

# KENT COUNTY COUNCIL - RECORD OF DECISION

## DECISION TAKEN BY

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

## DECISION NO.

11/01788

*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:

**PROPOSED REVISION OF RATES PAYABLE AND CHARGES LEVIED FOR ADULT SERVICES IN 2012-13**

## Decision:

As Cabinet Member for Older People's Services (including Public Health), I hereby

- a) **APPROVE** the increase to the maximum contributions for residential care for Older People placed in our own homes;
- b) **APPROVE** the increase to the maximum contributions for people with Learning Difficulties placed in our own homes;
- c) **APPROVE** the increase to client contributions for Meals Charges.
- d) **NOTE** the charging policy for Non Residential Adult Services and **APPROVE** the increases in the Better Homes Active Lives schemes;
- e) **NOTE** the increase to the Voluntary Drivers mileage rate;
- f) **NOTE** the revisions made to personal allowances;
- g) **NOTE** the continuation of the administration charge for Blue Badges at the same level as applied in 11-12;
- h) **NOTE** the continuation of the administration charge in relation to jointly owned property temporary finance applications at the same level as applied in 11-12;
- i) **CONFIRM** the Inter Authority Protocol in place in relation to Inter Authority charging remains the same as in 11-12;
- j) **NOTE** the rates for consultancy work and key publications remain the same as in 11-12.

## Any Interest Declared when the Decision was Taken

None

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

The proposed rates payable and charges levied are considered annually, with any revisions normally introduced at the start of each financial year.

The report is focused on Adult Social Services and the rates and charges that are currently in place, with the Children's Social Services presented separately.

The rates and charges payable for 2012/13 will be introduced the week commencing 9 April 2012, in line with the benefits uplift date announced in the DWP schedule of proposed benefit rates (April 2012) issued December 2011.

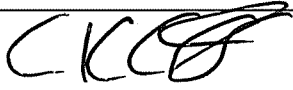
The report distinguishes between those rates and charges over which Members can exercise their discretion, and those which are laid down by Parliament.

It should be noted that the report by the Corporate Director Families and Social Care published 2 March 2012 has been revised to correct text within sections 2 (3,8, 9,10) and (16). A revised report and appendix is attached.

**Background Documents:**

Report by the Corporate Director of Families and Social Care - Proposed Revision of Rates Payable and Charges Levied for Adult Services in 2012-13

Department of Work and Pensions – Proposed Benefit Rates (April 2012) – December 2011



.....  
signed

*15 MARCH 2012*

.....  
date

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Decision Referred to Cabinet Scrutiny			
YES		NO	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YES		NO	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published			

By: Andrew Ireland, Corporate Director of Families and Social Care

To: Graham Gibbens, Cabinet Member, Adult Social Care and Public Health

Subject: **PROPOSED REVISION OF RATES PAYABLE AND CHARGES LEVIED FOR ADULT SERVICES IN 2012-13**

Classification: Unrestricted

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Summary: To seek Member approval to the revision in the rates payable and charges levied for the services listed below in 2012-13.

FOR DECISION

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### **Introduction**

(1) This report is produced annually and seeks approval of the Directorate's proposed rates and charges levied for the forthcoming financial year, along with any potential changes to the Adult Social Care charging policy.

(2) All proposed rates and charges levied for 2012-13 are listed in one of the attached appendices and represent those published on the Kent.gov.uk website.

- Appendix 1 lists the proposed rates for particular Adult Services.
- Appendix 2 lists the proposed charges general to the Directorate.

(3) The report distinguishes between these rates and charges over which Members can exercise their discretion and those which are laid down by Parliament.

(4) The effective date, unless otherwise stated, for all proposed changes to adult services will be the week beginning 9 April 2012. This is in line with the benefits uplift announced in the 'The Department of Work & Pensions – Schedule of proposed benefit rates from April 2012' issued December 2011.

### **Charges and Rates Payable for Adult Services**

2. (1) All rates and charges proposed for 2012-13 in respect of Adult Services are shown in Appendix 2. For ease of members' reference, the basis of their proposed increase is shown throughout Sections 2&3.

