



## CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

<b>Decision Ref. No:</b>
<b>Responsible Officer:</b>  Anne Humphries, Joint Service Manager, Specialist Services, Adult Social Care David Vitty – Service Director, Adult Social Care
<b>Subject:</b>  To modernise the Adult Social Care charging policy, specifically to: a. Change the council set charging rate for service users to attend day services, including the cost of the transport to attend the day services. b. Change how Adult Social Care applies "Disability Related Expenses" when carrying out a financial assessment of a service user's ability to contribute towards the cost of their care.
<b>Decision taken:</b>  <u>Transport</u> To increase the cost of transport from £7.97 to £10.49 per journey, this is the actual cost of the service to Bournemouth Borough Council and, it is felt, be the charge levied on people who are assessed as able to afford to pay this.  <u>Day Service Attendance</u> To introduce a single rate for attending a day service; the proposed rate is £35 a session, which would be £70 a full day. This figure is based on the actual cost of providing the service to the current service users that attend the services. The current banding system does not reflect the full cost of operating day centre sessions, where unit cost depends on the overall staffing establishment and operational overheads rather than the levels of need that individuals may have.  <u>Disability Related Expenses</u> A number of allowances for Disability Related Expenditure which are currently automatically taken into account when determining what an individual can pay towards their care are no longer routinely applied but considered only on an exceptional basis, specifically: a. Gas and Electricity will usually only be a recognised expenditure when the cost relates to extra heating above normal usage b. Chiropody will be replaced with non-NHS Chiropody c. Gardening will only be a recognised expenditure on a discretionary case by case basis d. Medical charges will be replaced with prescription charges only e. Cleaning products will only be a recognised expenditure on a discretionary case by case basis f. Incontinence products will only be a recognised expenditure on a discretionary case by case basis

- g. Manual wheelchair costs will only be a recognised expenditure on a discretionary case by case basis
  - h. Powered wheelchair costs will only be a recognised expenditure on a discretionary case by case basis
  - i. Remove private home help (Domestic)
  - j. Stair lift maintenance will only be a recognised expenditure on a discretionary case by case basis
  - k. Transport costs, will be replaced by transport costs to visit spouse in a care home only
- It is recognised that service users will have unique personal and financial situations and consequently discretion will be applied for exceptional circumstances.

**Reasons for the decision:**

Adult Social Care is facing an unprecedented increase in demand for services as people with care and support needs are not only ageing, but living with complex and multiple disabilities. The cost of providing care is also increasing because of issues such as the rise in the National Living Wage. Behind these specific costs for adult social care, the Council is anticipating a reduction in devolved funding of £4m for 2018/19 and a further reduction of £3.5m for 2019/20 at a time when it is also necessary to respond to a £7.5m budget pressure for 2018/19. To sustain affordable care services for local residents with mental illness, physical disability, frailty or learning disability it is important for adult social care to operate a fair charging policy which achieves a level of income that can be used to contribute towards the growing cost of adult social care and in doing so, support the management of Council-wide budget pressures.

The charging arrangements for day services, transport and “Disability Related Expenses” have not changed since 2012 and consequently a number of updates are required to ensure the policy is modernised, consistent with other local authorities, including those neighbouring Bournemouth and maximises the income that helps to protect front-line care services.

**Call-in and Urgency:**

This decision is subject to the Council's Call-In procedure.

**Background:**

5a)Transport: Bournemouth Borough Council’s charges for transport to attend a day service are currently lower than the actual cost to the Council. This means the Council subsidises the cost of the services in cases where people could afford to pay more themselves

5b)Day Service Attendance: Bournemouth Borough Council has three rates for attending a day service, low, medium and high; with the charge based per session, which is up to 3.5 hours:

NEED	SESSIONAL RATE	DAY RATE
Low Needs	£20.00	£40.00
Medium Needs	£26.00	£52.00
High Needs	£37.00	£74.00

5c)Disability Related Expenses: Where a person has applied to the Council for help towards the cost of their care, a financial assessment will be undertaken to determine how much the person can afford to contribute towards the cost and how much the Council will pay. The charging policy

determines an individual's living costs and must ensure they have enough money to meet these costs. This minimum income guarantee is set out in the Care and Support (Charging and Assessment of Resources) Regulation 2014. In addition to living costs, the financial assessment process ensures that individuals also retain, before a charge is applied, sufficient money to cover any necessary expenses related to their disability which would not otherwise be provided by the local authority. This is called Disability Related Expenditure (DRE). Bournemouth Borough Council has historically been making a DRE allowance for items that are routinely met by the NHS such as wheelchair provision or supplies of continence products or for tasks such as gardening or cleaning which, given the financial pressures on adult social care, are felt to be beyond the means of the Council to support.

