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## **Review of Charging Policy 2021/22**

**Report by Chief Operating Officer, Adult Social Work & Social Care**

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### **SCOTTISH BORDERS COUNCIL**

**17 December 2020**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report provides an analysis of responses to the consultation on the review of the Non-Residential Charging Policy 2021/22 (Charging Policy) and seeks approval for changes to the charges for social care support at home.**
- 1.2 This review of the Charging Policy is an annual activity of Scottish Local Authorities with guidance of The Convention of Scottish Local Authorities (COSLA). This year the publication of COSLA guidance was delayed until May 2020 due to the impact of COVID 19.**
- 1.3 The paper provides further information on the impact of proposals as requested at Administration Policy Working Group on the 17 November 2020.**
- 1.4 From the outset it is acknowledged this review and consultation is taking place in midst of the COVID 19 Global pandemic. The pandemic is having a major impact on how public services are delivered and on how individuals, families and communities are living in uncertain social and economic circumstances that is seeing unemployment and benefits dependency increase.
- 1.5 It is in this context that Scottish Borders Council and Corporate Management Team initiated a limited review of the Charging Policy for Social Care Services. A Consultation on specific charging matters has been undertaken in papers presented from February to August 2020 and seeks to balance the increasing demand on services, mitigating against hardship and providing good quality services within budget.
- 1.6 The review of the Charging Policy and the consultation follows COSLA Guidance intended to assist Local Authorities and Integration Authorities to determine whether to charge a person for social care support at home and in calculating how much through a financial assessment process and by promoting income maximisation through the financial assessment process.

1.7 Five proposals were consulted upon:

1. The implementation of an equivalency model for care and support.
2. Charging for extended short-stays in residential care settings (longer than 4 weeks).
3. Clients with capital above an upper capital threshold of £16,000 will be deemed to be self-funding and asked to pay the full cost of their services (excluding free personal care).
4. Replacing the flat rate charge with financially assessed charge in Extra Care Housing and Housing with care chargeable services.
5. The increase of the Taper Rate from 65% to 100%.

1.8 See Appendices A to E for sample case scenarios illustrative of the impact of the charging policy recommendations in individual circumstances. These examples are believed to be representative of the impact but, due to every individuals circumstances being different, it is not possible to show every scenario. People will be informed of individual changes in line with Council policy.

1.9 See Appendix F to see sample of comparison Taper rate and Capital thresholds in other Local Authorities from the Local Government Benchmark Framework.

1.10 See Appendix L for same case scenario to illustrate the impact of applying different upper capital thresholds of £16,000, £28,500 and £32,000.

## **2 RECOMMENDATIONS**

2.1 **It is recommended that Council:-**

- a) **Notes the feedback and analysis from the charging policy consultation.**
- b) **Approve reference to the equivalency model in the Charging Policy being applied to care & support resources.**
- c) **Agrees to approve the following changes to the charges for social care support for people at home, to take effect from 1<sup>st</sup> April 2021.**
  - I. **The level of the Upper Capital threshold to be £28,500 and to be reviewed annually, bringing this into line with the Upper Capital threshold also used for Residential Care charging assessment. COSLA guidance uses £16,000 upper capital threshold;**
  - II. **Implement a charge for extended short stays in a residential care setting (in line with national Charging for Residential Accommodation Guidance) where the length of stay is longer than 4 weeks;**

- III. Replace the flat rate charge in Extra Care Housing with a financially assessed charge within Extra Care Housing and Housing with Care;**
- IV. Increase the Taper rate from 65% to 70%.**

### **3 Consultation on the Review of the Charging Policy**

- 3.1 The review of the charging policy enables decisions to be made as part of budget setting processes. During this process the Council must take account of the broader range of pressures, strategic improvement and efficiency programmes and ensure that income from charging for social care is spent on social care services. COSLA guidance emphasises the need to take a human rights approach to review and at the heart of this is the involvement of people and promoting equality to better inform Council planning and decision making.
- 3.2 The context of this review and the level of co-production that has been possible is substantially shaped by the public health guidance being followed in response to the COVID 19 pandemic. In this context the level of engagement with people who use services and carers is informed by in-house and external stakeholder working groups, online feedback and letters provided to adult social work service users and/or their POA's.
- 3.3 The stakeholder working groups identified that future reviews of the charging policy required a stronger governance, structure and process to maximise co-production. Therefore, one output from this review and consultation has been to identify the future review process which will be proposed in a separate paper.
- 3.4 The co-production of a charging policy is by its very nature problematic. It is understood that people have a natural disposition against increased charges - either out of principle or self-interest – both are legitimate. It is equally important to recognise that people are more naturally supportive of fair and transparent charges. These points are apparent in our consultation results.
- 3.5 The results from the consultation are summarised below under each change issue and the more comprehensive findings are embedded within this report. The consultation took place from 7 August – 27 September 2020. Information on the consultation was: Published online via the Council and other stakeholder groups; subject to Press Release with Chief Executive support; Letters were sent to service users and Powers of Attorney known to the Council, third and independent sector partners, the External Charging Forum group and was widely promoted online via social media.
- 3.6 The Introduction of an Equivalency Model for Care Hours
  - 3.6.1 In the context of a charging policy the equivalency model means that where a service user or their representative chooses services which cost more than those the Local Authority would and could arrange, the level of funding the Council would provide would not exceed the cost of the council arranged option based on the assessed needs of the person.
  - 3.6.2 The consultation shows 30% of people against the equivalence approach. The Council has a duty in relation to best value, is accountable for public expenditure and equivalence enables Councils to be fair and equitable when making care and support decisions.

