

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on 10th March 2016

Decision Type: Non-Urgent Executive Non-Key

Title: CHANGES TO THE NON RESIDENTIAL CONTRIBUTIONS POLICY

Contact Officer: Stephen John, Assistant Director: Adult Social Care
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Chief Officer: Assistant Director: Adult Social Care (ECHS)

Ward: All Wards

1. Reason for report

- 1.1 As agreed at PDS on 12 January 2016 to engage with service users, their families and their carers around a proposed new charge of £15 per return journey for transport services.
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2. RECOMMENDATIONS

2.1 The Care Services Portfolio Holder is asked to:

- i) Consider the engagement responses in section 4;
- ii) Agree the proposed changes to charge for transport as part of the Fairer Charging Policy, it will then be means tested as part of an assessed personal budget; and,
- iii) Agree the implementation date of the beginning of the 2016/17 financial year

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Not Applicable:
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Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: £194k saving
 3. Budget head/performance centre: Care Services Charging
 4. Total current budget for this head: £4,491k
 5. Source of funding: Charging
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Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Care Act
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 400
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 There are currently around 950 return journeys a week and 400 clients being transported.
- 3.2 This introduces a new charge for transport that has up to this point been a non chargeable service.
- 3.3 Charging for transport is one of the only services where the Council has discretion around whether this is included in the Fairer Charging Policy so will be part of an overall assessed personal budget or outside of the policy and therefore charged for on a flat rate charge which is considered to be a substitute for ordinary living.
- 3.4 The initial proposal suggested charging outside the charging policy. Under current guidance, anyone in receipt of Income Support/Jobseeker's Allowance (Income Based) (JSA Income Based) allowances would be exempt from the charge. It is estimated that 60% of all users would not be charged under this methodology. The remaining clients would be charged the full rate.
- 3.5 However, considering the responses to the engagement (as summarised in section 4 below) it is proposed to charge £15 per return journey within the charging policy framework. If the charge is introduced in this way the charge will be part of an assessed personal budget and would then depend on personal financial circumstances which will be calculated through a financial assessment.

4. ENGAGEMENT

- 4.1 An engagement letter and survey was issued to all 400 plus client users of transport services, including older people and people with a learning disability, the closing date for responses was 25th February 2016.
- 4.2 As at 25th February we have received 65 responses. This represents a return rate of 16%:
 - 20 were self-responses (31%)
 - 5 were from an organisation (8%)
 - 40 were from a carer (61%)
- 4.3 The engagement survey asked people what they think about the proposed charges:
 - 20 respondents felt the information was not easy to understand (31%)
 - 53 respondents said the charge was unfair and may prevent them from using transport (82%)
 - 23 Respondents felt the fact sheet was not clear enough (35%)
 - 4 felt a consultation should have taken place rather than engaging with users/carers (6%)
- 4.4 We will work towards improving the clarity and use of plain English in our engagement with users

5 POLICY IMPLICATIONS

- 5.1 These proposals impact on the Councils Building a Better Bromley aim of promoting independence by ensuring that resources are available to meet the increasing demand from an elderly population and adults with disabilities and care needs
- 5.2 Equalities Impact Assessment - The initial Equality Impact Assessment has been undertaken and has determined that the proposals do not impact on any of the protected groups' disproportionality. However, anyone who has a financial assessment undertaken has the right to appeal the charge

6. FINANCIAL IMPLICATIONS

- 6.1 The changes to charge for transport will generate an estimated £194k of additional income.
- 6.2 The 2016/17 budget assumes £200k will be generated from additional income from charging. This will contribute towards this target.

7. LEGAL IMPLICATIONS

- 7.1 Section 14 Care Act 2014 gives the local authority a power to charge for this type of service when meeting care needs

(1) A local authority - (a) **may** make a charge for meeting needs under sections 18 to 20, and (4). A charge under subsection (1)(a) may cover only the cost that the local authority incurs in meeting the needs to which the charge applies.

(5) Regulations may make provision about the exercise of the power to make a charge under subsection (1). The requirement to ensure that people are not charged more than it is reasonably practicable for them to pay and are not charged more than the cost of providing a service.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Held with ECHS CS16006 Changes to Non-Residential Charging Policy and Additional Income Generation – 12 th January 2016, Care Services PDS