No decision has yet been made about any amendments to Southampton City Council’s charging policy for Adult Social Care.

The decision will be made following a public consultation of 12 weeks. At the end of the consultation all responses will be collated and analysed to produce a report. Only after these stages will the council make a final decision.

These responses have been created in a response to a “what if?” scenario and provide information for customers, residents of Southampton and other stakeholders.

They should not be taken in any way to indicate that a decision has already been made on the aspects we are engaging consultation with.

Why is the council carrying out a consultation?

There are two main reasons why the council is carrying out this consultation. Firstly, the Care Act has recently been introduced as new legislation within Adult Social Care. This means councils are given different powers and responsibilities. We want to get your opinion on these powers and responsibilities as some are discretionary. This means we do not have to change some aspects, but are allowed to change some aspects within boundaries. We would like your opinion about some of these discretionary powers.

Secondly, the council are implementing a transformation programme within the city. The aims are to improve the services that the residents of Southampton receive from the City Council. One part of the transformation programme involves balancing the finances of the council. The council, along with all other councils, are providing services based on reduced government grants. This means we need to change the way we do some things.

However, it is important to recognise that the on-going financial challenges imposed by central government means that Southampton City Council, like other authorities across the country, needs to maintain quality services and continue to provide a vital social care service for its residents with less money. The council has to make some very difficult budget decisions but we are committed to ensuring we continue to support the most vulnerable and work to prevent others from needing further support where possible.
Will this consultation affect me?

If you currently receive care and support from Southampton City Council you might be effected if you consider a deferred payment agreement in the future. You may be effected if you fund your own care and support but ask the council to arrange this for you.

Based on our proposals carers will not be effected immediately. However in the future we may make some changes to our policies if demand increases to a level that we can no longer provide a high level of support for carers within our current policies.

As these proposals will be effecting how we manage care and support in the future, it is also possible that if you do not currently receive care and support at the moment, but are likely to receive care in the future, you might be effected by the proposals.

If you are unsure of how these proposals will affect you, please contact us or speak to your social worker or care manager, and they will help you.

What is an Appointee?

An Appointee is the person or authority who is appointed by the Secretary of State for the Department for Work and Pensions (DWP) to act on behalf of a benefit claimant who is unable to manage their benefit affairs. This is usually because of mental incapacity or severe physical disability. This income from benefits is used to pay care fees and to issue personal allowances to service users to spend how they wish (i.e. not as part of care fees).

What is a Deputy?

Deputies are appointed by the Court of Protection where there is an ongoing need for decisions to be made on behalf of a person who lacks capacity to make such decisions on their own. Whereas Appointees manage benefit income on behalf of service users, Deputyship covers all financial assets and savings. Deputies can only make decisions that they are authorised by the Court to make. The role typically involves managing bank accounts, pensions and other financial assets on behalf of the service user. Currently there are 46 service users in the borough for whom the Council acts as a Deputy, this equates to 0.02% of the borough’s population.

The council may act as an Appointee or a Deputy for residents who have no-one else who is able or suitable to do so, such as a relative, friend or solicitor.

Does the council have to provide Appointeeships and Deputyships?

There is no statutory duty for local authorities to provide an Appointee or Deputy Service themselves. This function can be delegated to external providers. However the Council recognises the importance of supporting vulnerable people to effectively manage their finances and to safeguard them from potential (or actual) financial abuse and as such chose to provide this service internally.
**What is a deferred payment agreement?**

A deferred payment agreement is an agreement between an individual and the local council that lets people pay for the care costs and keep their home. The council pay the costs of care while the individual still owns their home. The council recover their money when the person decides to sell their home or after their death.

**I already have a deferred payment agreement with the council, what happens to me?**

The agreement you have with the council remains exactly the same. This means we will not change your terms and conditions for the entire life of your agreement. The proposed cost changes will not affect you.

**Will you force an individual to sell their house?**

No, the council would never force an individual to sell their house just to pay for their care. A deferred payment stops an individual having to sell their house to pay for their care.

**What is a self-funder?**

A self-funder is someone who has eligible care and support needs but also has enough financial support to pay for their own care. This judgement is based on a full financial assessment and based on a national criterion set by central government.

**I am a carer, how will these proposal affect me?**

Based on the proposals there are no anticipated changes to how we work with carers that will be introduced straight after the consultation. The council acknowledge the invaluable support carers provide and think that our current arrangements are supporting individual providing this unpaid care.

**How has the council decided on its proposed figures?**

In order to decide how much to charge for both deferred payment agreements and self-funders, the council has worked out the true cost of providing these services. All our our methods for working these figures out are attached and explained online. The way we worked out costs means the council will not make profit from the charges. The introduction of the charges should however, reduce how much the tax payer has to subsidise these schemes.

With regards to Deputyships, the Court of Protection sets out clearly what charges can be applied to the setting up and administration of these. Southampton City Council proposals are calculated in line with this. Best Practice Guidance produced by the Association of Public Authority Deputies considers that a reasonable charge to set against managing Appointeeships would be £5.00 per week. Southampton City Council have chosen to follow this best practice approach.
Are Southampton the only council making these changes?

No, lots of other councils have consulted over changes to charges for similar and related aspects of Adult Social Care. As the Care Act effects every local council across England, every council can charge for the items we are consulting on.

How do I respond to the consultation?

There are lots of ways to respond to this consultation. The council suggests the first thing you do is read the full consultation details. This will give you lots of information and help you understand what the proposals are.

Then you can chose from the following methods for giving the council your ideas and opinions:

- You can fill in the questionnaire which we have created. We have also got some paper copies of the questionnaire at local housing offices and libraries to make them easier to get hold of if you would prefer.
- You can email us at
- You can write to us at

Has a decision been made yet?

No decisions have been made yet. All the ideas are, at this stage, the council proposals. We have gathered lots of information to make the proposal, but we know that residents of Southampton, and people receiving care and support, will have different ideas we may not have through about yet. This is why we are encouraging you to tell us all about your ideas.

When will changes be made?

Changes are not anticipated to be implemented until after December 2015. The consultation closes on 9th October. After this date we will collate all your ideas and opinions, produce a report and make recommendations to Cabinet who will make the decision. After Cabinet make their decision we will update our policies and information before a ‘go live’ date is set for the new changes. We will contact individuals who will be effected by the changes directly at this point.

www.southampton.gov.uk/careact