

SPECIAL CABINET

**Tuesday, 23rd April 2013
at 5.00 pm**

Council Chamber - Civic Centre

This meeting is open to the public

Members

Councillor Dr R Williams, Leader of the Council
Councillor Stevens, Cabinet Member for Adult Services
Councillor Bogle, Cabinet Member for Children's Services
Councillor Rayment, Cabinet Member for Communities
Councillor Noon, Cabinet Member for Efficiency and Improvement
Councillor Thorpe, Cabinet Member for Environment and Transport
Councillor Payne, Cabinet Member for Housing and Leisure Services
Councillor Letts, Cabinet Member for Resources

(QUORUM – 3)

Contacts

Cabinet Administrator
Judy Cordell
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Head of Legal, HR and Democratic Services
Richard Ivory
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BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

The Cabinet and individual Cabinet Members make executive decisions relating to services provided by the Council, except for those matters which are reserved for decision by the full Council and planning and licensing matters which are dealt with by specialist regulatory panels.

Executive Functions

The specific functions for which the Cabinet and individual Cabinet Members are responsible are contained in Part 3 of the Council's Constitution. Copies of the Constitution are available on request or from the City Council website, www.southampton.gov.uk

The Forward Plan

The Forward Plan is published on a monthly basis and provides details of all the key executive decisions to be made in the four month period following its publication. The Forward Plan is available on request or on the Southampton City Council website, www.southampton.gov.uk

Key Decisions

A Key Decision is an Executive Decision that is likely to have a significant

- financial impact (£500,000 or more)
- impact on two or more wards
- impact on an identifiable community

Decisions to be discussed or taken that are key

Implementation of Decisions

Any Executive Decision may be "called-in" as part of the Council's Overview and Scrutiny function for review and scrutiny. The relevant Overview and Scrutiny Panel may ask the Executive to reconsider a decision, but does not have the power to change the decision themselves.

Southampton City Council's Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

Procedure / Public Representations

Reports for decision by the Cabinet (Part A of the agenda) or by individual Cabinet Members (Part B of the agenda). Interested members of the public may, with the consent of the Cabinet Chair or the individual Cabinet Member as appropriate, make representations thereon.

Smoking policy – The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – Please turn off your mobile telephone whilst in the meeting.

Fire Procedure – In the event of a fire or other emergency, a continuous alarm will sound and you will be advised, by officers of the Council, of what action to take.

Access – Access is available for disabled people. Please contact the Cabinet Administrator who will help to make any necessary arrangements.

Municipal Year Dates (Tuesdays)

2012	2013
19 June	29 January
17 July	19 February
21 August	19 March
18 September	16 April
16 October	
13 November	
18 December	

CONDUCT OF MEETING

TERMS OF REFERENCE

The terms of reference of the Cabinet, and its Executive Members, are set out in Part 3 of the Council's Constitution.

RULES OF PROCEDURE

The meeting is governed by the Executive Procedure Rules as set out in Part 4 of the Council's Constitution.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PERSONAL INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

Other Interests

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are now available via the Council's Website

1 APOLOGIES

To receive any apologies.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

EXECUTIVE BUSINESS

3 STATEMENT FROM THE LEADER

4 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION

Report of Chair of Overview and Scrutiny Management Committee, seeking a response to recommendations made by the Committee at the meeting held on 19th February 2013, regarding Decision No: CAB 12/13 9136 – Revisions to the Adult Social Care Non-Residential Services Policy, attached.

5 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendices to the following Item.

Appendix 4 and 5 of the report are not for publication by virtue of category 5 (legal professional privilege – Appendix 5) and category 3 (financial and business affairs of the Authority – Appendix 4) of paragraph 10.4 of the Council's Access to Information Procedure Rules as contained in the Council's Constitution. It is not in the public interest to disclose this information because the overriding principle in relation to legal professional privilege favours maintaining openness of communication between lawyer and client as a fundamental principle in relation to the administration of justice in the UK. Such communications would only be disclosed in very limited circumstances

where a strong argument in favour of release outweighed the primary principle of privilege. The release of such privileged advice would undermine the Council's ability to take timely and appropriate confidential legal advice in the future. The financial information contained in Appendix 4 is not in the public interest to disclose as it would prejudice the Council's ability to meet its statutory duties in relation to Best Value if the information was released into the public domain.

This report is supplemental to the Cabinet report of 29th January 2013 on the same subject. The report details further consultation undertaken, the response to the consultation, the response to the recommendations made by Overview and Scrutiny Management Committee on 19th February 2013 and recommends changes to the proposed policy as a consequence.

6 PROPOSED CHANGES TO THE NON RESIDENTIAL ADULT SOCIAL CARE CHARGING POLICY

Report of the Cabinet Member for Adult Services, seeking to revise the Adult Social Care Non-Residential Services Policy, attached.

Monday, 15 April 2013

Head of Legal, HR and Democratic Services

Agenda Item 4

DECISION-MAKER:	CABINET
SUBJECT:	CALL IN OF EXECUTIVE DECISION - CAB 12/13 9136 - REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
DATE OF DECISION:	23 APRIL 2013
REPORT OF:	CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
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STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

The Overview and Scrutiny Management Committee (OSMC) called in the decision made at the Cabinet meeting on 29th January 2013 on revisions to the Adult Social Care Non-Residential Services policy. The Call-in was heard at a meeting of the OSMC on 19th February 2013 and the recommendations generated by the OSMC are set out in paragraph 4 of this report.

At its meeting on 23rd April 2013 the Cabinet is requested to respond to the recommendations generated by the OSMC, following its consideration of these matters.

RECOMMENDATION:

- (i) That Cabinet considers its response to the recommendations made by the Overview and Scrutiny Management Committee at its meeting on 19th February 2013.

REASON FOR REPORT RECOMMENDATIONS

1. To comply with the Call-in procedure rules set out in Part 4 of the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. A Call-In notice signed by the Chair of the OSMC was received in accordance with Paragraph 12 of the Overview and Scrutiny Procedure Rules set out in

Part 4 of the Council's Constitution. The Call-In notice relates to the decision made by the Cabinet on 29th January 2013 on revisions to the Adult Social Care Non-Residential Services policy. The reason cited by the Chair of the OSMC for this Call-In was 'Insufficient time available at the pre cabinet scrutiny meeting to fully explore this very important issue'.

4. The OSMC discussed the Call-in report at its meeting on 19th February 2013. Details of the Call-in notice are attached as Appendix 1, and recommendations agreed by the OSMC are as follows:

(i) that the decision be referred back to Cabinet for further consideration; and
(ii) the Overview and Scrutiny Management Committee recommended that Cabinet:-

- defers the decision to enable further consideration and thorough consultation with all parties affected. Should this impact on the Council's Budget, funding should be drawn from reserves;
- ensures, if the proposals are implemented, that by 31st December 2013 every carer and service user that requires a one to one assessment will receive one, and provides assurance that one to one advice will not be just through telephone advice;
- evaluates the effectiveness of the People's Panel in this process from the Council's, facilitators' and participants' perspective;
- explores ways to improve information provision for service users and carers on issues such as assessment of need and financial assessment;
- have worked examples of the impact of the proposals on individuals in advance of the Cabinet meeting to ensure the decision is informed;
- ensures future communications are sent to both service users and carers;
- monitors the impact of the proposals, if implemented, on admissions to Accident and Emergency within the City;
- ensures that the advocacy groups are involved and fully engaged throughout the process;
- Identifies how, if changes proceed, the service will improve and how the future model will ensure rising standards and evidence improvements; and
- monitor and review the impact of the charging proposals, if implemented, and report them to the Overview and Scrutiny Management Committee within the first year of implementation.

5. The Cabinet is requested to consider recommendations arising from the consideration of this Call-In by the OSMC.

RESOURCE IMPLICATIONS

Capital/Revenue

6. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

Property/Other

7. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

8. As detailed in the Cabinet report dated 29th January 2013 appended to this report.
9. The duty to undertake overview and scrutiny is set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.

Other Legal Implications:

10. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

POLICY FRAMEWORK IMPLICATIONS

11. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Call In Notice
2.	Decision Report

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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NOTICE OF CALL-IN

In accordance with rule 12 of the Overview & Scrutiny procedure rules of the Council's Constitution, a request is hereby made that the Senior Manager - Communities, Change and Partnership exercise the call-in of the decision identified below for consideration by Overview and Scrutiny Management Committee.

Decision Number: CAB 12/13 9136 - REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
Decision Taker: CABINET
Date of Decision: 29 JANUARY 2013

Reason(s) for Requisition of Call-In of Decision:

- Insufficient time available at the pre cabinet scrutiny meeting to fully explore this very important issue. The Cabinet Member had to leave early, thereby limiting the time available to the panel. To compound this, the Cabinet Member insisted on delivering a long speech and further limited the time available to question him. Questions were largely limited to attempting to establish what element of the increase in charges was discretionary and purely to raise funds and what element was due to officer advice in order to make the charging structure more equitable. It took a long time to get a simple answer to this and so time was not available to explore the individual elements of the charging increases.
- At Cabinet neither the Cabinet Member or Leader of the Council were present and so the opportunity to question them was denied to both Members and members of the public.
- Concern about the Cabinet Member's lack of understanding of the detail of the charging increases

Call-In Requested by:

Name	Signature	Date
Councillor Jeremy Moulton – Chair OSMC		05/02/13

All Members requesting that a Decision be Called-In must sign this Call-In Notice. A decision may be called in by:

- The Chair of Overview and Scrutiny Management Committee
- Any 2 Members of Overview and Scrutiny Management Committee
- In respect of a Decision relating to Education, any 2 Parent Governor or Church Representatives

Please submit to the Senior Manager - Communities, Change and Partnership within 5 clear days of the publication of the relevant decision.

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RECORD OF EXECUTIVE DECISION

Tuesday, 29 January 2013

Decision No: (CAB 12/13 9136)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CABINET MEMBER FOR ADULT SERVICES
SUBJECT:	REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
AUTHOR:	Carol Valentine

THE DECISION

- (i) To approve changes to the non residential care contributions policy for adult social care as set out in Appendix 1.
- (ii) To delegate authority to the Senior Manager: Safeguarding Adults, following consultation with the Cabinet Member for Adult Care and the Head of Legal, HR and Democratic Services to review the format and content of the current non-residential care contributions policy for adult social care, to make any textual, formatting or administrative or other minor changes required to update the policy, give effect to recommendation 1 above and ensure it is fit for purpose for 2013 and beyond.
- (iii) To delegate authority to the Executive Director for Adult Social Care to determine which 'one off' services should be included within the Policy as chargeable services and to determine the scale of fees and charges to be applied for these services (Proposal 10 in Appendix 1 – changes to Policy).
- (iv) To note that recommendation 2 above does not extend to making any major or substantive changes to either the services to be provided under the policy or the charges to be applied to any such service, Such matters would require reference to Cabinet for determination following appropriate public consultation.