#### **Options - and reasons for rejection:**

This proposal was widely debated at overview and Scrutiny on 22 March 2018. Options considered would be to not go ahead with the proposal or to only go ahead with part of the proposal.

However this were rejected largely because of the need for Bournemouth Borough to meet necessary cost savings.

#### **Consultations undertaken:**

An eight week consultation period was undertaken in autumn 2017 and was designed to understand whether service users and Bournemouth residents felt the proposed changes were fair and to determine what their impact would be.

All users of day centres and day centre transport had the opportunity to share their views

A letter, consultation document, questionnaire and freepost reply envelope was sent to 280 service users inviting them to have their say. Of those consulted, 102 were identified as having a learning disability for whom Easy Read documentation was made available.

In addition to questionnaires, six drop in events were organised which gave an opportunity for people to ask Council staff questions about the proposal and find out how the proposed changes would effect them.

DOTs disability, a voluntary sector organisation, were commissioned to undertake a qualitative discussion group in relation to the proposed charges and Help and Care were asked to offer comments on the consultation process.

#### **Consultation – summary of results**

29% of service users/carers that responded agreed that it is reasonable for the local authority to increase transport costs to the service user to reflect the actual cost. When considering the residents' panel this increased to 69%.

32% of service users/carers agreed that the proposal to change day centre attendance charges was reasonable compared with 63% of the residents' panel.

The results for disability related expenses show 26% of service users/carers agreeing with the proposal to change the way disability related expenses are applied and 53% of the residents panel agree with the proposal.

Table 3 summarises the consultation findings. The full consultation results are available at:  
<https://www.bournemouth.gov.uk/councildemocratic/GetInvolvedHaveyoursay/ConsultationTracker/Consultations/adult-social-care-consultations.aspx>

<b>Proposal – transport costs</b>	<b>Agree or strongly agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree or strongly disagree</b>
<b>To what extent do you agree or disagree that the proposal to increase transport costs to reflect actual cost to the Council is reasonable</b>			
Service users/carers (N=63)	29%	27%	45%
Residents (E-panel) N=286	69%	13%	18%
<b>Impact</b>	<b>A lot</b>	<b>A little</b>	<b>Not at all</b>
<b>To what extent do you think that the proposal to increase transport costs will have an impact you/your family?</b>			
Service users/carers (N=47)	40%	34%	26%
Residents (E-panel) N=121	7%	15%	78%
<b>Proposal – day centre</b>			
<b>Proposal – day centre</b>	<b>Agree or strongly agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree or strongly disagree</b>
<b>To what extent do you agree or disagree that the proposal to introduce a single rate for attending a centre which reflects the actual cost of providing the service is reasonable?</b>			
Service users/carers (N=59)	32%	36%	32%
Residents (E-panel) N=280	63%	17%	21%
<b>Impact</b>	<b>A lot</b>	<b>A little</b>	<b>Not at all</b>
<b>To what extent do you think that the proposal to introduce a single rate for attending a day centre have an impact on you/your family?</b>			

Service users/carers (N=42)	38%	50%	12%
Residents (E-panel) N=112	5%	6%	89%
<b>Proposal - DRE</b>			
	Agree or strongly agree	Neither agree nor disagree	Disagree or strongly disagree
To what extent do you agree or disagree that the proposal to change the way we apply Disability Related Expenses is reasonable			
Service users/carers (N=275)	26%	31%	43%
DRE Service users (N=152)	23%	25%	52%
Residents (E-panel) N=300	53%	19%	28%
<b>Impact</b>	A lot	A little	Not at all
To what extent do you think that the proposal to change the way we apply Disability Related Expenses will have an impact on you/your family?			
Service users/carers (N=190)	50%	34%	16%
DRE Service users (N=112)	61%	33%	6%
Residents (E-panel) N=143	10%	20%	70%

**Table 3: Summary of Consultation Findings**

The results of the consultation have been carefully considered and discussed (at overview and Scrutiny) with regards the likely impact. In light of the responses it has been concluded that on balance the advantages in terms of income to support services outweighs other impacts; and so an informed decision has been made.

