

Proposed changes to Kent County Council's charging policy for non-residential services



Consultation analysis report
12 September 2011

Policy:

Charging policy for non-residential services

Document Purpose:

Consultation analysis report

Ref:

BSS/FSC/012/09/11

Title:

Proposed Changes to Kent County Council's charging policy for non-residential services - consultation analysis report.

Authors:

Jeremy Blackman, Service Development and Projects Manager
Janice Grant, Senior Policy Manager - adults.

Publication date:

12 September 2011

Target Audience:

Kent County Council Members, service users, carers, user and carer groups, adult social services, Directorate Management Team, senior managers, team leads/managers, staff and general public.

Circulation List:

Sent out via e-mail, internal and external websites and by post

Description:

Fairer Charging Policy in line with the Local Authority Circular LAC (2001)32

Contact Details:

Michael Thomas-Sam, Head of Policy and Service Standards – adults
Kent County Council
Kent Adult Social Services
BH-3 Brenchley House
Maidstone, Kent
ME14 1RF
Tel: 01622 696116
Email: Michael.Thomas-Sam@kent.gov.uk



Contents

1. Executive summary	4
1.1. Introduction	4
1.2. The process	5
1.3. Summary of responses to the questionnaire	5
1.4. Feedback	6
2. Equality Impact Assessment	7
3. Consultation purpose.....	8
4. Methodology.....	9
5. Responses to the proposals.....	11
5.1. Overall responses to the consultation.....	11
5.2. Demographic data.	12
5.3. Responses to the proposals	14
5.4. Understanding how the proposed changes may affect people.....	19
6. Analysis of key topics	20
7. Conclusion	21
8. Appendix 1 Consultation letter and questionnaire.....	22
9. Appendix 2 Feedback from public meetings	37

1. Executive Summary

1.1 Introduction

Statutory guidance requires local authorities to undertake a consultation exercise when a change in policy would result in significant changes for some service users. Where this is the case the proposals should be fully explained and considered alongside the potential impact.

The consultation exercise on the proposed changes to the non-residential charging policy has therefore been designed to do the following;

- To inform people about the proposals
- To understand how the proposals may affect people
- To seek the views of users and carers prior to the implementation of changes.

This report provides an analysis of the responses to the consultation which took place between 9 May 2011 and 31 July 2011 as set out in the consultation letter and questionnaire dated 9 May 2011⁽¹⁾.

The report will be submitted to the Families and Social Care Directorate Management Team and KCC Members for their consideration in September 2011. The analysis of the consultation responses contained in this report, the views on the proposals and any alternatives suggested by respondents will be used to inform the final decision.

In the light of the increasing demand for services and the need to make savings as a result of the current financial climate, KCC has had to make decisions that both save money and protect front line services. In order to continue to provide the current levels of care and support the council must therefore raise additional income.

KCC Members want to continue to provide services for people at current levels. This should enable people to remain well and independent for longer, which is better for them and will ultimately be more cost effective.

Under KCC's current charging policy and based on the information available, of those who receive care in the community 40% are assessed as not having to pay a charge, 50% are assessed as able to make some contribution towards the cost of their care and 10% are assessed as having to pay the full cost of their service.

It is recognised that there will always be some people who will have financial difficulties and every effort will be made to help people to maximise their benefits. This will be done at the same time as undertaking their means tested financial assessment, to assess how much they should contribute to the cost of their care. Therefore it is important to state that a means tested financial assessment should be done for everyone before any changes to their charges are implemented.

1.2. The process

The consultation used four separate methods to gather the views of individuals and organisations - written, telephone, online, and public meetings. In total 24985 questionnaires were sent to services users, carers and voluntary sector organisations including user and carer groups. People assessed for services after the start of the consultation were also provided with copies of the consultation documentation and invited to comment.

KCC received 6766 submissions consisting of 6540 returned paper questionnaires and 226 completed online of which 1428 had also made written comments. The total response rate to the questionnaires sent out was 27%.

In addition, comments were recorded as part of the sixteen public meetings held around the county which were attended by 345 people and these have been summarised in Appendix 2.

1.3. Summary of responses to the questionnaire

Proposal 1 – Charge people who use mental health services in the same way as all other people in receipt of services.

Of the 6766 returns:

- 2496 (37%) of people agreed with this proposal
- 2593 (38%) disagreed
- 1677 (25%) neither agreed nor disagreed, did not know or did not answer the question ⁽³⁾.

Proposal 2 – Include day care and transport as part of the services that can be charged.

Of the 6766 returns:

- 2277 (34%) of people agreed with this proposal
- 3042 (45%) disagreed
- 1447 (21%) neither agreed nor disagreed, did not know or did not answer the question ⁽³⁾.

Proposal 3 – Increase the amount of available income that is taken into account when working out a person’s charge from 85% to 100%.

Of the 6766 returns:

- 1397 (21%) of people agreed with this proposal
- 4011 (59%) disagreed
- 1358 (20%) neither agreed nor disagreed, did not know or did not answer the question ⁽³⁾.

Proposal 4 – Reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for every one.

Of the 6766 returns:

- 1365 (20%) of people agreed with this proposal
- 3957 (59%) disagreed
- 1444 (21%) neither agreed nor disagreed, did not know or did not answer the question ⁽³⁾.

1.4. Feedback

The questionnaire provided an opportunity for people to comment, or provide alternative proposals in a free text field. These comments have been analysed and broken down into 12 categories which are summarised in section 6 of this report. Feedback from each of the public meetings was also recorded and have been summarised in appendix 2⁽²⁾.

1. See Appendix 1 consultation letter and questionnaire
2. See Appendix 2 summary of comments from public meetings.
3. See section 5 for full breakdown

2. Equality Impact Assessment

The Public Sector Equality Duty in the Equality Act 2000 requires public authorities, in the exercise of their functions, to have due regard to the need to:

- A. Eliminate discrimination, harassment, victimisation and any other conduct which is prohibited by or under the Act;
- B. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- C. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

An Equality Impact Assessment was completed prior to commencing the consultation. The Equality Impact Assessment was then reviewed during and after the consultation to enable KCC to respond to any new issues that arose during the consultation and ensure no groups were disadvantaged.

The questionnaire asked specific questions about the impact the proposals may have and also offered individuals the opportunity to identify any group to which they belong to enable the council to understand if the proposed changes treated any groups unfairly.

