

TUESDAY, 2 MARCH 2021

TO: THE EXECUTIVE BOARD MEMBER FOR SOCIAL CARE & HEALTH

I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR SOCIAL CARE & HEALTH** WHICH WILL BE HELD AT **10.00 AM, ON TUESDAY, 9TH MARCH, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Wendy Walters

CHIEF EXECUTIVE

| | |
|---------------------------------|---|
| Democratic Officer: | Emma Bryer |
| Telephone (direct line): | 01267 224029 |
| E-Mail: | ebryer@carmarthenshire.gov.uk |

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

A G E N D A

- | | |
|---|---------------|
| 1. DECLARATIONS OF PERSONAL INTEREST | |
| 2. DECISION RECORD - 16TH JULY, 2020 | 3 - 4 |
| 3. NON-RESIDENTIAL CHARGING 2021-22 | 5 - 14 |

Note:- The press and public are not entitled to attend the meeting. The decision record will be published normally within 3 working days.

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR SOCIAL CARE & HEALTH

THURSDAY, 16 July 2020

PRESENT: Councillor: J. Tremlett (Executive Board Member).

The following officers were in attendance:

R. Page, Senior Business Support Manager

E. Bryer, Democratic Services Officer

Virtual Meeting - .10.00 am - 10.15 am

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. DECISION RECORD - 12TH NOVEMBER, 2019

RESOLVED that the decisions record of the meeting held on the 12th of November 2019 be signed as a correct record.

3. LOCAL AUTHORITY RESIDENTIAL CARE STANDARD CHARGE FOR 2020-2021

The Executive Board Member considered a report recommending that the Standard Charge for Local Authority Older People residential care homes be increased from £612.21 to £641.21 for Mainstream beds and from £837.50 to £863.43 for EMI beds.

An increase of 4.74% for mainstream beds and 3.1% for EMI beds was attributed to significant increase in staffing costs in relation to the National Living Wage, additional costs based on hours and dependency and extra costs within supplies and services. It was noted that the effective date for the new rates was the 6th July, 2020 and not 1st July, 2020 as stated in the report.

RESOLVED that:

- i. **the Standard Charge for Local Authority Older People residential care homes be increased from £612.21 to £641.21 for Mainstream beds and from £837.50 to £863.43 for EMI beds.**

- ii. for residents placed by this authority into our own Local Authority Homes and those residents placed in our homes by other Local Authorities the effective date for the new rates is 6th July 2020.

EXECUTIVE BOARD MEMBER

DATE

DATE: 9TH MARCH, 2021

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

SUBJECT:
NON-RESIDENTIAL CHARGING 2021-22

Recommendations / key decisions required:

- That Carmarthenshire increases its Non-Residential charges all inline with inflation.

Reasons:

- With the Cap on Non-residential charging held at £100, there would be little benefit with increasing charges beyond inflation. Indeed, inflation will only return a minimum increase in income, and that will depend entirely on the wealth of the individuals requiring care.

| | | |
|--|--|---|
| Directorate Communities Name of Head of Service: Jake Morgan Report Author: Rhys Page | Designation Director of Community Services Senior 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

(If the answer is yes exact details are to be provided below:)

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

DATE: 9TH MARCH, 2021

SUBJECT:
NON-RESIDENTIAL CHARGING 2021-2022

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 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 4 years, and reached its goal of £100 in April 2020, and therefore the government has met its commitment set out in 2017.
- 2.4 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 2021-22, 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, but there may be a small marginal increase of income from the inflationary uplift applied to the full cost, small packages of care.
- 2.5 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.
- 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 The increase to charges for 2021-22 will fall in line with the authority’s wider policy, by increasing charges by inflation.

