

**Meeting of the Executive Members for  
Housing & Adult Social Services Advisory  
Panel**

15<sup>th</sup> January 2007  
CS2308

Report of the Director of Housing & Adult Social Services

## **Review of Non Residential Charging Policy**

### **Summary**

1. This report recommends that the Executive Member agrees an updated charging policy for non residential care services subject to approval of the 2007/08 budget by the Executive in January.

### **Background**

2. Following consultation the Government issued extensive guidance on fairer charging policies for home care and other non residential social services in August 2002. Although the guidance set out a clear policy framework it still left large areas of discretion for local authorities in terms of the detail of charges to be made. Non residential care services include home care, day care, transport, meals in day care and laundry.
3. The council adopted it's current policy, which is fully compliant with this guidance, with effect from April 2003.
4. All customers who receive non residential care services are offered a benefits check to ensure they are claiming all the benefits to which they are entitled. Information is also collected on savings and other outgoings, eg rent and council tax, to assess how much the customer can afford to contribute towards the cost of their service. No customer will be asked to pay more than they can afford.
5. There was no comprehensive policy document issued alongside the changes made in 2003 which covered all the aspects of charging for non residential social services and this has occasionally caused difficulties for both staff and customers due to the lack of clarity about how their charge has been calculated.

## **Consultation**

6. A meeting was held on the 15<sup>th</sup> December 2006 with a number of representative bodies where these proposals were discussed.

## **Options**

### **Option 1**

7. To agree the updated non residential charging policy as attached at Annex 1.

### **Option 2**

8. To not agree the updated policy and continue with the current situation where there is no formal policy document that can be shared with customers.

## **Analysis**

9. The main changes included within the revised policy are set out in more detail in the following paragraphs.

### Charging on planned care

10. The policy includes the potential for the council to charge the customer on the basis of their agreed care plan. The advantage to the customer is that it enables them to plan their expenditure and use a bank standing order to set up regular payment for their care. Where the actual care delivered is different to the plan – eg where the customer goes on holiday or into hospital for a period of time, an adjustment will be made to reflect this and their charge amended accordingly. The advantage to the council is that it is administratively more efficient. This change would not be introduced until November 2007 at the earliest when the new social care IT system has been implemented.

### Disability related benefit disregards

11. The current policy is to disregard 50% of any disability related benefits, eg attendance allowance and disability living allowance, which equates to anything from £20.28 per week to £63.07 per week depending on the severity of the customers disability. The new policy proposes this disregard is reduced to 35%, which is anything from £14.20 to £44.15 per week. The results of a nationwide benchmarking exercise show that most councils take 100% of these benefits and ask customers to demonstrate that they have disability related expenditure over an above normal day to day expenses. They also require that this is backed up with official receipts. The average amount allowed for disability related expenditure in these authorities is just £10 per week.
12. Under the revised policy customers will still be able to request an assessment of the disability related expenses if they feel that they are over an above the

standard allowance made. To assist with this process clarification has been given on disability related expenses and the allowance the council will make.

#### Clarity of policy

13. The revised policy should now provide clarity on a number of issues including
  - the treatment of partners
  - backdating of the calculation of the charge following a change in customer circumstances and
  - debt recovery

### **Corporate Priorities**

14. The changes outlined in this report have been focused on two main areas. Firstly to try and improve the information available to customers, to ensure they are fully aware of the council's policy on charging and how it may effect them. Secondly to focus on ways to improve the efficiency of the charging service and reduce waste.

### **Implications**

- **Financial** The changes proposed in changing the disregards given for disability related benefits will generate additional income for the council of approximately £244k. This has been included within the budget papers to be considered by the Executive in January and the Budget Council in February. Any agreement to the revised policy by the Executive Member at this meeting will be subject to approval of the proposed budgets for 2007/08.
- **Human Resources (HR)** There are no HR implications.
- **Equalities** The policy contains a diversity and equality statement and also ensures that appropriate and relevant expenditure related to a customer's disability is taken into account during the financial assessment.
- **Legal** No legal implications are anticipated as the revised policy is in accordance with the Government guidance. The policy is currently being examined in detail by colleagues in legal services and a verbal update will be given at the meeting should any problems have been identified.
- **Crime and Disorder** There are no crime and disorder implications
- **Information Technology (IT)** There are no immediate IT implications. Should the revised policy be agreed then it will need to be incorporated into the replacement social care system to ensure the policy can be delivered effectively and efficiently.
- **Property** There are no property implications
- **Other** There are no other implications

## Risk Management

15. Should the revised policy not be agreed there remains a risk that the council is not collecting all the monies due to it or that customers are paying more than they should for services. If the current lack of clarity around the policy is not resolved there may also be an increase in the number of complaints in this area. Agreement to the revised policy will remove these risks.

## Recommendations

16. That the Advisory Panel advise the Executive Member to:
- Agree option 1 and the introduction of the revised non residential charging policy with effect from April 2007 subject to the agreement of the budget proposals at the Executive in January and full budget council in February.

Reason: To ensure clarity and equity for customers and to ensure the department has a balanced budget for 2007/08.

## Contact Details

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**Bill Hodson**

Director of Housing & Adult Social Services

Report Approved

Date 29/12/06

Report Approved

Date Insert Date

**Specialist Implications Officer(s)** *None*

**Wards Affected:** *List wards or tick box to indicate all*

All

**For further information please contact the author of the report**

**Background Papers:**

Fairer Charging Policies for Home Care and other non residential Social Services – Dept of Health, September 2003.

Social Services 2007/08 service plan and budget report – HASS EMAP, 11<sup>th</sup> Dec 2006.

**Annexes**

Annex 1 – City of York Council non residential charging policy