

ABERDEEN CITY COUNCIL

COMMITTEE	City Growth and Resources Committee
DATE	6 th June 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Charging Policy for Adult Social Care Services
REPORT NUMBER	-
CHIEF OFFICER	Sandra Ross
REPORT AUTHOR	Alison MacLeod
TERMS OF REFERENCE	Purpose 1

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval from the City Growth and Resources Committee to update the previously approved Charging Policy for Adult Social Care known as Contributing to Your Care as a result of recent legislative developments and review.

2. RECOMMENDATION(S)

That the City Growth and Resources Committee: -

- 2.1 approves the updates to the charging policy for adult social care services known as “Contributing to your Care and Support” and notes it will be implemented from 1st July 2019.

3. BACKGROUND

- 3.1 In June 2015 the Education and Children’s Services Committee of Aberdeen City Council approved a revised charging policy for adult social care entitled “Contributing to your care and support”. Following this approval, implementation of the policy stalled. Progress on developing the appropriate technical and procedural arrangements was interrupted as staff attention was diverted to the integration of health and social care.
- 3.2 At the point of integration, the authority to approve the charging policy for adult social care services was not delegated to the Integrated Joint Board. That authority remains with Aberdeen City Council.

- 3.3 Work on implementation was subsequently reinstated and initially a review of the revised policy was undertaken to check that it was still relevant. The review identified that there were two legislative changes that had occurred in the intervening period and that the policy would need to be updated to take these into account.
- 3.4 The legislative changes were the Carers (Waiving of Charges for Support) (Scotland) Amendment Regulations 2018 and the Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations 2018. The former regulations were introduced as a result of the Carers (Scotland) Act 2016 and state that any charge for support which is provided to an unpaid carer to meet the outcomes identified in an Adult Carers Support Plan must be waived. The latter regulations extend free personal care to anyone, regardless of age, who is assessed as requiring this. This is commonly known as Frank's Law. Previously free personal care was only available to those over 65.
- 3.5 In addition, recommendation xi. of the June 2015 report sought approval that "charges for Housing Support services in Sheltered and Very Sheltered Housing remain separate to this policy". The review of the revised policy identified that including Housing Support along with the other care and support charging would make the policy more complete, accessible and transparent providing a single reference source for all adult social care and support related charges.
- 3.6 Further, it has been identified that some individuals attending day services who are in receipt of the higher rate of Disability Living Allowance (HDLA) Mobility Component or equivalent Personal Independence Payment (PIP) are also accessing the free transport provided. Receipt of these allowances is to cover transport costs. The revised policy seeks to clarify that if individuals receiving these allowances choose to use the transport provided, a charge equivalent to the existing charge for Community Transport i.e. £3.10 per single journey and £5.00 per return journey will be levied.
- 3.7 At its budget setting meeting on 5th March 2019 Aberdeen City Council approved service income charges for 2019/20. Adult social care and support charges were included in this approval and these new rates are included in the updated policy.
- 3.8 COSLA issues guidance on charging for non-residential social care services. This is updated every year and provides guidance not only on what services are chargeable but also on the rates for personal allowances which form part of the financial assessment. The final revised policy for implementation includes the rates for 2019/20.
- 3.9 Changes have been made to the way the information contained in the policy is presented. An easy read version of the policy has also been developed for use with the client groups.
- 3.10 It is proposed that the Charging Policy is reviewed annually in line with the annual uplift negotiated for commissioned services and the annual review of the guidance in relation to charging produced by COSLA. This will also provide

further opportunity to review how and what we charge for and take cognisance of any further changes in policy and legislation. It is anticipated that an exemption from charging for Housing First customers will require to be included in the Charging Policy from 2020/21.

- 3.11 The technical and procedural arrangements required to implement the policy are well developed and will be in place to meet the planned implementation date of 1st July 2019. Our implementation plan is contained in Appendix b).

4. FINANCIAL IMPLICATIONS

- 4.1 Additional income has already been accounted for in the budget setting process. The legislative changes included in the policy mean that there will be reduced income from carers support and from personal care for under 65s however additional funding has been received as part of the budget settlement to offset this.

5. LEGAL IMPLICATIONS

- 5.1 The power to charge for some aspects of adult social care is based in statute, but there is no legal requirement to have a charging policy. Having this policy in place, however, allows ACC to manage the process and is recommended by COSLA guidance and best practice. The revised policy takes cognisance of the implementation of the Carers (Scotland) Act 2016 in April 2018 and Franks Law in April 2019.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	Reduced income from carers and personal care for under 65s	H	Additional funding to offset
Legal	None		
Employee	Staff are unaware of revisions to policy	H	Staff briefing and training sessions are included in the implementation plan
Customer	Customers do not understand the changes made.	H	Easy read communication developed for customers.
Environment	None		

Technology	CareFirst system unable to support policy implementation	L	Issue identified is around capacity rather than capability and this is being addressed by the identification of additional resources.
Reputational	None		

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	The proposals in this report have no impact on the LOIP/ TOM
Prosperous People	The proposals in this report have no impact on the LOIP/ TOM
Prosperous Place	The proposals in this report have no impact on the LOIP/ TOM'

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	Improving the personal experiences and outcomes of those who use our social care services is a key aim of the ACHSCP.
Workforce	Processes within the charging policy are designed to empower the workforce bringing structure and consistency to the way they do their job ultimately providing increased job satisfaction.
Technology	There are proposals to review the Financial Assessment process with a view to digitising this where possible to reduce the workload on staff and make it easier for customers.
Partnerships and Alliances	There are positive relationships between ACHSCP and ACC colleagues in Finance and Housing who have both been key to the development of the policy and this report.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	An EHRIA was provided to Education and Children's Services Committee when the first version of Contributing to Your Care was approved. The amendments to this version do not alter the fundamental principles of the approach and therefore a revised EHRIA is not required.
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	The implications of the Fairer Scotland Duty in respect of this report have been considered. The proposed approach is considered fair and not in breach of our duty.

9. BACKGROUND PAPERS

Report on Review of Social Work Non-Residential Charging Policy to Education and Children's Services Committee, 2 June 2015 and related Equality and Human Right Impact Assessment

10. APPENDICES

- a) ACHSCP draft Charging Policy for Adult Social Care Services – Contributing to Your Care and Support 2019; and
- b) Implementation Plan

11. REPORT AUTHOR CONTACT DETAILS

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