintain eligible for ILF payments did not fit well with the principles of enablement as it may have resulted in a reluctance from some ILF recipients to maximise enablement opportunities in case their eligibility for ILF funding was put into question.

Other than asking the recipient and their families/carers, there was no real way of monitoring and reviewing the quality and standard of care offered by care agencies and the level of skills and training of personal assistants.

There were sometimes difficulties accessing support to cover for assistants when they were sick or holiday leave.

Care agencies were sometimes not able to fulfil the allocated hours. ILF monies would build up in the bank, and then have to be returned rather than utilised to meet the service users identified needs.

### 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?

Local authorities are finding it increasingly difficult to meet assessed needs from a reducing budget. Although limited, the LF money could be invested to help deliver the agreed personal outcomes of individuals in the future in a simpler, more streamlined way than is currently the case with different funding streams with different rules.

ILF money was originally intended to help keep individuals out of residential settings and ILF money as it becomes available could be targeted to assist service users resettle in their communities.

### **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?

Self-directed support will work towards enabling disabled people to lead more independent lives and any additional funding given directly to local authorities to use in this area would have a positive impact on improving this outcome. However, developing specific criteria to shape the use of the fund would be against the individual outcome focused approach promoted within the current SDS agenda

This money could be used to undertake short pieces of work, crisis intervention, and supporting service users with complex needs to develop and improve their quality of life in their community.

### **Question 4**

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

The Government could consider whether there are opportunities to increase the overall amount of money in the pot by allocating additional funding from other initiatives/programmes that aim to enable people to remain in the community and/or keep them out of hospital.

Unspent money should be reclaimed from recipients and returned to the pot.

### **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?

Self-directed support will work towards enabling disabled people to lead more independent lives and any additional funding given directly to local authorities to use in this area would have a positive impact on improving this outcome. However, developing specific criteria to shape the use of the fund would be against the individual outcome focused approach promoted within the current SDS agenda. An additional advantage of the single agency approach could be the removal of different sets of eligibility criteria.

The money could be used to fund new need locked out in 2010 when the ILF was closed to new applicants.

### **Question 6**

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

We would support Option 1

Significant Local Authority funding has been a prerequisite for ILF eligibility since 1993 and local authorities have worked well in partnership with the ILF in assessing and monitoring ILF support for Group 2 recipients since that time.

This option would give equality of service provision within a local authority area and transfer responsibility for use of the Fund to a local level. Individuals would benefit from local authority expertise in identifying their care and support requirements and having a single point of contact would streamline the process.

Whatever option is adopted local authorities will continue to play a key role in assessing care needs and there are obvious benefits to be had from having a single funding stream in respect of cost and accountability and in the monitoring of services and agreed outcomes.

Local authorities know each individual and their current care needs, (except for the very small number from Group 1 who may have refused local authority involvement)

Annual service user reviews are carried out and service providers are regularly monitored to ensure quality standards are being met and maintained.

Local authorities promote person-centred thinking, enablement, choice and increased independence. Self directed support and increased day opportunities will ensure that former ILF recipients will continue to be able to enjoy choice and flexibility in their support options and SDS Option 1 will provide the best opportunity for ILF recipients to experience a smooth transition through a new integrated system.

The other options being suggested involve systems working in parallel to the processes operated by the local authorities; this can lead to confusion and unwanted bureaucracy with people having to cope with the conflicting demands of two systems. The introduction of self-directed support and individual budgets requires coherence and the integration of funding streams.

Local authorities would be obliged to meet any requirement that existing funding is not be taken away unless the recipient's personal circumstances change and they become ineligible and it is erroneous for the Scottish government to suggest otherwise in the consultation document. Although there is in fact no additional risk of this happening under Option 1, the suggestion that there could be might well mitigate against respondents choosing option 1, the local authority option.

Local authorities are also in the best position to monitor and review the spend and ensure that any money not spent or freed up, is returned to the pot and reinvested in enabling disabled people to remain in the community.

### **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.

There is inherent age based discrimination as people aged over 66 were excluded from applying.

The funding rules that led to the current provision precluded people with very high support needs from applying to the fund.

There is a fundamental inequality in the level of provision afforded disabled people with access to LIF funding and those who do not have access. The closure of the fund for new applicants in 2010 has resulted in many disabled people being treated less generously than their equivalent ILF counterpart as local authorities do not and cannot provide the same level of range of support as the ILF.

The Scottish Government's stated intention that current recipients should not have their existing funding taken away unless their personal circumstances change and they become ineligible, will have the effect of maintaining and protecting this inequality. However, it would not be fair to take away or reduce current awards unless their personal circumstances change or they become ineligible through the established two-yearly review cycle.