

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	16/02/15
Subject:	Community based Non-residential Social Care Services – 2015/16 charges
Portfolio Holder(s):	Cllr. Kenneth Hughes
Head of Service:	Alwyn Rhys Jones, Head of Adults Services.
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Local Members:	

A –Recommendation/s and reason/s
<p>Based on Corporate guidance to increase income by 5% during 2015/16, we ask the Executive Committee to approve the following recommendations for setting an increase of 5% on the charges placed on service users towards the cost of providing non-residential social care services:</p> <p>R1 Home care charges outlined in paragraph 3.5.2 in attached report. R2 Charges for meals in day services outlined in paragraph 3.6.2 in attached report. R3 Charges for Telecare services as outlined in paragraph 3.8.3 in attached report. R4 Freeze the rate for Direct Payments at £10.50 / hour as outlined in paragraph 3.9.4 in attached report. R5 Maintain a charge of £10.00 for the administration in relation to blue Badge requests and replacements (see paragraph 3.10.4 in attached report).</p> <p>We ask the Executive Committee to approve the increase in the rate that is paid when buying day care services in independent residential homes in response to the assessment of individual needs in order to:</p> <ul style="list-style-type: none"> • Recognise the cost of providing day care services in residential homes;

- Ensure the sustainability and continuation of services from the providers to meet assessed needs;
- Protect the service user's choice of service provider.

R6 Increase the fee for purchasing day care services in independent residential homes to £28.92 per 6-hour session (+ £4.82 for each additional hour) with the service user contributing £5.25 in addition to the provider towards the cost of refreshments.

B – What other options did you consider and why did you reject them and/or opt for this option?

1. **Home Care** – It is not possible to change the current charges since Welsh Government statutory guidance has set a ceiling of £60.00 each week on the contributions of service users towards the cost of non-residential services to support them to continue to live at home in the community.
2. **Direct payments** - Consideration was given to the possibility of increasing the current rate of £10.50 per hour, but it was decided to retain the same rate for 2015/16 following benchmarking with the rate paid by other local authorities.
3. **Blue Badges** – It was decided to keep to the statutory guidance to charge a fee of £10.
4. **Day Care Services** - We cannot justify not reviewing the rate of fee paid for buying day care services in independent residential homes since this rate has not been revised for a considerable number of years. It was decided to recommend a new fee rate in order to protect the services provided by residential homes to meet the needs of service users.

C – Why is this a decision for the Executive?

- *To raise additional income for the county Council by setting charges for service user contributions towards the cost of non-residential services. c*
- *To set fee rates for purchasing services to meet the assessed needs of service users and to conform with statutory responsibilities.*

CH – Is this decision consistent with policy approved by the full Council?

The recommendations to raise charges for non-residential services by 5% is in accordance with corporate guidelines to increase income for 2015/16.

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	✓ - no comments received
2	Finance / Section 151 (mandatory)	✓ - Prepared in full consultation with Finance.
3	Legal / Monitoring Officer (mandatory)	✓ - No comments received.
4	Human Resources (HR)	N/A
5	Property	N/A
6	Information Communication Technology (ICT)	N/A
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	Retain payments/contributions by service users within the maximum of £60 per week in accordance with Welsh Government guidance to set a ceiling on the contributions made by service users towards the cost of non-residential services. fel .
3	Crime and Disorder	
4	Environmental	
5	Equalities	Equality of treatment for all protected groups.
6	Outcome Agreements	
7	Other	

F - Appendices:
Report: Community based Non-residential Social Care Services – 2015/16 charges

FF - Background papers (please contact the author of the Report for any further information):
<ul style="list-style-type: none"> • Welsh Government (April 2011) <u>Introducing More Consistency in Local Authorities' Charging for Non-Residential Social Services - Guidance for Local Authorities</u> • Welsh Government: <u>Consultation Document - Revision of Weekly Maximum Charge for Non-Residential Social Services</u>

