

**Fairer Charging for Non-Residential
Services
Update for Caring Plymouth
December 2015**

Context and Background (I)



- Charging for non-residential services is discretionary. There is no statutorily defined procedure for assessing non-residential charges. Section 17 Health and Social Services and Social Security Adjudications Act 1983 (HASSASSAA) enables local authorities to recover such charge (if any) for a service as they consider reasonable.
- Charging under Section 17 HASSASSAA is subject to means testing.
- Prior to 2011 Plymouth City Council did take into account the income a person received from their Disability Living Allowance, excluding the mobility element, Attendance Allowance and Severe Disability Benefit. (The policy subsequently changed see below)

Context and Background (2)



- Non-residential services include:
 - Day care
 - Personal care at home
 - Home care
 - Supported living
 - Direct payments
 - Respite for the carer – up to 28 days
 - As well as a range of individually commissioned services to meet an individual service user's needs

Previous Policy



- Previous Policy disregarded Disability Related Benefits as Income for Community Based Adult Social Care Services
- System was not consistent between service users as did not take account of all income available to all service users and is therefore not equitable.
- In the previous system Disability allowances designed to pay for meeting care needs are not used to pay for care costs.
- The Council disregarded the governments disability allowances when calculating a service users contribution towards the costs of their care and support services (i.e. The government pay and then the local authority pays a second time)
- Policy was not in line with Fees, Charges, Concessions Policy (November 2013) where Disability Related Benefits were not one of the Categories for which concessions can be granted
- CIPFA Benchmarking (2012) evidenced Plymouth was in the extreme minority that totally disregarded disability benefits

Principles of New Charging



- The Council's new Fees and Charges policy reflects the Corporate Plan objective that Plymouth is a Fairer City where everyone one does their bit.
- It has as a general principle that every service user should make a contribution towards the cost of their service provision.
- Charging should be based on the ability to pay
- Charging should promote fairness between different service users and promotes independence and social inclusion.
- Care related benefits should be used to pay for care costs to meet needs and maintain independence

Fairer Charging Consultation Process



- Consultation documents on Council's consultation portal.
- Letters and survey questionnaires sent out at the beginning of January 2014 to all service users receiving community based services, financial representatives with an extended consultation deadline of 6 April 2014.
- Information sent out to umbrella voluntary organisations and interest parties
- Three two hour drop-in events were held across the City; Plymstock Library, The Highbury Trust and the Devonport Welcome Hall plus an all day drop-in event at the Plymouth Guildhall. Around 200 service users and their carers attended these events.
- Over 1100 surveys returned

Consultation Changes



- Ensure Service Users are supported to maximise income from benefits
- Dispensation for night time care in line with government guidance
- Need to avoid risk of double charging from DRB. (If people are funding some of their own identified care needs from their disability allowances we will make an adjustment to their charges that takes account of this.)
- Ensure equity of service provision for those living at home supported by family members and those living independently supported by paid Carers.
- We will audit our own assessment process and the way in which we are applying the new Fairer Charging Policy after 6 months of operating, to ensure it remains fair and fit for purpose.

New Policy



- To agree the proposed fairer charging policy as submitted which takes into account 70% of Disability Living Allowance, Attendance Allowance and Severe Disability Allowance as income, with the remaining 30% being disregarded to cover additional disability related expenditure. The proposal includes the ability for individuals to request an assessment and provide evidence of their disability related expenditure if they consider that their expenditure is greater than the equivalent of the 30% disregard.

New Policy



- Proposed to take into account 70% of certain disability related benefits (DLA,AA&SDA) as income with the remaining 30% being disregarded to cover disability related expenditure.

