

Non Residential Social Care Charges Policy 2026-2027

This document outlines the charges that apply for social care support for people living at home.



Contents

1	Charging Policy.....	3
2	Legislative Context for Charging.....	5
3	The Social Care (Self-directed Support) (Scotland) Act 2013.....	6
4	The Care Reform (Scotland) Act.....	6
5	Transition from Child to Adult Services.....	7
6	Removal of social care charging update 2026-2027.....	7
7	Non-Chargeable Services.....	8
8	Chargeable Services	10
9	Personal budgets and application of charges	11
10	Direct Payment Arrangements	12
11	Replacement Care and Temporary Admission to Residential Care	12
12	Services provided to Support Carers	12
13	Financial Assessment Process	13
14	Disability Related Expenditure (DRE)	20
15	People who do not wish to be financially assessed.....	20
16	Changes in circumstances	20
17	Written notification of charges.....	20
18	Hardship, concerns or questions about financial assessments or charges	21
19	Income Maximization	21
20	Debt Recovery	22
	Costs of services	23
	Appendix B.....	24
	Disability Related Expenditure (DRE)	24
	Appendix C	28
	Thresholds, tapers and capital.....	28
	Appendix D	29
	Potential allowances, disregarded benefits / income list.....	29
	Appendix E.....	32
	Financial Assessment Example	32
	Appendix F.....	34
	Appeals and Complaints Procedures.....	34

1 Charging Policy

- 1.1 East Lothian's Health and Social Care Partnership (ELHSCP) need to ensure they develop services that are sustainable and proportionate to need. The sustainability of services relies on being able to generate income from the chargeable services that are provided for social care.
- 1.2 Local Authorities and Health and Social Care Partnerships decide whether to use their legal powers to charge for social care support at home within an overall context of financial and demographic pressures.
- 1.3 This Policy aims to explain how much people who use Non-Residential Care Services will have to pay towards the cost of the services they receive. It is intended to help staff, service providers, people who use our services and other interested groups to understand how we will calculate the charges service users may be asked to pay for the services provided or purchased by ELHSCP.
- 1.4 This policy sets out and describes the principles on which it is based, the types of services that it covers and explains the financial assessment process used to determine individual contributions. It further sets out how people can appeal the amount they contribute if they deem that this will cause them hardship and where and how information on the charging policy and the processes involved can be found and accessed.
- 1.5 This policy is in line with COSLA guidance. The 2026-2027 revision of the COSLA Guidance represents continued progress toward securing the outcomes identified as part of the ongoing review and revision of the Charging Guidance for Non-residential Social Care Services in Scotland. The relevant sections were updated to reflect compliance with the annual uprating of the Department of Work and Pensions (DWP) benefits used to set the charging thresholds, tapers etc have been revised as part of this process and amended accordingly. Transport charges have been added and updated.
- 1.6 The provision of social care support at home will always be based on the statutory requirement to meet our 'duty of care' rather than the ability of someone to pay for a service.
- 1.7 Service users will not be required to contribute more than it costs to provide the services to them and for some charges, a financial assessment will be carried out to determine individual contribution level.

1.8 ELHSCP charges for Non-Residential Care and Support adheres to all current legislation. In developing this guidance, we promote a human rights-based approach, drawing on the PANEL principles¹;

- a. Participation: ensuring people requiring care and support are consulted on significant change
- b. Accountability: ensuring transparency
- c. Non-discrimination and equality: ensuring fairness and consistency
- d. Empowerment: ensuring an individual has access to a full range of services and support
- e. Legality: ensuring information in relation to the Charging Policy is accessible

1.9 The HSCP has set out some core principles for this charging policy:

- a) That the HSCP will follow COSLA and Scottish Government guidance on charging, by maintaining the minimum charging threshold. (Based on DWP benefits rates including a 25% buffer)
- b) Disability Related Expenditure will be taken into consideration during Financial Assessments to allow further disregards to be considered.
- c) That financial assessments relate to the income of the individual, not the household income.
- d) Charges are determined only after a financial assessment, and the amount charged will never exceed the full cost of the service;
- e) The policy applies to all non-residential services that are subject to a financial assessment as well as services that are charged on a flat rate basis.
- f) The impact of charges on the wellbeing of adults in receipt of services and on carer is considered.
- g) That income maximisation is at the heart of the charging policy, and all service users will be directed to support which can help them maximise their income.
- h) The national Guidance provided by COSLA will be adhered to in the development of this local guidance.

