

EAST AYRSHIRE COUNCIL

CABINET : 24 MARCH 2010

EDUCATIONAL AND SOCIAL SERVICES APPROVED RATES AND CHARGES – 2010/11

Report by the Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Cabinet approval for annual alterations to approved rates and charges for Educational and Social services for the Financial Year 2010/11.

2. BACKGROUND

- 2.1 This is an annual report which seeks Elected Member approval to increase thresholds for income disregards and charges to service users for a range of Educational and Social Services, following the Council's budget setting exercise. This report details the inflationary adjustments to approved rates, as part of the 2010/11 revenue budget, and takes account of the guidance which has been issued by both COSLA and the Department of Work and Pensions.
- 2.2 East Ayrshire Council continues to ensure that all service users have their benefit income maximised. This is in line with COSLA's recommendation that authorities should be pro-active in promoting benefit take up and that entitlement is reviewed on a regular basis.
- 2.3 Consultation on the Council financial strategy which took place on the 2010/11 budget, including the community sessions which took place between 23 November 2009 and 28 January 2010, agreed savings in the subsidy levels provided by the Council for community meals.

3. REVISION OF CHARGES AND APPROVED RATES

3.1 Non Residential Charges – Community Care Services

- 3.1.1 In 2009/10 the maximum charge to service users for Non-Residential services was £81.10 per week. It is proposed to increase this to £82.72 for 2010/11. This is the proposed maximum charge per week for all services received by an individual.
- 3.1.2 As with previous years it is recommended that Non Residential Charges increase in line with Department for Work and Pension (DWP) benefits levels which have been uplifted by 2% for older people and 1.7% for other groups. It is also recommended that threshold levels and calculation of tariff income increase in line with COSLA guidance to ensure that revised charges do not have an adverse

effect on service user's benefit increases. Annex 1 highlights the revised charges for 2010/11.

- 3.1.2 The COSLA Charging Guidance recommends a differential in the income disregard between service users over and under 60. It is proposed therefore that in 2010/11 the thresholds for income disregards are:-

Single People Over 60	£ 155.00 per week
Couples Over 60	£ 236.00 per week
Single People Under 60	£ 119.00 per week
Couples Under 60	£ 182.00 per week

Disregards for dependent children

- 3.1.3 The original COSLA recommendations in respect of dependent children suggested there should be a £50 disregard from income for each dependent child. Following the introduction of Child Tax Credits, it is now recommended that income derived from all benefit paid for or on behalf of a dependent child should be disregarded. This in turn will remove the requirement to apply the £50 disregard for each dependent child which will no longer be required. The effect of this will remove the possibility of benefits paid for children being included in the calculation to establish a charge for their parents' service and will also considerably simplify the assessment required to establish any charge.

Earnings disregard

- 3.1.4 Where a service user or their partner is in receipt of earned income, Local Authorities when assessing chargeable income should only take account of net earnings. In addition, it is proposed to apply the recommended minimum earnings disregard of £20 per week.

3.2 Care at Home Charges

- 3.2.1 COSLA has provided enhanced guidance on charging for Non-Personal Care services, particularly for older people who make a contribution towards the cost of their care at home. It is proposed that the hourly rate charge for care at home services increases from £10.00 to £10.20, in line with the increase to benefit levels.
- 3.2.2 As indicated previously in this report the maximum charge to service users for non residential services is proposed to be increased to £82.72 per week for 2010/11. As at March 2010, there are currently over 2,000 older people and service users with a disability, in receipt of a care at home service. As part of the on-going Social Work sustainability programme of work, the review of care at home services will continue in 2010/11.

Community Alarms

3.3.1 In relation to Community Alarms, application of the current charging policy results in many service users receiving services free or at a subsidised rate. It is proposed to increase the charge in line with DWP rates from £3.75 to £3.82 per week.

3.3.2 As at March 2010, there are currently over 3,000 service users receiving a Community Alarm service. The Community Alarm service responds to over 7,000 calls per month, resulting in deployment of mobile carers to provide direct support in around 200 instances every week.

