

Charging for Non-Residential Care Services

A Policy and Practice Guide

Warrington Adult Social Services

November 2020

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1. Introduction – Why Adult Social Care charge for some services

Warrington Adult Social Care provides a range of services for vulnerable people, but is reliant on income from charges to help pay for them. Without this income, service levels could not be maintained.

Central Government anticipates that Social Services will partly fund its services from these charges and takes this into account when it calculates the amount it allocates to the Council.

Our charging policies take into account each individual's ability to contribute towards the cost of their services. A financial assessment, including disability related benefits and expenditure, will be undertaken for all service users who receive non-residential services such as home care, day care and supported living services. Meals, Community Alarms and assisted travel to day centres will be charged as a flat rate charge in addition to the assessed charge. The assessment of charges is combined with a service which provides a check to make sure people are getting all the benefits to which they are entitled.

The policy has been devised to meet the following Department of Health (Central Government) legislation and guidelines:

- Care And Support Statutory Guidance (Care Act 2014)
- LA Circular (2001) 1 – Intermediate Care.

2. The range of chargeable services that come under this policy

- **Social day care** either in social services run day centres or purchased on behalf of the service user from the voluntary or private sectors or shared lives day care.

Transport where provided will be charged for separately as a flat rate, non-financially assessed charge. If you wish to cancel your scheduled transport we require 24 hours' notice, otherwise you will be charged. Consideration will be given to unavoidable cancellations when 24 hours' notice is not given (e.g. due to illness or if a carer is late to help get ready). To cancel the transport, please contact the specialist transport department on tel: 01925 442624 or 01925 442625 (office hours 8:30 am to 5:00 pm Monday to Thursday and 8:30 am to 4:30 pm Fridays) or, outside office hours, please leave a message on the Team's answering machine.

Charges will be for a session of day care which may differ according to the setting. The cost of meals is not normally included in the charge but will be charged for separately as a flat rate charge.

- **Personal Home Care (Domiciliary Care)** – if provided by Adult Social Services or purchased by them for the service user.

This will be charged for at variable rates. Where more than one care staff is required to carry out a care task the charge will be levied for both carers.

Where individuals who are receiving a service have to go into hospital the Council will continue to charge that individual their assessed charge (for a maximum of two weeks) as the Council continue to be invoiced by the care provider. This is to protect the placement and ensure retaining the provider's availability following a short stay in hospital by the service user.

If you need to cancel your care, e.g. for holidays, visiting family, family providing temporary care, etc, please contact your provider as soon as possible. You are required to give at least two weeks' notice to the provider and you will be charged for this notice period.

Important Note:

You might find that a provider could charge you less or more than the council charges its service users who choose to use the council's contracts.

If you are assessed as having to pay the full cost of your care, or your actual charges are less than your maximum assessed charge, then you should be aware that it may cost you less to arrange your care directly with a social care service provider. This may enable you to negotiate services and fees with more choice and control in order to meet your needs.

From April 2018 the council has imposed an initial set up fee and an admin charge for full cost payers and you need to factor this into your calculation. Charges can be found at Appendix A.

- **Supported Living** – Provided mainly to service users through a network of supported tenancies which takes into account the intensive 24 hour care needs combined with rehabilitation services.
- **Direct Payments**

- **Non-residential social care services wholly or in part funded by Health** under section 28A of the NHS Act 1977. A charge will be made for that service if it will normally be charged for by Social Services.
- **Jointly funded services with Health Services** only the social care services, normally charged for by social services, would be charged for.
- **Non-residential out of borough services** provided by other local authorities but purchased on behalf of our service users.
- **Housing Support Services provided through “Supporting People”**

Applicable to some “Supporting People” services where the service user is not in receipt of housing benefit and has requested a financial assessment of their ability to pay.

2.1 The chargeable services which are not subject to this policy

- **All permanent residential care services.** This is charged under the Government’s Care and Support Statutory Guidance (CASS).
- **All respite or short term residential care services** – will be charged under the Government’s Care and Support Statutory Guidance (CASS).
- For people staying overnight or for a weekend in respite residential care, the charge for this care will be deemed to cover a full 24 hour period.