¹ UN endorsed approach to human rights

2 Legislative Context for Charging

Social Work (Scotland) Act 1968 Section 87

- 2.1 The current legislative framework for charging includes services provided under the Social Work (Scotland) Act 1968 Section 87. In terms of the guidance on charging set out in the Scottish Office Circular SWSG1/1997 and with regard to subsequent development of COSLA guidance, ELC have the power to charge for a range of social care support at home.
- 2.2 The Circular, together with the further Scottish Government Circular CCD3/20182 amended for the extension of free personal and nursing care to those under 65 also sets out what cannot be charged for – this includes:
- Support for people who are subject to Compulsion Orders under the Criminal Procedure (Scotland) Act 2003
 - Nursing Care and Personal Care. Annex B of the updated statutory guidance³ sets out the definition of personal care or support as defined by the Community Care and Health (Scotland) Act 2002 and amendment number 2 in 2018.
 - Support for unpaid carers (e.g. a short break for the carer or for the supported person which benefits the carer)
- 2.3 Previous versions of the guidance have indicated that people who were subject to Community Care Orders should not be charged for the care they receive. Community Care Orders are no longer in use, but a similar mechanism called Compulsory Treatment Orders introduced under the Mental Health (Care and Treatment) (Scotland) Act 2003 are in use.
- 2.4 ELHSCP is committed to full compliance with national guidance and legislation including:
- National Assistance Act 1948
 - Social Work (Scotland) Act 1968
 - National Assistance (Assessment of Resources) Regulations 1992
 - Community Care and Health (Scotland) Act 2002
 - Mental Health (Care and Treatment) (Scotland) Act 2003
 - COSLA's Guidance on Charging Policies That Enable People to Remain in Their Own Home, 2025-2026
 - Housing (Scotland) Act 2001 (Housing Support Services Information) Regulations 2002
 - Guidance on Free Personal and Nursing Care in Scotland 2003
 - Social Care (Self-Directed Support) (Scotland) Act 2013
 - Carers (Scotland) Act 2016

² https://www.sehd.scot.nhs.uk/publications/CC2018_03.pdf

³ https://www.sehd.scot.nhs.uk/publications/CC2018_03.pdf

- COSLA National Strategy and Guidance
- Frank's Law
- Equality Act 2010
- Social Security (Scotland) Act 2018

3 The Social Care (Self-directed Support) (Scotland) Act 2013

3.1 Self-directed support is Scotland's approach to social care, including free personal care. It applies across all ages and user groups, including unpaid carers. It aims to enable people to live the life they want by giving them choice and control over their care and support and how it is delivered. When a person is assessed as eligible for social care, they will agree with the assessor the outcomes that are important to them and choose one of four different options for how they would like their support delivered. It should be noted that no matter what option a person chooses there will be no difference in the amount someone will be required to pay.

4 The Care Reform (Scotland) Act

4.1 The Care Reform (Scotland) Bill became an Act on 22 July 2025. The Act introduced several reforms to social care, social work and community health, including:

- Right to breaks for unpaid carers.
- Anne's law, enhanced care home visitation rights.
- An integrated health & social care record, information sharing and information standards.
- New procurement routes for the third sector.
- National Chief Social Work Adviser & National Social Work Agency.
- Continuity of care for persons with a disability.
- Timescales for assessments for persons with a terminal illness.
- Duty on relevant bodies to promote financial or other support take-up available to unpaid carers.
- Enable Scottish Ministers to amend Integration Principles in the Public Bodies (Joint Working) Act 2014.
- Report on projected care needs and the social care market.
- Ethical commissioning guidance, procurement strategies, and social care bargaining guidance.
- Independent advocacy standards, reporting and access.