3.6.3 The charging policy review must consider that flat rate charging takes no account of ability to pay and in some circumstances, such as housing support, can lead to some people experiencing financial hardship. This policy aims to mitigate hardship through a financial assessed charge and promoting income maximisation for people.

3.6.4 26% of responses to the consultation were not supportive of introducing a tiered approach based upon a financial assessment. However, COSLA guidance is clear that local authorities must ensure the personal, social and economic circumstances of individuals are given due regard in determining whether charges should apply, and the level of charges to prevent financial hardship. One mechanism assisting this is a financially assessed charge.

### 3.7 Charging for Extended Short-Stays

3.7.1 The purpose of a short stay in a care home is generally for a period of up to 12 weeks (but usually shorter). People who might use our short stay rooms are:

- People who might be able to return home after a period of rehabilitation or reablement, following discharge from hospital and prior to returning home.
- People whose needs are to be assessed within the short-stay setting.
- People who have already had an assessment of their care needs and it is recommended that their care needs could only be met within a care home setting.
- People who have had their needs assessed and are awaiting availability of an interim or permanent care setting or for community based supports to be put in place. People who require specialist or continuing care.
- People who require home adaptations or equipment in order for their care and support needs to be met.
- Community care response/emergency.
- Short stays in a care home in the above circumstances are not currently charged. However, there are instances when a short stay extends beyond the planned duration of the short-stay. In instances when people choose to stay beyond the planned short-stay when they are ready to return home or move-on then it is proposed that the extended stay period is chargeable. This would only apply after 4 weeks and is in line with National Charging for Residential Accommodation Guidance (CRAG) and aligns the charging policy to the Council's "Moving-on from a short-stay in a care home" Policy.

- There was an equal proportion of people opposed/ supportive of this change (29%) in each category.

### 3.8 The Introduction of an Upper Capital Threshold

3.8.1 COSLA publishes a capital threshold within their Financial Assessment Template when assessing charges for non-residential care. The introduction of an Upper Capital Threshold of £16,000 was proposed in the charging consultation as this would bring the Council in line with published COSLA guidance.

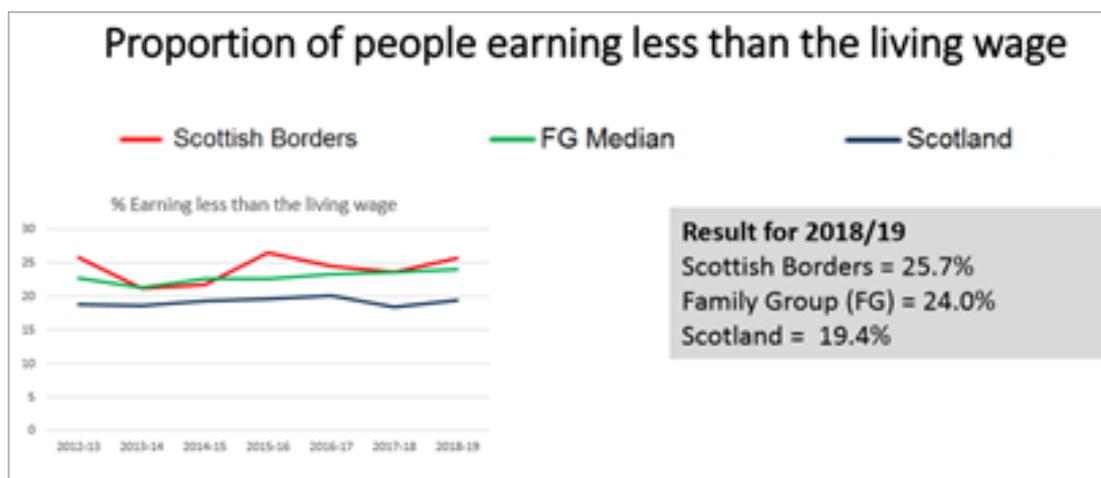
3.8.2 The Upper Capital threshold is used to determine if individuals should pay fully for their care and is based on DWP Benefit rates 2020/21 (See Appendix G for scenario)

3.8.3 This would mean any individual with capital above the £16,000 threshold must pay the full costs of their social care support without help from the Council, until their savings are reduced to this level.

3.8.4 Base on a random sample of 100 cases from existing individuals:

- 4 people had £10 - £16k capital
- 5 people had £16 - £28.5k capital
- 0 people had £28.5 - £30k capital
- 4 people had £32 - £50k capital
- 7 people had £50k +

3.8.5 Graph below illustrates Scottish Borders position versus those local authorities in our Local Government Benchmark Group



3.8.6 There was significant opposition to this proposal (64%) with an overall view that £16,000 is too low a ceiling and may disadvantage those who have social care support needs but also have a level of independence. For example, setting the upper threshold too low could prevent people from affording their own holidays, car purchase or respite – things that help maintain independence at home.

3.8.7 The introduction of this change would bring SBC policy into line with national guidance and the practice applied in other Local Authorities some of which use the Upper Capital Threshold as set out in the

Charging for Residential Accommodation Guidance (CRAG) of £28,500.

3.8.8 Individuals who do not wish to divulge financial information for the financial assessment will be expected to contribute the full economic cost of the service and be charged the current unit cost for any weekly or sessional service within their care package.

3.8.9 The Council's proposal following the consultation is that an upper capital threshold of £28,500 is introduced which is significantly above the COSLA published threshold, thereby assisting greater numbers of people with the costs of their care.

### 3.9 Replacing the flat rate charge with a financially assessed charge within Extra Care Housing (ECH) and Housing with Care (HWC) settings

3.9.1 For people living in ECH and 24 hour accommodation with support for people with a learning disability the existing Flat rate charge is based on the premise that people have easy access to 24 hour support to meet unpredictable need.