3. Charges to other local authorities using services of Warrington Adult Social Services

Other local authorities purchasing the Directorate’s services will be charged at the full cost of the service, and will charge the service user according to their own charging policies.

4. Services for which no charge is made to the service user

- All assessments of community care needs
- All advice services
- Aids to daily living
- Intermediate Care (provided by arrangement with the NHS) up to 6 weeks. In exceptional circumstances an extension of this period could be made after a full re-assessment.
- Supported Employment Services.

5. Circumstances when people cannot or may not be charged

- People suffering from Creutzfeldt Jacob Disease cannot be charged.
- People subject to section 117 of the Mental Health Act 1983 cannot be charged.
- People assessed as Continuing Care (via NHS funded care team) will not be charged for their services.

6. The principles underlying this charging policy

- The service user is at the centre of the policy and processes.
- A financial assessment offers the service user the opportunity to lower their charges and increase their benefits.
- Warrington Adult Social Services will strive to enable the provision of appropriate benefits advice through our partnerships with other agencies and providers as part of our commitment to social inclusion.
- We will aim to maximise our service users' incomes in order to improve quality of life and reduce dependency.
- The costs of disability are recognised by our policy.
- Getting our financial assessment right first time helps the service user to understand the policy and reduces the likelihood of loss of income to the department.
- Integrating all charges will ensure a service user's income is not brought below the levels set out by central government.
- Decisions about the provision of services by the Family and Wellbeing Directorate will be taken independently of financial circumstances.
- Generating income from charges is essential to maintain and modernise our services.

7. How charges will be assessed and eligibility for benefits checked.

7.1 The framework for assessing charges and eligibility for benefits

- Each service user will be assisted to complete a financial assessment detailing his/her income and expenditure where applicable. This will usually take place during a home visit to the service user by a Client Finance Advisor from the Financial Assessment Team.
- Each service user will be eligible for free benefits advice at the time of their financial assessment, and further assistance to complete claim forms and obtain benefits.
- Only the individual service user's means will be assessed for charges, except when they can reasonably be considered to have access to savings or income other than earnings held in a partner's name or in joint names.
- Disability related expenses will be considered where advised, in setting charges for all service users, irrespective of whether or not they receive disability benefits such as Attendance Allowance, Disability Living Allowance Care Component or Personal Independence Payment Daily Living Component.

- If a service user does not wish to have a financial assessment and therefore not take advantage of possible increased income and lower charges, they will be asked to pay the “standard price” for the service. If they are unable to pay their charges then this will be reviewed. “Standard prices” are at Appendix A.
- All the service user’s package cost will be set against their “**Maximum Assessed Charge**” (MAC) which is the highest amount they would have to pay for services as decided by their financial assessment. For most people, this amount will be less than the total “standard price of their services”.
- Meals, community alarms and assisted travel to day care will be charged as a flat rate non-assessed charge in addition to the charge for home care, day care and supported living services.
- The service user will be offered a range of methods of payment for their services.
- Failure to pay a charge by the specified date will be followed up promptly and sensitively in accordance with Council debt recovery policy by letter and/or when necessary, a visit. If a service user refuses to pay their charges as a last resort, their debts may be pursued through the civil courts.
- If a service user is having difficulty in paying the charge, it is important that they contact the Income and Assessment Team immediately to make arrangements to pay. If a service user feels they cannot pay their charges they can use the Appeals procedure as outlined in section 9.
- Both the cost of services and the service user’s ability to pay will be reviewed annually.
- The Maximum Assessed Charge will also be reviewed on request of the service user where the service user advises the Department of any change in their financial circumstances which may affect their “ability to pay”.
- Any other increase will be consulted upon before implementation.
- Service users will be invoiced every 4 weeks in arrears. The service package cost for the 4 week period will be based on actual service received. However, the Council reserves the right to review these arrangements in the interest of efficiency.
- There will be further consultation if changes are made to this policy.

