### **PIC0202 Powerpoint Presentation 024**

**Charging Policy for Non Residential Care and Short Term Residential Care**

**11th April 2022**

SOCIAL

SERVICES
COMMUNITY SERVICES DIRECTORATE

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| **Version number:** | 1 | **Date Written:** | April 2016 |
| **Date Approved:** | April 2016 |
| **Status:** | Approved | **Date of Issue:** | 11th April 2016 |
| **Review Date:** | April 2021 |
| **Approved by:** | Senior Management Team |
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| **Supporting documents:** |  |  |
| **Equality Impact Assessment** | **Approved by:** |  |
| **Date:** |  |
| **Change history** | **Dates reviewed:** | **Outcome of review:** |
| April 2017April 2018April 2019April 2020April 2021 | Updated rates and disregardsUpdated rates and disregardsUpdated rates and disregardsUpdated rates and disregardsUpdated rates and disregards |

This policy refers to individuals for who care and support is being or may be provided or arranged by Blaenau Gwent Social Services under Part 4 of the Social Services and Well-being (Wales) Act 2014.

The care package an individual receives will be determined by an assessment of need following the care management process.

Each individual will be entitled to participate in a means tested financial assessment to determine their ability to contribute toward the cost of the services they receive.

Before the financial assessment is carried out individuals will be provided with a care and support plan and a copy of this policy (along with a copy of the direct payments policy if applicable)

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**1 Chargeable Services**

* 1. **Services to be charged for**
* Home Care (services provided for personal care, support, sitting services, sensory support, domestic help and shopping). Standard charge £22.30 per hour.
* Attendance at a day care centre (meals and transport, where applicable, will be charged separately) Standard charge £61.00 per session.
* Supported Living Services. Standard charge £22.30 per hour.
* Direct Payments. Standard charge £15.40 per hour.
* Shared Lives/Adult Placement services. Standard charge for sessional support £9.90 per hour. Standard charges for respite services/long term placements., Band A £25.02 per night, Band B £34.77 per night, Band C £44.16 per night, Band D £63.31 per night.
* Planned Short Term Residential or Nursing Care up to a maximum of 8 weeks. After 8 weeks short term care will be assessed under the charging policy for Residential and Nursing Care. Temporary placements that are expected to exceed 8 weeks or do not have a definite end date will be assessed under the charging policy for Residential and Nursing Care from the date of admission.

# Services where no charge will be made

* Aftercare services in accordance with section 117 of the Mental Health Act 1983 (after care)
* Services that are provided as a recognised need specifically to provide respite to their main carer (Identified in a Carer’s Assessment)
* Supported employment projects
* Supporting People Revenue Grant funded services.
* Floating support services
* Services for individuals under the mental health support worker scheme
* Services provided to a person under the age of 18 years
* Re-ablement Services

**2 The Financial Assessment Process**

* 1. Charges are payable from commencement of services. Invoices will not be raised until the financial assessment has been carried out (unless individuals choose not to receive a financial assessment or do not provide the necessary information in the required time scale).
	2. An Income Maximisation Officer will contact the individual and where possible arrange a home visit to collect the necessary information to complete the financial assessment and provide a Welfare Benefits check. Individuals have the right to appoint someone to assist them or act on their behalf in respect of all or part of the financial assessment process. If they choose to appoint a third party they should advise the social worker or support worker when they complete the assessment of need or the Income Maximisation Officer when they are contacted to arrange an appointment to complete the financial assessment.
	3. Individuals will be required to provide statements / bank books for all bank, building society and Post Office accounts they hold and documentary evidence of any other assets / investments. This will allow the Income Maximisation Officer to verify all income, capital and relevant outgoings. This information should if possible be provided at the time of the arranged visit or within 15 working days if the documentation is not available at that time. If a home visit was not possible / convenient and information to complete the financial assessment has been requested in writing, the individual will have 15 working days from the date of the letter to provide the required information.
	4. Reasonable requests for an extension to the 15 working day timescale will be considered providing there is a valid reason to do so
	5. Confirmation of the assessed charge will be provided in writing on completion of the financial assessment
	6. Any Individual who decides they do not wish to go through the financial assessment or does not provide the necessary documentation to allow a financial assessment to be completed within the required timescale will be charged the standard rates for the care they receive up to a maximum of £100.00 per week
	7. Any individual with capital above the capital limit of £24,000 will be required to pay the standard rates for the care they receive up to a maximum of £100.00 per week

