Adult Social Care Contributions Policy Consultation – Summary

This consultation seeks views on proposals that change the way Oxfordshire County Council charges for adult social care services. These services support adults living at home (for example, home care, day care and transport) and in residential care.

The consultation will run from 24 January to 3 April 2018.

The current Contributions Policy is available on the County Council’s website at: www.oxfordshire.gov.uk/payingcare

The proposed changes aim to:

- ensure a fairer and more consistent approach to assessing the financial contributions made by individuals towards the cost of the social care services they receive
- simplify the financial assessment to make this a shorter and less invasive process
- better align the charging arrangements with the guidance on charging in the Care Act 2014
- enable the council to recover the actual cost of providing these services to people in Oxfordshire
- support the financial sustainability of adult social care, ensuring that frontline services for the most vulnerable are protected

Background

The council aims to support and promote strong communities so that people can live their lives as successfully, independently and safely as possible. We are also committed to promoting independence and choice, being fair and equitable and giving people with care and support needs more power and control over their lives.

Social care is not necessarily a free service and national funding arrangements make it clear that individuals may need to contribute towards the cost of meeting their care and support needs, based on an assessment of their income, savings and other assets. The Care Act 2014 permits the council to recover a reasonable charge for social care from service users who do not have sufficient means to pay for the full cost of services themselves.

The council spends more than £300m a year supporting the care needs of Oxfordshire’s most vulnerable adults and older people. However, growing demand for services and reductions in Government funding have meant that in recent years, services have been transformed and improved, and significant savings made. Income from charging for services, where it is appropriate to do so, is therefore an essential part of the council’s financial planning.
What we are proposing to change

Our approach to seeking financial contributions from people towards the cost of their care would largely remain the same. However, there are a number of proposed changes outlined below that would have financial implications for people receiving adult social care, and some that would have financial implications for the council. These are the areas we would like your views on.

Around 4,800 people contribute towards the cost of their care with the council. The majority of people would not be affected by these changes or would see their contribution reduce as a result. However, some would see an increase in what they contribute weekly.

It is anticipated that savings for the council as a result of the proposed changes could be in the region of £1.5m. The proposals would also mean the financial assessment process is more efficient, with fewer visits from financial assessors to people using services.

1. Disability Related Expenditure

When assessing a person’s financial contribution to the cost of their care we must make an allowance that reflects any additional costs they incur due to their age or disability (disability related expenditure).

Currently the council completes an individual disability related expenditure assessment for everyone who has eligible care needs, regardless of whether they are claiming disability benefits. Individual allowances are made for specific items with receipts only being requested when expenditure is over a certain level – this can lead to inconsistencies in the assessment process.

The proposal:

The council would make an indicative allowance for disability related expenditure which is expected to be approximately 25% of a person’s disability benefit. However, if a person feels their expenses are greater than this, they would be able to request an individual disability related expenditure assessment.

We would ensure the criteria that apply to the individual disability related expenditure assessment would be based on national guidance and make it clearer for service users and financial assessors as to what type of expenditure is taken into account in a financial assessment, to reduce inconsistencies in how the allowance is applied.

If a person is not claiming disability benefits, we would make no allowance for disability related expenditure. However, we would support people to make a claim by referring them to the Department of Work and Pensions or Age UK.

We would ensure that an individual’s guaranteed minimum income will not be affected by this change, meaning they would always have sufficient income to meet their daily living costs, as well as their care and support needs. However, some people would see an increase in their weekly contribution because of this change.
The council is proposing this change to introduce a more standardised approach to the disability related expenditure assessment and reduce inconsistencies in how the allowance is applied.

The new policy would mean that:

- There is a direct link between a person's disability benefit and their disability related expenditure
- In many cases the person won't need to undergo a home visit from a council officer to complete the financial assessment
- The person won't need to provide details of their disability related expenditure, some of which can be personal in nature, unless they choose to do so
- It is likely to lead to a quicker financial assessment and the person will know how much they will be expected to contribute sooner
- The financial assessment will be easier to understand

2. Arrangement fees

The Care Act 2014 enables the council to charge an arrangement fee for people with eligible care and support needs, who have financial assets above £23,250 and ask the council to arrange their care.

The arrangement fee reflects the cost to the council of negotiating and/or managing the contract with a provider and covers any administration costs incurred.

We currently charge two different levels of one-off arrangement fees depending on the extent of its involvement in providing someone's care:

- **Level 1 - £150** - Where the council sources the care, but the person enters into a private arrangement with the care provider.
- **Level 2 - £500** - Where the council sources the care and manages the ongoing provision of care and support.

