



Although a formal committee of Brighton & Hove City Council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults and Healthwatch.

Title:	Annual Review of Adult Social Care Charging Policy 2020	
Date of Meeting:	28 th January 2020	
Report of:	Rob Persey, Executive Director of Health & Adult Social Care	
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Wards Affected:	All	
FOR GENERAL RELEASE		



Executive Summary

People eligible for social care services are means tested to establish whether they must contribute towards the cost. There are around 2250 service users with non- residential care and around 1150 in residential care homes. This includes older people, working age adults with physical disabilities, learning disabilities and mental health difficulties.

The Care Act 2014 provides a power to charge for eligible care and support services and is subject to government regulations and limitations. This report seeks approval for the Council's charging policy which is compliant with the Care Act.

Most care services, funded by the council, are provided by private organisations and the maximum charge depends upon the fees charged by them. However, where the council provides in-house services there are maximum charges which are reviewed in April of each year.

Most charges are subject to a financial assessment to determine affordability but the charging policy also includes several, low cost, fixed rate charges. This report recommends uprating these charges by 2% (rounded up to the nearest pound or 10p if below £5) with effect from **6th April 2020**.

Glossary of Terms

Decisions, recommendations and any options (with effect from 6th April 2020)

- 1.1 To agree that the council continues with the current charging policy for care and support services which includes an individual financial assessment to determine affordability and complies with the requirements of Section 17 of the Care Act 2014. The charging policy is attached at Appendix 1.
- 1.2 To agree an increase of charges as shown in tables of charges with effect from **6th April 2020**

Maximum Charges	2019-20	2020 - 2021
Means Tested Charges		
In-house home care/support	£25 per hour	£26 per hour
In-house day care	£39 per day	£40 per day
In-House Residential Care	£123 per night	£126 per night
Fixed Rate Charges		
Fixed Rate Transport	£4.00 per return	£4.10 per return
Fixed Meal Charge /Day Care	£4.80 per meal	£4.90 per meal

1.3 To agree an increase to Carelink charges as follows:

Standard Carelink Plus service	£18.90 per month	£19.30 per month
Enhanced Carelink Service	£22.70 per month	£23.15 per month
Exclusive Mobile Phone Service	£24.50 per month	£25 per month

1.4 To agree an increase to miscellaneous fees as follows:

Deferred Payment set up fee (see 2.13)	£523 one-off	£533 one-off
Initial fee for contracting non-residential care for self- funders	£276 one-off	£281 one-off
Ongoing fee for contracting for non-residential care for self- funders	£85 per year	£87 per year

1.5 To continue with the existing policy not to charge carers for any direct provision of support to carers.

2. Relevant information

- 2.1 Where a person is assessed as eligible for care and support under sections 18 to 20 of the Care Act, the Council may charge the service user subject to the financial assessment set out in Section 17 of that Act. (see exceptions in para 2.2)
- 2.2 The council must provide intermediate care and reablement services (either at home or in residential care) free of charge for up to 6 weeks and the provision of eligible services to people who are under the auspices of Section 117 of the Mental Health Act

1983 must be free of charge.

- 2.3 Financial assessments determine a fair contribution towards care costs and are subject to appeal in exceptional circumstances. People with savings over £23,250 are liable to pay the full cost of services.
- 2.4 Most people have care provided by an external provider where fee rates are usually set and agreed under the council's contracted terms and conditions. The contract fee for standard home care with an approved agency is recommended to be £18.19 per hour from April 2020 but rates can vary depending upon individual needs and availability of carers. People who have savings less than £23,250 will usually pay less than the full cost of care, in line with their financial assessment.

