

SPECIAL ANGUS COUNCIL – 2 MARCH 2023

**REVIEW OF ANGUS COUNCIL CHARGES FOR SUPPORT AND CARE SERVICES
AND RESIDENTIAL FEES 2023/24**

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 2023.

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 2023;
2. Notes that a “catch up” uplift may be required for Support and Care Services in 2024/25 if estimates of the inflationary impacts in 2023/24 have been understated;
3. Notes the continued adoption during 2023/24 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; and
5. Approves the proposed change in invoicing/direct debit frequency for community alarm charges from quarterly to 4 weekly cycles for existing service users.

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, it is Angus Council that has the locus to determine whether to approve planned amendments to charges 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 55/22.

This report recommends the use of an uplift of 5.0% owing to the current levels of inflation. It is also necessary to apply an additional “catch-up” uplift of 2.1% which relates to 2022/23, which will increase charges in 2023/24. It is proposed that the total uplift for 2023/24 will therefore be 7.1%. If, with hindsight, the proposed uplift of 5.0% is insufficient to cover the actual inflation pressures in 2023/24, then it is expected that a “catch-up” uplift will also be applied from year 2024/25 but Council approval for this will be sought in advance.

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. It should be noted that inflation-linked benefits and tax credits will rise by 10.1% from April 2023, in line with the Consumer Prices Index (CPI) rate of inflation in September 2022.

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 55/22. For these services it is the intention to use an uplift of 5.0% noted above.

It should be noted that the inflationary environment is currently unstable, and this is particularly the case within services such as Social Care. In line with actual rises to inflation in 2022/23, compared to projected increases of circa 2.9%, it is now necessary to apply a "catch-up" uplift of 2.1% which will be applied to all charges from 2023/24. It is proposed that the total uplift for 2023/24 will therefore be 7.1%.

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.

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.

There are also a number of minor revisions proposed for 2023/24 for which Council approval is sought, as noted below:-

4.1.2 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.

Following a review into the issue of charging for undelivered services and as a result of legal advice received, the following has been agreed. Where a service user's service is undelivered for a period of more than 14 consecutive days, for any reason which is out with the control of the service user, there will be no contribution due until the service resumes, or Angus Council and Angus Health and Social Care Partnership can provide an alternative service to the current service provided, or such as agreed between the Council and Angus HSCP and the service user.

If for any reason the service user has caused the reason the service cannot be delivered, then the Council and Partnership will charge for these undelivered services based on the terms set out in the service users Individual Service Contract.

- 4.1.3 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 with service users, families and carers to explain this intention.

- 4.1.4 The effect on individual services is shown in Appendix 1. The net financial benefit is estimated at c£77k 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)

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.

As above in line with rises to inflation in 2022/23 it is necessary to apply a "catch-up" uplift of 2.1% which will be applied in 2023/24 but with some exceptions as noted below. The total proposed uplift for 2023/24 will therefore be 7.1%. If, with hindsight, the proposed uplift of 5.0% is insufficient to cover the actual inflation pressures in 2023/24, then it is expected that a "catch-up" uplift will also be applied from year 2024/25 and Council approval for this will be sought in advance.

	Unit	2022/23 Charge (£)	Proposed 2023/24 Charge (£)
Community Meals Lunches (Main meal)	Per Meal	£3.86	£4.14
Community Meals Evening Meal (Light meal)	Per Meal	£3.00	£3.00
Community Alarms	Per Week	£5.35	£5.73
Telecare per Premises	Per Week	£1.00	£1.00

1. Telecare - No uplift applied.
2. Community Meal (Evening Meal) – Price held to develop differential with Lunchtime due to relative cost of a sandwich meal compared to a cooked meal.

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 nominal charge

It has been assessed that the additional cost recovery that will be derived from the above increases is c£80k per annum. These changes in charges will help offset the increased costs associated with service delivery.

A small number of service users currently pay community alarm charges quarterly. It is proposed to change the invoice/direct debit frequency from quarterly to 4 weekly in order to bring them in line with new service users to ensure a consistent approach to invoicing. This change will be communicated to all affected service users, however there is not expected to be any negative impact as a result of this change.

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 2023/24.

4.4 INCOME DISREGARDS

On an annual basis, COSLA make recommendations regarding income disregard levels. Previously Angus Council implemented the same income disregard level for those above and below state pension age, however the long-standing COSLA guidance recommends that levels be set as detailed below. It is recommended that Angus Council adopts the income disregards guidance as set out by COSLA which is reflected in the latest contributions policy that is due to be considered by the Policy and Resources committee in March 2023. The planned date for implementation is from April 2024 to allow for engagement with relevant service users to take place, clarification of implementation arrangements and for any necessary support to be provided.

	Disregard Capital Below	Weekly Tariff Income
Below state pension qualifying age	£ 6,000	£1 per £250
State pension qualifying age or above	£ 10,000	£1 per £500

4.5 RESIDENTIAL FEES

On an annual basis, rates need to be agreed for the weekly cost of mainstream in house residential services. For 2022/23 rates were set at £677/week for both mainstream Older People's residential care at Kinloch and Seaton Grove and for the Gables (Learning Disability) and £1157 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 2022/23, the final rates for the National Care Home Contract (Residential Care) were eventually set at £719.50. This is £42.50 more than the rate agreed earlier in 2022 for Angus charges. It is now proposed that this differential is addressed at the start of the coming year as a "catch up" uplift.

While the National Care Home Contract rate for 2023/24 is still uncertain, it can be assumed it will also increase by 5% for the year to come (i.e., to £755).

On that basis, and to ensure local Angus charges are not lower than the National Care Home Contract rate, it is proposed to increase mainstream costs in line with the National Care Home Contract rate, which would represent an 11% increase, and to increase High Dependency Costs in line with the 5% uplift (i.e., to £1214). These inflation-related uplifts are set out in Appendix 2.