4.2 This guidance will be updated as these reforms are introduced to reflect any impact to charging

5 Transition from Child to Adult Services

- 5.1 Currently, children are not charged for any social care up to the point they transition from children's social work services to adult social work services, this can be any point between their 16th and 18th birthdays, if they are not 'looked after' the by Local Authority.
- 5.2 Young people who have been 'looked after' until their 16th birthday are entitled to support in order to smooth the transition to adulthood, in terms of duties in the Children (Scotland) Act 1995, as extended by the Children and Young People (Scotland) Act 2014.
- 5.3 Specifically, "continuing care" is the right to the same accommodation and assistance that the young person was being provided with immediately before ceasing to be 'looked after'. This applies until age 21 unless the young person chooses to leave the accommodation before then.
- 5.4 In 2020, Scotland made a significant commitment known as "The Promise" following the Independent Care Review. Scotland's Promise to care experienced children and young people is that they will grow up loved, safe, and respected. The Promise includes support for care experienced young people transitioning into adulthood. The Promise does not mention non-residential charging and care experienced young people are not financially assessed for non-residential charges until they move into adult services.

6 Removal of social care charging update 2026-2027

- 6.1 The Scottish Government committed to developing options to end charging for non-residential social care support. COSLA and Scottish Government have committed to this through the joint statement of intent⁴ and are working together to engage with the sector to develop options for implementation. Local Authorities and Health and Social Care Partnerships will be engaged with this process through the relevant working groups and the COSLA Charging Working Group. This will be subject to the relevant political agreement from COSLA Leaders and the parliamentary and budget process.
- 6.2 2026-2027: The Scottish Government have been unable to progress the removal of charges and the position remains unchanged and further challenged by current national financial position of Health and Social Care. There has been no indicative timescale for the removal of social care charges to be implemented.

⁴ [Adult social care - independent review: joint statement of intent - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2020/06/Adult-social-care-independent-review-joint-statement-of-intent-2020-2021.pdf)

7 Non-Chargeable Services

7.1 East Lothian Council and East Lothian Health and Social Care Partnership provide some social care services directly but also contract with several other organisations to provide services (most commonly Care at Home Services). Charges for any of these social care services will be calculated under this policy regardless of whether the Council has directly provided the care or contracted for the care with an external organisation. All services provided by NHS are free.

7.2 Services provided free of charge

Not all non-residential care services are charged for. The following services are provided free of charge:

1. Personal Care Services

Personal Care Services are services which assist people with things like:

- **Personal Hygiene** - Bathing, showering, hair washing, shaving, oral hygiene, nail care
- **Continence Management** - Toileting, catheter/stoma care, skin care, incontinence laundry, bed changing
- **Food and Diet** - Assistance with the preparation of food and assistance with the fulfilment of special dietary needs
- **Problems with Immobility** - Dealing with the consequences of being immobile or substantially immobile
- **Counselling and Support** - Behaviour management, psychological support, reminding devices
- **Simple Treatments** - Assistance with medication (including eye drops), application of creams and lotions, simple dressings, oxygen therapy
- **Personal Assistance** - Assistance with dressing, surgical appliances, prostheses, mechanical and manual aids. Assistance to get up and go to bed. Transfers including the use of a hoist

For details visit Free personal and nursing care: questions and answers (www.gov.scot)

2. **Personal Care and Support services** provided by either the Hospital-to-Home or the Hospital-at-Home Teams.

3. **Support from Justice Social Work Team**

4. **Support from Social Workers** or other Social Care Professionals including information and advice, needs assessment and care management

5. **Laundry services for people who have severe incontinence**

6. Minor adaptations and equipment

7. Services following discharge from hospital - any new or additional services put in place following discharge from an unplanned admission to hospital will be free for a six-week period. All chargeable services that were in place prior to admission and that continue after discharge will continue to be chargeable from the date of discharge.

8. Adaptations and equipment Adaptations are provided free of charge except in the situation where a person qualifies for a Private Sector Housing Grant (PSHG) which are generally for large scale adaptations to private homes. People who qualify for a PSHG may be required to make a contribution towards the adaptation will be required (up to a maximum of 20% of the cost) depending on a separate financial assessment.

9. Private arrangements Note that in some instances service users will ask care providers to provide either services which are additional to or greater than the amount of a service arranged by the Council or Health and Social Care Partnership. There is nothing to stop people making such arrangements, but these are private and you will be required to pay whatever charge you agree with the provider.