3.3 Self-Directed Support

3.4.1 Following an assessment of care needs, service users can choose to have their supports provided by someone other than the Council; monies will then be moved from the service provision budget to the Self-Directed Support budget.

3.4.2 It is proposed that the standard hourly rate for Self-Directed Support be increased by 1% from £10.46 to £10.56. In line with current practice this rate may be varied by exception, where it is evidenced that specialised services to meet identified need require additional funding.

3.4.3 As at March 2010, there are currently 66 service users in receipt of Self-Directed Support, with an average spend per annum of £11, 820.

3.5 Community Meals

3.5.1 Cabinet agreed at its meeting of 10 February 2010 to reduce the subsidy paid to the provider of community meals from 80p per meal to 40p per meal. It is therefore proposed that from 1 June 2010, the Council will reduce the current subsidy to the previously agreed level of 40p per meal for the Meals at Home Service. Given the current level of service, this will reduce the cost of this service to the Council by £47,590 in 2010/11.

3.6 Day Care – Charges To Other Local Authorities

3.6.1 At present, there is no charge made to residents of East Ayrshire for day care services other than for meals.

3.6.2 Occasionally, however other local authorities may ask to utilise our services. The charge for this is set at £47.50 per day and it is proposed that this is increased to £50.00 per day to reflect the actual cost to East Ayrshire.

3.7 Sensory Impairment Interpreters Service – Charges to Other Organisations

3.7.1 There is no charge made to residents of East Ayrshire for the provision of sensory impairment interpreter services.

3.7.2 Occasionally other organisations or local authorities may wish to use our services. For these organisations the charge is set at £34.85 per hour and it is proposed this is increased to £36.00.

3.8 Service Users Care Review – Charges to Other Local Authorities

3.8.1 There is no charge made to residents of East Ayrshire for the review of their care needs. However, other Councils may request that we carry out reviews on their behalf where their service users are placed within our boundaries. The current charge for this is £139.40 per review. It is proposed that this is increased to £144.00 per review.

3.9 Respite Care Charges

3.9.1 Respite Care Charges (Young People)

The current and proposed weekly rates for respite care for young people are detailed in Table 1 below. The recommended increase is in accordance with DWP benefit rates from 12 April 2010, which is in line with previous years.

Table 1 – Respite Care Charges (Young People)

Disability Living Allowance Care Component	2009/10	2010/11
Low Rate DLA	£18.65	£18.95
Middle Rate DLA	£47.10	£47.80
High Rate DLA	£70.35	£71.40

3.9.2 Respite Care Charges (Adults)

Table 2 below highlights the current and proposed weekly charges for Respite Care for Adult service users.

Table 2 – Respite Care Charges (Adults)

Service User Group	2009/10	2010/11
Adults (18-24)	£56.55	£57.55
Adults (25-59)	£69.90	£71.15
Adults (60+)	£108.10	£110.30

3.10 Care Home Services for Older People

3.10.1 Over the past 3 years, COSLA, Scottish Care, the Care Commission, the Scottish Government and Councils have made significant progress in advancing the quality agenda for the care home sector. A two-year settlement was agreed last year to support this agenda. However, following public sector spending cuts, the 2.7% uplift for 2010/11 has been re-negotiated. COSLA are proposing that Councils apply a general uplift of 2% and additional funding is made to the best performing

care homes (as per Care Commission grades) thereby consolidating the quality agenda.

- 3.10.2 The Scottish Government has indicated an uplift for Free Personal and Nursing Care payments to eligible residents in care homes to increase from April 2010 from £153 to £156 per week for personal care, with additional weekly nursing care payments rising from £69 to £71. The cost to East Ayrshire Council of implementing this commitment in 2010/11 will be approximately £25,000.
- 3.10.3 As East Ayrshire Council purchases all care home service provision from the independent sector, the 2010/11 weekly rates, with the 2% uplift applied are detailed in table 3 below:

Table 3 – Approved Rates for Residential/Nursing Care (Older People)

Type of Care	Single room	Double room
Residential	£474.16	£449.16
Nursing	£550.81	£525.81
Additional Needs	£720.53	£N/A

- 3.10.4 In addition, to these rates, quality payments of up to £3 per week per service user will be made retrospectively on a 6 monthly basis, to the best performing care homes who meet prescribed quality payment criteria.
- 3.10.5 As at March 2009, there are currently 720 Older People being funded in carehomes, 210 at a residential rate; 500 at nursing rate and 10 requiring additional needs care.

