
SOCIAL WORK NON-RESIDENTIAL CHARGING POLICY

Report by Director Social Work and Practice

Scottish Borders Council

25 November 2021

1 PURPOSE AND SUMMARY

- 1.1 This Report describes public feedback from the recent consultation and proposed changes to the Charging Policy for Non-Residential and Residential Care Services.**
- 1.2 Each year, the Convention of Scottish Local Authorities (COSLA) produces guidance on the principles that underpin local authority charging policies. The COSLA Guidance is subject to revision annually or as policy develops. As a result, Scottish Borders Council reviews its non-residential care charging policy every year. Income generated through the contributions people make through the charging policy enables the council to continue providing a service to people who have an assessed need and ensures the development and delivery of high quality services.
- 1.3 There are a range of changes consulted on and a complete rewrite of the actual policy is proposed to ensure the policy is more accessible and easy to read. A public consultation, which concluded on the 17th October 2021. The consultation explored how people viewed proposed changes. These changes intend to improve equity on the following matters: Financial Assessments, Extra Care Housing Charges and Sheltered Housing Charges.
- 1.4 The consultation also sought views on the council's proposal to increase the level of payment people receive for Direct Payment and Short Breaks Rates. The consultation also addresses the linking of the cost of Meals at Home (Frozen Meals) charges to the national excel contract.
- 1.5 The consultation covered the agreement reached by council last year, to apply an annual 5% increase to the taper rate. The proposal for financial year 2022/23 is to move from 70% to 75%.
- 1.6 The consultation was advertised across multiple channels, and media outlined in appendix 1, and ran from 17/09/2021 to 17/10/2021. Postal returns were accepted until 20/10/21. There was a comprehensive range of activity resulting in 80 individuals engaging in the consultation process and 3 organisational responses.

2 RECOMMENDATIONS

3.1 I recommend that Scottish Borders Council approves:-

- (a) the continuation of a co-production approach to the development of the new Charging policy to be used from the 1st April 2022;**
- (b) an evaluation of impact on the introduction of a single financial assessment process in specific chargeable matters e.g. Housing Support;**
- (c) an evaluation of options for introducing an equal charge, with appropriate individual Financial Assessment, across current and future Extra Care Housing developments;**
- (d) the introduction of equal charging, with appropriate Individual Financial Impact assessment, across all current and future Sheltered Housing (housing support) developments;**
- (e) the linking of the Direct Payment rate to the Scottish Living Wage;**
- (f) the linking of the Short Breaks Rate paid to unpaid carers to the Residential costs set by the Scottish Government;**
- (g) a 5% increase in the taper rate for 2022/23 and a 5% annual increase until the taper rate reaches 100% and is effectively removed; and**
- (h) the linking of meals at home charges to the national Excel contract.**

3 BACKGROUND

- 3.1 Each year, the Convention of Scottish Local Authorities (COSLA) produces guidance on the principles that underpin local authority charging policies. The Guidance is subject to revision annually or as policy develops. As a result, Scottish Borders Council reviews its non-residential care charging policy every year.
- 3.2 Income generated through the contributions people make towards the cost of their services enables the council to continue providing a service to people who have an assessed need, and ensures the development and delivery of high quality services. As a result of this review it may change how much some people pay towards their social care support.
- 3.3 A consultation was advertised across multiple channels and media, outlined in appendix 1 and ran from 17/09/2021 to 17/10/2021 postal returns were accepted until the 20/10/21. The range of activity included letters to all clients and Powers of Attorneys, media release and social media posts during the consultation period. Emails and multiple reminders were sent out to all appropriate community networks; commissioned services, Social Work teams, Third Sector & Third Sector Interface organizations. Digital consultation events were held weekly by Borders Care Voice. In total there were 87 people engaged with, and three organizational responses. A full breakdown of consultation activity and responses to the consultation can be found in Appendix 1.
- 3.4 The consultation process is presented in appendix 5. The timeline has been developed to ensure sufficient time to implement the changes and inform clients in advance of 1st April 2022.

4 Plain English Charging Policy

- 4.1 It was proposed that the Non-Residential charging policy will be re-written to make it easier to understand. It should describe the charging policy process, its principles and aims and include good practice guidance with minimal jargon. The charging policy will explain how peoples' contribution to chargeable services is calculated. The charging policy also helps staff, organisations, individuals and groups understand how the council will calculate the charges service users may be asked to pay for the services provided or purchased by Scottish Borders Council. The consultation asked what would make the charging policy easier to understand.
- 4.2 30 individual and 4 group responses were received. The vast majority of people welcomed the need for an accessible policy. Two representative groups - Borders Care Voice and Ability Borders - asked to be involved in the development and review of the document before its publication to ensure that it was free from jargon and contained the correct information. It was suggested that the charging policy should be supported by conversations at the point of assessment. Essential topics have been identified and are set out in the consultation report appended (Appendix1)
- 4.3 It is proposed that the Council approves a co-production approach to the development of the new policy. Officers are engaging with Borders Care

Voice and Ability Borders o develop the policy to be published on the 1st April 2022.

5 Financial Assessments

- 5.1 A financial assessment is used to work out how much clients pay towards their charge and ensures that they can afford to pay it. People are asked to fill in a form and tell us about their income. The process takes into account capital income and living expenses set by the Department of Work & Pension (DWP) and outlined in [COSLA guidance](#). It also includes amounts of money needed to support particular circumstances. By having a financial assessment no one should be placed in financial hardship. Currently we take account of two financial assessments; the Housing Benefits assessment and the councils own internal process which is guided by COSLA. We propose to use a single financial assessment for the purposes of calculating peoples' contributions to ensure that everyone using services provided or purchased by the council is assessed equally and with improved transparency. This proposal impacts on those people receiving Housing support e.g. Extra Care Housing and Housing with Care. Please see examples of impact in appendix 2. Due to the nature of the changes proposed, it is anticipated that there will be no adverse financial impact on the Council, however, only when every client is re-assessed will we be able to confirm this.
- 5.2 35 individual and 4 group responses were received on the proposal; 60% agreed with this proposal, 2% disagreed, 24% were unsure and 13% didn't answer. The introduction of Equity into the Scottish Borders Social Work financial assessment process was generally agreed to be a sound proposal. Due to the complexity of the financial assessment process, internal and external to the council, the question posed created a level of misunderstanding of what was actually being proposed.
- 5.3 Clearer explanations of the proposal were achieved in the later group sessions as the language and narrative developed. The lack of clarity at the beginning of the consultation may have resulted in people not fully appreciating the potential impact on them and their responses may have been different. That said, there was strong support for the introduction of Equity, transparency, simplicity and clear information on the financial assessment process. Concerns were raised about the impact and affordability of any changes for individuals.
- 5.4 There was much reference made to the cap on fuel costs, predicted to increase at the same time and the associated ethics of such an increase at the same time. There were concerns raised about those people who have intense care support and people sought reassurance and clarity on the issue. There are no obvious adverse implications of the proposed financial assessment. However, this would be identified in the evaluation of this proposal.
- 5.5 It is recommended that the Council approves the use of a single financial assessment process, after an evaluation of impact by using Individual Financial assessments in effected environments i.e. Housing Support environments.

6 Extra Care Housing Charges

- 6.1 Extra Care Housing is housing mainly for older people who have been assessed as having care support. The tenants have rights to occupy self-contained homes. They have agreements that cover the provision of care, support, domestic, social, community or other services. An on-site dedicated care team is in place 24 hours a day, 7 days a week, every day of the year to provide planned and unplanned care support.
- 6.2 When the charging policy was reviewed last year participants questioned why the charges across our Extra Care Housing were different depending on where a person lived. It was proposed that an average cost across all similar venues be applied, ensuring everyone pays an equal share of the overall cost of providing the chargeable care support. This is intended to increase equity and ensure that people choose where they live based on their preferred choice rather than differences in the chargeable costs.
- 6.3 37 individual responses and 4 group responses were received. 67% of respondents felt that this was a fair way of calculating the charge, 16% disagreed and 17% were unsure or didn't answer. In the majority, most people recognised that the average approach to Extra Care Housing charges would be more equitable, as long as access to and standard of care provided was the same across all venues. It was also proposed that there was clarity and transparency on how the charges are calculated. A question was raised about different usage levels. Since some people may use a disproportionate amount of support but pay the same, would this represent good value for low level users? The issue of affordability was raised for people in venues with higher rates and how this would be managed. Some people questioned the ethics of raising costs when there is a great uncertainty about fuel costs and poverty. It should be noted that the charge is raised on the principle that everyone has equal access to this support; people with known and planned support would have this built into their support package which would be assessed separately. Any changes to rates would be subject to an individual financial assessment there is an appeals process if a subsequent increase was felt to be unaffordable.
- 6.4 It is recommended that the Council approves an evaluation of options for introducing an equal charge with appropriate individual Financial Assessment across all extra care housing developments in place or planned for 2022/3.

7 Sheltered Housing Charges

- 7.1 Sheltered Housing is mainly for older people and has self-contained houses. People receive a range of housing support services to allow them to maintain and occupy their housing. These services are provided by a team from 7am-10pm, but not necessarily a care team that is located in the housing development. For example, an on-call system is available when a team is not on site at other times. Personal care, if needed, is provided by a third party care provider. The Sheltered Housing (housing support) charge is calculated as an actual cost. It is divided by the number of houses on the site. Currently, each sheltered housing complex has a unique charge. The availability of support is the same across all Sheltered Housing. During last year's charging policy review, there was feedback that an average charge

would be a fairer approach. This year's consultation proposed an average across all the Sheltered Housing venues that offer housing support.

- 7.2 There were 37 individual responses and 4 group responses to this proposal. 60% of people agreed that this a fair way to set charges, 18% disagreed and 22% were either unsure or didn't answer. The concept of equity introduced by the proposal to average Sheltered Housing (Housing Support) charges was accepted in this proposal. Similar to the proposal for Extra Care Housing there is a caveat; as long as equal access to the same standard of support exists across all venues. Due the broad range of costs being averaged, it was suggested that notice should be given to these venues and arrangements be put in place to manage the transition for those people with substantially higher support costs.
- 7.3 It should be noted that there is no financial benefit to the council in this approach as the cost recovery remains the same. It is recommended that the Council approve the introduction of an evaluation of options for introducing an equal charge with appropriate Individual Financial Impact across all Sheltered Housing (housing support) developments in place or planned for 2022/3.

