

# EAST AYRSHIRE COUNCIL

## SOCIAL WORK COMMITTEE – 23 MAY 2002

### CHARGES FOR SOCIAL WORK SERVICES

#### Report by the Director of Educational & Social Services

#### 1. PURPOSE OF REPORT

- 1.1 To advise elected members of recent developments and recommendations with regard to local authority charging for Residential and Non-Residential care services and to seek approval for proposed changes to East Ayrshire's current charging arrangements in that context.

#### 2. BACKGROUND

- 2.1 All Scottish local authorities currently charge for services, but systems deployed for identifying liability to pay such charges vary quite considerably. In view of this, CoSLA set up a task group to produce guidance for councils on charging policies for social care.
- 2.2 The Final Draft on Charging Guidance for non-residential services was issued by CoSLA in May 2002, outlining work carried out by the task group and recommending a set of principles that should underpin charging for non-residential care services.
- 2.3 A further development with regard to charging lies within the Community Care and Health (Scotland) Act 2002, which provides the legislative basis for implementation by local authorities of free personal care for those aged 65 or over (to come into effect from 1 July 2002). The detail of the implementation is contained within Social Work Committee Report - 23 May 2002 on Free Personal Care and Free Nursing Care for Older People.

#### 3. POLICY AND DEVELOPMENT

- 3.1 Although personal care for over 65s will be "free", non-personal care will still require to be paid for, and assessments will be carried out in order to determine whether or not a charge requires to be paid.
- 3.2 A further consideration for such assessments relates to whether any non personal care services being provided fall into the category of Housing Support Services, the cost of which, further to the appropriate process being actioned, can be met through Transitional Housing Benefit.
- 3.3 Social Work Committee 8 November 2001, Transfer of Preserved Rights and Residential Allowance Funds, provided members with information on the Transfer of Preserved Rights. Due to changes in the benefits system introduced on 8 April 2002, individuals who receive care in private or voluntary care homes will no longer be entitled to claim the residential allowance from the Department of Work and Pensions. This element has now been transferred to the Council and is contained within the Social Work budget for paying providers.

#### **4. UNDERLYING PRINCIPLES**

- 4.1 East Ayrshire adopted the principle of seeking to ensure that all service users have their income from benefit maximised from the outset. The recommendations from CoSLA indicate that all Local Authorities should be proactive in promoting benefit take up and that benefit entitlement should be reviewed on a regular basis.
- 4.2 In order that service users with comparatively high incomes and low service level requirements are not financially disadvantaged through paying an income based charge for home care services Local Authorities are required to ensure that any charge levied should be no more than the cost of the service. This process is already in operation in East Ayrshire.
- 4.3 There is an expectation and requirement for Local Authorities to provide clear and concise public information, explaining in plain language their charging arrangements.

#### **5. "FREE" PERSONAL CARE**

- 5.1 The Scottish Executive's policy on free personal and nursing care comes into effect on 1 July, 2002 requiring that such care no longer be charged for from that date. The implications for the Council is contained within the Social Work Committee report of the 23 May 2002, Free Personal Care and Free Nursing Care for Older People.

#### **6. REVISION OF CHARGES**

- 6.1 It is proposed that Non-Residential Charges rise in line with DSS benefit levels. In order to ensure that charges do not have an adverse impact on the benefit increase of service users, the threshold levels are being maintained or increased. Service users with chargeable incomes below the appropriate thresholds will receive a free service whilst those above these levels will require to pay. Appendix 1 notes the changes in charges. The revised charge will be introduced on the 1<sup>st</sup> July 2002 in line with the implementation of free personal care.
- 6.1.2 The recommended threshold level for single people is £111. However, as the existing East Ayrshire threshold is already set at £115, it is suggested that this be retained rather than reduced.
- 6.1.3 A survey undertaken by CoSLA to gather information on local authority charging practices, indicated that East Ayrshire is in an isolated position with regard to its currently having specific thresholds for service users who are non householders. In the interests of best practice, consistency and simplification, it is suggested that this practice be discontinued from 1 July 2002.

#### **6.2 Treatment of Capital**

- 6.2.1 It is proposed that the first £6000 of all service users capital be ignored and that where capital exceeds this level, tariff income of £1.00 for each band of £250 in excess of £6000 should be assumed.

#### **6.3 Hourly Charge for Home Care**

- 6.3.1 It is proposed that the hourly Indicative Charge for Home Care services be increased to £6.50 per hour from 1 July 2002

## **6.4 Assessable Income**

- 6.4.1 Some service users receive the higher rate of Attendance Allowance or Disability Living Allowance (Care Component) in recognition of their need for attention or supervision during the night as well as during the day.
- 6.4.2 The charging guidance issued by CoSLA refers to recent Case Law which suggests that where a local authority does provide “night services”, it would be inappropriate to have regard in the financial assessment to the higher rate of DLA or Attendance Allowance. In these circumstances, only the middle rate for DLA or the lower rate of Attendance Allowance should be taken into account.
- 6.4.3 It is recommended that East Ayrshire adopts this approach from 1 July 2002, as it demonstrates best practice and helps the most severely disabled service users by allowing them to retain more of their benefit.