### Client Contributions for Residential Care

(2) Clients placed in residential care by the County Council are required to contribute to the cost of their care as laid down by the National Assistance Act 1948,

as amended by the National Health Service and Community Care Act 1990. The amount of contribution is based upon an assessment of their income and capital.

(3) Under current residential charging rules, people who have savings or investments of more than £23,250 (as at April 2011) will pay the full cost of their care. The Department of Health has announced that this capital threshold will remain the same for 2012-13.

(4) The provision for residential care for adults falls into two categories:

- The County Council's own provision
- Placements affected through the independent sector, purchased by the County Council.

(5) For those clients with the ability to meet the full cost of a placement in the County Council's own provision, the proposals for the maximum contribution are as follows:

a) Older People

This rate will be increased by 4.5% from £420.56 to £439.49, which represents the 6 month average of inflation as advised by the Chancellor, November 2011; this is the amount assumed within the MTP.

b) People with Learning Difficulties

This rate will be increased by 4.5% from £573.31 to £599.11 which represents the 6 month average of inflation as advised by the Chancellor, November 2011; this is the amount assumed within the MTP.

(6) There is no maximum contribution for placements in independent sector homes.

(7) For those clients that do not have the ability to meet the full cost of their placement, they will be re-assessed using CRAG rules and their contribution towards residential care will rise in accordance with either their pension or benefits.

### Personal Expenses Allowance

(8) This is the part of a resident's income identified as being for their personal use and is set by the Department for Work and Pensions as detailed in the Schedule of proposed benefit rates from April 2012 issued December 2011. Following an update in CRAG, notified to KCC on 31<sup>st</sup> January, the allowance will increase from £22.60 to £23.50 per week.

### Non Residential Adult Services

(9) Under current non residential charging rules, people who have savings or investments of more than £23,250 (as at April 2011) will pay the full cost of their care. This normally rises in line with the capital threshold for residential care and, as that is not increasing this year, the non-residential threshold will remain the same for 2012-13.

(10) People who have savings under the limit will be assessed to see if they are able to make a contribution to the cost of their support. The contribution is based on their weekly income, including pensions and benefits. Full details are in the "Charging for Care Provided at Home (domiciliary care)" booklet.

#### Better Homes Active Lives (PFI) Schemes

(11) Non-residential charging rules will also apply to these schemes. However, when working out the cost of the care and support, an additional cost will be added to the cost of any hours of care and support; it is recommended that these rates are increased by 4.5%, as follows:

a) Extra-care schemes for older people

The current rate £25.77 per week, which is the cost of the 24 hour emergency cover available (for example if a person falls), will increase to £26.94.

b) Schemes for people with Learning Difficulties

The current rate of £40.78 per week, which is the cost of the sleeping night support service, will increase to £42.62.

#### Blue Badges

(12) With effect from 1 April 1971 a charge was introduced to cover the administration of the application. The regulations governing the Blue Badge scheme give local authorities the discretion to charge a fee on the issue of a badge. This fee currently cannot exceed £10.

(13) As from 1 January 2012 KCC has charged £10 and it is recommended this rate continues.

#### Meals Charges/Other Snacks - Local Authority Day Centres

(14) There are two meal charges (i) meals (ii) meals and other snacks. It is proposed to increase these by 4.5% which represents the 6 month average of inflation as advised by the Chancellor, November 2011; CPI (rounding to the nearest 5p):

- Meals Charge increases from £3.50 to £3.65;
- Meals and Other Snacks increases from £4.50 to £4.65

#### Voluntary Drivers/Escort Mileage Rates

(15) The current rate is usually reviewed in line with the Chancellor of the Exchequer's annual budget announcement. During 2011-12 the Chancellor increased this rate from 40p to 45p per mile & the proposal is that it remains at 45p.

## Temporary Financial Assistance (TFA)

(16) The Cabinet Member is asked to note the new admin fee of £150.00 for all residential Temporary Financial Assistance (TFA) applications involving property. This policy was agreed by DMT back in April 2011 and became effective in June 2011.

## Other Local Authority Charges for Adult Services

3. (1) There is an Inter Authority Protocol in place in relation to Inter Authority charges. This only applies to those local authorities who are signatories to the protocol.

