



Although a formal committee of Brighton & Hove City Council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults and Healthwatch.

Title:	Annual Review of Adult Social Care Charging Policy 2019	
Date of Meeting:	29 th January 2019	
Report of:	Executive Director of Health & Adult Social Care	
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Wards Affected:	All	

FOR GENERAL RELEASE

Executive Summary

People eligible for social care services are means tested to establish whether they must contribute towards the cost. There are around 2250 service users with non-residential care and around 1150 in residential care homes. This includes older people, working age adults with physical disabilities, learning disabilities and mental health difficulties.

Under the Care Act 2014 charging policies are discretionary but subject to certain regulations and limitations. This report seeks approval for the Council's charging policy which is compliant with the Care Act.

Most care services, funded by the council, are provided by private organisations and the maximum charge depends upon the fees charged by them. However, where the council provides in-house services there are maximum charges which are reviewed in April of each year. Most charges are subject to a financial assessment to determine affordability but the charging policy also includes several, low cost, fixed rate charges. This report recommends uprating these charges.



1. Decisions, recommendations and any options (with effect from 8th April 2019)

1.1 To agree that the council continues with the current charging policies for non-residential care services and residential care homes which includes an individual financial assessment to determine affordability and complies with the requirements of Section 17 of the Care Act 2014. The charging policy is attached at Appendix 1.

1.2 To agree to all charges being uplifted by 2% (rounded up to the nearest pound or 10p if below £5)

1.3 To agree to this table of charges with effect from 8th April 2019

Maximum Charges	2018-19	2019/20
Means Tested Charges		
In-house home care/support	£24 per hour	£25 per hour
In – house day care	£38 per day	£39 per day
In-House Residential Care	£120 per night	£123 per night
Fixed Rate Charges		
Fixed Rate Transport	£3.90 per return	£4.00 per return
Fixed Meal Charge /Day	£4.70 per	£4.80 per

1.4 Carelink

To agree to an increase in Carelink fees as follows:

- Standard Carelink Plus Service from £18.50 to **£18.90 per month.**
- Enhanced Carelink Service from £22.17 to **£22.70 per month**
- Exclusive Mobile Phone Service at **£24.50 per month (no change).**

1.5 To continue with the existing policy not to charge carers for any direct provision of support to them.

1.6 To increase the one-off fee charged for setting up Deferred Payment Agreements for property owners in residential care from £512 to **£523**

1.1 To increase the charge for arranging and contracting non-residential care for self-funders (only for people with savings over £23,250). From £270 to **£276** for the initial one-off set-up fee and from £83 to **£85 per year** for annual review, administration and amendments

2. Relevant information

- 2.1 Where a person is assessed as eligible for care and support under sections 18 to 20 of the Care Act, the Council may charge the service user subject to the financial assessment set out in Section 17 of that Act. (see exceptions in para 4.2 and 4.3)
- 2.2 The council must provide intermediate care and reablement services (either at home or in residential care) free of charge for up to 6 weeks. If, in exceptional circumstances, a service continues beyond 6 weeks the person is means tested and may be charged up to £25 per hour for in- house home care.
- 2.3 The council jointly, with Health Services, must provide free services to people who are assessed as requiring those services under Section 117 of the Mental Health Act 1983.
- 2.4 Financial assessments determine a fair contribution towards care costs and are subject to appeal in exceptional circumstances.
- 2.5 Very few people receive in-house services and, of those, only a small minority have sufficient savings and income to be affected by the increases proposed in the table at 3.2. Those affected by the increases are currently 3 people with in-house home care, 10 people with in-house Day Care and 6 people with in house residential care.
- 2.6 Most people have care provided by an external provider where fee rates are usually set and agreed under the council's contracted terms and conditions. The contract fee for standard home care with an approved agency is £17.83 per hour from April 2019 but rates can vary depending upon individual needs and availability of carers. People who have over the statutory limit of £23,250 in savings will be required to pay the full fees charged by private agencies. People who do not have £23,250 will usually pay less in line with their financial assessment.
- 2.7 **Charging for care services for people living at home in the community**
- 2.7.1 Services include personal care at home, community support, day activities, direct payments, adaptations, money management and other support.
- 2.7.2 There are around 2250 service users in their own homes with eligible needs and around 36% of them, who have minimal savings and limited income from state benefits, will continue to receive free means tested care services. They will only be affected by the fixed rate charges for Transport and meals at a day centre.

- 2.7.3 Around 56% of service users are assessed to contribute an average of around £50-£60 per week, usually based on their entitlement to disability benefits.
- 2.7.4 Around 8% of service users pay the full cost or maximum charge for community services. This arises when people have savings over the threshold of £23,250 or very high incomes, or low cost care packages.

