



# **Guidance On Transport Schemes for Nursing Home, Residential Care Home and Supported Living Domiciliary Care Service Providers**

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## FOREWORD

Where an individual resides in a registered nursing home, residential care home or uses a supported living domiciliary care service, it is important that appropriate arrangements are in place to facilitate the service user's use of motorised transport in pursuit of their individual needs.

In certain circumstances, service users may have a relative or friend who will provide transport to and from personal commitments for example, social outings, or medical or dental appointments. Many service users may access these activities by using a form of public transport, hire a private taxi or use their own vehicle, which may have been obtained through the Motability component of disability living allowance.

Registered providers may wish to operate a transport service and charge service users who wish to make use of communal vehicles to attend personal appointments and to go on social outings. Other providers may wish to broker arrangements between service users who agree to make shared use of an individual's Motability vehicle.

This guidance is aimed at assisting registered providers who intend to operate a transport scheme to do so in a manner that is fair, transparent and proportionate to the needs of the service user.

In operating a transport scheme the registered provider must ensure that all vehicles are road worthy with up-to-date road tax, vehicle registration and current MOT certificates where appropriate and that drivers and passengers are properly insured against loss, damage and for personal injury.

## 1. INTRODUCTION

- 1.1. This guidance makes reference to the term service user. This incorporates patients in nursing homes, residents in residential care homes and tenants within supported living domiciliary care services.
- 1.2. This guidance provides an overview of the key principles that should be taken into consideration when service providers are considering the transport needs of service users.
- 1.3. This guidance should be read in conjunction with the following relevant legislation and standards which are available on RQIA website [www.rqia.org.uk](http://www.rqia.org.uk) and/or Department of Health (DoH) website: [www.health-ni.gov.uk](http://www.health-ni.gov.uk) :
- 1.4. Regulations
  - The Domiciliary Care Agencies Regulations (Northern Ireland) 2007
  - The Nursing Homes Regulations (Northern Ireland) 2005
  - The Residential Care Homes Regulations (Northern Ireland) 2005
- 1.5. Standards
  - The Domiciliary Care Agencies Minimum Standards (updated 2011)
  - Care Standards for Nursing Homes (2015)
  - The Residential Care Homes Minimum Standards (updated 2011)
- 1.6. Departmental Circulars
  - DHSSPS Circular Reference: HSC (F) 15-2016: Safeguarding of Service Users' Finances within Residential and Nursing Homes and Supported Living Settings
  - DHSSPS Circular Reference: HSC (ECCU) 1/2010: Care Management, Provision of Services and Charging Guidance
- 1.7. This list is not exhaustive. Service providers should ensure that they comply with all relevant legislation, standards and circulars.

## 2. KEY PRINCIPLES

2.1. The following principles should be adopted when providing a transport scheme.

### 2.2. Needs of the Service User

- a) The needs and resources of individual service users should be considered in assessing the appropriateness of the mode of transport.
- b) If appropriate, the opportunity for individual service users to lease Motability vehicles should be evaluated.
- c) The transport scheme should be reviewed regularly through the application of a value for money exercise to establish whether it continues to meet the needs of all relevant individual service users.
- d) The provider must ensure that a transport service is made available to those service users contributing to its cost.

### 2.3. Charges

- a) The charges for transport provision for an individual service user must be based on their individual usage and not based on a flat rate charge.
- b) The treatment of any surplus/arrears arising from individual usage must be detailed within the individual service user's written agreement.
- c) Only direct costs associated with providing transport must be included in the charge, for example, driver's salary, fuel, servicing, insurance, MOT costs, road tax, depreciation, leasing/rental charges. In certain circumstances parking or toll road fees may be applied. The provider must include the justification for the direct costs. An audit trail supporting the costs for the service must be retained as well as charges to the service user.
- d) Only the costs of a staff member's salary related to driving the vehicle should be included in the direct costs used to establish a rate per mile.

- e) If the vehicle(s) used for the transport scheme has fully depreciated then the depreciation costs should be removed from the direct costs and a revised rate per mile implemented.
- f) Where a cost per mile system is used, the cost must be shared equally between the service users travelling on each journey in the same vehicle.
- g) Any charges applied for additional support from staff members on journeys must be set out clearly within relevant transport policies and procedures, service user guides and within individual service user agreements as relevant to the service user. Such charges must be shared equally among those service users requiring support when travelling in the same vehicle on the same journey.
- h) Charges for additional support from staff members should be shown separately from the rate per mile charge.
- i) Charges for using vehicles owned by members of staff should be set out clearly within relevant transport policies and procedures, service user guides and within individual service user agreements. Such charges must be shared equally among those service users using the same vehicle on the same journey.
- j) The cost of journeys undertaken by the provider for general business purposes not associated with the service user must not be charged to service users.
- k) Vehicles collectively owned by service users must not be used for general business purposes not associated with the service user.