7.2 Calculating the Maximum Assessed Charge (MAC)

7.2.1 General Principles

The maximum assessed charge is the most that any individual will be expected to pay for their services (with the exception of meals and specialist assisted transport). The Client Finance Advisor will calculate the maximum charge to a service user by adding together their **INCOME** and any **CAPITAL** then deducting any **ALLOWANCES** that can be made. If there is anything left over after allowances, this will be deemed to be the service user’s **DISPOSABLE INCOME**. The maximum assessed charge will be 100% of the **DISPOSABLE INCOME** amount. The maximum assessed charge will be compared to the standard price of the services being received and the service user will be charged the lower of the two.

7.2.2 Income

Income will include all money received by the service user on a regular basis or a payment they receive which relates to a particular length of time.

Income will be treated in one of three different ways. These lists are not exhaustive but give an indication of the types of income and their treatment:-

Income which is taken fully into account

Examples of types of income which are taken fully into account are:-

Attendance Allowance

Disability Living Allowance (care component)

Personal Independence Payment Daily Living Component

Most DWP benefits (e.g. Income Support, Pension Credit, Constant Attendance Allowance, Exceptionally Severe Disablement Allowance, Severe disability premium, Incapacity benefit, Employment Support Allowance, Universal Credit)

Retirement and/or personal pensions

Occupational/works pensions

Annuity Income

Income from insurance policies

Income from rent

Maintenance

Income which is fully disregarded

Examples of types of income which are fully disregarded are:-

- Pension Savings credit
- Mobility component of DLA
- Personal Independence Payment Mobility Component
- Christmas bonus
- War Disablement pension (mobility component)
- Social fund payments
- War widow's special payments
- Winter fuel payments
- Child benefit
- Earnings from employment
- Disabled person's tax credit
- Working families tax credit
- Armed forces compensation scheme
- War Disablement Pension
- War Widow's Pension

The lists above are not exhaustive.

7.2.3 Capital

Capital will include all forms of cash savings, e.g.

- Money in the bank/building society current and deposit accounts
- Post Office / National Savings and Premium Bonds.

- PEPs and ISAs
- Stocks, Shares and Unit Trusts
- Money owed by third parties
- Any other cash savings

Capital will be assessed according to its value at the time of any financial assessment. In order to verify **savings and other investments** Client Finance Advisors will need to check up to date balances in passbooks and statements. **Stocks and shares** and **property or land** will have to be recorded and assessed at its market value at the date of financial assessment.

The surrender value of any life insurance, private pensions or annuities will be disregarded, unless taken out in order to avoid payment of charges.

The same levels of capital contribution as in the Care and Support Statutory Guidance (CASS) will be applied.

A service user will not be asked to make a capital contribution to their charges if their total capital is below £14,250. If a service user has capital above £23,250 they will be expected to pay the full standard price for their care services.

Any service user with capital between £14,250 and £23,250 will be asked to make a weekly capital contribution of £1 for each £250 (or part thereof) above £14,250. This “tariff” income will be deemed as income and added together with other income before any allowances are deducted.

If capital has been earmarked by a service user for a particular piece of disability related equipment (e.g. a stair lift or a wheelchair) any such capital over £14,250 will be disregarded for up to 6 months, or longer if reasonable. Confirmation of such expenditure will be requested.

Where a person transfers any capital to a third party to avoid paying charges, they will be assessed as retaining that capital.

The value of any other property owned or part owned by the service user will be regarded as capital.

The value of a property occupied by a service user as their sole or main dwelling will be disregarded.

7.2.4 Allowances

Personal Allowances

A mandatory allowance will be given according to the Care and Support Statutory Guidance (CASS)

Single person aged under 60	£131.75 per week
Single person aged 60+ not receiving state pension	£131.75 per week
Single person aged 60+ receiving state pension	£189.00 per week

A person with income below the relevant amounts will be assessed to pay a nil charge however a benefits check may result in a higher income level.

Household Expenses Allowance

An allowance may be made for reasonable additional expenses a service user may have to maintain their home which is not included in the personal allowance. The amount of allowance will be calculated by using information about household expenses provided to the Client Finance Advisor.

Examples of costs which could be allowed are:

Rent or mortgage (net of any housing benefit received). Where a person may be living with relatives and relative is in receipt of housing benefit and a non-dependent charge has been deducted, we will allow this.