It is important that the final decision is fully informed and considered in the light of the impact assessment.

3. Consultation Purpose

The Kent County Council Budget 2011/12 was presented to Cabinet Members on 2 February 2011 and was then approved at a full meeting of the county council on the 17 February 2011. This included increasing income by making changes to the way charges for non-residential services were calculated but did not include the details of how policy would be changed. These proposals provide the detail of the proposed changes in order to increase income in accordance with the decision made at full council. The current policy is based on a careful assessment of a person's circumstances and his or her ability to pay. Charges are then based on a comparison between a person's available income for charging purposes and the cost of their package which ever is the lower. It is important to note that this fundamental principal will not change.

The purpose of the consultation was to seek the views of service users, carers, service user representatives and user groups on the following proposals and understand the impact the proposed changes may have on individuals. These proposals are to;

- charge people who use mental health services in the same way as all other people in receipt of services
- include day care and transport as part of the services that can be charged
- increase the amount of available income that is taken into account when working out a person's charge from 85% to 100%
- reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for every one.

4. Methodology

A report on the proposals and consultation was debated at the Adult Social Services and Public Health Policy and Overview Committee meeting on 7 April 2011.

The consultation was undertaken over a 12-week period between 9 May 2011 and 31 July 2011 and consisted of four separate methods.

Written consultation – a letter explaining why we were consulting and a questionnaire giving details on each of the proposals was sent to all service users, those acting on behalf of someone receiving services and those representing a user or carer group.

In addition to this we also wrote to people known to adult social services who might need a service in the future or had received a service in the past.

People who were assessed and who received services during the consultation period were also provided with consultation documentation to enable them to respond.

Mr. Graham Gibbens, Cabinet Member for Adult Social Care and Public Health also wrote to Kent County Councillors and Kent Members of Parliament to inform them of the consultation exercise and the proposed changes to the policy to ensure they were able to provide constituents with informed advice and support.

Telephone Hotline – a dedicated Free-phone number (0800 298 6002) was set up to answer questions and to assist people in completing the questionnaire over the telephone.

Online consultation – a dedicated online consultation page was set up on the KCC website which provided information as well as the option to complete the questionnaire online.

Public meeting consultation – information regarding three initial public meetings was included with the letters and questionnaires, which went out in May 2011. Additional presentations and public meetings were arranged in response to public and organisational requests.

- | | | |
|---|----|------|
| • Older Persons Development Forum Tunbridge Wells | 13 | May |
| • Learning Disability Partnership Board | 19 | May |
| • Ashford Enterprise Centre, Kennington, | 2 | June |
| • Dover Discovery Centre, Market Square, | 7 | June |
| • Directorate Involvement Group | 9 | June |
| • Lecture Theatre, County Hall, Maidstone | 22 | June |

• Northdown House, Margate	23	June
• Camden Centre, Tunbridge Wells	30	June
• Dover District Disability Group	4	July
• Thanet Local Board	5	July
• Guru Nanak Day Centre, Gravesend	13	July
• Council Chambers, Gravesham Borough Council	13	July
• West Kent Area Involvement Group, Maidstone	12	July
• East Kent Area Involvement Group, Herne Bay	14	July
• K College, Ashford	27	July
• Willow Day Centre, Sittingbourne	29	July

Margaret Howard, Director of Learning Disability and Mental Health and Anne Tidmarsh, Director of Older People and Physical Disability chaired the meetings. Graham Gibbens, Cabinet Member for Adult Social Care and Public Health, and Peter Lake, Deputy Cabinet Member for Adult Social Care and Public Health were the key note speakers with Michael Thomas-Sam, Head of Policy and Service Standards (Adult Social Care).

An update on the consultation was provided to the Adult Social Services and Public Health Policy and Overview Committee meeting on the 7 July 2011.

5. Responses to the proposals

5.1. Overall response to the consultation

We received 6766 responses to the 24985 questionnaires sent out, which represented a response rate of 27%. The following analysis has been undertaken in respect of completed questionnaires. Where an individual question has not been answered then this has been recorded as missing data. During the consultation period presentations were made at 16 public meetings attended by 345 people; the contact centre also took 932 calls directly relating to the consultation.

Chart 1: **Geographic distribution**

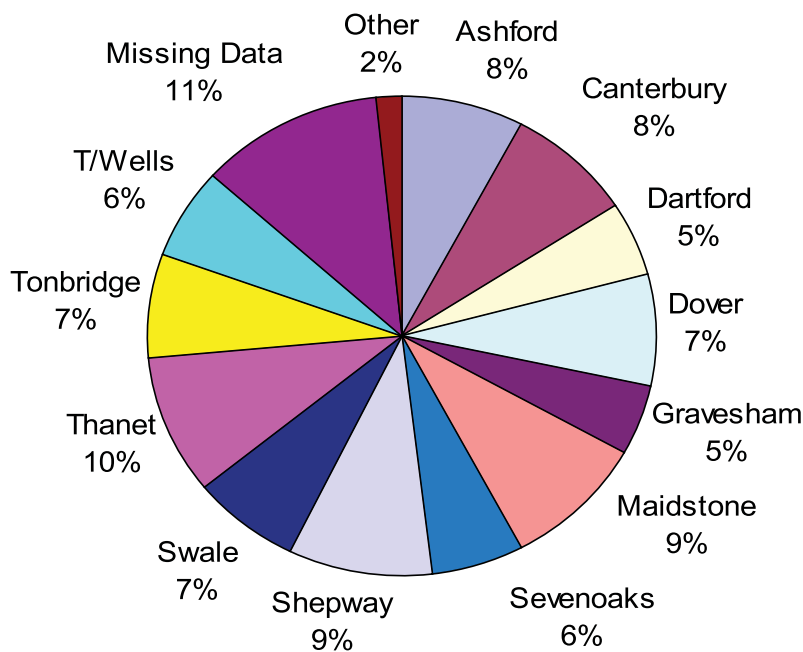
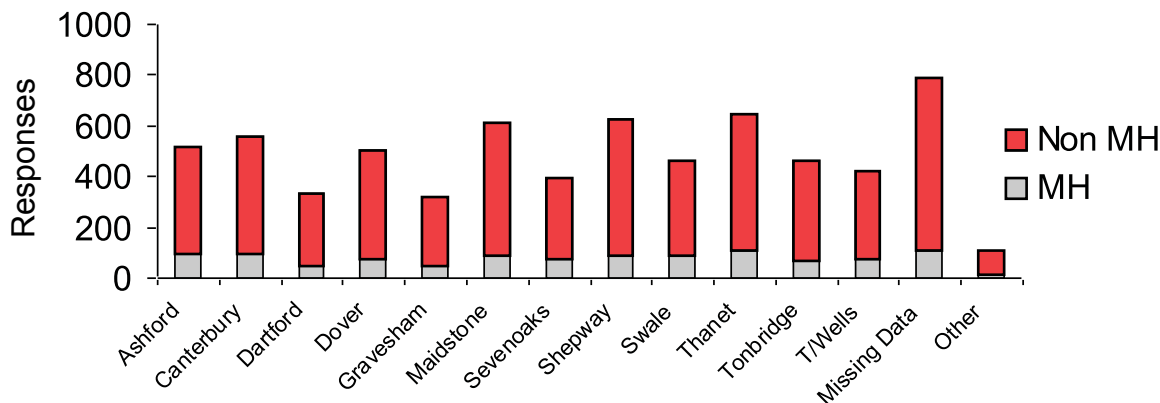