### 3. CAPACITY ISSUES

- 3.1. Valid consent must be obtained from the party making the payment before commencing a chargeable arrangement for provision of a transport service. This principle reflects the right of individuals to determine what happens to their property, and is a fundamental part of good practice.
- 3.2. The principles contained in the DoH guidance Reference Guide to Consent for Examination, Treatment or Care should be considered in this area of practice.
- 3.3. Regardless of a service user's ability to manage their affairs, the commissioning health and social care trust (HSCT) continues to play a role in evaluating the appropriateness of the transport scheme in accordance with relevant DoH documentation.

## 4. INDIVIDUAL SERVICE USER AGREEMENTS

- 1.1. An individual service user agreement must be drawn up between the service user (or their representative if service user lacks capacity to make decisions about the transport scheme) and the registered provider. Where a service user has no next of kin (or other representative) then a copy of the agreement should be forwarded to the relevant Health and Social Care Trust for review. A record of the date the agreement was forwarded to the Trust should be retained within the service user's file.
- 1.2. The agreement should include the following as a minimum
  - a) the terms and conditions of the scheme
  - b) the charges to be applied (including charges for using vehicles owned by members of staff)
  - c) the method of payment and frequency of payment
  - d) reference to the relevant policies and procedures
  - e) arrangements for amending the terms and conditions of the agreements including termination of the arrangement
  - f) the opportunity to opt out of any transport scheme
  - g) the treatment of any surplus/arrears arising from individual usage
  - h) the type of transport to be used (including vehicles owned by members of staff)
  - i) arrangements for the shared use of a mobility vehicle
  - j) arrangements for the use of vehicles owned by members of staff
- 1.3. The agreement must be signed by the service user/their representative and must not be signed by a representative of the establishment/agency on the service user's behalf.

## 2. POLICIES AND PROCEDURES

- 2.1. Transport policies and procedures must be developed and must include:
  - a) the terms and conditions of the transport scheme
  - b) the frequency of review of the transport service, including notification to the service user and/or their representative, of any increase/decrease in the charges payable and any variation in the method of payment of transport charges
  - c) the calculation of the cost of providing transport along with the rationale for including the cost
  - d) the ownership of the vehicle(s) including arrangements for the purchase and disposal of any vehicle(s)
  - e) the records to be retained in respect of the administration of the transport scheme
  - f) the arrangements for alternative transport services where the service user chooses to opt out of the transport scheme

- g) any equipment necessary for use of the provided transport (specialised seatbelts or harnesses, space dividers)
- h) arrangements for any cleaning or repair to vehicles that may result from the needs or behaviours of service users
- i) the procedure to follow in reviewing the appropriateness of transport arrangements where the service user has no next of kin
- j) the arrangements for collection and /or payment of monies from service users should be detailed within the policies and procedures
- k) relevant banking arrangements should be set out within the policy and procedures to ensure that appropriate controls are identified, maintained and reviewed, including the proper designation of any bank accounts containing service users' monies which clearly identifies the monies as belonging to service users
- l) the treatment of any surplus/arrears arising from individual usage
- m) arrangements for the individual use of the vehicle(s) for transporting service users on holidays. This should include the retention of a separate record of the charges levied to service users and the rationale for the charges
- n) arrangements for staff members to use a service user's own car when providing transport
- o) arrangements for service users to be transported in vehicles owned by staff members
- p) The policy and procedure should be subject to a systematic three yearly review in accordance with regulations and minimum standards across all service types.

2.2. Providers must continue to liaise with trusts, service users and their representatives when developing and reviewing transport policies and procedures. A copy of the transport scheme and associated policies and procedures should be sent to all HSC trusts involved in care management arrangements for service users, as well as to each service user or their representative as appropriate. Any revised policies and procedures following a review should also be sent to these recipients.

### 3. RECORD KEEPING

3.1. The following records must be retained within the home/agency:

- a) copy of individual service user agreements between the service provider and service user
- b) record of any agreements made between individual service users about shared use of an individual's vehicle (including charges)
- c) record of any arrangements for service users using vehicles owned by staff members
- d) record of reconciliations of bank accounts containing service user monies;
- e) record of journeys undertaken by service users (including dates, destination, distance travelled, names of service users and support staff travelling.)



- f) record of the annual running costs of the vehicle(s) used for the scheme including invoices to support costs
- g) record of the calculation of charges to service users including breakdown of cost and relevant invoices
- h) copy of invoices raised for transport charges to service users (where relevant)
- i) record of relevant financial information (e.g. bank account statements)
- j) record of ownership of the vehicle(s), including the record of disposal of any vehicle
- k) record of appropriate insurance cover
- l) record of value for money reviews undertaken
- m) record of vehicle certificates, driving licences and service history; and
- n) a separate record of the charges levied to service users and the rationale for the charges.

#### 4. FURTHER INFORMATION

For further information on this guidance, please contact RQIA at:

Tel: (028) 9536 1111

or email: [info@rqia.org.uk](mailto:info@rqia.org.uk).