



HEALTH, SOCIAL CARE AND WELL BEING SCRUTINY COMMITTEE - 23RD OCTOBER 2018

SUBJECT: NON RESIDENTIAL SOCIAL SERVICES CHARGING

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES & HOUSING

1. PURPOSE OF REPORT

- 1.1 To propose changes to the current non-residential charging model to ensure equity for all service users to include:-
- a) charging for the support element of domiciliary care;
 - b) charging for day opportunities provided in a community setting and
 - c) charging for day opportunities provided by independent and third sector providers.
- 1.2 To seek views regarding an annual inflationary uplift in the hourly charge for domiciliary care and the daily charge for day opportunities.

2. SUMMARY

- 2.1 The report will identify changes that are required to ensure compliance with legislation.
- 2.2 The report will identify inequities in the system in terms of not currently charging individuals for the support element of domiciliary care that they receive.
- 2.3 The report will identify inequities in the system in terms of charging for specific services. Currently buildings based day care is subject to the non-residential charging policy whereas community based day opportunities where individuals access their local community often with 1:1 support is not subject to the charging policy.
- 2.4 The report will identify inequities in the system in terms of not charging individuals who receive day opportunities through independent and third sector providers.

3. LINKS TO STRATEGY

- 3.1 This introduction of a revised charging policy for non-residential services would contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:
- A prosperous Wales
 - A more equal Wales
- 3.2 The Social Services and Well-Being Act 2014 identifies the requirement to develop a care and support plan for individuals eligible for services.
- 3.3 The introduction of a revised means tested charging policy for non-residential services could raise additional income to support the medium term financial plan without impacting on those service users facing financial hardship.

4. THE REPORT

- 4.1 Previously a cross party members task and finish group consisting of scrutiny members was established to examine the requirements and impact of charging for non-residential services, the services that had a charge and the application of charges and disregards.
- 4.2 The findings of the task and finish group were presented to Scrutiny Committee on 26th March 2013, the following was endorsed and recommended to Cabinet.
- The council increase the hourly rate for home care and supported living to £7.88 followed by a further increase of 10% per annum in subsequent years. To be reviewed after 5 years.
 - The council increase the daily rate for day care services to £3.24 followed by a further increase of 20% per annum in subsequent years. To be reviewed in 5 years.
 - Service users residing in Extra Care facilities who are receiving domiciliary care services should be financially assessed under the non-residential charging policy, to bring them in line with other non-residential service users.
 - A report to be presented to the Health Social Care and Well-Being Scrutiny Committee at a future date that details the support element of home care, level of provision and recommendation on charging.
 - The Council should include savings in the financial assessment for the ability to pay a contribution towards non-residential social services.
 - The Council include in the policy, a statement to state clearly circumstances when a financial assessment or charge will be waived or deferred. The statement to include a timeline of three months.
- 4.3 Charging for the support element of domiciliary care now needs to be considered in line with the Social Care and Well-Being (Wales) Act 2014 which requires the production of a care and support plan for individuals eligible for services.
- 4.4 Previously it was agreed not to charge for support, this is clearly inequitable as individuals are receiving intervention regardless of whether the worker is physically assisting them by, providing care or verbally prompting them to achieve their outcomes.
- 4.5 As part of the financial assessment process under the non-residential charging policy, service users are supported to maximise their income and benefits. Thus by not charging people for support we are treating them inequitably in terms of not supporting them to maximise their income and benefits.
- 4.6 Day care was traditionally buildings based however services have developed to be more socially inclusive and tailored to an individual's outcomes. Hence we now provide people with individual day opportunities with support staff to enable them to access their local communities, these services have never been subject to the non-residential charging policy. This has introduced an inequity in the system not just between people who receive building based verses those that receive community support, but in some cases individuals can receive both services and only be financially assessed for one.
- 4.7 Day opportunities include the Links, Windy Ridge, the Community Support Team for people with a learning disability, Older Persons Community Team and sessional support through the Shared Lives Scheme. The Links and Windy Ridge provide day opportunities in a group setting similar to buildings based day care so it would be appropriate to charge for these services at the same daily rate as we currently charge for buildings based day care. However, the Community Support Team, Older Persons Community Team and sessional support tends to be one to one support for which it would be more appropriate to apply the same hourly rate as domiciliary care.
- 4.8 Charges for buildings based day care provided at bases staffed by Council staff are collected directly from the service users by those staff. However, collecting charges from service users in receipt of services from independent or third sector providers would be more challenging and costly. As a result, a decision was made not to charge for these services. However, this has introduced an inequity which needs to be addressed.

4.9 Therefore, it is proposed that where services are provided by independent or third sector providers in a group setting, the services should be charged for at the same daily rate as we currently charge for in-house buildings based day care. Where services are provided by independent or third sector providers on a one to one basis, the services should be charged for at the same hourly rate as domiciliary care.

4.10 The task and finish group recommendation to increase the hourly rate for home care by 10% per annum and the daily rate for day care by 20% per annum has meant that the charges applied in 2018/19 have increased to £11.54 per hour for home care and £6.72 per day for day care. The increase applied in 2018/19 was the fifth and final year of the review period recommended by the task and finish group so Members are asked to consider some options for annual increases in charges for 2019/20 and beyond.