Council Tax (net of any Council Tax support received)

Service charges or repairs not covered by Housing benefits/ Universal Credit

Maintenance payments made by court order

No allowances will be made for the following which should be paid from the "Personal Allowance" disregarded:-

Water rates

Insurance

Loans (including hire purchase and catalogues)

Normal fuel bills, TV licences etc

Telephone etc

Disability Related Expenditure (DRE) Allowance

We will award a standard weekly DRE allowance based on a service user's disability related benefits income as follows:

1. No disability related benefits - £0
2. Lower or Middle rate DLA, Standard PIP or lower rate AA - £5.00 / week
3. Higher rate DLA, Enhanced PIP or higher rate AA - £7.00 / week.

These standard allowances will be reviewed and revised if necessary on an annual basis as actual disability related expenditure information is gathered and may increase or decrease as a result.

Individual Disability Related Expenditure (DRE) Assessments

Should a service user feel that the standard allowance they have been awarded does not accurately reflect their disability related expenditure allowed under this policy, they may request an individual assessment of their disability related expenditure, where they can provide supporting evidence of such expenditure. It should be considered that any individual assessment of disability related expenditure may be lower or higher than the standard award as a result of such an assessment.

Types of expenditure made necessary by any disability might include:

- Payment for a community alarm system.
- Higher than usual fuel bills
- Additional costs due to a special diet
- Purchase of equipment such as a stair lift or electric wheelchair
- Privately arranged care or domestic help
- Additional laundry costs
- Additional cost of clothing, bedding and footwear

The above list is not exhaustive and any expenditure will be considered in light of individual needs and may include items or services not mentioned above. Further guidance on DRE allowances can be found at Appendix B.

No additional allowance will be made for meals or transport charges made for day care provided. These charges will be regarded as “ordinary expenditure” and are therefore charged in addition to the maximum assessed charge.

8. Eligibility and Pay for Care

Check to see if you're eligible for help towards the cost of you care. Our online calculator can help you to find out how much you may need to pay towards your care based on your income, savings and expenses. You will find this on our website, visit

<https://carecalculator.warrington.gov.uk/>

9. Appeals against charges

When a service user indicates they disagree with the way their charge has been calculated, they can ask for a review of their charge usually via their social worker who will pass on the appeal to the Financial Assessment Team. On receipt of such a request, a different financial assessor will review the original financial assessment. This person will check that the assessment has been carried out fully in line with this policy and will review in particular the application of disregarded disability related expenditure. If the service user still disagrees with the charge, the assessment will be referred to the Operational Director of Adult Social Care who will either reduce, waive or uphold the charge. Any decision to waiver will be reviewed on a regular basis. The full appeals procedure is attached at Appendix C.

10. Debt Management

The management of outstanding debt will be undertaken in a balanced manner. It is the responsibility of officers of the Authority to collect monies due to Warrington Borough Council in accordance with our corporate debt management procedures. However, this will be done in a sensitive manner and, as necessary, in a progressive manner with court action used as a last resort.

11. Standards

The Council will strive to achieve the highest standards of service but should a service user be unhappy with the standard of service they have received (but not the actual determination of charges which can be addressed as detailed above) they can use the Families and Wellbeing Directorate's complaints procedure.

Non-Residential Care Charges – April 2020 – March 2021

Standard Prices for services included in a financially assessed charge:-

Home Care	£ 13.41 per 60 mins visit
	£ 10.34 per 45 mins visit
	£ 7.17 per 30 mins visit
	£ 5.66 per 15 mins visit

Day Care	£ 40.00 per day
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Non-financially assessed flat-rate charges:-

Transport	£ 4.24 per single journey
Day Care meals	£ 2.05 to £2.67 per meal

Personal Allowances:

Single person aged under 60	£131.75 per week
Single person aged 60+ not receiving state pension	£131.75 per week
Single person aged 60+ receiving state pension	£189.00 per week

Standard Disability Related Expenditure Allowances:-

Based on disability related benefits being received.

4. No disability related benefits - £0
5. Lower or Middle rate DLA, Standard PIP or lower rate AA - £5.00 / week
6. Higher rate DLA, Enhanced PIP or higher rate AA - £7.00 / week.

