

## **LA Q & A regarding changes from April 2008**

Q – Our LA has not increased its use of the ILF. Why should we be penalised for over use by other authorities?

A – We have always operated on the basis of an ‘open door’ policy for applications from LAs. We now have to prioritise applications, as inevitably there will be fewer applications we can accept.

Q – We all have ‘overriding budgetary pressures’. Why are you only telling us now when you should have given us more time to prepare?

A - We still do not know our final budget settlement for 2008/09, 09/10 and 10/11. However, we do know it will be a fixed amount over the next three years. Also the number of applications to the ILF have been rising sharply in the recent past. They are now at over a 27% increase from the figure we expected and continue to rise. This is a situation we cannot sustain and our Trustees met on the 12<sup>th</sup> December to take action to rectify this situation.

Q – Why do the changes only apply to England, Scotland and Wales?

A – We receive our funding for Northern Ireland differently to that for England, Scotland and Wales. We do not currently need to implement these changes in Northern Ireland.

Q – How is it planned to consult with Local Authorities?

A – We are currently discussing the most appropriate and effective ways we can consult with Local Authorities about future strategic and financial relationships.

### **The Threshold Sum**

Q – Why has the TS gone up by a rate far greater than inflation?

A – The TS has not gone up greater than the inflation rate. Quite the contrary, it has been £200 per week since 1993. We therefore need to move to a more realistic figure in order to allow us to continue to support disabled people to live an independent lifestyle. Indeed the average weekly amount currently paid as the LA contribution to an award is already around £300 per week. We therefore considered it to be

reasonable and fair to ask LAs to increase the TS to £320 per week so we could continue to support our current users and still offer a realistic number of new awards.

Q - If the LA is currently paying £260 into a shared package, and an increased need is assessed costing an extra £50 per week, who will pay the difference?

A - The current LA input, together with the extra support will cost £310. As this is below £320, the Local Authority will be expected to put in the full amount of the increase.

Q - If the LA is currently paying £260 into a shared package, and an increased need is assessed costing an extra £70 per week, who will pay the difference?

A - The current LA input, together with the extra care needed will come to £330. The LA will be expected to increase their input to £320. The ILF can then consider the additional increase of £10.

Q - The LA are currently paying for 20 hours at £10 per hour (£200), and the ILF for 15 hours at £10 (£150). If the hourly rate increases to £11 per hour who will pay the increase? The client's needs have not changed.

A - As the increase is rate, and not changed need, the ILF can increase the rate for their hours without the LA increasing to £320. Therefore the new package would be LA 20 hours = £220 and ILF 15 hours = £165.

Q - Care varies in cost within my Local Authority. In some places it is difficult to get enough care within FACS to meet the threshold sum. Is it possible to make an exception to the revised threshold, or to use a threshold number of hours instead?

A - The Threshold Sum is set out in our Trust Deed. There is no facility to make exceptions, or to use alternative measures of Local Authority input.

Q - Will the combined maximum sum for the first six months be increasing too?

A - No. The maximum combined SSD and ILF input remains at £785 for the first six months. It is still possible for other sources of funding such as NHS or Supporting People Grant to be used to increase the overall provision whilst remaining within this figure.

Q – Will we still be using £4£?

A – No. Because the LA input is £320 we wish to adopt a much simpler approach. As the maximum combined sum remains at £785 for the first six months and the ILF maximum is £455, all combined packages up to £775 will mean LA's contribution is £320. If the total package goes above this to £785 the LA contribution is £330.

Q - My Local Authority currently funds £510 towards a care package. Will we be able to decrease to £320 at the next review?

A - No. The rules around decreasing care remain unchanged, and we are unable to fund any care that has previously been part of the SSD's established provision.

Q - What happens if the client's care needs decrease?

A - If the LA input is already over £320 they will be expected to maintain at least £320 per week. If the LA is currently providing less than £320 they are expected to maintain their current provision.

### Managing new applications from 1st April 2008

Q – Why are you giving priority to people on Income Support, Income Based Job Seekers Allowance and Pension Credit Guarantee when they might not be the people in greatest need?

A – We had to set clear criteria that we thought was important to disabled people. Those living on these benefits already includes 60% of our current users. Government have set clear priorities to Trustees and decided that this additional factor had to be given priority. They have also decided to maintain the link to work in line with the Governments strategy in encouraging people into work. We have therefore extended the criteria

to give priority to applicants who are in work and this will be defined as “in remunerative employment or self-employment of at least 16 hours a week”.

Q – What other factors might you take into account if you still have too many applicants?

A – The simple answer is that we are still not sure. Trustees have discretion to consider other factors if we have too many applicants or indeed too few. If this does occur we will need to support applicants with relatively high support costs and low incomes. However, we believe the action we are taking should relieve the budgetary pressure for now whilst targeting those we believe are our priority.

Q – Why are you asking for the SSD1000 and Financial Information Form to be part of the application?

A – The application process can run more smoothly if we have this information as early as possible. This information will also enable us to prioritise the applications before a visit is made. This will keep costs down, and not raise false expectations for applicants who are unlikely to be successful. This will be introduced as soon as we can make the necessary arrangements.

Q – Will the Shared care Checklist also be required if applicable?

A – This will be required at the time of the Assessment visit, as at present.

Q – What will happen to applications and requests for increases received before 1 April 2008?

A – All new valid applications or requests for increases received prior to 1 April 2008 will be decided in line with current policies on the level of local authority contribution, including the requirement for matched funding (£ for £).

## Trust Funds

Q – Do the changes mean that if you have been awarded compensation for personal injury you will not be able to apply to the ILF?

A – The Trustees have proposed to Government that the fund would normally exclude people from applying who have received compensation for personal injury.

## When will awards be paid from?

Q – Why will you no longer backdate an award when the user can show evidence that they have paid for support?

A – We will backdate an award where it can be shown that a liability to the user has occurred. We will not however continue to simply backdate an award or an increase to an award where no evidence can be shown that a cost has been incurred. Receipts for support from either a PA or a care provider will be necessary. However, as from April 1<sup>st</sup> 2008 new applicants and agreed increases will normally only be paid from the date the ILF receives the acceptance of the offer. We will not be repaying LAs for emergency funding they have incurred for providing emergency support.

## New Applicants

Q – If LAs let the ILF know they are sending in ten shared applications in March 08 but they might not reach us until April 08, can they be accepted under the current TS conditions (£200) as they have given us a notice of intent.

A – No. Completed application forms received at the ILF on or after 01/04/2008 will be subject to the new TS (£320).

Q – What will be the position on increases for Group 1 Fund Users? Will there still be the expectation that they are asked to approach the LA for funding if the increase requested is more than a given amount?

A – Some recommendations are being made to trustees to tighten up on this so that measures are taken with regard to all current users not just G2. But in any case the current requirements certainly won't be relaxed