REASONS FOR THE DECISION

The changes will

- Ensure the policy meets national guidance.
- Support the development of personalisation in adult social care.
- Ensure equity and fairness in the application of the policy.
- Maximise income from those who can afford it to support the Council to meet the costs of providing for increased demand due to demographic changes.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. To take no action would mean the policy was unable to meet national guidance, would not be applied equitably and would not support the development of personalised social care.
2. Respondents to the consultation asked the City Council to consider the long term impact of the proposed changes. They suggested that if individuals felt they could not afford services they would wait till crisis point and require higher cost services such as residential care. They felt this was counter intuitive to prevention and health and well-being agendas and therefore the changes should not be taken forward.
This proposal was rejected since;
 - The Council as a whole is addressing the prevention and health and well being agendas, this is not solely the role of social care.
 - No one will ever be asked to contribute more than they can afford
 - Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
3. Respondents to the consultation asked that the Council consider leaving the maximum contribution level at 95% of the figure the individual is assessed as being able to afford rather than the proposed 100% since this was felt to negatively impact on service users quality of life.
This proposal was rejected since;
 - To take 100% of the contribution which the individual is assessed as being able to contribute leaves service users with 25% above nationally set minimum income levels.
 - A 100% contribution meets national guidance, which was set in recognition of the fact that social care users are likely to have additional expenditure related to their needs.
 - Individual circumstances can be taken into account in assessing contributions and in particular any disability related expenditure must be considered.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
4. Respondents suggested that the specific rent allowance that the Council is proposing to end funds additional daily living expenses for people with severe learning disabilities. It was thought that stopping this payment will have a significant impact on these service users' quality of life.

This proposal was rejected since;

- To treat a specific customer group differently would be inequitable, would not meet national guidance and could lead to judicial challenge.
- There is no rationale for the rent allowance since the policy takes account of day to day living expenses. In addition householders who qualify for housing benefit have this reduced when there is a non dependant living in the home and this is taken account of as rent when calculating social care contributions.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

5. The proposal to change the policy so that users with more than £23,250 would organise their own care raised concern that this placed an inappropriate burden on carers. There was also concern raised about the need to handle any changes to individual arrangements sensitively. The removal of the proposal was rejected since;

- Setting this limit brings the NRC policy in line with the national residential care charging policy and is felt to be fair and equitable.
- A range of support will be offered to those requiring to commission their own arrangements including; continued right to social care assessment; support with care planning both from the Council and via services set up by the Council; those who do not have capacity and do not have family carer support will continue to have their arrangements managed by the Council; work will be undertaken throughout the year to support those already receiving services to set up their own arrangements.

6. The results from the telephone helpline showed that paying full cost for care was a key concern. Callers expressed the opinion they are already “charged a lot” for services and contributions should not be raised.

This proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

7. The proposal to ask for contributions toward the cost of two carers raised concerns that this might increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this might be inequitable.

To remove this proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Carers needs are assessed as part of the assessment process and Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
- Legal advice suggests that since the policy is based on ability to contribute and takes individual circumstances into account it is equitable.

8. Tenants of Extra Care Housing were concerned that they would be charged for overnight care services which they currently did not need and suggested only charging those who used night time care.

This proposal was rejected since;

- Individuals make the decision to move to extra care to ensure access to immediate support should they need it. It would therefore be inequitable to charge only those who receive hands on care when all tenants are benefitting from the service.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 29th January 2013

Decision Maker:
The Cabinet

Proper Officer:
Ed Grimshaw

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

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Agenda Item 6

DECISION-MAKER:	CABINET		
SUBJECT:	PROPOSED CHANGES TO THE NON RESIDENTIAL ADULT SOCIAL CARE CHARGING POLICY		
DATE OF DECISION:	23 APRIL 2013		
REPORT OF:	CABINET MEMBER FOR ADULT SERVICES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Carol Valentine	Tel: 023 80834856
	E-mail:	carol.valentine@southampton.gov.uk	
Director	Name:	Alison Elliot	Tel: 023 80832548
	E-mail:	Alison.Elliot@southampton.gov.uk	

BRIEF SUMMARY

Appendix 4 and 5 of this report are not for publication by virtue of category 5 (legal professional privilege – appendix 5) and category 3 (financial and business affairs of the Authority – appendix 4) of paragraph 10.4 of the Council's Access to Information procedure Rules as contained in the Council's Constitution. It is not in the public interest to disclose this information because the overriding principle in relation to legal professional privilege favours maintaining openness of communication between lawyer and client as a fundamental principle in relation to the administration of justice in the UK. Such communications would only be disclosed in very limited circumstances where a strong argument in favour of release outweighed the primary principle of privilege. The release of such privileged advice would undermine the Council's ability to take timely and appropriate confidential legal advice in the future. The financial information contained in appendix 4 is not in the public interest to disclose as it would prejudice the Council's ability to meet its statutory duties in relation to Best Value if the information was released into the public domain.

This report is supplemental to the Cabinet report of 29th January 2013 on the same subject. The report details further consultation undertaken, the response to the consultation, the response to the recommendations made by Overview and Scrutiny Management Committee on 19th February 2013 and recommends changes to the proposed policy as a consequence.

RECOMMENDATIONS:

- (i) To approve changes to the non residential care (NRC) contributions policy for adult social care as set out in Appendix 1.
- (ii) To delegate authority to the Senior Manager: Safeguarding Adults, following consultation with the Cabinet Member for Adult Care and the Head of Legal, HR and Democratic Services to review the format and content of the current non-residential care contributions policy for adult social care, to make any textual, formatting or administrative

or other minor changes required to update the policy, give effect to recommendation 1 above and ensure it is fit for purpose for 2013 and beyond.

- (iii) To delegate authority to the People Director to determine which 'one off' services should be included within the Policy as chargeable services and to determine the scale of fees and charges to be applied for these services (Proposal 10 in Appendix 1 – changes to Policy).
- (iv) To note that recommendation 2 above does not extend to making any major or substantive changes to either the services to be provided under the policy or the charges to be applied to any such service, Such matters would require reference to Cabinet for determination following appropriate public consultation.
- (v) To respond to the recommendations of the Overview and Scrutiny Committee made on 19th February 2013 as set out in paragraphs 15 – 17 of this report.
- (vi) Having regard to the Council's transformation programme and this review of charging policy, to delegate authority to the People Director, following consultation with the Cabinet Member for Adult Services, to undertake a review of the Financial Assessment process for non residential care charging and to thereafter to regularly review and update assessment processes in line with current and future policy and legislative requirements.

REASONS FOR REPORT RECOMMENDATIONS

1. The changes will
 - Ensure the policy meets national guidance
 - Supports the development of personalisation in adult social care
 - Ensure equity and fairness in the application of the policy
 - Maximises income from those who are assessed as being able to contribute to support the Council to meet the costs of providing for the increased demand due to demographic changes

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. To take no action would mean the policy was unable to meet national guidance, would not be applied equitably and would not support the development of personalised social care.
3. Respondents to the consultation asked the City Council to consider the long term impact of the proposed changes. They suggested that if individuals felt they could not afford services they would wait till crisis point and require higher cost services such as residential care. They felt this was counter intuitive to prevention and health and well-being agendas and therefore the changes should not be taken forward.

This proposal was rejected since;

- The Council as a whole is addressing the prevention and health and well being agendas, this is not solely the role of social care.
- No one will ever be asked to contribute more than they can afford
- Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions in order to meet budget reductions which are likely to have a relatively greater negative impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

4. Respondents to the consultation asked that the Council consider leaving the maximum contribution level at 95% of the figure the individual is assessed as being able to afford rather than the proposed 100% since this was felt to negatively impact on service users both financially and in terms of quality of life

This proposal was rejected since;

- To take 100% of the contribution which the individual is assessed as being able to contribute leaves service users with 25% above nationally set minimum income levels.
- A 100% contribution meets national guidance, which was set in recognition of the fact that social care users are likely to have additional expenditure related to their needs.
- Individual circumstances can be taken into account in assessing contributions and in particular any disability related expenditure must be considered.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

5. Respondents suggested that the specific rent allowance that the Council is proposing to end funds additional daily living expenses for people with severe learning disabilities. They thought that stopping this payment will have a significant impact on these service users' quality of life. They considered that this group should be treated differently because their condition was life long and did not afford them the opportunities open to others. They suggested the allowance was retained in recognition of the life long caring role of their family carers

This proposal was rejected since;

- Having regard to the national charging guidance and the various groups of persons who have protected characteristics of one category or another, there is no justification for the giving of a rent allowance to this group and not to other groups who have an equal claim to such a need.

- To offer the allowance to all those receiving social care would reduce NRC income by approximately £900,000. Such a reduction in income would impact on the ability to deliver social care support at current levels.
- It is recognised that locally and nationally the contribution made by carers to the care of individuals with social care needs is significant. The Council provides support to carers via a range of commissioned services. Local Authority funding cannot be paid to families to pay for their care.
- There is no rationale for the rent allowance since the policy takes account of day to day living expenses, allowing the individual receiving care to contribute towards board and lodging costs.
- Parents who qualify for Housing Benefit have this reduced when their adult son or daughter lives in their home. However, an allowance is made in the social care financial assessment of the son or daughter to take account of the lost Housing Benefit. This ensures the individual can contribute appropriately to household expenses and parent is not financially disadvantaged.

6. The proposal to change the policy to ask those with more than £23,250 organise to their own care raised a concern that this placed an inappropriate burden on family carers. Concern was also raised about the need to handle any changes to current arrangements for this group sensitively.

The removal of the proposal was rejected since;

- Setting this limit brings the NRC policy in line with the national residential care charging policy and is felt to be fair and equitable.
- The approach supports the direction of travel for the Council in promoting personalisation and choice and control over service provision for all service users.
- A range of support will be offered to those choosing to commission their own arrangements including; continued right to social care assessment; support with care planning both from the Council and via services set up by the Council.
- Those who do not have capacity and do not have family carer support will continue to have their arrangements managed by the Council; work will be undertaken throughout the year to support those already receiving services to set up their own arrangements.

7. Paying full cost for services was a key concern. Contributors expressed the opinion they are already “charged a lot” for services and contributions should not be raised.

This proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- The proposal is put forward to support the service to meet the national

agenda to offer choice and control to service care users and to increase the level of Direct Payments used. The current approach is disincentive to this in that if the individual arranges their own care they are financially assessed on the real cost of the service, whilst if services are arranged by the Council a maximum charge of £13.46 per day or hour is made.

8. The proposal to ask for up to the full contribution towards the cost of two carers raised concerns that this may increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this may be inequitable.

To remove this proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Carers needs are assessed as part of the assessment process and Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- The proposal is put forward to support the service to meet the national agenda to offer choice and control to service care users and to increase the level of Direct Payments used. The current approach is disincentive to this in that if the individual arranges their own care they are financially assessed on the real cost of the service, whilst if services are arranged by the Council the maximum charge is based on 1 carer support.
- The policy is based on ability to contribute and takes individual circumstances into account and it is therefore equitable and conforms with the relevant equalities duties.

9. Tenants of Extra Care Housing were concerned that they would be charged for overnight care services which they currently did not need and suggested only charging those who used night time care.

This proposal was rejected since;

- Individuals make the decision to move to extra care to ensure access to immediate support should they need it. It would therefore be inequitable to charge only those who receive hands on care when all tenants are benefitting from the service.
- Tenants who do not wish to receive or pay for the full extra care package offered at an extra care facility have a choice to move to more appropriate accommodation to meet their needs.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

DETAIL (Including consultation carried out)

10. Background

Currently there are 2264 individuals receiving non residential social care support who are subject to charging. Of these, 155 are legally exempt from charging, 610 do not contribute due to their level of income, 1186 contribute less than the full current level of contribution and 313 contribute at the full current level.

