



DEBATE PACK

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Changes to the Independent Living Fund

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Summary

The Independent Living Fund (ILF) was a central Government financial resource for disabled people, designed to help them live independently in the community.

The Library has produced two papers on this subject of the Independent Living Fund:

- [The closure of the Independent Living Fund \(ILF\)](#) details how the ILF worked, how the Coalition Government came to close it and the unsuccessful legal challenge that the decision faced.
- [Local replacements for the Independent Living Fund \(ILF\)](#) looks at the changes in England following the closure of the ILF. The paper looks at the calculation of the funding pot, and how local authority allocations are determined, as well as the absence of ring-fencing and the fact that local authorities now determine eligibility criteria at the local level (rather than criteria set at the national level by DWP). The paper also looks at a couple of studies that have attempted to understand the impact of the ILF closure: some of these reports are also highlighted below.

This debate pack provides a summary of the ILF and summarises some of the literature considering the impact of its closure.

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1. Background

The Independent Living Fund was a national resource dedicated to the financial support of disabled people, enabling them to choose to live in the community rather than residential care. Existing in various forms since 1988, it was sponsored by funding from the Department for Work and Pensions (DWP). Although Government-funded, the ILF was a non-departmental public body which operated as an independent and discretionary trust fund managed by a board of trustees.

In June 2010, the board decided to close the ILF to new applications as its budget was already allocated and the board wanted to keep funding current recipients at the same level. In December that year, the UK Government decided the ILF was unsustainable and would be closed.

The ILF closed in June 2015. The funding was devolved to English local authorities and the Scottish, Welsh and Northern Irish Governments.

The Scottish Government created the public body, [Independent Living Fund Scotland](#), to administer the £47.2 million of former ILF funding. Although this money was earmarked for those who previously received the ILF, in June 2017, the Scottish Government announced an additional £5 million which people aged between 16 and 21 could apply for: this is called the Transition Fund.¹

Northern Ireland continues to support former ILF recipients: their funding is also administered by Independent Living Scotland.²

Wales used the approximately £27 million of former ILF funding to create the Welsh Independent Living Grant (WILG) which similarly continued to fund those individuals supported under the ILF. This money was ring-fenced, but local authority-administered. In November 2016, the Welsh Minister for Social Services and Public Health announced that the funding would continue in this format until 2017-18, but in 2018-19 transfer fully to local authority responsibility. The Minister argued that this would equalise access to support amongst disabled people and avoid the WILG becoming unsustainable and less effective as the number of people in the scheme decreased.³

When asked what 'safeguards' the Welsh Government will put in place to ensure that the 'funding goes where it's intended', the First Minister of Wales, Carwyn Jones stated:

We would expect local authorities, of course, to fulfil their obligations to disabled people and to put sufficient funds aside in order for their financial needs to be recognised and satisfied. Of course, local authorities are answerable to their electorate if they pursue policies that the electorate deem to be unacceptable.⁴

¹ [Scottish Government website](#), accessed 4 January 2018

² [Independent Living Scotland website](#), accessed 3 January 2018

³ [Written Statement - Future Support Arrangements in Wales for Former Independent Living Fund Recipients](#), Welsh Government website, 3 November 2016

⁴ [Welsh National Assembly Plenary](#), paragraph 80-81, 19 September 2017

2. Impact of closure

A number of studies and newspaper articles have analysed the impact of the ILF's closure. These are listed below.

2.1 Government studies

[Closure of the Independent Living Fund \(ILF\): Equality analysis](#), DWP, 6 March 2014

- To fulfil its Public Sector Equality Duty (PSED) under the Equality Act 2010, the Government published this equality analysis. This is discussed in some depth in our paper, [The closure of the Independent Living Fund \(ILF\)](#)

[Independent Living Fund: post-closure review](#), DWP, January 2017

- In January 2017, the Government published this review of the closure of the ILF, which was a requirement of the previous equality analysis. This 2017 review is a qualitative assessment that considers:
 - views and experiences of the transition to local authority provision
 - support outcomes under new local authority arrangements (including improved, matched and reduced packages of support)
 - different local authority models for managing the transition

The review is based upon interviews with 50 former recipients of the ILF or their unpaid carers, as well as local authority staff responsible for the transition.

