

Bath & North East Somerset Council

DECISION MAKER:	Cllr Vic Pritchard Cabinet Member for Adult Social Services & Housing	
DECISION DATE:	On or after 22 nd May 2010	PAPER NUMBER 3
TITLE:	Fairer Contributions for Non-Residential Social Services	EXECUTIVE FORWARD PLAN REFERENCE: E 2134
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Fairer Contributions Policy Document FINAL May 2010 Fairer Contributions Single Member Full Report FINAL May 2010		

1 THE ISSUE

1.1 The roll out of Personal Budgets to all non-residential social care service users, along with the need to respond to new Department of Health guidance, has prompted review and revision of social care charging policies in Bath & North East Somerset. This has resulted in the development of a new single contributions policy to be applied consistently across all service user groups.

2 RECOMMENDATION

The Cabinet member is asked to agree that:

2.1 The single *Fairer Contributions Policy for Non-Residential Social Care Services in Bath & North East Somerset* is adopted for use in relation to all new users of non-residential social care services from May 2010.

2.2 The single policy is adopted in relation to all existing users of non-residential social care services from April 2011 as set out in **Option Two** or **Option Three**, Section 3 of the full report.

3 FINANCIAL IMPLICATIONS

- 3.1 Bath & North East Somerset generates the lowest level of income from contributions (6.98% of costs) when compared with all other south west local authorities (average 11.77% of costs). There is a recognised need to address this in order to close the growing gap between the cost of social care provision and the budget available for delivery.
- 3.2 Financial modelling set out in the November 2009 report to Overview & Scrutiny helped to quantify and clarify the potential impact on service users of any changes to the current policy framework. This modelling showed that approximately 72% of non-residential social care service users would see an increase in their contribution whilst around 11% would see a decrease and a further 17% would experience no change. Modelling suggested that the largest increases would be experienced by people receiving supported living type services (people with learning difficulties, physical/sensory disabilities or mental health problems) who have traditionally received free or heavily subsidised services, whilst older people would experience the smallest increases.
- 3.3 Additional resources would be required to boost the capacity of the finance team who carry out financial assessments and offer benefits maximisation advice and this has been estimated at £83,000 in year one and £50,000 in future years. In the first year these costs will be met via Social Care Reform Grant during which time sufficient income will be generated to secure longer term financial sustainability.

4 CORPORATE PRIORITIES

- *Promoting the independence of older people*
- *Achieving the targets set out in the Medium Term Financial Plan*

5 THE REPORT

- 5.1 The full report sets out background, consultation, financial modelling and options appraisal undertaken in order to reach the recommendation.
- 5.2 The report recommends the adoption of a single contributions policy for all non-residential social care services delivered via Personal Budgets and Extra care services. In addition an enhanced minimum protection buffer is proposed to secure appropriate levels of protected income for all service users, plus a further year's protection for current service users who may be required to contribute more under the new policy.
- 5.3 Department of Health Fairer Contributions Guidance issued in 2009¹ set out a number of requirements which all local authorities must comply with in relation to the calculation and collection of contributions for non-residential social care services.

¹ DH Fairer Contributions Guidance, July 2009
Printed on recycled paper

5.4 Bath & North East Somerset generates the lowest level of income from contributions (6.98% of costs) when compared with all other south west local authorities (average 11.77% of costs, range 6.98% - 18.83%)².

5.5 A report to Overview & Scrutiny in November 2009 set out areas of local policy which were at odds with national guidance and sought permission to consult on the introduction of a new single contributions policy. This report also estimated the potential impacts on service users and suggested mitigation measures to be further explored.

5.6 The results of consultation are presented in the full report as are three options for the introduction of a single new contributions policy summarised as follows:

- **Option One** – Cap on potential contributions, apply nationally prescribed 25% minimum income protection buffer, protection for existing users until April 2011
- **Option Two** – Apply nationally prescribed 25% minimum income protection buffer, no cap on potential contributions plus protection for existing users until April 2011
- **Option Three** – Increase minimum income protection buffer from nationally prescribed minimum of 25% to 30%, no cap on potential contributions plus protection until April 2011

6 RISK MANAGEMENT

6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 The Council's Equalities Team were consulted at an early stage of the review process to provide advice and guidance in relation to consultation arrangements and activity, and in relation to draft policy documents. One of the over-arching aims of the review has been to develop a single contributions policy which delivers equity and equality for all non-residential social care users.

8 RATIONALE

8.1 Section Three of the full report provides a rationale for the two options highlighted in the recommendations section of this report.

9 OTHER OPTIONS CONSIDERED

9.1 Option One in the main report was rejected on the basis that it would not meet the requirements of the Council's Medium Term Financial Plan

10 CONSULTATION

10.1 *Ward Councillor; Cabinet members; Overview & Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

² ADASS South West Comparison Data 2008-09
Printed on recycled paper

10.2 Section 2 of the main report sets out the arrangements for consultation and engagement and summarises findings. Appendix One details all consultation feedback received.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Customer Focus; Sustainability; Human Resources; Corporate*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Strategic Director - Support Services) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<p>Sarah Shatwell, Commissioning Manager for Social Care Transformation</p> <p>Tel: 01225 477162</p> <p>Sarah_Shatwell@bathnes.gov.uk</p>
Background papers	<p>Fairer Contributions Guidance: Calculating an Individual's Contribution to their Personal Budget (July 2009)</p> <p>Fairer Contributions Guidance Consultation: A Summary (July 2009)</p> <p>Fairer Charging Policies for Home Care and other non-residential Social Services: Guidance for Councils with Social Services Responsibilities (September 2003)</p> <p>Fairer Contributions report to Overview & Scrutiny Panel, November 2009 full report and cover report</p> <p>Fairer Contributions presentation to Overview & Scrutiny Panel, January 2010 PowerPoint presentation and cover report</p> <p>Overview of Charging in Bath & North East Somerset, January 2010</p>
<p>Please contact the report author if you need to access this report in an alternative format</p>	