

Policy Circular

Document No 12/07

Owner: Strategy & Communications Directorate

Subject: Engaging Care Abroad

Version: 2 of 2

Last Amended: 10 June 2010

Date Reviewed: 10 June 2010

Next Review: June 2012

Please note: From 17 June 2010 the ILF is closed to new applications.

1.0 Background

Trustees are no longer required to collect National Insurance numbers of PAs under the terms of the 2006 COGA. Trustees have confirmed that the lack of provision of a UK National Insurance number is not a reason for refusing an offer of financial assistance by the ILF.

This means that users can now choose to engage a foreign personal assistant or agency during temporary stays abroad.

2.0 Policy

There is no restriction upon a user engaging care providers either directly or through an agency whilst visiting another country provided that all ILF eligibility criteria are met and that the care costs can be met out of the existing ILF award. ILF funding can be used for care engaged outside the UK, provided that the ILF user can supply evidence of the care that has been provided if requested to do so.

Independent Living Fund

Equinox House, Island Business Quarter, City Link, Nottingham NG2 4LA

Tel: 0845 601 8815 or 0115 945 0700, Fax: 0115 945 0945, Textphone: 0845 601 8816

Email: funds@ilf.org.uk, Website: www.dwp.gov.uk/ilf

The ILF no longer collects the National Insurance numbers of PAs and considers that the name and contact details of any agency engaged is sufficient information.

The ILF does not distinguish between European and non-European countries in this arrangement.

Care agencies in England (Wales, Scotland and NI are covered by different regulatory authorities) and each country overseas will have different arrangements for overseeing care provision. It is the user's responsibility to ensure that their chosen agency is registered appropriately.

If the user wishes to employ care directly, they should be advised to have employer liability insurance the cost of which the ILF would consider paying exceptionally on the same basis as for UK based carers.

It would be advisable to take local legal advice although the cost of this must be met by the user.

3.0 Procedure

Where an ILF user wishes to engage a PA or Agency care during a temporary stay outside the UK, the user must:

- Continue to be in receipt of higher rate care component of DLA,
- Be in receipt of at least the Threshold sum per week of qualifying support and services from the Local Authority,
- Continue to meet the financial eligibility criteria and
- Satisfy the residence and presence tests
- The ILF user should be informed that they must be able to provide details of the care provider and evidence of the care that has been provided should this information be requested.

4.0 Source

Care Standards Act 2000
Conditions of Grant Agreement
Trustees meeting 08 February 2006
Trustees meeting 13 September 2006

Trustees paper 93pap852
Trustees' meeting 09 June 2010

5.0 Cross References

Increase request policy

6.0 History Date Reviewed

18 February 2008

10 June 2010

Equality Impact Assessment

Screening Template

This preliminary impact assessment form is to help you screen your policy, project, function or new service. It should help you consider whether a full Equality Impact Assessment is required by looking at whether there is a potential negative or positive impact on any of the equality groups, if there is an opportunity to promote equality, and whether further data is needed.

Title of policy, project, function or service:

Engaging care abroad

Short description of aims and objectives

Sets out the ILF position with regard to users who wish to engage care abroad.

Thinking about each group below, does (or could) the policy, project, service or function have an impact on members of each equality group? If so, how?

| Equality Group | Yes – negatively | Yes – positively | Unclear | No impact |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Age | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Disability | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Race | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Gender | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Transgender | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sexual orientation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Religion or belief | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Socio-economic groups | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

What information or research has been considered in judging these impacts?

See below.

You should consider a full Equality Impact Assessment (EIA) if:

- (a) you feel one or more equality groups will be negatively impacted by the policy, project or service, or
- (b) there is an opportunity to promote equality and eradicate discrimination.

You may also consider further research if it is unclear, at this stage, what the impact may be.

Based on your findings, is a full EIA required?

Yes

No

Please provide a short summary of your decision-making below:

All ILF users are able to engage care abroad in the way that best meets their needs. The only proviso is that this care must be funded within the amount awarded to the user by the ILF on an annual basis and be able to provide evidence of the care employed upon request.

The policy treats all users equally and there is no evidence that it will impact unfairly on any of the equality groups.

Notes:

- The completed EIA Screening Template should be sent to Jon Duckworth, User Liaison Manager for approval by the Equality Impact Assessment Board (EIAB).
- We will contact you with any comments or queries about the completed form.

This form was completed by:

Helen Janes