



Adult and Community Services
Directorate

**Charging Policy
for
Non-Residential Services**

Revised 2008/09

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1. Introduction

- 1.1. Section 17 of the Health and Social Care Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives the Council the power to charge adults for non-residential services they receive. The Secretary of State has issued guidance on how the Council should charge for non-residential services which is entitled “Fairer Charging Policies for Home Care and other non-residential Social Care Services”. This Policy reflects the guidance issued.

2. Underlying Principles

- 2.1. This policy supports the overall objectives of social care and promotes independence and social inclusion of Service Users.
- 2.2. This policy seeks to be reasonable and fair for all Service Users.
- 2.3. The charge is assessed according to the frequency of the service, the cost of the service (“the unit price”) and the Service User’s means.
- 2.4. Service Users are to be left with sufficient money (as defined by Central Government) to meet their needs.
- 2.5. This policy aims to discourage perverse financial incentives.
- 2.6. Income achieved as a result of this charging policy will be used to develop services.
- 2.7. This Policy aims for consistency with the Supporting People charging policy.

3. Scope of the Policy

- 3.1. This policy covers non-residential services for older people; adults with learning disabilities; adults with physical disabilities and sensory impairments; and mental health Service Users.
- 3.2. The following services may be charged for under this Policy, irrespective of whether they are provided by the Council or some other organisation:-
- (i) Home Care (see “Appendix C” for a definition)
 - (ii) Day Services (see “Appendix C” for a definition)
 - (iii) Transport to and from Day Centres
 - (iv) Meals - either at Day Centres or in the Service User’s own home
 - (v) Supporting People Services – see separate policy for detail.
 - (vi) Facilitative care (see “Appendix C” for a definition) – this is chargeable if not provided by a Council Social Work team.
- 3.3. Carers will be charged for services they receive in their own right.
- 3.4. Whilst most non-residential services are charged for, the following services are exempt from charges:-
- 3.4.1. Services provided to both Service Users receiving Income Support (or Jobseeker’s Allowance – Income-based) and those Service Users whose total income is at or below the ‘basic’ level of Income Support plus 25%.
 - 3.4.2. Services provided to Service Users suffering from Creutzfeldt Jacob Disease (CJD).
 - 3.4.3. Emergency service provided by the Emergency Duty Team (EDT). However, if EDT arrange a Service User’s usual home care when a Care Assistant is off sick, this is not classed as an emergency and a charge will be made in the usual way.
 - 3.4.4. After-care services provided under section 117 of the Mental Health Act 1983.

- 3.4.5. Services provided as part of an Intermediate Care time-limited package.
 - 3.4.6. Supported employment.
 - 3.4.7. Advice about the availability of services or for assessment, including assessment of community care needs.
- 3.5. In exceptional circumstances, the Purchasing Service Manager may agree to waive any charge payable under this Policy. This may occur, for example, where a Service User does not agree with the charge and seeks to utilise the Appeals Process (see Section 6). In such circumstances, the Service Manager may waive the charge for a period of up to six weeks to give time for the Appeals Panel to review the case. A Purchasing Service Manager may also chose to waive a day care attendance charge should a Service User be deemed to be at risk to themselves or to others if they refuse to attend because there is a charge.

4. Charging Structure

- 4.1. Once a Service User has been identified as in need of a service, the Service User will be financially assessed to establish their capital, weekly income and weekly expenditure.
- 4.2. A single financial assessment will cover all services described in this Policy.
- 4.3. The Service User's charge will be based on the frequency of the service received, the unit price of the service (see "Appendix B") and the Service User's means.
- 4.4. The maximum charge a Service User will be required to pay is the full cost of providing the service.
- 4.5. The capital and income of a Service User's partner will not be taken into account in any financial assessment unless both the Service User and their partner request a joint assessment. If any joint assessment results in the Service User and partner being required to pay a higher charge for services than if the Service User's own assessment had been

used, the Council will revert to using the Service User's own assessment.

4.6. **Capital** - When financially assessing a Service User's means, the amount of capital that the Service User possesses will affect any charge, for example:-

4.6.1.If a Service User has above the capital threshold (as determined by the National Assistance (Assessment of Resources) Regulations 1992 and referred to in CRAG*) excluding their main residence, then the Service User's charge is based on the unit price of the service multiplied by the frequency of the service.