2.5 Charging for care services for people living at home

- 2.5.1 Services include personal care, community support, day activities, direct payments, adaptations, money management and other support and there are around 2250 service users in their own homes. Around 36% of them, who have minimal savings and limited income from state benefits, will continue to receive free means tested care services. They will only be affected by the increases in this report if their service includes transport and meals at a day centre.
- 2.5.2 Around 56% of service users are assessed to contribute an average of around £50-£70 per week, usually based upon their entitlement to disability benefits.
- 2.5.3 Around 8% of service users are assessed to pay the full cost or maximum charge for care where they have savings over the threshold of £23,250 or very high incomes, or low cost care packages.
- 2.8.2 The maximum charge for in-house Day Care is recommended to increase to £40 per day. This increase will affect only a small number of service users who use this service and who are assessed as able to pay this amount, either because they have savings over £23,250 or because they have sufficient income in their financial assessment to afford this amount.

2.9 Fixed Rate Charges – (not means tested)

Where the council provides or funds transport to and from day services it is recommended to increase the fixed contribution to £4.10 per return journey from April 2019. There is only one in-house day centre that provides a nutritious two course meal and it is



recommended that the fixed charge for this service should be increased to £4.90. This charge includes beverages and small snacks during the day.

2.10 CareLink Plus Services:

2.10.1 The Council's Carelink service is well-used and welcomed by vulnerable people in the city. Most people pay the fixed charges listed in the table above which will increase by around 2% in April.

2.10.2 If anyone feels the need to cancel the service for financial reasons, the Carelink team will assist people with claiming any eligible benefits. They will also consider whether a free service may be available through a needs assessment and financial assessment.

2.11 Charging for Carers' services

2.11.1 The Care Act empowers councils to charge for the direct provision of care and support to carers. The recommendation is to continue with the current policy not to charge carers in recognition of the significant value they provide to vulnerable people.

2.12 Residential Care

2.12.1 There are specific government regulations for the residential care means test. People with over £23,250 in savings pay the full cost and all others contribute towards the care home fees from their income. The majority of residential care is provided by the independent sector and fees for self funders can vary significantly. The council has limited provision of inhouse residential care and it is mainly used as a respite service or an emergency service and for people with mental health issues. The cost for this specialist service is much higher than for standard long term residential care. It is proposed to increase the maximum charge to £126 per night (£882 per week).

2.13 Deferred Payment Agreements: (DPA)

2.13.1 The Care Act requires council's, in specified circumstances, to "loan fund" care home fees where the resident is assessed to pay the full fees because they own a property but they are not immediately able or willing to sell it. Council's may charge for this service and it is proposed to increase the setup fee for DPAs from £523 to £533. This is based on the estimated average administrative cost for a DPA during the lifetime of the agreement including a legal charge on property, ongoing invoicing costs and

termination costs.

2.14 Fee for contracting care services on behalf of self-funding service users

Where people have savings over £23,250 and ask the council to contract with a non-residential service provider on their behalf, the council charges a fee for this service. This covers the additional work to procure care and set up the contract with the care provider, to set up financial arrangements and provide contract monitoring and amendments on an ongoing basis.

3. Important considerations and implications

3.1 Legal:

It is a function of the Health and Wellbeing Board to oversee and make decisions concerning Adult Social Care. The proposals in the report are consistent with the Council's responsibilities under the Care Act 2014 and the associated Regulations in relation to charging for care services, in particular The Care and Support (Charging and Assessment of Resources) Regulations 2014.

Lawyer consulted: Nicole Mouton Date: 2/12/2019

3.2 Finance:

Charges for Adult Social Care services within this report have been reviewed in line with the Corporate Fees & Charges Policy and budget assumptions approved by Policy, Resources & Growth Committee which specified the assumed corporate rate of inflation to be applied to fees and charges income targets of 2.0%. This is to ensure that fees and charges are appropriately benchmarked to comparative services and recover the full cost of service wherever possible.

It is anticipated that the proposed charges will deliver the level of income assumed in the 2020/21 budget strategy including an inflationary increase. However, the level of income is variable as all service users are subject to a means test.

The Adult Social Care in-house council services are significantly subsidised through Council funding.

Finance Officer consulted: Sophie Warburton Date: 06/12/2019

3.3 Equalities:

All service users are subject to the same means test and will only be affected by this revised policy if they are able to pay. People will not be

treated in any way less favourably on the grounds of personal differences.

Supporting documents and information

Appendix 1: 2018-2019 Brighton and Hove City Council Charges Policy

