



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 2018

Date of Meeting: 30 January 2018

Report of Rob Percy (Executive Director, Health and 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 2300 service users with non-residential care and around 1300 in residential care homes. This includes older people, working age adults with physical disabilities, learning disabilities and mental health difficulties.

Under the Care Act 2014 charging policies are discretionary but subject to certain regulations and limitations. This report seeks approval of 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 set 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 updating these charges.

1. Recommendations

That the Health & Wellbeing Board agrees:

- 1.1 That the council continues with the current charging policies for non-residential care services and residential care homes which comply with the requirements of Section 17 of the Care Act 2014. The full charging policy is attached at Appendix 1.
- 1.2 To the table of charges below with effect from 9th April 2018. These charges have been uplifted by just over 3.5% and rounded up to the nearest whole number

Maximum Charges	2017/18	2018/19
Means Tested Charges		
In-house home care/support	£23 per hour	£24 per hour
In-house day care	£36 per hour	£38 per hour
Residential Care	£115.67 per night	£120 per night
Fixed Rate Charges		
Fixed Rate Transport	£3.70 per return	£3.90 per return
Fixed Meal Charge / Day Care	£4.50 per meal	£4.70 per meal

- 1.3 To an increase in Carelink fees only for those with exclusive mobile phone access but otherwise to retain the existing fees. (see para 4.10)

Standard Carelink Plus Service £18.50 per month (no change)
Enhanced Carelink Service £22.17 per month (no change)
Exclusive Mobile Phone Service £22.17 increase to £24.50 per month.

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

- 1.5 To increase the one-off fee charged for setting up Deferred Payment Agreements for property owners in residential care by 3.5% from £495 to **£512**

- 1.6 To increase the charge for arranging and contracting non-residential care for self-funders by just over 3.5% (only for people with savings over £23,250).

From £260 to **£270** for the initial one-off set-up fee

From £80 to **£83** per year for annual review, administration and amendments

Note: If the above recommendations are not agreed, or if the board wishes to amend the recommendations, then the item will need to be referred to the Policy, Resources & Growth Committee to be dealt with as part of the overall budget. This is because the budget is being developed on the assumption that the fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget, which means it needs to be dealt with by the Policy, Resources and Growth Committee as per the requirements of the constitution. This will not stop the board from making recommendations to PR&G.

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.

- 2.2 Financial assessments determine a fair contribution towards care costs and are subject to appeal in exceptional circumstances.

Charging for care services for people living at home in the community

- 2.3 Services include personal care at home, community support, day activities, direct payments, adaptations, money management and other support.



- 2.4 There are around 2300 service users in their own homes with eligible needs and around 40% 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 fixed rate charges shown in paragraph 3.2.
- 2.5 The council provides intermediate care and reablement services (either at home or in residential care) free of charge for up to 6 weeks. If, in exceptional circumstances, a service continues beyond 6 weeks the person is means tested and may be charged up to £24 per hour for home care.
- 2.6 Most people have care provided by an external agency where lower fee rates are set and agreed under the council's contracted terms and conditions. The contract fee for standard home care with an approved agency is proposed to be £17.83 per hour from April 2018 but rates can vary. People who have over £23,250 in savings will be required to pay the full fees charged by private agencies but most people will pay less in line with their financial assessment.
- 2.7 Around 47% of service users are assessed to contribute an average of around £50-£60 per week, usually based on their entitlement to disability benefits. The proposed new maximum charges shown in 3.2 will not affect charges for these people but they may be affected by the increase in the fixed rate charges.
- 2.8 Around 13% of service users pay the maximum charge for in-house home care and day care. This affects people with savings over the threshold of £23,250 and also affects a small minority of people with very high income, or a low cost care package.
- 2.9 The maximum charge for in-house Day Care is recommended to increase to £38 per day. This increase will only affect people who are assessed as able to pay this amount.

Fixed Rate Charges – (not means tested)

- 2.10 Flat rate charges for transport to day centres or other activities have fallen behind inflationary increases in travel costs. It is, therefore, recommended that the return journey charge is increased by 5.5% to £3.90 per return journey from April 2018.
- 2.11 There is only one in-house day centre that provides a nutritious two course meal on the premises and it is recommended that the fixed charge for this



service should be increased from £4.50 per meal to £4.70. This charge includes beverages and small snacks during the day.