Conclusion

- 4.1 The figures shown in this report for the next year are based on existing Welsh Governments announcements, however there is no indication as to what will happen beyond 2021-22. We may have to increase charges to a greater extent if Welsh Government amend the charging rules
- 4.2 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.
- 4.3 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 by inflation from £16.50 to £16.85 (2.12%) and Day Care and Adult Placement sessional charges from £16.15 to £16.50 (2.17%). This will attempt to recover as much revenue as possible within the rules set down by Welsh Government for 2021-22, and to align rates with other local authorities in Wales, and in particular to move closer to regional Local Authorities.

| DETAILED REPORT ATTACHED ? | NO – (Attached – |
|----------------------------|---|
| | <ul style="list-style-type: none">• Appendix 1 – Written Statement – Additional Funding for Social Care• Appendix 2 – Summary of Charges |

IMPLICATIONS

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 :

Signed: **Jake Morgan** Director of Community Services

| | | | | | | |
|-----------------------------|-------------|------------|-------------|------------------------|----------------------------|-----------------|
| Policy and Crime & Disorder | Legal | Finance | ICT | Risk Management Issues | Organisational Development | Physical Assets |
| YES | NONE | YES | NONE | NONE | NONE | NONE |

1. Policy, Crime & Disorder and Equalities

This would be in-line with the approved Income and Charging policy adopted by Carmarthenshire. It would also follow the Social Care Charging Policy for Carmarthenshire.

3. Finance

The additional income for 2021-2022 will be marginal by increasing service charges to £16.50 and £16.85 respectively, and at this rate the authority would be setting a rate to maximise income.

The additional income has been factored into the savings proposals needed to create a balanced budget for 2021-22.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Jake Morgan** Director of Community Services

1. Scrutiny Committee – N/A
2. Local Member(s) - N/A
3. Community / Town Council – N/A
4. Relevant Partners - N/A
5. Staff Side Representatives and other Organisations - N/A

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

THESE ARE DETAILED BELOW

| Title of Document | File Ref No. | Locations that the papers are available for public inspection |
|---|--------------|---|
| Welsh Government Written Statement Additional Funding for Social Care (05.01.2017) | | Attached at Appendix 1 |

Written Statement - Additional Funding for Social Care

Last updated 05 January 2017

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Rebecca Evans Minister for Social Services and Public Health

The Welsh Government has prioritised social care as a sector of national strategic importance. It is therefore important that we continue to invest in social care to ensure the delivery of high-quality care and support to people across Wales.

Recent reports by the UK Homecare Association, Care and Social Services Inspectorate Wales and the Wales Audit Office have supported greater investment in social care.

The Welsh Government has been working with the social care sector. We have heard and understood the concerns raised about financial pressures and their impact. Whilst an uplift in pay for low-wage workers is to be welcomed, we recognise that the financial pressures facing the sector have been accentuated by the implementation of the UK Government's so-called national living wage in what has traditionally been a low-wage sector.

Our analysis of the costs of the national living wage suggests the impact on the social care sector was between £14m and £23m in 2016-17.

The 2017-18 Budget includes an additional £25m for social services, to be provided through the revenue support grant for local government. This extra support has been recognised by local government and will help respond to pressures.

Today, I am confirming that a further £10m of recurrent funding will be made available to help manage the impact of the national living wage.

About

► Cabinet, Cabinet Secretaries
and Ministers

► Statements

► 2018

► 2017

► 2016

► Previous administration

This additional £10m will initially be in the form of a specific grant as we establish a tripartite agreement between the Welsh Government, local government and social care employers. The Welsh Government will provide additional funding; local authorities will invest in care provision and employers will create a more stable and valued workforce, reducing the prevalence and impact of workforce turnover while improving the quality of care delivered.

This agreement will commit all parties to arrangements to support the costs associated with the national living wage and will help to create a more stable social care workforce, including the delivery of our specific commitment for a fully registered social care workforce by 2022.

Alongside this new investment in social care, I have been considering the level of the maximum weekly charge for non-residential care. Currently, the income raised from people who pay the maximum charge contributes more than £25m a year towards the cost of this care. This money plays an important role in both the amount of and quality of non-residential care which local authorities provide.

The Welsh Government introduced the maximum charge in 2011 to address the wide variations in charges which local authorities made for similar non-residential care. This has provided consistency in charging across Wales for homecare and other non-residential care.