10. People receiving end of life care The Scottish Government introduced (July 2021) a new definition of terminal illness for the purposes of determining entitlement to disability benefits⁵. This means that for all devolved disability benefits, whether a person is eligible will depend on the clinical judgement of a medical practitioner or registered nurse involved in the care or diagnosis of the individual (having paid regard to Chief Medical Officer guidance that the individual has a progressive disease that can be reasonably expected to cause the individual's death). Where this is the case, charges for social care are waived. This prognosis should be evidenced through a BASRiS form or a letter from the individual's General Practitioner or hospital consultant confirming the individual has already been awarded a BASRiS. In situations where a client has a DS1500 this can also be accepted to confirm prognosis.

11. People with a mental illness who are either detained in hospital or on a community based compulsory treatment order under the **Mental Health Care and Treatment (Scotland) Act 2003**

⁵ [Terminal illness and Disability Assistance: policy position paper - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/policy-position-papers/pages/terminal-illness-and-disability-assistance.aspx)

8 Chargeable Services

8.1 The following services are chargeable. The current rates or details of other values used for calculations are listed in Appendix A.

1. **Care at Home services** provide a range of supports to allow people to remain in their own home. These include Homecare, the provision of 'night-time support', and Supported Living Services.
2. **Night time support:** If someone receives support during the night either through a Wakened night ; where a support worker is awake and supporting someone through the night or a Sleepover Support; where someone is with the person but is able to sleep only waking periodically to provide support if required, these services incur an incremental cost to the service user through the Financial Assessment Process. These services are not charged per hour but through the Financial Assessment Process the amount of 'available income' is increased therefore people who receive nighttime support may pay overall more than those without nighttime support.
3. **Community based day support** Services that are based in buildings to provide an individual with opportunities to socialise and be part of their community are chargeable based on a financial assessment. Services that are based out with a building base to support individuals with opportunities to socialise and be part of their community are not chargeable. The charge excludes Day Centres for older people where the centres charge the individual for attendance.
4. **Flat Rate Charges** Some services will be charged without an individual being financially assessed. These charges are at a set rate. If someone feels they are unable to pay the flat rate they have the right to appeal against the charge through the Appeals Process.

The following services incur a flat rate charge:

i. **Frozen Meal Service**

There is a charge per meal for this service, which is charged by the provider of the meal. See Appendix A for details.

ii. **Community Alarm Service**

There is a charge for the 24-hour monitoring of the Community Alarm and Telecare service. This service is invoiced every six months (April and October) in arrears. However, people are encouraged to pay via Direct Debit each month.

iii. **Transport**

Where transport has been arranged and funded by the Social Work Department, the user of the transport will be asked to contribute towards the cost of the transport.

The contribution towards someone's transport will be a fixed flat rate weekly charge, irrespective of the number of journeys taken.

If the contribution is more than the total cost of the transport each 4 week period, the service user will be advised. The service user can be supported to arrange their own transport if this is a cheaper option for them. People will not be charged for more than it costs to provide the service.

A reconciliation at the end of the calendar year will be made to ensure that the charge made has not exceeded the cost of the transport.

If no transport is taken for 2 or more weeks, the service and the charge will be suspended.

9 Personal budgets and application of charges

9.1 Government legislation introduced Self-Directed Support (SDS) as the framework for delivering person-centred social care and support. This aims to enable people to have more choice and control over how their support needs are met. The amount of money required to manage the risks of a person's situation and achieve their agreed outcomes in relation to their health and wellbeing is referred to as their Personal Budget. The budget is based on the whole cost of the service to be delivered as opposed to the number of hours-of-service delivery. The assessed equivalent hours in the individuals support plan, will be used to calculate the chargeable element of their personal budget.

9.2 Not all service users and carers will spend all of their Personal Budgets meaning that people may pay for services they have not used. At the end of each year, the charge will be reconciled against the actual spend on the chargeable element of the Personal Budget. The charge will either be used as a credit towards the following year's charges or will be refunded to the service user.

10 Direct Payment Arrangements

- 10.1 East Lothian Health and Social Care Partnership operate, unless otherwise required, a net payment basis for Direct Payments. Where a client is assessed as being liable to contribute towards their care the contribution will be based on the agreed planned care provision.
- 10.2 The assessed client contribution will be deducted from the Direct Payment (to be paid as a net payment) and the client will be expected to pay the assessed contribution in to their Direct Payment account in order to meet the cost of their ongoing services. In the event that the service user is not able to procure the chargeable services included in their care plan the service user (or their agent) must notify the partnership of this in order to amend their plan and the contribution amount.

