

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR SOCIAL CARE AND HEALTH

1ST OCTOBER, 2018

Executive Board Member:	Portfolio:
Cllr. J. Tremlett	Social Care & Health

NON-RESIDENTIAL CHARGING 2019-2022

Recommendations / key decisions required:

That Carmarthenshire increases its Non-Residential charges for hourly charged services from £10.80 to £14.00 (29.63%) and Day Care and Adult Placement charges from £10.55 to £13.70 (29.86%).

Reasons:

- In order to gain full cost recovery for 2019-20, and to align rates with other local authorities in Wales and in particular to move closer to regional Local Authorities.
- To achieve a balanced budget for 2019-20, and to futureproof the charge increases in line with future rises to the Non Residential "Cap".

Directorate Communities Name of Head of Service: Jake Morgan Report Author: Rhys Page	Designation Director of Community Services Business Support Manager	Tel No. 01267 224698 / 01267 228768 E Mail Address: jakemorgan@carmarthenshire.gov.uk rjpage@carmarthenshire.gov.uk
--	--	---

Declaration of Personal Interest (if any): None

Dispensation Granted to Make Decision (if any):N/A

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY
EXECUTIVE BOARD MEMBER DECISION MEETING FOR
SOCIAL CARE & HEALTH
1ST OCTOBER, 2018

NON-RESIDENTIAL CHARGING 2019-2022

Introduction

- 1.1 Carmarthenshire County Council charge for a range of non-residential services, and has a charging policy which currently includes a “Cap” (A maximum anyone can pay towards their service(s)) which is set at the value as announced by Welsh Government from time to time.
- 1.2 In 2017 Welsh Government announced that it intended to increase its “Cap”, which at that time was £60 per week, up to £100 per week by 2021 (see appendix 1).
- 1.3 This significant increase to the “Cap” over a short period of time has potential to effect income to the extent that the authority may not maximise income if it does not consider how it will increase individual charges for services to keep pace with the increase(s) in the “Cap”.
- 1.4 Legislation allows a lower “Cap” to be approved, but does not allow a higher “Cap” than the one announced by Welsh Government.
- 1.5 The corporate Income and Charging policy recently approved, sets out requirements for departments to achieve full cost recovery unless there are legal, strategic or contractual reasons for not doing so.
- 1.6 This report looks at the potential impact, and effect of changes to the “Cap” and how charges may need to change to continue to maximise income from non-residential care services.

Background

- 2.1 There has been different guidance and legislation in place governing charges for Non-residential services since 2002. From the start there was a move away from flat rate charges to charges linked to the quantity of service(s) received. A “Cap” on the amount anyone could pay towards their care, and a financial assessment (Means Test) was also introduced at that time as a way of supporting the concept of fairer charging, and ensuring that charges were affordable.
- 2.2 In 2010 the Welsh Government introduced the Social Care Charges (Wales) Measure. Prior to the introduction of the measure Carmarthenshire had a “Cap” of £96 a week, but this legislation introduced a statutory national “Cap” for Wales of £50 a week. Local Authorities could set their “Cap” below this figure, however Carmarthenshire decided to apply the “Cap” as announced by Welsh Government each year, and included this in its charging policy.
- 2.3 In 2016-17 the “Cap” was £60, and in January 2017 the Welsh Government made a commitment to increase the “Cap” to £100 by 2021 (see appendix 1). To achieve this, the “Cap” has increased by £10 per year over the last 2 years, and for 2018-19 the “Cap” is currently £80.
- 2.4 In order for Welsh Government to fulfil its commitment, it will need to continue to increase the “Cap” by £10 a year for the next 2 years.
- 2.5 In 2017 the Authority introduced a corporate charging policy which applies to all departments and services. One of the principles within this policy is to maximise income and to work towards full cost recovery when setting charges. It is important to note that for Social Care services the recipient of the service is entitled to a Financial Assessment to determine how much they can afford to pay. It is therefore important to understand the relationship between the ability to pay, the charge for the service, the type and quantity of service provided and the “Cap”, it is this relationship that will determine the level of income even if individual charges are set at full cost recovery. Currently the scale of charges for 2018-19, in most cases is significantly less than the cost of provision, however increasing charges would not necessarily increase income for this year because the amount anyone can pay is controlled by the current “Cap” and Financial Assessment.
- 2.6 The Social Services and Well-being (Wales) Act 2014 is the current legislation which covers charging for services, and for the most part the charging rules have been inherited from previous legislation and continue to include a financial assessment and a “Cap”.