Admin Charges for full cost payers:-

Initial set up cost:	£50.00
Ongoing charge:	£4.00 per week

Capital Limits:-

Lower limit	£14,250
Upper limit	£23,250

A capital tariff contribution of £1 per week for every £250 between the upper and lower limit will apply.

APPENDIX B

Assessing for Disability Related Expenditure (DRE)

We will award standard amounts of DRE under the charging policy for all charge payers based on experience of average claims of DRE. However, where a service user indicates that they believe that their actual expenditure may be more than the standard amount, they may request a full individual assessment of their disability related expenditure. This will involve a visit by a financial assessor who will assist the service user in determining how much disability related expenditure they may claim. The service user will be required to evidence expenditure with receipts, etc.

We will award a standard DRE as follows based on levels of disability related benefits:

1. No disability related benefits - £0
2. Lower or Middle rate DLA, Standard PIP or lower rate AA - £5.00 / week
3. Higher rate DLA, Enhanced PIP or higher rate AA - £7.00 / week.

People will be advised of their standard award of DRE and advised that they can request a detailed individual assessment of DRE if they are unhappy with their standard award. The individual assessment would replace the standard award and may result in a service user being awarded more, less or nothing depending on the outcome.

Detailed Individual DRE Assessment

The information below details the types of expenditure which can be allowed as DRE although this list is not exhaustive and individual circumstances will always be taken into consideration.

An allowance should be made for excessive fuel and power costs (gas, electricity etc) incurred by a service user. The Government has identified typical annual fuel and power figures for six scenarios. Any fuel and power costs above these amounts should be allowed as an expense.

Single person in flat or terraced property	£1,552.50
Couple in flat or terraced property	£2,046.07
Single person in semi-detached property	£1,648.98
Couple in semi-detached property	£2,171.72
Single person in detached property	£2,007.93
Couple in detached property	£2,643.97

Gas and electricity bills etc should be kept for a full 12 month period by the service user as evidence of increased costs and reviewed after a year. Other evidence such as payments made on bank statements may be used to make an initial evaluation of costs.

The following are recommended allowances for possible identified items and examples of reasonable evidence requirements.

Item of expenditure	Weekly allowance	Notes/evidence required.
Community Alarm Costs (Care Call etc)	£3.50pw (Max)	Allow full weekly amount of cost of Community Alarm if not covered within rent or Supporting People. Evidence of bill required.
Privately Arranged Care	Actual Cost	Allow actual cost if not provided by Social Services and not met by Supporting people. Must be identified in Care Plan. Must show invoice of regular payment to individual or agency. Care purchased by a service user above our residential ceiling limits will not be allowed.
Cleaning/Domestic	£10.62pw (max)	Allow full weekly cost up to maximum. Receipts/invoices would be required to prove expenditure.
Laundry Costs	£3.42pw	Allow where incontinence is identified or other illness which may cause additional need for laundry in excess of normal needs. Are there more than 4 loads per week? If service wash then receipt required.
Special Diet due to illness or disability	Discretionary.	As special dietary needs may not be more expensive than normal. Receipts of special purchases required. Must have evidence of specific dietary need due to illness or disability.
Special clothing or Footwear	Discretionary. Additional cost/52	Receipts of special purchases required. Discretionary as may not be more expensive than normal. Would deduct cost of a normal item.
Extra wear and tear on clothing /footwear /bedding etc.	Discretionary.	Receipts to prove additional expenditure over reasonable period. Dependent on circumstances.
Extra Water Costs	Metered charges are compared with an average yearly water bill of £214 & only the extra allowed. Divided by 52.	Establish why more water than normal may be used. Only allowed if on a meter. Dependent on number of people in house.
Gardening Costs	£6.60pw (Max)	Is it reasonable to assume gardening cannot be carried out by person and is there evidence it is done?
Prescription Charges	£ 2.04pw (Max)	Must not be in receipt of Income Support. Based on the cost of an annual prepaid certificate.