4.11 The table below illustrates what some of our neighbouring authorities charge:-

| Dom/Homecare | Day Care/Centre Attendance | Community Support |
|---------------------------------|---|---|
| £12.50 per hour or part thereof | £12.50 per day | £12.50 per hour or part thereof |
| £15 per hour or part thereof | £29.00 per day | ? |
| £20.64 per hour or part thereof | £56.31 per session | £20.64 per hour or part thereof (or £14.21 per hour if Direct payments) |
| £15.58 per hour or part thereof | £35.86 per day | £15.58 per hour or part thereof |
| £20.50 per hour | £15.00 per day | £20.50 per hour |
| £11.95 per hour | £11.95 per session (am or pm) | £11.95 per session (am or pm) |
| £10.80 per hour | £10.55 per session (can attend 2 sessions per day) | £10.80 per hour |
| £18.64 per hour | Dependant on day centre service but either £33.28 or £62.72 | £18.64 per hour |
| £17.00 per hour or part thereof | £17.00 per day | ? |

4.12 These options could include:-

4.12.1 Continue to increase the hourly rate by 10% per annum and the daily rate by 20% for a further 5 year period. This would result in an hourly rate of £18.59 by 2023/24 which is likely to be approaching, if not exceeding the full cost of providing the service. The daily rate would rise to £16.70 by 2023/24 which is still likely to be much less than the full cost of providing the service.

4.12.2 Increase the rate for all non-residential services by the same percentage as that agreed for the annual change in council tax. It is unlikely that annual increases would be excessive under this option but it is possible that increases could fall behind the inflationary increase in the cost of providing the service. This approach could be considered for a further five year period or longer.

- 4.12.3 Increase the rate for all non-residential services by the same percentage agreed for non-pay inflation within the corporate budget settlement each year. Again, it is unlikely that annual increases would be excessive under this option. However, recent history would suggest that the cost pressures within social care are likely to exceed the general inflationary pressures on non-pay costs across the Council so the increase in charges could lag behind increases in the cost of providing the service. This approach could be considered for a further five year period or longer.
- 4.12.4 Continue to increase the daily rate by 20% for a further 5 year period but apply an inflationary increase to the hourly rate in line with either (a) the annual council tax increase or (b) the percentage agreed for non-pay inflation within the corporate budget settlement each year. This would allow the charge for day care in a group setting to continue to catch up with the cost of providing the service but would ensure that charges for domiciliary services and one to one day opportunities do not exceed the cost of providing the service.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This proposal contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that

The five ways of working listed in the Act are:

- Long Term – The importance of ensuring all service users are treated equitably and their incomes maximised will benefit the community in the future.
- Prevention – Acting in this way will ensure we promote peoples independence, choice and control , whilst enabling us to meet our objectives.
- Integration – This will ensure we meet other council objectives of improving prosperity within the borough.
- Collaboration – Acting in collaboration across the directorate will contribute to overall income maximisation and collection of charges raising revenue for the department.
- Involvement – The importance of involving people who have an active interest in achieving their own well-being goals, will lead to sustainable communities in the longer term.

6. EQUALITIES IMPLICATIONS

- 6.1 An EqIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out.

7. FINANCIAL IMPLICATIONS

- 7.1 It is anticipated that the proposed changes to the non-residential charging policy would result in additional income for the authority. However, insufficient personal financial information is held to quantify it at this stage.
- 7.2 Currently, there are 1,099 service users accessing a chargeable domiciliary care service. Following the application of the Non-Residential Charging Policy, 313 of these service users (28.5%) pay nothing towards the services they receive, 276 service users (25.1%) pay the maximum charge of £80 per week and a further 269 (24.5%) service users pay all of their assessed disposable income. This means that these 858 service users would not be expected to contribute any more under the new proposals, even if they are in receipt of domiciliary support or day care services that have previously not been subject to charging. Of the remaining 241 service users (21.9%) many are in receipt of domiciliary care only and as such would not be affected by the proposed changes in policy.

- 7.3 There are over 300 service users in receipt of day services that are not currently subject to the non-residential charging policy. However, some of these services users will also be in receipt of chargeable domiciliary services and will be included in the 1,099 service users considered in paragraph 7.2 above. Moreover, of those service users that are in receipt of day care services only, it is likely that around 28.5% of these would be assessed to pay nothing towards their care.
- 7.4 The Financial Services Team do not hold information in respect of the number of service users in receipt of domiciliary support services only.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications identified in relation to this report.

9. CONSULTATIONS

- 9.1 All responses from consultations have been incorporated in the report.

10. RECOMMENDATIONS

- 10.1 That Members support the proposal of charging for domiciliary support services via application of Caerphilly's Non-Residential Charging Policy which complies with the legislation as set out in the Social Services and Well-being (Wales) Act 2014.
- 10.2 That Members support the proposal of charging via application of Caerphilly's Non-Residential Charging Policy, at a daily rate for all buildings-based day opportunity services, and at an hourly rate for all community based day opportunities
- 10.3 That Members consider the level of inflationary uplift in charges for non-residential care that should be recommended for 2019/20 and subsequent financial years.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To ensure that the Health Social Care and Wellbeing Committee make recommendations to Cabinet for charging for non-residential services that:-
- Are equitable to all service users in receipt of care and support services in a non-residential setting.
 - Ensure all non-residential service users have the opportunity to have their benefits maximised.
 - Ensure that those non-residential service users with the financial means to do so. contribute towards the costs of all the services that they receive.
 - Allow for inflationary increases in charges over the medium term.

12. STATUTORY POWER

- 12.1 Local Government Act 1972 and 2000.

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Consultees: Adult Services Management Team
Senior Management Team
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Appendices:
Appendix 1 Minutes of Health, Social care Well-Being Scrutiny committee 26th March 2013