

<p>Non-Executive Report of the:</p> <p>Health and Adults Scrutiny Sub-Committee</p> <p>8 July 2019</p>	
<p>Report of: Denise Radley - Corporate Director, Health, Adult and Community Services</p>	<p>Classification: UNRESTRICTED</p>
<p>Report Title: Adult Social Care Charging Impact Assessment – Follow-Up</p>	

Originating Officer(s)	Joanne Starkie, Head of Strategy and Policy for Health, Adult and Community Services
Wards affected	All wards

Executive Summary

The Adult Social Care Charging Policy was agreed by Cabinet in 2016, and implemented with effect from October 2017. An assessment of the impact of charging for community-based support was presented to the Mayor's Advisory Board in October 2018 and to the Health Overview and Scrutiny Committee in December 2018. This presentation provides a general update to the last impact assessment. It aims to answer two main questions

1. What have we done since the impact assessment was carried out?
2. Is there evidence that the impact has changed since the last assessment?

Recommendations:

The Health Overview and Scrutiny Committee is recommended to:

1. Note the contents of this presentation.

1. REASONS FOR THE DECISIONS

- 1.1 This report and presentation provides a general update to the last impact assessment presented to the Health Overview and Scrutiny Committee in December 2018. At the December meeting, the Committee requested this update to enable further scrutiny on the impact of charging.

2. ALTERNATIVE OPTIONS

- 2.1 n/a

3. DETAILS OF THE REPORT

3.1 Introduction

The Adult Social Care Charging Policy was agreed by Cabinet in 2016, and implemented with effect from October 2017. An assessment of the impact of charging for community-based support was presented to the Mayor's Advisory Board in October 2018 and to the Health Overview and Scrutiny Committee in December 2018. This presentation provides a general update to the last impact assessment. It aims to answer two main questions

- i. What have we done since the impact assessment was carried out?
- ii. Is there evidence that the impact has changed since the last assessment?

3.2 What have we done since the impact assessment was carried out?

We have moved forward on a number of issues that were identified in the original impact assessment, including agreeing to pay net direct payments and clarifying guidance on Disability Related Expenditure. We have improved our communication with service users– a critical issue highlighted in the last impact assessment - through a programme of activity.

3.3 Is there evidence that the impact has changed since the last assessment?

We have looked at a core set of information and identified the following:

- i. 44 per cent of people (1167 individuals) in community-based services were being charged an amount of money as of 30th April 2019. This is very similar to the proportion being charged in the last impact assessment.
- ii. Compared to the last impact assessment, more people are paying by direct debit, fewer people have an outstanding Financial Declaration form and fewer people are requesting a reassessment. These can all be seen as indications that the system is improving, but there is scope for more.
- iii. There is no clear evidence that charging is stopping people from coming forward for help, but further analysis is needed to understand the trends as cause and effect cannot be established. The number of people getting in contact with us is similar to the last impact assessment. The number of assessments has gone down.

- iv. As of 30th April, 88 care packages have been stopped due to charging. There is a system in place to safeguard adults who want to end or reduce their support due to charging, if doing so would put them at significant risk of harm. Risks or issues are discussed at a Charging Waiver Panel. To date, nine cases have been reviewed, resulting in charges being waived in four cases.
- v. The self-reported wellbeing of adult social care users has gone down slightly. Satisfaction levels with social care have increased. Whilst we can't conclude any direct causation between this and charging, the information provides context that we will continue to try to understand and monitor.

4. EQUALITIES IMPLICATIONS

4.1 The report does not include an equalities analysis. However, the original impact assessment in 2018 found that:

- Older people were more likely to be paying the full cost of their care (up to the maximum amount)
- People with a learning disability were less likely to be paying a contribution towards the cost of their care.
- People of a White ethnic background were more likely to be paying the full cost of their care (up to the maximum amount). People of an Asian ethnic background were less likely to be paying full cost, and were more likely to be paying no charge.
- There was no noticeable trend in terms of charging and gender.

Given that the last impact assessment was relatively recent and that the proportion of adult social care users being charged has changed little since then, it is likely that the trends described above are still in place. The report generally suggests that charging processes have improved, which would have a positive impact on the groups identified as being most affected.

5. OTHER STATUTORY IMPLICATIONS

5.1 The legal framework for charging in adult social care is articulated in the 2014 Care Act.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 For the financial year 2018-19 invoices were raised to the value of £2.3m for community-based charging, in-line with the budgeted expectation.

6.2 There are no direct financial implications associated with this charging impact follow up assessment.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Care Act 2014 (“the Act”) provides that a local authority may make a charge for meeting eligible needs under the Act, and this applies to all types of care provision, whether through the provision of residential care or domiciliary care. The associated regulations and statutory guidance prohibit a local authority from making a charge in specified circumstances; and set an amount beyond which a person’s income cannot fall after paying any charges, which acts as a safeguard to residents. The Council has some flexibility in respect of setting charges, for example the flexibility to disregard certain sources of income, set maximum charges, or charge a person a percentage of disposable income.
- 7.2 The Equality Act 2010 requires the Council in the exercise of its functions to have due regard to the need to avoid discrimination and other unlawful conduct under the Act, the need to promote equality of opportunity and the need to foster good relations between people who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required in order to enable the Council properly discharge this duty and the duty to act fairly applies.
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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 Adult Social Care Charging Impact Assessment – Follow Up

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

N/A