



WARRINGTON

Borough Council

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Proposed changes to the financial assessment process

In July the council undertook a consultation on proposed changes to the Financial Assessment process. The feedback was presented to Cabinet in October 2020 and a decision was made to introduce the change from November 2020. All service users affected by the change received a letter advising them of the decision on 20th October 2020.

It has been brought to our attention, that a number of service users were not notified or given the opportunity to consult on these proposed changes. I would like to apologise if you were not notified in July of the consultation. As a result the Council has put on hold the decision to implement these changes whilst we carry out further consultation with those people affected that were not given the opportunity to contribute their views.

If you responded to the earlier consultation, you do not need to take any action and we will write to you again in 2021. Your views are already taken into account as part of this process. We have a record of all your feedback and analysis will be done on all responses from both consultation exercises. The analysis of all feedback will be presented to the Council's Cabinet for them to review the information and make a final decision on these proposals.

If you didn't have the opportunity to respond to the consultation, the proposed changes are summarised below and the enclosed document provides more information and details of how to respond. If a decision is made to implement them in the future, this will increase the amount that you will pay towards the care you receive.

There is a national shortfall in the funding of Adult Social Care and there is a gap between the amount of income we have available, and our expenditure on Adult Social Care provision. We have made significant savings over the last few years and tried to protect services as much as possible.

To continue to provide services to everyone who needs them, we need to make further savings and/or generate more income. The changes proposed in this letter are being considered but we need to understand further the impact that they will have on people and are inviting you to comment and share your views.

Currently the Council does not take into account £29.45 per week of your income if you receive the following benefits:

- Higher rate of Attendance Allowance,
- Higher rate of Disability Living Allowance care component
- Enhanced Personal Independent Payment care component.

However we are looking to change the Adult Social Care Charging Policy to take into account these higher rates in all financial assessments from April 2021.

Further details of this proposal, including background information and the potential impact are included with this letter. The enclosed document also explains how you can feedback your views and comments to us.

I would like to assure you that the services you receive will not be affected and you will be informed before any changes are made as a result of these proposals.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Cath Jones', with a large loop at the start and a trailing end.

Cath Jones
Director of Adult Services

Changes to Financial Assessment Consultation

Background to the proposals

When the government introduced the Care Act in 2014 it covered a mixture of statutory (must do) and discretionary (may do) duties for Councils including the way that councils can charge people for care.

How much someone pays towards their care is calculated by a financial assessment which takes account of relevant income and expenditure. Our approach to this is set out in our charging policy which is available on our website:

<https://www.warrington.gov.uk/sites/default/files/2020-12/Non-residential%20charging%20policy%20-%20November%202020.pdf>

In our current policy we do not include the full amount of certain benefits people receive in our financial assessments when we don't provide an element of night time care. (See paragraph 7.2.2)

Currently, the Council excludes the difference between the standard and higher rate benefit rates when calculating someone's income if they do not have night time care as part of their package. The difference that isn't taken into account is currently £29.45.

However, under the Care and Support Statutory Guidance, Annex C, point 16, the government states that income from a list of benefits (including Attendance Allowance, Disability Living Allowance, and Personal Independent Payments) must be taken into account when considering what a person can afford to pay towards the cost of their care.

Legislation Requirements

The Care Act 2014 allows the Council to include the full amount of the benefit in payment even if there is no night time care provided by the Council.

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

What are we proposing?

We are proposing to amend the Adult Social Care Charging Policy to include the full amount of Attendance Allowance or Disability Living Allowance care component or enhanced Personal Independent Payment care component as income in all financial assessments from 9th November 2020.

This is consistent with the requirements of the Care Act and the Council could have implemented this change in April 2015, but decided not to in order to ease the financial impact on individuals at the time. Therefore individuals in receipt of these disability allowances in Warrington have benefited for 5 years from the Council not including the higher level benefit amounts in their calculation of an individual's income.

The Council are facing very difficult decisions on where savings can be made in the next four years to create a balanced budget. Our priority in Adult Social Care is on maintaining essential services to our most vulnerable residents. In such difficult financial circumstances, discretionary financial disregards need to be reviewed.

This proposal will generate additional annual income of approximately £500,000 to support the increasing cost of Adult Social Care Services. This approach has been implemented by some other local authorities to address the financial pressures.

What do we think the impact will be?

This proposal will directly affect over 500 Adult Social Care clients. Some individuals will have to contribute more to their care costs, whilst others, who currently pay nothing, will now begin to contribute towards their care. In most cases, individuals in receipt of these higher rate benefits may now pay £29.45 per week more for their care.

We will consider a phased approach to the introduction of the changes to mitigate the potential financial impact and we welcome your views as to how we do this.

Please refer to the Equality Impact Assessment on our website for more details – <https://www.warrington.gov.uk/asconconsult>

Why we want your views

We would like to hear how this proposal could impact on you. In particular, we would be interested in any views you have on how we can minimise the impact of this proposed change. We would like you to consider and answer the following questions:

- 1. Do you have comments about the proposal and how it will affect you or the person you support?**
- 2. If a decision is made to implement this proposal, what (if anything) can be done to reduce the impact? Please indicate which of these suggestions you would support or share other ideas with us:**
 - a) Phase the implementation over 1 year, for example 50% in the first 6 months and 50% in the remaining 6 months.
 - b) Phase the implementation over 2 years, for example 50% in year 1 and 50% in year 2.
 - c) Implement the change for all individuals, but allow for appeals to review charges if individuals are unable to afford the increased contribution.
 - d) Other – please share your thoughts
- 3. Do you have any other thoughts on how we could meet the shortfall in funding for Adult Social Care?**
- 4. Do you have any other comments about this proposed change you would like to share?**

Details of the proposal were published on Monday 7th December 2020 through the Warrington Borough Council website at <https://www.warrington.gov.uk/asconconsult>. Please visit this website to share your views and feedback. Alternatively please contact us on **01925 443322** and press option 8 and someone will take your feedback on the above questions over the telephone.

The closing date for comments and feedback is Friday 15th January 2021. A report will then be prepared for consideration by the Council's Cabinet on Monday 8th February 2021. We will write to you again to tell you the outcome.

If you need help to consider the impact of this change and feedback your views, we can arrange this through our independent advocacy service 'Warrington Speak Up'. They can be contacted on 01925 246 888. Warrington Speak Up will not be able to give you advice specific to your case as they are independent from the Council.