CareLink Plus Services:

- 2.12 The 2018/19 proposal is for the charges to remain the same for the main CareLink Plus services. That is:

£18.50 per month standard CareLink package (no change)

£22.17 per month enhanced* CareLink package (no change)

(*level of package depends on the range of telecare required”

- 2.13 Since 2011 the standard package has increased from £14 per month to £18.50 but having no further increase next year will enable CareLink Plus to support the continued growth of the service. There are currently 3617 household carelink users in addition to alarm monitoring provided in sheltered accommodation. The service plans to increase this number by a further 200 users during 2018/19 through public awareness campaigns and by working with Health & Social Care professionals to encourage appropriate referrals. A report to the Health & Wellbeing board in June 2016, showed the significant preventative value of the service.
- 2.14 CareLink Plus also provides an alarm service to customers who have no landline telephone. This works over the mobile phone network (GSM) and due to higher equipment and operational costs an additional charge for this service is recommended at £24.50 per month.
- 2.15 A free service may be available to carelink users through a needs and financial assessment process.

Charging for Carer’s services

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

Residential Care

- 2.17 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 costs from their income. The council has very limited provision of in-house residential care and it is mainly used as a respite service or an emergency service. The cost for this kind of service is typically much higher than for long term care and it is proposed to increase the maximum charge to £120 per night.



Deferred Payment Agreements: (DPA)

- 2.18 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 set up fee for DPAs by 3.5% from £495 to £512. 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.

Home Care Brokerage Charge for self-funding service users

- 2.19 Where people have savings over £23,250 and ask the council to contract with a non-residential service provider on their behalf, the council has a fee for this service. This covers the additional work to procure and set up the contract with the care provider, set up financial arrangements and provide contract monitoring. It is recommended that brokerage fees are increased as follows:

- a) From £260 to £270 for the initial one-off set-up fee for new service users
- b) From £80 to £83 per annum for review, amendments, variations and general administration during the year.

2.20 Comparison with East Sussex and West Sussex Charges.

See Chart overleaf:



2017/2018 - in-house service maximum charges

Local Authority	Home Care Charges, Hourly Rate	Alarm Call Charges, Monthly	Day Centre	Day Centre Meal charges	Transport Return Journey	Residential Care Home	Deferred Payment Annual Fee	home care brokerage initial fee / annual fee	proposed Changes to Charging Policy for 2018/19
			attendance						
Brighton - Hove	£23.00	standard £18.50	£36.00	£4.50	£3.70	£115.67	£495	£260 / £80	average increase at 3.5% rounded up
East Sussex	no service in house	£12.35	£30.00	£3.40	£2	£88.00	£1,067	nil but soon to introduce	not known yet
West Sussex	no service in-house	no service in-house	£41.00	£4.65	£5.50	no service in-house	£873	£420 / £420	not known yet

3. Important considerations and implications

Legal:

- 3.1 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: Elizabeth Culbert

Date: 4.1.18

Finance:

- 3.2 Charges for Adult Social Care services are reviewed annually in line with the Corporate Fees and Charges policy. The annual income from charging for in-house non residential services is approximately £1 million, out of the estimated total for non-residential services fees across Adult Social Care of £4.8 million. It is anticipated that the proposed charges will deliver the level of income assumed in the 2018/19 budget strategy including an inflationary increase.
- 3.3 Client income for the Carelink Plus service totals £0.511m per year. By not increasing the charge from 2017/18, additional income of £0.010m will need to be achieved to meet the inflationary increase.
- 3.4 The costs of providing in house services are higher than the proposed charges. The 2016/17 unit costs are:
- Home Care £74 per hour compared to the proposed charge of £24 per hour
 - Residential Care (Older People) £210 per day compared to the proposed charge of £120 per day

Finance Officer consulted: Sophie Warburton

Date: 02/01/2018



Equalities:

- 3.5 All service users are subject to the same means test (nationally set) 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 characteristics.

Equalities Coordinator: Sarah Tighe-Ford

Date: 18/01/2018

Sustainability:

There are no sustainability issues.

Supporting documents and information

Appendix1: Current Brighton & Hove City Council Charging Policy