- This review finds both positive and negative experiences. In regards to the support outcomes the reports finds that 'improved', 'matched' and 'slightly reduced' packages did not lead to a loss of independence for recipients. However many of those with a heavily reduced package faced:
 - loss of paid care and support; an increased reliance on unpaid care; changes and restrictions to daily activities, including less support for engaging in leisure activities. Heavy reductions in care affected some people's physical and health. Participants on reduced arrangements reported lower trust in the social care system.⁵

2.2 Other reports

[Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention: Report of the Committee](#), UN Committee on the Rights of Persons with Disabilities, 6 October 2016

- The UN Committee on the Rights of Persons with Disabilities carried out an inquiry into the UK. This was conducted under the

⁵ [Independent Living Fund: post-closure review](#), DWP, January 2017, p.43

Optional Protocol to the Convention on the Rights of Persons with Disabilities, to which the UK has been a signatory since 2007. A number of UK organisations had contacted the Committee with fears that Government reforms were negatively impacting the rights of disabled people under articles 19, 27 and 28 of the Convention, chiefly concerned with living independently, employment and social protection.

- The committee published its findings in October 2016. One of the factors that the Committee considered was the closure of the ILF:

The Independent Living Fund in the State party has been closed to new claimants since 2010 and was definitively closed in June 2015. The funds transferred from the central administration to local authorities under the scheme of localization were not ring-fenced in England, affecting the majority of former Fund users. It was observed that social care packages have been reduced in the context of further budgetary constraints at the local level. The Committee finds that former Fund claimants have seen the support they received from local authorities substantially reduced, to the extent that their essential needs in areas such as daily personal care are not sufficiently covered. The Committee takes note of the decision made by the devolved administrations in Scotland and Northern Ireland for the maintenance of schemes equivalent to the former Independent Living Fund, as well as in Wales. However, it remains concerned about the lack of acceptance of new applicants to the fund in Northern Ireland.⁶

- The Government response to the UN analysis can also be found on the Committee's website.

[One year on: Evaluating the impact of the closure of the Independent Living Fund](#), Inclusion London, 5 September 2016

- A report generated from FOI requests and surveys of ILF recipients and disability organisations. This report is discussed in the Library paper, [Local replacements for the Independent Living Fund \(ILF\)](#).

[Government's failure to ring-fence ILF funding 'is leading to postcode lottery'](#), Disability News Service, 5 May 2016

- As mentioned in our Library paper, the Greater Manchester Coalition of Disabled People made freedom of information requests to nearby local councils. It found that,

Of the 10 councils, only two have said categorically that they will ring-fence the money for former ILF-recipients, another appears to suggest that it will do so, and two are waiting for further information from the government before making a decision, but five have said they will not ring-fence the money.⁷

- Disability Rights UK found a similar result to their FOI requests to local councils made in 2015, before the final transition date to

⁶ [Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention: Report of the Committee](#), UN Committee on the Rights of Persons with Disabilities, 6 October 2016

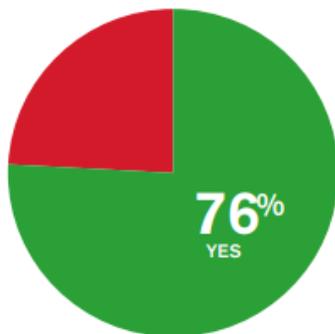
⁷ [Government's failure to ring-fence ILF funding 'is leading to postcode lottery'](#), Disability News Service, 5 May 2016

local authority arrangements. Of the 96 responses received, only 24 local councils had decided to ring-fence funding; 22 were unsure.⁸

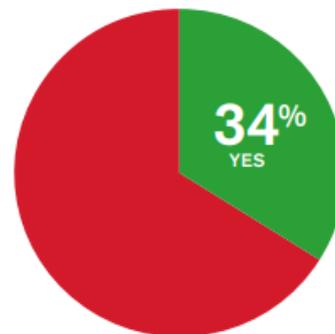
[Independent Living Survey](#), In Control, 2016

- The Independent Living Strategy Group carried out a survey, and the findings, based on 485 responses, are published in this report. The survey looks at the impact of the Care Act 2014 and the closure of the ILF on disabled independent living in England.
- The report has the following graphs to illustrate the reported impact of the closure of the ILF:

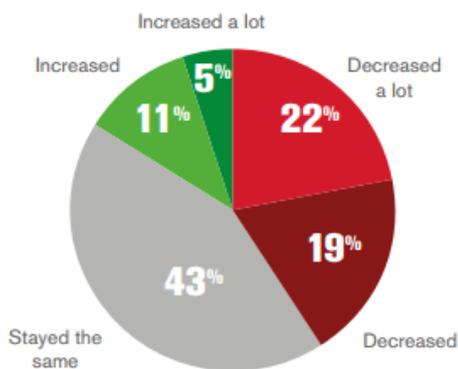
Did you have an assessment of your support needs as part of the transfer of Independent Living Funds?