The overall effect of inflationary increase in mainstream residential contributions is estimated at c£500k per annum, assuming occupancy remains steady based on previous income levels. This increase reflects the scale of inflationary pressures at this time.

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 (initially up to 6 weeks but can be extended if required) until permanent care services can be provided.

There is an intention to review future charging arrangements for Angus Council run care homes in order to ensure that weekly fees more closely reflect the full cost of service provision and during 2023/24 consultation will take place regarding those potential revisions.

4.6 CONTRIBUTION POLICY

As noted in report 23/22, Angus Integrated Joint Board (IJB) operates contributions policies for Support and Care Services. These policies have developed over a number of years and in March 2023 Angus Council Policy and Resources Committee will receive a refreshed version of the Contributions Policy for approval. This policy will be subject to regular review however, in future, the intention is it will only be resubmitted for council approval if there are any material changes.

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 2023/24 additional charges / income of c£700k should be allowed for. This increase reflects the inflation pressures that are currently impacting on service delivery. Increased charges are critical to sustaining the delivery of these services.

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. The work is being overseen through a multi-disciplinary oversight group with work streams looking at a range of sub-sections of the process.

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 3.

**REPORT AUTHORS: Alexander Berry, Chief Finance Officer
Eunice McLennan, Head of Community Health & Care Services**

EMAIL DETAILS: tay.angushscp@nhs.scot

March 2023

Appendices

Appendix 1 - Revisions to Charges for Support and Care Services

Appendix 2 – Revision to Internal Residential Fees

Appendix 3 - Equality Impact Assessment (Angus Council)

APPENDIX 1 – REVISIONS TO CHARGES FOR SUPPORT AND CARE SERVICES

Type of Support	Per (Describe)	Rates 2022/23	Revised Rate 2023/24
Support and Care	Hour (1:1 Support)	£27.00	£28.96
Older People Daycare (On site, Angus Council)	Per session (5 hours, Group Support)	£63.76	£68.36
Older People Daycare (Outreach) (Angus Council)	Hour (1:1 Support)	£27.00	£28.96
Resource Centre (Disabilities)	Hour (Group Support, e.g. 1:6)	£5.92	£6.36
Resource Centre (Disabilities)	Hour (Close support, e.g. 1:3)	£11.88	£12.76
Resource Centre (Disabilities)	Hour (1:1 Support)	£35.68	£38.24
Resource Centre (Disabilities)	Hour (2:1 Support)	£71.36	£76.52
Resource Centre (Disabilities) (Outreach)	Hour (1:1 Support)	£27.00	£28.96
Personal Care	Hour (1:1 Support)	£21.60	£23.16

Appendix 2 - REVISION OF CHARGES INTERNAL RESIDENTIAL CARE HOMES

Category of residential care	Homes	2022/23 Rates	Proposed 2023/24 rates	Increase
Mainstream (e.g. Older People)	Kinloch, Seaton Grove	£677	£755	11%
Learning Disability	Gables	£677	£755	11%
High Dependency Units	Kinloch, Seaton Grove	£1,157	£1,214	5%



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 2023/24**

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: Angus Health and Social Care Partnership

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

No

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

Annual update in relation to charges for support and care services and residential fees. Includes proposed inflationary increases to charges for Support and Care service and Residential charges for Angus Council owned Care Homes.

(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).

Information regarding costs of service delivery within Angus Council.

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

Staff from a number of Council services including AHSCP, finance, revenues and benefits, I.T, legal and planning have been consulted and involved in the preparation of the proposals in this report via the Charging Group.

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

Scottish Government and COSLA guidance in relation to charging for non-residential and residential services.

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

N/A

Other (general information as appropriate).

Step 6: Evidence Gaps.

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

Service Managers have been involved in discussion developing this report. Within services there is a good understanding of the impact of changes to charges on service users

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 – potentially negative – The proposed changes to charges for Support and Care services and Residential fees for Angus Council owned Care Homes will have an impact on some service users however impacted service users will be subject to financial assessment to determine their ability to pay these fees.

Disability

Impact – potentially negative – The proposed changes to charges for Support and Care services and Residential fees for Angus Council owned Care Homes will have an impact on some service users however impacted service users will be subject to financial assessment to determine their ability to pay these fees.

Gender reassignment

Impact – N/A

Marriage and Civil Partnership

Impact – N/A

Pregnancy/Maternity

Impact – N/A

Race - (includes Gypsy Travellers)

Impact N/A

Religion or Belief

Impact – N/A

Sex

Impact – potentially negative as this more on females because they are more likely to access care–
The proposed changes to charges for Support and Care services and Residential fees for Angus Council owned Care Homes will have an impact on some service users however impacted service users will be subject to financial assessment to determine their ability to pay these fees.

Impact – N/A

Sexual orientation

Impact – N/A

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.

No, annual inflationary uplifts of charges are not usually subject to consultation.

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

The financial assessment framework is designed to ensure that service users only contribute to the costs of their care to the extent that they can afford to do so.

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

Annual inflationary uplifts to charges for Support and Care services and Residential fees for Angus Council owned Care Homes are required.

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?

N/A – Annual inflationary uplifts to charges for Support and Care services and Residential fees for Angus Council owned Care Homes.

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

No.

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.

N/A

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

This is an annual update, the EIA in relation to charging is reviewed and updated annually.

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

As part of the committee report.

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

Prepared by: Morgan Low, Strategy and Improvement Manager AHSCP. February 2023

Reviewed by: Sheila McGrady, Team Leader Finance. February 2023

Approved by: Eunice McLennan, Head of Community Health and Care Services AHSCP.
February 2023