



# **Social Work Services**

## **Social Care Charging Policy**

Updated April 2018

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## **1. Purpose of Document**

- 1.1 This document sets out the council's Social Work Services Charging Policy.
- 1.2 Due to the complexities of Residential care charging, this document will concentrate of Non-Residential Charging. Information on Residential charging can be found in section 3.1

## **2. Background**

- 2.1 The Glasgow City Council Non-Residential Charging Policy sets out the legislative background to charges for non-residential social care services, and describes the services to which service user contributions apply, together with minimum income thresholds and tapers.
- 2.2 This policy complies with the COSLA National Strategy and Guidance on Charges Applying to Non-Residential Social Care Services.

## **3. Legislation**

### **3.1 Residential Care**

- 3.1.1 Two sets of regulations made under the National Assistance Act 1948 came into force on 9 April 2018; The National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2018 (SSI 2018 No. 41); and The National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2018 (SSI 2018 No. 43)
- 3.1.2 These regulate charges for residential care and provide Local Authorities with the means to assess service user charges when entering into temporary or permanent residential care.
- 3.1.3 The Scottish Government provides detailed Guidance on the regulations and the council's policy conforms with the details of this:

[http://www.sehd.scot.nhs.uk/publications/cc2018\\_02.pdf](http://www.sehd.scot.nhs.uk/publications/cc2018_02.pdf)

### **3.2 Non-Residential Care**

- 3.2.1 Councils' charging policies have been developed within the parameters of community care legislation and guidance. This includes services provided under the Social Work (Scotland) Act 1968 and the Mental Health (Scotland) Act 1984.
- 3.2.2 With regard to the initial guidance on charging, as set out in the Scottish Office Circular SWSG1/1997, and with regard to subsequent guidance, the following principles obtain:

3.2.3 Councils have the power to charge for the following adult non-residential care services:

- care at home
- day care
- lunch clubs
- meals at home
- wardens in sheltered housing
- community alarms and telecare
- laundry services
- aids and adaptations for disabled people
- after care services for people with a mental illness
- care and support services for those who have or have had a mental illness

3.2.4 What cannot be charged for:

- Charges cannot be made for criminal justice social work services, advice and information about the availability of services, and assessment of care needs or care management.
- Nursing Care and Personal Care for people aged over 65
- Preparation of food for people aged over 65

3.3 Other

- Administration expenses can be charged
- The COSLA guidance encourages Councils to exempt people who are terminally ill. In Glasgow, charges would normally be waived for end-of-life care, and local discretion ensures that charges are being waived appropriately.

## **4. Summary of Charges, Disregards, Exemptions**

4.1 The Council charges for the following services:

- lunch clubs
- community alarms and telecare
- domiciliary services, including meals on wheels
- wardens in sheltered housing
- laundry services
- practical assistance in the home and meals provided to physically disabled people
- Older People's Day Care
- after-care services for people with a mental illness
- residency case reports
- sign language and interpreting service (for agencies)
- Blue Badges administration fee

4.2 While the council does not charge for aids and adaptations for disabled people, it will not provide certain items of equipment under an agreed value and expects these to be paid for by the service user. The current value can be found in Appendix 2.

4.3 The council also disregards various awards and benefits in its calculation of charges

4.4 Homeless individuals and services for children are generally exempt from charges

## **5. Summary of Revisions**

5.1 From April 2018, there are updates to Minimum Income Thresholds and Interim Charging in line with DWP changes.

5.2 A number of charges have been uplifted in line with the rate of inflation, the uprating of DWP benefit increases, or in order to achieve full cost recovery of the service.

