

# Family Services

# Charging Policy

August 2011

# Wakefield Family Services Charging Policy

## 1. Introduction

This policy sets out the framework for charging for a wide range of social services. The scope of the policy covers residential and non-residential services for older people, adults with learning disabilities, adults with physical disabilities and sensory impairment and mental health service users.

Income generated from this charging policy is reinvested to provide care services for people living in the Wakefield District.

## 2. Statement of Key Principles

### 2.1 The Family Services Charging Policy:

- ❑ is equitable and fair;
- ❑ has a simple charging calculation that takes account of ability to pay;
- ❑ ensures that a flat rate is only charged where the service received can be classed as an expense of normal daily living;
- ❑ charges for a package of care, taking overlaps into account;
- ❑ is consulted on with users, carers and stakeholders;
- ❑ has a clear framework for all types of service;
- ❑ has a simple, efficient, cost effective financial assessment and income collection process;
- ❑ has an effective formal appeals and review process in addition to the Directorate's complaints process;
- ❑ ensures that there is consistency in charging, applying the charging policy and collecting income.
- ❑ has a clear budget impact and service reinvestment payback;
- ❑ is benchmarked against our comparator group and other local authorities in the region.
- ❑ is in line with the Directorate's strategic aims and priorities;

## **2.2 Family Services will:**

- ❑ encourage and help service users to claim all the welfare benefits that they are entitled to receive;
- ❑ carry out a full assessment of service users' finances, taking into account relevant outgoings and disability related expenditure;
- ❑ ensure that the charges service users are asked to pay for non-residential services do not reduce their disposable income below the basic levels of Income Support plus a 25% buffer;
- ❑ ensure that service users know how to ask for their financial assessment to be reviewed or appeal against the charge they are asked to pay;
- ❑ collect payment for non-residential services via swipe cards or by Direct Debit wherever possible.

## **2.3 Family Services will not:**

- ❑ charge for services provided to carers under the Carers & Disabled Children Act 2000;
- ❑ charge service users for assessing their care needs;
- ❑ charge service users for providing advice about the services that are available;
- ❑ charge service users more than the full cost of providing their services;
- ❑ ask service users to pay any more than they can reasonably afford;
- ❑ stop providing services if a service user refuses to pay or appeals against their assessed charge.

### **3. Residential Services**

Residential care is currently provided in our own Elderly Persons' Homes, Resource Centres, Independent Sector Homes and by Adult Placement Carers on a long term, short term and respite basis. Short term and respite care is also accessed via Self Directed Support.

Residential services, arranged under s.21 of the National Assistance Act 1948 (as amended by the NHS and Community Care Act 1990), must be charged for according to the National Assistance (Assessment of Resources) Regulations 1992 (as amended) and the accompanying Charging for Residential Accommodation Guide (CRAG).

#### **3.1 Long Term Residential Care**

- If a service user has savings/capital assets in excess of the upper capital limit, they will be charged the full cost for their care.
- If a service user has savings/capital assets below the upper capital limit, a comprehensive financial assessment will be carried out to determine how much they will pay, leaving them with a weekly personal expenses allowance.

#### **3.2 Short Term and Respite Care (in residential care or a holiday setting)**

- If a service user has savings in excess of the upper capital limit, they will be charged the full cost for their care.
- If a service user has savings below the upper capital limit, a standard charge will be made for the first eight weeks of short term or respite care in any one financial year.
- After the first eight weeks, a comprehensive financial assessment will be carried out to determine how much they will pay, leaving them with a weekly personal expenses allowance.
- Where the service user's carer accompanies them on a respite break in residential care or a holiday setting, the service user's charge will be as detailed above, subject to a maximum of half the full cost of the respite break. If the respite break has also been identified as part of the carer's assessment, the carer will not be asked to contribute towards the cost of the break. The full cost of the respite break will be subject to a reasonable operational limit, and any costs in excess of this limit will have to be paid by the service user and/or their carer.
- A detailed financial assessment can be requested for the first eight weeks of respite in exceptional financial circumstances.

The financial assessment calculation, capital limits and personal expenses allowance are all reviewed annually by the Department of Health. Current capital limits, allowances and standard short term/respite charges are listed in Appendix A of this policy.

#### **3.3 Rehabilitation and Assessment**

No charge is made for short stays, of up to six weeks, to enable rehabilitation and assessment.