Information from local authorities has shown that two-thirds of people receive their care either free or at a charge up to the maximum, depending upon their level of income. The third of people who pay the maximum charge have relatively high levels of income or high levels of capital. The maximum weekly charge achieves the goal of consistency in charging across Wales but it does so by disproportionately limiting charge income from those who are best placed to meet the cost of their care.

I am convinced of the need to retain the maximum charge to ensure consistency. However, the current level of £60 per week has been in place for almost two years and the time is right to raise the maximum level. This will take into account the disproportionate impact but also, more importantly, the need to invest in the care sector.

After careful consideration, based on feedback from stakeholders, I have decided the maximum charge will be uplifted to £70 per week from April 2017. This will raise more than £4m a year in additional income for local authorities to help address financial pressures in social care and ensure the availability and quality of care. I see this as complementary to the additional £10m funding we are providing for social care to meet the challenges of the national minimum wage, and the additional £25m announced in the 2017-18 Budget.

The sustainability of the social care sector is being further supported by the Intermediate Care Fund, which commenced in 2014-15 and which in 2017-18 will receive £60m of funding to continue the integration of health and social care.

There will be further engagement with stakeholders to determine the best approach to changes in the level of the maximum for non-residential care in future years. This will be part of a longer-term arrangement whereby the maximum will rise to £100 per week by 2021.

A consultation about the changes to the regulations needed to introduce an increased maximum charge from April and to uplift the capital limit used in charging for residential care to £30,000 is ongoing and will run until 25 January.

SUMMARY OF CHARGES

| | 2020/2021 Old Rate (£) | 2021/2022 New Rate (£) | Increase | With Effect From (TO BE CONFIRMED) |
|--|---------------------------|---------------------------|--|---------------------------------------|
| Laundry | | | | |
| Cost Per Person to max 1 Load | £2.50 | £2.55 | 2% | 12 th April 2021 |
| Community meals including day care | | | | |
| Cost Per Meal | £4.90 | £5.00 | 2% | 12 th April 2021 |
| Transport | | | | |
| Day Care Transport Charge (per return journey) | Free | Free | N/A | N/A |
| Respite care Charge to Clients | | | | |
| Adults with learning difficulties (per week) | Full Cost of Placement | | Various Dependant on Supplier Costs | 12 th April 2021 |
| All other adults <u>except</u> those receiving Higher Rate Attendance Allowance/Higher Rate Disability Living Allowance (per week) | | | | |
| All other adults receiving Higher Rate Attendance Allowance/Higher Rate Disability Living Allowance (per week) | | | | |
| Home Care Charges | | | | |
| Maximum Charge (per week) | £100.00 | £100.00 | NA | |
| Home Care Charge (per hour) | £16.50 | £16.85 | 2% | 12 th April 2021 |
| Day Care – All Adults (per session) | £16.15 | £16.50 | 2% | 12 th April 2021 |
| Community Support (per hour) | £16.50 | £16.85 | 2% | 12 th April 2021 |
| Education Support (per hour) | Free | Free | N/A | N/A |
| Supported Living (per hour) | £16.50 | £16.85 | 2% | 12 th April 2021 |
| Adult Placement – Long Term Placement (per night) | £16.15 | £16.50 | 2% | 12 th April 2021 |
| Adult Placement – Short/Short Breaks | £16.15 | £16.50 | 2% | 12 th April 2021 |
| Adult Placement – Day Care/Sessional | £2.60 | £2.65 | 2% | 12 th April 2021 |
| Replacement Care | £16.50 | £16.85 | 2% | 12 th April 2021 |
| Community Support | £16.50 | £16.85 | 2% | 12 th April 2021 |
| Telecare | | | | |
| Telecare Charge (per week) | £3.15 | £3.22 | 2% | 12 th April 2021 |

Maximum charge for non-residential social services (excluding those charges that substitute for ordinary daily living costs such as meals, laundry and respite) for all service users – £100.00 per week applicable from 6th April 2020. The actual charge payable by a service user will be determined by the result of the financial assessment and the services identified in the assessment of need.

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