## **6. Guiding Principles of Charging Policy**

6.1 The main principles of the existing policy are:

- income maximisation to the client is at the heart of the charging policy and reflects on ability to pay.
- charges are set at a reasonable level – the charge rarely covers the full economic cost of the service provided. The charge will never exceed the full cost of service.
- service users will not be charged for services for which they have been assessed but do not utilise.
- financial assessments take account of the cost of the range of services each client receives compared to disposable income, rather than performing separate calculations for each service, thus ensuring that no-one pays more than they can afford.
- Free Personal Care will continue to apply to all clients over 65years.
- charges can be abated/waived in cases of hardship or exceptional need in line with the council's Scheme of Delegated Authority.
- the impact of charges on the well-being of Carers is considered
- it is the councils' expectation that service users will optimise other income resources prior to taking up services, e.g. Independent Living Fund income & personal/injury compensation payments etc. The cost of service packages to the council would be net of such income sources.
- it is the council's expectation that service users in receipt of benefits for specific purposes such as mobility allowance will utilise these to support their access to services

## **7. Minimum Income Thresholds**

7.1 COSLA recommends that all local authorities should adopt a common threshold at which charges would begin to apply. These thresholds for 2017/18 and 2018/19 are as noted at Appendix 2, and are based on certain benefit levels together with a % buffer applied.

7.2 The Free Personal Care tasks that are currently not chargeable to those over 65 years of age can be found in Appendix 1 attached.

## **8. Charge Tapers**

- 8.1 Individual local authorities determine the amount of disposable income in excess of the minimum income thresholds which will be taken into account when determining the level of service user charge. This is achieved by the application of a taper.
- 8.2 Details of the current tapers are in Appendix 2 and Tables and Examples of charges are outlined in Appendix 3.

## **9 Other considerations**

### **9.1 Independent Living Fund & Other Awards**

It is the Council's expectation that the service users will optimise other income sources prior to taking up services e.g. Independent Living Fund income and Personal Injury compensation payments etc. The cost of service packages to the Council would be net of such income source where individuals are eligible to claim. This would apply whether or not service users choose to make such a claim and the Council would not apply its charging policy where an individual is subject to a charge from another funder.

### **9.2 Compensation Claims**

COSLA recommends that Councils should establish the breakdown of any compensation claims (including those held in trust) and consider the inclusion of any monies awarded for care costs when assessing a service user's ability to pay. Glasgow City Council has adopted this approach.

### **9.3 Liable Relatives Rule**

In considering the Liable Relatives Rule, COSLA recommends that Councils should make decisions on a case-by-case basis and give due consideration to leaving clients and their relatives with sufficient access to resources. Glasgow City Council has adopted this approach.

### **9.4 Transitional Protection**

To ensure consistency with all charging arrangements, all transitional protection ended with the introduction of the earlier revision of this policy and the charging policy was applied. This included clients who previously retained transitional protection for housing support services and meals at home services.

### **9.5 Housing Benefit**

Council Leaders have decided that the passporting of clients in receipt of housing benefit has created an anomaly and inequality for clients in the system. From 2009, the COSLA policy has been that the removal of the passport protection should only apply to new recipients of a service. The council has removed the protection for all clients.

## **10. Chargeable Services**

10.1 The following services are chargeable or recommended by COSLA as chargeable. The current charges or details of other values used for calculations are listed in **Appendix 2**.

### **10.2 Care at Home**

The Care at Home service provide a range of supports to allow people to remain in their own home.

### **10.3 Care on Discharge from Hospital**

Current guidelines state that the first four weeks of care for people over 65 should be free upon discharge from hospital. Only new or additional services provided after a person comes out of hospital will be free, and services in place pre-admission which continue after discharge will be chargeable from the first day the services resume. Any free service will only last for the first 4 weeks.

### **10.4 Free Personal Care – Meals Preparation**

The supply of food (whether in the form of a pre-prepared meal or ingredients for a meal) to, or the obtaining of food for the person, or the preparation of food prior to the point of supply to the person, remains chargeable. However in line with Free Personal Care legislation, the preparation of or the provision of assistance with the preparation of food is not chargeable.

### **10.5 Charges for meals at home**

A non-means tested charge per frozen meal delivered to a service user's address is levied on the recipient. Current charges are in Appendix 2

### **10.6 Charges for Meals**

Clients currently receiving meals whilst attending day services, lunch clubs and other meals provision services are charged for a two course meal. The current charges are in Appendix 2

### **10.7 Day Care Services**

The consequence of the introduction of Personalisation legislation from 1 April 2014 is that older people should be subject to the same client contribution processes as other care groups. Older Peoples' Day Care including day opportunities is therefore in the range of services for which clients will be financially assessed to determine their ability to make a contribution towards the cost of the service they receive. The maximum contribution is noted at Appendix 2.