3.9.2 For people living in HWC the charge is based on support being available daily from 7.00am to 10.00pm to meet unpredictable need. The current flat rate of charge is not financially assessed which can result in people experiencing financial hardship as everyone pays the same charge irrespective of their financial position.

3.9.3 The charging basis for all ECH must reflect fairness, equity and transparency and currently there is a significant difference in flat rate charge across our Extra Care Housing developments and this must be addressed to ensure that all tenants and all current and planned future ECH developments use the same principles and basis for charging for services.

3.9.4 The charges applied must also seek to cover the cost of the costs in relation to the chargeable services whilst minimising the impact of financial hardship.

3.9.5 The review of the charging policy will introduce a consistent basis of charging across current and future developments and minimise the impact of financial hardship by ensuring the charge is based on a financial assessment.

3.9.6 The External Charging Forum proposed a tiered approach to charging which would see a financially assessed charge that was proportionate to the level of needs an individual has (low, medium, high). Whilst this seems fair in principle, that people with higher levels of support may have higher incidence of unpredictable events, there is no evidence to support this.

3.9.7 Furthermore, people's needs change over time. Where the level of needs change the charge would change if a tiered approach was taken. This approach brings some risk when assessments are

taking place that people's expressed needs are understated or impacted by having a direct financial impact. This would bring additional bureaucracy and administration that could be minimised by having a standard, financially assessed charge.

3.9.8 The feedback from the consultation was generally supportive with 26% of feedback being opposed.

### 3.10 The increasing of the Taper Rate from 65% to 100%

3.10.1 The increase in the taper rate to 100% was approved by Council in February 2020 in order to protect the quality of services and in consideration of the budget setting for 2020/2021.

- i. It was recognised by Corporate Management Team and Council that this change in taper rate required consultation to understand the impact on individuals and in context of the unpredictable socio-economic impact of the pandemic COVID19. Therefore, it was agreed this change would be included within the charging policy review consultation.
- ii. COSLA guidance is followed by the Council in setting a level of income below which a person is not required to pay toward the cost of the support they receive. This determines whether or not a contribution is needed.
- iii. A percentage taper is then applied to the available income over the threshold to determine a maximum contribution. A person's contribution should not exceed the cost of providing the support.
- iv. Feedback from the consultation shows 59% not in support of this increase. With 46% of respondents stating they would be directly impacted by this change and 41% of respondents reporting they would experience a significant increase in costs and 44% stating this would have a negative impact for them.
- v. COSLA report that Local Government's revenue funding has decreased by 7% in real terms between the years 2013-14 and 2019-20. Local Authorities decide whether to use their legal powers to charge for social care support at home within an overall context of financial and demographic pressures. The Income from charging will be used to invest in social care support so people with an assessed need have access to the high quality services they require.
- vi. The impact on income to the council based on different levels of Taper rate is illustrated below based on 2019/20 actual data:

<b>Based on actual data based on 449 clients assessed care charges. Income generated is based on 2019/20 data</b>	
<b>Taper rate</b>	<b>Income generated</b>
65%	£361,000
80%	£444,000
100%	£555,000

## 4 IMPLICATIONS

### 4.1 Financial

The table below provides an overview of the proposed change, consultation feedback and financial impact

<b>Proposed Change</b>	<b>Consultation results</b>	<b>Internal Charging Group Proposal</b>	<b>Financial Impact</b>	<b>External Charging Forum: Proposal recommendation</b>
<b>Equivalency model for care hours</b>	27% Supportive 46% Opposed	Implement	Equivalency is currently applicable within the legal framework to resource decision making. This inclusion will enable more consistent consideration on the use of resources in our policy according to individual circumstances	Undecided.
<b>Upper Capital Threshold</b>	18% Supportive 64% Opposed	Introduce a higher Upper Capital Threshold of £28.5k in line with the Upper Capital Threshold used by Residential Care	A sample of 25% of clients shows an additional income of circa £35k per annum if the £16k option is implemented.  Additional income of circa £7.5k per annum for the £28.5k upper capital threshold.	Agree with upper limit of £28,500 to make it consistent with Residential Care and review annually.
<b>Extended Short Stays</b>	29% Supportive 29% Opposed	Implement	The saving of <b>one</b> 4 week extension would be approx. £2-3k	Agree
<b>Extra Care Housing/ Housing with care tiered model</b>	29% Supportive 34% Opposed	Implement	The current income from the flat rate charge, paid by all tenants, will cease. A new charge will be set at the actual cost of the additional support and people will be financially assessed to ensure contributions have equity, transparency and fairness.	Agree

<b>Taper rate increase</b>	12% Supportive 72% Opposed	Increase the Taper Rate in a phases, increasing to 80% in 21/22 and assess the impact. Increase up to 100% in future years.	70% Taper- Approx. £28k additional income versus £194k additional income at 100% taper rate  80% taper - Approx £83k additional income.  Leaving the taper rate unchanged reduces income by £194k versus increase to 100%.	Agree with introducing taper in phases.
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#### 4.2 Risk and Mitigations