8 Increase Direct Payment Rate

- 8.1 The increase in the Direct Payment rate provided by the Council has historically been discussed with community partners at the point of charging and in relation to Self-Directed Support. This will cease following this consultation as the Direct Payment rate is not a charge. Self-directed support (SDS) has four different options available to people, Direct Payment being option 1. Option 1 is for people choosing to arrange their own services rather than the council arranging those services on their behalf. Option 1 is for people who would like more flexibility, choice and control over their support so that they can live more independently. If people receive a direct payment, they are in charge of the arrangements, although they can have support from family or friends, or pay for this from an appropriate agency. The Direct Payment rate has been reviewed. Currently, the hourly rate of £13 is sufficient to pay the Scottish Living Wage¹ and on-costs such as pension and liability insurance. We plan to change the way the hourly rate is calculated and also link it to the Scottish Living Wage set by the Scottish Government. Any change to the Living Wage will change the Direct Payment rate.
- 8.2 There were 37 individual responses and 4 group responses to this proposal. 51% agreed this was a fair way to set the Direct Payment rate 24% disagreed and 25% were unsure or didn't answer. It was agreed that linking the Direct Payment rate to an index was the right thing to do and viewed this as a positive move.
- 8.3 It is recommended that the Council approves linking the Direct Payment Rate to the Scottish Living Wage.

¹ The National Living Wage and National Minimum Wage are set by the UK Government the Scottish Living is the living wage set by the Scottish government

9 Increase Short Breaks Rate

- 9.1 The increase in the rate paid by the Council for Short Breaks to unpaid carers has historically been discussed with community partners at the point of charging and in relation to Self-Directed Support. This will cease following this consultation as the Short-Breaks rate is not a charge. A short break is any service or assistance that allows unpaid carers to have time out from their caring role and responsibilities to help their health and wellbeing and support the caring relationship. The short breaks payment is currently £525 per week. The consultation proposal is to link this rate to the residential care accommodation cost set by the Scottish Government, which is currently £653.79 per week.
- 9.2 There were 37 individual responses and 4 group responses to this proposal. 55% agreed that this was a fair way to set the rate, 20% disagreed and 25% were either unsure or didn't answer. Similar to the DP rate linking it to a national costs was viewed as positive. Concerns were raised about the sufficiency of this rate for more complex individuals whose costs could be substantially more to access a suitable environment.
- 9.3 It is recommended that the Council approves linking the Short Breaks Rate with the Scottish Governments residential rate.

10 Taper Rate incremental increase

- 10.1 The Taper rate is a calculation used to work out how much residual income the council ask clients to pay for chargeable support costs. Chargeable support costs do not include the cost of personal care which is free. Disposable income is the amount of money left after paying for rent, gas etc and is referred to as disregard and set out annually in the COSLA guidance This income disregard has a 25% buffer built into it. The financial assessment process also accounts for amounts of money clients need to spend because of particular circumstances or conditions. When the Residual income is calculated a percentage of that income contributes to the client charge; this is a Taper Rate. Taper Rate increments were discussed in the charging review 2020-2021. This year's 5% rate was approved. The Taper Rate is planned to change from 70% to 75% for next financial year 2022/23. The Taper Rate will increase annually by 5% until the Taper Rate is removed in 2027-28. Taper rates across similar Local Authorities are tables in appendix 4.
- 10.2 There were 36 individual responses and 4 group responses received for this proposal. 44% disagreed with this proposal, 24% agreed and 32% were either unsure or didn't answer. There was an overwhelming feeling that increasing the rate to 100% was grossly unfair and would leave people in poverty, reduce peoples' quality of life and leave people with no resources to engage in social activities or resources for contingency. This type of increase was viewed negatively as it outstripped the cost of inflation. Although people accepted that this was agreed last year, there should be cap set on the increment and this should be reviewed.
- 10.3 Table 1 outlines alternative options and their financial impact. It is recommended that the 5% increase in the taper rate (option 1) is approved for 2022/23. It is also recommended that a 5% annual increase is

approved until the taper rate reaches 100% and is effectively removed. Appendix 2 provides some case examples to illustrate the financial impact on individuals.

Table 1

Option	Proposal	Financial Impact (£k)
1	Continue with the Initial Proposal: annual 5% increase until 100% is reached	£27k annually - £162k in total by 2027/28
2	5% annual increase until a cap of 90% is reached	£27k annually - £108k by 2025/26
3	5% increase for 2022-23 only	£27k in 2022-23 only - no further income
4	2.5% increase 2022-23 only	£13.5k in 2022-23 only - no further income
5	Do not increase taper rate	£27k cost pressure for 22/23 Loss of £162k income by 2027/28

11 Meals at Home (Frozen Meals)

11.1 Meals at home are pre-cooked frozen meals that are delivered to clients home. Each meal contains two courses. There is a choice to receive either a main course and soup, or a main course and a sweet. Meals at Home charges are currently set locally and usually rise with inflation. We propose to link the charge to the national contract for community meals (the *Apetito Scotland Excel Contract*). This is the rate the Council gets charged.

11.2 There were 39 individual responses and 4 group response to this proposal. 53% of respondents agree with this proposal, 20% disagreed and 27% were unsure or didn't answer. On the whole linking the costs to the national contract process was acceptable. People thought that the cost for a 2 course meal appeared, in the most part, to be reasonable. The doubling of costs for microwaves and freezer hire was seen as an issue with most people viewing this as expensive and prohibitive for people on low incomes as the price more than doubles. It was suggested, more than once, that people should be encouraged to resolve this issue either by purchasing a suitable product or applying for grants to do so. There are currently 24 people hiring either a microwave or freezer or both.

11.3 It is recommended that the Council approves linking the Meals at Home charges to the National Excel Contract.

12 FINAL COMMENTS

12.1 This charging policy review is in line with the national discussions taking place between the Scottish Government and COSLA in relation to the ambition of ceasing charges for services in the future. In this regards this consultation is a light touch which has focused on reducing risk of financial hardship, increasing level of co-production in setting the charging agenda and increasing funding to Direct Payments and Short Breaks in a way that is sustainable and in line with the increased pay for social care workers that impacts a range of services.

- 12.2 There was a range of additional comments in the consultation and learning that should be noted. There was an acknowledgment that most of the proposals were intended to bring about equity but sometime the detail was not available to support a deeper understanding. It was suggested that pre-consultation with user groups might help develop the correct approach and information.
- 12.3 Comment was made on how the Council would manage those people with substantial changes to their charges so they wouldn't be disadvantaged. Any individual experiencing financial hardship will be supported to ensure their income is maximised and they can appeal their circumstance.
- 12.4 There were comments about the challenge to understand some of the concepts and the need for more time to consider them. The 'easy read' format will be introduced this year and will improve in the next consultation.
- 12.5 Although not a direct focus of this consultation, access to information on services and what is available was mentioned several times. This response has been passed onto relevant teams for progression.
- 12.6 Due to the complexity of charging some proposals were open to interpretation of what was actually being proposed (financial assessments), therefore some comments may not actually reflect the proposal but an individual's interpretation. Final decisions should take account of this concern raised.

13 IMPLICATIONS

13.1 Financial

- (a) The table below shows that the overall income from charges reduces by £88K. However it must be understood that the associated costs have also reduced therefore the net position is balanced. Some individuals are benefiting from efficiencies realised by the council.

Chargeable Service	New Charging Methodology	Current Annual (Income) / Cost - £k	Proposed Forecast Annual (Income) / Cost - £k	Financial Impact - (gain) / loss - £k
Sheltered Housing	Average over all Developments	(34)	(34)	0
Taper Rate Review	Increase by 5% annually	(388)	(415)	(27)
Flexible Short Breaks	Increase to COSLA NCHC Rate	32	40	8
Direct Payment Rate	Increase rate in line with assumed 2% increase in Scottish Living Wage	5,200	5,236	36
Meals / Equipment Hire	Increase in line with Procurement framework	(52)	(54)	(2)
Extra Care Housing	Move to an average across all developments	(151)	(78)	73

TOTAL				88
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- (b) By using average cost methodology for Sheltered Housing charging, there is no financial impact to the Council. Increasing the Taper Rate used for financial assessment purposes by the initially proposed 5% will generate an estimated additional £27k annually based on current client base. The initial proposal for the Taper Rate increases was a flat 5% increase annually until a 100% rate was applied. Therefore, an estimated £27k will be generated annually from 2022-23 until 2027/28. Changes to the Flexible Short Breaks method of payment to Self-Directed Support Direct Payments will incur an annual estimated cost of £8k per year. By aligning the overall Direct Payment rate paid to Self-Directed Support clients (currently £13 per hour) to the national Real Living Wage (assumed to be an increase of 2%) will cost £36k in 2022-23. Increasing charges for meals and equipment in line with existing procurement frameworks will generate an additional £2k annually. Moving to an average charge across all Extra Care Housing (ECH) developments will have an unknown total impact as 2 of the 3 newly defined ECH sites are not yet fully operational. However, reducing the maximum charge for full payers at Dovecot (previously agreed) in line with the level of care provided will reduce annual income by £73k.
- (c) It should be noted that the above figures are based on current client numbers including the current mix of clients eligible for charging and those not receiving charges due to their financial situation. This will not remain static and the above figures will change over time.

13.2 Risk and Mitigations

The report describes risks that have been identified in relation to this policy. Nearly all the proposals introduce higher levels of equity into charging with some individuals paying more and some paying less. The full impact will not be known until a full financial assessment is carried out with all clients. That said, for some individuals who are expected to pay more and the proposed increase in the taper will mean that they will be asked to pay more. There are three mitigation actions:

- i. Firstly the financial assessment process which it ensures that general cost for living (set out by DWP and adopted by COSLA including a 25% buffer) and an additional set aside for any disability related costs should ensure that people are prevented from going into poverty.
- ii. The second will be a reminder, when the bills are issued to all clients, that there is an appeals process for charging.
- iii. The third is to engage with those groups believed to be more at risk and inform them in advance and to ensure that reasonable transitional plans and appeals if necessary are processed or put in place.

13.3 Integrated Impact Assessment

The integrated impact assessment has been updated as a result of the consultation and included a mitigation plan. The integrated impact assessment can be found in Appendix 3.

13.4 Sustainable Development Goals

- (a) Items 3, 8 and 17 of UN Sustainable Development Goals are potentially impacted on by this policy. Item 3 & 8; if the consultation suggestions are considered further and a review the Direct Payment rate is requested in light of market costs and to build value into the caring role. A positive outcome of any such review and an increase to this rate could generate growth and employment through local economic development opportunities provided through Personal Assistants and local care provision. It will also encourage community involvement by encouraging local PA's to come forward. This is partly delivered by the proposal to link the direct payment rate to the Scottish Living Wage.
- (b) Item 17, on the contrary, may be impacted upon negatively by increasing the potential financial hardship on some people ergo increasing poverty on an individual level. On the whole proposals set out in this paper increase the financial burden on social work (£63k) more dependent on the taper rate decision. This could be argued to decrease the charging burden on the social work client base, therefore alleviate potential poverty. Mitigation of the individual client risk is set out in section 13.2.