Chart 1 above shows the distribution of responses received from across the county which are relatively evenly spread.

5.2. Demographic data

Chart 2 : **Mental health responses as a proportion of the total responses**



Proposal 1 was to introduce charging for Mental Health services, it was therefore important to understand the number of responses from people who may be affected by this proposal. Chart 2 gives the same district data showing mental health as a proportion of the total.

The 'other' category indicates that the respondent has put down a non standard response, i.e. Kent or an out of county district as opposed to the district from which the service user resides.

Chart 3: **Total response rate by district** (ranked by size of district)

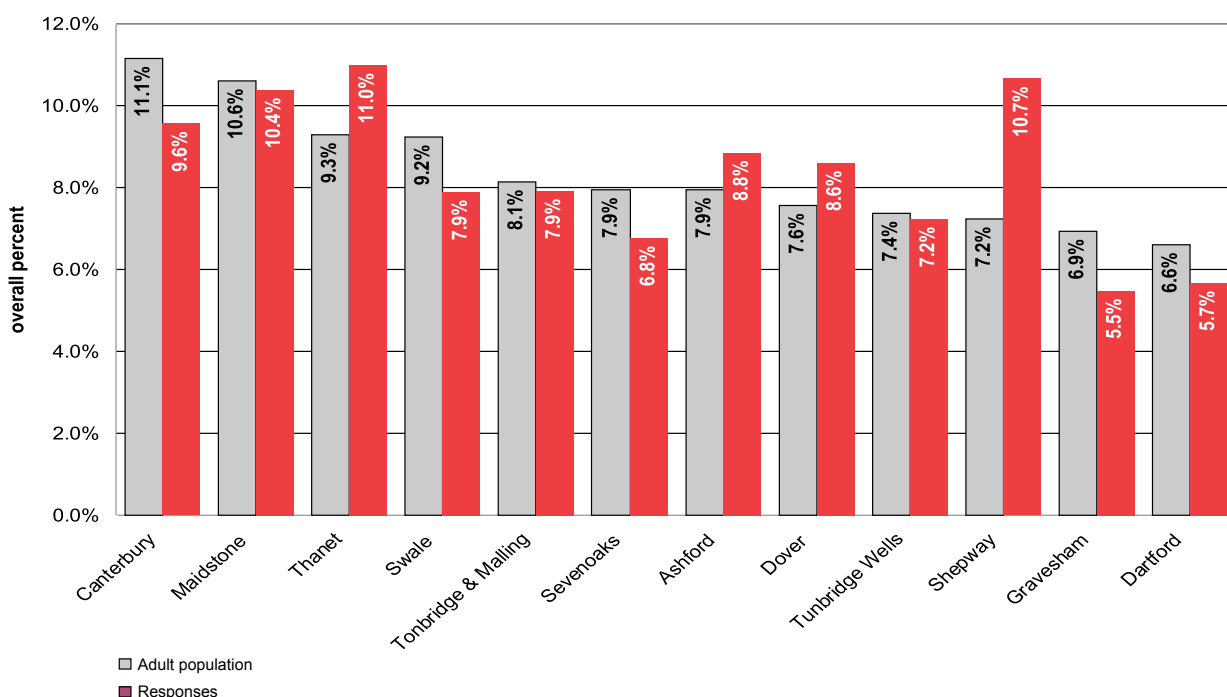


Chart 3 compares the proportion of responses received to the questionnaire by district alongside the proportion of the over 18 adult population of the county. Thanet, Ashford, Dover and Shepway show a higher response rate proportionate to their population i.e. Shepway represents 7.2% of the County's population but 10.7% of the responses, this is not unexpected as these districts contain a larger proportion of the county's service users. Conversely, while Maidstone and Tunbridge Wells show a response rate consistent with their population one would expect to see a lower figure of responses as they have a smaller proportion of service users.

Overall the distribution of responses indicates that it is proportionate to the general adult population of the county having taken into account the distribution of service users.

