

Meeting: Adults Social Care, Health and Wellbeing Sub Committee

Date: 06.09.18

Title: Feedback on Consultation for Review of Charges and Financial Contributions Business Case

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Service: Adult Social Care HECS

Wards affected: All

1. Purpose of Report

1.1 To provide an overview of the consultation process for the Business case regarding Review of charges and Financial Contributions within Adult Social Care

1.2 Please see Appendix 1 Business Case

1.3 The business case covers three separate factors within charges:
Court of Protection - charges for carrying out work to manage money on service users behalf
Charging Policy for non-residential Services – bringing the financial buffer in line with Dept. of Health Guidance from 25% to 18%
Changes to the way we pay Direct Payments – increasing Personal Assistant's rates and retaining money for contingencies e.g. redundancy by the council and only paid if it is needed.

2. Recommendations

2.1 To note the content of the report

2.2 The business cases are being taken to Cabinet in October for a decision to be made on the proposals.

2.3 For overview and Scrutiny to be sighted on comments which were raised through consultation and to provide any further relevant comment for consideration prior to Cabinet decision.

3. Details Findings from Consultation

3.1 Court of Protection and Charging Policy for non-residential Services

Consultation in respect of the Court of Protection and Changes to the Charging Policy for Non-Residential Services proposals was widespread and lasted for 4 weeks. A Snap survey was on the Council website for all residents to respond to. This was arranged through the Participation and Advocacy team to ensure maximum exposure. A link to this survey was specifically sent to all SIGN (Signposting Information Guidance Network) members who provide advice and information to people seeking information about social care services.

3.1.2 In addition the service wrote to every current client that the team provides a service to and sent a covering letter to the service provider supporting each client, to allow each client the maximum opportunity of contributing to the consultation.

3.1.3 The Court of Protection charges consultation received six responses. Four responses were from organisations and two from residents. Five responses indicated agreement to referring all cases with assets over £75,000 to a solicitor whilst one respondent disagreed. In relation to the other proposals, responses were split—therefore no clear view was gathered from consultation.

3.1.4 Consultation in respect of the Charging policy for non-residential service received one piece of feedback which was neutral in response.

3.2 Direct Payments

3.2.1 In regard to the Direct Payment proposals, a public consultation period was held between February 2018 and May 2018. This involved attending several groups of interested parties, including the Direct Payment User Forum, The LD Care Forum, The Mental Health User Forum and the SIGN Network. A personal letter was sent out to all current recipients of Direct Payments. The proposals were discussed at length and people were invited to respond.

3.2.2 A consultation feedback document has been drafted with the views of those who provided responses. See Appendix 2.

3.2.3 Some people felt that there would be a loss of flexibility within the Direct Payment process. The ability to pay staff for different hours each week would remain a benefit of the Direct Payment system. Social workers assess an average need for an individual to meet their needs. This may fluctuate from week to week and having arrangements with a Personal Assistant mean that the hours they work can continue to be flexible, so long as it remains within the average amount.

3.2.3 There are people who currently use their contingency money to pay higher rates of pay for their PA's. These people would be allowed to continue to pay the higher rate of pay, so that no employee would receive a pay cut. However a conversation would need to take place with the employer regarding their responsibility to retain some money for contingencies

4. Appendices

Appendix 1 Business Case Review of charges and Financial Contributions

Business case

Appendix 2 Direct Payments Consultation Feedback Document

5. Background Information

The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

EIA on Business case

Consultation feedback Court of Protection and Charging Policy for non-residential Services