11. The Council has discretionary power to levy contributions towards the costs of NRC provided these are in line with national guidance. The NRC policy was reviewed in 2008. A further review was completed in October 2012. This was undertaken to ensure the policy met revised national guidance, supported the development of personalisation in adult social care, was equitable and fair and maximised income from those assessed as being able to afford to pay to ensure future sustainability of services given the increasing demands due to demographic changes. The proposals from the initial officer led review outline the original proposals, and assess the impact on those using services in August 2012. Appendix 2 and 2A of the original report provided detailed information about the proposals and the benchmarking exercise undertaken.

12. Financial Assessment Process

As a result of the transformation programme and the review of policy, it will be necessary to review the financial assessment process on an ongoing basis to ensure that financial assessments are made taking into account changes to SCC policy and legislative requirements.

13. Consultation Process

The report of 29th January set out consultation undertaken between 8th October 2012 and 11th January 2013. This was led by a facilitator commissioned by the Council and included letters to current service users and their appointees, a website, a helpline, meetings with customer groups potentially affected by the proposals, meetings with advocacy organisations and the commissioning of 2 DVDs for older people attending day services and for individuals with learning disabilities. Appendix 3 and 3A of the original report detailed the consultation methodology.

Although satisfied that a full and appropriate consultation was undertaken that meets both national guidance and the Council's policy, a deferral of the decision was undertaken to allow further consultation with groups on specific areas of concern. The consultation has included providing further information about the impact assessment of each specific aspect of the proposals and worked examples of financial assessments which, while not representative of any specific individual or group of customers, served to demonstrate how financial assessments are undertaken in detail and what matter are and are not taken into account in determining liability to pay charges. These 'illustrations', while not tailored to individual circumstances

due to the sheer number of variables inherent in each individual's charging assessment, provided some transparency and clarity about how charges were arrived at and how the proposed changes could affect some individuals in real terms when compared with their own personal circumstances.

Further letters were sent to current service users and their appointees, the website and Helpline were re launched, and a range of meetings were held with service users and advocacy groups. For detail see Appendix 2.

14. **Consultation Response**

Appendix 3 details all key consultation themes and officer responses to these. Responses to the recent phase of the consultation have been similar to earlier responses.

The proposal to remove the rent allowance has been a major theme in the responses. This included the potential impact on individuals and their carers. As stated earlier, the proposal is put forward for reasons of equity following legal advice. However, it is proposed to phase the removal over 2 years and the implementation plan should the proposal be accepted will be developed with advocacy groups and will offer new financial assessment to ensure all expenditure has been considered. Social care and carers assessments will also be offered.

Concern was expressed about the financial and wellbeing impact of asking those on fixed income to contribute 100% of their disposable income and to contribute at a higher rate for services. National guidance stipulates that no-one will be left with less than 25% above nationally set minimum income levels and individual circumstances are taken into account in determining the level of contributions. No-one will ever pay more than they are assessed as being able to contribute.

There was concern expressed about the proposal to ask those who receive 2 carer support to contribute up to the maximum cost of their care. This was felt to be inequitable and it was felt could lead to individuals and their carers refusing services. However, as stated above, contributions are based on individual financial assessment and no-one will ever contribute more than they are assessed as being able to contribute. As the policy is based on ability to pay there is unlikely to be an issue of equity.

Concerns were expressed about the cumulative impact of the proposals and other benefit changes. All benefit changes can be reflected in the financial assessment ensuring no individual would be doubly impacted.

Responses to the proposal to ask those with over £23,250 to commission their own services largely requested clarification of the process. The implementation plan, should the proposal be agreed, will include individual reviews of all of the current service user group and the development of information packs for future users.

15. **Changes to Proposals following Further Consultation**

As a result of the first stage of the consultation it was suggested that the proposal to ask those who could afford to do so to contribute up to the full economic costs of day service provision should be introduced over a 2 year period, with maximum contribution for 2013/2014 being £22. This was

suggested to allow time for individuals to adjust to the change in spending. It was felt that to do otherwise would have an impact on attendance such as to destabilise individual care arrangements, increase pressure on carers and affect the stability of the market.

The Local Authority Circular; Charging for Residential Accommodation and Non Residential Care was received on 15th October 2012, after the consultation commenced. This stated Councils could not take account of the purchasing function or the costs of operating the charging system when setting rates. For this reason the proposals in the January 2013 Cabinet report were amended to remove overhead costs from the maximum rates.

Whilst there is no justification for giving a rent allowance to one group and not other groups who have an equal claim to such a need on the basis of their specific protected characteristics it is however recognised that a 'rent' allowance has been paid to this limited group of individuals for some time and spending and care decisions have been based on the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 financial years to ameliorate the impact of its removal on care choices and to re-assess all recipients financial contributions to take into account a wider range of income and expense factors to ensure that, going forward, net disposable income takes appropriate expenses into account.

16. **Scrutiny Recommendations**

The proposals were discussed at Overview and Scrutiny Management Committee on 24th January 2013. The report went to Cabinet on 29th January 2013. The report was then called in by Overview and Scrutiny Management Committee on 19th February 2013. The recommendations from Overview and Scrutiny Management Committee and responses to these are outlined below:

- (i) That the decision be referred back to Cabinet for further consideration; and
 - (ii) The Overview and Scrutiny Management Committee recommended that Cabinet:-
17.
 - Defers the decision to enable further consideration and thorough consultation with all parties affected. Should this impact on the Council's Budget, funding should be drawn from reserves;

Response: Although satisfied that a full and appropriate consultation was undertaken that meets both national guidance and Council policy a deferral of the decision for further consultation was taken to allow further consultation with groups on specific areas of concern. Loss of income has been accommodated from reserves.

- Ensures, if the proposals are implemented, that by 31st December 2013 every carer and service user that requires a one to one assessment will receive one, and provides assurance that one to one advice will not be just through telephone advice;

Response: All those who request a financial, social care or carer's assessment are currently offered this on a one to one basis if this is their

preference. The implementation plan, should the changes to the policy be agreed, will include “surgeries” to offer one to one review of financial assessments and a number of individual visits. The approach will be developed with the support of voluntary agencies.

- Evaluates the effectiveness of the People’s Panel in this process from the Council’s, facilitators’ and participants’ perspective;

Response: The People’s Panel was one approach to consultation. The Cabinet reports detail the various methods used throughout the process. An evaluation of the People’s Panel process will be undertaken and lessons learned disseminated.

- Explores ways to improve information provision for service users and carers on issues such as assessment of need and financial assessment;

Response: The service will review the information provided on assessment of need and financial assessment

- Have worked examples of the impact of the proposals on individuals in advance of the Cabinet meeting to ensure the decision is informed;

Response: The approach to financial assessment is based on individual circumstances therefore individuals who appear to have the same income or services are likely to contribute at different levels. Worked examples have been made available which, while not representative of any specific group of service users, serve to demonstrate how financial reassessments are undertaken in detail.

- Ensures future communications are sent to both service users and carers;

Response: Communication was sent to both individuals receiving care and their advocates or appointees when this was known and recorded in the case file.

- Monitors the impact of the proposals, if implemented, on admissions to Accident and Emergency within the City;

Response: The use of Accident and Emergency unit is impacted by a wide range of factors including GP availability, public understanding of alternatives, work in health and social care to prevent admission, epidemics such as flu and norovirus etc. It is not predicted the proposals will have a direct impact on hospital use and it would be difficult to design specific performance measures to monitor this.

- Ensures that the advocacy groups are involved and fully engaged throughout the process;

Response: Advocacy groups have been involved in the consultation and will be involved the implementation plan should changes to the policy be agreed

- Identifies how, if changes proceed, the service will improve and how the future model will ensure rising standards and evidence improvements;

Response: A separate report will be developed for Cabinet on the approach the Service is taking to improve service standards and how this performance is being measured.

- Monitor and review the impact of the charging proposals, if implemented, and report them to the Overview and Scrutiny Management Committee within the first year of implementation.

Response: Arrangements are in place as part of the implementation plan should the policy be agreed to monitor the impact and this will be reported to the Committee.

RESOURCE IMPLICATIONS

Capital/Revenue

18. The full financial implications are set out in confidential appendix 4.
19. The estimated financial implications from the proposed Non Residential Charging Policy were achieved through a model comprising of live client data as at August 2012. Therefore it is possible, due to changes in clients, patterns of care etc that the actual impact regarding achievable income and client numbers affected may vary. To acknowledge this and mitigate risk a reduction for a 5% margin for error has been applied to the achievable income. Furthermore an allowance for both additional bad debt requirement and the potential impact of requests for financial assessments to take account of additional expenditure or hardship has been made.
20. There are five key recommendations that are included within Appendix 1 that will raise additional income. These are:
 - amending the net disposable income figure used within the financial assessment from 95% to 100%
 - increasing the full cost rate for day care to the full economic cost
 - increasing the contribution from clients in receipt of two carers up to a maximum full economic cost of provision
 - providing consistency for charging clients in receipt of overnight care
 - providing consistency across all client groups in respect of Rent Allowance

Please note that the proposed changes to the full cost rates and the level of Net Disposable income have an impact on the level of income estimated under the other three key financial recommendations.

21. The 2013/14 and 2014/15 budgets include the following savings agreed by Full Council in respect of client income from NRC, £285,000 and £410,000 respectively. However after taking into account the proposed changes in this report there is an anticipated pressure of £369,000 in and £149,000 in 2013/14 and 2014/15 respectively as set out in confidential appendix 5. The pressure in 2014/15 will be recurring.
22. It should be noted that all figures are quoted at 2012/13 rates and have been subject to an annual uplifting in April 2013, in line with increases in rates paid to providers. This uplifting was subject to a separate approval by the Executive Director under Delegated Authority.

Property/Other No implications

23. There are no implications in relation to property or other assets.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

24. Section 17 of the Health and Social Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives the Council discretionary power to charge adult recipients of non-residential services. The Council may recover such charges as are reasonable in respect of relevant services
25. Section 7 of the Local Authority Social Services Act 1970 allowed the Secretary of State to issue guidance to Councils on the exercise of their social services functions, including those which are exercised under discretionary powers. In exercising those functions, Councils must have regard to guidance issued under section 7.
26. In 2003, The Department of Health issued guidance entitled 'Fairer Charging Policies for Home Care and other non-residential Social Services. In 2010 guidance entitled "Fairer Contributions Guidance: Calculating an individual's contribution towards their personal budget" was also issued. The proposed policy changes comply with the relevant provisions of the guidance documents.
27. Local Authorities may also charge for services provided directly to carers under the provisions of the Carers and Disabled Children's Act 2000.
28. Where the 'Fairer Charging Policies for Home Care and other non-residential Social Services does not provide clarity in a general area, the Council also observes the Department of Health's Charging for Residential Accommodation Guide (CRAG) and the Guidance for Council's with Social Services Responsibilities published in October 2012 for fairness, clarity and consistency reasons.
29. Further legal implications are set out in confidential appendix 5.