Chart 4: **Age band of respondents**

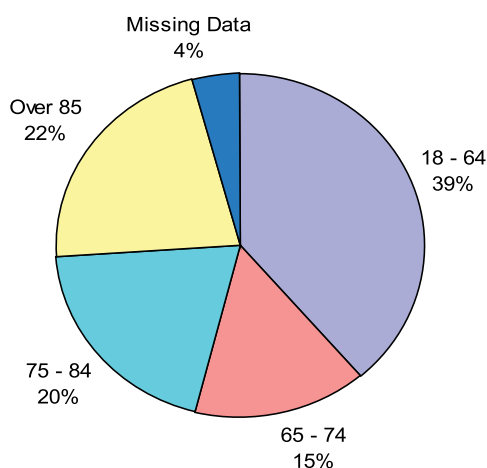
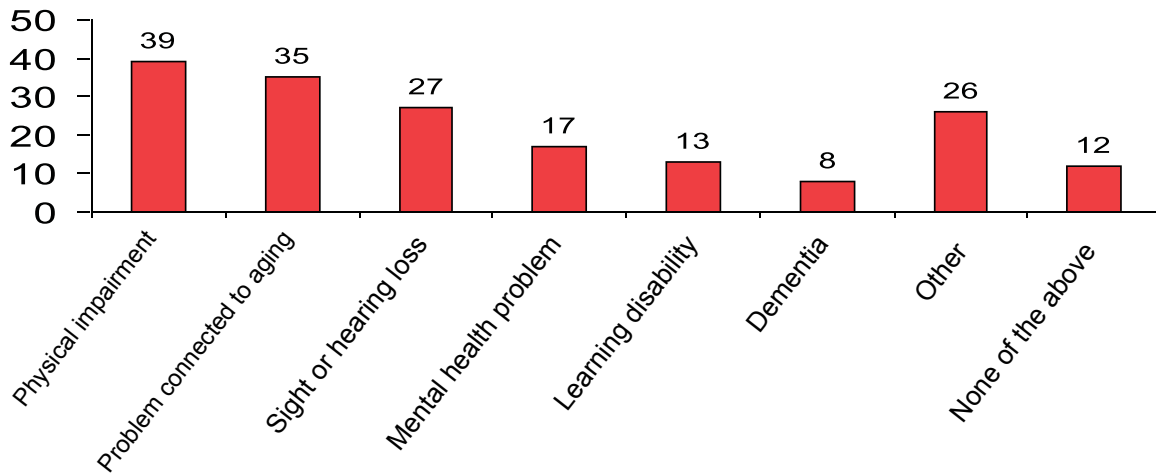


Chart 4 provides a breakdown of the respondents by age band and shows that there was a representative sample across each group.

Chart 5: **Percentage of respondents by client condition**



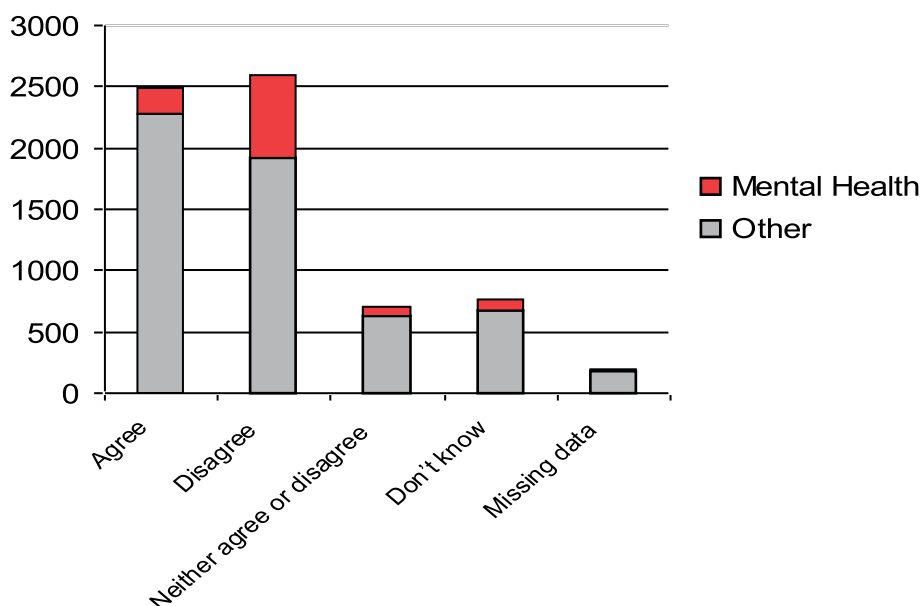
Of the 6766 responses received 6356 people identified which of the above conditions they thought applied to them. The chart above shows the percentage under each condition and will add up to more than 100 percent as people had the option of ticking more than one box and some have multiple conditions/ impairments.

5.3. Responses to the Proposals

The following data shows how people responded to each of the individual consultation proposals.

Proposal 1 – Charge people who use mental health services in the same way as all other people in receipt of services.

Responses to proposal 1



The above chart shows how people responded to proposal 1 with mental health service user responses shown as a subset of the total.

All respondents

Agree	Disagree	Neither agree or disagree	Don't know	Missing data
2496 37%	2593 38%	709 11%	769 11%	199 3%

Respondents with a mental health problem or illness

Agree	Disagree	Neither agree or disagree	Don't know	Missing data
210 20%	668 62%	85 8%	95 9%	15 1%

Overall nearly equal numbers of respondents agree as disagree with the proposal to charge for mental health services.

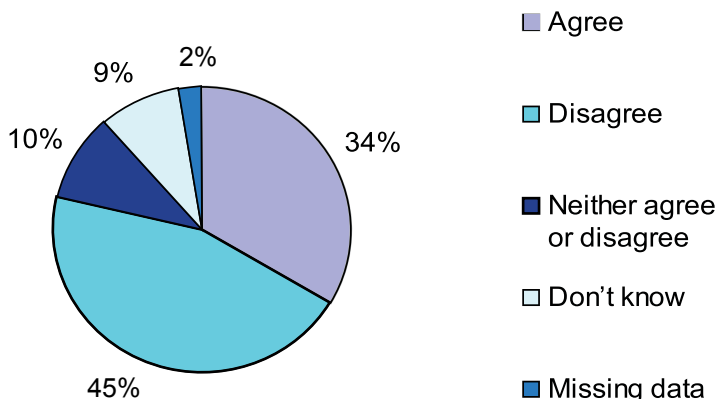
Of those with a mental health problem or illness 28% either agree, or neither agree or disagree with this proposal.

“The principle of treating those with mental ill health the same as others is sound, I think it is important to still feel part of wider society and making a financial contribution could be slightly beneficial to a person’s mental health.” **A mental health client from Dover**

“Reducing benefits and charging for services will increase the already difficult burden of caring for someone with mental health problems.” **A carer of a mental health service user from Canterbury**

Proposal 2 – Include day care and transport as part of the services that can be charged.

Responses to proposal 2



Agree	Disagree	Neither agree or disagree	Don't know	Missing data
2277	3042	677	593	177

45% of respondents disagreed with the proposal, representing less than 50% of the total responses.

An increasing number of people are deciding to manage their own care and support and use a direct payment to fund alternatives to day care.