### **10.8 Charging of Alarms**

A flat rate per week will be applied to all recipients of alarms. The current rate is in Appendix 2.

### **10.9 Interim charging**

Client contributions are determined based on ability to pay, taking into account information provided by the client in the Financial Assessment Form. If, however, this information is not available, the Council will apply an interim charge. The interim charge is set at 50% of the lower rate of Attendance Allowance, or the cost of the service, whichever is the lower (the lower rate of Attendance Allowance is paid at the same rate as the middle rate care component of Disability Living Allowance and the standard rate of the daily

living component of personal independence payment). This calculation is applied whether the disability benefits are received or not. The final charge is set after income maximisation and any subsequent over-charging is refunded to the client. Any undercharging would not be retrospectively claimed. Details of the interim charge calculation are shown at Appendix 2. Where a service user elects not to disclose their full finances then the charge will be the cost of the service.

#### 10.10 **Blue Badge Administration**

Local Authorities administer the Blue Badge Scheme on behalf of the Scottish Government, which has set the maximum administration fee at £20. The current administration fee applied by Glasgow is shown at Appendix 2.

#### 10.11 **Residency Cases Reports**

Where a court is considering residence and contact disputes relating to the care and upbringing of a child, it may, under Section 11 of the Matrimonial Proceedings (Children) Act 1958, appoint an appropriate local authority to investigate and report to the court on all the circumstances of the child and on the proposed arrangements for the care and upbringing of that child. The appropriate local authority will not be the one directly involved in the case. The Act also allows for the appointed local authority to recover any expenses incurred in connection with the preparation of the Residence Report. A charge for the provision of such report will be applied. This will be up-rated annually in line with the agreed inflationary uplifts. The current charge is in Appendix 2.

#### 10.12 **Charging for Transport**

COSLA recommends that Councils should be free to apply discretion on whether to charge for client transport costs. Transport costs are included in the standard unit costs of services reported to Committee and form part of the financial assessment for the purposes of determining client contributions towards cost of services provided.

#### 10.13 **Charging for Respite**

Currently, services directly attributable to Carers are not chargeable.

#### 10.14 **Residential Care**

The Scottish Government provides detailed Guidance on the regulations and the council's policy conforms with the details of this:

[http://www.sehd.scot.nhs.uk/publications/cc2018\\_02.pdf](http://www.sehd.scot.nhs.uk/publications/cc2018_02.pdf)

#### 10.15 **Aids and Adaptations**

While the council does not charge for aids and adaptations for disabled people, it will not provide equipment under an agreed value and expects these to be paid for by the service user. The current value can be found in Appendix 2.



## **11. Exemptions from Charging**

- 11.1 Clients presenting as homeless are exempt from charging up until the point that they are resettled into their accommodation. It should be noted that a high volume of homeless clients would be exempt from charges due to the minimum benefits they receive.
- 11.2 Services for children (under 19 years of age) will continue to be exempt from charging for non-residential services. However, if a family is receiving a home care service which is directly attributable to the parents, then the service would be chargeable dependant on the family personal/financial circumstances.
- 11.3 Services directly attributable to Carers are not chargeable.
- 11.4 People with a mental illness who are subject to a Compulsion Order

