

# Health and Adult Social Care Overview and Scrutiny Committee

BRIEFING NOTE – No.08/15

Date: 4 August 2015

Briefing paper to: All Members of the Health and Adult Social Care Overview and Scrutiny Committee

## **The Care Act 2014 – Medway Council Adult Social Care Charging Policy**

The introduction of part 1 of the Care Act 2014 provides Local Authorities with the opportunity to implement changes to the way that charging for care and support operates from 2015 and whilst the implementation of The Care and Support (Charging and Assessment of Resources) Regulations 2014 has little impact to Medway's current charging model for Social Care, there are some new elements that will have an effect on our Service Users.

### **What are the new elements?**

#### **To charge for care from the date care starts.**

In the past we have only been able to charge for residential and nursing care services from the date that care starts. The Care Act allows us to charge for all chargeable care from the date that care starts.

#### **To extend the Deferred Payment Scheme to people moving into Flexicare Housing and Supported Living accommodation.**

In the past, the Deferred Payments scheme has only been applicable to service users who move into permanent residential or nursing care. The Care Act allows us to extend the Deferred Payments scheme to service users that move permanently into Flexicare Housing or Supported Living.

#### **To charge administration costs (set up fee and an annual fee) to Service Users who have been assessed to pay the full cost of their non-residential care, but still wish the council to set up their packages of care.**

Currently clients who meet the above criteria do not pay any administration costs. The Care Act allows us to charge administration costs to these clients. This does only relate to people who have been financially assessed to pay the **full cost** of their non-residential care.

# Health and Adult Social Care Overview and Scrutiny Committee

BRIEFING NOTE – No.08/15

Date: 4 August 2015

Briefing paper to: All Members of the Health and Adult Social Care Overview and Scrutiny Committee

## **To charge administration costs (set up fee and an annual fee) to Service Users who are on the Deferred Payment Scheme.**

The administration costs we currently apply relate to legal costs and land search charges. The Department of Health state that the Deferred Payment scheme should be run on a cost-neutral basis and in this respect, additional administration charges can be applied.

## **To charge Carers for the support services they receive.**

Carers are not currently charged for any support services they receive personally. However the Care Act allows us to start charging for these services.

## **What is the Deferred Payment Scheme?**

This is a scheme that allows people who own their home to put off selling it during their lifetime if they are in permanent Flexicare, Supported Living, Residential or Nursing care. The council loan the Service User the funds to pay for their care until your home is sold we then arrange for a legal charge to be placed on their home and the loan is repaid when the property is sold.

## **Public Consultation**

A consultation was carried out between the 14 May and 15 June 2015, to inform people about the details of the proposed policy changes and to invite views so that the Council could better understand the direct impact of the changes.

Respondents raised concerns about the rules relating to properties and capital limits that are applied when charging for Social Care, but these rules are regulated by Central Government.

# Health and Adult Social Care Overview and Scrutiny Committee

BRIEFING NOTE – No.08/15

Date: 4 August 2015

Briefing paper to: All Members of the Health and Adult Social Care Overview and Scrutiny Committee

An alternative solution suggested was that if administration charges are applied for Deferred Payments it may be difficult for people to pay them as they do not have the actual funds available as their money is tied up in their house. Respondents suggested that we defer the administration charges along with the deferred social care charges.

With regard to the administration charges applicable for people who are in receipt of non-residential care services and have been assessed to pay the full cost of their care are only relevant if the service user asks the council to set the care package up. Many people are likely to continue to, as they do now, arrange their own care and therefore the charges will not be applied.

## ***Cabinet***

It was recommended to and approved by Cabinet that the review of charging carers for support services is investigated further with a report submitted back to cabinet in due course. This will enable us to determine the impact on carers and the valued support they provide, if we were to charge.

It was recommended to and approved by Cabinet that all other proposals were implemented from 1 September 2015.

## ***Transparency and Mitigation of Risk***

We will provide Service Users with an advice leaflet about charging and potential administration costs when they are first assessed by Social Work teams, to ensure clear and transparent information is provided at an early stage in the social care journey.

Listening to the feedback received from respondents, we will offer Service Users the choice of paying their Deferred Payment administration charges in a lump sum, every four weeks or enable them to defer the charges along with their deferred social care charges.

We will ensure that Service Users who have been assessed to pay the full cost of their non-residential care are fully aware of the administration charges should they choose for Medway Council to set their care package up.

# Health and Adult Social Care Overview and Scrutiny Committee

BRIEFING NOTE – No.08/15

Date: 4 August 2015

Briefing paper to: All Members of the Health and Adult Social Care Overview and Scrutiny Committee

We will start to charge service users for care from the date the care package starts; clearly this does not include Reablement and other non-chargeable services. To ensure Service Users do not receive backdated bills we will aim to carry out financial assessments within two weeks of care packages starting.

Contact details:

Jackie Brown

Head of Social Care Business Units

01634 332363

[jackie.brown@medway.gov.uk](mailto:jackie.brown@medway.gov.uk)