

# Angus Council and Angus Health & Social Care Partnership

## Contribution Policy Non-residential care & support

## 1. Introduction

This is the Contribution Policy of Angus Council / Angus Health and Social Care Partnership for support and care at home. It explains how we will determine how much a person may have to pay towards the cost of their support package.

The policy is intended to help supported people, families and carers, as well as staff and providers, to understand how the Council will calculate the contribution that a person may have to pay.

The policy also describes the principles on which the Contribution Policy is based, and the types of support that the policy covers.

In addition, the policy explains the financial assessment process used to determine individual contributions, and how these contributions are calculated, including the income and allowances that are taken into account. It further sets out how people can appeal the amount they contribute if they deem that this will cause them exceptional financial hardship, and where and how information on the contribution policy and the processes involved can be found.

This policy does not apply to permanent admissions to a care home where charging is governed by The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2012 with guidance provided by the Scottish Government's Charges for Residential Accommodation Guidance (CRAG).

## 2. Principles on which the Contribution Policy is based

In assessing the contribution and determining how much a person will pay, the Council is committed to adhering to the following principles:-

- (a) A fair cost of care – a person will not be charged more than the cost of the support that is provided
- (b) A commitment to equity – all supported people will be treated fairly
- (c) A commitment to transparency – supported people will know how and why they are being asked to pay a contribution
- (d) Ability to pay - supported people will contribute towards the cost of their support based on their income, expenditure, capital and assets

- (e) A commitment to full compliance with national guidance and legislation.

This Policy will be reviewed by Angus Council and the Angus Health and Social Care Partnership on an annual basis.

### **3. Supports or Services which are non-chargeable**

Not all services provided to support people at home are subject to a contribution. In Angus services which cannot be charged for are as follows:

1. Support for children under 18 years of age
2. Looked after children up to the age of 21 years
3. Personal care provision (any age group)
4. Support for unpaid carers following an assessment of their needs
5. Criminal Justice social work services
6. Information, advice and signposting
7. Palliative and End of Life Care where a GP has issued a DS1500 form for benefit purposes
8. Laundry services for people who have severe incontinence and have no access to laundry washing facilities
9. Volunteer Transport
10. Support to people who are detained in hospital, or on a community based treatment order, under the Mental Health Care and Treatment (Scotland) Act 2003, provided that this is detailed in the person's care, treatment and/or support plan.

### **4. Flat Rate Charges**

Some supports and services are charged at a flat rate and are therefore out with the scope of this contribution policy. These are listed in Appendix 1.

### **5. What is a Contribution?**

A contribution is a payment by the supported person towards some or all of their support and care package. This may be for housing support, activity based resource centres, socialisation and community based activities, and day care centres. A list of what constitutes personal care (which is exempt in law from charging) can be found at Appendix 2.

#### **5.1 How does it work?**

Everyone assessed as being eligible for support and care is offered a financial assessment to determine how much they can afford to pay towards the cost of the support that they receive. Where an individual declines to complete a financial assessment they will be required to meet the full cost of their support

package.

The contribution will be payable when the support and care package has been arranged and a start date agreed.

The contribution is payable for 52 weeks of the year by direct debit or invoice where the person does not have a bank account.

The amount of contribution payable can change when there is a change in the support that the person receives or the person's income increases or decreases.

## **5.2 Ending the contribution**

The contribution will end in the following circumstances:

1. The support and care package ends completely,
2. The financial circumstances of the person have fallen below the threshold,
3. The person moves out of the local authority area,
4. The person moves into permanent residential care,
5. A DS1500 is issued by the person's GP for benefit purposes,
6. The death of the supported person.

**Note:** To ensure that the contribution is not collected after the agreed end date, relevant notice periods are required to be given to the provider of the support. Where the provider of the support continues to invoice the Council for the support due to failure to provide sufficient notice, the contribution will continue to be payable by the person to the Council.

## **5.3 Suspension of chargeable services**

Where a person is admitted to hospital for a short term stay, their support and care package will remain open for up to 14 days; a contribution may still be payable against this package during the hospital stay.

## **5.4 How will the contribution be determined?**

The person's contribution towards the cost of their support and care is based on their income and capital (including assumed income from capital), less any allowances as described in the COSLA guidance.

There are disregards for rent, service charges, mortgage, water and sewerage charges, and for council tax. The balance of the income is referred to as "available funds" or sometimes "disposable income". This information is

gathered from the financial assessment.

Once all of the income details are provided and verified the contribution is calculated based on a “percentage taper”. This means that the maximum contribution is determined by a percentage of the person’s available funds.

The taper amount is set by Angus Council and Angus Health and Social Care Partnership each year. For the current year’s taper amount please see Appendix 3.