# 3 Treatment of Income

Each individual is required to provide details of their benefits and any other income they may receive. This income will be treated in one of three ways:

3.1.

|  |
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| **Income taken fully into account** |
| * Retirement Pensions
* Occupational Pensions
* Personal Pensions
* Annuity Income
* Income from insurance policies

Income from rent* Most Social Security Benefits (e.g. Income Support, Incapacity Benefit, Employment Support Allowance, Industrial Injuries Benefit, Severe Disablement Allowance)
 |

3.2

|  |
| --- |
| **Income which is partly disregarded**  |
| * War Widows / Widowers Pension – supplementary pension plus £10.
* Pension Credit – savings credit up to a maximum of £5.75 per week.
* Disability Living Allowance (DLA) - 85% of middle rate care element is taken into account for people claiming middle or high rate, 85% of lower rate care element for those claiming lower rate \* see below
* Attendance Allowance (AA) - 85% of lower rate is taken into account \* see below
* Personal Independence Payment (PIP) - 85% of the standard rate is taken into account \* see below
 |

* If care is provided during both the day and night (e.g. Supported Living, Adult Placements, Short Term Residential and Nursing Care) 85% of the higher rate of AA or DLA and 85% of the enhanced rate of PIP will be taken into account for those who receive these rates.
* Individuals over 65 who have qualifying income in excess of their standard minimum guarantee (under Pension Credit Regulations) are also entitled to a disregard of £5.75 from their assessable income.

3.3

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| --- |
| **Income that is fully disregarded** |
| * Disability Living Allowance (DLA) – Mobility component
* Personal Independence Payment (PIP) – Mobility component
* Christmas bonus
* Social Fund Payments
* Winter Fuel Payments
* ILF Payments
* Child Benefit
* Earnings
* Working / Child Tax Credit
* Housing Benefit
* Council Tax Benefit
* Carers Premium of Pension Credit / Income Support
* Constant Attendance Allowance
* War Disablement Pension
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# 4 Treatment of Savings / Capital

4.1 The following list of capital items need to be considered in the financial assessment:

* Personal Savings
* Joint savings
* Stocks, shares, bonds and annuities
* Money or Assets held in trust
* Property or land which an individual owns excluding the property in which they live.

If the total of their capital assets is more than £24,000 the individual will be assessed to pay the full charge up to a maximum of £100.00 per week

Capital assets less than £24,000 are disregarded

4.2 Compensation / Insurance/ Legal Payments due to Injury

The contribution you have to make toward the cost of your care package will be assessed when the care is initially provided. However, if you later receive compensation, legal or insurance payments for past, present, or future care needs then your charge will be reassessed taking into account the additional capital you have received from such payments after 52 weeks. The maximum charge in these circumstances will be £100.00 per week as set by the Welsh Assembly Government.

# 5 Deprivation of Assets

# 5.1 The local authority may consider that individuals have deprived themselves of assets in order to reduce their charge. Deprivation of assets has occurred where a person has deprived or decreased their overall assets resulting in the reduction or removal of any charge imposed for their care and support. This means that they must have made a decision to do this in the knowledge that to do so could have an effect on their charge.

# 5.2 In such cases the local authority may either charge the person as if they were still in possession of the asset, or if the asset has been transferred to someone else, seek to recover the lost income from charges (or from lost contributions or reimbursements where direct payments have been made) from that person.

5.3 The authority will only consider questions of deprivation of assets when the resident ceases to possess assets which would otherwise have been taken into account in the financial assessment.

5.4 The following actions would be considered deprivation of assets:

1. A lump-sum payment to someone else, for example as a gift;
2. Substantial expenditure has been incurred suddenly and is out of character with previous spending;
3. The title deeds of a property have been transferred to another person;
4. Assets have been put in to a trust that cannot be revoked;
5. Assets have been converted into another form that would be subject to a disregard under a financial assessment, for example personal possessions;
6. Assets have been reduced by living extravagantly, for example buying an expensive sports car;
7. Assets have been used to purchase an investment bond with life insurance,
8. Giving away or selling the right to an income from an occupational pension.

5.5 When deciding if deprivation has occurred the Local Authority will consider the following:

1. Whether avoiding or reducing a charge was a significant motivation;
2. The timing of the disposal of the asset. At the point the capital was disposed of could the person have had a reasonable expectation of the need for care and support, even if at this point they were not yet receiving this; and
3. Would the person have had a reasonable expectation of needing to contribute towards the cost of this either now or at some future point.

# 6 Calculating the Weekly Charge

6.1 The individual’s financial information will enable finance staff to determine their ability to contribute towards the cost of their services.

All income is converted into weekly amounts and the total weekly amount taken into account for assessment purposes. For financial assessment and charging purposes a week commences on a Monday and ends on a Sunday.

6.2 In undertaking a financial assessment the Income Maximisation Officer is required to allow individuals a **minimum income** **amount** **(MIA)** equivalent to the basic income support levels plus a 35% buffer. This allowance is intended to cover:

* Food
* Clothes
* Insurance, including building & contents, mortgage protection and life assurance
* Water Rates
* Utility Bills
* Transport
* TV Licence
* Subscriptions to satellite or digital TV companies
* Repair and replacement of household items
* Credit card debt or personal loans
* County Court Judgements and arrears

6.3 An additional disregard of 10% of basic income support levels is also given for disability related expenditure (DRE).

6.4 Housing costs for rent, mortgage and council tax payments (net of any benefit) will be taken into account and deducted from the individual’s assessable income.

6.5 If the individual qualifies for the savings disregard this will also be deducted from their assessable income.

6.5 In deciding whether an individual will be eligible for a charge the relevant income is considered and then the MIA, DRE disregard and housing costs are deducted. This will leave a figure, which will then become the individual’s maximum weekly charge.

 £

e.g. **Income**  Retirement Pension 163.16

Occupational Pension 46.47

 Guarantee Credit 42.37

Savings Credit 14.48

 85% AA (£58.70 ) 52.57

 A**ssessable Income 319.05**

**Disregards** MIA 246.51

 DRE Disregard 18.26

 Savings Disregard 5.75

 **Total Disregards 270.52**

 **Maximum Weekly Charge 48.53**

6.6 The individual will be charged at the rates shown on page 3 until they reach their maximum weekly charge. Services with an hourly rate are charged in quarter hourly increments and rounded up to the nearest quarter hour. The local authority will only cover the cost of any care that exceeds your maximum weekly charge.

E.g. An individual has been assessed as needing 5 hours home care per week and has an assessed maximum weekly charge of £48.53.

The total cost of the care package is 5 x £22.30 = £111.50, so the individual will pay their assessed charge of £48.53 and Social Services will pay £62.97.

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However any changes to the hours received by the individual will not always affect the charge they will need to pay. The following table shows an example of how changes to the number of hours received will affect the individuals’ weekly charge

|  |  |  |  |
| --- | --- | --- | --- |
| No of care Hours received  | Total Cost of Care Package  | Individuals Charge | Social Services Contribution towards the care package |
| 1 | £22.30 | £22.30 | £0.00 |
| 2 | £44.60 | £44.60 | £0.00 |
| 3 | £66.90 | £48.53 | £18.37 |
| 4 | £89.20 | £48.53 | £40.67 |
| 5 | £111.50 | £48.53 | £62.97 |

6.7 The most any individual can be charged, however high their income or savings is £100.00 per week. If an individual does not wish to disclose their financial information their maximum weekly charge will be £100.00.

# 7 Treatment of Couples

7.1 If both members of a couple receive a service then they will be assessed as a couple.

7.2 Where only one member of the couple receives a service they can be assessed in one of two ways.

* If the benefits that are paid to the couple, such as pension credit or income support are part of a claim for both members of the couple then their income and savings will be assessed jointly and the minimum income amount and DRE disregard applied to their assessment should be based on the basic income support figure for a couple
* If there are no joint benefits and only one member of the couple receives a service, they are within their rights to only declare their own financial details and they would then be assessed as a single person. This method may result in a higher charge being applied than if a couple’s assessment is completed if the individual receiving services receives the majority of the income. If the couple are in agreement financial details of both members of the couple will be collected and a ‘better off’ calculation will be completed to determine which method would provide the individual with the lowest charge. If on checking with the Department for Works and Pensions, it is clear that the partner is claiming benefits on the individual’s behalf the income would be assessed jointly.

7.3 DLA, AA and PIP are only taken into account for both members of the couple if they are both receiving services. If only one member is receiving services then only his/her own DLA, AA or PIP is taken into account at the relevant rate.

8 Reassessments

8.1 Individuals who have received a financial assessment must be re-assessed on an annual basis in line with the annual uprating of benefits.

8.2 Individuals must be reassessed if their financial circumstances change during the financial year as a result of:-

• Increased benefits or income

• Increase in capital which will exceed the capital limit

• Decreased benefits or income

• Decrease in capital which will fall below the capital limit

They must inform the council in any of these circumstances so that a reassessment can be undertaken.