4.6.2.If a Service User has below the capital threshold excluding their main residence, then the charge is based on the unit price of service multiplied by the frequency of the service. There is however a maximum charge, calculated to ensure that a Service User's income after charges for non-residential services, is no less than the applicable amount of Income Support plus 25%, as defined in the guidance "Fairer Charges for non-residential Social Care Services"¹.

4.6.3.Where a couple's assets are held in joint names and only one partner is a Service User, half the value of the asset is regarded as the Service User's capital.

4.6.4.If a Service User moves into sheltered housing, then their main residence will be assessed as capital 12 weeks from the day they move into the sheltered accommodation.

4.6.5.Ex gratia payments made to former Far Eastern prisoners of war and payments made under the Vaccine Damage Payment Scheme are disregarded.

4.6.6.When assessing the value of a capital asset, the Council will have regard to guidance contained in CRAG.

4.7. **Total income** – In assessing a Service User's total income, the following should be considered:-

*Charging for Residential Accommodation Guide

¹ "Fairer Charging for non-residential Social Care Services" issued by Department of Health, November 2001

- 4.7.1. A Service User's total income will include income from all sources.
 - 4.7.2. Tariff income from savings above the CRAG threshold will be taken into account at the rate of £1 per £250.
 - 4.7.3. Income from renting any second property the Service user may own or part own will be taken into account.
 - 4.7.4. Income from sub-letting part of the Service User's main residence will be taken account.
 - 4.7.5. Income from lodgers in the Service User's main residence will be taken into account but the first £20.00 of the income is ignored, plus half of the remaining income.
 - 4.7.6. Income from Trusts or monies held in the Court of Protection will be dealt with in accordance with guidance contained in CRAG.
 - 4.7.7. Guidance contained in CRAG will be relevant to assessing income e.g. in connection with any bonds the Service User possesses. Generally bonds will be treated as capital if redeemable but if not redeemable, any income received from the bond will be taken into account.
 - 4.7.8. Total income is adjusted by deducting any Income Tax and National Insurance contributions payable
 - 4.7.9. Service Users are expected to claim all the benefits to which they are entitled. If a Service User refuses to claim a means-tested benefit, the Service User's total income will be regarded as inclusive of the means tested benefit.
- 4.8. Disregarded income – In determining disregarded income, the following is relevant:-
- 4.8.1. All income derived from the Service User's employment is disregarded (including any therapeutic earnings).
 - 4.8.2. The mobility component of Disability Living Allowance is disregarded.
 - 4.8.3. War Pensioner's Mobility Supplement is disregarded.

4.8.4. The night component of Attendance Allowance or Disability Living Allowance (care) is disregarded unless night care is being provided.

4.9. Allowable expenditure - In determining allowable expenditure, the following is relevant

4.9.1. Certain expenditure is regarded as allowable and will have the effect of reducing the Service User's income assessed as available to pay any charges.

4.9.2. Allowable expenditure consists of rent; mortgage payments; buildings insurance for the Service User's main residence; and council tax. Housing costs and council tax should be assessed net of any housing benefit or council tax benefit. Housing costs should be split proportionately between all occupants of the building. Allowable expenditure also includes disability-related expenditure (DRE).

4.9.3. DRE will be taken into account when completing a financial assessment for everyone with less the capital thresholds detailed in CRAG, whether or not they are in receipt of Disability Related Benefits.

4.9.4. It is not possible to provide a complete list of DRE that could legitimately be claimed for. The overall aim is to allow for reasonable expenditure needed for independent living. Items where the Service User has little or no choice other than to incur the expenditure in order to maintain independent life should normally be allowed. Please see Appendix A for further details of DRE.

4.9.5. Most DRE is subject to a maximum allowance.

4.9.6. Allowable expenditure is derived from actual costs that have been or are being incurred rather than estimated costs.