11 Replacement Care and Temporary Admission to Residential Care

- 11.1 As well as care or support at home, part of some cared-for people's support includes replacement care (respite) in a residential care setting. If the cared-for person is assessed as requiring this support, and this support is not due to carer need, the Council may charge for replacement care depending on the financial assessment.
- 11.2 For provision of replacement care to meet a carer need, please refer to section 12.

12 Services provided to Support Carers

- 12.1 Any services that are provided to meet carer need are not charged for, as per the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 and the Carers (Scotland) Act 2016. In practice many aspects of care and support provided will benefit both the person using the service and their carer.
- 12.2 For example, a service user attending a day centre will benefit through the positive environment and engagement with others, but it will benefit the carer by enabling them to have a break. The key issue is the primary purpose of the care and support provided. In most instances support for a service user will primarily be in order to meet their needs, but in some cases the additional support may primarily be to keep the situation manageable for the carer by reducing carer stress, ensuring they have better balance in their lives, or supporting them in other ways.
- 12.3 Support provided to meet carer need may be in the form of replacement care in lieu of care normally provided by the carer but does not have to be a like-for-like service. It could also be in the form of a short break, either through a stay in a care home, a sitter service, day opportunities, or through provision of additional care at home services. Support for carers may be arranged for short periods of time or may be spaced more

regularly through the cared-for person's support package for time-limited periods (i.e. a few hours per week to allow the carer time away from caring to meet friends or do activities of their choosing).

12.4 ELHSCP's position is that a carer can receive replacement care and/or short breaks free of charge if:

- The carer has an Adult Carer Support Plan, and their needs meet the ELHSCP Carer eligibility criteria at substantial or critical.
- The carer would be unable to take the break from caring or meet their needs without the provision of replacement care and that care / support cannot be provided by family support or universal services.
- The primary purpose of the replacement care/break is to meet the identified needs of the carer.
- The carer is willing and able to continue to provide the same level of care and resume the caring role after the support has been put in place. In other words, the support is about enabling the carer to continue in their caring role rather than a long-term reduction in the care that they are able to provide.
- The support being provided is within the carer's indicative budget.

12.5 In cases where the support put in place meets both the carer and the cared-for person's needs, support provided to the carer will be free of charge. However, the portion of support provided to the cared-for person may remain chargeable.

13 Financial Assessment Process

13.1 Individuals in receipt of chargeable non-residential care services will be asked to undergo a financial assessment to determine how much they can afford to pay towards the cost of the services they receive. In the case of all other services the requirement is to ensure that people in receipt of care services are not placed in financial hardship as a consequence of the way in which the services are charged.

13.2 The financial assessment will take into account most (but not all) of a person's income and capital, whilst allowing a predetermined threshold of income for general living expenses as well as some additional relevant disregards. Where a person has income below this threshold, they will not be asked to make a contribution towards the cost of their care (except for any flat rate charges set out in Appendix A.)

13.3 Service users(s) whose income exceeds this threshold figure are liable to contribute towards the cost of their non-residential care services with the exact amount being calculated by the financial assessment.

13.4 If the financial assessment form is not completed within 4 weeks of issue, then full charge will be applied. This does not apply to financial assessments that are under dispute or where a financial guardian needs to be appointed before completion is

possible. A full charge will only occur where no correspondence has been received, and the service user will be informed in writing that they will be charged in full for their services if they do not contact the financial assessment team. Financial Assessment Team: phone 01620 827 901 or email: awfinancialassess@eastlothian.gov.uk

13.5 The outcome of the financial assessment will be applied to the charges in the following financial year. This means that people will be assessed based on their previous years benefit level. The percentage uplift on the assessed charge is agreed by East Lothian Council when the budget is set in its Budget setting in February each year. The new rates will be communicated to people who have a charge one month in advance of the uplift being applied to their bills. A decrease in the charge will be applied with effect from the assessment date.

Calculating Chargeable Income

13.6 The financial assessment process involves a number of steps: see Appendix E for an example

- 1) Identifying the amount of chargeable services a person receives and working out the full charge for those services. All services which are free will be excluded.
- 2) Identifying if the services users is exempt from being charged.
- 3) Calculating the service users "Chargeable Income". This is their total income plus any savings (tariff) income.
- 4) Applying appropriate disregards (Appendix D). This includes the Charging threshold and agreed Disability related expenditure.
- 5) Applying the Taper rate (A taper prevents people from being fully charged on all their accessible income, it is set at 75%)

13.7 The resulting balance (after all disregards and allowances have been deducted—and after rounding up to the nearest pound) is referred to as the service users' chargeable income.