## **12. Income to be disregarded**

- 12.1 COSLA recommends that local authorities should adopt a common approach to the treatment of income, which will establish the threshold figure. There is, however, an acknowledgement of the requirement for local authority discretion to reflect local needs.
- 12.2 Glasgow City Council apply the following principles:
- Take into account net earnings and all social security benefits with the exception of the Mobility Component of Personal Independence Payments, Housing Benefit, Council Tax Reduction and War Pensions
  - Recent case law dictates that where night-time services are not provided, that as part of the overall financial assessment, only the middle rate of Disability Living Allowance and lower rate of Attendance allowance should be considered when assessing clients' income.
  - The assessable income should be net of housing and council tax costs (where applicable.) This includes rent, mortgage interest payments, Council Tax, water and sewerage costs and household insurance premiums.
  - Consideration will be given to representations to take into account other specific costs of living e.g. in relation to disability related expenditure.
  - Income derived from benefits paid for or on behalf of a dependant child is disregarded. (This removes the requirement to apply the current £50 disregard for each dependant child.)
  - Kinship Care payments are disregarded in relation to all Council charging policies.
  - Where a service user or their partner is in receipt of earned income, only net earnings are considered, and a minimum earnings disregard of £20 is applied.
  - Capital of £6,000 or less to be disregarded and tariff income applied of £1 for each unit of £250 over £6,000. (People under 60 years of age)
  - Capital of £10,000 or less to be disregarded and tariff income applied of £1 for each unit of £500 over £10,000. (People over 60 years of age)

### **13. Contributions towards personal budgets**

- 13.1 The Non Residential charging policy will apply to Individual Budgets awarded through Personalisation.
- 13.2 Where the Individual budget is awarded on an annual basis, the service user will be advised of their annual contribution to this. We will divide this annual contribution into a regular weekly charge.
- 13.3 Where the individual budget is awarded to purchase short term support, the charge will be limited to the duration of the award.

### **14. Version**

- 14.1 This policy as outlined above supersedes all previous amendments, and will remain extant until updated as required.

## **Appendix 1 - PERSONAL CARE (service user and/or partner combined)**

1. Assistance with laundry associated with medical condition e.g. bed changing
2. Special preparation of food associated with dietary requirements
3. Assistance with eating/drinking
4. Getting out of bed
5. Going to bed
6. Assistance with dressing / undressing
7. Assistance with washing and bathing
8. Assistance with personal grooming/dental Hygiene e.g. shaving and nail care
9. Assistance with continence care
10. Assistance with toileting
11. Assistance with medication supervising/reminding
12. Assistance with mobility
13. Assistance with specialist feeding
14. Assistance with stoma care
15. Assistance with catheter care
16. Assistance with skin care
17. Administering of medication (including administering of oxygen)
18. Rehab work (under support of professional)
19. Food preparation

## Appendix 2 – 2018/19 Values

Values to be used in conjunction with the Charging Policy

### 1. Minimum Income Thresholds

The thresholds for 2018/19 are based on certain benefit levels together with a 25% buffer applied.

	2017/18	2018/19
Single Person under 60	£133	£134
Single Person over 60	£200	£204
Couple under 60	£202	£204
Couple over 60	£305	£311

### 2. Chargeable services

The revised charges for those services outlined at paragraph 10 and directly provided by the Council are as follows:

### 3. Charge Tapers

From April 2018 the tapers will be:

**Adults** 50%

**Older People** 50% (excluding personal care for those over 65)

	Revised Charge
Home Care Services (per hour)	£17.16
Home Care Overnight Services (per hour)	£28.56
Homecare – CAPA (per hour)	£25.99
Supported Living	£20.14
Meals at Home	£3.24 per meal
Meals at Day Services/Lunch Clubs	£3.24 per meal
Older People's Day Care Services	£15.76 per day
Day Care Services – Learning Disability	£119.55 per day
LD Transport – single journey	£11.18
Alarms	£3.28 per week
Interim Charge – 50% of middle rate DLA (Care Component) or Attendance Allowance	£28.65 per week
Blue Badge Administration	£20 for 3 years
Residency Cases Reports	£350
Aids and Adaptations – minimum value	£25

## Appendix 3 – Examples of Charges at different levels of income

Benefit Rates and thresholds used correct as at April 2018

### Appendix 3a

#### Examples of maximum charges for under 60s

##### 1. Single Person aged 55 in receipt of Middle Rate DLA Care and Employment & Support Allowance receiving only 2 hours Home Care.

Income			
ESA	£175.05		
DLA Care	<u>£57.30</u>	Total Chargeable Income	£232.35

Applying the taper of 50% the max charge that could be applied for this level of income would be £49.17.

However as the actual cost of the home care service is £34.32 (2 hours at £17.16/h) they would only pay £34.32.