- a) The proposed changes in the review of the charging policy only focused on the key issues that were crucial to the introduction of the financial assessment to mitigate risk of hardship and would support wider Scottish Borders Council Policy and ensure greater equity to enable the success of the current and planned Extra Care Housing developments.
- b) The consultation engaged with a wide range of Scottish Borders Council Officers and leadership (in-house working group). Also, face-to-face and virtual workshops were set up with external stakeholders representing significant groups across our communities including the third sector and unpaid carers.
- c) The consultation was accessible in easy-read format, online and in writing. The questionnaire and background information was provided to service users, carers, powers of attorney and widely distributed to third and independent sector service providers for their distribution.
- d) It is accepted that the public health guidance in response to the pandemic COVID 19 has reduced the possibility of face to face or collaborative events across the localities to explore the issues deeper. To mitigate these risks we have engaged using multiple formats of consultation and promoting the consultation using press releases, online social networks and print form.
- e) There are financial impact risks on individuals and for the council. The implementation of increasing individual contributions is mitigated through financial assessment, income maximisation and a human rights approach.
- f) There is the financial risk to the council that reduced income from charging would create budget pressures on social care support at home at a time when there is predicted increased demand for home based social and community care support. Mitigation of this would be through risk assessment of efficiency options across service areas.
- g) There is a risk of adverse impact of undertaking a review during the pandemic. The review and feedback from the consultation provides evidence of these concerns. To mitigate these risks we have limited the scope of this review and informed a plan for future charging reviews.



## Appendix A – Case Scenario

### Example 1

A 70-year-old man lives with his family so has no housing or Council Tax/Water charges.

He receives 20 hours personal care.

His income consists of State Pension, Occupational Pension and higher rate Attendance Allowance of £89.15.

*There was no charge as all services are classed as personal care. This does not change*

Calculation	Current (£ Per Week)	Proposed (£ Per Week)
<b>Income</b>		
Retirement Pension	£150.00	£150.00
Occupational pension	£90.25	£90.25
Attendance Allowance *	£59.70	£59.70
<b>Total income</b>	<b>£299.95</b>	<b>£299.95</b>
<b>Allowable Expenditure</b>		
Disability Related Expenditure (20% of AA)	£11.94	£11.94
<b>Income Allowance</b>		
Single persons income allowance (pension age)	£218.00	£218.00
<b>Total allowances</b>	<b>£229.94</b>	<b>£229.94</b>
<b>Excess income</b>	<b>£70.01</b>	<b>£70.01</b>
Taper Current 60% - Proposed 100% of excess	£45.50	£70.01
<b>Ability to Pay</b>	<b>£45.50</b>	<b>£70.01</b>
<b>Cost of Care Provided</b>		
Cost of free personal care 20 hours @ £15.91 per week (not chargeable)	0.00	0.00
<b>Total cost of chargeable services</b>	<b>£0.00</b>	<b>£0.00</b>
<b>Charge</b>	<b>Nil</b>	<b>Nil</b>

## Appendix B – Case Scenario

### Example 2

A 90-year-old woman lives with family so has no housing or Council Tax/Water charges. She receives 9.25 hours personal care and 7.5 hours home care services.

Her income consists of State Pension, Pension Credit with Severe Disability Premium and higher rate Attendance Allowance of £89.15.

*The increase in taper rate would result in a small increase in charge.*

Calculation	Current (£ Per Week)	Proposed (£ Per Week)
<i>Income</i>		
Retirement Pension	£100.00	£100.00
Pension Credit	£73.75	£73.75
Attendance Allowance *	£59.70	£59.70
<b>Total income</b>	<b>£233.45</b>	<b>£233.45</b>
<i>Allowable Expenditure</i>		
Disability Related Expenditure (20% of AA)	£11.94	£11.94
<i>Income Allowance</i>		
Single persons income allowance (pension age)	£218.00	£218.00
<b>Total allowances</b>	<b>£229.94</b>	<b>£229.94</b>
<b>Excess income</b>	<b>£3.51</b>	<b>£3.51</b>
Taper Current 65% - Proposed 100% of excess	£2.28	£3.51
<b>Ability to Pay</b>	<b>£2.28</b>	<b>£3.51</b>
<i>Cost of Care Provided</i>		
Cost of home care services 7.5 hours @ £15.91 per week	£119.32	£119.32
Cost of free personal care 9.25 hours @ £15.91 per week (not chargeable)	0.00	0.00
<b>Total cost of chargeable services</b>	<b>£119.32</b>	<b>£119.32</b>
<b>Charge</b>	<b>£2.28</b>	<b>£3.51</b>

## Appendix C – Case Scenario

### Example 3

A 30-year-old man with learning disabilities lives in supported living. He receives 5 hours personal care and 8 hours home care services (domestic assistance). He is in receipt of ESA of £74.35 plus DLA Care Component of £59.70 per week. He has part time work from which he earns £100 net per week.

He does not pay rent but pays £4.31 in Council Tax/Water charges.

*The increase in taper rate would result in an increase in charge.*

Calculation	Current (£ Per Week)	Proposed (£ Per Week)
<i>Income</i>		
ESA	£74.35	£74.35
DLA Care – Middle Rate	£59.70	£59.70
Earned income	£100.00	£100.00
<b>Total income</b>	<b>£234.05</b>	<b>£234.05</b>
<i>Allowable Expenditure -</i>		
Disability Related Expenditure (20% of DLA)	£11.94	£11.94
Earnings disregard	£25.00	£25.00
Housing cost – Council Tax	£4.31	£4.31
<i>Income Allowance</i>		
Single persons income allowance (working age)	£137.00	£137.00
<b>Total allowances</b>	<b>£178.25</b>	<b>£178.25</b>
<b>Excess income</b>	<b>£55.80</b>	<b>£55.80</b>
Taper		
Current 65% - Proposed 100% of excess	£36.27	£55.80
<b>Ability to Pay</b>	<b>£36.27</b>	<b>£55.80</b>
<i>Cost of Care Provided</i>		
Cost of free personal care 5 hours @ £15.91 per week (not chargeable)	£ 0.00	£ 0.00
Cost of home care services 8 hours @ £15.91 per week	£127.28	£127.28
<b>Total cost of chargeable services</b>	<b>£127.28</b>	<b>£127.28</b>
<b>Charge</b>	<b>£36.27</b>	<b>£55.80</b>
<b>TOTAL AMOUNT PAYABLE</b>	<b>£36.27</b>	<b>£55.80</b>

## Appendix D – Case Scenario

### Example 4

Mrs A (aged 77) lives in sheltered accommodation with her husband. She receives 5 hours home care services. She has a State Pension of £185.00 per week, Attendance Allowance of £59.70 and an occupational pension of £200.00 per week. They pay £80.00 per week in rent and £30.00 per week in Council Tax.

