



## Report to Leader (Health & Wellbeing portfolio)

<b>Decision Date:</b>	25 March 2022
<b>Reference number:</b>	HW02.22
<b>Title:</b>	<b>Charging Policies for Adult Social Care Residential and Non-Residential Care Services</b>
<b>Relevant councillor(s):</b>	Councillor Angela Macpherson
<b>Author and/or contact officer:</b>	Tracey Ironmonger Interim Service Director for Integrated Commissioning Tracey.Ironmonger@buckinghamshire.gov.uk
<b>Ward(s) affected:</b>	All
<b>Recommendations:</b>	<b>That the Leader agrees to approve the updated Choice and Charging Policies for Residential and Non-Residential Care.</b>

**Reason for decision:** To ensure that Buckinghamshire Council has a policies and processes for charging which are in line with the Care Act 2014

### 1. Content of report

- 1.1 Local authorities have a duty to arrange care and support for those with eligible needs. The Care Act gives local authorities a general power to charge for certain types of care and support. These charges will be based on a financial assessment which ensures fair and consistent application of charges.
- 1.2 Every Council has a responsibility to use its resources effectively and appropriate charging is a key element of this. There is national guidance on charging for care and support, which specifies capital limits in relation to eligibility for financial support from a local authority and the approach to financial assessment. Charges will also reflect the cost of services
- 1.3 New charging structures were introduced in 2019 and presented in the following two policies:

- Charging Policy for Residential Services
- Charging Policy for Non-Residential Services

These policies have been reviewed and this paper presents the updated policies and incorporates the approved 22/23 prices.

- 1.4 The review of the policies includes a change to charging for short breaks (previously referred to as respite care). Self-funders who access services external to the Council for short breaks pay full cost. Currently self-funders who access the short breaks service provided directly by the Council access this at a reduced rate. The Charging for Residential Service Policy introduces full cost charging for the Council short breaks service.
- 1.5 Currently self-funders pay £250 per week for general short breaks and £306.00 for high dependency short breaks. This charge is significantly below the actual cost of delivering this service. The average cost of this care is £976, but costs will vary dependent on the needs of the client. Charging the full cost of this care is consistent with the Care Act 2014 and need for the Council to make effective use of its resources. As the provision of a reduced rate for short breaks is discretionary, no consultation is required to introduce this.
- 1.6 There are no further substantial changes to the policies and all other amendments just clarify the application of current charges. The policies will apply from 1 April 2022.

## **2. Other options considered**

- 2.1 Allowable charging for adult social care services is an important action to reduce cost pressures on the adult social care budget and the effective management of Council resources. Reducing or stopping charges would create significant cost pressures which would impact negatively on the delivery of a range of services.
- 2.2 The current situation where a limited number of self-funders access Council short breaks at a significantly reduced cost, is both unfair and does not reflect the actual cost to the Council of the delivery of care.

## **3. Legal and financial implications**

- 3.1 The Charging Policies are set against the context that local authority budgets continue to be challenging and are in a context of increasing demand for Adult Social Care.
- 3.2 Most Adult Social Care charges are means-tested, and this income is used to directly offset the cost of providing or commissioning these services. The basic principle of

fair charging is that service users only pay what can be afforded. A Local Authority cannot charge more than cost of service provision to the Local Authority with the exception of meal charges as Income Support/State Pension is provided to individuals to assist them with household expenses, such as meals.

#### **4. Corporate implications**

- 4.1 Section 14 of the Care Act enables a local authority to decide whether to charge a person for services when it is arranging to meet a person's support needs or a carer's support needs. Section 17 of the Care Act enables a local authority to undertake a financial assessment to determine if a person is able to pay towards the cost of support services to meet their needs.

#### **5. Consultation and communication**

- 5.1 The policy provides a clearer articulation of the current charging approaches and procedures. The only change is the introduction of full cost charging of short breaks provided by Council services. As this the Council part funding short breaks is discretionary there is no requirement for consultation to change these charges

#### **6. Next steps and review**

- 6.1 The policy will be reviewed annually

#### **7. Background papers**

- 7.1 The new policies are provided:  
Appendix 1 - Charging Policy for Residential Services  
Appendix 2 – Charging Policy for Non-Residential Services

#### **8. Your questions and views (for key decisions)**

- 8.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider, please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).