13.5 Climate Change

By linking the Direct Payment rate to the Scottish Living Wage there are likely to be annual increments. Key messages from DP users is that they are struggling to find Personal assistants locally and may have to use other agencies or Personal assistants out with the immediate area because the proposed rate still isn't attractive to Personal assistants. Although not proposed by this paper by increasing the DP rate to a market rate this may increase the ability of a DP user to find Personal assistants locally and reduce travel (see also 13.4).

13.6 Rural Proofing

There are no rural proofing issues directly associated with this report other than those mentioned in the climate change section i.e. attracting Personal Assistants locally at the current and proposed Direct Payment rate.

13.7 Data Protection Impact Statement

There are no personal data implications arising from the proposals contained in this report.

13.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to the Scheme of Administration or Scheme of Delegation as a result of this report.

14 CONSULTATION

- 14.1 The following officers have been consulted and any comments received have been incorporated into the final report

- i. The Executive Director (Finance & Regulatory),
- ii. The Monitoring Officer/Chief Legal Officer,
- iii. The Chief Officer Audit and Risk,
- iv. The Service Director HR & Communications
- v. The Clerk to the Council and Corporate Communications.
- vi. Corporate Equalities and Diversity Officer
- vii. Procurement Officer
- viii. Director of Social Work

Approved by

Stuart Easingwood

Director of Social Work & Practice

Author(s)

Name	Designation and Contact Number
Michael Curran	Programme Manager ext. 5939
Brian Paris	Chief Officer Adult Social Care ext. 8025

Background Papers: Consultation report annex 1, IIA

Previous Minute Reference: Review of Non-Residential Charging Policy, Scottish Borders Council, 17th December 2020.

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Michael Curran can also give information on other language translations as well as providing additional copies.

Contact us at; Michael Curran, Programme Manager, Tel 01835 82400 ext. 5939.
mcurran@scorborders.gov.uk

Appendix 1

Social Work Charging Policy consultation report for 2022-23 (Non-residential)

Consultation activity ran from 17/09/2021 to 17/10/2021 postal returns were accepted until the 20/10/21.

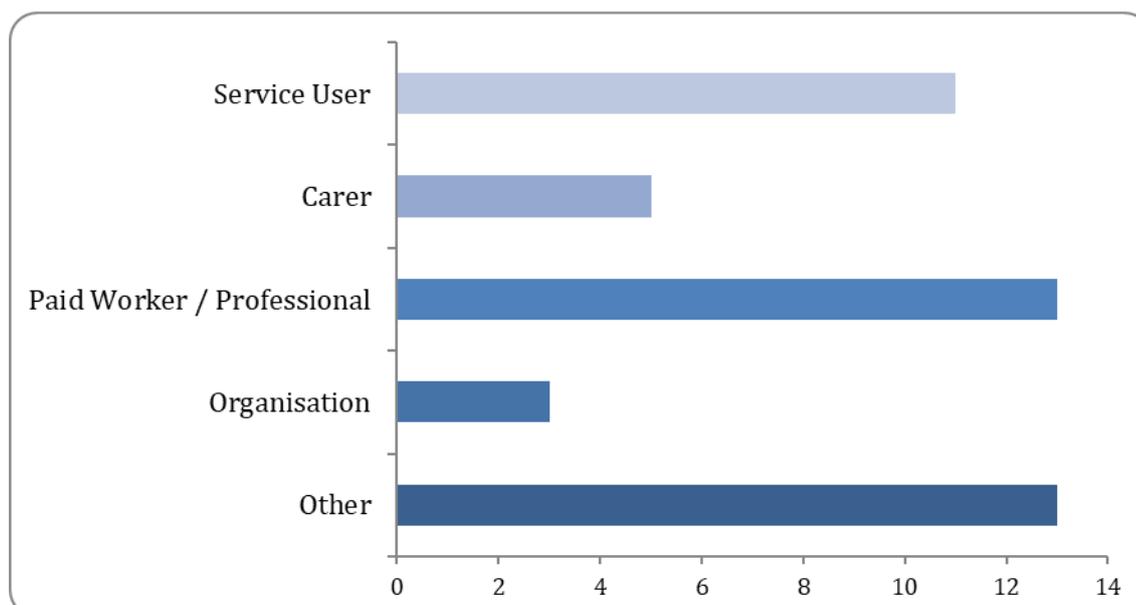
The consultation was advertised across multi-mediums and channels:

- Letters sent to all current social work clients (3,432) and Powers of Attorney (1,230)
- Emails and multiple reminders sent out to all networks; commissioned services, SW teams, Third Sector & Third Sector Interface organizations
- All Council & Adult social work Yammer release
- News release to all relevant media outlets
- Specific email to Registered Social landlords to highlight housing related changes
- Multiple posts in councils social media, Facebook (24k followers) & twitter (13.7k followers)
- 4 digital consultation events facilitated by Border Care Voice (19 people engaged across 3 sessions)
- 1 hybrid meeting consisting of digital and face to face meeting facilitated by Ability Borders (16 people attended)
- [Citizen space questionnaire](#) (45 returns)
- Hard copies requested 10
- Hard Copy Easy Read questionnaires returned 8

In total there was 80 people engaged with and three organizational responses. The breakdown is; 45 Responses to the questionnaire, 4 of which were the feedback from the online and hybrid consultation sessions which reached 35 people and three organizational returns.

How are you responding to this consultation?

There were 45 responses to this part of the question.



Option	Total	Percent
Service User	11	24.44%
Carer	5	11.11%
Paid Worker / Professional	13	28.89%
Organisation	3	6.67%
Other	13	28.89%
Not Answered	0	0.00%

If 'Organization' or 'Other', please detail.

There were 17 responses to this part of the question.

Home care provider

Royal Voluntary Service

Eildon Housing Association

Older People's Champion

4 facilitated group sessions

Unpaid Carer - Secondary to Paid Carer

4 POA & Guardians

2 SBC Employee

Resident in SNC region

Member of the public

What would help make our charging policy easier to understand for you?

There were 34 responses to this part of the question.

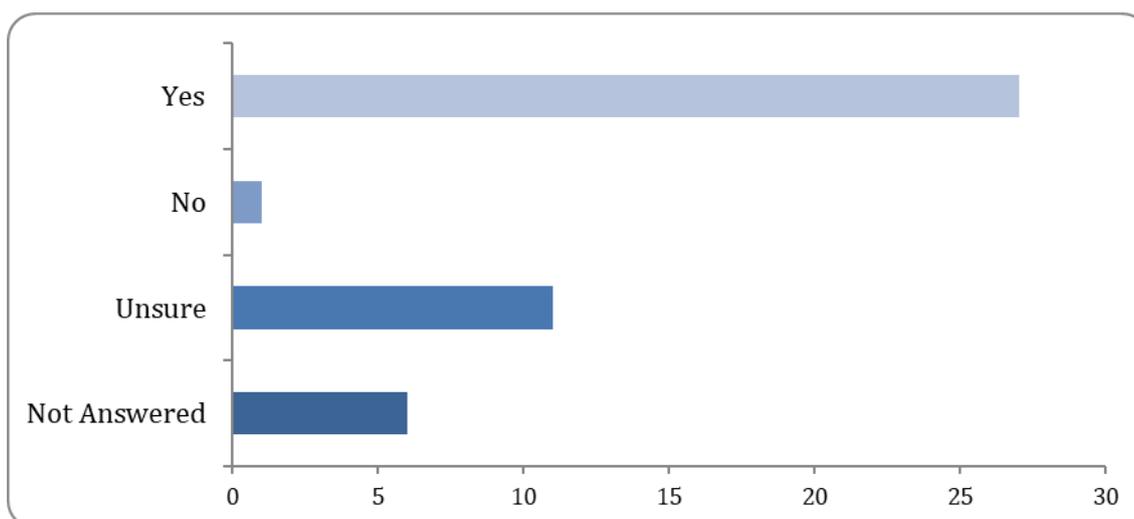
The vast majority of people welcomed the need for an accessible policy. Several groups asked to be involved in the development and review of the document before its publication to ensure that it was free from jargon, contained the correct information. Several people suggested that it should be supported by conversations at the point of assessment; Essential topic are:

1. Clarity about when invoices would be issued and are easy to understand
2. How would changes to circumstances be dealt with and what changes are likely to impact on my charge
3. What happens when a service is not received-do we get a refund
4. A list of chargeable and non-chargeable activities and services
5. How charging applies to Direct payments
6. Access to fuller information if required e.g. links to national documentation (COSLA)
7. Information on how the existing and proposed rates are worked out

8. Clarity on free personal Care eligibility
9. Description of what information is required for the financial assessment
10. Case studies demonstrating how charging applies to different scenarios are required
11. Clear explanation of what is included in a chargeable service
12. Benchmarking against other Local authorities?
13. The role of benefits to pay for chargeable services
14. Have a glossary of terms to explain key concepts

Does the proposal to have a single financial assessment for everyone seem better to you?

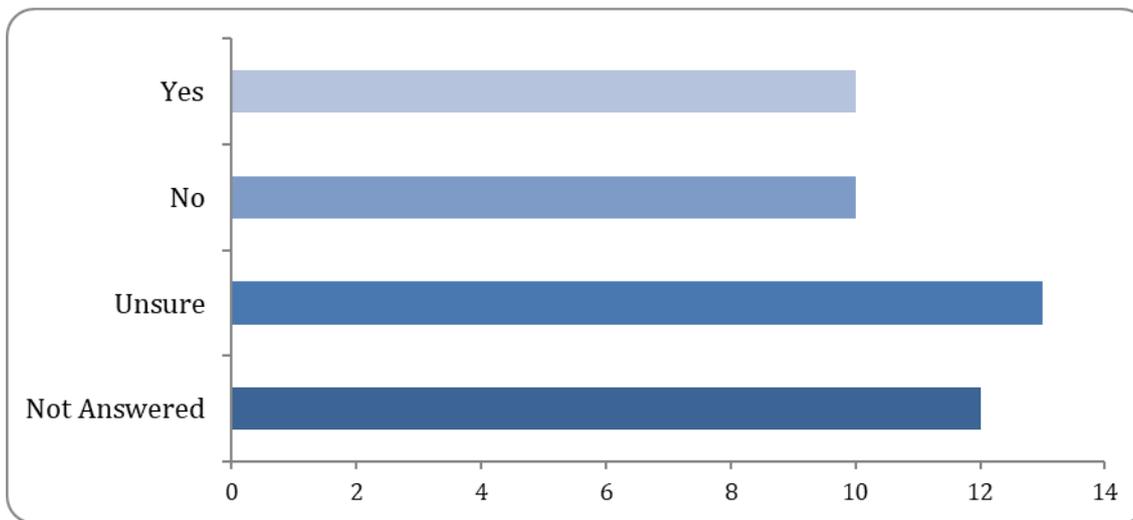
There were 39 responses to this part of the question.