ISLE OF ANGLESEY COUNTY COUNCIL	
COMMITTEE:	Executive Committee
DATE:	16/02/15
TITLE OF REPORT:	Community based Non-residential Social Care Services – 2015/16 charges
PURPOSE OF THE REPORT:	Confirm the charging policy in respect of non-residential community based services during 2015/16
Contact Officers:	Gareth Llwyd, Business Support Unit Manager Ian Price, Financial Systems Manager
REPORT BY:	HEAD OF ADULTS SERVICES
CORPORATE DIRECTOR:	CORPORATE DIRECTOR – COMMUNITY DEPARTMENT
Portfolio Holder:	Cllr. Kenneth Hughes

1.0 Background

- 1.1 It is usual practice to review the charges in respect of domiciliary services annually to coincide with Central Government revision of benefit and pension levels which will apply this year from **Monday 6 April, 2015**.
- 1.2 the Social Care Charges (Wales) Measure and associated Statutory Regulations and Guidance – that came into force in April 2011 - enabled Authorities to continue to retain the discretion to charge for non-residential social care services.
- 1.3 The above revised legislative framework has established the parameters within which Local Authorities can apply charging policies in respect of all domiciliary based care services from now on. It is fair to conclude that the aforementioned measure places clear national parameters around charges with little scope for local discretion.

2. Discussion

- 2.1 First Steps Improvement Package – with a view to introducing more consistency in Local Authority charging, a First Steps Improvement Package has been implemented which include Regulations:

- To make the statutory elements of the Fairer Charging Guidance mandatory, e.g. the “buffer” and disability related expenditure disregard. This is in order to protect the level of disposable income a service user retains after charging has taken place;
- Setting out a maximum weekly charge of £50 for all those services that fall within the scope of the Measure and for which a Local Authority makes a charge;
- Prohibiting Local Authorities from charging for transport to day services. This puts those service users on a par with older people and people with disabilities who receive free travel under the Welsh Assembly Government concessionary fares policy;
- Requiring Authorities to introduce a process for reviewing charging decisions so as to put in place a consistent way for these to be reviewed should a service user request a review.

3.0 Review Of Local Charging Policies And Practices – 2015/16

- 3.1** The Local Authority now needs to review charging policies and practices for 2015/16 to ensure compliance with the requirements of the Social Care Charges (Wales) Measure 2010 and associated Regulations and Statutory Guidance – with effect from Monday 6 April 2015.
- 3.1.1 The Authority has historically confirmed minimum residual income levels year on year in respect of both persons of pensionable age and individuals below pension age which has ensured a protected 45% buffer over and above the income support or pension credit levels. Indeed, this has been the case since April, 2007.
- 3.3 The Authority’s charging framework in relation to domiciliary services commissioned was amended from April 2012 to include applying an uplift to service users with the financial means to contribute. Historically our charging policy was underpinned by eligibility to state benefits and maintaining a low level charge in respect of self-funding service users.
- 3.4 We have been advised by Finance that a 5% guideline increase should be applied in respect of discretionary charges for community non-residential social care services during 2015/16. This will however not be possible to apply in relation to the majority of domiciliary care services due to the statutory parameters dictated by the Social Care Charges (Wales) Measure 2010.

3.5 Home Care Services

3.5.1 The Social Care Charges (Wales) Measure 2010 necessitates that Local Authorities set the **minimum residual income levels in respect of the coming year**. As in previous years, the Authority will need to confirm the following residual income levels having allowed for a 45% buffer together with the uplift in benefit and pension levels effective as of 06 April, 2015. Below are the residual income levels to be applied during 2015/16:-

- **Persons of Pension Age:** **£219.24**
- **Persons below Pension Age:** **£152.76**

3.5.2 AVAILABLE OPTION

The only scope within the constraints of the Social Care Charges (Wales) Measure would be to consider the propriety of applying an uplift to service users with the financial means to contribute. The table below summarises the effect of applying this principle:-

HOME CARE 2015/16 PROPOSED CHARGES

CATEGORY	2014/15 CHARGE	2015/16 CHARGE (PROPOSED)	% Increase
1. On means tested benefits – NOT receiving Higher Attendance Allowance (£82.30)	NO CHARGE	NO CHARGE	N/A
2. On means tested benefits – IN RECEIPT OF Higher Attendance Allowance (£82.30)	£14.54/week	£14.26/week*	-1.92%
3. Not in receipt of means tested benefits and subject to the residual income level detailed in paragraph 4.4.1 Above	£55.00/week	£60.00/week (Welsh Government has increased the maximum weekly charge to £60 from April 2015)	1. National weekly charge capped by Welsh Government. 2. Subject to means test.