Since your Independent Living Fund transferred to the local authority, have you been told of any new restrictions on how you can use the money for your support?



Now that you no longer receive money from the Independent Living Fund has the amount of support you get changed?



Since your Independent Living Fund was transferred to your local authority has your day to day support you get changed?

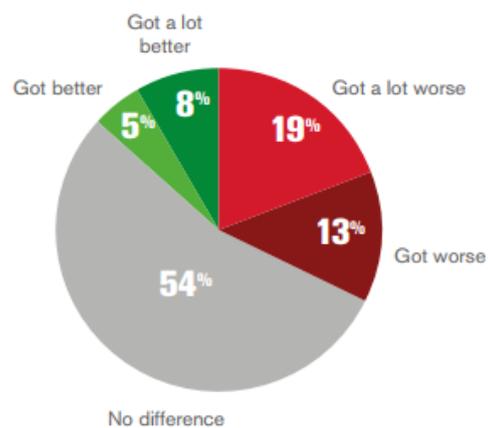


Table 8. The experience of former recipients of the Independent Living Fund

Source: Independent Living Survey, In Control, 2016

⁸ Most councils will not ring fence ILF resources, Disability Rights UK, 8 April 2015

2.3 News articles

[Welsh government has 'sold disabled people down the river' on post-ILF plans](#), Disability News Service, 17 November 2017

- An article about the closure of the Welsh Independent Living Grant in Wales

[Disabled activist 'is fighting for his life' as he hands petition to Welsh government](#), Disability News Service, 21 September 2017

- A disabled activist attempts to prevent the closure of the Welsh Independent Living Grant, arguing that it will lead to a loss of funding for disabled people

[Disabled people call for return of UK-wide Independent Living Fund](#), *Guardian*, 13 July 2016

[Years of austerity have left personal assistance in 'very fragile state'](#), Disability News Service, 6 July 2017

- An article about the decreasing employment of personal assistants (PAs) to allow disabled people to live in the community. A number of experts have commented on this problem, including Baroness Campbell who draws a link between the decrease in PAs and the closure of the ILF.

3. Parliamentary material

3.1 Debates

[Independent Living: Disabled People](#), HC deb 13 October 2016, cc 550 – 558

[Disabled People: Support](#), HC deb 27 January 2016, cc 118WH - 142WH

[Independent Living Fund](#), HC deb 8 July 2015, cc 142WH - 150WH

3.2 Parliamentary Questions

PQ 109857 [[Independent Living Fund](#)] 31 October 2017

Ian C. Lucas MP: To ask the Secretary of State for Work and Pensions, how many former recipients of financial support from the Independent Living Fund in England received (a) improved or equal financial support or (b) reduced such package from local authorities administering the successor scheme.

Penny Mordaunt MP, Minister of State (Department for Work and Pensions): This information is not collated centrally and could only be obtained at a disproportionate cost.

PQ 38788 [[Carers](#)] 09 June 2016

Dan Jarvis MP: To ask the Secretary of State for Health, what assessment his Department has made of the financial effect on people caring for family members of the closure of the Independent Living Fund and the introduction of the Care Act 2014.

Alistair Burt MP, Minister of State (Department of Health): The Independent Living Fund (ILF) closed on 30 June 2015, with funding and responsibility transferring to local authorities in England and the Devolved Administrations in Scotland and Wales. The Department has not made an assessment of the financial impact on those caring for family members, and at this stage does not plan to do so.

However, the Department has issued statutory guidance to local authorities to support this transfer of responsibility and to prevent any former ILF user having their care interrupted during the transfer. I have recently reminded local authorities of the need to comply with this guidance. In addition, the Care Act 2014 introduced important new rights for carers, and placed a duty on local authorities to assess adults who appear to have care and support needs and to meet those needs which meet the national eligibility criteria.

The Government has committed to publishing a new cross-Government National Carers Strategy before the end of 2016. A wide-ranging call for evidence is now underway to underpin the development of the Strategy, which will gather evidence from stakeholders, and carers themselves, on their experience of caring including issues of personal finance and the support they receive from local authorities.

PQ 28404 [[Independent Living Fund](#)] 29 February 2016

Debbie Abrahams MP: To ask the Secretary of State for Work and Pensions, if he will commission an evaluation of the effectiveness of support for former Independent Living Fund recipients.