Option	Total	Percent
Yes	27	60.00%
No	1	2.22%
Unsure	11	24.44%
Not Answered	6	13.33%

Do you think introducing a single financial assessment process will have a benefit for you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes	10	22.22%
No	10	22.22%
Unsure	13	28.89%
Not Answered	12	26.67%

What comments do you have about the proposed financial assessment process that would help you and others?

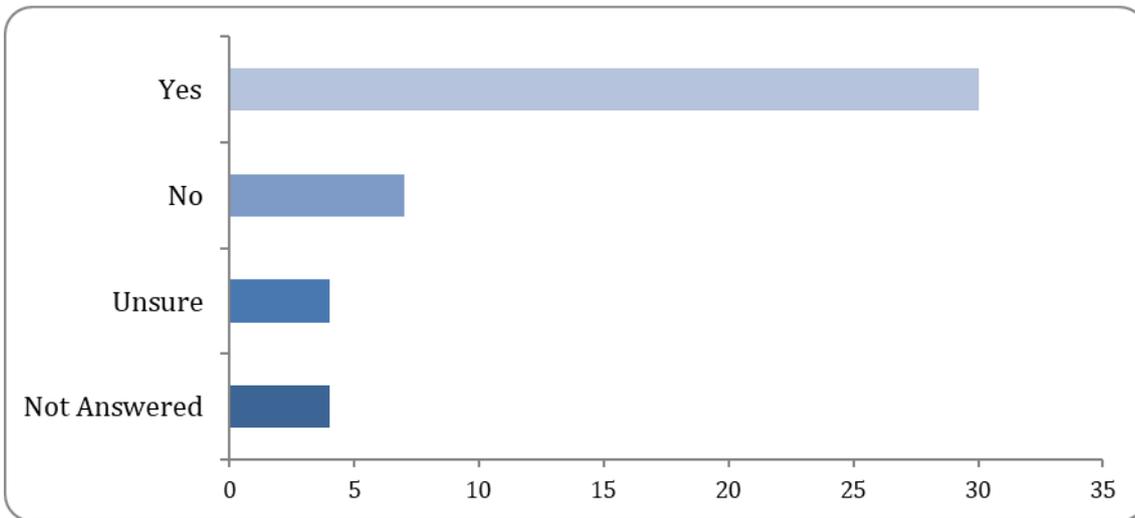
There were 25 responses to this part of the question.

The introduction of Equity into the Scottish Borders Social work financial assessment process was generally agreed to be a sound proposal. Due to the complexity of the financial assessment process, internal and external to the council, the question posed created a level of misunderstanding of what was actually being proposed. Clearer explanations of the proposal were achieved in the later sessions as the language and narrative developed. The lack of clarity at the beginning may have resulted in people not fully appreciating the potential impact on them and their responses may have been different.

That said there was strong support for the introduction of Equity, transparency, simplicity and clear information on the financial assessment process. Concerns were raised about the impact and affordability of any changes for individuals. There was a lot of reference made to the cap on fuel costs, predicted to go up at the same time and the ethics of increasing charges at the same time. Reference was also made to charging implications for those people with intense support packages, is there suitable arrangements in place to reflect this situation?

Do you think this is a fair way to set the charges for Extra Care Housing?

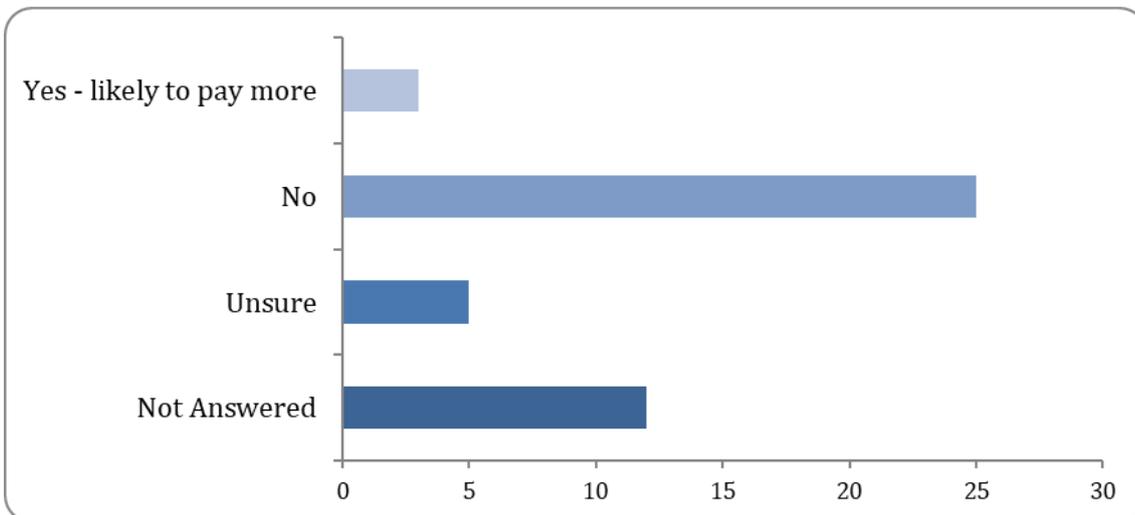
There were 41 responses to this part of the question.



Option	Total	Percent
Yes	30	66.67%
No	7	15.56%
Unsure	4	8.89%
Not Answered	4	8.89%

Will this change to Extra Care Housing charges affect you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes - likely to pay more	3	6.67%
Yes - likely to pay less	0	0.00%
No	25	55.56%

Unsure	5	11.11%
Not Answered	12	26.67%

Any comments about Extra Care Housing Charging?

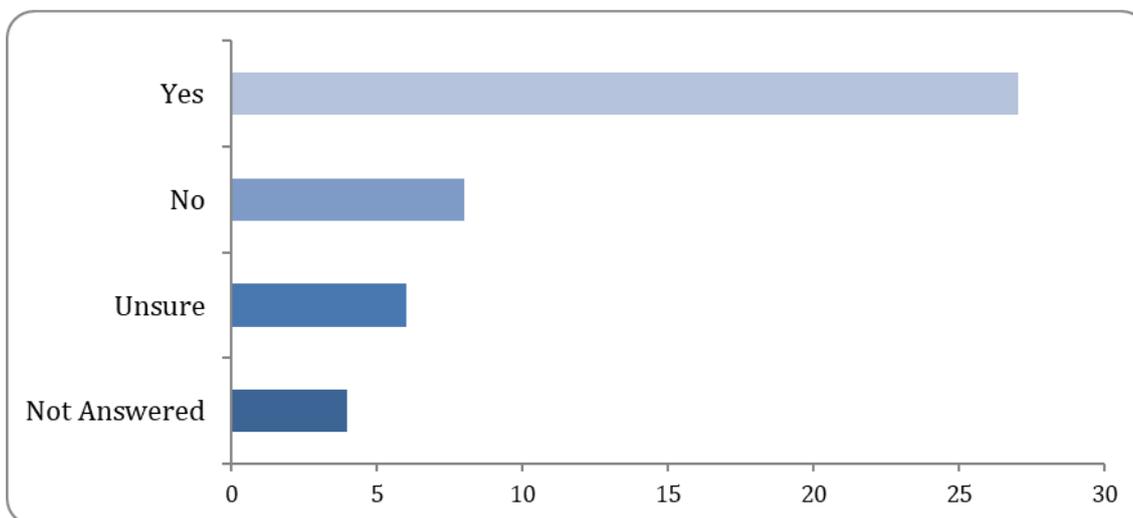
There were 23 responses to this part of the question.

In the majority most people recognized that the average approach to Extra Care Housing charges would be more equitable, as long access to and standard of care provided was the same across all the venues. It was also proposed that there was clarity and transparency on how the charge are calculated. A question was raised about different usage levels some people may use a disproportionate amount of support but pay the same would this represent good value for low level users. The issue of affordability was raised for people in venues with higher rates and how this would be managed. Some people questioned the ethics of raising costs when there is a great uncertainty about fuel costs and poverty

It should be noted that the charge is raised on the principle everyone has equal access to this support, people with known and planned support would have this built into their support package which would be assessed separately. Any changes to rates would be subject to an individual financial assessment. If and subsequent increase was felt to be unaffordable there is an appeals process.

Do you think this is a fair way to set the charges for Sheltered Housing?

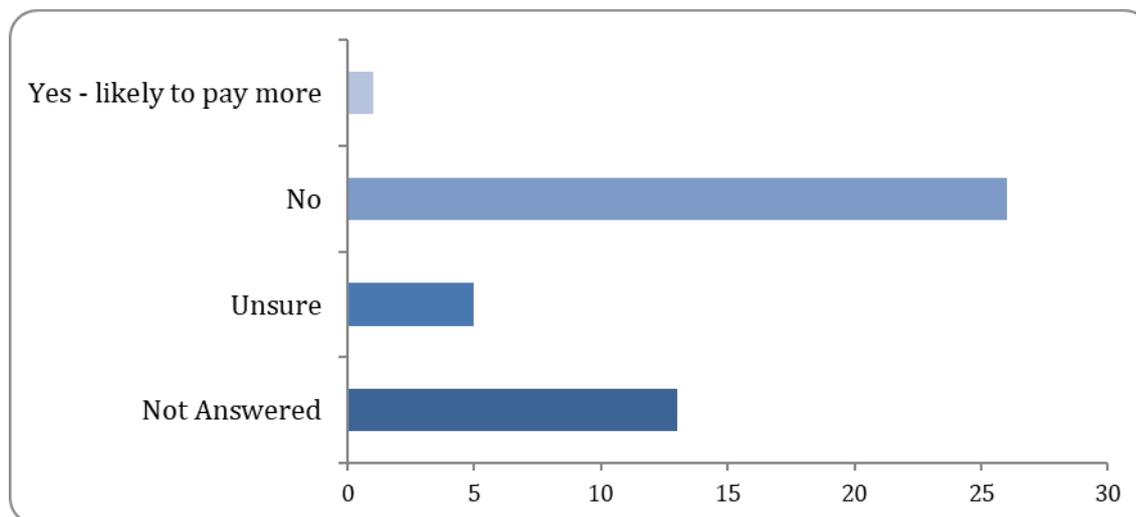
There were 41 responses to this part of the question.



Option	Total	Percent
Yes	27	60.00%
No	8	17.78%
Unsure	6	13.33%
Not Answered	4	8.89%

Will this change to Sheltered Housing charges affect you?