4.10. Determination of the charge- where a person is assessed as having capital or income available for charges the following points are relevant when determining the charge:-

- 4.10.1. If a Service User has savings above the capital threshold excluding their main residence, please see paragraph 4.6.1
- 4.10.2. If a Service User has below the capital threshold excluding the main residence, please see paragraph 4.6.2.
- 4.10.3. For home care, the same hourly charge will be made irrespective of numbers of staff providing the service.
- 4.10.4. If less than one hour of home care is provided, then the Service User is charged to the nearest $\frac{1}{4}$ hour, with a minimum charge of $\frac{1}{4}$ hour.
- 4.10.5. No additional charge will be made for extra home care provided in an emergency (e.g. sitting whilst waiting for the arrival of a doctor or ambulance).
- 4.10.6. An additional charge will be made for extra home care when a Service User is unwell.
- 4.10.7. The minimum home care charge will be made if the Service User causes a home care worker to make a wasted journey.
- 4.10.8. There will be no charge made for one-off cleaning of the Service User's property if instigated by Social Care Services.
- 4.10.9. Meals will be charged at the same rate irrespective of which organisation delivers the meal. If there is an assessed need for home care at the same time as the meal is being delivered, this is an additional service and both the meal and home care will be chargeable.
- 4.10.10. Day care charge is based on the frequency of the service and the Service User's means and not on the level of the service provided.
- 4.10.11. The cost of providing additional day care services that are not part of the Service User's assessed need (for example swimming), will be passed directly onto the Service User. Such activities are to be funded by the Service User's disposable income.
- 4.10.12. All transport will be charged for, except transport to respite.

- 4.10.13. There will be no charge to those who drop into day centres for a short period of time, normally up to 1 hr.
- 4.10.14. There will be no charge for college courses provided at further education colleges.
- 4.10.15. If the person is supported within the college by Social Care Services staff then a charge will be made.
- 4.10.16. If the person is transported to the college by a PFTU vehicle or day opportunities vehicle then there will be a transport charge only.
- 4.10.17. If the person is registered with a Social Care Services Funded Support Employment Agency then no charge will be made.
- 4.10.18. No charge will be made when the person is registered with a Social Care Services Funded Agency and the support provided is not continuous and is not within a Social Care Services resourced service. Example – voluntary work within a charity shop, supported by Social Care Services funded agency.
- 4.10.19. If the person has higher support needs and is supported by Social Care Services staff to access this opportunity for an average of more than 10% of the placement, then a charge will be made.
- 4.10.20. Where the person accesses a Social Care Services funded resource in order to gain the training then a charge will be made.
- 4.10.21. If the person is supported by Social Care Services staff in order to access the training then a charge will be made.

5. When do charges start?

- 5.1. Generally Service Users will not be charged for services until they have been informed of the cost of services.
- 5.2. Day Service Users will receive 4 weeks free day service prior to paying an attendance charge for a session. Charges

for meals and transport will apply however from the start of the day service.

- 5.3. If a Service User is receiving intermediate care (see definition in “Appendix C”), there will be no charge for 8 weeks (or until a review in the case of Mental Health Service Users). A period of intermediate care can however be extended beyond this 8 week period (or beyond a review in the case of Mental Health Service Users) on the instruction of the Purchasing Service Manager.

6. Appeals

- 6.1. Service Users who are unhappy with the application of the Charging Policy to their case are entitled to use the Council’s Appeals Process.

7. Changing Circumstances

- 7.1. Changes in circumstances can be in relation to the financial situation of the Service User or the frequency of the service received by the Service User.
- 7.2. The onus is on the Service User (or their representative) to advise the Council of any changes in their financial circumstances. The Council will backdate charges that occur as a result of changed circumstances, which the Service User has not informed them about.
- 7.3. The Council will carry out an annual review of charges for non-residential services. The annual review will be completed by post.
- 7.4. The unit price of services will be reviewed annually when the price will generally be adjusted in accordance with inflation.

8. Collection of Charges

- 8.1. Charges will be based on the service received and will be payable by the Service User in arrears.
- 8.2. Service Users will be offered a choice of ways to pay their charges, namely:-
 - (i) Girobank (with a 'swipe card')
 - (ii) Standing order
 - (iii) Payments by cash or cheque at local offices / one-stop-shops or day care establishments.
- 8.3. Statements will be issued monthly to all Service Users detailing payments made and charges incurred and balances brought forward from previous month.
- 8.4. Direct Payments will generally be made net of charges.
- 8.5. All payments in respect of non-residential services are due within 28 days of the date of the statement sent to the Service User. Failure to make payment will generally result in a reminder being sent. If payment is not made following the reminder, the Council may proceed with legal action to obtain payment

9. Complaints

- 9.1. Any complaints about the Charging Policy for Non-Residential Services will be dealt with under the Council's existing complaints procedure.