(2) The Inter Authority charges in 2011-12 were as follows, for any need related assessments or reviews:

- £100 for a review
- £150 for an assessment or £25 per hour (if more than six hours work)

It is proposed that there is no uplift of these rates for 2012-13

(3) A review of the current policy will be undertaken regarding the charges to other local authorities when placing clients in KCC homes. The intention is that any outcome/proposed charges will be effective from October 2012.

## General Charges and Rates

### Consultancy

(4) Corporate Finance dictates the rates to be levied for:

- a. Middle Management;
- b. Senior Management;
- c. Director when undertaking consultancy work.

### Publications

(5) The proposal is to leave the charge for key publications at the same level as 2011-12. Both are shown on Appendix 2.

## **Recommendations**

3. (1) The Cabinet Member for Adult Social Care and Public Health is asked to:

(a) **APPROVE** the increase to:

- (i) client contributions for residential care for Older People (2.5.a)
- (ii) client contributions for those with Learning Difficulties placed in our own homes (2.5.b)
- (iii) Better Homes Active Lives schemes (2.11 a&b)
- (iv) client contributions for Meals Charges (2.14)

(b) **NOTE**

- (i) the continuation of the £23,250 capital threshold (2.3 &9)
- (ii) the recommendation to continue the £10 charge for blue badge (2.13)
- (iii) the change to the Voluntary Drivers mileage rate (2.15)
- (iv) the new charge for Temporary Financial Assistance admin fee (2.16)
- (v) the proposal to review charges to OLA's when placing clients in KCC homes to make them more consistent (3.3)
- (vi) the rates for consultancy work and key publications (3.4)

- (c) **CONFIRM** the Inter Authority Protocol in place in relation to Inter Authority charging remains the same as in 2011-12 (3.2)

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*Background documents:*

Department of Work & Pensions- Schedule of proposed benefit rates from April 2012 -December 2011.





<u>Proposed Rates and Charges 2012-13</u>		2011-12 Rates and Charges £		2012-13 Proposed Rates & Charges £	Basis of Increase
<u>Client Contributions for Residential Care</u>					
Elderly People - Maximum	420.56	per week	439.49	4.5%	Option 1 - Benefits Uplift - for income related benefits-CPI Consumer Price Index
People with Learning Difficulties - Maximum	573.31	per week	599.11	4.5%	Option 1 - Benefits Uplift - for income related benefits-CPI Consumer Price Index
<u>Personal Expenses Allowance</u>	22.60	per week	23.50		CRAG - notified to KCC on 31 <sup>st</sup> January 2012
<u>Non-Residential Adult Services</u>					
As per Non Residential Charging Policy					
<u>Better Homes Active Lives (PFI) Schemes</u>					
Elderly People	25.77	per week	26.93	4.5%	Option 1 - Benefits Uplift - for income related benefits-CPI Consumer Price Index
People with Learning Difficulties	40.78	per week	42.62	4.5%	Option 1 - Benefits Uplift - for income related benefits-CPI Consumer Price Index
<u>Occupational Therapy/Sensory Disabilities Unit</u>					
Blue Badges	2.00	per application	10.00		
<u>Meals Charges/Other Snacks - Local Authority Day Centres</u>					
Meal Charge	3.50	per meal	3.65	4.5%	Option 1 - Benefits Uplift - for income related benefits-CPI Consumer Price Index rounded to 5p
Meals and Other Snacks	4.50	per meal	4.65		Same as hot meal + £1 for snacks
<u>Voluntary Drivers/Escorts Mileage Rate</u>					
	0.40	per mile	0.45		Based on the Chancellor of Exchequer budget strategy
<u>OLA Charges</u>					
Review	100		100		As per Inter Authority Protocol - Email from MTS
Assessment	150		150		As per Inter Authority Protocol - Email from MTS
An Assessment that is more than 6 hours	25		25		As per Inter Authority Protocol - Email from MTS

**Proposed Rates and Charges 2011-12**

		2011-12		2012-13	
		£		£	
<b><u>Consultancy</u></b>					
	Middle Management	70	} Per Hour	70	} Per Hour
	Senior Management	130			
	Director	210			
<b><u>Publications</u></b>		10	For key publications	10	For key publications