

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 9 September 2021

BY: Report by the Director of the East Lothian Health and Social Care Partnership

SUBJECT: Non Residential Social Care Charging and Charging Appeals Update

1 PURPOSE

- 1.1 To update the PPRC on the Non- Residential Charing Policy 2020-2021.

2 RECOMMENDATIONS

- 2.1 PPRC is asked to note the updates contained within this report.

3 BACKGROUND

- 3.1 Council agreed the process for applying Disability Related Expenditure (DRE) to the Financial Assessment Process in January 2021. This is now within the non-residential charging policy and training has been provided to Social Work Staff, advocacy and other third sector support organisations.
- 3.2 All new Financial Assessments have DRE detailed and all existing service users will be reviewed in August 2021 and DRE will be detailed in the new assessments. At time of writing only one application had been made for DRE. This will continued to be monitored.
- 3.3 The removal of flat rate charge for building based community support services was removed and replaced with a Financially Assessed charge. The loss of income from this change is not year realised due to the Pandemic closing most building based services and therefore people did not attend the centres.
- 3.4 An internal Audit of the Non Residential Charging Policy was completed in November 2020, and concluded with Moderate Assurance.

Recommendations for improvement have been taken forward and are all being delivered by East Lothian Health and Social Care Partnership.

- 3.5 In April 2020, as a response to the financial hardship caused by the Covid-19 Pandemic, the UK Government provided a temporary £20 per month uplift to Universal Credit until the end of March 2021. In March 2021 as part of the UK's Government's budget announcement, the £20 uplift has been extended until September 2021, subject to review at that time.
- 3.6 As universal credit is considered during the Financial Assessment process this uplift would have resulted in an increase in contribution for non-residential services to 33 individuals (20% of all, who are charged for services). 20 individuals were not being charged previously and 13 would have seen their contribution increase.
- 3.7 COSLA confirmed they had no position on including the temporary uplift and confirmed the decision was at the discretion of the charging body.
- 3.8 ELHSCP agreed to disregard the £20 uplift on Universal Credit during the Financial Assessment for people using non-residential social care services. To reimburse those who had been newly charged or had their charged increased for services due to the temporary £20 uplift to Universal Credit, since August 2020. This position will be reviewed in September 2021, when the UK Government are due to decide whether to remove the temporary uplift or make it a permanent uplift.
- 3.9 The Independent Review of Adult Social Care (IRASC) was published in February 2021 and had a number of recommendations regarding the Charging for Social Care Services. Significantly for this policy is recommendation 51; [to seek] Additional investment in order to: remove charging for non-residential social care support.
- 3.10 The Working Group continues to meet quarterly and is preparing for implementation of Recommendation 51 of IRASC
- 3.11 ELC Charging Policy remains in line with the COSLA charging policy. No significant updates were made in August 2021.
- 3.12 During 2021-2022, the working group have agreed to trail the implementation of charging using the Personal Budget Model rather than based on invoiced services. This has the potential to improve the charging process, reducing the delay between the service and the charge.
- 3.13 **Appeals Summary;**
- 3.14 Table 1 provides summary of Appeal cases since April 2018. The number of appeals is decreasing, which is in part due to the introduction of Financial Assessment for community support as opposed to a flat rate. Appeals that are not heard are because either an appeals form is not returned or the appeal is withdrawn by the Service User.
- 3.15 The appeals process is also being moved online and ELHSCP are currently working with ELC IT to try and allow for the form to be completed

online. The website and a generic email address are also now up to date and in place to ease the appeals process for applicants.

3.16 DRE is now part of the Financial Assessment process and this is expected to reduce the number of Appeals made.

Financial Year	Number of Appeals Received	Number of Appeals heard	Number of Appeals Upheld	Alarms	Care at Home	Day Centre	Respite	Number of Appeals Not Upheld	Alarms	Care at Home	Day Centre
1st April 2018 - 31st March 2019	28	23	11	2	4	4	1	12	3	5	4
1st April 2019 - 31st March 2020	15	9	4	3	1	0	0	5	1	1	3
1st April 2020 - 31st March 2021	12	9	5	1	4	0	0	4	2	1	1
1st April 2021 - 31st March 2022 (part year)	8	4	3	0	3	0	0	1	0	1	0

4 POLICY IMPLICATIONS

4.1 No additional policy implications

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report has been through the Integrated Impact Assessment process at the time these changes were implemented.

6 RESOURCE IMPLICATIONS

6.1 Financial – There is on-going work between the council finance team and the H&SCP mosaic team in order to establish better monitoring of both expenditure and income in order to more accurately assess impact.

6.2 Personnel - none

6.3 Other - none

7 BACKGROUND PAPERS

7.1 none

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