

## KENT COUNTY COUNCIL - RECORD OF DECISION

### DECISION TAKEN BY

Graham Gibbens

Cabinet Member for Adult Social Care and Public Health

### DECISION NO.

12/01892

**Unrestricted/Exempt** (delete as required) - If exempt please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972)

### Subject:

**AMENDMENTS TO THE CHARGING POLICY FOR HOME CARE AND OTHER NON RESIDENTIAL SERVICES**

### Decision:

As Cabinet Member for Adult Social Care and Public Health, I have decided the following amendments to the Charging Policy for home care and other non-residential services:

To exclude those service users who are in receipt of grant funded services and/or receiving transport. As a result those service users will not be charged by Kent County Council for either of these particular elements of their care.

Additionally, I have decided that the other elements of Phase 2 of the policy changes shall come into effect from Monday 23 July 2012.

### Any Interest Declared when the Decision was Taken

None

### Reason(s) for decision, including response to any Cabinet Committee recommendations, and any alternatives considered

A decision (11/01645) was made on 23 September 2011 to implement changes to the Charging Policy for home care and other non-residential services in two phases. The first part of the changes to the Charging Policy for home care and other non-residential services came into effect on Monday 12 December 2011. The second phase relates to aspects of mental health, day care and transport services, which were planned for implementation from April 2012.

Amendments to the Charging Policy for home care and other non-residential services are necessary because it is not possible for KCC to accurately calculate on an individual basis the cost of a service user attending day centres by grant funded organisations. This is because KCC only pays a contribution towards the full cost of the support that is received from grant funded organisations.

Also, it is important that KCC avoids situations where individuals are charged more for services than KCC actually pays for them.

Transport will also be excluded from the charging policy because it is not possible to accurately calculate the cost for each individual user, and in the case of grant funded organisations KCC may not be fully contributing to the service. Furthermore, with the likelihood of low numbers, the cost of both assessment and recovery may exceed the value of likely income to be achieved.

I note the comments made at the Adult Social Care and Public Health Policy and Overview Committee at its meeting on 30 March 2012. I have also taken account of the subsequent query and representation. I am clear that, in respect of charging the policy basis for calculating how much a person pays is the same for direct payment recipients and people that KCC directly provides or arranges their services (managed support). Furthermore, KCC has an equal monitoring and review obligations to direct payment recipients and those in receipt of managed support to ensure that services meet their assessed needs.

Until the financial assessment work is complete it is not possible to confirm whether the amount of income raised will exceed the estimated amount. One of the contributing factors to the financial assessment is the level of benefits a user receives. As many users have not previously been charged, part of the financial assessment process will ensure that the user is in receipt of the maximum benefits, thus potentially increase the income to the individual as well as to KCC. Once the assessment is complete we will be in a position to confirm the value of the income compared to the original target.

I have also noted the comments made at the Social Care and Public Health Cabinet Committee at its meeting on 10 May 2012.

In taking this decision it is necessary for me to consider whether the amended policy will give rise to people having to pay more than would otherwise be case. I am satisfied that the amount people will be assessed to pay under the revised policy will not greater as a result of the decision to exclude people attending grant funded organisations and/or transport.

The implementation of the other elements of Phase 2 are scheduled to come into effect from Monday 23 July 2012, the is later than originally planned. A number of reasons have contributed to this position, they include the need to focus on achieving the deadline for Phase1, the numbers of service users affected were greater than originally anticipated and the financial assessments for the new elements could not start until all relevant data been entered on the client database.

**Background Documents:**

Report to Adult Social Care and Public Health Policy and Overview Committee 30 March 2012.  
Report to Social Care and Public Health Cabinet Committee 10 May 2012.



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signed

28 MAY 2012

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date