Everyone who completes a financial assessment is required to provide evidence of their income in the form of bank or other financial statements, benefit award letters, share certificates etc.

The person will be advised in writing how much their contribution is to be and will receive a copy of the calculation sheet.

If the financial assessment is completed after the support package has begun, the contribution will be backdated to the date the person first received services.

### **5.5 Updating the Financial Assessment**

If there are changes in a person’s circumstances that may affect the current financial assessment, increases or reductions in income or expenditure, it is essential that a reassessment is carried out and that the financial assessment team is informed. Failure to do this may result in a person being liable to pay a backdated contribution. Supported people must inform either the case holder or the financial assessment team of any change in their circumstances which might affect their financial assessment.

If it is discovered that an incorrect financial assessment has led to someone paying too much or too little, a new financial assessment will be carried out and the correct amount will be applied going forward.

### **5.6 Calculating the contribution**

In line with COSLA Guidance, the amount a person has to contribute should be set at a threshold according to their ability to pay. A person’s ability to pay does not affect the provision of their support, which is based on assessed need.

The thresholds are set by COSLA and are reviewed each year. For the current financial year amounts please see Appendix 3.

The set threshold is expected to cover a person’s normal living expenses such as food, utilities, clothing, insurance, most travel, and household costs. Some other costs are offset against income (e.g. housing / rent / Council Tax costs

not covered by benefits, and contributions to Independent Living Fund) as are some exceptional costs where they are a result of a person's disability, such as exceptionally high heating or laundry costs, and clothing replacement.

Where a person's income is calculated at less than the set thresholds, there will be no contribution payable.

### **5.7 Capital and savings**

Any capital and savings that a person has are considered in the calculation to determine what the contribution might be.

Capital includes any savings, investments or property owned by the person, but not the person's main residence.

Capital up to £10,000 is disregarded for people under pension age and above pension age.

A tariff income will be assumed of £1 per week for every £500 of capital over the threshold limits and this will be included in the calculation. This means that people will be asked to contribute £1 per week for every £500, or part thereof, that they have in savings or assets.

For example: capital of £11,500 is recorded on the financial assessment form. £10,000 of that will be disregarded and £1,500 will be taken into account. A weekly income of £3 would then be assumed and included in the calculation towards the contribution.

Where someone has been awarded a compensation payment as a result of personal injury (whether as a result of a court judgment or by out-of-court settlement) and in respect of anticipated future care costs, this will be taken into account as capital when calculating the contribution. This will also include compensation payments held in trust.

An example of how a person's contribution is calculated is included in Appendix 4.

### **5.8 Income Disregarded**

Certain types of income will not be taken into account when assessing a person's ability to make a contribution; this is known as a "disregard". A list of these can be found at appendix 5.

### **5.9 Hardship/Exemptions**

If paying a contribution towards the cost of the support and care package causes extreme financial hardship or poverty for the supported person, she/he can ask for her/his circumstances to be considered by the Head of Community

Health and Care Services for the Angus Health and Social Care Partnership.

Where a person's circumstances change, and they become less able or unable to make the contribution, this will be considered at a review and the contribution adjusted following further assessment.

## **6. Appeals Process**

An appeal can be made against the contribution that is required to be paid towards the cost of an individual's support and care package. Any appeals will be considered by the Head of Community Health and Care Services.

## **7. Debt Recovery**

Debt recovery is managed by Angus Council on behalf of the Angus Health and Social Care Partnership. Angus Council has the legal power to pursue all contributions which are not paid by people assessed as being able to pay.

## **Appendix 1**

### **Flat Rate Charges**

Community Meals Service:-

1. Hot meal at lunch time charged per day.
2. Sandwich tea charged per day (delivered at lunchtime).

Community Alarm Service:-

1. Community alarm equipment weekly hire charge.
2. Telecare equipment from the Community Alarm Service weekly hire charge.

## **Appendix 2**

### **Personal Care**

Support provided for the personal hygiene of the person cared for such as:

- a) Shaving;
- b) Cleaning teeth (whether or not they are artificial) by means of a brush or dental floss and (in the case of artificial teeth) by means of soaking;
- c) Providing assistance in rinsing the mouth;
- d) Keeping finger nails and toe nails trimmed;
- e) Assisting the person with going to the toilet or with using a bedpan or other receptacle;
- f) where the person is fitted with a catheter or stoma, providing such assistance as is requisite to ensure cleanliness and that the skin is kept in a favourable hygienic condition;
- g) Where the person is incontinent;
  - I. the consequential making of the person's bed and consequential changing and laundering of the person's bedding and clothing; and
  - II. caring for the person's skin to ensure that it is not adversely affected.