Benefits Counted as Income	Benefits Disregarded as Income
<p>State benefits (e.g. Retirement Pension, Pension Credit, Incapacity Benefit, ESA, Severe Disability Allowance, Income Support and/or Universal Credit, Disability Benefits including Attendance Allowance, Disability Living Allowance Care Component and/or Personal Independence Payment.)</p> <p>Occupational and private pensions or other regular income from investments</p> <p>Tariff income on savings above £14,250 (this assumes £1 for every £250 of capital, or part thereof, between the lower and upper capital limits as stated in CRAG)</p> <p>Any other income from other sources, e.g. rental from property, etc.</p>	<p>Earnings from employment</p> <p>Mobility Component of; Disability Living Allowance, Attendance Allowance Personal Independence Payment, War Pensioner's Mobility Supplement</p> <p>Full disregard of any War Pensions</p> <p>War Widows Special Payments</p> <p>Savings credit element of Pension Credit</p> <p>Night rate of Disability Living Allowance (Care Component) or Attendance Allowance</p> <p>Guaranteed Income Payment paid under Armed Forces Compensation Scheme (payable to veterans only)</p> <p>Child Tax Credit</p> <p>An element of Armed Forces Independence Payment</p> <p>Working Tax Credits</p> <p>Child Benefit</p>

Client Financial Services Process



- 1) Referral comes in via Carefirst or an Audit trail report
- 2) Admin staff contact the client or financial representative to book visit. At this point they advise what evidence would be needed
- 3) Visiting officer completed assessment form with client/fin rep, sites documents, explains process and carried out benefit checks
- 4) Completed form is brought back to office and assessment officer carries out assessment. The contribution is entered on the system & will be chargeable the Monday after date of assessment
- 5) Assessment breakdown letter sent to client/fin rep.
- 6) Invoice goes out to client/fin rep (unless DP client)

Implementation Timetable



6 January 2014	Start of consultation, letters and surveys sent to service users, financial representatives and stakeholder. Closing date 06/04/14.
February 2014	Four drop in sessions held across the City for clients, financial representatives and stakeholders.
1 May 2014	Extension to closing date for consultation.
15 July 2014	Cabinet.
1 October 2014	Original implementation date – delayed.
1 December 2014	Implementation date.
April 2015	Three stakeholder workshops.

Implementation Issues



- Large number of clients to assess
- Delays in sending out bills
- The CFS team were tasked with reassessing all cases over an 8 week period
- Large number of appeals and queries
- Issues raised from providers

Lessons Learnt



- Amended the format of the letters to make information as clear as possible for the customer and reduce queries.
- Produced leaflets specifically for FCP and updated our website with useful information.
- Made adjustments to systems and given access to the CFS team to enable them to update other parts of the system that impact the service. For example the ability to update Financial Representative information.
- CFS work has been prioritised and a structured performance monitoring framework has been put in place.
- Improved accessibility to customers by having the contact centre take calls for CFS and filter queries through to the team.
- Dialogue across CFS and Social Services has increased to ensure a more joined up approach to the work.
- **Stakeholder meetings took place to explain FCP to agencies and service providers.**

Fairer Charging Outstanding Work Position (23/11/15)



- Number of chargeable clients have rose from 150 to 1200
- Total Outstanding 148
 - 61 New Clients
 - 24 Reassessments
 - 63 Awaiting Contracts
- Weekly Referrals = 21
- Assessments Completed=58

