

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – 5 DECEMBER 2023

CHARGING - INTERNAL ANGUS COUNCIL CARE HOMES

REPORT BY CHIEF EXECUTIVE

ABSTRACT

This report provides an update to the Committee regarding proposed changes to internal care home fees for services provided by Angus Health and Social Care Partnership through Angus Council owned care homes with effect from April 2024.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) Have due regard to the background, legislative requirements and the outcome of the consultation exercise; and
- (ii) Approves the proposed internal care home charges for Angus Council owned Care Homes as set out at 5.1 with effect from April 2024, noting that the rates will be subject to change due to inflation.

2. ALIGNMENT TO THE COUNCIL PLAN

- 2.1 This report contributes to the following local outcome(s) contained within the Angus Community Plan:

PEOPLE

- (i) Work collaboratively for and with our citizens to keep them safe in resilient communities.

PLACE

- (i) Engage with citizens and communities to deliver the right services in the right place at the right time.

OUR COUNCIL

- (i) Listen to the needs of our customers and by working for and with them deliver better public value.

3. BACKGROUND

- 3.1 In April 2021, revised guidance was published in relation to charging for residential accommodation. There have since been subsequent updates to this guidance in March 2022 and March 2023. The refreshed guidance places a requirement on local authorities to replace their existing charging for residential accommodation with the updated guidance. Section 22 of the National Assistance Act 1948 requires local authorities to set the standard rate for local authority homes at an amount equivalent to the full cost to the authority of providing the accommodation.

Angus Health and Social Care Partnership currently provide residential care at three internal care homes. Seaton Grove, Arbroath and Kinloch Care Centre, Carnoustie are predominately used by Older People Services. The Gables, Forfar is used by Learning Disability Services.

For 2023/24 rates were set at £755 per week for both mainstream Older People's residential care at Kinloch and Seaton Grove and for the Gables (Learning Disability) and £1214 per week for High Dependency Units in Seaton Grove and Kinloch Care Centre.

In report 51/23 we stated our intention to review future charging arrangements for Angus Council run care homes, noting the legal requirement, in order to ensure that weekly fees more closely reflected the full cost of service provision.

The proposed change will only impact a small number of service users within each care home who currently pay for internal residential accommodation. There are currently less than 15 permanent residents impacted within Older Peoples care homes, and there is no impact to the current residents of the Learning Disability care home, The Gables. This change will also impact a small number of service users, approximately 30 individuals, who receive respite care within internal care homes however these figures are subject to fluctuation.

It should be noted that the current High Dependency Unit rate will no longer be required going forward, there will be one rate for each care home.

Impacted service users will receive a financial assessment to determine their ongoing ability and requirement to pay the proposed increased charges.

4. CURRENT POSITION

- 4.1 During 2023/24 a consultation exercise took place regarding the potential changes. The consultation sought the views of all impacted service users within internal care homes, including respite users who had accessed a service within the last 6 months. The survey was sent out in the form of letters direct to all impacted service users/ families.

The survey provided background information including the legislative requirement to make this change. Information was included on the proposed fee increases based on the current rates of inflation however it was highlighted that these figures would be subject to change. The survey set out two options to deliver the proposed fee increases. Option 1 was for the full increase to be applied from April 2024 and option 2 was for phased increase over two financial years starting in April 2024. A section was also provided for general comments on the proposal.

Surveys were issued to 44 service users. A total of 8 responses were received. 6 individuals opted for an incremental increase over two years and 2 opted for a full increase in April 2024. The majority of the comments received were accepting of this proposed change. It was made clear that the driver for this change was the legislative requirement which may explain the relatively low response rate.

5. PROPOSALS

- 5.1 Taking cognisance of the feedback received from the consultation exercise and noting the legislative requirement, it is proposed that a two-year phased implementation take place to increase fees for those who pay for in house residential accommodation within Angus Council care homes, starting in April 2024. The full detail of the phased increase is attached at appendix 1.