**Finance/Resource Implications:**

The implementation costs involve the re-assessment of service user's ability to contribute and operating a telephone helpline. These costs will be met within the existing resources of the Adult Social Care finance team.

Income assumptions are indicative because the cohort of service users is continuously changing, making an accurate projection of the additional income challenging. Additional income of £300,000 has been assumed for the DRE changes, The Medium Term Financial Plan already reflects the additional income for £300,000 relating to DRE (£100,000 added in 2017/18 and £200,000 2018/19). In addition it is anticipated that further £40,000 for transport charge changes and £55,000 for additional day centre charges can be achieved

It will be necessary, should implementation proceed, for service users to have an individual review of their financial contribution and a determination of any exceptional circumstances which influence the DRE that is applied. It will not be until this process is fully undertaken will the full level of additional income be understood.

Name: ADAM RICHENS

Signature: (of Chief Finance Officer)

Date:

23/5/18

#### Legal implications:

The guidance accompanying the Care Act 2014 requires a local authority to take disability related expenses into account when determining the amount an individual can afford to pay towards their care costs. The guidance is clear that the care plan will assist in determining what is a reasonable disability related expense for individual circumstances and that flexibility and discretion are important when making a final and individualised decision.

The requirement for consultation on the proposals with service users and the public has been met and is detailed above. Consideration was given to the outcome of the consultation, and a rational balancing exercise undertaken to weigh up the benefits of the change in terms of enabling services to continue to be funded and supported, as against the impact on some individual service users of the proposed changes.

Name: TANYA COULTER

Signature: (of Monitoring Officer)

Date:

23/05/18

#### Risk assessment:

There is a risk that some service users may choose to no longer access services or to reduce the level of service they receive. Arrangements will, however, always be made to ensure people at risk of harm are protected and that changes in care packages are reviewed.

#### Help for those affected

In order to mitigate the impact of the proposed changes and to respond to some of the concerns raised by service users during the consultation, a number of mitigating actions are proposed.

#### Before implementation -

Financial assessment officers will be trained to explain clearly to service users how the DRE process works. Written material explaining DRE, including in easy-read format, will be available for service users.

#### During implementation -

- a. Reviewing and updating all financial assessments, with face-to-face meetings available.
- b. Whilst undertaking a financial assessment, ensure all benefits that someone is entitled to, have been claimed
- c. For those with capital above the threshold, a referral can be made to Department for Work and Pensions for a benefits check
- d. Telephone helpline (during the implementation period)
- e. Waiver process for cases of assessed financial hardship.
- f. Signposting to voluntary sector financial support services where required
- g. Consideration of a longer notice period before any increased charges are implemented.

Service users will be notified individually about how they will be affected should the policy change proceed. The Financial Assessment & Benefits team within Adult Social Care will work with individuals affected by the changes and will provide information and advice where needed.

For those people who choose to reduce their services when the new charges are introduced, we will offer a follow up call 6 months later to review their current circumstances.

The principle of individual and personalised financial assessments will continue, with no service user being asked to pay more than they can afford towards the cost of their care.

Name: A. HUMPHRIES Signature: (of Officer completing assessment)

Date: 24/05/2018

**Impact Assessments:**

Minimal environmental impact, with assessment carried out.

The policy for fairer charging does not target any particular disability, age group or individuals with protected characteristics. The contribution is based entirely on the cost of care received and a person's ability to contribute towards those costs and is not seen as disadvantaging any particular group because of these protected characteristics.

Demographically, more older women than older men access services because of a longer life expectancy, and so the changes proposed would affect a higher number of women, but the equality of application would mean that individual female service users were not disadvantaged for reasons of gender.

**Information for/not for publication:**

It would be in the public's interest for this decision record to be published as it has an impact on some members of the public

**Background papers:**

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer

Yes/No* (*Delete as appropriate)			
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**Decision taken by:**

Councillor

...Crawford.....

(Print name) Cabinet Portfolio

.....ADULT SOCIAL CARE.....

Signed: 

Date of decision: 29/5/18.

Date of publication of record of decision: (to be inserted by Democratic Services)

29/5/18

Date decision effective – that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel: (inset date)