

ANGUS COUNCIL MEETING – 3 MARCH 2022

REVIEW OF ANGUS COUNCIL CHARGES FOR SUPPORT AND CARE SERVICES AND RESIDENTIAL FEES 2022/23

REPORT BY GAIL SMITH, CHIEF OFFICER, ANGUS IJB

ABSTRACT

This report sets out proposals to revise Support and Care and Residential fees for services provided by Angus Health and Social Care Partnership through Angus Council with effect from April 2022.

1. RECOMMENDATIONS

It is recommended that Angus Council:-

1. Approves the proposed changes in charges for Support and Care Services as set out at 4.1 and 4.2 with effect from April 2022;
2. Notes that a “catch up” uplift may be required in 2023/24 if estimates of the inflationary impacts in 2022/23 have been understated.
3. Notes the continued adoption during 2021/22 of COSLA guidance regarding ‘income disregards’ for the purposes of assessing client contributions;
4. Approves the proposed residential charges for Angus Council owned Care Homes as set out at 4.5 with effect from April 2022; and
5. Approves a review being undertaken as early as practical in 2022/23 into the issue of charging for undelivered services and recommendations are made with respect to updating future policies and service user contract terms.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/COUNCIL PLAN

- 2.1 The proposals in this report contribute as a whole to the achievement of the Council’s corporate priorities and the specific targets and objectives within the Council Plan. The proposals also contribute to the achievement of the national health and wellbeing outcomes by ensuring resources are used effectively and efficiently in the provision of health and social care services.

3. BACKGROUND

- 3.1 While the responsibility for the operational delivery of Adult Services is devolved to Angus Health and Social Care Partnership, the formal authority to charge for social work services remains with Angus Council. On that basis, Angus Council needs to formally approve planned amendments to charges as proposed by Angus Health and Social Care Partnership (Angus HSCP). Recommendations are made in the context of the overall financial position of the Partnership, the inflationary environment and general charging requirements. Previous recommendations were set out in report 65/21.

While Angus HSCP would generally adopt the use of the common inflation index for all Council charges, for 2022/23, while the Council is generally adopting an uplift of 2.5%, this report recommends the use of an uplift of 2.9%. This reflects the additional impact of National Insurance increases on workforce costs with the vast majority of the services being considered in this report being dependent on workforce.

The overall intention is to set out amendments to charges recovered through charging to support the ongoing delivery of the current volume of social work adult services, taking into account increased demands and costs, without undue detriment to service users and without destabilising front line services and service uptake.

In terms of managing the implementation of all recommendations, an implementation plan will be managed by Angus HSCP in conjunction with relevant support services.

4. PROPOSALS

4.1 CHARGES FOR ANGUS COUNCIL SUPPORT AND CARE SERVICES (ASSESSED)

- 4.1.1 Angus HSCP provides a range of support and care services which are chargeable. These services are charged for in accordance with the contribution policies and charges are based on each individual's financial assessment. These charges were last revised in report 65/21. For these services it is the intention to use an uplift of 2.9% noted above.

It should be noted that the inflationary environment is currently relatively unstable and this is particularly the case within services such as Social Care. If, with hindsight, the proposed uplift of 2.9% is insufficient to cover the actual inflation pressures in 2022/23, then it is expected that a "catch-up" uplift will be applied from year 2023/24.

In addition, and as previous years, it should be noted that charges for day care services provided by independent providers will be uplifted to match the contract uplifts for those individual providers. For 2022/23, this will also include adjustments to catch up with contract uplifts agreed from December 2021 reflecting changes to pay rates within Adult Social Care.

While independent providers do not currently generally provide chargeable outreach services (these would be subject to separate care registrations), in the event that they did, then this charge would be linked to the cost of an hour of Personal Care – itself influenced by the factors noted above regarding changes to pay rates within Adult Social Care.