As previously stated, impacted service users will receive a financial assessment to determine their ongoing ability and requirement to pay the proposed increased charges. Those who are assessed as being unable to afford to pay these fees will still receive the same care and support within our residential accommodation.

6. FINANCIAL IMPLICATIONS

This change is reflective of revised national guidance which is underpinned by legislation. The relevant financial impact for service users of the changes are described in the sections above.

The income received from service users contribution to the cost of care provision supports Angus HSCP to deliver these services. It is anticipated that charging income will increase as a result of these changes. The scale of that increase will be dependent on the outcome of ongoing financial assessment of individual service users' ability to contribute to the cost of their care.

If this measure is approved, then a notional assumption of increased income will be included in Angus HSCPs plans for 2024/25 which will help offset the cost of providing internal care home services.

7. OTHER IMPLICATIONS (IF APPLICABLE)

This proposed change will ensure that charging for those in internal care homes is more in line with those who currently pay for their own residential care in external care homes, ensuring greater equity.

8. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been carried out and is attached at appendix 2.

9. CONSULTATION

As set out in section 4.1, a consultation exercise took place regarding the potential changes. The consultation sought the views of all impacted service users within internal care homes, including respite users who had accessed a service within the last 6 months. The survey was sent out in the form of letters direct to all impacted service users/ families.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 : Revision to Internal Care Home Fees

Appendix 2 : Equalities Impact Assessment

Category of residential care	Homes	2023/24 Rates	2023/24 Projected Cost*	Overall increase in charge	Phasing of increase to charge 50%	Proposed Charge 2024/25 excl inflation	Proposed Charge 2025/26 excl inflation
Mainstream (e.g. Older People)	Kinloch	£ 755	£ 1,585	£ 830	£ 415	£ 1,170	£ 1,585
	Seaton	£ 755	£ 1,109	£ 354	£ 177	£ 932	£ 1109
Learning Disability	Gables	£ 755	£ 2,044	£ 1,290	£ 645	£ 1,400	£ 2,044
High Dependency Unit	This rate will no longer be required – the above rates will apply to all beds within the internal care homes.						
*these figures include projected pay awards and will be subject to amendment							



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): **CHARGING - INTERNAL CARE HOMES**

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 |
| (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.

Yes - Section 22 of the National Assistance Act 1948 requires local authorities to set the standard rate for local authority homes at an amount equivalent to the full cost to the authority of providing the accommodation.

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

The proposed changes are to residential fees for services provided by Angus Health and Social Care Partnership through Angus Council owned care homes with effect from April 2024 in order to meet our legislative requirements.

(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).

Consultation took place with all impacted service users. (44 individuals)

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).

Consultation took place with all impacted service users. (44 individuals)

Other (general information as appropriate).

N/A

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 – potentially negative. This change will impact a small number of older people's service users, however, impacted service users will be subject to financial assessment to determine their ability to pay these fees. Care and support will not be impacted for those who are assessed as being unable to pay these fees.

Disability

Impact – potentially negative. This change will impact a small number of older people's service users, however, impacted service users will be subject to financial assessment to determine their ability to pay these fees. Care and support will not be impacted for those who are assessed as being unable 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 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.

During 2023/24 a consultation exercise took place regarding the potential changes. The consultation sought the views of all impacted service users within internal care homes, including respite users who had accessed a service within the last 6 months. The survey was sent out in the form of letters direct to all impacted service users/families.

Surveys were issued to 44 service users. A total of 8 responses were received. 6 individuals opted for an incremental increase over two years and 2 opted for a full increase in April 2024. The majority of the comments received were accepting of this proposed change.

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)?

N/A

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

Impacted service users will be subject to financial assessment to determine their ability to pay these fees. Care and support will not be impacted for those who are assessed as being unable to pay these fees.

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

Reflecting national guidance and compliance with legislation..

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 – Reflecting national guidance and compliance with legislation.

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.

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?

Charging policies and rates are 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. November 2023

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

Approved by: Eunice McLennan, Head of Service, AHSCP. November 2023

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.