13.8 Most income will be taken into account when calculating chargeable income including most welfare benefits, salary payments, etc. Certain types of income are disregarded and will NOT be taken into account when assessing a person's ability to make a contribution including the following:

- Scottish Disability Living Allowance Mobility Component
- Adult Disability Payment Mobility Component
- First £20 of earned income (such as salary) or any monies earned through Permitted Work in line with DWP Assessment
- Payments from War Disablement Pension or made under the Armed Forces Compensation Scheme

- People in receipt of the high rates of Scottish Disability Living Allowance, Pension Age Disability Payment or Adult Disability Payment, daily living component will have the standard rate of their award considered during the Financial Assessment. The enhanced portion of the award would be disregarded. People receiving a nighttime service will have the whole daily living component included during the financial assessment.
- Independent Living Fund payments
- All benefits paid for or on behalf of dependent children or the service user's partner (e.g. elements within Universal Credit, Child Benefit and any disability benefits)
- Winter Fuel payments and Christmas Bonus paid with benefits
- All interest from savings (but tariff income is taken into account instead – see below)
- Any income from charitable sources including income received in lieu of Coal

This is not an exhaustive list and further information on the type of income that will be disregarded can be found in Appendix D

13.9 Charging Thresholds

A person who has income below the charging threshold will not pay towards their social care support if they have been assessed as eligible. This threshold ensures a person retains a level of income to meet their daily living expenses.

The **charging threshold** is worked out by reducing the persons DWP rate by 25% (a buffer). The income is based on the appropriate DWP rate(s) for groups of people as set out in the following tables (*all thresholds are rounded up).

At the moment, and in the absence of any other suitable national index, the **charging threshold** is linked to rates set by the UK Government Department for Work and Pensions. These are rates of benefit which provide a top up of weekly income to a **guaranteed minimum amount** and are set out below

Income Support - Personal Allowance	2026/2027 (weekly)
Single Person	95.55
Couple	150.15

Disability Premium	2026/2027 (weekly)
Single Person	44.85
Couple	64.00

Pension Credit - Guarantee Credit	2026/2027 (weekly)
Single Person	238.00
Couple	363.25

Figures from [Benefit and pension rates 2026 to 2027 Gov.uk](#)

13.10 **Tariff Income**

An individual will be treated as having an assumed (tariff) income from any capital above the lower capital threshold. For details see Appendix C

13.11 **Capital and Savings**

The term Capital includes all savings, investments, bonds, assets and property owned by the supported person.

Disregarded Capital

Some Capital is disregarded; therefore, this money will not be included in your financial assessment and won't count towards your final contribution.

Disregarded capital includes:

- The value of the service user's main residence only
- Bonds with life assurance
- Jointly owned capital

East Lothian Council will determine what is reasonable and a proportionate value of a joint owned capital on a case-by-case basis. The table below sets out the basis for the treatment of joint ownership of income/capital.

Ownership of income/capital	Treatment of Income/capital
Solely owned by Individual	Taken into account subject to normal disregards
Solely Owned by Partner	Should not routinely be taken into account as part of financial assessment. This will be looked at on a case-by-case basis.
Jointly Owned	Normally the individual is considered to be in possession of an equal share of any joint financial resource
Benefit Payments paid to one member of a couple at couples' rates, for example, pension credit, income support etc.)	It would be appropriate to determine what proportion of such income is "reasonable" to consider as part of the individual's means

Joint savings account will be assumed to be owned in equal shares between the named account holders and only the service users' share of the capital will be considered. Capital in joint accounts can be treated differently if there is evidence that it is owned in different proportion.

Capital up to a set lower limit will be disregarded for all service users and NOT taken into account when assessing charges. However, if a service user has Capital above a set upper limit, they will be expected to pay the FULL charge for all chargeable services they receive (excluding any service which are free). See Appendix C for details of these set limits.

Where service users' have capital between the lower and higher limits a tariff income will be assumed and taken into account.

