

Adult Care & Health Committee Meeting

Agenda Item 40

Brighton & Hove City Council

Subject:	Adult Social Care Charging Policy (Non Residential Services)		
Date of Meeting:	21st January 2013		
Report of:	Director of Adult Social Services		
Contact Officer:	Name:	Angie Emerson	Tel: 29-5666
	Email:	Angie.emerson@brighton-hove.gov.uk	
Key Decision:	Yes/No		
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Adult Social Care services are generally chargeable to service users. Most charges are subject to a means test but the charging policy for Non-Residential Care Services includes fixed rate charges and maximum charges for in-house services. These rates are usually reviewed in April of each year when state benefits increase. The recommended revised charges are listed in the next section.
- 1.2 The charging policy takes account of legislation, regulations and relevant Government Guidance.

2. RECOMMENDATIONS:

- 2.1 That the following table of maximum charges for in-house services are agreed with effect from 8th April 2013

Current Maximum Charges	2012/13	Proposed 2013/14	People Affected	Income Adjustment
In-house home care/support	£21.50 per hour	£20.00 per hour	40	-£9,438
In-house day care	£23.50 per day	£25.00 per day	100	+£ 7,644
Maximum weekly charge	£900 per week	£900 (under review)	0	0
Current Fixed Charges				
Fixed Rate Transport	£2.15 per return	£2.50 per return	170	+£7,640
Fixed Meal charge at Day Care	£3.10 per meal	£3.50 per meal	140	+£8,300
Fixed Carelink charge		No change	3000	+£0.00
£14.50 month – with 2 key holders				
£18.50 month – with 1 key holder				
£21.50 month – no key holders but with a key safe				

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Charges for Adult Social Services are discretionary under Section 17 of HASSASSA 1983 (Health and Social Services and Social Security Adjudication Act). This policy is compliant with the requirements of that Act and the Department of Health's "Fairer Charging" Guidance.
- 3.2 A package of non-residential care can include home care, day care, community support, adaptations and direct payment services. One financial assessment covers all services and the amount a person must pay will depend upon their income, savings and expenditure, (except for the fixed charges for meals, transport and carelink).
- 3.3 Most people receive home care services from the independent sector where lower fee rates are set and agreed by the council.
- 3.4 There are around 1850 service users with non-residential care services and this includes older people and adults with physical disabilities, learning disabilities and mental health difficulties. Around 46% of service users have minimal savings and limited income from state benefits and therefore they will continue to receive free means tested care services. The revised charging policy will not affect people in this group unless they receive meals, transport or carelink with increased fixed rate charges.
- 3.5 About 45% of service users are assessed to contribute an average of £20 to £60 per week, usually based on their entitlement to extra disability benefits. The proposed new maximum charges will not affect the assessed charge for these people but they may be affected by the fixed rate charges.
- 3.6 Around 8% of service users (140 people) currently pay the maximum charge for in-house home care and day care services. This affects people with savings over the savings threshold (currently £23,250 or £45,500 for couples) and also affects those people who have higher private incomes, and those who have a very small care package, eg. one day per week attendance at a day centre.
- 3.7 Historically this is one of the highest hourly charging rates for in-house home care in the country and this maybe seen as inequitable comparative to charges levied in other local authority areas.
- 3.8 A small survey shows that some councils no longer provide any in-house home care services at all and just under half of the others do not have any maximum hourly or maximum weekly charges. They set a personal budget to cover the service costs for each person's assessed needs and any person who has savings over a certain limit (usually £23,250) is required to pay the total cost of the budget from their own monies. For those who do set maximum charges, there is a significant variation across the country and in this survey they ranged from £13 per hour in Leeds to £26.50 per hour in Islington.
- 3.9 This report recommends that our hourly maximum charge for in-house home care should be reduced. This will lead to a small loss of income amounting to around £3,000 per year for each 50p per hour reduction. A maximum charge of £20 per

hour, as recommended, would cause an income reduction of just under £9,500 per year.