*The increase in taper rate would result in an increase in charge but as we have assessed her as having the ability to pay more than the full cost of her services, she will pay the actual cost of the service.*

Calculation	Current (£ Per Week)	Proposed (£ Per Week)
<b><i>Income</i></b>		
Retirement Pension – Mrs	<b>£185.00</b>	<b>£185.00</b>
Attendance Allowance - Lower Rate – Mrs	£59.70	£59.70
Occupational Pension (50% only taken into account)	£100.00	£100.00
<b>Total income</b>	<b>£344.70</b>	<b>£344.70</b>
<b><i>Allowable Expenditure</i></b>		
Housing cost - Council Tax (50%)	£15.00	£15.00
Housing cost rent (50%)	£40.00	£40.00
<b><i>Income Allowance</i></b>		
Single persons income allowance (pension age)	£218.00	£218.00
<b>Total allowances</b>	<b>£273.00</b>	<b>£273.00</b>
<b>Excess income</b>	<b>£71.70</b>	<b>£71.70</b>
Taper Current 65% - Proposed 100% of excess	£46.60	£71.70
<b>Ability to Pay</b>	<b>£46.60</b>	<b>£71.70</b>
<b><i>Cost of Care Provided</i></b>		
Cost of home care services 4 hours @ £15.91 per hour		£63.64
<b>Total cost of chargeable services</b>	<b>£63.64</b>	<b>£63.64</b>
<b>Charge</b>	<b>£46.60</b>	<b>£63.64</b>

## Appendix E – Case Scenario

### Example 5

A 30-year-old man with learning disabilities lives in sheltered housing. He receives 7 hours personal care and 10 hours home care services (domestic assistance).

He is in receipt of ESA of £74.35 plus DLA Care Component of £59.70 per week. He has £35,200 in capital.

He does not pay rent but pays £4.31 in Council Tax/Water charges.

*As his capital is above the new threshold, he will be liable to pay the full cost of his services.*

Calculation	Current (£ Per Week)	Proposed (£ Per Week)
<i>Income</i>		
ESA	£74.35	£74.35
DLA Care – Middle Rate	£59.70	£59.70
Tariff income	£51.00	<b>Exceeds capital limit so liable to pay full cost of care</b>
<b>Total income</b>	<b>£295.05</b>	
<i>Allowable Expenditure -</i>		
Disability Related Expenditure (20% of DLA)	£11.94	
Housing cost – Council Tax	£4.31	
<i>Income Allowance</i>		
Single persons income allowance (working age)	£137.00	
<b>Total allowances</b>	<b>£153.25</b>	
<b>Excess income</b>	<b>£141.80</b>	
Taper Current 65% - Proposed 100% of excess	£92.17	
<b>Ability to Pay</b>	<b>£92.17</b>	
<i>Cost of Care Provided</i>		
Cost of free personal care 7 hours @ £15.91 per week (not chargeable)	£ 0.00	£ 0.00
Cost of home care services 10 hours @ £15.91 per week	£159.10	£159.10
<b>Total cost of chargeable services</b>	<b>£159.10</b>	<b>£159.10</b>
<b>Charge</b>	<b>£92.17</b>	<b>£141.80</b>

## Appendix E – Local Authority Comparison Table

Table 1

Local Authority	Taper rate %	Upper Capital Threshold
<b>Scottish Borders</b>	<b>Increase to 70%* (No Taper)</b>	<b>£28,500*</b>
<b>Angus</b>	<b>75%</b>	<b>N/A</b>
<b>Argyll &amp; Bute</b>	<b>80%</b>	<b>£26,500</b>
<b>East Lothian</b>	<b>75%</b>	<b>£16,000</b>
<b>Dumfries &amp; Galloway</b>	<b>65%</b>	<b>£24,750</b>
<b>Midlothian</b>	<b>70%</b>	<b>£16,000</b>
<b>Moray</b>	<b>70%</b>	<b>£16,000</b>
<b>Highland</b>	<b>75%</b>	<b>£26,000</b>
<b>Perth &amp; Kinross</b>	<b>No Taper</b>	<b>£28,000</b>

### \*proposed changes

Please note that this information is the latest information as published on each Local Authority website. Some of the thresholds may have changed but not been updated.

The table only displays the 2 items under review in this policy. It is important to understand there are many individual differences within each charging policy that would have an impact on individual circumstances.

## Appendix F – Consultation Analysis of Feedback

A full consultation on the proposed changes to the Non-Residential Charging Policy took place from 7 August to 27 September as agreed by CMT on 22 July.

108 full consultation forms were completed. 24.07% by service users, 24.07% by Carers, 38.89% by Family/friends of service users, 10.19% by other individuals and 2.78% by organisations. As only 108 forms were submitted the results are informative rather than statistically significant.

In addition, five Easy Read consultation documents were returned.

The results of the consultation, by proposal, can be seen below -

### **The introduction of a equivalency model for care hours**

This means that Where a service user chooses services which cost more than those the local authority would arrange to meet any assessed needs, the level of funding the service user will receive will not exceed the cost of the equivalent local authority arranged services.