Disability Related Expenditure

Disability Related Expenditure (DRE) relates to items/services that people have to buy as a result of their disability.

Assessing DRE

The following general considerations must be taken in to account:

1. Only items where the service user has no choice other than to incur the expenditure in order to maintain independence should be allowed
2. A DRE assessment will apply for a full year, but can be reviewed more frequently at the request of the service user
3. The DRE assessment will normally be carried out by personal interview in the service users home
4. The service user's Care Plan should give guidance on the level and type of support needed and therefore what DRE is justifiable
5. The cheapest/most reasonable form of expenditure on disability related items should be incurred. If not, the service user will only be allowed the equivalent of the cheapest cost as DRE
6. Occasional large items of expenditure should be averaged out over the lifetime of the item
7. Evidence should be requested to justify the expenditure
8. Generally, items allowed for should be based on past expenditure
9. The assessment process should be consistent
10. DRE which relates to night support should not be included unless it exceeds the night element of the benefit
11. If DLA mobility is in payment, the costs of transport can only be included if they exceed the amount of the mobility component

Items to be included in the assessment of DRE

It is not possible to have an exhaustive list of DRE, but listed below are some of the more common items together with details of how the DRE is calculated and what proof of expenditure is required.

1. Community Care Alarms

Item	Amount	Evidence
Community Alarm System	Actual cost unless included in Housing Benefit or Supporting People Grant	Bills from provider (usually quarterly)

2. Privately arranged care – generally the full cost is allowed of both personal and practical care which is not provided by Social Care Services but which has been identified by Social Care Services as necessary.

Item	Amount	Evidence
Privately arranged care	Actual cost if Social Worker confirms requirement a part of Care Plan and the input from the Council has been reduced accordingly	Signed receipts for at least 4 weeks using a proper receipt book.

3. Any heating costs above average fuel levels for the area and housing type required by the service user due to age, medical condition or disability. The following figures are taken from the Practice Guidance and show recommended allowances.

Item	West Midlands rates for 2008/09			Evidence
		Annual	Weekly	
Heating costs – all fuel	Single in flat and terraced	1020	19.60	Last 4 bills for all types of fuel, minimum of 1 winter, 1 summer. Or monthly standing order and most recent annual bill.
	Couple in flat and terraced	1345	25.86	
	Single in semi-detached	1084	20.85	
	Couple in semi-detached	1310	25.20	
	Single in detached	1317	25.32	
	Couple in detached	1735	33.36	

Notes

- If there are more than 2 people in the household, an extra £273 per person per annum should be included in the average rate for a couple

- If bills have not been retained, copies should be provided within 28 days. If copies are not provided in this period, the allowance will apply from the date the evidence is provided
 - If actual figures are higher than above the difference should be allowed
 - Allowances will generally be increased each year by RPI
 - Figures will be reduced by any concessionary fuel or payment for ex-miners
4. Metered water costs above the average level for the housing type required by the Service User due to age, medical condition or disability.

Item	Type of Property		Evidence
	Annual	Weekly	
Metered water costs	Flat/terraced	244	2 x 6 monthly bills required
	Semi-detached	268	
	Detached	288	

Notes

- The figures have been increased by RPI
- Any extra expenditure should normally be divided by the number of people in the household

5 Reasonable costs of basic garden maintenance if unable to do so due to individual's disability.

Item	Amount	Evidence
Costs of gardening	Actual cost if service user unable to care for garden due to disability and no one else in the household can carry out the task. Maximum of £5.25 per week per annum (2 hours a fortnight during growing season) allowable unless exceptional circumstances	Signed receipts for at least 4 weeks using a proper receipt book.

6. Reasonable costs of basic cleaning if the service user is unable to do it due to disability.

Item	Amount	Evidence
Private domestic help	Actual cost if the Social Worker confirms the requirement as part of the care Plan and no one else in the household can carry out the task. Maximum of £14 or 2 hours a week. An extra part hour can be included to cover cost of ironing.	Signed receipts for at least 4 weeks using a proper receipt book.