3.53 The **national statutory requirement** of ensuring a 45% buffer is applied over and above income support or pension credit levels. Applying the above charging framework would yield an additional estimated £35000 in income (full year and based on current volume levels and financial profile of service users).

3.54 In complying with the Welsh Government's Social Care Charges (Wales) Measure 2010, there appears to be no scope to charge people below pension age (<65 years age) with exception to those in receipt of the higher level of DLA (Disability Living Allowance). The proposed charge of £14.26/week to be applied in respect of service users over Pension Age is however allowable.

3.6 Meals in Day Services

3.6.1 This charge applies to meals and refreshments supplied at all Day Service locations.

3.6.2 The following principles are proposed:-

- Apply a 5% increase in respect of the provision of all meals/refreshments.

The following table summarises the proposed charges.

PROVISION OF MEALS: 2015/16 PROPOSED CHARGES

	2014/15 Charges	2015/16 (Proposed Charges)
Meals in Day Services for adults (excluding people with Learning Disabilities)	£5.00	£5.25
Mid-day snack in day services for people with Learning Disabilities	£2.05	£2.15
Other Refreshments (tea / coffee/ cake) in day services	£1.15	£1.20

3.7 Transport to Day Services

3.7.1 In order to comply with the Social Care Charges (Wales) Measure 2010 and associated Statutory Regulations and Guidance charges in respect of transport to day services ceased on 10 April, 2011.

3.8 Telecare Charges

3.8.1 The following factors must be taken into account when determining a fair charge for the Telecare service:

- Local Authority Contribution to the Regional Monitoring Galw Gofal Service;
- Maintenance charges;
- Telecare equipment costs;
- Finance and Administration costs;
- Installation costs;
- Costs of recycling equipment;
- Costs of bi annual Health & Safety visual checks ;
- Impact on current business.
- Transformation of Adults' Services.

3.8.2 The aim is to develop a charging structure that balances the identified benefits of people being able to remain independent at home, the demand for the service and the levels of subsidy that the Council is able to provide. Charging and policy interfaces with regulations associated with the Social Care Charges (Wales) Measure requirements, Supporting People Programme Charging Policy requirements, CHC grant funding, historical Community Alarm/Telecare charging and Telecare grant arrangements and the practicalities of assessment and collection all need to be considered.

3.8.3 This is an area of development within preventative services for older people and forms part of the Local Authority's Commissioning Strategy. It is proposed that the charges levied in respect of 2015/16 are increased by 5%.

TELECARE: 2015/16 PROPOSED CHARGES

Equipment	2014/15 Charges) £	(Proposed 2015/16 Charges) £
Ynys Môn Service Users pre 2007	£1.89	£1.98
Basic Telecare (Tier 1) packages	£3.15	£3.31
Environmental Telecare (Tier 2) packages	£6.30	£6.61
Personal Care Telecare (Tier 3) packages	£6.30	£6.61

Installation Charge	One off charge of £36.75 for installation of equipment	One off charge of £38.59 for installation of equipment
Elements included in the above charges		
Annual Monitoring Charge	£1.14	£1.20
Annual Maintenance Charge	£0.63	£0.66

3.9 Direct Payments

3.9.1 Direct Payments enable individuals to purchase the assistance on services that the Local Authority would otherwise have provided. Direct Payments support independent living by enabling individuals to make their own decisions and have control over their own lives. In Wales, the Scheme has gradually been extended to include:-

- Older People
- Carers
- Parents of Children with Disabilities
- Adults with Disabilities

3.9.2 Since April, 2011 the scope of direct payments has also been extended to include people who lack the capacity to give their consent. Also included are people whom were formerly excluded because they were subject to mental health or criminal justice legislation. People without capacity can access direct payments via the use of a “suitable person” who will receive the payments on their behalf.