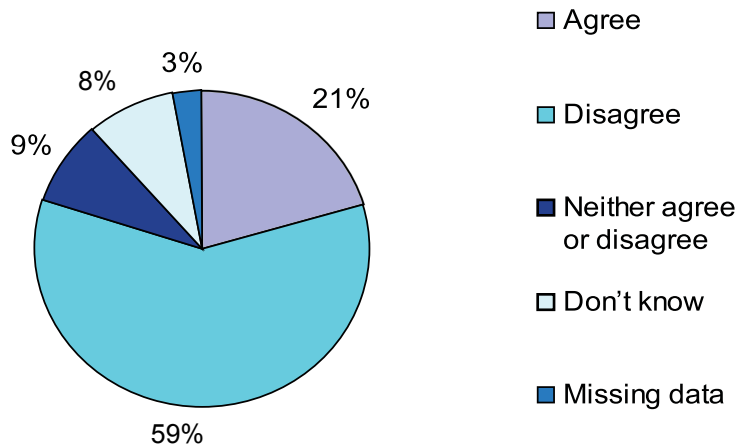
“I will not be able to afford to go to the day centre if I have to pay.”

A young service user with learning difficulties

“I feel my daughter hasn’t always been allowed to achieve her potential within the day care service. If she was paying a contribution I would be more proactive in ensuring it really met her needs.” ***A mother with a disabled daughter from Maidstone***

Proposal 3 – Increase the amount of available income that is taken into account when working out a person’s charge from 85% to 100%.

Responses to proposal 3



Agree	Disagree	Neither agree or disagree	Don't know	Missing data
1397	4011	591	577	190

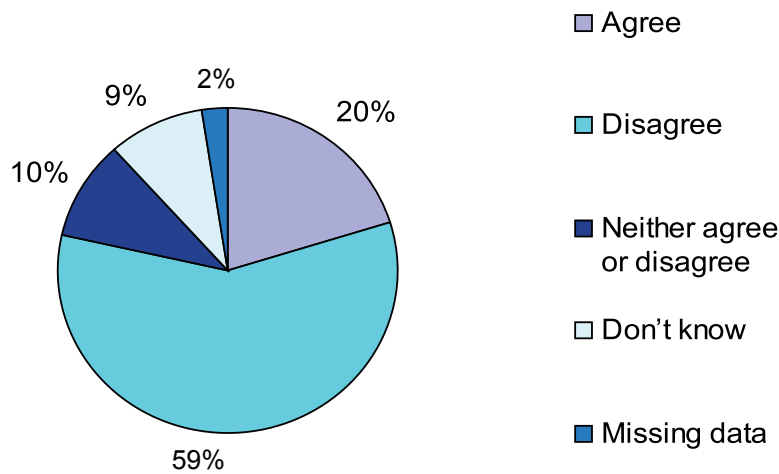
More people disagree with this proposal with 59% against it and 21% agreeing with the proposed change.

*“The proposed charges will affect a lot of people, needing the extra money to pay for other things to make their lives more comfortable.” **A physical impairment service user from Canterbury***

*“As long as a fair financial assessment is carried out those who contribute will be able to afford to.” **A younger disabled person from Thanet***

Proposal 4 – Reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for every one.

Responses to proposal 4



Agree	Disagree	Neither agree or disagree	Don't know	Missing data
1365	3957	653	620	171

With the exception of those exempt from paying a contribution, proposals 3 and 4 will affect every-one receiving a chargeable service. This was evident in the discussion and debate that went on both at the public meetings and from the written feedback.

There are however safeguards in place in respect to this specific proposal. Anyone considering that the costs they incur due to their disability are higher than the standard Disability Related Expenditure Assessment allowance is entitled to an individual Disability Related Expenditure Assessment.

*“It seems as though the most vulnerable i.e. the elderly and disabled, the very people Government keep saying they want to provide better services for, are the very people who must always pay the highest price” **An over 85 year old from Dover***

5.4. Understanding how the proposed changes may affect people

Respondents who contribute at present.

Pay nothing	Pay a charge	Pay full cost	Does not apply	Don't know	Missing data
2206	1801	481	1230	595	453

The table above shows the breakdown of those who responded to the questionnaire on the basis of whether they currently make a contribution towards their care costs or not.

How respondents say the proposals will affect them.

Doesn't affect them	Affects them a little	Affects them a lot	Don't know	Missing data
1597	1284	1437	2043	405

43% of respondents answering this question consider that the proposals will affect them, 23% considered that they would be affected a lot.

What impact people considered the changes will have on the number of people who receive care.

More people can be helped	The same number will be helped	Fewer people will be helped	Not sure	Missing data
767	653	2749	2268	329

40% of respondents considered fewer people would be helped if these proposals were implemented.

6. Analysis of key topics

Of the 1428 individual written comments received 835 were related to the consultation and have been broken down under the following themes. The others included such comments as “daughter completed on behalf of mother” etc.

Key Themes	Number	Percentage
Increasing charges will make life harder for people, many of whom can not afford to pay any more and already have enough worries.	125	15.0
The increases will cause distress and worry to a lot of people particularly those with a mental illness and savings should be made in other areas	123	14.7
Accept that these are difficult times and that there have to be increases in charges if services are to continue. However they should not be excessive and people should be fairly assessed on a regular basis	105	12.6
Found the proposals too complex and difficult to understand and the questionnaire over complicated	105	12.6
Will deter people from taking up services leading to isolation and the deterioration of people’s health	93	11.1
Social care should be provided free of charge and charges should certainly not go up	84	10.1
The whole consultation process is a waste of time and money as the decision has already been made	59	7.1
The disabled and vulnerable are being hit by KCC and central government more than other groups despite reassurances that government want to protect them	57	6.8
People should not be penalised for having saved and paid into a pension all their life	33	4.0
It must be cheaper to keep people living at home therefore we are already saving the local authority money	22	2.6
Day care should be left alone	22	2.6
Any change should be phased in over a number of years	7	0.8
Total	835	100

7. Conclusion

The consultation overall has generated a good level of response. This is despite the survey being sent out to a wide audience which not only included those currently receiving a chargeable service but also those who were recorded as receiving one in the past or known to adult services as maybe requiring a service in the future.

Charging for non-residential services is a difficult issue for a lot of people particularly in the present financial climate. In order to continue to provide services to an increasing population while at the same time make financial savings was always going to be difficult.

We understand people are worried about the proposals to increase charges and recognise that the whole issue of financial assessment is complex and sometimes difficult to understand.

Before anyone is asked to make a contribution towards their services they will always be given a full financial assessment to ensure that they can afford to do so and as previously stated, 40% are likely to end up paying no contribution towards their services following such an assessment.

While the examples provided in the questionnaire were intended to help explain the impact these proposals would have on people, they were clearly still too complex for some. Others on the other hand felt that they needed more information in order to make a proper judgement.

This balance is always difficult and we will learn from people's feedback and use it to help us improve the way we undertake future consultations.

This report will now be placed before the County Council's Cabinet, and the Adult Social Services and Public Health Overview and Scrutiny Committee for discussion in mid September before the final decision is made by the Cabinet Member for Adult Social Care and Public Health.

"Please don't raise charges as it is difficult enough to pay the bills"

A disabled service user from Thanet

"I have no doubt that whatever you do it will be done with compassion. You will know, better than I that you are caring for people not objects and some flexibility must be allowed" **An over 85 year old from Tunbridge Wells.**

8. Appendix 1: Consultation Letter and Questionnaire

FSC Consultation
Kent Families and Social Care
Brenchley House
County Hall
123-135 Week Street
Maidstone
Kent
ME14 1BR

Our ref: FSC/Charging/11
Date: 9 May 2011

Dear Sir/Madam

Consultation on the impact of proposed changes to Kent County Council's charges for adult social care services (other than residential care)

You have received this letter because, either:

- you currently receive a service, or
- you act on behalf of someone who receives a service, or
- you represent a user or carer group, or
- you are known to adult social services and might need a service in the future or have received a service in the past.

As a result of the current financial climate, Kent County Council (KCC) has had to make decisions that both save money and help protect front line services.

In light of the increasing demand for services and the need to make savings, the county council has decided to make changes to its non-residential charging policy.

The questionnaire included with this letter gives details of the four proposals and asks for your views about them. KCC would also welcome any other comments and ideas.

In summary KCC proposes to:

charge people who use mental health services in the same way as all other people in receipt of services (from spring 2012)

include day care and transport as part of the services that can be charged (from spring 2012)

(this may not affect people who attend day centres provided by grant funded voluntary organisations which already charge their service users)

increase the amount of available income that is taken into account when working out a person's charge (from autumn 2011)

(this increase would be from 85% to 100%)

reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for everyone (from autumn 2011)

(this is the money allowed for the extra costs of living with a disability)

These are the ways to complete the questionnaire:

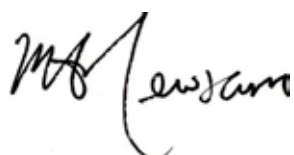
Paper questionnaire:	Included with pre-paid envelope in this pack
Online:	www.kent.gov.uk/fsccharging
Phone:	0800 298 6002 (Monday to Friday 9am to 5pm)
Textphone (minicom):	08458 247 905

During the consultation period (9 May to 31 July 2011) public meetings will take place, which you are welcome to attend. Further details about these are included in this pack.

If you have questions or if there is anything in this pack that you don't understand, please get in touch. You can also contact us with your views, comments or ideas on:

Phone:	0800 298 6002 (Monday to Friday 9am to 5pm)
Textphone (minicom):	08458 247 905
Email:	fsc.consultation@kent.gov.uk
Online:	www.kent.gov.uk/fsccharging

Yours faithfully



Malcolm Newsam
Corporate Director, Families and Social Care

This pack is available in alternative formats including easy read and can be provided in a range of languages. Please contact us on 0800 298 6002 (Monday to Friday 9am to 5pm).



Non Residential Charging Questionnaire

Consultation on the impact of proposed changes to Kent County Council's charges for adult social care services (other than residential care)

Introduction

This questionnaire has been sent to you because, either:

- you currently receive a service, or
- you act on behalf of someone who receives services, or
- you represent a user or carer group, or
- you are known to adult social services and might need a service in the future or have received a service in the past.

The letter that comes with this questionnaire tells you why Kent County Council (KCC) needs to make changes to the financial contribution people make towards their care and support. The letter also explains that for some people charges will increase.

There are four proposals outlined in the letter and more detail is given later in this questionnaire. We value your views and comments about the impact of these proposals and encourage you to respond. You can do this by:

- completing this questionnaire and posting it back to us in the pre-paid envelope provided in this pack
- completing online at www.kent.gov.uk/fsccharging
- completing the questionnaire by phone or textphone
- attending one of three scheduled public meetings.

The consultation will close on **31 July 2011**.

Online: www.kent.gov.uk/fsccharging
Tel: 0800 298 6002 (Monday to Friday 9am to 5pm)
Textphone/Minicom: 08458 247 905
Email: fsc.consultation@kent.gov.uk

This questionnaire is available in alternative formats including easy read and can be provided in a range of languages. Please contact us on 0800 298 6002 (Monday to Friday 9am to 5pm).

Explanation of main changes

Proposal 1

Charge people who use mental health services in the same way as all other people in receipt of services.

At the moment, Kent County Council (KCC) does not charge mental health service users for social care services except for residential care. Some people are exempt from being charged if they are entitled to a free after care service under Section 117 of the Mental Health Act 1983, therefore these proposed changes will not affect S117 service users.

Under this proposal, mental health service users who are not exempt would be financially assessed to see if they should be charged for non-residential services in the same way as all other people who receive a service.

Example: Mrs B receives a care package of £85.50 per week. As she is receiving a mental health service she does not currently have to pay towards it.

Under the proposed policy, mental health service users will be treated in the same way as everyone else. They will be financially assessed to calculate how much, if anything, they will need to contribute.

Note: Proposals 2 to 4 will also impact on people who use mental health services.

What are your views about charging people who use mental health services and who are not exempt, in the same way as all other people who receive services?

Q1. Please tick one of the following:

- Agree
- Disagree
- Neither agree nor disagree
- Don't know

Proposal 2

Include day care and transport as part of the services that can be charged.

At the moment Kent County Council (KCC) does not charge people who attend day care centres.

Some voluntary sector day centres do charge people for the service. In order to be fair and treat everyone the same, it is proposed to include day care and transport as part of the services that can be charged.

On the whole, this will not affect those people who are charged directly by their day centres.

Examples: The only service Mr W currently receives from KCC is a day care service costing KCC £35.00 per week. Under the current policy he is not charged for day care as it is free. Under the proposed policy he will be financially assessed and may need to pay towards the cost of his day care.

Mr S also goes to day care as well as having home care support and in his case the cost of the services will be added together and will not affect the amount he pays unless the total cost of his package is less than his available income.

What are your views about including day care and transport within the services that can be charged, in the same way as other services?

Q2. Please tick one of the following:

- Agree
- Disagree
- Neither agree nor disagree
- Don't know

Proposal 3

Increase the amount of available income that is taken into account when working out a person's charge.

Government policy says that the income of people who receive non-residential care services should not fall below a minimum weekly amount (known as the Protected Income Level) as a result of charging. This is to make sure that everyone has some income to meet their basic cost of living. The income left after the basic cost of living is worked out is called the available income.

Local authorities, such as Kent County Council (KCC), work out a person's available income and then base any charges on this amount. At the moment KCC work out a person's charge based on 85% of available income. KCC is proposing to base charges on 100% of available income which is similar to many other local authorities.

Example: Mrs S is an 85-year-old woman with a care package costing £85.50 per week. Her total income is £240.00 per week. Her available income after deducting certain amounts (see examples on pages 6-8) is £45 per week. Therefore under the proposed policy she would be expected to pay £45 per week towards the cost of her care package.

If Mrs S had no available income then she would not be expected to pay towards her care package under any of the above proposals.

The amount a person will be asked to contribute will be the lower of either the cost of the care package or their available income. What are your views about KCC increasing the percentage of available income taken into account from 85% to 100%?

Q3. Please tick one of the following:

- Agree
- Disagree
- Neither agree nor disagree
- Don't know

Proposal 4

Reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for everyone.

Disability Related Expenditure is the term used for some additional costs that people entitled to disability benefits have in their everyday lives because of their disability. Government policy says that these additional costs should be deducted before working out whether or not a person is able to pay something towards any service they receive.

At the moment Kent County Council (KCC) allows everyone £21 per week for these additional costs. This is so that people receiving a service do not have to keep and provide KCC with receipts or bills to show us what they have spent. It also means that you do not need an extra assessment (DREA) to work out what you should be allowed. We think it is simpler both for you and KCC, to allow everyone the same amount. The proposal is to reduce the amount allowed for additional costs to £17 per week. However, anyone who receives a disability related benefit can ask for an individual Disability Related Expenditure Assessment.

Example: Mr J is an 80 year-old man who uses a wheelchair and is entitled to disability benefits. He was just on the borderline of not having to pay a contribution towards his services. The reduction in DREA from £21 per week to £17 per week will mean that his available income is now assessed as £4 per week more. This will now be taken into account in assessing his contribution.

What are your views about KCC reducing the standard amount of DREA from £21 per week to £17 per week?

Q4. Please tick one of the following

Agree

Disagree

Neither agree nor disagree

Don't know

The following examples show how the proposals might affect three typical people.

Example 1

Mr A is an 85 year-old man who lives alone. He receives a State Retirement Pension topped up with Pension Credit and Attendance Allowance.

He has a care package that costs Kent County Council (KCC) £55 per week.

	Existing Policy	Proposed Policy	Note
Income	£241.95	£241.95	
Less Protected Income Level	£171.69	£171.69	This is the government recommended minimum amount for living costs for a person in these circumstances.
Less Standard DREA	£21.00	£17.00	This is an additional amount KCC allows to cover any extra living costs associated with having a disability.
Total Deductions Allowed	£192.69	£188.69	
Available Income	£49.26	£53.26	This is the maximum amount the individual can contribute towards their social care costs.
Charge	85% £41.87	100% £53.26	The actual amount the individual should contribute to the cost of their care.

NB: Mr A doesn't get any deduction for housing costs because he receives full Housing Benefit and Council Tax Benefit so has no rent or Council Tax to pay.

Example 2

Miss F is a 54 year-old woman who lives alone and has Multiple Sclerosis. Her income is made up of contribution based Employment Support Allowance, Disability Living Allowance and other private income. She also receives a Disability Living Allowance Mobility Component but this is disregarded from the calculation.

She has a care package that costs Kent County Council (KCC) £216 per week.

	Existing Policy	Proposed Policy	Note
Income	£210.00	£210.00	
Less Protected Income Level	£138.00	£138.00	This is the government recommended minimum amount for living costs for a person in these circumstances.
Less Housing/Council Tax	£15.00	£15.00	This is an additional allowance for people who have to pay certain housing costs (subject to certain rules).
Less Standard DREA	£21.00	£17.00	This is an additional amount KCC allows to cover any extra living costs associated with having a disability.
Total Deductions Allowed	£174.00	£170.00	
Available Income	£36.00	£40.00	This is the maximum amount the individual can contribute towards their social care costs.
Charge	85% £30.60	100% £40.00	The actual amount the individual should contribute to the cost of their care.

Example 3

Mrs P is a 50 year-old woman who lives with her husband. They are both disabled but only Mrs P receives services from Kent County Council (KCC). Mrs P receives Incapacity Benefit and Disability Living Allowance (DLA).

She has a care package which costs KCC £100 per week.

	Existing Policy	Proposed Policy	Note
Income	£157.35	£157.35	
Less			
Protected Income Level	£104.56	£104.56	This is the government recommended minimum amount for living costs for a person in these circumstances.
Less			
Housing/Council Tax	£12.00	£12.00	This is an additional allowance for people who have to pay certain housing costs (subject to certain rules).
Less			
Standard DREA	£21.00	£17.00	This is an additional amount KCC allows to cover any extra living costs associated with having a disability.
Total Deductions Allowed	£137.56	£133.56	
Available Income	£19.79	£23.79	This is the maximum amount the individual can contribute towards their social care costs.
Charge	85%	100%	The actual amount the individual should contribute to the cost of their care.
	£16.82	£23.79	

Note:

1. There will still be some people who will continue to pay the full cost of their care package and some people who have no available income and pay no contribution towards the cost of their care
2. Charges will continue to be limited to the person's available income or the cost of the care package, whichever is less.

Understanding how the proposed changes may affect you (or someone you act on behalf of)

Please tick one of the boxes in each section

Q5. Do you receive a bill for your care, or someone that you act on behalf of, from KCC?

Yes No

Q6. I (they) currently pay:

- Nothing
- Pay a charge
- Pay the full cost
- This does not apply to me
- I don't know

Q7. How would the proposed changes affect you (them)?

- Doesn't affect me
- Affects me a little
- Affects me a lot
- I don't know

Q8. Do you consider the proposed changes will make a difference to the number of people who receive care?