There were 32 responses to this part of the question.



Option	Total	Percent
Yes - likely to pay more	1	2.22%
Yes - likely to pay less	0	0.00%
No	26	57.78%
Unsure	5	11.11%
Not Answered	13	28.89%

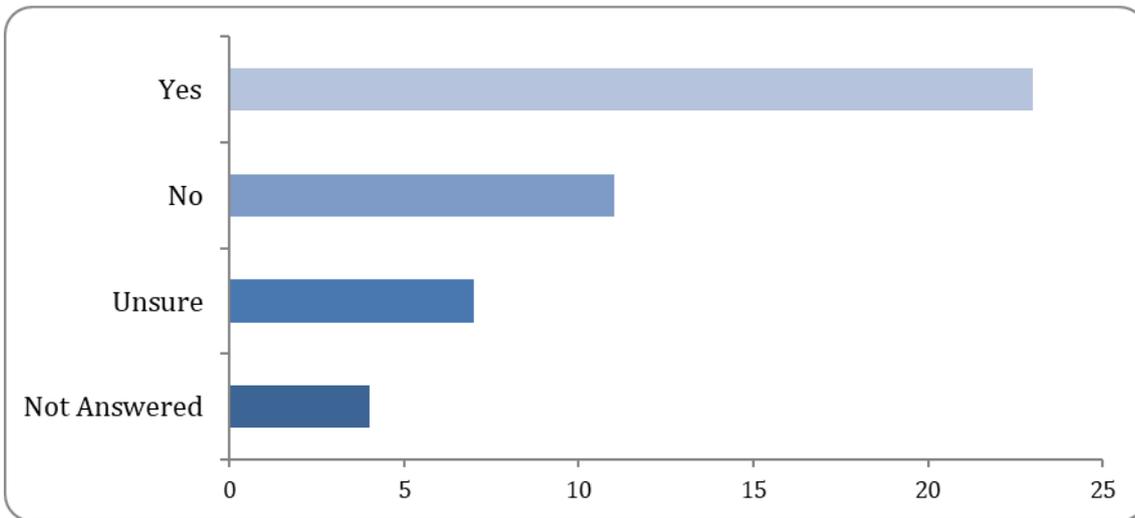
Any comments about Sheltered Housing Charging?

There were 20 responses to this part of the question.

The concept of equity introduced by the proposal to average Sheltered Housing (Housing Support) charges was accepted in this proposal. Similar to the proposal for Extra Care Housing there is a caveat, as long as equal access to the same standard of support across all the venues exists. Due the broad range of costs being averaged is was suggested that notice should be given to these venues and arrangements be put in place to manage the transition for those people with substantially higher support costs.

Do you think this is a fair way to set the Direct Payment rate?

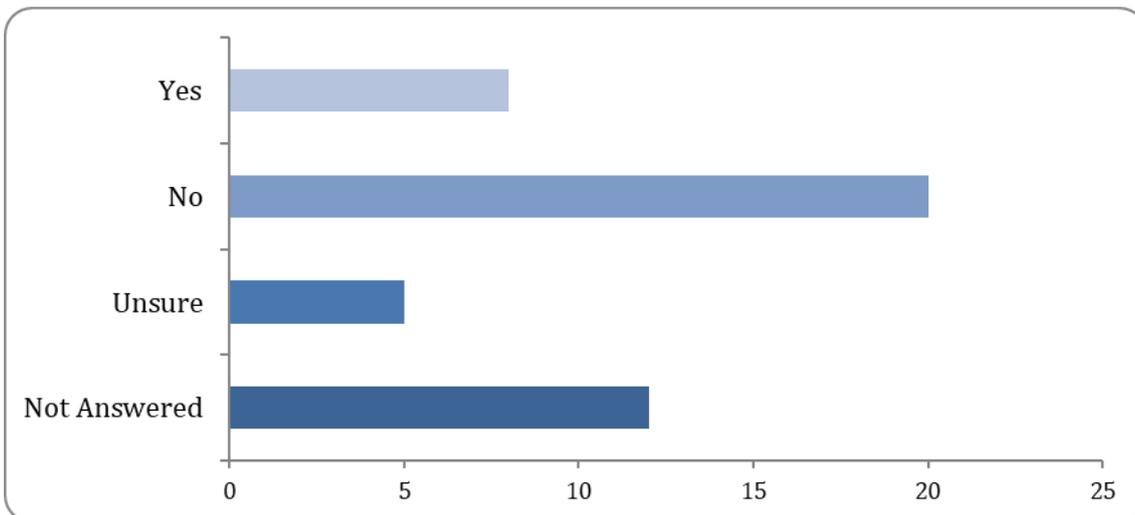
There were 41 responses to this part of the question.



Option	Total	Percent
Yes	23	51.11%
No	11	24.44%
Unsure	7	15.56%
Not Answered	4	8.89%

Will this change to the Direct Payment rate affect you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes	8	17.78%
No	20	44.44%
Unsure	5	11.11%

Not Answered	12	26.67%
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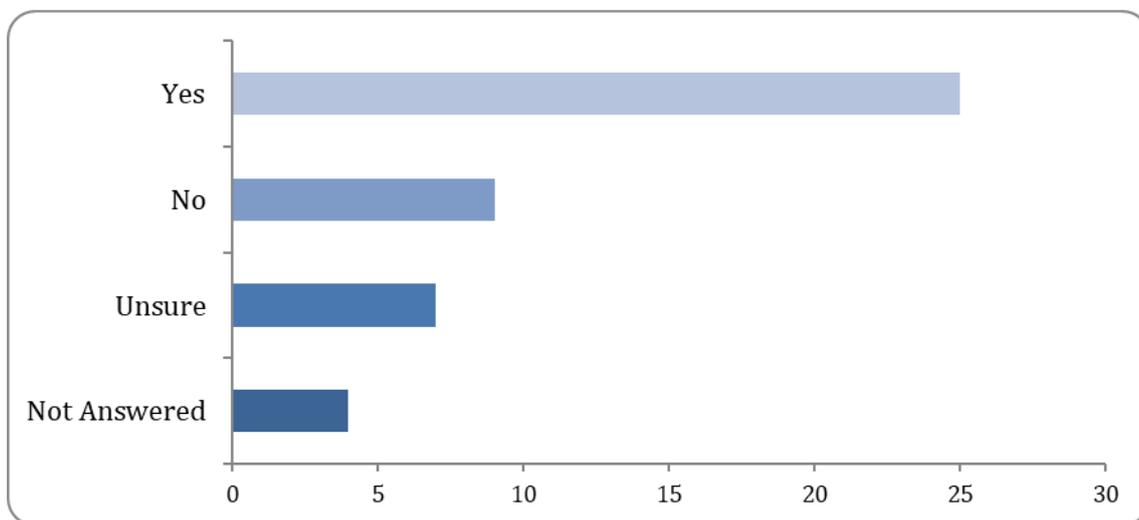
Any comments about setting the Direct Payment Rate?

There were 22 responses to this part of the question.

It was agreed that linking the Direct Payment rate to an index was the right thing to do and viewed as positive move. However there were questions about the sufficiency of the on costs to cover travel, PPEs, training and an increase in the NI rate (due to change nationally) etc. additionally there were queries about the challenge of recruiting at this rate, did it reflect current provider rates and terms and conditions. Was there flexibility in the system to allocate more where the challenges of recruiting are more acute Participants also questioned if this rate reflected the value we should be putting on the caring role.

Do you think this is a fair way to set the Short Break Payment Rate?

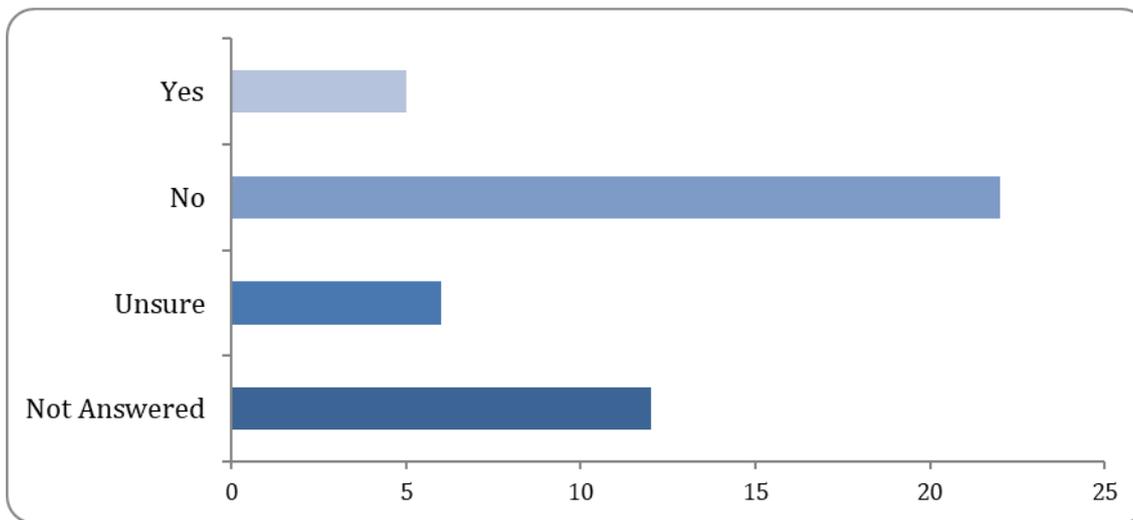
There were 41 responses to this part of the question.



Option	Total	Percent
Yes	25	55.56%
No	9	20.00%
Unsure	7	15.56%
Not Answered	4	8.89%

Will this change to the Short Break Payment Rate affect you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes	5	11.11%
No	22	48.89%
Unsure	6	13.33%
Not Answered	12	26.67%

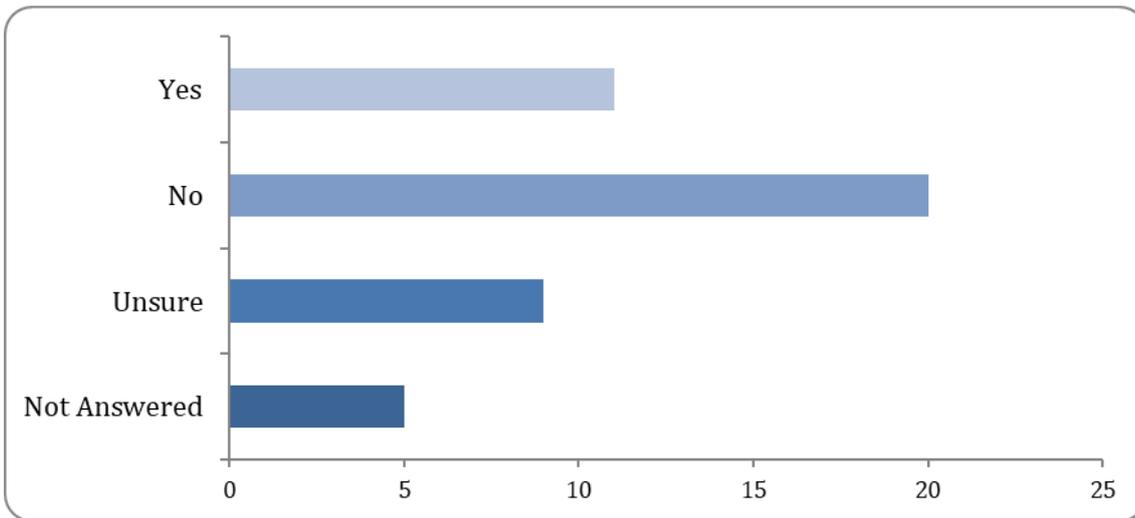
Any comments about Setting the Short Breaks Payment Rate ?