Any care and support which exceeds the local authority level of funding will be the responsibility of the service user to arrange and fund.

Q1. How do you feel about this proposed change?

	Service User	Carer	Famil /Friend	Other individual	Org	Grand Total	% of Total
1. I support this	2	2	10	4		18	17%
2. Slightly supportive	2	3	4	1		10	9%
3. Neither support nor oppose	1	5	6	2		14	13%
4. Slightly opposed	6	2	6	1	1	16	15%
5. I do not support this	9	8	10	3	2	32	30%
6. Unsure	6	5	4			15	14%
7. Not Answered		1	2			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	<b>100%</b>

Q2. Would you be directly impacted by this change?

	Service User	Carer	Family/ Friend	Other individual	Org	Grand Total	% of Total
1. Yes	13	13	11		2	39	36%
2. No	3	3	10	10		26	24%
3. Unsure	10	10	19	1	1	41	38%
4. Not Answered			2			2	2%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	<b>100%</b>

Q3. What do you think the financial impact would be for you?

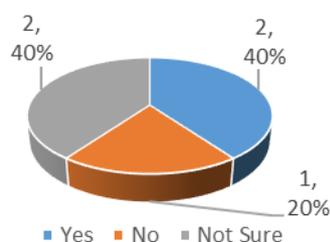
	Service User	Carer	Family/Friend	Other	Org	Grand Total	% of Total
1. Not applicable	1	4	6	9	1	21	19%
2. Significant increase in cost	6	8	6	1		21	19%
3. Some increase in cost	6	3	9	1		19	18%
4. No difference in cost	1	1	3			5	5%
5. Some reduction in cost							0%
6. Significant reduction in cost		1				1	1%
7. Unsure	12	9	16		2	39	36%
8. Not Answered			2			2	2%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q4. How do you think that this change would impact on you generally?

	Service User	Carer	Family/Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	1	3	7	7	1	19	18%
2. Positive	1			1		2	2%
3. Slightly positive			1			1	1%
4. Neither positive nor negative	2	3	5	1		11	10%
5. Slightly negative	3		10			13	12%
6. Negative	10	11	7	2	2	32	30%
7. Unsure	9	9	10			28	26%
8. Not Answered			2			2	2%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Of those who are directly impacted by this change 7.7 % (1/13) were supportive.

Easy Read – Equivalency model – Do you think this is a good idea?



## Appendix G:

### A tiered approach to extra care housing and housing with care charges

The consultation asked people to consider the impact of the introduction of a tiered approach based on level of need.

- Lower level of support = Up to 12 hours per week
- Medium level of support = Between 13 hours and 21 hours per week
- High level of support = Greater than 21 hours per week

Q1. How do you feel about this proposed change?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. I support this	2	1	5	4		12	11%
2. Slightly supportive	5	5	5	3		18	17%
3. Neither support nor oppose	3	6	10	1	2	22	20%
4. Slightly opposed	2	3	2			7	6%
5. I do not support this	5	6	14	3		28	26%
6. Unsure	6	4	4		1	15	14%
7. Not Answered	3	1	2			6	6%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q2. Would you be directly impacted by this change?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. Yes	5	3	11		1	20	19%
2. No	11	19	20	11	1	62	57%
3. Unsure	7	4	9		1	21	19%
4. Not Answered	3		2			5	5%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

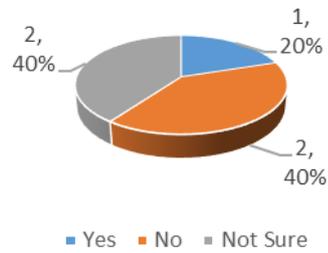
Q3. What do you think the financial impact would be for you?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	7	13	19	10	2	51	47%
2. Significant increase in cost	4	3	7	1	1	16	15%
3. Some increase in cost	3	2	4			9	8%
4. No difference in cost	1	2	2			5	5%
5. Some reduction in cost							0%
6. Significant reduction in cost							0%
7. Unsure	8	6	9			23	21%
8. Not Answered	3		1			4	4%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q4. How do you think that this change would impact on you generally?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	7	12	17	8	2	46	43%
2. Positive	1			1		2	2%
3. Slightly positive							0%
4. Neither positive nor negative	2	4	6	1		13	12%
5. Slightly negative	2	1	3			6	6%
6. Negative	3	2	6	1	1	13	12%
7. Unsure	9	7	8			24	22%
8. Not Answered	2		2			4	4%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	<b>100%</b>

Of those who are directly impacted by this change 20% (1/5) were supportive. Easy Read – Tiered model – Do you think this is a good idea?



## Appendix H:

### The charging for extended short stays

The recommendation is to charge for extended short stays, beyond the 4 week period, the way we do for residential services in line with the CRAG regulations.

Q1. How do you feel about this proposed change?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. I support this		4	7	5		16	15%
2. Slightly supportive	3	4	5	1	1	14	13%
3. Neither support nor oppose	8	5	12			25	23%
4. Slightly opposed	4		2	1	1	8	7%
5. I do not support this	3	8	8	3		22	20%
6. Unsure	5	5	7	1	1	19	18%
7. Not Answered	3		1			4	4%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q2. Would you be directly impacted by this change?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. Yes	6	7	2		1	16	15%
2. No	10	12	29	9		60	56%
3. Unsure	7	7	10	2	1	27	25%
4. Not Answered	3		1		1	5	5%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q3. What do you think the financial impact would be for you?

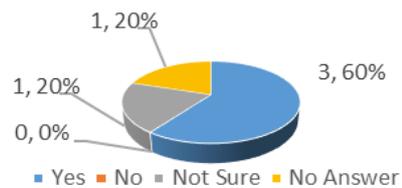
	Service User	Care r	Family / Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	10	11	22	9	1	53	49%
2. Significant increase in cost	3	7	2	2		14	13%
3. Some increase in cost	3		3			6	6%
4. No difference in cost	1	2	7			10	9%
5. Some reduction in cost							0%
6. Significant reduction in cost							0%
7. Unsure	6	6	7		2	21	19%
8. Not Answered	3		1			4	4%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q4. How do you think that this change would impact on you generally?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	10	10	24	8	1	53	49%
2. Positive	1			1		2	2%
3. Slightly positive		1				1	1%
4. Neither positive nor negative	2	3	6	1		12	11%
5. Slightly negative	1		3			4	4%
6. Negative	6	8	1	1	1	17	16%
7. Unsure	4	4	7		1	16	15%
8. Not Answered	2		1			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

*Of those who are directly impacted by this change 16.6 % (1/6) were supportive.*

Easy Read – Extended Short breaks charging – Do you think this is a good idea?



## APPENDIX I:

### The introduction of an Upper Capital Threshold

Consideration was requested as to the impact of the introduction of a Upper Capital Threshold of £16k

Q1. How do you feel about this proposed change?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. I support this	5		2	4		11	10%
2. Slightly supportive	2		6			8	7%
3. Neither support nor oppose	4	4	3	1	2	14	13%
4. Slightly opposed	2	1	3			6	6%
5. I do not support this	9	21	26	6	1	63	58%
6. Unsure	3		2			5	5%
7. Not Answered	1					1	1%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q2. Would you be directly impacted by this change?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Yes	7	11	22		1	41	38%
2. No	11	10	12	9	2	44	41%
3. Unsure	7	5	8	2		22	20%
4. Not Answered	1					1	1%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q3. What do you think the financial impact would be for you?

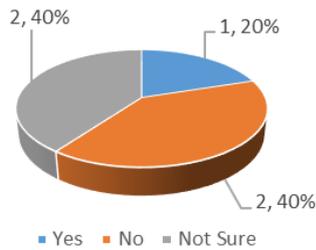
	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	8	8	5	9	2	32	30%
2. Significant increase in cost	5	11	20	2		38	35%
3. Some increase in cost	4	1	2			7	6%
4. No difference in cost	3	2	7			12	11%
5. Some reduction in cost		1				1	1%
6. Significant reduction in cost							0%
7. Unsure	5	3	7		1	16	15%
8. Not Answered	1		1			2	2%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q4. How do you think that this change would impact on you generally?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable	8	9	6	8	2	33	31%
2. Positive	1			1		2	2%
3. Slightly positive		1				1	1%
4. Neither positive nor negative	2	1	7			10	9%
5. Slightly negative	3		4			7	6%
6. Negative	5	12	19	2		38	35%
7. Unsure	6	3	5		1	15	14%
8. Not Answered	1		1			2	2%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

*Of those who are directly impacted by this change 14.2% (1/7) were supportive.*

Easy Read – Upper Capital Threshold – Do you think this is a good idea?



## APPENDIX J:

### The increasing of the Taper Rate to 100%

Finally, consideration was to be given to the increase of the Taper Rate (as agreed by Council in February) from 65% to 100%.

Q1. How do you feel about this proposed change?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. I support this	2		3	3		8	7%
2. Slightly supportive	2	2				4	4%
3. Neither support nor oppose			4			4	4%
4. Slightly opposed	2	5	3	1		11	10%
5. I do not support this	14	17	24	7	2	64	59%
6. Unsure	4	2	7		1	14	13%
7. Not Answered	2		1			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q2. Would you be directly impacted by this change?

	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Yes	13	16	19	1	1	50	46%
2. No		7	5	9	2	23	21%
3. Unsure	11	3	17	1		32	30%
4. Not Answered	2		1			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q3. What do you think the financial impact would be for you?

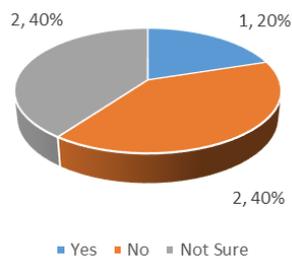
	Service User	Carer	Family /Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable		5	4	9	2	20	19%
2. Significant increase in cost	11	15	16	2		44	41%
3. Some increase in cost	6	1	9			16	15%
4. No difference in cost		1	2			3	3%
5. Some reduction in cost							0%
6. Significant reduction in cost							0%
7. Unsure	7	4	10		1	22	20%
8. Not Answered	2		1			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

Q4. How do you think that this change would impact on you generally?

	Service User	Carer	Family / Friend	Other individual	Org	Grand Total	% of Total
1. Not applicable		5	5	7	2	19	18%
2. Positive	1			1		2	2%
3. Slightly positive	2					2	2%
4. Neither positive nor negative	2	1	2	1		6	6%
5. Slightly negative	3		7			10	9%
6. Negative	12	16	16	2	1	47	44%
7. Unsure	4	4	11			19	18%
8. Not Answered	2		1			3	3%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	100%

*Of those who are directly impacted by this change 23.1% (3/13) were supportive.*

Easy Read – Taper Rate increase – Do you think this is a good idea?



## Appendix K:

### The overall views on the Charging Policy Changes

Q1. How do you feel about the proposed changes to the charging policy in the Scottish Borders?