Eating requirements, the preparation of, or the provision of any assistance with the preparation of, the person's food including (without prejudice to that generality):

- a) defrosting, washing, peeling, cutting, chopping, pureeing, mixing or combining, cooking, heating or re-heating, or otherwise preparing food or ingredients;
- b) cooking, heating or re-heating pre-prepared fresh or frozen food;
- c) portioning or serving food;



- d) cutting up, pureeing or otherwise processing food to assist with eating it;
- e) advising on food preparation; and
- f) assisting in the fulfilment of special dietary needs.

### **Appendix 3**

#### **COSLA Guidance Thresholds 2021/22\***

Minimum income thresholds are recommended to ensure that people are not asked to contribute towards the cost of their support and care package where their weekly income is below the level for their status and age. A person will not make a contribution if their income is less than these amounts.

<b>Personal Status</b>	<b>Description</b>	<b>Age</b>	<b>Income/Week</b>
Single Person	Minimum Income thresholds	for those under 60YRS	£138.00
		for those over 60YRS	£222.00
Couples		for those under 60YRS	£210.00
		for those over 60YRS	£338.00
<b>Income</b>			
Capital above £10,000	Income from capital over £10,000 is assumed as £1 for every £500 over £10,000	above pension age below pension age	£1/£500 £1/£500
Compensation Payments	Where awarded for the future cost of support and care needs, this is considered as income and taken into account when calculating capital above £10,000.	Above pension age and below pension	As above.

**\*These thresholds are set by COSLA annually and are up-rated each year.**

Taper Rate This rate is set by Angus Council and Angus Health and Social Care Partnership and is reviewed and	% of a person's available funds or disposable income that is used to calculate how	Above pension age and below pension age	75%
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approved annually.	much income is taken into account towards the maximum contribution.		
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## **Appendix 4**

### **How do we calculate the contribution?**

- We ask what your income is.
- We compare your income to the threshold amounts. From this, we establish what income you have available to contribute towards your support package.
- We then work out your maximum weekly contribution based on the taper rate of any excess income.

### **Example 1:**

Mrs Smith is 67 years of age, she has been severely disabled following a stroke, a social work needs assessment has identified that she is eligible for support with her personal care 7 days per week and housing support to help her maintain her home, and some socialisation 2 days per week.

She has an income of £270.00 per week.

Total Income	£270.00
Weekly disregarded amount	<u>£222.00</u>
Available funds	£ 48.00
% Taper	<u>X 75%</u>
<b>Maximum Contribution amount</b>	<b><u>£ 36.00</u></b>

Mrs Smith can pay up to **£36.00** towards the cost of any support and care she receives.

She will **not** pay towards the cost of her personal care.

Her housing support and socialisation support costs £36.68 per week, Mrs Smith will be required to contribute **£36.00** per week towards the cost of this support. (Based on Option 2 hourly rate)

If the support costs £55.02 per week, Mrs Smith would be required to contribute **£36.00** per week towards this as this is her maximum amount based on current

circumstances.

**Example 2:**

Mr. Thompson, lives with his wife. She has no support needs and does not require an adult assessment. However, as they are a couple both of their income is considered jointly towards calculating the contribution to be paid for Mr. Thompson's support package. See their joint income and calculations in the table below. Following this financial assessment Mr Thompson's contribution towards the cost of his support package is £171.73 per week.

<b>Income</b>	<b>£</b>
State Pension	
Pension Credit Guarantee	
Pension Credit Savings	
Attendance Allowance	
PIP daily Living	89.60
Severe Disablement Allowance	
Industrial Injuries Disablement	
Industrial death Benefit	
Employment Support Allowance	397.20
Income Support	
Universal Credit	
War Widows/War Pension	
Carer's Allowance	
Job Seekers Allowance	
Child Benefit/Child Tax Credit	
Occupational Pension	
Earnings	
Tariff - Capital (£1 for every £500)	
PIP Mobility (not included in the assessment)	125.10
<b>TOTAL</b>	<b>£611.90</b>

<b>Allowable Expenditure/Disregards</b>	<b>£</b>
Rent/Mortgage	10.38
Council Tax	7.85
Earnings Disregard - £20	
Child Benefits	
PIP DL/DLA CARE/AA (disregard if higher rate in payment £89.60-£60.00 = £29.60)	125.10
	29.60
Threshold - Couple under 60	210.00
<b>TOTAL</b>	<b>£382.93</b>

	<b>£</b>
<b>Income</b>	£611.90
<b>less Expenditure/Disregards</b>	£382.93
<b>Total</b>	£228.97
<b>x 75%</b>	£171.73
<b>Available Funds</b>	<b>£171.73</b>

Mr Thompson is in receipt of 10 hrs personal care per week, there is **no** contribution towards this element. He also receives 5 hours per week of housing support, this costs **£91.70** per week. Mr Thompson will be required to contribute **£91.70** towards his support and care package.