3.11 Care Home Services for Adults

- 3.11.1 For adults under 65 residing in care homes it is proposed that the rates for 2010/11 are set in line with the proposed rate for Older People whilst maintaining differentials.

Table 4 – Approved Rates for Residential/Nursing Care (Adults)

	Nursing		Residential	
	Single	Double	Single	Double
Drug Alcohol Dependence	£550.81	£525.81	£474.16	£449.16
Mental Illness	£550.81	£525.81	£474.16	£449.16
Adult Learning Disability	£558.81	£533.81	£482.16	£457.16
Adult Physical Disability	£596.81	£571.81	£530.16	£505.16

- 3.11.2 As at March 2009, there are currently 27 Adults under 65 being funded in carehomes, all at nursing care rates.
- 3.12 Care Home Services for Adults / Children with a disability

- 3.12.1 It is proposed to increase the charges to other local authorities for East Ayrshire Council services at Berryknowe from £1,144.00 to £1,178.00 per week, which represents the actual cost of the service provision.
- 3.12.2 For The Elms, Craig Tara and Ladeside respite services it is also proposed to increase charges to other local authorities from £1,029.36 to £1,060.00 per week, which represents a 3% uplift. Respite charges for residents of East Ayrshire are as paragraph 3.9.2.
- 3.12.3 For Lisalanna proposed charges to other local authorities will be £2,123.00 per week. Respite charges for residents of East Ayrshire are as paragraph 3.9.1.
- 3.12.4 Newhouse, Kirklea, The Laurels and The Beeches are care homes operated by independent providers. The proposed weekly rates for these establishments for 2010/11 have been uplifted in line with other care homes fees, as para. 3.10.3. This contingency uplift has been applied as separate negotiations are on-going.

Type of Care	Provider	Rate
Adults with Learning Disability with Higher DLA Care Component entitlement	Kirklea/Newhouse	£658.49
Adults with Learning Disability without DLA Care Component entitlement	Kirklea/Newhouse	£538.96
Adults with Learning Disabilities	The Laurels	£605.02
Adults with Complex Physical Disability	The Beeches	£868.20

3.13 Hardship

- 3.13.1 Elected members should note that, in cases of hardship, charges may be waived, in whole or in part, at the discretion of the Chief Social Work officer.

3.14 Approved Rates – Children’s Services

Foster Carer payments

- 3.14.1 It is proposed that payments to foster carers are increased by 1% from 1 April 2010. In line with current practice this rate may be varied by exception, where it is evidenced that specialised services to meet identified need require additional funding. As part of the Social Work sustainability work, the rates/allowances paid to foster carers are currently subject to review. The findings of this review will be presented to Cabinet in due course.

Carer	Age of child	2009/10	2010/11
		Rate per week	Rate per week
Level 1	0 – 4	£112.48	£113.60
	5 – 10	£135.69	£137.05
	11 – 15	£168.84	£170.53
	16+	£218.67	£220.86

Level 2	0 – 4	£153.03	£154.56
	5 – 10	£189.98	£191.88
	11 – 15	£234.08	£236.42
	16+	£303.15	£306.18
Level 3	0 – 4	£228.85	£231.14
	5 – 10	£246.43	£248.90
	11 – 15	£268.57	£271.26
	16+	£337.13	£340.50
Respite	0 – 4	£190.96	£192.87
	5 – 10	£218.21	£220.39
	11 – 15	£251.32	£253.83
	16+	£320.15	£323.35

3.14.2 As at March 2010, there are currently 106 children in internal foster placements.

3.14.3 In addition to the internal placements, 46 children are currently in external foster placements. These placements are purchased from the independent sector, with an average cost of £1,000 per week per placement. Separate negotiations are on-going with providers to review the cost of service provision.