##### 2. Non Pension couple one getting Middle Rate DLA Care the other is a carer and they also get Employment and Support Allowance (ESA) . Receives both personal care and 3 hours non personal care.

Income			
ESA	£188.50		
DLA Care Component	<u>£57.30</u>	Total Chargeable Income	£245.80

Their maximum contribution based on their available income is £20.90/week. This is the amount that they will pay as it is less than the cost of the home care service they are receiving. Note both personal care and non-personal care are chargeable services as they are under 65

##### 3. Non Pensioner Couple in receipt of Employment & Support Allowance and a small works pensions. One gets Middle Rate DLA and the other has carers allowance. He or She is receiving home care 10 hours per week.

Income			
ESA	£110.75		
Carers Allowance	£ 64.60		
Works Pension	£ 90.00		
DLA	<u>£ 57.30</u>	Total Chargeable Income	£332.65

Full charge for the service = 10h x £17.60 =£171.60. However their contribution based on their income is £64.32. They would pay the lower amount.

## Appendix 3b

### Weekly charges for those under 60 arising from income

Weekly thresholds for under 60s below which there is no charge. Single Person: £134,

Couple: £204

<i>50% Taper</i>	<i>Single Under 60</i>	<i>Couple Under 60</i>
<i>Income</i>	<i>Weekly Charge</i>	<i>Weekly Charge</i>
£100.00	£0.00	£0.00
£110.00	£0.00	£0.00
£120.00	£0.00	£0.00
£130.00	£0.00	£0.00
£140.00	£3.00	£0.00
£150.00	£8.00	£0.00
£160.00	£13.00	£0.00
£170.00	£18.00	£0.00
£180.00	£23.00	£0.00
£190.00	£28.00	£0.00
£200.00	£33.00	£0.00
£210.00	£38.00	£3.00
<b>£220.00</b>	<b>£43.00</b>	£8.00
<b>£230.00</b>	<b>£48.00</b>	£13.00
£240.00	£53.00	£18.00
<b>£250.00</b>	£58.00	<b>£23.00</b>
<b>£260.00</b>	£63.00	<b>£28.00</b>
£270.00	£68.00	£33.00
£280.00	£73.00	£38.00
£290.00	£78.00	£43.00
£300.00	£83.00	£48.00
£310.00	£88.00	£53.00
£320.00	£93.00	£58.00
£330.00	£98.00	£63.00
£340.00	£103.00	£68.00
£350.00	£108.00	£73.00
£360.00	£113.00	£78.00
£370.00	£118.00	£83.00
£380.00	£123.00	£88.00
£390.00	£128.00	£93.00
£400.00	£133.00	£98.00

Income support rate for Single under 60 = £106.65  
 (with SDP = £170.95 +DLA of £57.30 = **£.228.25**)  
**figure highlighted in red in chart above**

Couple under 60 = £162.65  
 (with carers premium of £36.00 = £198.65 +DLA of £57.30 = **£255.95**)  
**figure highlighted in red in chart above**

## Appendix 3c

### Examples of maximum charges for pensioners under 65

#### 1. Single pensioner under 65 in receipt of DLA Middle rate Care and Pension Credit receiving only Personal Care at home for 5 hours per week.

Income

• Pension Credit	£227.30	
• DLA Care	<u>£ 57.30</u>	
• Total Income	£284.60	Threshold £204

Maximum Charge (50%) = £40.30

Had they been over 65 the actual charge would be zero as they are only getting Personal Care which is free for over 65s.

#### 2. Pensioner couple, eldest member under 65 - One getting Higher Care component of DLA the other is a carer and they also get Pension credit top up. They are receiving both Personal Care and 4 hours non personal care.

Income

• Pension Credit	£284.80	
• DLA Care Component	<u>£ 57.30</u>	
• Total Income	£342.10	Threshold= £311

Current Max charge = £15.55

They currently pay this amount as they are receiving chargeable non personal care. This is less than the cost of the 4 hours non personal care.

#### 3. Couple eldest member under 65 years in receipt of Retirement Pensions and works pensions. One gets Middle rate Care component of DLA and the other has status as a carer. He or She is receiving home care 3 hours per week plus 10 hours personal care.

