

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 26 February 2020

BY: Director, East Lothian H&SC Partnership

SUBJECT: Social Care Charging and Appeals

1 PURPOSE

- 1.1 To update the PPRC on the impact of changes made to social care charging in 2018/19 in relation to the numbers of people attending services, the numbers of appeals and their outcomes, and the income generated as a result of the changes.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to note the findings contained within this report.

3 BACKGROUND

- 3.1 Council agreed on 13 February 2018 that the strategic budget for the adult social care part of the Health & Social Care Partnership budget should include additional income for 2018/19 of £358,000 to be realised from a combination of increases to existing charges and the introduction of new charges. In addition the budget included a target of £213,000 additional income in Customer Services from changes to community alarms charging.
- 3.2 A review of the impact of these changes took place in October 2019. The review included a review of appeals heard in the first year, a review of appeals and processes, the numbers of clients attending services across three years (2017/18, 2018/19 and 2019/20), and the income generated across the same three years.
- 3.3 Twenty-three appeals were heard over 14 months between June 2018 and August 2019. Ten appeals found in favour and 13 not in favour. Of the 13 cases not found in favour, two of the cases saw a reduction in contribution as a result of consideration of disability-related expenditure. Independent advocacy was involved in 14 of the 23 appeals. Expenditure and income

were considered in all but three of the 23 appeals. The other three were considered on the basis of risk. When reviewing these appeal decisions, 22 of the 23 decisions were deemed to have been correct.

- 3.4 Since August 2019, a further 14 appeals have been heard, five of which were upheld and nine not upheld.
- 3.5 Appeals processes reviewed include all forms of communication including the full suite of letters, the level of detail in letters, the timing and the frequency. It also included the financial assessment form, disability-related expenditure, the appeal expenditure form, and membership of the appeals panel.
- 3.6 Analysis of the different chargeable services over a period of three years ranging from before and after the changes to charging were introduced does not suggest any significant reduction in the use of services since charges were increased. Care at home has remained static, as have residential self-funders, and day services have also remained static. The number of ceased alarms peaked in 2018 but has returned closer to the number of ceased seen in 2017 in the most recent year 2019. Meals have reduced across the 3 years being monitored by 10% since 2017, but there has been an increase in 2019 compared to 2018.
- 3.7 Quantifying income generated as a result of the increase in charges and changes to the taper in 2018/19 has been challenging for a number of reasons. While there has definitely been an increase, it is difficult to gauge the full extent of the increase. Income in 2017/18 was £2,808,000 compared to £2,916,000, which is an increase of £108,000. This needs to be viewed with a number of caveats in mind, including financial modelling not being a precise science, the financial status of clients changing, the associated reduction in net payments to external care homes, and the reduction in income as a result in Frank's Law estimated to be around £100,000. Forecasts for 2019/20 suggest income of £3,271,000 is realisable, which is an increase of 355,000 on the 2018/19 figure.

4 POLICY IMPLICATIONS

- 4.1 A review of the current Non-Residential Charging Policy is currently underway which will reflect updated guidance from COSLA for 2020/21.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process at the time these changes were implemented. Further impact assessments are planned to support the implementation of the updated 2020/21 Charging Policy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – there is ongoing work between the council finance team and the H&SCP mosaic team in order to establish better monitoring of both expenditure and income in order to more accurately assess impact.
- 6.2 Personnel – none.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 None.

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