Secure Accommodation

3.14.4 Following a Children's Hearing or Court decision, children can be placed in secure accommodation. Children and Families budgets currently fund these placements. The average cost per placement is £5,215 per week. During 2009/10, there has been an average of 3 placements per week. Separate negotiations are on-going with specialist providers to review the cost of service provision.

Link/Kinship Carer payments

3.14.5 At its meeting of 3 June 2009, Cabinet agreed to implement a Kinship Care scheme from 1 April 2010. Kinship Care is a concordat and Single Outcome Agreement commitment (improved local outcomes reflecting shared priorities). This scheme will replace the existing link carers' scheme. However, payments made to existing link carers will be transitionally protected, subject to on-going review. It is proposed that payments to these carers remain at 2009/10 levels.

Age of child	2009/10 Rate per week	2010/11 Rate per week
0 – 4	£55.00	£55.00
5 – 10	£72.84	£72.84
11 – 15	£95.32	£95.32
16+	£129.00	£129.00

3.14.6 All new kinship carer placements made from the 1 April 2010 will be paid at a flat rate of £55.00 per week.

3.14.7 As at March 2010, there are currently 112 children in link carer placements

Adoption allowances

- 3.14.8 At its meeting of 16 December 2009, Cabinet agreed to amend the Adoption allowance Scheme in line with Fostering Network recommended rates. It is proposed that these weekly allowances are increased by 1% from April 2010.

Age of child	2009/10 Weekly Allowance	2010/11 Weekly Allowance
0 – 4	£125.09	£126.34
5 – 10	£142.49	£143.91
11 – 15	£177.38	£179.15
16+	£215.74	£219.90

- 3.14.9 Child benefit payments are deducted from these allowances. All allowances paid will be reviewed on an annual basis by the adoption and permanency panel, following completion of a financial assessment by adoptive parents.
- 3.14.10 As at March 2010, there are currently 32 children in adoptive placements who are in receipt of this allowance.

Wraparound Childcare Charges

- 3.14.11 The current charge per hour for wraparound care £2.66. It is proposed to increase this to £2.74 per. For each additional child in a family there is a 50% reduction.

4. LEGAL / POLICY IMPLICATIONS

- 4.1 Charges made for services are in accordance with the Social Work (Scotland) Act 1968, chapter 49 (as amended). Scottish Government policy and COSLA recommendations have also be incorporated in the rates and charges for 2010/11.

5. FINANCIAL IMPLICATIONS

- 5.1 This report fulfils the duty of the Executive Director of Educational and Social Services to review charges for services, as determined by section 7.1 of the Council's Financial Regulations.
- 5.2 In line with benefit increases from Department for Work and Pensions it is recommended that increases take effect from the first full billing period after 12 April 2010. Increases in rates and allowances payable will take effect from 12 April 2009 and for those paid in advance of 12 April 2010, backdating of increase will take place from the earliest payment date available.
- 5.3 The 'Managing Charging – Service Managers Checklist' has been completed and has informed this report.

6. COMMUNITY PLANNING

- 6.1 The provision of Educational and Social services within a charging framework that reflects the ability to pay supports the Improving Health and Eliminating Poverty themes of the Community Plan.

7. RISK IMPLICATIONS

- 7.1 Educational and Social services require to set appropriate rates and charges to support the Revenue Budget process in ensuring continuity of services to the most vulnerable people in our communities.

8. EQUALITY IMPACT

- 8.1 Section 3 and Annex 1 of this report detail the proposed charges and revised threshold levels for specified service user groups.

9. RECOMMENDATIONS

- 9.1 It is recommended that Cabinet agree to:
- (i) The revised charges as detailed in section 3 of this report; and
 - (ii) Otherwise note the contents of this report.