Other Legal Implications:

30. The proposals in the report are compliant with the requirements of both the Human Rights Act 1998 and the Equalities Act 2010. Consideration of the impact of the proposed changes under these Acts has been carried out as part of the preparatory work and ongoing consultation process and, taking the overall changes into account, the Council is satisfied that the proposals are necessary and proportionate in terms of individual impact having regard to the needs of the wider community and the need to target available resources at the most vulnerable. Detailed consideration of the impacts of the proposals is as set out in the report and appendices.

POLICY FRAMEWORK IMPLICATIONS

31. The proposals in this report are wholly in accordance with the Council's budget and policy framework.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

- 1 NRC Charging Policy Review – Proposal to Cabinet
- 2 NRC Charging Policy Review – Public Consultation Process
- 3 NRC Charging Policy Review – Consultation Response
- 4 Confidential – Finance Implications
- 5 Confidential – Legal Implications

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Yes
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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Impact Assessments:

1.	General	
2.	Rent Allowance	
3.	Net Disposable Income	
4.	Overnight Care	
5.	Day Care	
6.	Capital	

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Proposed Changes to the Non Residential Adult Social Care Charging Policy

Introduction

The Council has discretionary power to levy contributions towards the costs of non residential care provided these are in line with national guidance. An officer led review of the current policy was completed in October 2012. This was undertaken to ensure the policy met revised national guidance, supported the development of personalisation in adult social care, was equitable and fair and maximised income from those assessed as being able to afford to pay to ensure future sustainability of services given the increasing demands due to demographic changes.

An extensive consultation exercise was undertaken led by an independent facilitator. This commenced on 8th October 2012 and ended on 11th January 2013. Although satisfied that a full and appropriate consultation was undertaken that meets both national guidance and the Council's policy, a deferral of the decision was undertaken to allow further consultation with groups on specific areas of concern. The further period of consultation ran from 22nd February 2013 to 2nd April 2013, although verbal comments were able to be made up to the date of the Cabinet decision.

As a result of the consultation two changes are suggested to the original proposals.

As a result of the initial phase of the consultation it is suggested the proposal to ask those who could afford to do so to contribute up to the full economic cost of day service provision should be introduced once a 2 year period, with a maximum contribution for 2013/2014 being £22. This is suggested to allow time for individual to adjust to change in spending. It is felt that to do otherwise would impact on individual care arrangements, potentially increase pressure on family carers and would destabilise the market.

Having regard to national charging guidance legal advice is that there is no justification for giving a rent allowance to the specific group of customers who currently receive it. However it is recognised that this has been paid to this limited group of individuals for some time and spending and care decision have been based on the receipt of this allowance. It is therefore proposed to phase the removal of the allowance to ameliorate the impact.

A Local Authority Circular: Charging for Residential Accommodation and non Residential Care was received on 15th October 2012. This states that Councils cannot take account of purchasing function or the cost of operating the charging system when setting rates. For this reason the original proposals

Appendix 1 NRC Charging Policy Review – Proposal to Cabinet

have been created to remove the proposed overhead costs from maximum rate.

The final proposals after consultation are detailed below;

1. To change the title of the policy to “non residential care contributions policy”.
2. To offer annualised Individual Budgets as required.
3. To introduce a capital limit in line with Charging for Residential Accommodation Guidance (CRAG) excluding capital in the home the individual is currently resident.
4. To take 100% of disposable income into account in determining individual contributions towards the costs of non residential care.
5. To require a contribution of up to the actual cost of providing domiciliary care (Note this will not increase contributions as the current maximum contribution equates to the actual cost of provision)
6. To require a contribution of up to £22 for day services in 2013/2014 and to increase this to the actual cost of providing day care in 2014/2015.
7. To require a contribution of up to the actual cost of overnight care and 24 hour care.
8. To take benefits related to night time care into account in the financial assessment of individuals receiving overnight care.
9. To require a contribution of up to the actual cost of 2 carer packages of care.
10. To delegate to the Executive Director for Adult Social Care the authority to determine which one off services should be included in charging and the scale of fees for these services.
11. To treat services directly accessed by carers as non chargeable.
12. To reduce the rent allowance previously given to a number of individuals living at home to £20 in 2013/2014 and to remove this allowance from April 2014.
13. To assess individuals arranging their own residential respite under the NRC policy.
14. To ratify the current approach of annualising contributions for day services commissioned by the Council taking account of the level of closure for public holiday.
15. To ratify the current practice of offering a choice of financial assessment as a couple or individual.
16. To discontinue the collection of income in situations where the individual is assessed as regularly requiring to contribute less than £3 per month.
17. To backdate changes to contributions to the date the individuals assessed contribution changes.

Appendix 1 NRC Charging Policy Review – Proposal to Cabinet

18. After individual review of care arrangements to ensure best value and equity in spend to take account of the additional contributions individuals receiving Independent Living Fund are required to make when setting individual contributions.
19. To ratify the current approach of requiring those receiving care and support under a Guardianship Order to contribute towards the costs of their care.
20. To work with other Councils to maximise contributions from those awarded compensation to meet care needs.
21. To end the practice of taking debt into account when determining contributions.
22. To endorse the policy on allowances for Disability Related Expenses.

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Appendix 2 - NCR Charging Policy for Adult Social Care: Public Consultation Process

Summary

On 8th October 2012, The City Council launched a consultation on proposed changes to the current Non Residential Care (NRC) Charging Policy for Adult Social Care, an office led review undertaken to ensure the policy supported the development of Personalisation, was equitable and fair, met national guidance and ensured the future financial stability of services, having made 21 proposed changes to the policy.

The consultation ran until 11th January 2013 and included letters to service users and advocates, website, helpline, meetings with service users and advocate groups and the production of two DVDs.

Although satisfied that a full and appropriate consultation that met both national guidance and council policy was undertaken, a decision was made to further consult on specific areas of concern.

This commenced on 22nd February 2013 and was closed to written submission on 2nd April 2013, although participants were informed that verbal submissions could be made up to the date of the Cabinet decision.

The consultation process, from February to April 2013, is detailed below.

Consultation Website

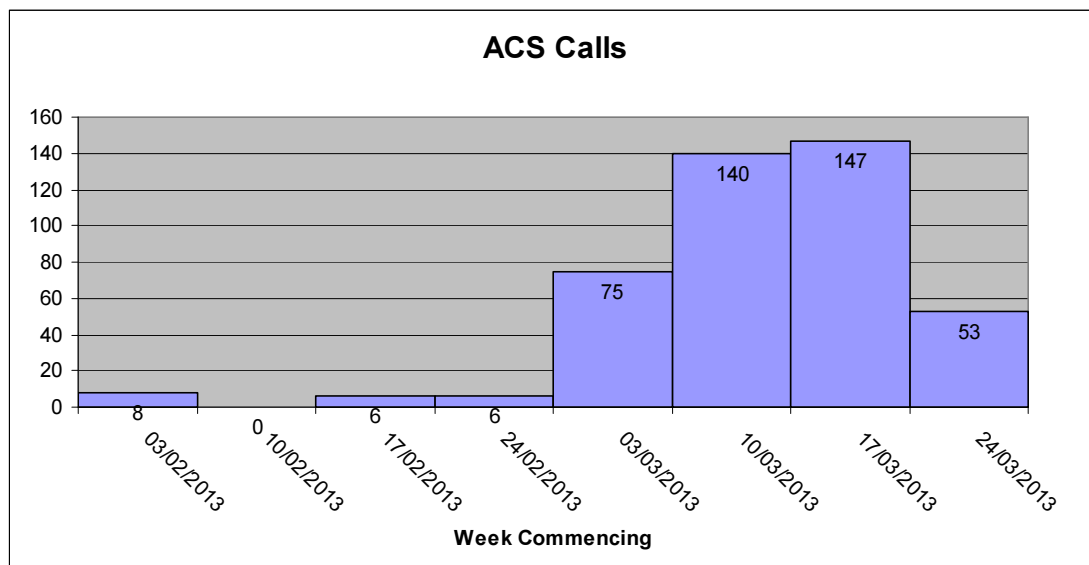
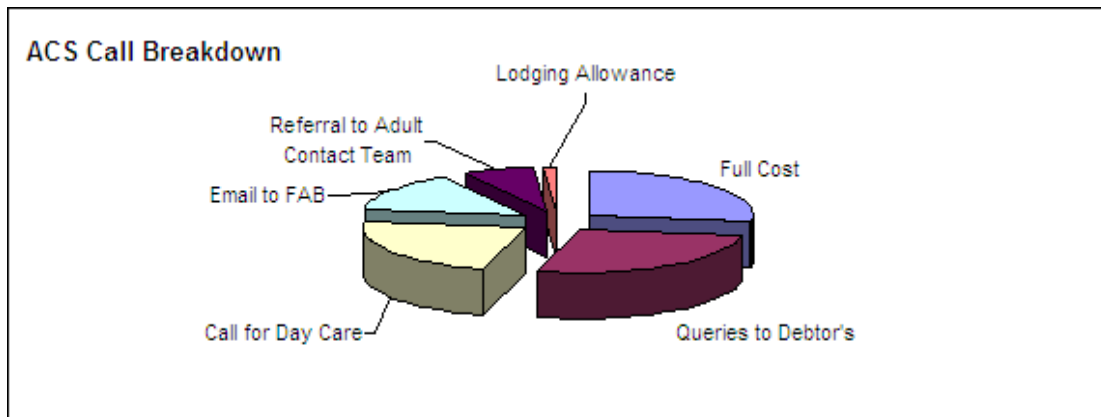
On 5th March 2013 the consultation website was updated to include further information on impact and worked examples of financial assessment, which could not be representative of any group of users but demonstrated how financial assessments are undertaken in detail.

11 emails were received by the consultation inbox. Queries received related to issues such as clarification of the £23,350 threshold and at what point individuals and family carers would be required to organise their own care. Other queries asked what the full cost of care and maximum contribution would be, who would be responsible for complaints if services were commissioned directly through providers and comments were provided on closure of day services and annualised charges. Other comments related specifically to the proposed removal of the rent allowance.

Telephone helpline

A telephone helpline was set up on 5th March 2013. 131 calls were received, and the breakdown is as follows;

Call Type	No of Enquiries	% of Whole
Full Cost Proposal	36	27%
Queries to Debtor's	35	27%
Day Care Proposal	30	23%
Financial Assessment Issues	19	15%
Referral to Adult Contact Team	9	7%
Rent Allowance Proposal	2	2%



Letters to service users and their representatives

A total of 2669 letters were sent to service users and their representatives in the 2nd phase of the consultation. Eight letters were received from service users.

Comments received related to the threshold of £23,250, the increased costs of receiving a two carer package, duration of care slots received when

arranged as a private individual and comments regarding the proposed removal of the rent allowance.

Meetings

19 meetings with service users, carers and advocacy groups took place. Four meetings were held with services users at Extra Care facilities. Four meetings were held at Day Care services and four general consultation meetings were held at different times of the day to capture maximum attendance. Advocacy services organised five meetings. An officer from the Council also attended a Learning Disability Partnership Board to communicate the proposals.

At all public meetings a power point presentation was given and/or paper copies provided. The slides gave an explanation of each of the proposals and provided the numbers of people affected, the highest and lowest impact as well as the average and examples of financial assessments for the proposals on 100% Disposable Income, Rent Allowance, Extra Care, Day Care and 2 Carer packages. There was information about how to contribute to the consultation. At the end of the meetings, the meeting chair checked what feedback from the meetings was to be provided to the consultation in most cases.