**9** **Payment of Charges**

9.1Invoices are raised every four weeks listing the period the invoice relates to, the charge for each week during the period and the total cost of the invoice.

9.2 The information used to charge for the services provided is collected from the care agency that supplies the care. As a result, invoices are charged for a four weekly period approximately 8 weeks in arrears.

Payments can be made by

* Direct Debit
* Cheque
* Online Payment
* Credit or Debit Card (by contacting C2BG – see useful information)
* Cash (using the invoice or a payment card at any Post Office, Pay Point or the Civic Centre)

10 Recovery of Charges

10.1 Charges that the individual is obliged to meet, as their financial contribution towards the cost of the service, are payable from the commencement of the service provision. Invoices will not be raised until the financial assessment has been carried out (unless individuals choose not to receive a financial assessment or do not provide the necessary information in the required time scale).

10.2 Finance Staff will attempt to collect all contributions owed to the Authority for care and support services provided and will contact the individual or their representatives in writing to inform them of any payments outstanding. Every effort will be made to recover the arrears in a sensitive and understanding manner.

11 Reviews

11.1 When an individual has been assessed they are advised in writing of their charge. If they are unhappy with the assessed charge they (or a recognised representative) may request a review under the following circumstances

* Blaenau Gwent has not complied with any of its duties under the charging legislation
* Blaenau Gwent has not correctly applied its own charging policy to determine a reimbursement or contribution
* An error has been made in the calculation of the charge, reimbursement or contribution
* A charge has been applied for a service that has not been provided to you
* Payment of the assessed charge would cause you financial hardship

11.2 The request for a review may be made at any time and can be made either verbally or in writing but must state under which of the above circumstances they are requesting a review.

11.3 Written acknowledgement of the request for a review will be sent within 5 working days of the receipt of the request. This will include key information with regard to the review including details of any further information or documentation that the authority requests to process the review and how the authority will process the review.

11.4 Any documentation to support the review should be provided within 15 working days of the date the request was made; however, an individual/representative may ask for an extension to provide this information if they are experiencing difficulty obtaining required documents etc.

If any additional documents are not provided within 15 working days (or an agreed extended timescale) the local authority may treat the request as if it has been withdrawn.

11.5 The review will be carried out by the Income Officer and will involve a re-calculation of the individual’s charge and include any additional documentation provided to support the review request.

11.6 The result of the review should be sent out in writing within 10 working days of receiving any necessary information to complete the review. This will detail the reasons for the decision and any actions that have been agreed as a result

11.7 If after the review process the individual is still dissatisfied with the outcome the departments’ official Complaints Procedure should be followed.

**12. Useful Information**

For any queries with regard to the financial assessment process individuals can contact the Social Services Income Team

Abertillery, Blaina and Out of County Areas Susan Morgan 01495 354620

Ebbw Vale/Cwm Areas Kathryn Turner 01495 356069

Tredegar, Brynmawr & Nantyglo Areas Ruth Jones 01495 354616

**Other queries**

C2BG (Connect to Blaenau Gwent)

The Contact Centre

Tel: (01495) 311556

Duty Referral Team

01495 315700

**Advocacy and Advice**

**Brynmawr Citizens Advice**

107 – 110 Worcester Street
Brynmawr
Blaenau Gwent
NP23 4JP

### **Drop-in initial assessment sessions**

Wed: 10.00 - 13.00

Thu: 10.00 - 13.00

Telephone 03444 772020

**Department for Work and Pensions (Working Age Benefits)**

Job Centre Plus Office

Ty Gantre, Civic Centre

Ebbw Vale

NP23 6XG

0800 0556688

**Department for Work and Pensions (Pensioners)**

The Pension Service 8

Post Handling Site B

Wolverhamoton

WV99 1AN

0800 731 0469

**Disability Advice Project**

9a Avondale Industrial Estate

Avondale Way

Cwmbran

NP44 1UG

Tel: (01633) 485865

E-mail: info@dap-wales.org.uk

Website [www.dapwales.org.uk](http://www.dapwales.org.uk/)

**Age UK**

0800 678 1602

[**Speak Easy Advice Centre**](http://www.speakeasyadvice.co.uk/)

029 2045 3111

**Benefit Enquiry Line**

Freephone 0800 882 200

Text phone 0800 243 355

To receive this information in Braille, large print, electronically or on audio tape please contact the Information Officer on (01495) 354630.