*The proposal:*

The proposal is for the council to reduce the initial arrangement fees but in the case of level 2, include an annual arrangement fee to accurately reflect the ongoing cost to the council of managing the care services:

- **Level 1 - £140** - Where the council sources the care, but the person enters into a private arrangement with the care provider.
- **Level 2 - £350** - Where the council sources the care and manages the ongoing provision of care and support.
  + **£210 (annual arrangement fee from year two onwards)** - If a person stopped receiving care or passed away during the year, the council would provide a pro rata refund of the arrangement fee.
The introduction of an annual arrangement fee would reflect the ongoing costs that the council incurs in monitoring a person's care, making this a fairer approach. This fee would only apply to those people with financial assets over £23,250 and who ask us to arrange non-residential care on their behalf.

3. 12 Week Property Disregard
For the first 12 weeks after a person enters a care home, the value of their home is not taken into consideration by the council in its assessment of how much they should contribute to their care home costs. This gives the individual breathing space to decide whether they wish to stay in care permanently, without the pressure of having to sell their property straight away.

We currently offer a 12-week property disregard to everyone with eligible care needs, including people who have previously placed themselves in a private care home and then later approach us for financial assistance (e.g. as their financial assets and savings approach or fall below £23,250).

The proposal:
The proposal is to only offer a property disregard to new care home residents or at the council's discretion, where there is an unexpected change in an individual’s financial circumstances.

This proposal would better align the Contributions Policy with the Care Act 2014, which only states that authorities must provide a disregard when a person first enters a home as a permanent resident, and where there is an unexpected change in an individual’s financial circumstances.

4. Assessment of couples
We currently offer individuals living with a partner in their own home the option to receive both an individual and joint financial assessment. The assessment with the lowest contribution is then used to the benefit of the person being assessed. This approach goes further than the Care Act 2014 requires, at considerable cost to the council.

The proposal:
It is proposed that joint assessments for couples are no longer offered and people are financially assessed only as individuals.

This proposal would better align the Contributions Policy with the Care Act 2014, which states that each person must be treated individually, but some people would be likely to see an increase in their contribution.

5. Full cost recovery for home care
We currently use an average hourly rate of £19.40 to calculate how much a person should contribute to the cost of their home care. Some care providers charge above this hourly rate and others below, which means that in some cases the council is subsidising the cost of care.
The proposal:
The proposal is to introduce a fairer policy that ensures the contribution people make towards the cost of home care covers the full cost of these services to the council, based on charges by providers. In some cases, the contribution a person makes may reduce, but for others their weekly contribution could increase.

6. Non-statutory services (e.g. Telecare)
We commission several non-statutory services (services which the council is not obliged to provide) which can be used to meet a person’s eligible needs, examples include:
- Telecare
- Laundry
- Blitz Cleans

In some cases, these services are used as part of a person’s Support Plan to meet their eligible care needs; however, there are currently examples of people with no eligible needs receiving these services who are not being charged.

The proposal:
The proposal is to ensure the following principles are applied consistently to non-statutory services:

- If a person receives a non-statutory service to meet their eligible needs, this would form part of their overall Support Plan and financial assessment.
- If the council chooses to provide a non-statutory service to a person who doesn’t have eligible needs or their eligibility has not been established, we would charge the actual cost of that service.

This new approach would provide clarity on when people should be charged for using these services. This could result in some people’s contribution increasing and others contributing where they had previously not done. In the case of the Telecare Service the changes would also streamline the financial assessment process by removing the current benefits check.

How will these changes affect people?
That depends on a person’s circumstances and the services they currently receive. The changes would affect people currently using social care services and any future users.

If changes are made, they would be effective from September 2018, allowing time for people to fully consider any possible impacts and to review or amend financial, care and support arrangements where necessary.
When a final decision has been made on each of the proposals set out in this consultation, we would offer a financial re-assessment to everyone who currently contributes to the cost of their care to let them know how they would be individually affected. The level of contribution may increase for some, but not for others.

No one would be left with less than the minimum level of income stipulated in the Care Act 2014 to live on. Where appropriate we would work with people to review their care package, which would include considering alternative ways of meeting their needs, to minimise an increase in costs.

People whose contribution changes would not be expected to make any back dated payments for services previously received before the new charging policy is brought into effect.

**How to have your say on these proposals**

The 8-week public consultation period on these proposals will run from **24 January 2018 to 3 April 2018** to hear feedback on the proposals from those affected, their carers, key stakeholders and the public.

A paper copy of this consultation summary and questionnaire will be sent to all people who currently receive adult social care services and will be available on request.

An online and easy read version can be viewed and downloaded from [www.oxfordshire.gov.uk/contributions](http://www.oxfordshire.gov.uk/contributions) or requested using the details below:

**Email:** contributionspolicy@oxfordshire.gov.uk

**Telephone:** 01865 896440

**Lines are open Mon to Fri 9am to 5pm**

**Post:** Contributions Policy Consultation

FREEPOST RTRX-GJUL-HXHY

Engagement Team - 3rd Floor

Oxfordshire County Council

To submit a consultation response online, you can visit: [www.oxfordshire.gov.uk/contributions](http://www.oxfordshire.gov.uk/contributions)