A total of 32 individuals attended the Extra Care meetings. A number of residents commented that the costs of overnight care were not felt to be excessive; however, there was concern about how additional contributions would impact on those with fixed income. Further clarification was sought on the proposals to introduce a financial limit beyond which the individual would commission their own care.

A total of approximately 36 individuals attended the day service meetings. Feedback was received on the perceived negative impact of the proposed removal of rent allowance on individuals, although one person queried why only some people receive this allowance. Feedback from one service related to the impact of the proposed move to take account of 100% of disposable income. Comments were also received about the application of disability related expenses.

The four general meetings attracted 11 individuals. Comments were largely related to the proposed removal of rent allowance.

Two meetings were arranged by Carers Together, attracting approximately 50 people. Their response indicated they felt it had been difficult to understand the detail of the changes given the way the changes were presented. It was felt the responses were defensive and perhaps gave an overly optimistic picture of what might happen. Comments included the perceived unfairness of the proposal to ask for a maximum contribution of the real cost of two carer support, the impact on individual and carers who may not access the support they need, the financial impact on those already living on fixed incomes.

A meeting was sponsored by Spectrum Centre for Independent Living attended by five professionals and one carer. Feedback related to the proposals on rent allowance, 100% of net disposable income, 2 carer contributions and backdating contributions. The group commended the Cabinet member for his understanding and willingness to listen.

Two meetings were sponsored by Mencap, attended by 50 individuals. Feedback related to the proposed removal of the rent allowance.

An officer attended the Learning Disability Partnership Board meeting, approximately 20 individuals representing service users, services and Advocacy organisations. The main comments raised were in relation to the proposed removal of the rent allowance.

An individual meeting was held on 28th February 2013 between a parent carer, Cabinet member and officer following a letter from a parent carer of an individual with a learning disability. This person commented on the proposed removal of the rent allowance.












Advocacy Comments

In addition to the meetings described above, comments were made from Carers Together MIND and Mencap. Mencap focused on the removal of rent allowance and highlighted the need to treat the group of individuals and their families differently to ensure equity and requesting a reassessment of every individual affected. MIND highlighted the cumulative impact of the changes to Mental Health Services to meet the Personalisation agenda and the proposals and stressed the need to consider those with mental health issues differently.

















Other

One comment was received from a provider of Extra Care requesting clarity on the proposals to set a charge for overnight care.









Appendix 2 NRC Charging Policy for Adult Social Care: Public Consultation Process

Extended Consultation 22.02.13 – 02.04.13		
Date	Type	Event
28/02/13	Meeting	Cabinet Member for Adult Social Care, Officer and parent carer.
04/03/13	Letters	2669 letters posted to all service users or their advocates where appropriate.  CV13-129 NRC  CV13-131 Your  CV13-128 General letter FINAL : Contributions Explain Consultation meeting
04/03/13	Meeting – Learning Disability Partnership Board (LDPB)	25 individuals attended the Learning Disability Partnership Board, which involves service users, carers, representatives of Advocacy and service user organisations and representatives of health and Council services.
05/03/13	Website	Website live; http://www.southampton.gov.uk/council-partners/consult/current/chargingpolicy.aspx
11/03/13	Meeting – Consultation with carers and service users and Mencap representatives	30 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
12/03/13	Meeting – with service users at Carers Together	20 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
13/03/13	Meeting – Consultation with individuals with learning disabilities who use day service and their carers St Denys Community Centre	1 individual attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
13/03/13	Meeting – Consultation with individuals with learning disabilities who use day service and their carers Freemantle Community Centre	8 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
13/03/13	Meeting – with	2 individuals attended this meeting

Appendix 2 NRC Charging Policy for Adult Social Care: Public Consultation Process

	residents of Extra Care Sheltered Housing and their carers – Rozel Court	 CV13-133 - Presentation NRC Pol  CV13-131 Your Contributions Explain
13/03/13	Meeting – with residents of Extra Care Sheltered Housing and their carers – Manston Court	5 individuals attended this meeting  CV13-133 - Presentation NRC Pol  CV13-131 Your Contributions Explain
13/03/13 17.00-18.30	Meeting – general consultation meeting Civic Centre	No one attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
14/03/13	Meeting – Consultation with individuals with learning disabilities who use day service and their carers –Woolston Community Centre	2 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
14/03/13	– Meeting – Consultation with individuals with physical disabilities or mental health issues who use day service and their carers – Sembal House	25 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
14/03/13	Meeting – with service users at Spectrum CIL	6 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
14/03/13	Meeting – with service users at Carers Together	30 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
14/03/13 14.00 – 15.30	Meeting – general consultation meeting Civic Centre	4 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain

Appendix 2 NRC Charging Policy for Adult Social Care: Public Consultation Process

15/3/13 14:00 – 15:30	Meeting – with residents of Extra Care Sheltered Housing and their carers – Rosebrook Court	 CV13-133 - Presentation NRC Pol  CV13-131 Your Contributions Explain
20/03/13 17.30 – 19.00	Meeting – general consultation meeting Civic Centre	No one attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
21/03/13	Meeting – Cabinet Member	Meeting between Cabinet Member for Adult Social Care and Mencap. 5 individuals attended this meeting.
22/03/13 10.00 – 11.30	Meeting – general consultation meeting Civic Centre	7 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain
10/4/13 14:30 – 15:30	Meeting – with residents of Extra Care Sheltered Housing and their carers – Rosebrook Court	24 individuals attended this meeting  Charging policy presentation for exte  CV13-131 Your Contributions Explain

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Agenda Item 6

Appendix 3

Appendix 3

Non Residential Care Charging Policy Consultation 22nd February 2013 to 2nd April 2013 – Consultation Responses

Letters, website responses and emails

Issue	Response
Clarify if it is proposed those with over £23,250 will be required to arrange their own services in future	This is correct. The proposal mirrors the current national policy for residential care.
Clarify what is meant by Care Management support for those with over £23,250	<p>Care Managers will continue to offer assessment of social care needs and advice and information to allow an individual to make decisions on the support arrangements they require should the proposals be accepted.</p> <p>In addition the Council is working to broaden the range of information and support available to those who are developing their own care arrangements. This will not only support those who would be affected by the proposals but also the increasing numbers who are receiving their social care support in the form of a Direct Payment, which allows them to set up and contract their own individualised care arrangements.</p>
Clarify whether those with over £23,250 already receiving services will continue to have these arranged by the Council	<p>Should the proposals be accepted Care Managers will review the needs and care arrangements of all those with over £23,250 already receiving services over the coming year and work with individuals and their families to commission their own care. This will offer the opportunity to develop individualised care packages.</p> <p>However it is recognised that it may be inappropriate for some of those currently receiving services to arrange their own care (e.g. when an individual has very little funding over the proposed limit and is likely to require</p>

	<p>social care arranged services in the near future or when there are family circumstances such as no readily available support). As appropriate individuals who are already in receipt of services could continue to have these arranged via the Council.</p>
<p>Clarify who will coordinate services for those with over £23,250 where no family member can do this</p>	<p>This will be considered on a case by case basis as support plans are developed, e.g. a provider could be asked to take on the coordination role for the whole service.</p>
<p>Clarify who will be responsible for handling complaints about service quality for those with over £23,250</p>	<p>The individual or their family should, as now, discuss complaints with the provider. The more direct relationship with the provider and the potential to remove business will it is believed promote effective response by the provider.</p> <p>As stated above, the Council is further developing the range of support and advice available to those who are arranging their own care, and this will include support to consider how quality monitoring and complaints can be managed when individuals commission their own services.</p>
<p>Clarify the maximum contribution for those receiving a domiciliary care service</p>	<p>In 2012/2013 the maximum contribution was £13.69 per hour. This has increased for the financial year 2013/2014 to £13.96 to take account of increased payments to providers.</p>
<p>Clarify who will be responsible for getting quotes and for ensuring prices and terms and conditions are reasonable for those with over £23,250</p>	<p>This will be the responsibility of the individual or their family carers. As stated above the Council is further developing the range of support and advice available to those who are arranging their own care, not only to meet the needs of those who would be affected by the proposed policy change but the increasing numbers who have Direct Payments.</p>
<p>Concern about having to find more money for care and that individuals who need care will not be able to get it</p>	<p>Everyone is individually assessed based on their income and expenditure and must be left with 25% above Government set minimum income levels.</p>

	No one will ever be left without services due to inability to pay as there is discretion to waive or reduce charges in exceptional circumstances.
What would happen under the proposals if an individual's assets fall below £23,250	As is the case currently for those entering residential care with assets of over £23,250 individuals would be advised to contact the Council before their assets fall below the limit. At this point an assessment would be carried out and eligible needs would be funded by the Council and subject to a financial contribution from the individual.
Fully understand the need to increase costs for day services but find a 58% increase shocking	The reason for asking those who can afford to do so to pay up to the full costs of their day care is that currently if an individual has their service arranged directly by the Council they pay against a cost of £13.96 and if they arrange their own services via a Direct Payment (when the Council gives the individual the money for their care and they arrange their own services) they are charged against the full cost. National projects have shown that the use of Direct Payments increases choice and control, allowing individualised support arrangements to be developed which have better outcomes. The current approach is a disincentive to people taking control of their own care arrangements.
Do not believe it is fair to charge for day services when the service is closed	Contributions towards the costs of day services are annualised (costs for the year are worked out and divided into 52 equal payments) and costs are calculated taking account of holiday closures. This approach was adopted due to the confusion caused to customers and the administrative burden of having to adjust charges each time there was a holiday.
Is £22 is going to be the cost of day services?	The proposal is to increase the maximum contribution for day services over a 2 year period. The proposed maximum contribution for 2013/2014 is £22 rising to the full (current) cost of £42.57 in 2014/2015. However work is

	underway to review day services and it is expected this will reduce costs in the longer term.
Will the cost to the individual still be set according to their financial assessment	Yes. All customers are asked to contribute based on their ability to pay.
Will those with assets over £23,250 have to pay the full cost of day service	Yes individuals will pay the full cost for which ever service they choose and will negotiate this directly with the provider.
Will those with over £23,250 be able to arrange care in the same way (e.g. 15 minute slots) and at the same costs the Council can arrange this	As stated above, the Council is working to meet the national agenda to give more choice and control over their support arrangements to our service users. As part of this we now offer a sum of money (called an Individual Budget) to all those who are assessed as needing support and are working to encourage as many people as possible to take this as Direct Payment. This gives the money to the person and allows them to make their own arrangements. As more people arrange their own services the agencies will need to respond and change the way they provide services to gain business. In addition, the Council is developing advice and information to help individuals to set up their support arrangements e.g. a website called 'Care with Confidence' which is similar to a rated tradesmen site can help individuals to find out which providers are available to allow cost comparison.
The threshold of £23,250 is very low	The proposed threshold was set using the current national threshold for residential care. This was felt to offer equity between those who are considering residential care and those considering community based services.
Take issue with the statement that the £40 allowance given to a small group of individuals was being given for rent that is not actually paid	To clarify the statement; current allowances take account of daily living costs such as food and utilities which individuals living with their family can use to pay board and lodging costs. The group currently receiving the rent allowance are effectively being given a further allowance to meet these costs.