- More people can be helped
- The same number of people can be helped
- Fewer people will be helped
- Not sure

About You

I am a:

Please tick all that apply

- Service user
- Carer
- Other (Please specify) _____

Which age group do you fall into?

Please tick one box

- 18 - 64
- 65 - 74
- 75 - 84
- 85 or Over

Do you have any of the following?

Please tick all that apply

- Dementia
- A physical impairment or disability
- Sight or hearing loss
- A mental health problem or illness
- Problems connected to ageing
- A learning disability or difficulty
- Other
- None of the above

Which district/borough do you live in? _____
(i.e. who do you pay your Council Tax to?)

The above information will be treated with confidence and not attributed to any individual. If you choose to return this questionnaire by email your details will be kept confidential and not passed on to a third party.

Do you have any other comments or ideas?

Thank you for taking the time to complete this questionnaire.

Please make sure it is returned to us in the enclosed pre-paid envelope by **31 July 2011**.

What happens next?

We will write a report to let KCC Members know what you think of these proposals. It will help them to come to a decision about changes to KCC charges for adult social care services.

We will put the report on our website at **www.kent.gov.uk/fsccharging**

If you would like a paper copy of the report:

Phone: 0800 298 6002 (Monday to Friday 9am to 5pm) or

E-mail: fsc.consultation@kent.gov.uk

You are welcome to attend one of the public consultation meetings.

To book a place at a meeting please phone 0800 298 6002 or Textphone/ Minicom 08458 247 905 (Monday to Friday 9am to 5pm) stating the venue you wish to attend and if you require British Sign Language (BSL) Interpretation. Places will be allocated on a first come, first served basis because of health and safety restrictions on numbers at venues.

Ashford Enterprise Centre Towers School Faversham Road Kennington Ashford TN24 9AL	2 June 2011 2:30pm to 3:30pm
---	---------------------------------

Dover Discovery Centre Market Square Dover CT16 1PB	7 June 2011 7pm to 8pm
--	---------------------------

Lecture Theatre County Hall County Road Maidstone ME14 1XQ	22 June 2011 7pm to 8pm
--	----------------------------

All venues are accessible and will have a hearing loop.

PJ14/4/11

9. Appendix 2: Summary of feedback from public meetings

The public meetings raised a number of key questions relating to the proposed changes to the policy and its implementation, many of the questions and points raised were very similar at each meeting. The points raised have all been included in the analysis of the consultation responses. The following provides a summary of some of the questions raised:

The Consultation Process

- Q. The decision has already been made and published in the budget; the consultation is a tick box exercise.
- R. The budget identified that savings would be made through changes to the non-residential charging policy, it did not provide detail about what those changes would be. The consultation provides the detail of how income will be generated, seeks the views of the public on how this will impact on the people of Kent and if there are alternative ways to increase income in social care.
- Q. The public consultations were not held in all localities across Kent and concerns about access were raised.
- R. Additional venues were added during the consultation. Interpreters attended meetings on request.
- Q. Why did the consultation questionnaire have 'agree' as the first option?
- Q. Why did the consultation ask questions about my disability and about mental capacity?
- R. The questionnaire was laid out in line with standards set out nationally for research; the questions about the individual were to enable us to look at whether any group was disadvantaged above other groups.

Charging

- Q. Where a person is in receipt of support for a range of needs which don't fit neatly into one service area, for example mental health services and learning disability services would they be assessed twice? Equally this could be asked about a person in receipt of a domiciliary service and day care.
- R. Services are combined to provide one cost, the person then receives one financial assessment which takes the cost of all services into account.
- Q. Could you look at the whole of a household's income when completing a financial assessment?
- R. The government sets out what can be taken into account when assessing a person's contribution to services so we must follow the rules as they have set them out.

- Q. What if a person refuses to pay or cannot afford to pay, will their services be stopped?
- R. Each person receives a financial assessment to determine their contribution to the cost of services. This is based on their income and a number of other factors such as the amount of money the government say a person in their circumstances needs to live on. If there are particular factors relating to the individual circumstances of a person which impact on their ability to pay then these are considered on a case by case basis.

Assessment

- Q. Will the changes to the policy mean that more front line social workers are taken away from assessing people for services in order to assess their charges?
- R. Financial assessments are undertaken by finance and benefits officers, these officers are able to ensure people are in receipt of all the benefits to which they are entitled at the same time as assessing any contribution a person may be asked to make towards the cost of their services.
People who have mental health needs and who have not previously been charged will be assessed by more experienced finance officers; with their social worker in attendance as part of a normal review meeting.

Disability Related Expenditure Assessment (DREA)

- Q. The reduction in Disability Related Expenditure Assessment allowance means some people will be disadvantaged as their expenditure may be much higher than this especially people with severe disabilities; this was also raised in relation to housing costs (home owners).
- R. The Disability Related Expenditure Assessment allowance is applied at a standard rate to reduce the number of assessments people have and the amount of information they are required to provide. People are able to request an individual Disability Related Expenditure Assessment if they feel the allowance does not cover the costs of their expenditure.

Carers

- Q. Carer's allowance is only £53 per week, if carers withdraw their care because of increases in charging this will cost the council a lot more
- Q. Carers who are also pensioners do not receive a carers allowance, how is this fair?
- R. The council recognises the value of carers in supporting people to stay at home. All carers are entitled to a carer's assessment and may also be eligible for some support or a one off payment. Rules on benefits are set nationally and the council does not have the authority to change these.

Mental health

- Q. You are cutting services to mental health services users at the same time as both Supporting People and the NHS are cutting services.
- R. Representatives from mental health services have been involved in the consultation steering group and the commissioners will ensure that appropriate services are in place.
- Q. These charges will cause distress to mental health users who have not had to contribute in the past and their health may deteriorate with them ending up back in hospital.
- R. Mental health social workers have been kept fully informed about these proposals and we have set up a help line to assist any one with any questions or concerns. Every one will be given an individual financial assessment and informed of the result before any charge is made.
- Q. Would it not be better to phase this in for new mental health clients and not charge existing mental health service users?
- R. This is of course one of the options but there would then be issues of inequality.

Transport

- Q. Will everyone who uses transport to attend day services have to pay for this now?
- R. A person's ability to pay for or to contribute to their transport costs will be based on their individual circumstances and will be looked at on a case by case basis.

This publication is available in other formats and languages please contact us for further information.

08458 247 100