2.8 Home Care Brokerage Charge for self-funding service users

2.8.1 Where people have savings over £23,250 and ask the council to contract with a non-residential service provider on their behalf, the council charges a fee for this service. This covers the additional work to procure and set up the contract with the care provider, set up financial arrangements and provide contract monitoring. It is recommended that brokerage fees are increased as follows:

- A) From £270 to £276 for the initial set-up fee for new service users
- B) From £83 to £85 per annum for review, amendments, variations and general administration during the year.

2.8.2 The maximum charge for in-house Day Care is recommended to increase to £39 per day. This increase will only affect a very small number of service users who attend this service and who are assessed as able to pay this amount, either because they have savings over £23,250 or because they have sufficient income in their financial assessment to afford this amount.

2.9 Fixed Rate Charges – (not means tested)

- 2.9.1 Flat rate charges for transport to and from day services are recommended to increase from £3.90 to £4.00 per return journey from April 2019.
- 2.9.2 There is only one in-house day centre that provides a nutritious two course meal on the premises and it is recommended that the fixed charge for this service should be increased from £4.70 per meal to £4.80. This charge includes beverages and small snacks during the day.

2.10 CareLink Plus Services:

- 2.10.1 Last year there was no increase for the main CareLink Plus services. The 2019/20 proposal is for an increase to £18.90 per month for the standard CareLink package and an increase to £22.70 per month for the enhanced* CareLink package.
(*level of enhanced package depends on the range of telecare required")

2.10.2 No increase is proposed for the mobile service to customers who have no landline telephone. This works over the mobile phone network (GSM) and as there was a significant increase last year to cover the cost of the SIM card there is no intention to increase the cost further. The charge will remain at £24.50 per month

2.10.3 The Carelink team work with customers who feel they need to cancel the service for financial reasons, by assisting them in claiming any benefits to which they may be entitled. A free service may be available to Carelink users through a needs assessment and the financial assessment process.

2.11 Charging for Carers' services

2.11.1 The Care Act empowers councils to charge for the direct provision of care and support to carers. The recommendation is not to charge carers in recognition of the significant value of the care they provide to vulnerable people.

2.12 Residential Care

2.12.1 There are specific government regulations for the residential care means test. People with over £23,250 in savings pay the full cost and all others contribute towards the costs from their income. The vast majority of residential care is provided by the independent sector and fees for self-funders can vary significantly. The council has very limited provision of in-house residential care and it is mainly used as a respite service or an emergency service. The cost for this kind of service is typically much higher than for long term residential care and it is proposed to increase the maximum charge to £123 per night (£861 per week).

2.13 Deferred Payment Agreements: (DPA)

2.13.1 The Care Act requires council's, in specified circumstances, to "loan fund" care home fees, where the resident is assessed to pay the full fees because they own a property but they are not immediately able or willing to sell it. Council's may charge for this service and it is proposed to increase the set up fee for DPAs from £512 to £523. This is based on the estimated average administrative cost for a DPA during the lifetime of the agreement including a legal charge on property, ongoing invoicing costs and termination costs.

3. Important considerations and implications

3.1 Legal:

It is a function of the Health and Wellbeing Board to oversee and make decisions concerning Adult Social Care. The proposals in the report are consistent with the Council's responsibilities under the Care Act 2014 and the associated Regulations in relation to charging for care services, in particular The Care and Support (Charging and Assessment of Resources) Regulations 2014.

Lawyer consulted: Sandra O'Brien Date: 8/1/2019

3.2 Finance:

Charges for Adult Social Care services within this report have been reviewed in line with the Corporate Fees & Charges Policy and budget assumptions approved by Policy, Resources & Growth Committee which specified the assumed corporate rate of inflation to be applied to fees and charges income targets of 2.0%. This is to ensure that fees and charges are appropriately benchmarked to comparative services and recover the full cost of service wherever possible.

It is anticipated that the proposed charges will deliver the level of income assumed in the 2019/20 budget strategy including an inflationary increase. However, the level of income is variable as all service users are subject to a means test.

These in-house council services are significantly subsidised through Council funding.

Finance Officer consulted: Sophie Warburton Date: 21/12/2018

3.3 Equalities:

All service users are subject to the same means test and will only be affected by this revised policy if they are able to pay. People will not be treated in any way less favourably on the grounds of personal differences.

Supporting documents and information

Appendix 1: 2018-2019 Brighton and Hove City Council Charges Policy