<b>Overall: How do you feel about the proposed change?</b>	<b>Service User</b>	<b>Carer</b>	<b>Family /Friend</b>	<b>Other individual</b>	<b>Org</b>	<b>Grand Total</b>	<b>% of Total</b>
1. I support this	2		3	3		8	7%
2. Slightly supportive	4	2	9	2		17	16%
3. Neither support nor oppose	2	2	3			7	6%
4. Slightly opposed	1	6	4	2	2	15	14%
5. I do not support this	13	15	20	4	1	53	49%
6. Unsure	4	1	2			7	6%
7. Not Answered			1			1	1%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	<b>100%</b>

Q2. What do you think the overall financial impact would be for you?

<b>Overall: What do you think the financial impact would be for you?</b>	<b>Service User</b>	<b>Carer</b>	<b>Family /Friend</b>	<b>Other individual</b>	<b>Org</b>	<b>Grand Total</b>	<b>% of Total</b>
1. Not applicable		3	4	9	2	18	17%
2. Significant increase in cost	12	14	17	2		45	42%
3. Some increase in cost	7	3	11			21	19%
4. No difference in cost	1	1	1			3	3%
5. Some reduction in cost		1	1			2	2%
6. Significant reduction in cost							0%
7. Unsure	6	4	7		1	18	17%
8. Not Answered			1			1	1%
<b>Grand Total</b>	<b>26</b>	<b>26</b>	<b>42</b>	<b>11</b>	<b>3</b>	<b>108</b>	<b>100%</b>

Q3. What do you think the overall impact of the policy is?

A summary of the advantages and disadvantages of the proposed changes are shown in the document attached (Appendix N).

Feedback from the SDS Forum and the Borders Carers Centre is shown in the document attached (Appendix O).

## Appendix L:

### Proposals from internal and external charging groups

Proposed Change	Consultation results	Internal Charging Group Proposal	Financial Impact	External Charging group Proposal
<b>Equivalency model for care hours</b>	27% Supportive 46% Opposed	Implement	TBC	Undecided.
<b>Upper Capital Threshold</b>	18% Supportive 64% Opposed	Introduce a higher Upper Capital Threshold of £28.5k in line with the Upper Capital Threshold used by Residential Care	A sample of 25% of clients shows an additional income of approx. £35k per annum if the £16k option is implemented compared to an approx. £7.5k per annum for the £28.5k upper capital threshold.	Agree with £28.5 to make it consistent with Residential Care
<b>Extended Short Stays</b>	29% Supportive 29% Opposed	Implement	The saving of <b>one</b> 4 week extension would be approx. £2-3k	Agree
<b>Extra Care Housing/Housing with care tiered model</b>	29% Supportive 34% Opposed	Implement	Unable to say at the current time, although that change at Dovecot could result in a loss, rather than a gain	Agree, as it fairer
<b>Taper rate increase</b>	12% Supportive 72% Opposed	Increase the Taper Rate in a phases, increasing to 70% in 21/22 and assess the impact. Increase up to 100% in future years.	70% taper - Approx £28k income instead of £194k income	Agree with increasing taper rate to 70% with annual review.

## Appendix M

### Scenario of impact of various upper capital threshold levels

A 30-year-old man with learning disabilities lives in sheltered housing. He receives 7 hours personal care and 10 hours home care services (domestic assistance).

He is in receipt of ESA of £74.35 plus DLA Care Component of £59.70 per week. He has £35,200 in capital. He does not pay rent but pays £4.31 in Council Tax/Water charges.

	£16,001	£28,501	£32,001	
Calculation	Current (£ Per Week)			Proposed (£ Per Week)
<i>Income</i>				
ESA	£74.35	£74.35	£74.35	
DLA Care – Middle Rate	£59.70	£59.70	£59.70	
Tariff income	£13.00	£38.00	£45.00	Exceeds capital limit so liable to pay full cost of care
		134.05		
<b>Total income</b>	<b>£147.05</b>	<b>£172.05</b>	<b>£179.05</b>	
<i>Allowable Expenditure -</i>				
Disability Related Expenditure (20% of DLA)	£11.94	£11.94	£11.94	
Housing cost – Council Tax	£4.31	£4.31	£4.31	
<i>Income Allowance</i>				
Single persons income allowance (working age)	£137.00	£137.00	£137.00	
<b>Total allowances</b>	<b>£153.25</b>	<b>£153.25</b>	<b>£153.25</b>	
<b>Excess income</b>	<b>£0.00</b>	<b>£18.80</b>	<b>£25.80</b>	
Taper Current 65%	£0.00	£12.22	£16.77	
<b>Ability to Pay (current 20/21 policy)</b>	<b>£0.00</b>	<b>£12.22</b>	<b>£16.77</b>	
<i>Cost of Care Provided</i>				
Cost of free personal care 7 hours @ £15.91 per week (not chargeable)	£ 0.00	£ 0.00	£ 0.00	£ 0.00
Cost of home care services 10 hours @ £15.91 per week	£159.10	£159.10	£159.10	£159.10
<b>Total cost of chargeable services</b>	<b>£159.10</b>	<b>£159.10</b>	<b>£159.10</b>	<b>£159.10</b>
<b>Proposed 21/22 Charge (with 100% taper)</b>	<b>£0.00</b>	<b>£18.80</b>	<b>£25.80</b>	<b>£159.10</b>

## **External Charging group: Concerns expressed**

Although the External Charging Forum agreed with 4 or the 5 recommendations made by the Internal Charging Group they raised the following concerns –

- There were a lot of questions with a high number of unsure responses – was this because people didn't understand what the changes meant? If so, are the results informative?
- People that they represented were unsure of the financial impact and the cumulative financial impact if a number of the changes were to go ahead
- The impact of COVID is going to mean more financial pressure on individuals – should we be doing this at this time?