There were 16 responses to this part of the question.

Similar to the DP rate linking it to a national costs was viewed as positive. Concerns were raised about the sufficiency of this rate for more complex individuals whose costs could be substantially more to access a suitable environment. It was also noted that not many people access this option; was this due to assessment and eligibility criteria? Insufficient allocation to make it meaningful? or just not know about?

Do you think this is a fair increase the taper rate to be applied annually?

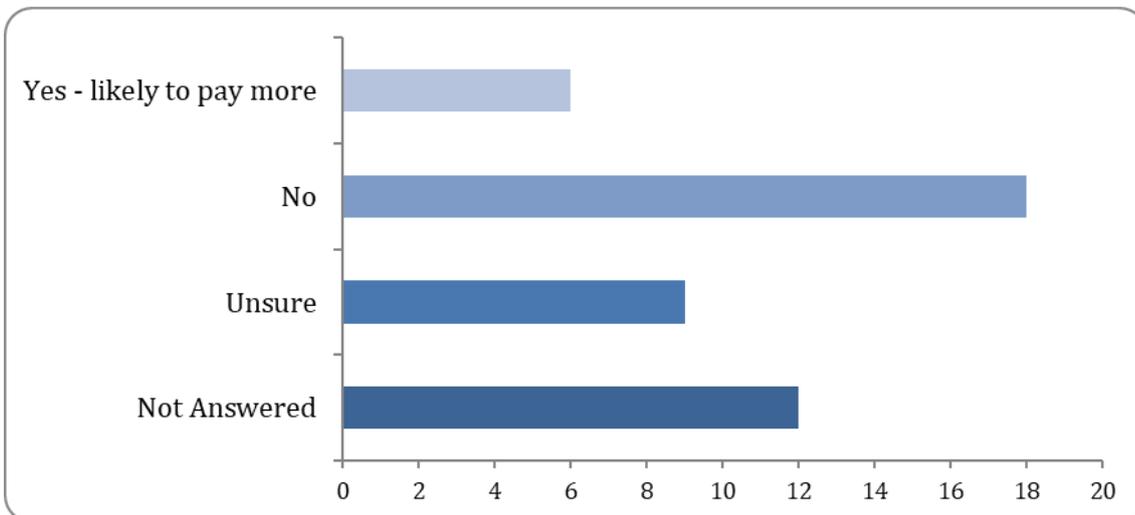
There were 40 responses to this part of the question.



Option	Total	Percent
Yes	11	24.44%
No	20	44.44%
Unsure	9	20.00%
Not Answered	5	11.11%

Will this change to the Taper Rate affect you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes - likely to pay more	6	13.33%
Yes - likely to pay less	0	0.00%
No	18	40.00%

Unsure	9	20.00%
Not Answered	12	26.67%

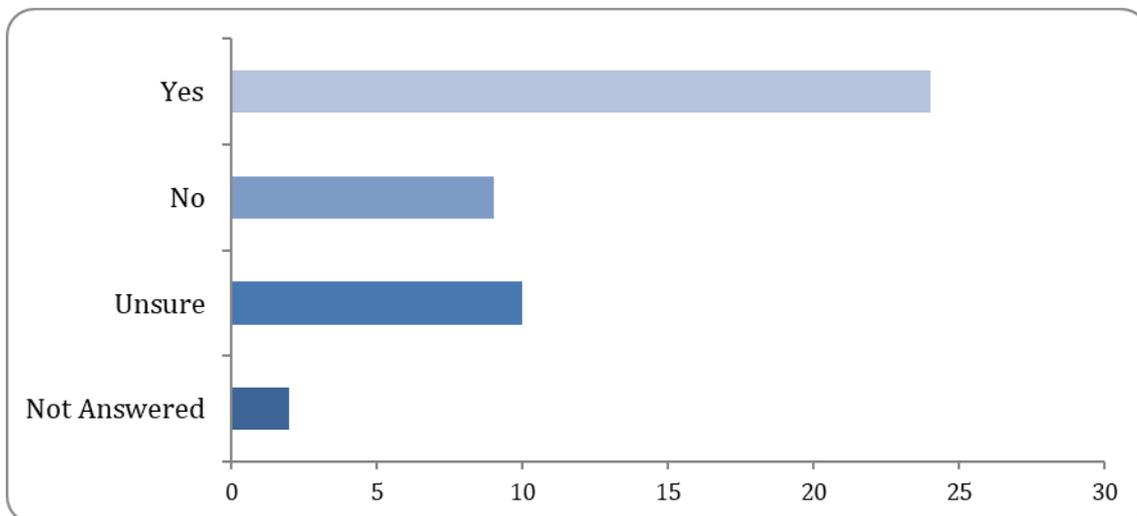
Any comments about Taper Rate annual increase?

There were 20 responses to this part of the question.

There was an overwhelming feeling that increasing the rate to 100% was grossly unfair, would leave people in poverty reduce people's quality of life and leave people with no resources to engage in social activities or resources for contingency. This type of increase was viewed negatively as it outstripped the cost of inflation. Although people accepted that this was agreed last year there should be cap set on the increment and this should be reviewed.

Do you think this is a fair way to set the charges for Meals at Home?

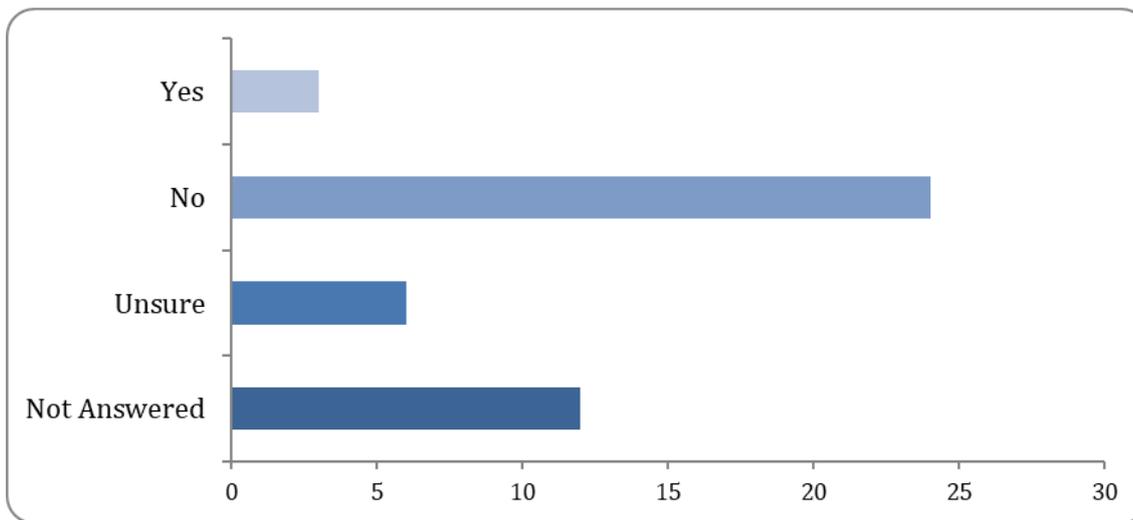
There were 43 responses to this part of the question.



Option	Total	Percent
Yes	24	53.33%
No	9	20.00%
Unsure	10	22.22%
Not Answered	2	4.44%

Will this change to Meals at Home charges affect you?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes	3	6.67%
No	24	53.33%
Unsure	6	13.33%
Not Answered	12	26.67%

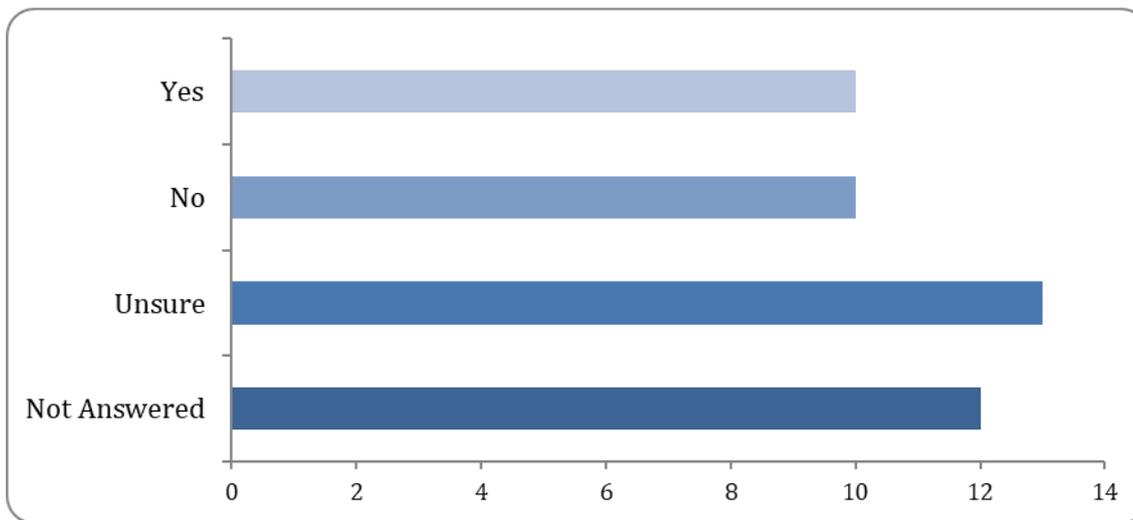
Any comments about setting the Meals at Home rate?

There were 17 responses to this part of the question.

On the whole linking the costs to the national contract process was acceptable, people thought that the cost for a 2 course meal appeared, in the most part, to be reasonable. The doubling of costs for microwaves and freezer was seen as an issue most people viewed this as expensive and prohibitive for people on low incomes. It was suggested, more than once, that people should be encouraged to resolve this issue either by purchasing a suitable product or applying for grants to do so.