## **4. Non-Residential Services**

Non-residential services can be charged for under the discretionary powers given to local authorities by s17 of the Health and Social Services and Social Security Adjudications Act 1983 and the statutory guidance on charging policies defined in "Fairer Charging Policies for Home Care and other Non-residential Social Services".

Wakefield Social Services and Health implemented their original Home Care Charging Policy in 1996 and amended it in line with Fairer Charging in 2002.

### **4.1 Fairer Charging Financial Assessment**

Under the Wakefield Fairer Charging policy the charge to a service user is calculated as follows:

- Assessment of income against their basic Income Support/Pension Credit level plus a 25% buffer. If a service users' income is at or below this level, they will not be charged;
- Deduction of allowable outgoings;
- Application of flat rate Disability Related Expenditure disregard of £20;
- After the above has been applied all disposable income will be taken into account to calculate the service users maximum weekly charge.

The result is the assessed maximum weekly charge that the service user can afford to pay, rounded down to the nearest pound.

The amount they are actually charged is dependent on the number of hours of domiciliary care (at an hourly rate) and/or day care sessions (at a flat rate) and/or the cost of support services that they receive. The service user is then charged the **lower** of the actual charge (based on service received) and their assessed maximum weekly charge.

If a service user has savings in excess of the upper capital limit, or chooses not to provide details of their finances they will be charged fully for the services they receive

### **4.2 Non-Residential Services charged for under Fairer Charging**

- Home Care (hourly rate)
- Night Sitting (hourly rate)
- Supporting People Services (hourly rate)
- Day Care (sessional rate)
- Supported Day Activities (sessional rate)

### **4.3 Other Non-Residential Services**

Meals and transport are considered to be normal living expenses and will be charged at flat rates, in addition to the charge made for services under the Fairer Charging policy.

Rates and charges for non-residential services will be increased each year. Current rates and charges are listed in Appendix A of this policy.

## **5. Appeals Process**

### **Financial Assessment Review**

Where a service user is unhappy with the amount that they have been charged they can appeal against the charge. They will then be asked to confirm all their financial details, as the financial assessment will be completely carried out again by a more senior financial assessment officer.

### **Stage One**

If the service user is still unhappy following a financial assessment review of the appeals process, their representation will be referred to an appropriate manager with relevant technical expertise from another Service Area. They will carry out the financial assessment again and confirm or overturn the charging decision made by Family Services.

### **Stage Two**

If the service user is still unhappy following Stage One of the appeals process, they can appeal. This is then reviewed by an independent panel who make recommendations to the Corporate Director for Family Services, whose decision will be final.

2010/11 RATES & CHARGES

**Residential Services**

Upper Capital Limit	Financial Assessment (Residential Care)	£23,250
Personal Expenses Allowance	Financial Assessment (Residential Care)	£22.30 per week
Residential Care – Long Term	Financial Assessment (Residential Care)	As assessed, subject to a maximum (the full cost of the placement)
Residential Care – Short Term & Respite up to 8 weeks (Older People)	Standard Charge	£96.02 per week* *subject to capital below the upper limit
Residential Care – Short Term & Respite up to 8 weeks (Adults 25-64)	Standard Charge	£76.31 per week* *subject to capital below the upper limit
Residential Care – Short Term & Respite up to 8 weeks (Adults 18-24)	Standard Charge	£69.74 per week* *subject to capital below the upper limit

**Non-Residential Services**

Disability Related Expenditure Disregard	Financial Assessment (*Fairer Charging)	£20 per week
Council's Maximum Weekly Charge	Financial Assessment (*Fairer Charging)	Maximum charge capped at £402 per week
Final Disregard of Chargeable Income	Financial Assessment (*Fairer Charging)	0%
Home Care Service	Financial Assessment (*Fairer Charging)	£10.45 per hour
Day Care Service	Financial Assessment (*Fairer Charging)	£6.00 per session
Supporting People Service	Financial Assessment (*Fairer Charging)	£10.45 per hour

Transport	Flat Rate	£1.00 per journey
Community Meals – Hot	Flat Rate	£3.80 per meal
Community Meals – Frozen	Flat Rate	£2.70 per meal
Blue Badges	Flat Rate	£2 per badge

\* Fairer Charging ensures that a service user is not charged more than they can reasonably afford to pay, irrespective of the amount of service received.