## Appendix 5

Disregarded income/benefits list:-

Adoption (Scotland) Act 1978 (section 51A) Payments
Age-Related payments Act 2004 Payments
Armed Forces Compensation Scheme
Armed Forces Independence Payment
Backdated Benefits
Bereavement Payment
Budgeting Loan
Capital – various different levels of disregard
Certain payments made to trainees
Charitable and special funds
Child Benefit
Child related premiums paid to pre April 2003 Income Support Claimant

Child Support Maintenance Payments
Child Tax Credits
Children's Benefits
Christmas bonus
Christmas Bonus paid with benefits
Cold Weather Payments
Concessionary Coal payments
Council Tax Benefit / Council Tax Reduction
Difference between higher and lower rate of Attendance Allowance and higher and middle rate of DLA care when the person is not receiving night-time services
Difference between enhanced and standard rate of Personal Independence Payment (Daily Living Component) when the person is not receiving night-time services
Direct Payments made by a local authority under Section 12B of the Social Work (Scotland) Act 1968 to Individuals in respect of a care service that they or a dependent child have been assessed as requiring
Disability Living Allowance (Mobility component)
Disability payment in respect of child
Discretionary Housing Payments
Far East Prisoner of War payment
Gallantry Awards (e.g. GC, VC, similar from abroad)
Guardian's Allowance
Housing Benefit
Income in kind
Independent Living Fund Payments
Kinship Care payments
Personal Independence Payment (Mobility Component)
Personal property, such as household goods, family car etc.
Scottish Welfare Fund – Community Care Grants
Scottish Welfare Fund – Crisis Grants
Social Fund payments
Student Loan Repayment
Sure Start Maternity Grant
The Macfarlane Trust
The value of any ex-gratia payments from the Skipton Fund to people infected with Hepatitis C as a result of NHS treatment with blood or blood products
Victoria Cross/Japanese Prisoner of War Payments
Victoria or George Cross payments
War Pensioner's Mobility Supplement;

War Widow(er)'s supplementary pension
War Widow's Pension (but not War Widows' Special Payments).
War Widows Pension (pre 1973)
War widows special victims awards
War Widows/Widowers Pension and War Disablement Pension.
War Widows' Special Payments
Where the Service User is a student, any grant payment for a public source intended for the childcare costs of a child dependent
Winter Fuel Payments
Work expenses paid by employer, and expenses paid to voluntary workers Earnings disregard of £20.00 per week.

## Appendix 6 Glossary

### Definitions

Below is a list of terms used within the Contribution Policy and their definitions:

#### **Supported Person (Person)**

Any individual who, following an assessment of need requires a package of support and care to meet those needs.

#### **Unpaid Carer (Carer)**

An adult carer or young carer who, following an assessment of need requires a package of support and care to meet those needs.

#### **Convention of Scottish Local Authorities (COSLA)**

The organisation responsible for issuing national guidance on non-residential social care support charges in Scotland.

#### **Angus Council / Angus Health and Social Care Partnership (AHSCP)**

The Local Authority retains the statutory duty for the assessment of need but, for adults, this is delegated to the AHSCP. Support is identified to meet the needs following the assessment.

#### **Financial Assessment**

A calculation based on a person's income, capital and expenditure to determine the contribution they may make towards their support and care package.

#### **Contribution**

The amount of money that a person may be asked to pay towards their support and care package.

#### **Personal Care**

Care of the person relating to a physical task such as washing, dressing, eating and the prompting and reminding of those tasks. The full list can be

found at Appendix 1.

### **Non-Personal Care**

Support to assist you to live as independently as possible. Examples include support with household tasks, budgeting, menu/meal planning, shopping, being included in your community and socialisation.

## **Appendix 7**

### **Contact details and useful links**

Please contact Angus Council Financial Assessment Team to discuss the financial assessment process, any changes in your financial circumstances or for information on how your available funds were calculated.

Telephone Number: - 03452 777 778

E-mail:- [revenquiry@angus.gov.uk](mailto:revenquiry@angus.gov.uk)

Please contact Angus Health and Social Care Partnership First Contact team to discuss support and care needs or contribution towards your support and care package.

Telephone Number :- 01307 475242

E-mail:- [firstcontact@angus.gov.uk](mailto:firstcontact@angus.gov.uk)

Angus Council website:-

<https://www.angus.gov.uk/>

Angus Health and Social Care Partnership website:-

<http://www.angushscp.scot/>

Cosla Guidance:-

[https://www.cosla.gov.uk/data/assets/pdf\\_file/0021/23547/COSLA-Charging-Guidance-21-22.pdf](https://www.cosla.gov.uk/data/assets/pdf_file/0021/23547/COSLA-Charging-Guidance-21-22.pdf)