	<p>If the individual is paying rent over and above this and has a formal rental agreement, then the cost of rent is taken into account as a separate expenditure.</p>
<p>Whilst appreciating that the “applicable amount” rates calculated by DWP should represent living costs and an additional allowance of 25% is then added, we would question whether the resultant amount is reasonable for those people living with relatives in Southampton, and unable to claim any form of housing benefit or rent allowance.</p>	<p>The allowance given for daily living costs are set nationally based on age and disability. If individuals have expenses over and above this related to their needs which mean they need to contribute more to the family expenses these can be considered. Those who are receiving an allowance for housing costs receive this because they are paying these costs.</p>
<p>Removal of the rent allowance will force relatives to further subsidise the care of their family members. This strain is likely to cause the family financial hardship, making their only alternative to place their relation in supported housing, which will result in an increased cost to the council.</p>	<p>The proposal to end the rent allowance for a group of individuals with a learning disability is put forward for reasons of equity. Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need. Everyone is left with 25% above the nationally set minimum income related to their age and disability. It is only the income of the individual receiving care which is taken into account. If there are additional daily living costs which the individual needs to meet to ensure they contribute equitably to the family costs these can be considered. Carers assessments are offered to any carer who wishes this. It is however recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based of the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of its removal on care choices. In addition all those affected will be</p>

	<p>offered a financial re-assessment to take account of wider range of expense factors they may not have informed the Council of to date. If the proposed change is agreed the Council will work with Advocacy Groups to ensure that assessments take all relevant information into account and to assist individuals and their carers to maximise personal budgets and choice based care provision to ensure that the impact of the removal of the allowance can be minimised.</p>
<p>Immediately withdrawing the rent allowance in total is failing the Public sector Equality Duty. Other proposed changes, which are deemed to have a high increase in costs for clients, such as the proposed changes to day care charges, are being introduced in stages over two years to reduce the immediate financial impact., A phased reduction for the withdrawal of the rent allowance should be considered for this group</p>	<p>The proposals related to day service increases are made to support Personalisation and to increase the use of Direct Payments. This is because currently if individuals opt for a Direct Payment their contribution is based on the full cost of day services whilst if the Council arranges the service the contribution is based on a cost of £13.96. The current approach is not inequitable as all service users can opt to ask the Council to arrange their day service.</p> <p>As stated above it is recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based on the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of its removal on care choices.</p> <p>In addition all those affected will be offered a financial re-assessment to take account of wider range of expense factors they may not have informed the Council of to date. If the proposed change is agreed the Council will work with Advocacy Groups to ensure that assessments take all relevant information into account and to assist individuals and their carers to maximise personal budgets and choice based care provision to ensure that the impact of the removal of the allowance can be</p>

	minimised.
<p>From a parent of an individual receiving the rent allowance: Our son will be considerably worse off, to the extent that his care package will no longer be viable, as he will not have the funds available for it to be implemented. We estimate with the withdrawal of the rent allowance, and the increase to 100% net disposable income from 95%, his weekly contribution will increase to £46.27 from an existing £5.95 per week after April 22nd. This 777.65% rise in his contributions towards his care is not feasible, especially with the rising costs.</p> <p>The rate of contribution from our son's weekly income will rise from 3.05% at present, to 23.65% after the proposed changes. This represents a net reduction in income for him of over 20%, leaving him £2096.46 per annum worse off than at present. This drop is unsustainable on an annual income of just over £10,000, and will result in him either having to refuse care because he cannot afford the contribution, or our family being forced to subsidise</p>	<p>As stated above the proposal to end the rent allowance for a small group of individuals with a learning disability is put forward for reasons of equity following legal advice..</p> <p>It is however recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based of the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of it's removal on care choices and to re-assess all recipients financial contributions to take into account a wider range of income and expense factors and is needs specific in common with other care recipients. If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal budgets and choice based care provision to ensure that the impact of the removal of the allowance can be minimised.</p>
<p>From the parent of an individual with Aspergers and related difficulties: Our son's condition result in increased costs for our family home, particularly in relation to repairs and renewals, as well as increased running costs because he has disturbed sleep patterns. His repetitive rituals also mean we have higher than average daily living expenses for water, soap etc.</p>	<p>Any additional expenditure related to disability can be taken into account in the financial assessment to ensure the individual can contribute fairly to the family expenses.</p>
<p>From the parent of an individual receiving the rent allowance: We fear the increased financial pressure of this unreasonable rise will place an intolerable strain on our already suffering family life, and trust you will consider the points we have raised when making a decision on these proposals.</p>	<p>The financial assessment only takes the income of the individual receiving care into account.</p> <p>Any additional expenditure unique to that individual can be considered.</p> <p>Carers assessments can be offered at any time.</p> <p>No one will ever be refused a service due to inability to pay.</p>

	<p>As stated above it is recognised that a rent allowance has been paid to this group for some time and it is proposed to phase the removal of the allowance over 2 years to ameliorate the impact and to re-assess all recipients financial contributions to take into account a wider range of income and expense factors.</p> <p>If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account.</p>
<p>When the economy starts to recover most people will be able to take advantage of this but those who will be paying more for their social care under the proposals will permanently have a reduced income.</p>	<p>The Council can review the NRC Contributions policy at a future date should there be circumstances which suggest the need for this.</p>
<p>The Council is not prepared to say the numbers affected by the changes.</p>	<p>The most recent phase of the consultation has detailed the numbers affected by each proposed change which will impact on contributions based on an exercise prior to the consultation commencing.</p>
<p>The removal of the rent allowance will impact on carers as well as those receiving services, e.g. carers will need to explain why the individual no longer has money for other things.</p>	<p>Carers assessments can be offered at any time.</p> <p>As stated above it is recognised that a rent allowance has been paid to this group for some time and it is proposed to phase the removal of the allowance over 2 years to ameliorate the impact and to re-assess all recipients' financial contributions.</p> <p>If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal budgets.</p>
<p>The savings could have been made by other means e.g. by not undertaking person centred planning.</p>	<p>The majority of the proposals which affect individual contributions are put forward to ensure equity or to support personalisation.</p> <p>A range of other savings have been made across the Council. If the proposals are not adopted, there will need to be consideration of alternative</p>

	<p>budget reductions which are likely to have a relatively greater negative impact on residents, such as consideration of restricting Social Care to those with critical needs only.</p> <p>Person centred planning is a way of ensuring individuals who are unable to verbalise their needs and wishes are at the centre of the assessment and support planning process. This ensures care and support is tailored to individuals' needs.</p>
<p>From the carers of an individual receiving the rent allowance; there will be a financial impact on the family as we will cover spend she can no longer afford.</p>	<p>The financial assessment only takes the income of the individual receiving care into account.</p> <p>Any additional expenditure can be considered.</p> <p>Carers assessments can be offered at any time.</p> <p>No one will ever be refused a service due to inability to pay.</p> <p>As stated above it is recognised that a rent allowance has been paid to this group for some time and it is proposed to phase the removal of the allowance over 2 years to and to re-assess all recipients financial contributions.</p> <p>If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal budgets and choice based.</p>
<p>From the Carer of an individual receiving rent allowance; this is the first step of the Authority taking from easy targets. How soon will the second step be taken –will individuals be required to pay for transport to day services</p>	<p>The authority has no plans to charge those who do not have disability benefits or Motability car for their transport to day services.</p>

General Charging Policy Consultation meetings (4)

Comment	Response
<p>People with a learning disability need to be treated differently as they have a life long condition and many will be</p>	<p>Legal advice is clear that having regard to the national charging guidance and the various groups of</p>

<p>unable to earn</p>	<p>persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need on the basis of their specific protected characteristics. The majority of service users of Adult Social Care are not in paid employment.</p>
<p>The impact on quality of life for those who have to pay more has not been considered. The proposal to take 100% of disposable income into account will impact on the quality of life.</p>	<p>It is recognised that some people will have less money to spend on other areas of their life. However the proposal is based on national guidance and leaves people with 25% above the nationally set minimum income related to their age and disability.</p>
<p>Some groups who receive social care need to be treated differently because they will never be able to earn due to their needs and will always in future have less money to live on if the proposals are agreed. Others will be able to earn in the future.</p>	<p>The majority of people who receive social care support are not in employment and the majority of these will not be employed in the future. It is not appropriate to treat only selected groups differently when the majority of those who receive social care support are not in employment. National benefits are in place to address some of the impact of disability.</p>
<p>The impact of the rent allowance proposal on family carers needs to be considered</p>	<p>The financial assessment for social care only takes account of the income of the individual receiving care. This includes a sum of money to meet board and lodgings costs if the individual lives with their family. If the family has additional expenses due to the needs of the service user this can be taken into account in the financial assessment e.g. additional wear and tear, and the individual can then contribute more to the family expenditure. At any time a Carers Assessment can be offered to family carers. The Council provides a range of services and support for family carers, largely through contracts with voluntary sector providers.</p>
<p>The cumulative impact of benefit</p>	<p>This has been considered and the</p>

changes needs to be considered alongside this proposal.	financial assessment process currently can accommodate any changes to benefits.
Rent allowance change should be phased to allow time for adjustment.	As stated above, it is recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based of the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of it's removal on care choices.
It is unfair to penalise those who cannot speak for themselves.	The consultation has tried to engage the full range of service user groups and where this has not been possible has sought comments via carers and advocacy organisations to ensure the decision making is informed by those it could impact upon.
What is covered in the expenditure allowance for daily living costs should be broken down.	The sum allowed for daily living covers costs such as the amount of money needed to meet food, utilities, travel, clothing etc. The Council will revise its guidance to provide more information about this.

Extra Care meetings (4)

Comment	Response
2 individuals at 1 meeting had no issues with proposals as long as care provided meets standards expected.	Separate meeting to be set up with the resident group of this establishment to review quality and consistency of care arrangements.
Ceiling limits - £23,250 is not high and it is likely people may have to come back to the Council for funding.	A process is in place for those individuals who are in residential care whose capital has depleted and this will be used for non residential care should the process be agreed. As stated above if there are those who currently receive services who have over £23,250 in capital but are likely to require social care support in the near future consideration can be given to continuing the current arrangements
How will current customers who have over £23,250 be supported?	Anyone whose capital is likely to reduce below £23,250 in the near future will not be asked to set up their own care. Anyone who does not have family

	<p>support and who has capacity no capacity to manage their services will be supported until Court of Protection can be involved.</p> <p>Care Managers will contact all those who are affected to support then to set up new arrangements if this is appropriate</p>
<p>A number of residents felt that whilst the maximum charge for overnight care was not excessive, there was concern about the impact of additional changes on residents who were on fixed incomes.</p>	<p>All contributions are based on a financial assessment taking account of individual circumstances.</p> <p>No one will be left with less than 25% above nationally set minimum income.</p>
<p>Concern was expressed about the 'notional interest' for those with more than £14,250</p>	<p>This is a nationally set approach.</p>
<p>The Day Care proposal may mean people cannot afford to attend</p>	<p>All contributions are based on a financial assessment taking account of individual circumstance.</p> <p>No one will be left with less than 25% above the nationally set minimum income.</p>
<p>Overnight care is currently sleepover. Can this change if people need their care at night</p>	<p>Yes.</p>