Income

• Retirement Pension	£125.95	
• Retirement Pension	£125.95	
• Works Pension	£150.00	
• DLA Care Component	<u>£ 57.30</u>	
• Total Income	£459.20	Threshold = £311

Current Max Charge £74.10

They would pay £74.10 which is less than the cost of the service. As they are under 65 there is no free personal care and all hours are chargeable.

## Appendix 3d

### Examples of maximum charges for people over age 65

#### 1. Single Person over 65 in receipt of Attendance Allowance and Pension Credit receiving only Personal Care at home for 5 hours per week.

Income

• Pension Credit	£227.30	
• DLA Care	<u>£ 57.30</u>	
• Total Income	£284.60	Threshold £204

Maximum Charge (50%) = £40.30

**The actual charge will be zero** as they are only getting Personal Care which is free. (Had they been under 65 then the care would not be free and they would pay £40.30)

#### 2. Couple over 65 - One getting Higher Rate Attendance Allowance the other is a carer and they also get Pension credit top up. They are receiving both Personal Care and 4 hours non personal care.

Income

• Pension Credit	£284.80	
• DLA Care Component	<u>£ 57.30</u>	
• Total Income	£342.10	Threshold= £311

Maximum charge = £15.55

They currently pay this as they are receiving chargeable non personal care

They would pay the above as it is less than the cost of the service.

#### 3. Couple over 65 years in receipt of Retirement Pensions and works pensions. One gets Lower Rate Attendance Allowance and the other has status as a carer. He or She is receiving chargeable home care 3 hours per week plus 10 hours personal care.

Income

• Retirement Pension	£125.95	
• Retirement Pension	£125.95	
• Works Pension	£150.00	
• DLA Care Component	<u>£ 57.30</u>	
• Total Income	£459.20	Threshold = £311

Current Max Charge £74.10

which is 50% of the income above their threshold

However they would only pay £51.48 the actual cost of three hours care. This is because the personal care would be free of charge as they are over 65.

(Hourly rate for Home Care = £17.16. 3hours x £17.16 = £51.48)



## Appendix 3e

### Weekly charges for those over 60 arising from income at different percentage tapers

Weekly thresholds for over 65s. For Income below the threshold there is no charge.  
Thresholds over aged over 60: Single Person: £204, Couple: £311

<i>50% Taper</i>	<i>Single Over 60</i>	<i>Couple Over 60</i>
<i>Income</i>	<i>Weekly Charge</i>	<i>Weekly Charge</i>
£100.00	£0.00	£0.00
£110.00	£0.00	£0.00
£120.00	£0.00	£0.00
£130.00	£0.00	£0.00
£140.00	£0.00	£0.00
£150.00	£0.00	£0.00
£160.00	£0.00	£0.00
£170.00	£0.00	£0.00
£180.00	£0.00	£0.00
£190.00	£0.00	£0.00
£200.00	£0.00	£0.00
£210.00	£3.00	£0.00
£220.00	£8.00	£0.00
£230.00	£13.00	£0.00
£240.00	£18.00	£0.00
£250.00	£23.00	£0.00
£260.00	£28.00	£0.00
<b>£270.00</b>	£33.00	£0.00
<b>£280.00</b>	<b>£38.00</b>	£0.00
<b>£290.00</b>	<b>£43.00</b>	£0.00
£300.00	£48.00	£0.00
£310.00	£53.00	£0.00
£320.00	£58.00	£4.50
£330.00	£63.00	£9.50
<b>£340.00</b>	£68.00	<b>£14.50</b>
<b>£350.00</b>	£73.00	<b>£19.50</b>
£360.00	£78.00	£24.50
£370.00	£83.00	£29.50
£380.00	£88.00	£34.50
£390.00	£93.00	£39.50
£400.00	£98.00	£44.50

Pension Credit for single pensioner under 65 = £163.00 (With SDP = £227.30 +DLA of £57.30) = **£284.60**

**figure highlighted in red in chart above**

Pensioner Couple eldest under 65 = £248.00

(With carers premium of £36.00 = £284.80 +DLA of £57.30) = **£341.30**

**figure highlighted in red in chart above**