Justin Tomlinson MP, Parliamentary Under-Secretary of State (Department for Work and Pensions) (Disabled People): The Government has committed to conducting research on the impact of the Fund's closure and has already identified a sample of former users who have agreed to participate.

The Government believes that local authorities are best placed to provide for the care needs of people in their local community. The Care Act 2014 introduced stringent minimum standards for this care and it is within this context that local authorities took over responsibility for the care and support of former Independent Living Fund users from 1st July 2015.

The Government has fully-funded local authorities to meet their additional obligations to service users previously in receipt of the Independent Living Fund for the remainder of the 2015/16 financial year and there will continue to be a separate grant to support them for 2016-17. Under proposals currently being consulted on, the Government will also enable local authorities to continue to fully fund the care packages of former Independent Living Fund users for the remainder of the parliament.

[Oral questions: Disabled People: Independent Living](#), HL deb 17 Nov 2015, cc 4 - 6

Baroness Campbell of Surbiton: To ask Her Majesty's Government whether they are monitoring how local authorities disburse money previously disbursed from the Independent Living Fund to enable disabled people to live as independently as they were before the closure of that fund.

The Minister of State, Department for Work and Pensions (Baroness Altmann) (Con): My Lords, the Government are conducting research on the impact of the closure of the Independent Living Fund based on interviews with a sample of former users. They are also conducting research on the implementation of the Care Act 2014, which made the Independent Living Fund's main features—personalisation, choice and control—part of the mainstream social care system.

Baroness Campbell of Surbiton (CB): I thank the Minister for her reply. Is she aware that two independent research reports, carried out by In Control and Scope, have been published in the past month? Both found that more than half of disabled people using social care can no longer get the support they need to live independently? Now that the Independent Living Fund has been transferred to the wider social care system, will the Government commit, in the spending review, to invest in social care that will directly ensure that disabled people's independent living support continues in the future? It would be a travesty if it returns to 1980s provision.

Baroness Altmann: The Government are committed to ensuring that people who require care and support have choice and control over their lives, and they are aware that independent living is often vital to the well-being of those we are trying to assist. That is why the Government added the extra chapter to the Care Act guidance before closing the Independent Living Fund. We will be

monitoring the situation, and local authorities now have a statutory duty to ensure minimum standards.

Baroness Brinton (LD): My Lords, many disabled people view local authorities as uncommitted to independent living. They say they face a different social worker each time, a lack of understanding of their needs and very bureaucratic assessment processes, leading to further stress for them. Can the Minister reassure your Lordships' House that the Government have a plan in place to monitor council spending on independent living and to ensure that those in need can access the benefits to which they are entitled?

Baroness Altmann: My Lords, the Government are committed to this matter and are following it up with research into both the general implementation of the Care Act and the specific impact on former users of the Independent Living Fund. We do not currently have any evidence that those affected by the closure of the Independent Living Fund, 94% of whom were already receiving local authority support, have been unable to maintain the standard of care they require.

Baroness Hollins (CB): My Lords, is the Minister aware that the recent survey by In Control, referred to by my noble friend, found a significant reduction in well-being among those receiving social support? Will not those transferring from the Independent Living Fund also be affected, and how will the Government prevent the situation getting worse for all those receiving care?

Baroness Altmann: My Lords, the Government are committed to spending on care and support for those who are disabled and vulnerable. Indeed, every year between now and 2020, spending will increase beyond the 2010 level. Local authorities supported the changes to the Independent Living Fund, and people will now be dealing with only one system, whereas previously they dealt with two. The ILF was a discretionary trust; now, there is a statutory underpinning to protect users to the minimum required standard.

4. Further reading

[No Place Like Home: The Economics of Independent Living](#), Centre for Welfare Reform, July 2017

- The authors of this article state that “increasingly local authorities are claiming that on the grounds of financial austerity they need to move to high volume models of ‘supported accommodation’ rather than individual support.” This article attempts to rebuff this argument, arguing that disabled people who have the support to live in the community cost less in the long term.

[Being disabled in Britain](#), Equality and Human Rights Commission, April 2017

- A report looking at the experience of disabled people in many areas of their lives.
- Section 4.4 summarises UK welfare reforms, including the closure of the ILF.

Tom Porter and Tom Shakespeare, [‘Imposed unknowns’: a qualitative study into the impact of Independent Living Fund closure on users](#), Disability & Society Volume 31, 2016 - Issue 7

- No access to the main article via the Library.
- According to the abstract, this article finds, using a small sample of 12 people, that the transition from ILF to local authority responsibility has been marked by worry and poor communication.

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