Only available capital shall be taken into account. The value of a person's home that they occupy is not counted as capital; neither are any business assets or money held in aids and adaptations, but any weekly income received from them is counted. For example, if part of a person's home is rented out some of the rent received as weekly income is counted.

13.12 Deprivation or gifting of capital

If the Local Authority considered that a person has deprived themselves of a capital asset in order to avoid or reduce charges for services, then it may treat the person as still possessing that capital asset when assessing their ability to pay for services. Additionally, in some circumstances, the Council may be able to recover the cost of care from the person who received the capital asset or the person may be assessed as though they still own it.

All cases where capital has been 'gifted' or otherwise transferred will be assessed on an individual basis to determine whether or not the value of the capital should be taken into account in the financial assessment. If anyone has any concerns about the impact that gifting or transferring capital may have on their charges are urged to discuss this in advance of taking any actions which may be considered deprivation of capital.

13.13 Compensation Payments

Whilst this policy follows DWP guidance in relation to capital, for the purposes of compensation payments (including compensation payments held in Trust) East Lothian Health and Social Care Partnership will establish the breakdown of any compensation award and consider whether some elements of compensation payments should be included when assessing a supported person's ability to pay a charge. This may include compensation paid to address future care needs. Whether compensation payments should be included in assessing a person's ability to pay should be determined on a case-by-case

basis, depending on the settlement information that relates to future care needs, and where necessary informed by relevant legal advice.

13.14 Earnings

Where a supported person or their partner is in receipt of earned income when assessing chargeable income, we only take account of net earnings. In addition, we apply minimum earnings disregard of at least £20.

13.15 Independent Living Fund

The Independent Living Fund Scotland administers funding for disabled people. This funding is additional to what statutory authorities (local authorities, health and social care partnerships (HSCPs), provide and ensures that disabled people can purchase additional social care support to enable them to live independently in their communities.

To ensure equity to all users of social care services people who pay a charge for their ILF care will also be financially assessed for their care which is funded by the HSCP or the Council.

The charge made by the Independent Living Fund Scotland (ILF) is disregarded in the Council's financial assessment process. The ILF charge is not seen as accessible income but disregarded before the taper is applied. Please see Appendix E for an example.

ILF currently have a maximum charge of £43 per week.

13.16 Additional Allowances

Certain types of expenditure can be offset against the services user's income following COSLA guidance. These include allowances for the following costs:

- Net housing costs payable (rent, service charges, mortgage, etc) after any benefits awarded have been taken into account.
- Net council tax payable after any benefits paid to meet the costs have been taken into account
- Water and sewerage charges payable.
- Contributions made towards the costs of Independent Living Fund support where relevant.

13.17 Buffer

The buffer, endorsed by the Scottish Government is applied to these DWP rates to recognise that not all of a persons income should be taken into account when calculating charges for people on low incomes or who may incur additional living costs due to their impairment or to support frailty. This buffer is currently set at 25%.

For people below state pension qualifying age, the Income Support Personal Allowance and the Disability Premium are added together with the buffer added to the sum of these two rates as shown below.

	Income Support - Personal Allowance	Disability Premium	Buffer 25%	Charging Threshold* (weekly)
Single Person	95.55	44.85	35.10	176
Couple	150.15	64.00	53.54	268

For people of state pension qualifying age or above, the Pension Credit Guarantee is used as the basis for the charging threshold calculation with the buffer added as shown below (whilst at this time there is no change to the charging guidance on these age thresholds councils may wish to be aware of the information on the DWP alignment of pension ages set out at Annex B).

	Pension Credit - Guarantee Credit	Buffer 25%	Charging Threshold* (weekly)
Single Person	238.00	59.5	298
Couple	363.25	90.81	455

The charging thresholds are updated on an annual basis, using the approach outlined in the above paragraphs.

13.18 Taper Rate

In the financial assessment a taper refers to the rate (%) at which the accessible income is gradually taken into account when calculating the contribution towards care costs. A taper prevents people from being fully charged on all their accessible income above the thresholds, offering a protective buffer. The taper is set at 75%.

14 Disability Related Expenditure (DRE)

14.1 The Social Work (Scotland) Act provides the legal basis for charging for social care support at home. Under s87 of the Act charges must be both “reasonable and practicable” for an individual to pay. Understanding the associated additional daily living costs of living with an illness or an impairment is essential to ensure charging is set at an appropriate level.