3.9.3 The Community Care Services for Carers and Children’s Services (Direct Payments) (Wales) Regulations 2011 stipulate the boundaries within which direct payments scheme may be set up and managed. This was endorsed at a meeting of the Board of Commissioners on 20/02/12. In this respect, particular reference was made to the need to realign activity and spend within Adults’ Services to enable more investment in service models to maintain people in their own homes and Local Communities. To that end, it was noted that particular credence needed to be given to Direct Payments as a vehicle to facilitate individuals’ entitlement to funding and resource acquisition so that they may fund their own support needs.

3.9.4 The Direct Payment level of £10.50 / hour was set in 2010. It is proposed that this level is maintained in respect of 2015/16 in support of the policy drivers referred to above. This figure has been benchmarked with other local authorities in Wales and places this Authority in the mid-range of fee rates.

3.10 Modernisation of Blue Badge Scheme in Wales

3.10.1 In December 2011, the Minister for Local Government and Communities announced a number of significant changes to the Blue Badge Scheme in Wales. These changes are summarised below:

3.10.2 Extending eligibility to children under the age of 3 who must be accompanied by bulky medical equipment or may need access to vehicles for emergency medical treatment. Eligibility has also been extended to include severely injured war veterans whom fall within tariffs 1-8 of the Armed Forces Compensation Scheme.

3.10.3 A key change is that from 1 April, 2012 individual badge holders will no longer be charged for their Blue Badge. However there is local discretion for individual Local Authorities to charge up to £10 / badge in respect of organisational and replacement badges.

3.10.4 It is recommended that the charge of £10 / badge levied in respect of organisational and replacement badges (lost / stolen) effective as of 1 April, 2012, be levied in respect of 2015/16.

3.11.0 Purchasing Day Care Services in Independent Residential Care Homes

3.11.1 The County Council purchases day care services in residential / nursing care homes for older adults in accordance with assessed needs and the service user's choice of provider. We have been paying a daily fee of £12 for a 6-hour day care session with the service user contributing a payment for refreshments as noted in paragraph 3.6 above. However, this £12 fee has not been revised for a number of years and this is no longer sustainable in the future since providers have made representations stating that this fee is inadequate.

3.11.2 We have conducted a review of the costs of providing day care services by using the formula recommended by Welsh Government on the setting of service and contract prices under the Supporting People Guidance.

3.11.3 Following the review, , we recommend increasing the fee paid for the provision of day care services in independent residential / nursing homes to £34.17 for a 6 hour session with the service user contributing £5.25 towards the cost of refreshments. This means that the Departmental contribution for a 6-hour day care service would be £28.92. in addition, we recommend paying the rate of £4.82 for each hour in addition to the 6-hour session on the basis of the following formula:

➤ National Minimum Wage per hour	=	£6.50
➤ £6.50 + 35% staffing on-costs (including N.I., pension, holiday and sick Pay, travel)	=	£8.77
➤ £8.77 + 10% management on-costs	=	£9.64
➤ Minus 50% (considering the usual staffing levels		
➤ For residents at the Residential Home)	=	£4.82
➤ £4.82 x 6 hours	=	£28.92

3.11.4 This increase will help to ensure the sustainability and continuation of day care services purchased from independent residential care homes in order to meet the individual needs of the service user and their choice of provider.

4.0 Recommendations

The Executive Committee is requested to approve the:-

- R1 Home care charges outlined in paragraph 3.5.2 of this report.
- R2 Charges for meals in day services outlined in paragraph 3.6.2.
- R3 Charges for Telecare services as outlined in paragraph 3.8.3.
- R4 Freeze the rate for Direct Payments at £10.50 / hour as outlined in paragraph 3.9.4 above.
- R5 Maintain a charge of £10.00 for the administration in relation to blue Badge requests and replacements (see paragraph 3.10.4).
- R6 Increase the fee for purchasing day care services in independent residential homes to £28.92 per 6-hour session (+ £4.82 for each additional hour) with the service user contributing £5.25 in addition to the provider towards the cost of refreshments.