



**ANGUS HEALTH AND SOCIAL CARE PARTNERSHIP**

**INTEGRATION JOINT BOARD – 11 DECEMBER 2019**

**POLICY ON CHARGES APPLYING TO NON-RESIDENTIAL SOCIAL CARE SERVICES**

**REPORT BY VICKY IRONS, CHIEF OFFICER**

**ABSTRACT**

The purpose of this report is to consider recommending to Angus Council that it adopt two policies in relation to charges applying to non-residential social care services.

**1. RECOMMENDATIONS**

It is recommended that the Integration Joint Board recommend to Angus Council that the Council:-

- (i) Agree the recommendations contained within, and adopt as policy, the COSLA National Strategy and Guidance on Charges Applying to Non-residential Social Care Services 2019/20 available at [https://www.cosla.gov.uk/sites/default/files/documents/non-residential\\_social\\_care\\_charging\\_guidance\\_2019\\_20.pdf](https://www.cosla.gov.uk/sites/default/files/documents/non-residential_social_care_charging_guidance_2019_20.pdf); and
- (ii) Agree to adopt as policy the Contributions Policy annexed as an Appendix to this report which implements and supplements locally the Strategy and Guidance referred to in (i) above.

**2. REPORT**

2.1 Section 87 of the Social Work (Scotland) Act 1968 permits a local authority providing social care services under that Act or under other defined legislation to recover such charges as they consider reasonable. Charges for relevant residential accommodation are regulated by the National Assistance Act 1948.

2.2 Given the above, a local authority has a degree of discretion in the way it charges for non-residential social care services. Scottish Government Guidance has been issued to local authorities to assist them in determining charging policies. In addition, and since 2002, COSLA has regularly produced and updated a National Strategy and Guidance in relation to Charges Applying to Non-residential Social Care Services. A copy of the COSLA National Strategy and Guidance on Charges Applying to Non-residential Social Care Services 2019/20 can be found here:-

[https://www.cosla.gov.uk/sites/default/files/documents/non-residential\\_social\\_care\\_charging\\_guidance\\_2019\\_20.pdf](https://www.cosla.gov.uk/sites/default/files/documents/non-residential_social_care_charging_guidance_2019_20.pdf)

2.3 The Public Bodies (Joint Working) (Scotland) Act 2014 required local authorities to delegate their social care functions to their local IJB. However, the function of determining charges for non-residential accommodation services was not delegated to the IJB and remains with Angus Council. Staff of the Angus Health and Social Care Partnership are responsible for implementing charging policies in practice.

2.4 Angus Council have always charged for non-residential social care services. It's policies have not been consolidated and have been based largely on the COSLA Strategy and Guidance referred to above. Work has been undertaken to consolidate the Council's local policies which implement and supplement the COSLA Strategy and Guidance. A copy of the consolidated draft Contributions Policy is attached as an Appendix to this report.

- 2.6 Given the above, it is submitted and recommended that the Board recommend to Angus Council that the Council:-
- (i) Agree the recommendations contained within, and adopt as policy, the most current COSLA National Strategy and Guidance on Charges Applying to Non-residential Social Care Services; and
  - (ii) Agree to adopt as policy the Contributions Policy annexed as an Appendix to this report which implements and supplements locally the Strategy and Guidance referred to in (i) above and annexed as an Appendix to this report.
- 2.7 If the Board agrees the recommendations and Angus Council agrees to adopt the policies referred to above then these policies will be reviewed regularly to ensure that they remain consistent with legislative requirements, national developments and local policy. In addition these documents will be made available to the public on the Council's and the Health and Social Care Partnership's websites.

### 3. CONCLUSION

It is submitted that the adopting the proposed policies will make the Council's policies more coherent and transparent and provide clarity to service users, their carers and families, care managers and other staff involved in the provision of social care services.

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Appendix – Contributions Policy