Do you think the range of changes being proposed constitute a fair approach to charging?

There were 33 responses to this part of the question.



Option	Total	Percent
Yes	10	22.22%
No	10	22.22%
Unsure	13	28.89%
Not Answered	12	26.67%

Any final comments on the range of changes being proposed?

There were 17 responses to this part of the question.

There was a range of additional comments and learning that should be noted.

1. There was an acknowledgment that most of the proposals were intended to bring about equity but sometime the detail was not available to support a deeper understanding. It was suggested that pre consultation with user groups might help develop the correct approach and information
2. Comment was made on how the council would manage those people with substantial changes to their charges so they wouldn't be disadvantaged
3. There was comments about the challenge to understand some of the concepts and the need for more time to consider them
4. Although not a direct focus of this consultation access to information on services and what's available was mentioned several times
5. Due to the complexity of charging some proposals where open to interpretation of what was actually being proposed (financial assessments) therefore some comments may not actually reflect the proposal but individual's interpretation. Final decisions should take account of this concern raised.

Appendix 2

Example 1

A 90-year-old woman lives alone sheltered housing and receives Pension Credit so has no rent charge.

Her income consists of State Pension, Pension Credit with Severe Disability Premium and higher rate Attendance Allowance of £89.15. She does not pay for Housing Support at the moment.

After assessing in accordance with the Council's charging policy, she would pay a charge under the new proposals. As the charge is £15.56 per week, she can pay no more than that amount.

Calculation	Current Taper 70% (£ Per Week)	Taper 72.5% (£ Per Week)	Taper 75% (£ Per Week)
<i>Income</i>			
Retirement Pension	£155.00	£155.00	£155.00
Pension Credit	£103.45	£103.45	£103.45
Attendance Allowance *	£60.00	£60.00	£60.00
Total income	£318.45	£318.45	£318.45
<i>Allowable Expenditure</i>			
Disability Related Expenditure (20% of AA)	£12.00	£12.00	£12.00
Council Tax	£3.82	£3.82	£3.82
<i>Income Allowance</i>			
Single persons income allowance (pension age)	£222.00	£222.00	£222.00
Total allowances	£237.82	£237.82	£237.82
Excess income	£80.63	£80.63	£80.63
Taper	£56.44	£58.46	£60.47
Ability to Pay	£56.44	£58.46	£60.47
<i>Cost of Care Provided</i>			
Sheltered housing charge	£15.56	£15.56	£15.56
Total cost of chargeable services	£15.56	£15.56	£15.56
Charge	£15.56	£15.56	£15.56

Example 2

Mrs A (aged 77) lives in with her husband and he receives 5 hours personal care and 6 hours home care services (domestic assistance).

They receive Housing Benefit and pay £10.01 per week in rent and £7.31 per week in Council Tax.

After assessing in accordance with the Council's charging policy, she would pay a charge.

Calculation	Current (£ Per Week)	Taper 72.5% (£ Per Week)	Taper 75% (£ Per Week)
Income			
Retirement Pension – Mrs	£202.89	£202.89	£202.89
Attendance Allowance - Lower Rate – Mrs	£60.00	£60.00	£60.00
Occupational Pension (50% only taken into account)	£12.13	£12.13	£12.13
Total income	£275.02	£275.02	£275.02
Allowable Expenditure			
Disability Related Expenditure (20% of AA)	£12.00	£12.00	£12.00
Housing cost - Council Tax (50%)	£3.65	£3.65	£3.65
Housing cost rent (50%)	£5.00	£5.00	£5.00
Income Allowance			
Single persons income allowance (pension age)	£222.00	£222.00	£222.00
Total allowances	£242.65	£242.65	£242.65
Excess income	£32.37	£32.37	£32.37
Taper	£22.66	£23.47	£24.28
Ability to Pay	£22.66	£23.47	£24.28
Cost of Care Provided			
Cost of home care services 4.5 hours @ £15.91 per hour	£71.59	£71.59	£71.59
Total cost of chargeable services	£71.59	£71.59	£71.59
Charge	£22.66	£23.47	£24.28

Example 3

A 78-year-old man lives alone in sheltered housing and receives Housing Benefit. His income consists of State Pension, Occupational Pension and higher rate Attendance Allowance of £89.15.

He also receives 5 hours personal care and 6 hours home care services (domestic assistance).

Under the new rules, he would have an assessed charge for his sheltered housing but as he already receives chargeable services through Self Directed Support, he has no increase in contribution.

Calculation	Current (£ Per Week)	Taper 72.5% (£ Per Week)	Taper 75% (£ Per Week)
<i>Income</i>			
Retirement Pension	£178.91	£178.91	£178.91
Occupational pension	£73.82	£73.82	£73.82
Attendance Allowance *	£60.00	£60.00	£60.00
Total income	£312.73	£312.73	£312.73
<i>Allowable Expenditure</i>			
Disability Related Expenditure (20% of AA)	£12.00	£12.00	£12.00
Rent	£12.33	£12.33	£12.33
Council Tax	£5.07	£5.07	£5.07
<i>Income Allowance</i>			
Single persons income allowance (pension age)	£222.00	£222.00	£222.00
Total allowances	£251.40	£251.40	£251.40
Excess income	£61.33	£61.33	£61.33
Taper	£42.93	£44.46	£46.00
Ability to Pay	£42.93	£44.46	£46.00
<i>Cost of Care Provided</i>			
Sheltered Housing charge	£15.56	£15.56	£15.56
Cost of home care services 4.5 hours @ £15.91 per hour	£71.59	£71.59	£71.59
Total cost of chargeable services	£87.15	£87.15	£87.15
Charge	£22.66	£23.47	£24.28

Example 4

A 83-year-old woman lives alone at Teviot Court, Hawick in sheltered housing and receives Housing Benefit because she gets Pension Credit (Guarantee Credit). She has £35,000 in capital.

She does not pay a Housing Support charge at the moment but under the new proposals she will pay £15.56 per week because her capital is above the £28,750 threshold.

Example 5

A 78-year-old man lives alone at Longfield Crescent, in Duns and does not receive Housing Benefit. He has £40,000 in capital so is liable to pay the maximum assessed charge.

He is currently paying £79.35 per week for Extra Care Housing but under the new proposals to pay an average charge, he will pay £64.84 per week.

Appendix 3



Scottish Borders Council

Integrated Impact Assessment (IIA)

Part 1 Scoping

1 Details of the Proposal

Title of Proposal:	Social Care Charging Policy
What is it?	A review of the charging policy for non-residential services.
Description of the proposal: (Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes, including the context within which it will operate).	<ol style="list-style-type: none"> 1.1 This review of the Charging Policy is an annual activity of all Scottish Local Authorities in line with guidance published by The Convention of Scottish Local Authorities (COSLA). 1.2 From the outset it is acknowledged this review and consultation is taking place in the midst of a Global pandemic. The pandemic is having a major impact on how public services are delivered and on how individuals, families and communities are living with prolonged uncertainty and reduced personal, social and economic circumstances. 1.4 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 to charge through a financial assessment process. <p>The key issues being addressed in the review of the charging policy are:</p> <ol style="list-style-type: none"> i. Rewriting the policy to be user friendly and easier to engage with from a user's perspective. ii. Consider a single financial assessment process iii. Consider a single averaged Extra Care Housing (ECH) and Sheltered Housing maximum charge. At present each development has a different maximum charge iv. Reviewing the Direct Payment rate v. Review the Flexible Short breaks payment vi. Further increase the taper rate from 70% to 75% in 2022/23 with 5% increases in each of the following years until the taper rate reaches

	100% and is effectively removed vii. Apetito community meals food and equipment charges to be set by the Scotland Excel national contract.
Service Area: Department:	Health and Social Care
Lead Officer: (Name and job title)	Brian Paris, Chief Officer Adult Social Work
Other Officers/Partners involved: (List names, job titles and organisations)	Michael Curran, Programme manager
Date(s) IIA completed:	Updated on 05.11.2021

2 Will there be any cumulative impacts as a result of the relationship between this proposal and other policies?

Yes
If yes, - please state here: There are other recommended changes to the 23/24 charging policy including an increase in Taper to 75% (for this financial year) which would continue into the next 5 years. There will be an adverse effect on the anti-poverty strategy as the net disposable income of individuals will be reduced. Increasing the direct payment rate by the Scottish living wage may not be sufficient to compete with market rates, therefore direct payment to employers are disadvantaged in the recruitment and retention of personal assistants. Thus SBC is limited in progressing SDS policy objectives.

3 Legislative Requirements

3.1 Relevance to the Equality Duty: Yes	
Do you believe your proposal has any relevance under the Equality Act 2010? <i>(If you believe that your proposal may have some relevance – however small please indicate yes. If there is no effect, please enter “No” and go to Section 3.2.)</i>	
Equality Duty	Reasoning:
Elimination of discrimination (both direct & indirect), victimisation and harassment. (Will	Changes would be implemented for all service users so would not discriminate against any

<p><i>the proposal discriminate? Or help eliminate discrimination?)</i></p>	<p>individual groups or characteristics.</p> <p>Proportionately, the most impacted by the change would be older people and people with mental health and learning disability. The policy seeks to maintain the use of financial assessments and introduce transitional arrangements and additional engagements in order to mitigate the risk of financial hardship and reduce inequality in charging across services. There will also be transitional support for those most impacted by the policy change</p>
<p>Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i></p>	<p>This proposal assists the Council in improving equity and fairness in its approach and application to charging.</p>
<p>Foster good relations? <i>(Will your proposal help or hinder the council s relationships with those who have equality characteristics?)</i></p>	<p>The proposal may have a negative financial impact for some people and may result in a hindering of the Council's relationship for some people who are adversely impacted. The charging policy and financial context that the council and people are living through as a result of the global pandemic and fuel cost uncertainty is unlikely to be well received as, by its nature, the charging policy will seek to increase the contribution that some people will make to their care costs.</p> <p>The proposal was consulted on and included people with equality characteristics. Therefore the relationship between the Council and some groups benefitted from that co-productive approach.</p>

<p>3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal? (You should consider employees, clients, customers / service users, and any other relevant groups)</p>				
<p>Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.</p>				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	

Age Older or younger people or a specific age grouping			X	<p>Older and People with disabilities may be impacted financially by the implementation of this proposal.</p> <p>Whilst the policy seeks to increase equality and reduce financial hardship, it must also be recognised that some people will pay more. We know this through modelling example scenarios and through public consultation on the changes and feedback from older people and carer forums.</p>
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring			X	
Gender Reassignment Trans/Transgender Identity anybody whose gender identity or gender expression is different to the sex assigned to them at birth	X			
Marriage or Civil Partnership people who are married or in a civil partnership	X			
Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),	X			
Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)	X			
Religion or Belief: different beliefs, customs (including atheists and those with no aligned belief)	X			
Sex – Gender Identity women and men (girls and boys) and those who self-	X			

identify their gender				
Sexual Orientation , e.g. Lesbian, Gay, Bisexual, Heterosexual	X			
3.3 Fairer Scotland Duty This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making <u>strategic</u> decisions. The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.				
Is the proposal strategic? Yes, in line with maintaining and providing high quality community services and financial budgets Yes				
If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:				
	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.			X	People currently having low or no wealth are unlikely to experience negative impact due to the individual financial assessments and steps taken to identify cases of financial hardship. However this cannot be confirmed until a financial assessment is carried out therefore in the interests of concerns raised during consultation this has been set as a potential negative impact
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods,			X	As above

warm home, leisure and hobbies				
Area Deprivation – where you live (e.g. rural areas), where you work (e.g. accessibility of transport)	X			
Socio-economic Background – social class i.e. parents' education, employment and income	X			
Looked after and accommodated children and young people	X			
Carers paid and unpaid including family members			X	Increases in the Taper rate may mean some households have to contribute more for their Chargeable Services.
Homelessness	X			
Addictions and substance use	X			
Those involved within the criminal justice system	X			

4 Full Integrated Impact Assessment Required

Select No if you have answered “No” to all of Sections 3.1 – 3.3.