Impact

- 3.1 Carmarthenshire charges service users for a range on non-residential social services and each year as part of the budget setting process it reviews these charges. Historically Carmarthenshire has increased its charges for services based on inflation and budget expectations with only a few exceptions, and appendix 2 shows the current service charges for 2018-19.
- 3.2 All service users are offered a Financial Assessment (Means Test), and the outcome of this assessment protects those who cannot afford to pay. For those who are wealthier in society it is the “Cap” which limits the amount that the service user is required to pay, but it is also this group that would generate the most income for the department because the size of the package would usually mean that they would pay in full up to the “Cap”.
- 3.3 Up until 2018-19 the impact of the “Cap” has meant that those service users who have the financial means have seen the biggest increase in their charge each year, because their weekly service charge will have been increased in line with the increase of the “Cap”. This happens because their weekly service charge (Number of units of different services X charge per unit of service) has always been greater than or equal to the “Cap”.
- 3.4 The problem arises because the weekly “Cap” has increased, and will continue to increase at a much higher percentage than the authority has previously increased its service charges for individual services. For example the authority increased the individual charges for services between 2017-18 and 2018-19 by 2.3%, whereas the “Cap” set by Welsh Government increased by 14.29%. If this pattern continues inevitably some service users who would normally pay in full up to the “Cap” will be required to pay a lesser figure and hence the authority would not maximise its income, and as the hourly charge is set at less than full cost recovery these service users would be subsidised more than they need be.
- 3.5 The impact based on the assumption of increasing service charges by 2.5% per annum for the next 2 years and increases to the “Cap” by £10 per week can be seen in Appendix 3. The table shows that by 2019-2020 the level of income will be £21k per annum less than it could have been if service charges were set to maximise income. This figure would increase to £48k in 2020-21.
- 3.6 If Welsh Government continues to increase the “Cap” beyond the current published commitment by a further £10 into year 3 (2021-2022), then the annual figure rises to £88k per annum. Cumulatively the figure after 3 years would amount to £157k.

- 3.7 To illustrate how income changes, some examples have been included in appendix 4. These show if charges increased by 5%, 7.5% or 10% per year, how the cumulative figure would change over the period.
- 3.8 In order for the authority to maximise income it will need to increase charges by 40% over 2 years or 55% over 3 years if the weekly “Cap” continues to rise at £10 per week per annum.
- 3.9 The impact of the changes to the “Cap” by Welsh Government will be felt greater by this authority than its neighbouring authorities, because its charges for services are much lower than its neighbours. As seen from Appendix 2 the authority currently charges £10.80 per hour for home care, this is amount the lowest in Wales, whereas our regional partners Ceredigion charges significantly higher at £17.60 and Pembrokeshire charges £16.00 per hour. The highest charge that had been found is Powys at £20.50 per hour, which will be very close to full cost recovery, but given the “Cap” levels it is felt that a rise to this level is not required at this time. Please see Appendix 2a for comparative rates with other local authorities who had responded to the request for information on social care charges.
- 3.10 The other local authorities within the region are Ceredigion and Pembrokeshire and their charges are significantly higher at £17.60 and £16.00 respectively and looking at other nearby authorities it would indicate that Carmarthenshire also charge far less than Swansea at £15.00, Neath Port Talbot at £15.00, Bridgend at £18.64 and Powys at £20.50.

Conclusion

- 4.1 The figures shown in this report for the next 2 years are based on existing Welsh Government announcements, however there is no indication as to what will happen beyond 2020-21, therefore the figures for 2021-2022 (year 3) is provided to illustrate what could potentially occur.
- 4.2 It is important to recognise that as long as there is an increasing “Cap”, and that the “Cap” increases at a higher % than individual charges set by this authority, then the department will not be able to maximise income.
- 4.3 The problem will be further compounded if Welsh Government continues to increase the level of the “Cap” by similar amounts beyond 2020-21 or quickens the pace of change and/or indeed aspires to have a “Cap” that is much higher.

- 4.4 It is important to be aware that Welsh Government, in setting annual resource allocations to local authorities, will not necessarily compensate this authority because its charges are low. It is therefore not appropriate to assume that any gap in income which appear by keeping charges low will automatically be filled by Welsh Government funding.
- 4.5 The department has an opportunity to review the way it increases service charges at this current time, which will enable it to limit the impact of changes to the “Cap” in the future. Increasing service charges above inflation, in some cases significantly, will potentially have political implications as well as potential opposition from service users and families, however as already stated this authority’s service charges are significantly below that of neighbouring authorities.

Recommendation

- 5.1 That Carmarthenshire increase its Non-Residential charges for hourly charged services from £10.80 to £14.00 (29.63%) and Day Care and Adult Placement charges from £10.55 to £13.70 (29.86%) in order to gain full cost recovery for 2019-20, and to align rates with other local authorities in wales and in particular to move closer to regional Local Authorities.

DETAILED REPORT ATTACHED ?	<p>NO – (Attached –</p> <ul style="list-style-type: none"> • Appendix 1 – Written Statement – Additional Funding for Social Care • Appendix 2 – Summary of Charges • Appendix 2a – Table of Non Residential Hourly Rates Charged by Local Authorities • Appendix 3 – Projected income over the next 3 years based on inflation only • Appendix 4 – Table of Options to reduce loss of income
----------------------------	---

IMPLICATIONS

<p>I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :</p> <p>Signed: Jake Morgan Director of Community Services</p>						
Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	NONE	YES	NONE	NONE	NONE	NONE
<p>1. Policy, Crime & Disorder and Equalities</p> <p>This would be following the approved Corporate Income and Charging policy adopted by Carmarthenshire.</p>						
<p>3. Finance</p> <p>The additional income for 2019-2020 will be £21k if service charges were set to maximise income. The authority will see additional income based in future years of up to £48k in 2020-21 and £88k in 2021-2022 if the “Cap” continues to increase by £10 per annum beyond 2021. This would mean a potential increase in income of £157k over 3 years.</p> <p>These assumptions have been factored in to the savings/income needed to create a balanced budget in future years.</p>						

CONSULTATIONS

<p>I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below</p> <p>Signed: Jake Morgan Director of Community Services</p>
<p>1. Scrutiny Committee – N/A</p> <p>2. Local Member(s) - N/A</p> <p>3. Community / Town Council – N/A</p> <p>4. Relevant Partners - N/A</p> <p>5. Staff Side Representatives and other Organisations - N/A</p>

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE