

Report to:	Cabinet	Date: 19 April 2023
Subject:	Annual Review of Adult Social Care Fees and Charges for the Financial Year 2023/24	
Report of	Deputy Leader and Cabinet Member for Adult Care, Health, and Wellbeing	

Summary

1. The One Commissioning Organisation (OCO) directorate raises several Adult Social Care (ASC) fees and charges.
2. This report details the proposed 2023/24 Adult Social Care fees and charges across the OCO directorate to take effect in April 2023

Recommendation(s)

3. It is recommended that the proposed Adult Social Care Fees & Charges for 2023/24 detailed in Appendix A of this report are approved

Reasons for recommendation(s)

4. In accordance with the Council's Financial Regulations, there is a requirement to review fees and charges on an annual basis.

Alternative options considered and rejected

5. Alternatives were not considered, uplifts to Adult Social Care fees are in line the 2023/24 Adult Social Care Provider Fee Uplifts or in line with the November 2022 Autumn Statement announcement that the state pension and a number of other benefits will increase by 10.1%.

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Background

6. The One Commissioning Organisation (OCO) directorate raises several Adult Social Care fees and charges and in accordance with the Council's Financial Regulations, there is a requirement to review fees and charges on an annual basis.

2023/24 Fee Proposal

7. The 2023/24 proposed increases to Adult Care Service discretionary fees and charges are detailed in Appendix A.
8. To ensure that the 2023/24 adult care service setting fees are aligned with the 2023/24 fees paid to commissioned providers it is proposed that the Service setting fees are uplifted by the same percentage rates employed to uplift the 2023/24 fees paid to commissioned providers.
9. The 2023/24 fees and charges proposal also recommends that the charges listed in Table 1 below are increased by 10.1% which is in line with the November 2022 Autumn Statement announcement that the state pension and a number of other benefits will go up by 10.1%.

Table 1

Charge Description	Description
Weekly Charge for Homecare	The maximum charge a person who receives care and support at home will be charged per week
Transport to Day Centres	The standard rate of charge for a single or return trip to a day centre
Carelink/Telecare	Weekly charge for the provision of the 24/7 Carelink Assistive Technology Service.
Home Support Service	Weekly charge for the Support at Home Service in the wider community.
Day Centre Attendance	Daily charge for attending a day centre
Appointeeship – Community based	Weekly charge for a Money Management Service of Appointeeship for those living at home.
Appointeeship – Residential based	Weekly charge for a Money Management Service of Appointeeship for those living in a Care Home.
Deferred Payments – Set-up fee	Fee for setting up the Legal Agreements and process for the Deferred Payments Scheme where people entering a Care Home require access to council funding until their property is sold.
Deferred Payments - Annual fee	An annual fee for those on the Deferred Payment Scheme receiving Council funding until their property is sold.
Deferred Payments – Termination fee	A final fee to close accounts and legal agreements for those on the Deferred Payment Scheme who have repaid the Council the funding provided whilst their property was being sold.

Financial Assessments

10. Any changes to an individual's financial circumstances will be considered as part of the normal review process, and a new financial assessment carried out

where appropriate to ensure the charges levied remain fair and affordable in line with the Council's Client Charging policy

11. Whilst the rates set out in Appendix A will be used to calculate the cost of care, a separate financial assessment is carried out for each service user and the service user will only contribute the value deemed affordable to them in that assessment. The majority of service users charges will likely not increase following a financial reassessment for 2023/24, and therefore any increased income from service user contributions would be negligible

Links with the Corporate Priorities:

12. Enterprise – For those service users whose financial assessment result in a partial or full contribution the annual review of Adult Social Care fees and Charges for the Financial Year 2023/24 ensures the council is able to partially/fully offset the cost of delivering care and therefore reducing the cost to the Council

Equality Impact and Considerations:

13. The full EIA document is available upon request. The EIA for the charging and financial assessment policy considers a positive impact as allowances & disregards are available if required and applied equally and fairly to all people using care and support services.

Environmental Impact and Considerations:

14. An environmental impact assessment has not been undertaken as there are no implications or carbon impact of this decision

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The fees and charges set lower than the cost of that the Council pays for services that are 'chargeable', resulting in a cost pressure to the council.	-Fees are aligned to Commissioned Care Provider Fee Uplifts. -Non-Commissioned Care provider charges uplifted in line with the Autumn Statement announcement that the state pension and several other benefits will go up by 10.1% which is in line with September's Consumer Prices Index (CPI) measure of inflation.

Legal Implications:

15. The power of a Local Authority to make a charge for meeting needs is contained within the Care Act 2014, this act provides a single legal framework for charging for care and support under sections 14 and 17. Charges may only cover the cost that the local authority incurs in meeting the needs to which the charge applies. The Council has a duty to market shape, so it has duty to facilitate the whole market in its areas for care and support related services and ensure a diverse range of high quality services to the population. The Council must understand supply and demand in terms of care and support related care and market shape accordingly. Failure to increase fees in line with 2023/24 Adult Social Care Provider Fee Uplifts is potentially a failure of the Council to comply with the Statutory Guidance. The charging of service users is appropriate and in line with statute.

Financial Implications:

16. The Adult Care in the Community client receipt budget is c£11m. However, additional income generated as a result of the proposed increases to the 2023/24 fees and charges set out in this report are not likely to be material as a consequence of:

- Charging of Adult Social Care fees and charges is on the basis of ability to pay and is therefore means tested
- Contributions from residents are calculated after applying various deductions and the pension/benefit uplift will offset the 2023/24 fee/charge uplift

Background papers:

None.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
OCO	One Commissioning Organisation
ASC	Adult Social Care

Appendix A

Service Setting/Charge Description		Unit	2022/23 rate	2023/24 Uplift	2023/24 rate	Notes	
Domicillary Care (See Note 1)	KPI Compliant Rate (See Note 2)	Hourly	£ 21.00	14.7%	£ 24.18	2023/24 service setting fee uplifts aligned to the proposed 23/24 provider fee uplifts	
	Real Living Wage Rate (See Note 3)	Hourly	£ 17.86	14.7%	£ 20.49		
Residential	65+ care home places without nursing	Real Living Wage (See Note 4)	Weekly	£ 562.90	12.4%		£ 632.70
		Standard (See Note 5)	Weekly	£ 548.90	12.4%		£ 616.96
	65+ care home places without nursing - Dementia	Real Living Wage	Weekly	£ 577.90	14.7%		£ 662.85
		Standard	Weekly	£ 563.40	14.7%		£ 646.22
	Adults Residential Care MH/LD/PD	Real Living Wage	Weekly	£ 562.90	12.4%		£ 632.70
		Standard	Weekly	£ 548.90	12.4%		£ 616.96
Nursing	65+ care home places with nursing	Real Living Wage	Weekly	£ 612.90	14.7%		£ 703.00
		Standard	Weekly	£ 598.40	14.7%		£ 686.36
	65+ care home places with nursing - Dementia	Real Living Wage	Weekly	£ 657.90	14.7%		£ 754.61
		Standard	Weekly	£ 643.40	14.7%		£ 737.98
Supported Living	Waking Hours	Real Living Wage	Hourly	£ 17.69	12.4%		£ 19.88
		Standard	Hourly	£ 17.40	12.4%		£ 19.56
	Sleep Ins	Real Living Wage	Hourly	£ 10.64	12.4%	£ 11.96	
		Standard	Hourly	£ 10.37	12.4%	£ 11.66	
Direct Payments		Hourly	£ 11.37	12.4%	£ 12.78		
Maximum Weekly Charge for Homecare		Weekly	£ 430.50	10.1%	£ 473.98	(See Note 6)	
Transport to Day Centres	Single Journey	£ 2.73	10.1%	£ 3.01			
	Return Journey	£ 5.04	10.1%	£ 5.55			
Carelink/Telecare		Weekly	£ 4.41	10.1%	£ 4.86		
Home Support Service		Weekly	£ 20.37	10.1%	£ 22.43		
Day Centre Attendance		Daily	£ 41.16	10.1%	£ 45.32		
Appointeeship – Community based		Weekly	£ 11.55	10.1%	£ 12.72		
Appointeeship – Residential based		Weekly	£ 6.09	10.1%	£ 6.71		
Deferred Payments – set-up fee		One Off	£ 262.50	10.1%	£ 289.01		
Deferred Payments - annual fee		Annual	£ 157.50	10.1%	£ 173.41		
Deferred Payments – Termination fee		One Off	£ 78.75	10.1%	£ 86.70		
<p>Note 1 -Care Act Statutory Guidance states that Care at Home charges are made at standard rates irrespective of how or by whom the care is delivered only one rate can be charged, therefore because the customer charging must be consistent and equal, and not dependent on who the care provider is the proposal is to charge at the Real Living Wage rate.</p>							
<p>Note 2 - Bury Council offer two rates for care at home; a standard rate and a KPI compliant rate. Care at home providers are paid on actual contact time delivered and in order to be eligible for the KPI compliant rate they must meet certain conditions such as :</p> <ul style="list-style-type: none"> •No overlapped visits i.e. submitting visits where carers have logged in/out of two different addresses at the same time. •Less than 5% manual overrides e.g. where the provider manually overrides the times the carer logged in and logged out. 							
<p>Note 3 - All Home Care Providers are committed to paying their staff the Real Living Wage</p>							
<p>Note 4 - The Real Living Wage rate is paid to those Residential and Nursing Home providers who have committed to paying their staff the RLW</p>							
<p>Note 5 - The Standard rate is the rate paid to those Residential and Nursing Home providers who have not committed to paying their staff the RLW</p>							
<p>Note 6 - In the Autumn Statement, the chancellor confirmed that the state pension and a number of other benefits will go up by 10.1% which is in line with September's Consumer Prices Index (CPI) measure of inflation.</p>							