Yes

If a full impact assessment is not required briefly explain why there are no effects and provide justification for the decision.

N/A

Signed by Lead Officer:	Brian Paris
Designation:	Chief Officer – Adult Social Work and Social Care
Date:	Current update 05.11.21 Previous update 22.10.2021
Counter Signature Service Director	Stuart Easingwood
Date:	05.11.21

Part 2 Full Integrated Impact Assessment

5 Data and Information

What evidence has been used to inform this proposal?

(Information can include, for example, surveys, databases, focus groups, in-depth interviews, pilot projects, and reviews of complaints made, user feedback, academic publications and consultants' reports).

Topics have been discussed with the Charging forum (external) and the internal charging forum for accuracy and validity

Consultation activity ran from 17/09/2021 to 17/10/2021 postal returns were accepted until 20/10/21.

The consultation was advertised across multi-mediums and channels:

- Letters sent to all current social work clients (3,432) and Powers of Attorney (1,230)
- Emails and multiple reminders sent out to all networks; commissioned services, SW teams, Third Sector & Third Sector Interface organizations
- All Council & Adult Social Work Yammer release
- News release to all relevant media outlets
- Specific email to Registered Social landlords to highlight housing related changes
- Multiple posts in the Council's social media, Facebook (24k followers) & twitter (13.7k followers)
- 4 digital consultation events facilitated by Border Care Voice (19 people engaged across 3 sessions)
- 1 hybrid meeting consisting of digital and face to face meeting facilitated by Ability Borders (16 people attended)
- Citizen space questionnaire (45 returns)
- Hard copies requested - 10
- Hard Copy Easy Read questionnaires returned - 8

In total there were 80 people engaged with and three organisational responses. The breakdown is; 45 Responses to the questionnaire, 4 of which were the feedback from the online and hybrid consultation sessions which reached 35 people and three organisational returns.

Describe any gaps in the available evidence,-then record this within the improvement plan together with all of the actions you are taking in relation to this (e.g. new research, further analysis, and when this is planned)

The financial, social and wellbeing impact through the measures and impact of the Global pandemic COVID19 are not clearly established. The consultation on the proposed policy change was significantly impacted by not being able to conduct face to face consultations or hold public events and platforms due to national guidance and restrictions. There was one hybrid event where a combination of Face to face and digital contact was made

Where possible consultation and participation of community organisations and groups attended workshops on the charging policy to ensure there was representation for people who we could not ordinarily reach.

6 Consultation and Involvement

Which groups are involved in this process and describe their involvement

We have discussed options with in-house service providers via the in-house charging forum and with service users via the external charging forum. A full consultation activity is listed in section 5

Describe any planned involvement saying when this will take place and who is responsible for managing the process

A public consultation was conducted during September & October via Citizens Space, 4 virtual events have been held, consultation was publicised widely. Full details in section 5

Describe the results of any involvement and how you have taken this into account.

Plain English policy: The vast majority of people welcomed the need for an accessible policy. Several groups asked to be involved in the development and review of the document before its publication to ensure that it was free from jargon and contained the correct information. Several people suggested that it should be supported by conversations at the point of assessment.

Financial assessment process: The introduction of Equity into the Scottish Borders Social work financial assessment process was generally agreed to be a sound proposal. Due to the complexity of the financial assessment process, internal and external to the council, the question posed created a level of misunderstanding of what was actually being proposed. That said, there was strong support for the introduction of Equity, transparency, simplicity and clear information on the financial assessment process. Concerns were raised about the impact and affordability of any changes for individuals. There was a lot of reference made to the cap on fuel costs, predicted to go up at the same time and the ethics of increasing charges at the same time. Reference was also made to charging implications for those people with intense support packages; are there suitable arrangements in place to reflect this situation?

Average charging ECH & HwC: In the majority most people recognized that the average approach to charges would be more equitable, as long as access to and standard of care provided was the same across all the venues. It was also proposed that there was clarity and transparency on how the charges are calculated. A question was raised about different usage levels as some people may use a disproportionate amount of support but pay the same, therefore would this represent good value for low level users? The issue of affordability was raised for people in venues with higher rates and how this would be managed. Some people questioned the ethics of raising costs when there is a great uncertainty about fuel costs and poverty.

Direct Payment Rate: It was agreed that linking the Direct Payment rate to an index was the right thing to do and viewed as a positive move. However there were questions about the sufficiency of the on costs to cover travel, PPE, training and an increase in the NI rate (due to change nationally) etc. Additionally, there were queries about the challenge of recruiting at this rate; did it reflect current provider rates and terms and conditions and was there flexibility in the system to allocate more where the challenges of recruiting are more acute? Participants also questioned if this rate reflected the value we should be putting on the caring role.

Short Breaks Rate: Similar to the DP rate linking it to a national cost, this was viewed as positive. Concerns were raised about the sufficiency of this rate for more complex individuals whose costs

could be substantially more to access a suitable environment. It was also noted that not many people access this option; was this due to assessment and eligibility criteria, insufficient allocation to make it meaningful or just not known about?

Taper rate annual increase: There was an overwhelming feeling that increasing the rate to 100% was grossly unfair, would leave people in poverty, reduce people's quality of life and leave people with no resources to engage in social activities or resources for contingency. This type of increase was viewed negatively as it outstripped the cost of inflation. Although people accepted that this was agreed last year, there should be a cap set on the increment and this should be reviewed.

Meals at home: On the whole linking the costs to the national contract process was acceptable; people thought that the cost for a 2 course meal appeared, in the most part, to be reasonable. The doubling of costs for microwaves and freezer was seen as an issue and most people viewed this as expensive and prohibitive for people on low incomes. It was suggested, more than once, that people should be encouraged to resolve this issue either by purchasing a suitable product or applying for grants to do so.

What have you learned from the evidence you have and the involvement undertaken? Does the initial assessment remain valid? What new (if any) impacts have become evident?

(Describe the conclusion(s) you have reached from the evidence, and state where the information can be found.)

The initial assessment remains valid and the consultation participants have suggested various mitigation actions. There was a range of additional comments and learning that should be noted.

1. There was an acknowledgment that most of the proposals were intended to bring about equity, but sometime the detail was not available to support a deeper understanding. It was suggested that pre consultation with user groups might help develop the correct approach and information
2. Comment was made on how the council would manage those people with substantial changes to their charges so they wouldn't be disadvantaged
3. There were comments about the challenge to understand some of the concepts and the need for more time to consider them
4. Although not a direct focus of this consultation, access to information on services and what is available was mentioned several times
5. Due to the complexity of charging, some proposals where open to interpretation of what was actually being proposed (financial assessments), therefore some comments may not actually reflect the proposal but rather an individual's interpretation. Final decisions should take account of this concern raised.

7 Mitigating Actions and Recommendations

Consider whether:

Could you modify the proposal to eliminate discrimination or reduce any identified negative impacts?

(If necessary, consider other ways in which you could meet the aims and objectives of the proposal.)

Could you modify the proposal to increase equality and, if relevant, reduce poverty and socioeconomic disadvantage?

Describe any modifications which you can make without further delay (e.g. easy, few resource implications)

Mitigation Please summarise all mitigations for approval by the decision makers who will approve your proposal			
Equality Characteristic/Socio economic factor	Mitigation	Resource Implications (financial, people, health, property etc)	Approved Yes/No
Fairness & transparency Lack of clarity about the questions and time to understand	There was an acknowledgment that the proposals were intended to bring about equity but sometimes the detail was not available to support a deeper understanding. It was suggested that pre-consultation with user groups might help develop the correct approach and information and an extension to future consultation periods.	Project team needs to have sufficient resources to develop pre-consultation process The development of plain English and easy read versions have been commissioned	Yes
Fairness & transparency estimating actual impact on individuals cannot be known until a financial assessment carried	Due to the nature of the financial assessment process and multiple variables the impact for any individual cannot be known until an actual financial assessment is carried out. This would be impractical. A self-fill Financial assessment calculator could be	The Care Resource Team would need to factor this into the work plans for next year This work would be dependent on the digital change programme and	Yes

out	developed for people to self-populate	resources	
	A further period of engagement should be offered to those areas most impacted (ECH & HwC environments) and transitional plans put in place to manage large changes in charges	The care resource team and project team would need to be made available to engage in this process	

8 Recommendation and Reasoning

- Alternative options have been included within the proposal
- Implement all recommendations taking account of mitigating actions (as outlined above)

Reason for recommendation:

The proposal is essential for the continuing delivery and sustainability of good quality care as well as addressing matters that improve the use of financial assessment to improve equity in the rate of charge and reduce risk of financial hardship

Signed by Lead Officer:	Brian Paris
Designation:	Chief Officer – Adult Social Work and Social Care
Date:	05.11.21
Counter Signature (Service Director):	Stewart Easingwood
Date:	05.11.21

Appendix 4 – Local Authority Comparison Table

Local Authority	Taper rate %
Scottish Borders	Increase to 75%
Angus	75%
Argyll & Bute	80%
East Lothian	75%
Dumfries & Galloway	65%
Midlothian	70%
Moray	70%
Highland	75%
Perth & Kinross	No Taper

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 5

Charging Policy Review Process – Owner Chief Social Work Officer, Supported by SW Planning Manager

