

DLA Reform Consultation Response

I have been asked by my son [REDACTED] and his wife [REDACTED] to respond on their behalf. Both are disabled, and cannot type or use a computer. They live in residential care at the [REDACTED]

Reference Question 5 Para 21, Page 15: **the payment of the mobility component of DLA (or the PIP equivalent to this allowance) should depend on the needs of individuals rather than their place of residence. To obtain the mobility component of DLA, the disabled in residential homes should have to show that they need and can use it.** This is the opinion of my family, the residents in their home, those who run the home and their care managers. They make the following points:

1. The Government's proposal to remove the DLA mobility component from people living in residential care is due to a mistaken belief that the disabled in residential homes are like hospital patients or residents in nursing homes and residential homes for the elderly, where residents spend the vast majority of their time in the homes or, as patients, unable to go out or being nursed. This is not the case at the Disabilities Trust and similar homes for those with physical disabilities where getting out and about in the local community is a vital aspect of residents' everyday way of life. **Residents in these homes must meet their own transport costs from their DLA mobility** to access specialist transport to education, volunteering, day opportunities, libraries, shops, banks, public life and services, church, fitness activities, visits to friends and families. Many residents live at a long distance from their families who cannot help them with mobility needs.

2. The Government mistakenly thought that there was an element of double funding in that local authorities were already meeting the mobility needs of these residents. This is not the case. **The cost of transport is not included in contracts with residential homes other than to cover needs deemed to be substantial and critical (usually medical).** At the [REDACTED] and similar residential homes residents must meet their own

transport costs from their DLA mobility to access all the services listed in 1. above. The care home provides free transport to medical appointments and for medical matters but residents must pay for transport to support their normal activity.

3. Maria Miller, Minister for Disabled People, has now written to MPs and the public to say that, 'where individuals' needs are met through residential care, the local authority contracts with the care home to ensure that the agreed services are provided.' **The Minister's letter is seriously misleading. Her letter implies that transport to all the services listed in 1. above is provided free of charge in a contract and that residents therefore do not need a mobility allowance. This is not true.**

Local authorities, whose budgets are already under considerable pressure, do not have the funds available to pay for these transport services nor do they have a statutory duty to do so. Generally their existing contracts with care homes do not cover assessed mobility. It has been confirmed to me that this is the case at the [REDACTED] and that such arrangements are standard in the industry.

4. The [REDACTED] points out that they do not have the staff, resources, finance or vehicles to provide the services to their residents which at present the residents provide for themselves out of the mobility component of DLA. I have been assured that the same would be true of similar residential homes. If they were legally obliged to assume this function, Government would ultimately have to fund their extra costs, costs that would be far greater than the current DLA mobility costs of £160 million. This amount is tiny when compared with the £81 billion of spending cuts planned by Government.

5. I question how much background research has gone into this proposal, whether it has been properly thought through and whether the Government fully understands how a particularly vulnerable sector of society will be hit hard if these changes are introduced in 2012. Article 20 of the UN Convention on the Rights of Persons with Disabilities commits signatories to 'take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including

facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost.' Removing the DLA mobility component from disabled people jeopardises this right. If the Government's proposal is carried, these disabled people will have no means to pay for transport, will be confined to their homes, will be denied their independence, will be denied the right to access services and to participate freely in society. This is inhumane and tantamount to being imprisoned - in many cases for life.

6. This proposed cut is discriminatory and unjust in that disabled people who live at home and get help with personal care will continue to receive a mobility allowance, whereas those living in residential homes and getting help with personal care will be denied a mobility allowance. The latter are already means-tested for their care costs.

7. Confining a large number of disabled and vulnerable people in their homes, denying them the right to access services and participate freely in society, runs counter to the Government's claim in the Coalition Agreement document that fairness would be at the heart of its decisions so that all those most in need would be protected.

8. Those who live in the [REDACTED] and similar homes are very active people who have profound or complex needs. Many will need to live in this residential setting for the rest of their lives for long term assistance and support. Many will have no family to help them financially. If their only allowance to pay for their transport to the outside world is stopped, it will be of little consolation to tell them that their underlying entitlement remains so that they will not have to reapply when they leave the care home.

9. The proposed change is in conflict with other government policies on personalisation, independent living, ideas about dignity, respect and choice. Residential homes are not hospitals or nursing homes, nor are they prisons, or places to hide people away and then deny them opportunities that the rest of us take for granted - Residential care homes are homes for people who need additional care, these people are full citizens and should be afforded their allowance to be mobile and participate in society as they see fit.

We know that savings are needed but this is too great a price to pay. This is not 'fairness and togetherness', this is unfair, unjust, cruel and, frankly, offensive, inflicting isolation on the most vulnerable who are the least able to protest for themselves. Please withdraw this particularly nasty proposal.

Yours sincerely

[REDACTED]
[REDACTED]

On behalf of my son [REDACTED] and his wife [REDACTED] at the [REDACTED]
[REDACTED]
[REDACTED]