Notes

A close relative cannot be paid to provide cleaning/gardening services. A close relative would include parents, children, brothers, sisters, aunts, uncles, partners, grandchildren or the partner of any of these.

7. Costs of specialist items due to disability.

Item	Amount	Evidence
Laundry/washing powder	£6.00 per week or £1 per wash. Extra costs may be allowed if coin operated launderette or professional laundry used.	The Care Plan will have identified an incontinence problem and have identified a need for more than 4 loads per week in a 2 person household.
Costs of incontinence aids	£6.50 per week maximum. Full entitlement to free health provision should be being used	1 months receipts
Bedding	All £1.50 per week to cover replacement bedding if required due to incontinence, sickness, creams etc	Need identified in Care Plan
Dietary	Discretionary as special dietary needs may not be more expensive than normal. Weekly allowable expenditure on food = £35 for single person, £60 for couple.	May seek permission to approach GP. Details of special purchases.

Item	Amount	Evidence
Clothing	Discretionary depending on an individuals circumstances. Extra cost may be due to physical or mental disability	The Care Plan will have identified abnormal wear and tear of clothing

8. Extra wear and tear on furniture and fixtures due to disability

Item	Amount	Evidence
Extra wear and tear on household items	. Discretionary depending on an individuals circumstances. Extra cost may be due to physical or mental disability	Signed receipts over a period of a year. Evidence from Community Care Assessment.

9. Purchase, maintenance and repair of disability related equipment, to include computers if required as a result of disability.

Item	Amount	Evidence
Wheelchair	£3.25 per week for a manual wheelchair £7.50 a wee for a powered wheelchair	Evidence of purchase required. No allowance is payable if equipment provided free of charge
Powered bed	Actual cost divided by 520 (10 year life) up to a maximum of £4.00 a week	Evidence of purchase
Turning bed	Actual cost divided by 520 up to a maximum of £6.50 a week	Evidence of purchase
Powered reclining chair	Actual cost divided by 520 up to a maximum of £3.50 a week	Evidence of purchase
Stair lift	Actual cost divided by 520 up to a maximum of £5.50 a week	Evidence of purchase
Hoist	Actual cost divided by 520 up to a maximum of £2.75 a week	Evidence of purchase

Note

- The allowance is based on the purchase cost over the average life expectancy and, for wheelchairs, covers insurance. For other items, any annual insurance or maintenance charges should be included

- The amount can be adjusted to reflect the actual purchase costs of the equipment based on a 10-year life

10. Prescription Charges

Item	Amount	Evidence
Prescription charges	Cost of annual ticket divided by 52 or actual cost of prescriptions, whichever is less.	Confirmation that Service User is not eligible for free prescriptions.

11. Transport costs over and above those paid by any mobility component. The cheapest form of transport available should be used.

Item	Amount	Evidence
Transport	Discretionary, based on costs that are greater than those incurred by an able bodied person. If mobility component is awarded only costs above mobility component should be allowed. Transport to from day care can be classed as DRE and should be allowed if DLA mobility not in payment.	Evidence in the care plan for the need for specialist transport.

12. Other costs related to disability

Item	Amount	Evidence
Any other costs	Additional costs of holidays; costs of other treatments if need confirmed by medical practitioner (e.g. osteopathy; interpreter;; large print books; voice machines; baths (where there is an assessed need but it is not provided by Health or Social Care Services).	Evidence of actual cost

Notes

- Consider additional costs for partner or companion when making specialist holiday arrangements
- The allowance to be for 1 holiday per year and for the 12 months following expenditure and will not continue beyond this period unless a further holiday is taken

- The following items will not be included as DRE unless there are exceptional circumstances: most are available from the Primary Care Trusts; are due to illness rather than disability; or are lifestyle choices
 - Private health care – both cosmetic and to avoid waiting lists
 - Natural products and medicines unless agreed by medical practitioner
 - Wigs
 - False teeth
 - Eye tests
 - Chiropody
 - Telephone or internet access

Appendix B

The unit prices for individual services for 2008/09 are detailed in the table below.

Service	Unit Charge £s
Home Care	11.68
Day Service	4.46
Transport	3.08
Meals	2.51
Facilitative Care	11.68