

KENT COUNTY COUNCIL - RECORD OF DECISION

DECISION TAKEN BY

Graham Gibbens,
Cabinet Member for Adult Social Care and Public Health

DECISION NO.

11/01645

If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972

Subject:

**CHARGING POLICY FOR HOME CARE AND OTHER NON-RESIDENTIAL SERVICES
(DOMICILIARY CHARGING POLICY)**

Decision:

As Cabinet Member for Adult Social Care and Public Health, I have decided the following policy changes.

1. To charge people who use mental health services in the same way as all other people in receipt of services, implementing this from April 2012.
2. To include day care and transport as part of the services that can be charged, implementing this from April 2012.
3. To increase the amount of available income that is taken into account when working out a person's charge from 85% to 100%, implementing this from 12 December 2011.
4. To reduce the standard amount allowed for the Disability Related Expenditure Assessment from £21 per week to £17 per week, implementing this from 12 December 2011.

Additionally, I have decided that this policy should be referred to as the Charging Policy for Home Care and other Non-Residential Services.

Any Interest Declared when the Decision was Taken

None

Reason(s) for decision, including alternatives considered and any additional information

A decision to change the Council's charging policy for non-residential services was confirmed on 17 February 2011, when the County Council approved the budget for 2011-2012, including a provision to raise an additional income of £2.954m.

As required by the Local Government and Public Involvement in Health Act 2002, and the Fairer Charging Guidance (2003), the Council has undertaken a consultation with users on the impact of the proposed ways of raising this additional income. The consultation started on 9 May 2011 and ended on 31 July 2011.

The outcome of this consultation has been in the public domain since 12 September 2011 and has been discussed at Cabinet on 19 September and at the Adult Social Care and Public Health Policy Overview and Scrutiny Committee (ASCPHPOSC) on 20 September.

I note the relatively high number of people who were uncertain how the changes will affect them and members' concern about this. The majority of people who were uncertain were ones who are known to KCC but are not currently in receipt of services. The lack of a current financial assessment will have contributed to uncertainty of how the changes would affect them.

I also note that the ASCPHPOSC discussed the possibility of capping increases but did not recommend this be considered.

I welcome the comments from consultees and fellow members about the importance of clearly communicating the outcome of the consultation and the impact of the decision. In the light of the comments made at the Cabinet and the ASCPHPOSC, I want to ensure users of services fully understand the implications of the changes and are made aware of who to contact for addressing any particular issues. I will ensure this is done by officers.

In taking this decision it has been necessary to balance the mixed views expressed by users about the information available, increasing charges, and the effect on service take up, together with the Council's determination to maintain moderate eligibility criteria and the Council's financial circumstances.

It has also been necessary to have due regard to the desirability in reducing inequality. As recorded in the Equality Impact Assessment (EIA), this decision will adversely affect older people and people with disabilities. I note the actions in the EIA that will mitigate these effects, in particular the right to individual disability-related assessment and managers having the ability to apply exceptional disregards depending on individual circumstances both of which may reduce the charge a person has to pay.

I am confident these changes will help maintain wide access to services and help increase the equality of treatment by KCC of differing service user groups. It also continues to recognise individuals' abilities to contribute to the service they receive. The changes will bring Kent in line with similar authorities and will continue to be compliant with the Government's Fairer Charging Guidance.

I have asked Officers to ensure that service users will have the opportunity to discuss the new or revised charge with Kent County Council officers on an individual basis before their charge is implemented.

Background Documents:

Reports to Cabinet 19 September 2011 and Adult Social Care and Public Health Policy Overview and Scrutiny Committee 20 September 2011 including Appendices (Consultation Analysis Report and Equality Impact Assessment).



signed

23 SEPTEMBER 2011

date

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Decision Referred to Cabinet Scrutiny				Cabinet Scrutiny Decision to Refer Back for Reconsideration				Reconsideration Record Sheet Issued				Reconsideration of Decision Published			
YES		NO		YES		NO		YES		NO					