## **6.5 Equipment and Adaptations**

- 6.5.1 It is recommended that from 1 July 2002, local authorities should consider no longer charging for such services.

## **6.6 Day Care**

- 6.6.1 It is recommended that from 1 July 2002, local authorities should consider no longer charging for Day Care services.

## **6.7 Annual Uprating of Rates For Care Homes (Including Respite)**

- 6.7.1 The detail of the proposals for approved rates for Residential or Nursing Care provided or commissioned by the Council is contained within the report Social work Committee report of the 23<sup>rd</sup> May 2002 Annual Uprating of Approved Rates for Care Placements.

## **6.8 Charges for New Users of the Community Alarms System**

- 6.8.1 Members will recall that Community Alarm charges apply only to those individuals who have begun to use the service since 1 April 2000. It is recommended that this charge rise to £5.50 in line with inflation.

## **6.9 Charges for Lunch Clubs/ Meals on Wheels**

- 6.9.1 It is recommended that both options for the provision of meals rise £1.40 per meal.

## **6.10 Sign Language Interpreter Service**

- 6.10.1 The Department’s Sign Language Interpreter Service provides a free service to Deaf people accessing Social Work. A charge out rate, based on Unit Costs exists for other Agencies who wish to book the Service. It is recommended that this rate be increased in line with inflation to £25.75 per hour.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 This report fulfils the duty of the Director of Educational and Social Services to review charges for services, as determined by Section 7.1 of the Financial Regulations.
- 7.2 There are no implications to the Council in terms of the uprates as reported in the report to Committee "Annual Uprating of Rates for Care (Including Respite) and approved rates for Adult Placements.
- 7.3 The cost of cessation of charges in relation to Equipment and Adaptations is around £24,000 per annum and can be absorbed within the existing community care budget.

## **8. LEGAL/POLICY/ IMPLICATIONS**

- 8.1 Nil.

## **9. RECOMMENDATIONS**

- 9.1 Members of the Social Work Committee are requested to;
- (i) agree the revised charges set out in Section 6 of the report.
  - (ii) otherwise note the contents of the report

**John Mulgrew**  
**Director of Educational and Social Services**  
**2 May 2002**

Enc (1)  
JD/JK

### List of Background Papers

1. COSLA – Guidance on charging policies for non-residential services that enable older people to remain in their own home – May 2002
2. Community Care and Health (Scotland) Act 2002
3. Fair Care for Older People – Care Development Group Report September 2001

**For further information regarding this report please contact:  
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**IMPLEMENTATION OFFICER: JACKIE DONNELLY**

## EAST AYRSHIRE COUNCIL

## DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

CHARGES FOR NON-RESIDENTIAL SOCIAL WORK SERVICES  
APRIL 2002 RATES

## REVISED THRESHOLD LEVELS BASED ON CoSLA RECOMMENDATIONS

NB. The existing E Ayrshire Single Persons Threshold of £115 is £4 more generous than the CoSLA recommended level of £111.

	Maximised Income	Threshold	Previous Charge	New Charge
Older person living alone with high rate AA	£196.65	£115	£37.00	£40.83
Older person living alone with low rate AA	£178.05	£115	£27.85	£31.53
Single person living alone with DLA high rate care	£186.70	£115	£34.28	£35.85
Single person living alone with DLA middle rate care	£156.86	£115	£19.60	£20.93
Single person living alone with DLA low rate care	£91.85	£115	Nil	Nil
Single person under 25 living alone with DLA high rate care	£175.45	£115	£28.75	£30.23
Single person under 25 living alone with DLA middle rate care	£145.60	£115	£14.80	£15.30
Single person under 25 living alone with DLA low rate care	£80.60	£115	Nil	Nil
Older non-householder with high rate AA	£154.40	£115	£36.23	£19.70
Older non-householder with low rate AA	£135.80	£115	£27.08	£10.40
Single non-householder with DLA high rate care	£144.45	£115	£33.50	£14.73
Single non-householder with DLA middle rate care	£114.60	£115	£18.83	Nil
Single non-householder with DLA low rate care	£91.85	£115	£7.65	Nil
Single non-householder under 25 with DLA high rate care	£133.20	£115	£27.98	£9.10
Single non-householder under 25 with DLA middle rate care	£103.35	£115	£13.30	Nil
Single non-householder under 25 with DLA low rate care	£80.60	£115	£2.13	Nil
Older couple living alone one with high rate AA	£206.05	£169	£25.43	£18.53
Older couple living alone one with low rate AA	£187.45	£169	£16.28	£9.23
Older couple living alone both with high rate AA	£346.80	£169	£72.00	£72.00
Older couple living alone both with low rate AA	£309.60	£169	£72.00	£70.30
Older couple living alone one high rate & one low rate AA	£328.20	£169	£72.00	£72.00

**AGENDA**