

8th MARCH 2022

Cabinet Member:	Portfolio:	
Cllr. J. Tremlett	Social Care and Health	
SUBJECT: NON-RESIDENTIAL CHARGING 2022-23		
Recommendations / key decisions required: <ul style="list-style-type: none">• That Carmarthenshire increases its Non-Residential charges all in line with inflation.		
Reasons: <ul style="list-style-type: none">• 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(s): Director of Community Services Senior Business Support Manager	Tel No.: 01267224698 / 01267228768 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):

Not Applicable.

DECISION MADE:**Signed:**

DATE: _____

CABINET 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
CABINET MEMBER DECISIONS MEETING FOR
SOCIAL CARE AND HEALTH
8TH MARCH 2022**

**SUBJECT:
NON-RESIDENTIAL CHARGING 2022-2023**

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 2022-23, 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 2022-23 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 2022-23. 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 £16.85 to £18.00 (6.8%) and Day Care and Adult Placement sessional charges from £16.50 to £17.60 (6.66%). This will attempt to recover as much revenue as possible within the rules set down by Welsh Government for 2022-23, 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 –

- 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 2022-2023 will be generated by increasing service charges to £18.00 and £17.60 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 2022-23.

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