It should be noted the provision of all Personal Care is free to the service user since the amendments to the Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations effective April 2019. While Personal Care is not a charged for service, a rate is shown in this report as a comparator.

Within this overall intention there are a number of minor revisions for 2022/23 as noted below:-

4.1.2 Day Care Charging

As Day Care Services develop, some services may develop different configuration of services (e.g. part days). In that event, charges will be initially set at a proportion of full day charges (e.g. attendance at half a day care session will be charged at half the full session rate). In the long run any new charging structure may need to allow for higher burden of transport costs associated with shorter periods of attendance.

4.1.3 Undelivered Services

The pandemic has highlighted that customer services can be interrupted for a variety of reasons and that it is now desirable to clarify and extend existing provisions for charging when interruptions take place.

This would be through working towards ensuring that the charging policies and future contracts reflect the distinction between when service users will generally be expected to pay for services (e.g. day care) they have not received and when they will not be expected to pay for those services, for example distinguishing between brief and longer breaks and interruptions arising through the service user's choice or for reasons which are outwith the service users control such as unforeseen staff shortage.

It is therefore recommended that a review is undertaken as early as practical in 2022/23 into the issue of charging for undelivered services and recommendations are made with respect to updating future policies and service user contract terms.

4.1.4 COVID-19 Impact on Capacity of Services

Where an assessed need has been for less than 1:1 support (e.g. in a Resource Centre), but capacity only allows a higher ratio of support, then charges will only be made at the assessed rate.

4.1.5 Outreach Services

During 2021/22, Learning Disability Services increasingly delivered outreach services from Resource Centres. This may continue on an interim basis. Reflecting the different costs of providing out-reach

services (i.e. no building provision or access to equipment in resource centres), these charges will continue to be linked to the hourly rate for Support and Care (i.e. £26.24 in 2021/22).

In some instances care may be provided on staffing ratios not set out in appendix 1 – in these instances charging rates would be pro-rata to the charge for a single member of staff.

Outreach work does involve increased travel time. In the long run, if this kind of service was part of longer term delivery plans, then travel time for employees would need to be built into charges as part of an outreach service.

4.1.6 In order to facilitate ease of charge collection, services will increasingly encourage service users to pay for Support and Care Services using direct debits whenever practical. This will include care managers supporting discussions this with service users, families and carers to explain this intention.

4.1.7 The effect on individual services is shown in Appendix 1. The net financial benefit is estimated at c£30k per annum and is constrained by current contributions policies (i.e. Charges are only payable when a service user is assessed as being able to afford to pay charges). It is important to recognise the cumulative effect over a number of years of any failure to inflation link costs.

4.2 CHARGES FOR ANGUS COUNCIL SUPPORT AND CARE SERVICES (FLAT RATE)

In addition to the services described at 4.1 charged against an individual's financial assessment, a small number of services are charged at a flat rate (outwith the financial assessment). These fees include Community Meals, Community Alarm and Telecare charges.

For these services it is the intention to use an uplift of 2.9% noted above, but with some exceptions, as follows:-

Service	Unit	2021/22 Charge (£)	Proposed 2022/23 Charge (£)
Community / Day Care meal (lunchtime)	Per Meal	£3.75	£3.86
Community meal (evening)	Per Meal	£3.00	£3.00
Community Alarm	Per Contract	£5.20	£5.35
Telecare	Per Premises	£1.00	£1.00

1. Telecare - No uplift applied.
2. Community Meal (Evening Meal) – Price held to develop differential with Lunchtime.

The above recommendations take into account the current financial support of the Community Meals service, rates of inflation associated with service delivery (including inflation indices) and guidance regarding chargeable costs. It is recommended to retain the Telecare charges at £1/week as this is a recognisable and still relatively new charge.

It has been assessed that the additional cost recovery that will be derived from the above increases is c£30k per annum. These changes in charges will help offset the increased costs associated with service delivery.

4.3 INCREASES IN THE TAPER APPLIED TO EXCESS INCOME

Since 2019/20 the taper that applies to excess income has been 75%. It is not proposed to revise this for 2022/23.

4.4 INCOME DISREGARDS

On an annual basis, COSLA make recommendations regarding income disregard levels. Previously Angus Council has implemented these recommendations for under 60s and over 60s. It is recommended that Angus Council continues to adopt the income disregards guidance as set out by COSLA for 2022/23.

4.5 RESIDENTIAL FEES

On an annual basis, rates need to be agreed for the weekly cost of mainstream in house residential services. For 2021/22 rates were set at £658/week for both mainstream Older People’s residential care at Kinloch, Beech Hill and Seaton Grove and for the Gables (Learning Disability) and £1124 per week for High Dependency Units. It has previously been envisaged that some weekly fees may need to be adjusted to more closely reflect the full cost of service provision. For a variety of reasons, including COVID-19 related ones, this matter has not yet been progressed but may still be revisited in the future.

Otherwise, these charges were last revised in report 65/21. For these services it is the intention to use an uplift of 2.9% noted above.

Category	Homes	2021/22 Rates per week	2022/23 Rates per week
Residential Care - Mainstream (eg Older People)	Kinloch, Beech Hill, Seaton Grove	£658	£677
Residential Care (Learning Disability)	The Gables	£658	£677
Residential Care (High Dependency Unit)	Kinloch, Beech Hill, Seaton Grove	£1,124	£1,157

The overall effect of inflationary increase in mainstream residential contributions is estimated at c£160k per annum, assuming occupancy remains steady based on previous income levels.

Step down/Intermediate Care provision will continue to be free to service users for up to 6 weeks.

The HSCP can, under certain circumstances and where there is difficulty sourcing long term community services, provide a fully funded interim care home placement to facilitate discharge from hospital, or safely prevent hospital admission. The Charging for Residential Accommodation Guidance allows for such publicly funded placements to be made irrespective of an individual’s financial assessment. Such interim placements are short term until permanent care services can be provided.

All charges are consistent with the CRAG (Charging for Residential Accommodation Guidance) regulations laid out by COSLA and are compatible with our statutory duty to assess need and to promote the client’s best interests.

4.6 CARERS ACT – WAIVING OF CHARGES

As part of the introduction of the Carers Act (The Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations 2018), the Council policy for charging in relation to Carers has been reviewed. The existing arrangements were established following the implementation of the Social Care (Self-Directed Support) Act 2013 (including SSI 65/2014 The Carers (Waiving of Charges for Support) (Scotland) Regulations 2014). Following the development of an Adult Carer Support Plan, a calculated budget is created to allow the development of a range of care supports. Carers, unlike Supported People, are not subject to a financial assessment and therefore do not contribute to the cost of their support plan. The review recommended some changes to the way in which the budget was calculated and how Carers might be able to use that resource to allow for the use of their calculated budgets towards residential respite. However, following consultation with Carers it was agreed that the existing policy should remain.

In respect of residential respite, Angus HSCP contributes to the personal care element (and nursing care element if required) in all cases regardless of a Supported Persons eligibility for free personal care. This element of residential respite is the replacement care for the carer. The other costs of residential respite relate to ‘hotel costs’ and are subject to a financial assessment of the Supported Person. These existing waiving of charges policies in respect of Carers have been collated into operational guidance for staff to ensure consistency of approach across services.

4.7 CONTRIBUTION POLICY

As noted in report 53/19, Angus IJB operates contributions policies for Support and Care Services. These policies have developed over a number of years and in February 2022 Angus Council approved a refreshed version of the Contributions Policy. This policy will be subject to regular review and the current intention is it will be re-submitted for Council approval in the first quarter of each financial year.

5. FINANCIAL IMPLICATIONS

- 5.1 The relevant financial impact of the changes are described in the sections above. The overall assumption, reflected in Angus IJB's financial plans, is that from 2022/23 additional charges / income of £220k should be allowed for.