- 3.10 The survey of 14 councils also showed that nearly all of them had a higher charge for Day Care Services. This is generally because the actual cost of providing day care is much higher than the maximum charging rate as councils often provide a subsidy. In these circumstances it is recommended that the maximum charge for day care should be increased with a view to decreasing the council's subsidy for people who have high savings. This increase will help to defray the loss of income from reducing the home care charge. An increase of £1.50 per day for day care would result in an increase in income of around £7,600 per annum.
- 3.11 The current charging policy has a maximum weekly charge of £900. It is proposed to remove the maximum weekly charge as there are no current service users affected by this decision. The highest charge among service users is £602 per week. However, this decision would require prior public consultation which will be held in the summer. In the meantime it is proposed that the maximum of £900 remains the same.
- 3.12 Most charges are means tested under the "Fairer Charging" Guidance and they are also subject to an appeals procedure for exceptional circumstances.
- 3.13 The proposed charging policy for means tested services is estimated to reduce the council's annual income by around £1800 but the increase in fixed rate charges is estimated to increase income by around £32,500 per annum.

FIXED RATE CHARGES (not means tested)

- 3.14 Flat rate charges for transport provided by the council for day care attendance or other activities have fallen behind inflationary increases in fuel costs and bus fares. It is, therefore, recommended that the return journey charge is increased from £2.15 to £2.50.
- 3.15 The increase in charges for meals delivered in the community was decided by Adult Care and Health Committee on 25th June 2012. It was agreed to increase the charge from £3.30 to £3.50 per meal from April 2013. Meals charged at £3.50 will affect around 300 people and increase annual income by around £16,600. It is now recommended that the fixed charge for meals provided in the council's day centres should also be increased to £3.50 per meal. This includes beverages and small snacks throughout the day.
- 3.16 The fixed charges for Carelink, over the last 2 years have increased by £1.50 per month which represents an 11.5% increase over 2 years. Prior to this there has been no charge increase for over 10 years. The administration costs of implementing a small inflationary increase would not be cost effective.
- 3.17 The current pricing structure needs to be reviewed in due course and needs careful analysis of budget, unit cost, systems, pathways, risk assessment and marketing strategy. It is therefore recommend to freeze Carelink charges for next year pending further review.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The Department of Health first issued the “Fairer Charging” Guidance in 2002, and, at that time, the council carried out public consultation as required by the DH. Further public consultation took place several years later relating specifically to charges for Learning Disability services.
- 4.2 Further public consultation is planned in the summer of 2013 and will include feedback related to this charging policy.
- 4.3 This report has been shared with the Older Peoples Council.
- 4.4 Consultation with relevant officers and service managers has taken place.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Charges for Adult Social Care non residential services are reviewed annually in line with the Corporate Fees and Charges policy. The annual income from charging for these in-house services is approximately £1.4 million, out of the estimated total for non-residential services fees across Adult Social Care of £4.9 million. The proposed changes in fees are in overall terms in line with the inflation assumptions within the 2013/14 Council budget proposals but only apply to those who are assessed as having the income to cover the charges and are expected to generate additional income of approximately £31,000.

Finance Officer Consulted: Michael Bentley Date: 11/12/12

Legal Implications:

- 5.2 The relevant Law and Guidance in relation to charging is specifically referred to in the body of this report. Any proposed changes to the current maximum weekly charge which as indicated is under review will need to be subject to consultation with affected and interested parties and that is planned to take place later this year as indicated.

Lawyer Consulted: Sandra O'Brien Date: 08.01.13

Equalities Implications:

- 5.3 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. There is an existing EIA relating to financial assessments and it is not considered necessary to produce a revised EIA.

Sustainability Implications:

- 5.4 There are no sustainability issues

Crime & Disorder Implications:

5.5 There are no identified implications

Risk and Opportunity Management Implications:

5.6 No implications have been identified

Public Health Implications:

5.7 No implications have been identified

Corporate / Citywide Implications:

5.8 This policy will take effect across the city.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The option of making no increases to maximum charges was considered but this would lead to a loss of income which would effectively result in a reduced budget to spend on social services.

6.2 The option of making higher increases was considered but these would be difficult to justify with regard to the current level of inflation and the general economic downturn that our service users are experiencing.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Charges for non-residential services are usually increased in April of each year in line with the general increase in state benefits.

7.2 Those who are unable to pay the maximum charge rates are means tested and will only be required to pay in relation to the outcome of their financial assessment.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

None