Disability Related Equipment Including purchase, maintenance and repair.		
ITEM	MAXIMUM AMOUNT	EVIDENCE
Wheelchair	Actual cost divided by 500 (10yr life) up to a maximum of: £3.43 per week manual £8.34 per week powered	Evidence of purchase. No allowance if equipment provided free of charge.
Powered bed	Actual cost divided by 500 (10 yr life) up to a maximum of £3.80 per week.	Evidence of purchase. No allowance if equipment provided free of charge.
Turning bed	Actual cost divided by 500 (10 yr life) up to a maximum of £6.66 per week.	Evidence of purchase. No allowance if equipment provided free of charge.
Powered reclining chair	Actual cost divided by 500 (10 yr life) up to a maximum of £3.06 per week.	Evidence of purchase. No allowance if equipment provided free of charge.
Stair-lift	Actual cost divided by 500 (10 yr life) up to a maximum of £5.34 per week.	Evidence of purchase. No allowance if equipment provided via DFG.
Other Equipment e.g., Zimmer , walking sticks, food trolleys, tripods, high chairs etc.	Actual cost divided by 500. (10 yr life)	Evidence of purchase. No allowance if equipment provided free of charge.
Maintenance and Repair costs	Discretionary based on circumstances. Actual cost of item up to £6.08 per week.	Must show evidence of purchase of items or refurb before its expected useful life had expired.

Charging For Non-Residential Care Services

Guide to the appeals procedure

Service users have the right to request a review of their charges if they consider the charge is unfair, or if they believe they cannot afford the charge.

It is important that as much information as possible is provided regarding household expenditure, and any other matters that may impact upon the service user's ability to pay.

The decision to waive or review a charge is based primarily on income and expenditure, although other circumstances will sometimes apply. The decision will be based on all the information and documentation provided.

As a general guide, the council seeks to ensure that a service user's residual income, after disability related expenditure and social care charges (including transport charges), does not fall below the basic income support level for a single person or couple under pension age and the basic pension credit amount for a single person or couple over pension age.

There are four courses of action available:

- A temporary reduction in charge (maximum period of 6 months)
- A temporary full non payment (maximum period of 6 months)
- A full or partial write off
- The full charge should be upheld

Any waived charges cannot be applied indefinitely and will be reviewed prior to the waiver end date.

The service user, or their representative, will be informed of the decision. Appeals must be made in writing addressed to:

The Financial Assessment Team Manager
Corporate Services Directorate
New Town House
Ground Floor
Warrington WA1 2NH

Non-Residential Care Charges Appeal Form

The charging policy for non-residential social care services has been designed in line with the Department of Health guidance, "Fairer Charging for Home Care and other Non-residential Social Services". The Council has already taken into consideration any disability related expenditure that you may have, however, in exceptional circumstances the Council may consider reduction or waiving of your social care charges.

If you believe that your circumstances are exceptional, and paying your charges will cause you financial hardship, you may request that the Council consider reducing or waiving your charge.

Please complete the details below.

Name:	Ref:
Address:	

In the table below, please describe the exceptional circumstances, and give full details of any outgoings you have, which cause you difficulty in paying your social care charges. If you would like help to complete this form, please contact your social worker who will be happy to assist you or email the Financial Assessment Team on ssv_enq@warrington.gov.uk. ***Please provide evidence, in the form of receipts, bank statements, etc., covering a period of 3 months to support your Appeal.***

Expenditure	Weekly amount (£)	Expenditure	Weekly amount (£)
Loans		Mortgage arrears	
Credit cards		Council Tax arrears	
Fines		Water arrears	
Maintenance		Gas arrears	
Travel exp		Electricity arrears	
Rent arrears		Maintenance arrears	
		Other	

Please give brief details of your exceptional circumstances (please attach separate continuation sheet(s) if necessary).

FOR OFFICE USE ONLY

Attach full copy of the original financial assessment including calculation of assessed charge, disability related expenditure assessment, Care Manager's risk assessment and send to the Financial Assessment Team Manager.

Details of Appeal decision

Temporary reduction in charge (to be reviewed at 6 months) - amount.....	
Temporary non payment (to be reviewed at 6 months) - amount.....	
Write Off - amount.....	
The full charge should be upheld	

Signed:

Date of decision:

Current weekly assessed charge:	
New weekly assessed charge:	