Graham Short
Executive Director of Educational and Social Services
25 February 2010

LIST OF BACKGROUND PAPERS

- 1. COSLA Charging Guidance for Non-Residential Social Care Services 2010/11.**

Members requiring further information should contact Euan Couperwhite, Head of Resources
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IMPLEMENTATION OFFICER: EUAN COUPERWHITE

ANNEX 1

CHARGES FOR NON-RESIDENTIAL SOCIAL SERVICES

APRIL 2010 RATES

REVISED THRESHOLD LEVELS BASED ON COSLA RECOMMENDATIONS

Single People	Maximised Income	Threshold	2009/10 Maximum Charge	2010/11 Maximum Charge
60+ living alone with H/R AA or H/R DLA care	£257.65	£155.00	£50.60	£51.33
60+ living alone with L/R AA or M/R DLA care	£234.05	£155.00	£38.98	£39.53
60+ with H/R AA or H/R DLA care	£204.00	£155.00	£24.18	£24.50
60+ with L/R AA or M/R DLA care	£180.40	£155.00	£12.55	£12.70
Under 60 living alone with H/R DLA care	£232.15	£119.00	£54.70	£56.58
Under 60 living alone with M/R DLA care	£194.90	£119.00	£36.38	£37.95
Under 60 living alone with L/R DLA care	£112.40	£119.00	Nil	Nil
Under 60 with H/R DLA care	£178.50	£119.00	£28.28	£29.75
Under 60 with M/R DLA care	£141.25	£119.00	£9.95	£11.13
Under 60 with L/R DLA care	£112.40	£119.00	Nil	Nil
Under 25 living alone with H/R DLA care	£218.55	£119.00	£48.03	£49.78
Under 25 living alone with M/R DLA care	£181.30	£119.00	£29.70	£31.15
Under 25 living alone with L/R DLA care	£98.80	£119.00	Nil	Nil
Under 25 with H/R DLA care	£164.90	£119.00	£21.60	£22.95
Under 25 with M/R DLA care	£127.65	£119.00	£3.28	£4.33
Under 25 with L/R DLA care	£98.80	£119.00	Nil	Nil

Couples	Maximised Income	Threshold	2009/10 Maximum Charge	2010/11 Maximum Charge
60+ living alone, both with H/R AA or DLA care	£452.50	£236.00	£81.10	£82.72
60+ living alone, one H/R AA or DLA one L/R AA or M/R DLA	£428.90	£236.00	£81.10	£82.72
60+ living alone, both with L/R AA or M/R DLA care	£405.30	£236.00	£81.10	£82.72
60+ both with H/R AA or DLA care	£345.20	£236.00	£53.58	£54.60
60+ one H/R AA or DLA care, one L/R AA or M/R DLA care	£321.60	£236.00	£41.95	£42.80
60+ both with L/R AA or M/R DLA care	£298.00	£236.00	£30.33	£31.00
60+ one with H/R AA or DLA care	£273.80	£236.00	£18.40	£18.90
60+ one with L/R AA or M/R DLA care	£250.20	£236.00	£6.78	£7.10
Under 60, living alone, both with H/R DLA care	£412.35	£182.00	£81.10	£82.72
Under 60, living alone, one with H/R and one with M/R DLA care	£388.75	£182.00	£81.10	£82.72
Under 60, living alone, both with M/R DLA care	£345.50	£182.00	£79.00	£81.75
Under 60, both with H/R DLA care	£305.05	£182.00	£59.05	£61.53
Under 60, one with H/R DLA , one with M/R DLA care	£281.45	£182.00	£47.43	£49.73
Under 60, both with M/R DLA care	£238.20	£182.00	£26.15	£28.10
Under 60, one with H/R DLA care	£233.65	£182.00	£23.88	£25.83
Under 60, one with M/R DLA care	£190.40	£182.00	£2.60	£4.20
Under 60 both with L/R DLA care	£180.50	£182.00	Nil	Nil
Under 60, one with L/R DLA care	£161.55	£182.00	Nil	Nil