On an annual basis Angus HSCP generates c£10m of cost recovery charges. This reflects charges for both Support and Care and Residential Services. Charges are managed through corporate support arrangements. In any given year there can be an element of charges raised that are not recovered. Unpaid charges are continually reviewed and recovery is in line with Council procedures. Write offs are only considered after all means of recovery have been explored. There is currently work ongoing to improve the overall management of the charging process. This work is being progressed in response to a 2020/21 Internal Audit of the charging process. The work is being overseen through a multi-disciplinary oversight group with work streams looking at a range of sub-sections of the process. Resourcing this work during COVID-19 has proved challenging but the oversight group are meeting regularly and will report back to both Angus Council and Angus IJB re progress.

6. RISKS

- 6.1 There are risks that the increase or introduction of charges could have a detrimental effect on service uptake. This type of risk is already managed within operational services and the impact of any change would be closely monitored.

7. EQUALITY IMPLICATIONS

- 7.1 There are equality implications arising from this report and an Equality Impact Assessment has been completed and is attached at Appendix 2.

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February 2022

Appendices

Appendix 1 - Revisions to Charges for Support and Care Services
Appendix 2 - Equality Impact Assessment (Angus Council)

APPENDIX 1 – REVISIONS TO CHARGES FOR SUPPORT AND CARE SERVICES

Type of Support	Per (Describe)	2021/22	Revised Rate 2022/23
Support and Care	Hour (1:1 Support)	£26.24	£27.00
Older People Daycare (On site, Angus Council)	Per session (5 hours, Group Support)	£61.96	£63.76
Older People Daycare (Outreach) (Angus Council)	Hour (1:1 Support)	£26.24	£27.00
Resource Centre (Disabilities)	Hour (Group Support, e.g. 1:6)	£5.76	£5.92
Resource Centre (Disabilities)	Hour (Close support, e.g. 1:3)	£11.56	£11.88
Resource Centre (Disabilities)	Hour (1:1 Support)	£34.68	£35.68
Resource Centre (Disabilities)	Hour (2:1 Support)	£69.36	£71.36
Resource Centre (Disabilities) (Outreach)	Hour (1:1 Support)	£26.24	£27.00
Personal Care	Hour (1:1 Support)	£20.04	£21.60



Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions): **REVIEW OF ANGUS COUNCIL CHARGES FOR SUPPORT AND CARE SERVICES AND RESIDENTIAL FEES 2022/23**

Step 2

Is this only a **screening** Equality Impact Assessment

YES/No

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

Yes/No

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics

YES/No

It is recognised this report does have an impact on protected characteristic groups and there is an awareness of the impact on age and disability. However, this is a percentage increase only for clients in those groups who pay for these services.

(iii) It is for information only

Yes/No

(iv) It is reflective e.g. of budget spend over a financial year

Yes/No

(v) It is technical

Yes/No

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment

Yes/No

Is this a Fairer Scotland Duty Assessment

Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) Lead Directorate/Service:

(ii) Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

(iii) What is the aim of the proposal? Please give full details.

(iv) Is it a new proposal? Yes/No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes/No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees	Yes/No
Job Applicants	Yes/No
Service users	Yes/No
Members of the public	Yes/No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from Covid-19.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact

Disability

Impact

Gender reassignment

Impact

Marriage and Civil Partnership

Impact

Pregnancy/Maternity

Impact

Race - (includes Gypsy Travellers)

Impact

Religion or Belief

Impact

Sex

Impact

Sexual orientation

Impact

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Step 10: If a potentially negative impact has been identified, please state below the justification.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Step 13: FAIRER SCOTLAND DUTY

*This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.*

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from Covid-19.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future).

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport)).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Alexander Berry, Chief Finance Officer AHSCP. January 2022

Reviewed by: Vivienne Davidson, Principal Officer AHSCP. January 2022

Approved by: George Bowie, Head of Service AHSCP. January 2022