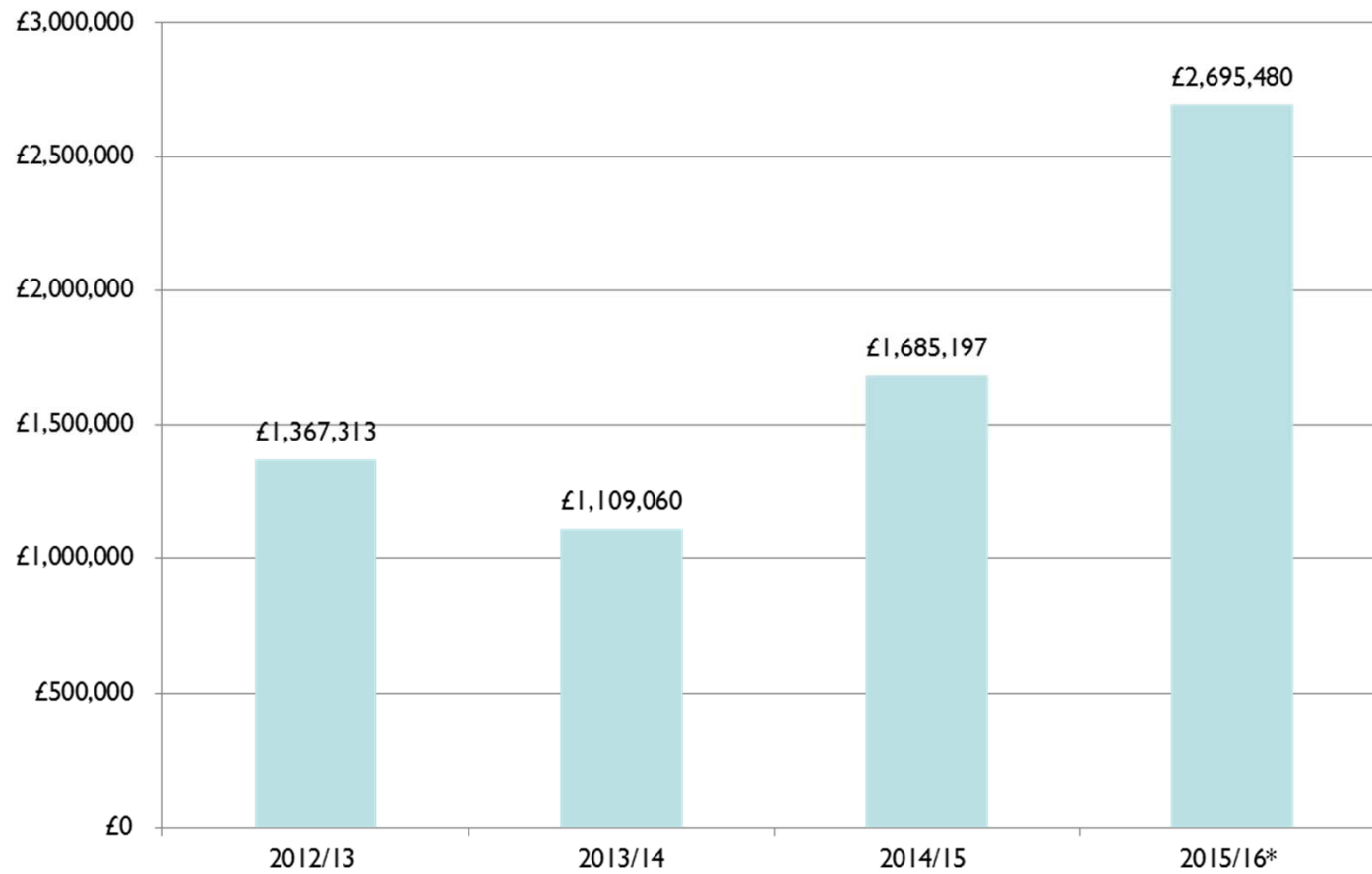
Appeals



Month	Appeals Received
December	5
January	4
February	17
March	14
April	17
May	22
June	14
July	7
August	7
September	11
October	9
November	3
TOTAL	130

Appeal Outcomes	
16	One off reductions
8	Increase in charge
54	Reductions in Charge
37	No change
15	In Progress

Financial Position



*Forecast

Continuous Improvement



- Training frontline staff so service users are fully aware of the assessment process at first point of contact.
- Review of staff resources is currently being undertaken.
- Clearer leaflets to be designed and rolled out to service users and partners. Website to be updated.
- When CFS review next year that they will make sure they have as much information as possible about household expenditure to ensure that assessments are accurate and in turn reduce the number of appeals.
- Review of Policy to be undertaken.