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| Report of: | Erik Scollay, Director of Adult Social Care and Health Integration. Dorothy Davison, Exutive Member for Adult Social Care and Public Health |
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| Submitted to: | <i>Single Member Decision, Thursday 9th July 2020</i> |
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| Subject: | Charging for Respite Care in accordance with ability to pay |
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Summary

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| Proposed decision(s) |
| That Executive approves the decision to charge service users for respite care, in accordance to their ability to pay. |

| Report for: | Key decision: | Confidential: | Is the report urgent? ¹ |
|-------------|---------------|------------------|------------------------------------|
| Decision | Yes | Not confidential | Non urgent |

| Contribution to delivery of the 2020-23 Strategic Plan | | |
|--|-------|----------|
| People | Place | Business |
| None | None | None |
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| Ward(s) affected |
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| The proposed change will apply across all wards. |

What is the purpose of this report?

The proposal to charge for Respite Care was taken to the Adult Social Care Directorate Management Team on 17.01.2019 and, subsequently, approval to undertake consultation was given by single member on 10.10.2019.

¹ Remove for non-Executive reports

This report informs Executive of the outcome of the consultation which took place from 01.01.20 to 31.03.20 on the views of Middlesbrough residents with regard to charging for respite care according to ability to pay and requests approval to implement the policy.

Why does this report require a Member decision?

The consultation will inform a future policy change in Adult Social Care. Following consultation, approval to implement the change is sought.

Report Background

- 1 The Care Act 2014 Statutory Guidance identifies that Carers play a significant role in supporting the people they care for, thereby reducing the need for statutory care and support. Local authorities must consider interventions which can prevent Carers from developing needs for care and support themselves, as a result of their caring responsibilities. One of these interventions is a period of residential respite stay for the cared for person, allowing the carer time to take a break from their caring duties.
- 2 Middlesbrough Council currently supports this respite, by agreeing to fund the cost of the placement and recharging a flat rate to the cared for person.
- 3 The average cost of a stay for one week in a Middlesbrough care home is £582, however, adults using this facility in Middlesbrough are currently charged £151.20.
- 4 Cared for adults may or may not be service users. Some adults being cared for have not requested care and support from the local authority as their needs are being met by informal care.
- 5 A number of cared for adults utilising respite would be classed as being able to fund the cost of care themselves, as they have income and/or capital above the current financial threshold of £23,250. They are currently only charged the nominal cost above.
- 6 It is proposed that the charge for respite care will now be means tested, in line with other social care provision and neighbouring local authorities.
- 7 In accordance with current financial assessment practice, service users with capital over the financial threshold of £23,250 would, therefore, pay the full cost of the respite placement at Local Authority rates.
- 8 Where it is established that service users have less than the upper capital limit, it is proposed they will continue to pay the standard rate of £151.20. This charge would be a contribution towards accommodation costs.

What decision(s) are being asked for?

That Executive approves the decision to charge service users for Respite Care in accordance with their ability to pay.

Why is this being recommended?

The implementation of this charging policy will mitigate the ongoing costs of respite care, and bring Middlesbrough Council in line with the charging policies of neighbouring local authorities. In addition, it will ensure that a consistent and transparent policy is in place for this and other social care packages.

A full consultation took place between 01 January 2020 and 31 March 2020 involving all service users (263) who had had a period of respite care in the last 12 months. A copy of the result of this consultation forms part of the appendices to this document. Of the 263 service users consulted, 17 responses were received, from a mixture of carers and service users.

- Replies indicated that the benefit of respite stay to them was either good (3) or very good (13). One declined to comment.
- 11 replies indicated that they disagreed that respite stay should be means tested and 6 agreed
- 6 people said that they would be just as likely to continue to take advantage of the respite support if it were means tested, 9 were less likely and 2 stated that they would not use at all.

The subject has not been examined by the Overview and Scrutiny Board or by a scrutiny panel.

Other potential decisions and why these have not been recommended

Consideration has been given to making no change to the current policy of charging a standard rate to all service users. This would however, result in continuous ongoing cost to the local authority and would be out of line with neighbouring local authorities.

Impact(s) of recommended decision(s)

Legal

There are no legal implications, as consultation has taken place with stakeholders. The outcome of this consultation forms part of the appendices to this document.

Financial

Following approval, all service users who approach the Local Authority for assistance with arranging respite care and who have savings over £23,250 (the upper capital limit), will be charged for respite stay at full cost, using the local authority rate.

A 'light touch' financial assessment will be carried out prior to the placement, which will result in minimal impact on workloads of the financial assessment team.

It is estimated that this would generate approximately £30,000 per annum.

Policy Framework

There is no impact on the Council's Policy framework

Equality and Diversity

All service users will be treated in the same manner, irrespective of their disability, age, gender, race or religion.

A level 1 impact assessment has been carried out which has determined that the policy will not adversely affect the Human Rights, Equality or Community Cohesion of the service user group. Some service users will be adversely financially affected by the decisions, however, financial assessments will be carried out to confirm ability to pay, and the level at which the service user will be charged.

This assessment forms part of the appendices to this document.

Risk

There is a risk that some service users may refuse to participate in residential respite due to cost implications, thereby affecting the ability of the carer to have a break from their caring responsibilities. In such cases, alternative support can be explored to understand how respite may be provided in the service user's own home to potentially allow the carer a break from their caring duties.

Carers will continue to be offered an assessment of their needs, to establish whether they would benefit from support and services in their own right, in order to support them in their caring role.

Actions to be taken to implement the decision(s)

All new respite provision will have a 'light touch' financial assessment to establish capital held. This would commence immediately after approval of this proposal.

All new respite provision where it has been established that capital held is over the upper capital limit will be charged full cost at local authority rate: This would commence immediately after approval of this proposal.

Appendices

- Proposal to SMT (Appendix 1)
- Impact assessment (Appendix 2)
- Consultation outcome (Appendix 3)

Background papers

None

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