Advocacy Meetings

<i>Mencap meeting</i>	
<p>Rent allowance should be taken into account for people with learning disability because their situations are different.</p>	<p>The proposal to end the rent allowance for a small group of individuals with a learning disability is put forward for reasons of equity. Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need.</p>
<p>Treating people equitably doesn't mean treating people the same. Carers of people with learning disability make a life long commitment and have to put their own ability to earn on hold – this is different to situations where families care for</p>	<p>Contributions towards the cost of social care are based on the individual's income not on the income of the carer.</p> <p>The financial assessment allows for the costs of contributing towards household expenses and can take</p>

<p>relatives who are older who provide care in their own homes for a more limited period usually at the end of their life</p>	<p>account of additional expenses which are related to the individual's needs. The Council offers a carers assessment and carers support to anyone who requests this. The Council has commissioned a range of services to support carers. It is proposed services provided directly to Carers are non chargeable.</p>
<p>The council is attacking the most vulnerable people who can't defend themselves</p>	<p>The reductions in the Adult Social Care budget has been proportionately lower than that of other services. The Council has made significant provision for consultation with advocacy groups, parents, carers and other who can represent the views of these vulnerable people. These views are addressed in this document.</p>
<p>Many carers will give up their own money to replace what will be lost if the rent allowance is not disregarded but not everyone has the funds to do this</p>	<p>The financial assessment only takes the income of the individual receiving care into account. All those receiving social care support will be left with 25% above the minimum income related to their age and level of disability. As stated above, It is recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based of the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of it's removal and to re-assess all recipients financial contributions. If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal budgets and choice based care provision to ensure that the impact of the removal of the allowance can be minimised.</p>
<p>If this was introduced for a good reason in the past, what is different now?</p>	<p>The reason for the proposal being put forward is that on reviewing the policy it was clear that historic practice has not applied the current policy equitably. As stated above, legal</p>

	advice was clear, there is no justification for giving a rent allowance to this group and not other groups.
Carers have to provide 24/7 care but don't get support themselves and when they do make a request for a carer's assessment they have to wait a long time and nothing is achieved	This will be examined directly with carers groups to allow the service to review its response to carers' needs.
Some of us don't get this rent allowance but have our daughter living at home – why don't we all get it?	As previously stated the allowance has historically been given to a number of individuals. If it was to be given to all those receiving social care the loss of income would be approximately £900,000. The Council would be unlikely to be able to continue to provide social care services at the same level without this income.
If we, as carers, were not doing the job we are doing, the Council would have to pay thousands of pounds to look after the people we care for but still the Council plans to take away this small allowance	It is accepted that locally and nationally the contribution made by families and informal carers to the cost of providing care to people with disabilities is hugely significant. The Council provides support where families and carers can no longer do so or choose not to. Local Authority funding cannot be paid to families to pay for care. The rent allowance is not a carer's allowance.
<i>Day services for people with learning disability</i>	
My son can't be left alone and so I can't work. Without the rent allowance I can't afford the little things that make his life easier.	As stated above, the proposal to end the rent allowance for a small group of individuals with a learning disability is put forward for reasons of equity. All those receiving social care support will be left with 25% above the minimum income related to their age and level of disability. Additional expenses can be considered.
This comes at the same time as the bus pass for carers is being taken away so individuals cannot get out an about	The ability for an individual to travel as part of the means of meeting their critical or substantial needs can be taken into account at an individual level.
Taking away all of the disposable income means that we have no choice about the being able to save	Whilst it is recognised that the proposal will impact on a significant number of individuals, the median

for a later time – the 25% above the income support level is used just to live on	average increase (based on an exercise in August 2012) is £2.03 per week.
People are already not treated fairly – the family of another person who attends this day centre doesn't have to pay for care but my son does but our situations are the same	Upon investigation the circumstances were very different.
This is just a way of saving money for the Council	Whilst the majority of the proposals are put forward for reasons of equity or to support Personalisation it has been made clear that the proposals are also put forward to ensure there is enough money to provide services at the same level in the future.
I'm my relative's sister and took over his care when my parents died so have given up all my own life to look after him. I can't get him the things that he deserves if the rent allowance is not disregarded.	All those receiving social care support will be left with 25% above the minimum income related to their age and level of disability. Any additional expenses can be considered.
I don't get charged anyway as my son is partly paid for by Health and the service is very good	
<i>Spectrum CIL</i>	
Are the Council aware of how difficult it is already to live on the money people with disabilities have available to them?	
The five percent allowance currently given allows people some flexibility to cover emergencies in every day living	Whilst it is recognised that the proposal will impact on a significant number of individuals, the median average increase (based on an exercise in August 2012) is £2.03 per week. The proposal is in line with national guidance and leaves everyone with 25% above the minimum income guarantee related to their age and disability.
It is very difficult to get the Council to agree to any 'disability related expenses' such as the maintenance of a battery for an electric wheel chair – the Council has continually refused to provide any financial support	Individual financial assessments can be reviewed if the person does not feel the Council has treated them fairly.
Is it worth contributing to this consultation? Will the Council listen?	All contributions are heard and will be presented to the Cabinet to inform decision making.
There is less cooperation now from	The Financial Assessment and

<p>the Council regarding 'impairment related expenses' so money is being taken away from several sources</p>	<p>Benefits team are trained to consider expenses related to disability in all financial assessments. The Disability Related Expenses guidance is available to all those wishing to access it. Individual financial assessments can be reviewed if the person does not feel the Council has treated them fairly.</p>
<p>The outcome that is achieved – that is increased independence – is the same for people who need one or two carers. It is not right to charge them differently especially if the two carers are present for health and safety reasons not just because the care needs two people</p>	<p>Legal advice suggests that since the policy is based on ability to pay and individual circumstances can be taken into account in exceptional cases there is unlikely to be an equity issue.</p>
<p>Taking away 100% of income is a disincentive to planning for the future and maximising income</p>	<p>Whilst it is recognised that the proposal will impact on a significant number of individuals, the proposal increases the net disposable income taken into account from 95% to 100%. The median average increase (based on an exercise in August 2012) is £2.03 per week. The proposal is in line with national guidance and leaves everyone with 25% above the minimum income guarantee related to their age and disability.</p>
<p>Individual budgets take disability related expenses into account but a Direct Payment does not</p>	<p>All financial assessments are undertaken in the same way regardless of whether the individual has services directly provided by the Council or arranges their own care via a Direct Payment.</p>
<p>It is wrong to back date contributions if people haven't notified of changes because the money will have been spent – how can people pay with money they haven't got?</p>	<p>Individuals are clearly informed in their financial assessment letter of the need to inform the Council of any changes to benefits. If an individual is unable to meet backdated charges an arrangement can be made to pay this is a staged way. Other respondents have considered the approach to be equitable in that it does not penalise those who do not have any debt.</p>
<p>The main issues we have objections</p>	<p>A cumulative impact assessment</p>

<p>to are those related to the loss of the rent allowance; the 100% disposable income and the two carer contributions.</p> <p>These changes are taking place at a time when other benefits are being reduced – this is likely to drive people into borrowing from costly money lenders</p>	<p>taking account of changes to benefits and the proposed changes to the NRC Contributions policy has been completed. All changes to benefits can be reflected in the individual financial assessment, ensuring no one is inequitably impacted.</p>
<p>It is also happening when the support from City Limits is being reduced so people have less ability to earn.</p>	
<p>There needs to be more advice to support people to plan their care and understand the impact of different contributions.</p>	<p>The Council funds a range of advice and information services which offers this.</p>
<p>There is an issue of equity in that people who have different circumstances should be treated differently in order to increase equity – people with learning disability have life long conditions and many have to live at home. If they were living in supported living they would get housing benefit but their relatives can't claim. The rent allowance recognises this.</p>	<p>Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need.</p> <p>Housing Benefit is applicable to anyone who is paying rent.</p>
<p>The FAB team are not independent and only support people to maximise income so that the Council can achieve higher contributions – the Council should either train the FAB officers better or commission independent, flexible advocates to explain the financial impact.</p>	<p>The Financial Assessment and Benefits team are trained to consider expenses related to disability in all financial assessments.</p> <p>The Disability Related Expenses guidance is available to all those wishing to access it.</p> <p>Individual financial assessments can be reviewed if the person does not feel the Council has treated them fairly.</p> <p>The Council commissions advocacy services and advice and information services including those which offer advice regarding finance.</p> <p>Advocates can be present to support an individuals during their financial assessment</p>
<p>If the Council has to take away the rent allowance could this be done only for new people into the service or in stages?</p>	<p>As stated above, the proposal to end the rent allowance for a small group of individuals with a learning disability is put forward for reasons of equity.</p>

	<p>For this reason it would not be possible to only apply the allowance to those coming into the services in the future.</p> <p>It is however recognised that a rent allowance has been paid to this group for some time. It is therefore proposed to phase the removal of the allowance over 2 years.</p>
Why didn't the Council consult about which proposals to put up as service users may have had better ideas?	The consultation process offered the opportunity to put forward alternative suggestions.
<i>Parent Carer meeting with Cabinet member</i>	
I can't claim rent from my daughter but the Council is planning to take away this allowance which will mean that we will lose the whole £40 per week. We used this to enable us to support her to have some of the normal things in life.	<p>Everyone who contributes towards their social care services is left with 25% nationally set minimum income related to their age and level of disability.</p> <p>As stated above, it is recognised that a rent allowance has been paid to this group for some time. It is therefore proposed to phase the removal of the allowance over 2 years.</p> <p>Anyone who is paying rent and has a rental agreement will have this reflected in their financial assessment</p>
I object to the use of the words 'a small number of people are affected' when over 60 are affected.	92 individuals of a total of 108 who currently contribute to their care are affected by the rent allowance proposal. Of these 60 would contribute for the first time.
The Council is hitting the easiest target with people with learning disability.	All service user groups are potentially affected by the proposals.
I have had a carer's assessment but it made no difference. I have to look after my elderly relatives too and have no time off.	<p>The service will discuss the quality of carers assessments with carers organisations and work with them to change practice should this be required.</p> <p>If individuals feel their assessment is not addressing their needs this can be discussed with the manager of the service and a reassessment can be offered at any time.</p>
It was a waste of time trying to introduce person centred planning because people with no money can't have the life they would want to plan.'	Other respondents at the day service meetings disagreed with this.

