

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	01 October 2019	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Care and Support Charging and Financial Assessment Framework	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
1. Draft Care and Support Charging and Financial Assessment Framework		
2. Easy Read Care and Support Charging and Financial Assessment Framework		
3. Draft Direct Payment Policy		
4. Easy Read Direct Payment Policy		
5. Consultation document and questionnaire		
6. Easy Read Consultation document and questionnaire		
7. Disability Related Expenditure Factsheet		

## **1 THE ISSUE**

1.1 B&NES Council is proposing to introduce a Care and Support Charging and Financial Assessment Framework. This will change some of the ways in which the Council allocates its resources and calculates the charge (where applicable) to individuals with care and support needs.

1.2 The Council want to ensure that it continues to protect the most vulnerable individuals in the community and by implementing the Framework it will allocate funding to meet individuals needs. A draft proposal is being consulted on.

## **2 RECOMMENDATION**

**Panel is asked to;**

**2.1** Provide a view on the draft Framework and the proposals that are being consulted on.

### **3 THE REPORT**

**3.1** The proposed Framework will:

- Offers a transparent and equitable process for all;
- Bring us in line with other local authorities;
- Ensure people are charged fairly and receive all the financial benefits they are entitled to for the care and support they need;
- Be clear and transparent to ensure people know what they will be charged;
- Promote wellbeing, social inclusion and support the vision of personalisation, independence, choice and control;
- Be person focused to reflecting the variety of care and options available to meet individual's need;
- Be sustainable for the Council in the long term

**3.2** The draft Framework includes the following proposals. The following areas will be subject to consultation as all other areas included are not discretionary within the statutory obligations:

- Individuals will be required to respond within two weeks of being contacted by a Care Finance Officer to arrange a meeting to discuss the financial assessment. If no contact is made within this period, they will be deemed as self-funding.
- The Council will take into account Pension Guaranteed Credit and Employment and Support Allowance benefit that a service user would have an automatic entitlement to, if an application were made.
- A new third party 'Top Up Agreement' will be implemented for families /friends/ organisations who wish to make a top up payment on behalf of an individual. Example a larger room in a care home.
- There will be an improved procedure for setting up a Deferred Payment Agreement (DPA) and an increase in the fees charged for setting up a DPA.
- A new Interim Funding Policy (dependent upon criteria) is proposed for those people who have unregistered properties and for those who are waiting to obtain deputyship to allow them to act on the individual's behalf.
- The Council are reviewing the amounts that are applied to Disability Related Expenditure and some expenditure will not be allowed. Please refer to the Disability Related Expenditure Factsheet for more information.
- Transport and education costs will be allowed if this is set out in the individuals Care and Support Plan and the individual is not in receipt of Disability Living Allowance or any Disability Living Allowance component of Personal Independence Payment (PIP).

- The standing charge for gas, electricity, water and sewerage will be allowed as part of the financial assessment. Those individuals who have other heating systems such as oil heating, delivery costs will be allowed.
- A new one off administration charge will be applied to self-funders where an individual has asked the Council to arrange for the care and support.
- The Council has updated its Direct Payments Policy to provide clearer guidance and information.

It is proposed that the Appeals Procedure will remain the same.

This Framework only relates to care and support packages / placements for individuals 18 and over.

It should be noted that the Council retains a general discretion for all Care Act 2014 related financial matters.

3.3 Consultation seeks to ensure wide engagement with a diverse section of the residents of Bath and North East Somerset. An Equalities Impact Assessment has been carried out and will continue to be monitored as an organic document changing to arising needs and circumstances.

## **4 STATUTORY CONSIDERATIONS**

4.1 The draft Framework ensures compliance with the Care Act 2014 and related statutory guidance. The discretionary elements fall within the afforded discretion given to the Council.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 A budget has been allocated for consultation this includes provision of easy read consultation documentation and advocacy support. The costs are being kept to a minimum.

## **6 RISK MANAGEMENT**

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **7 CLIMATE CHANGE**

7.1 The consultation events will take place in venues across B&NES in order to minimise travel for residents; there are also alternative ways to participate to reduce travel.

7.2 Consideration has been given to limiting the number of paper copies of the consultation documents; however it must be recognised that the individuals affected may not be able to access information via the website.

## 8 OTHER OPTIONS CONSIDERED

8.1 None

## 9 CONSULTATION

9.1 An Equalities Impact Assessment has been prepared see Appendix to this report

9.2 A number of public consultation events have been planned, the details of which are set out in the Consultation Document. In addition specific events have been organised for individuals from SWALLOW, BASS, Dimensions, Carer Centre and BEMSCA.

9.3 Further engagement with the Council Disabled Children's Team and SEND will take place to ensure that the views of young people and their families who are transitioning into adult and social care services are taken into account.

9.4 Healthwatch has organised an event for agencies and organisations who are supporting people in receipt of adult and social care services.

9.5 Social workers and support staff have received briefings on the proposals.

9.6 All individuals in receipt of care and support by the Council have received a letter notifying them of the proposals and how to submit their views during the consultation period.

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<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	