<p>Meetings with Carers Together Cafés (2 meetings)</p>	
<p>Concern those individuals requiring 2 carers to be present being charged more.</p>	<p>Legal advice suggests that since the policy is based on ability to pay and individual circumstances can be taken into account in exceptional cases there is unlikely to be an equity issue.</p>
<p>Carers felt it was unfair and inequitable to disallow the rent allowance for people living with their families. If it relates to a small number of people why make a change?</p>	<p>As stated above, the proposal to end the rent allowance for a small group of individuals with a learning disability is put forward for reasons of equity. Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need.</p>
<p>To disregard debts and take 100% of net disposable income together with the existing decrease in Council Tax benefit will leave more people genuinely struggling to afford to meet their basic needs</p>	<p>Individuals are clearly informed in their financial assessment letter of the need to inform the Council of any changes to benefits. If an individual is unable to meet backdated charges an arrangement can be made to pay this is a staged way. No one will ever be left without essential care due to an inability to pay. The proposal is in line with national guidance and leaves everyone with 25% above the minimum income guarantee related to their age and disability. No one will ever pay more that they are assessed as being able to contribute. A cumulative impact assessment taking account of changes to benefits and the proposed changes to the NRC Contributions policy has been completed. All changes to benefits can be reflected in the individual financial assessment and this would mean individuals with lower disposable incomes would contribute less towards the cost of their</p>

	services.
What is the difference between charging and contributing	The proposals are put forward as part of the national guidance changes. It is felt the language reflects the approach to personalisation.
How much will the Council loose by not collecting £3 per month	It is expected that there will be no real loss as the costs of processing invoices and payments should balance the loss of income.
How can people afford the large increase in the cost of living when their pension and related benefits do not increase in line with other price rises? Charging people for their care will make them even poorer	Everyone is left with 25% above the nationally set minimum income related to age and level of disability.
What is the process of consultation? How will people know their comments will be listened to?	There have been various methods of consultation such as letters, website, helpline, meetings, DVD production. All consultation comments will be collated and given to Councillors to inform their decision making.
Will the decision about bedroom tax affect people's finances even more if the proposals go through	The actual cost of rent is taken into account in the financial assessment so there should not be a cumulative impact.
Will day care charges increase again after 2013/2014	The reason for asking those who can afford to do so to pay up to the full costs of their day care is that currently if an individual has their service arranged directly by the Council they pay against a cost of £13.96 and if they arrange their own services via a Direct Payment (when the Council gives the individual the money for their care and they arrange their own services) they are charged against the full cost. National projects have shown that the use of Direct Payments increases choice and control for individuals allowing individualised support arrangements to be developed which have better outcomes. The current approach is a disincentive to people taking control of their own care arrangements. It is recognised that this proposal is likely to have an impact on numbers attending day services and therefore the viability of care arrangements. The proposal suggests the increasing

	to the real cost of the service over 2 years.
Will people be expected to sell their house to cover non residential care costs	No. However second homes are taken into account as part of the individual's capital at present.
Is the total household income taken into account in deciding care costs for a couple	No. It is usually only the income of the person receiving care which is considered. There are however circumstances when it is more advantageous to consider the couple's income and in these circumstances both calculations are undertaken and the lower contribution applied as to do otherwise would leave the couple with less than 25% above minimum income.
Will charges for overnight care be included in care charges	Overnight care charges are currently applied when individuals live in their own home but no charges have yet been set for overnight care in supported living such as Extra Care Sheltered Housing. It is proposed to introduce a rate of charges for overnight care to ensure equity in approach.
What does NRC mean	Non residential care - that is all care provided apart from care in a residential or nursing home. There is a different national contributions policy for residential care.
Proposed disabled children's rent allowance is appalling	This proposal does not affect children. The proposal to end the rent allowance for a group of adults with a learning disability is put forward for reasons of equity. Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need.
What is going to happen to the next generation when these charges have been in place for some time	The Council can review its policy at any time if circumstances change.
What happens if someone having care feels they can no longer afford it	Before anyone ends their care a Care Manager will visit to discuss options

	<p>for change to the care arrangements. In some circumstances consideration can be given to reducing or waiving contributions.</p> <p>No one will ever be left without essential care due to an inability to pay.</p>
Can people take representatives along to Council meetings to ensure their voice is heard?	Yes. They can also approach their Councillor.
Can people go to their church or temple to take any concerns they have forward	Yes. The Consultation will take all comments on board.
The existing policy was reviewed in 2008, why review it now?	<p>There are a number of reasons; Government guidance has changed and the local policy needs to reflect this. The current policy does not support the move to offer more choice and control to individuals receiving social care in that in some cases people arranging their own services using a Direct Payment (when a person receives a sum of money and arranges their own care) will be asked to contribute towards the full cost of services whilst those receiving services directly arranged by the Council will be asked to pay only a part of the service cost.</p> <p>The current policy is not equitable and fair and this means it does not meet national guidance and could lead to legal challenge.</p> <p>There is also a need to consider how the Council can continue to afford the meet the needs of the rising numbers requiring social care support.</p>
Will my finances be affected if I live with a friend	No. it is only the income of the individual receiving care which is financially assessed.
What happens if I overspend my Direct Payment and why do I constantly need to fill in forms	When Direct Payments are set up individuals are given support to ensure they can manage the money. The Council needs to ensure that money given is being used to meet social care needs and this is why individuals are asked to keep records and to tell the Council how they have spent their Direct Payment.

	<p>If your needs change and you feel you need more money to meet them, it is important you contact your Care Manager immediately to allow a reassessment to be undertaken.</p>
<p>Will a couple have to be jointly financially assessed</p>	<p>No it is usually only the income of the person receiving care. There are however circumstances when it is more advantageous to consider the couple's income and half it and in these circumstances both calculations are undertaken and the lower contribution applied as to do otherwise would leave the couple with less than 25% above minimum income.</p>
<p>What is the difference in what is supplied at a day centre between £13 and £22</p>	<p>There is no day service which costs £13 or £22 per day. The average cost of a day of day care is £42.57. The current cost if the individual asks the Council to arrange the service is £13.69 whereas those arranging their own day care are asked to contribute based on the real cost. The proposal is to phase the increase in maximum day care contribution over 2 year with a maximum cost of £22 in 2013/2014.</p>
<p>Why can't people pay by Direct Debit</p>	<p>Direct Debit is available</p>
<p>Will individuals receive a one off bill if it is found they have had an increase in income which is discovered later by the Council</p>	<p>Yes. However the Council can arrange for the payment to be made in a phased way.</p>
<p>People who have over £23,250 will have to contract for their own care. How will problems and complaints be dealt with</p>	<p>The individual should, as now, discuss complaints with the provider. The Council is further developing the range support and advice available to those arranging their own care and this can include support to consider how quality and complaints can be managed.</p>
<p>What will be the impact on CPNs and other staff</p>	<p>It is not felt there will be an impact.</p>
<p>How many people were at the top end of how much they would be affected by the change from 95% to 100% net disposable income being taken into account</p>	<p>703 peoples' contribution would increase by between £0 - £199 per year, 93 by £200 - £399, 1 by £400 - £599 and 1 by over £1,600.</p>
<p>What sort of reaction has there been</p>	<p>Some individuals understand that the</p>

to the proposals	Council needs to consider how it find the money to continue to provide services and are looking to do it in as fair a way as possible. However, there has been concern about the impact of the proposals on individuals both financially and in terms of wellbeing.
How much are you underfunded	The Council needs to reduce its budget in 2013/2014 by 16.5 million.
What about a situation when a carer needs a break but the individual will not pay for his service? How many cases are there like that and how many more people will refuse to pay despite being in need	There are very few cases of this nature now. In extreme situations care fees can be waived or reduced e.g. if someone with dementia does not recognise the need for care the service at times waives charges until the Appointeeship of finances can be sorted out. Care Managers will consider this on a case by case basis.
Who authorises waiving of fees	The Head of Services does this to ensure equity.
MIND written response	
<p>The context of the changes needs to be considered. These include</p> <ul style="list-style-type: none"> • Cuts to mental health day services • Major implementation problems with the administration of personal budgets leaving service users confused and the economic viability of services very fragile • The introduction of NRC charging so funds given under personal budgets are simultaneously taken away <p>It is therefore of concern that introduction of capital limits and the huge increases in charges in 2014 will make a bad situation worse</p>	<p>The implementation plan, should the proposals be agreed, will include surgeries for specific user groups and individuals visits will be undertaken. Work will be undertaken with Advocacy groups to ensure these are targeted appropriately. Prior to any decision to end care, a Care Manager will visit the individual and review their needs. Separate work has been undertaken about the implementation of service changes and individual budgets and further discussion will take place in light of the comments made.</p>
It would not be right to assume what applies to other groups applies equally to mental health service users. The equality impact assessment should address this	This has been considered in the Equality Impact assessment and will be considered in any implementation plan should the proposal be approved.
Local Authorities which see their role in terms of the “universal offer” continue to make these sort of services (assume mental health day	Southampton City Council has made the decision that all client groups should be treated equitably. We believe that if specific services are

<p>services) free at the point of delivery. Locally this includes Hampshire and Portsmouth</p>	<p>provided without contribution this will discourage individual choice about the use of individual budgets.</p>
<p>Mencap</p>	
<p>Accepts that people with learning disabilities have a responsibility to make a contribution to the national austerity programme. The obvious way of doing this is paying proportionate, reasonable and affordable increases in charges for services they receive</p>	
<p>Mencap argues strongly that the rent disregard for 92 individuals with a learning disability be retained</p>	<p>The financial assessment only takes the income of the individual receiving care into account. All those receiving social care support will be left with 25% above the minimum income related to their age and level of disability. It is recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based of the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of it's removal on care choices and to re-assess all recipients financial contributions to take into account a wider range of income and expense factors and is needs specific in common with other care recipients. If the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal budgets and choice based care provision to ensure that the impact of the removal of the allowance can be minimised.</p>
<p>We believe the rent disregard should be paid in recognition of the devoted service on lifelong carers (some have been caring for well over 50 years)</p>	<p>It is accepted that locally and nationally the contribution made by families and informal carers to the cost of providing care to people with disabilities is hugely significant. The Council provides support where families and carers can no longer do so or choose not to.</p>

	<p>Local Authority funding cannot be paid to families to pay for care. The Council has set up a range of services to support family carers in their caring role. This includes commissioning Support Services for Mencap.</p>
<p>It is not equitable that similar people with a learning disability are receiving Housing Benefit of £120 to £300 per week for rent when in a supported tenancy.</p>	<p>Any individual who is paying rent is entitled to Housing Benefit if their income is at a certain level. This money is offered to pay for a specific outgoing.</p>
<p>Shared lives offering a caring environment and accommodation receive a weekly contribution in excess of £200 per week</p>	<p>Shared Lives carers are not providing care to their family members in this respect and, as such, are a service purchased by the Council in a way that can more reasonably be compared to other commissioned provision rather than care provided in the individual's own family home.</p>
<p>We do not believe other care groups are in a similar position</p>	<p>Legal advice is clear that having regard to the national charging guidance and the various groups of persons under the charging policy who have protected characteristics of one category or another, there is no justification for giving a rent allowance to this group and not other groups who have an equal claim to such a need.</p>
<p>A local solution is needed that considers the long term impact on short term recommendations. If all 92 carers decided to relinquish their caring duties the Local Authority would not be able to cope</p>	<p>It is recognised that a rent allowance has been paid to this group for some time and spending and care decisions have been based on the receipt of this allowance. It is therefore proposed to phase the removal of the allowance over 2 years to ameliorate the impact of its removal on care choices and to re-assess all recipients financial contributions to take into account a wider range of income and expense factors and is needs specific in common with other care recipients. In addition if the proposed change is agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account and to assist individuals and carers in maximising personal</p>

	budgets and choice based care provision to ensure that the impact of the removal of the allowance can be minimised.
We endorse the recommendation of the Scrutiny Committee, including the one which ensures every family carer and service user is offered a full personal assessment before 31 st December 2013.	Should the proposals be agreed the Council will work with individuals and Advocacy Groups to ensure that financial assessments take all relevant information into account prior to the implementation of revised charges. Social care and carers assessments will be offered to the group affected by the rent allowance by 31 st December 2013.
To achieve this a far better communication strategy is needed for Care Managers, their Senior Managers and their family carers.	If the proposals are agreed the implementation plan will be developed with the involvement of local advocacy groups and will take these comments on board.

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