14.2 The following is considered when applying DRE to a Financial Assessment,

- Information you give us including the receipts and any other evidence in relation to DRE.
- Check to see if the costs you have given us are to do with your care needs that are in your support plan.
- Check to see if any income you receive already covers these costs. For example, a community alarm system paid within housing benefit, support to a carer from a Carers Budget to pay for cleaning or gardening.
- Consider whether the costs you have asked us to consider are already available from the NHS.

Please see Appendix B for detail on Disability Related Expenditure.

15 People who do not wish to be financially assessed.

15.1 People who do not wish to declare their financial details can opt not to be financially assessed. However, they will be required to pay the full charges for their care, with the exception of any free personal care element. In many circumstances people will be better off completing a financial assessment so it is our policy to advise them to do so.

16 Changes in circumstances

16.1 If there are changes in an individual’s circumstances that may affect the current financial assessment, increases or reductions in income or expenditure e.g., award of Pension Age Disability Payment, Scottish Disability Living Allowance Adult Disability Payment, Employment Support Allowance, Pension Credit or Income Support, it is essential to notify the Financial Assessment Team (phone 01620 827 901 or email awfinancialassess@eastlothian.gov.uk) and request a reassessment. Failure to do this may result in an individual being liable to pay a backdated charge.

17 Written notification of charges

17.1 People who use our services will be given information about charges at the time of their assessment and a Financial Assessment Form will be completed where required.

17.2 The person and their financial representative will be advised of their assessed charge in writing. People will also be notified in writing of where they can access advice and advocacy around charges.

17.3 Contributions will be payable from the date the person first receives support. If the financial assessment is completed after this date, contributions will be backdated to the date the person first received support. Financial Assessments will be reviewed in August each year. One months notice will be given if the charge is increased or of a rate uplift.

18 Hardship, concerns or questions about financial assessments or charges

18.1 If you have concerns about how your charges have been assessed or if paying them may cause you hardship you should first contact the Financial Assessment Team (phone 01620 827 901 or email awfinancialassess@eastlothian.gov.uk, who will provide you with a detailed written explanation of the basis of the calculation, ensure that all relevant disregards and allowances have been applied and check the accuracy of the financial assessment. Also, independent advocacy and support is available.

18.2 If it is discovered that an incorrect financial assessment has led to someone being charged too much or too little, a new financial assessment will be undertaken and the correct charge will be applied.

18.3 If the assessment is correct, but you remain concerned that the charges will cause you hardship you can appeal against the charges – see Appendix E for details of the process.

18.4 Advice and Advocacy

East Lothian Council's Financial Assessment Team (and ELHSCP Appeals Panel) will advise and assist service users and people concerned about charges to access advocacy support from services including:

- Carers of East Lothian <https://coel.org.uk/> 0131 665 0135
- CAPS Independent Advocacy 0131 273 5118 [CAPS \(capsadvocacy.org\)](http://capsadvocacy.org)
- EARS Advocacy www.ears-advocacy.org.uk 0330 533 0238
- Partners In Advocacy www.partnersinadvocacy.org.uk 0131 478 7723
- Citizen Advice Scotland <https://www.citizensadvice.org.uk/scotland>

19 Income Maximization

19.1 East Lothian Council's Financial Assessment Team can also provide advice on income maximization to ensure service users are claiming all entitlements. In order to assess this accurately, the Financial Assessment Team will require full disclosure of financial information relating to the household and not solely the service user.

20 Debt Recovery

20.1 East Lothian Council will have the right to pursue all charges not paid, by people assessed as being able to pay, through the Council Corporate Debt Recovery procedure. Services must continue, whilst payments are being disputed.

20.2 During the period of any appeal or complaint, invoices will continue to be sent (in some exceptional circumstances, this may not be appropriate). If the person wishes to pay the invoices and the appeal is upheld, any payments made will be refunded. There will not be active debt recovery activity by the council during an appeal hearing.

Appendix A

Costs of services

1. Services where charges are financially assessed

A charge will be applied for the following services provided (or arranged) by East Lothian Council and East Lothian Health and Social Care Partnerships. The total charge for all of these services will be added together but the actual maximum weekly charge people have to pay will be limited by the financial assessment set out in this policy.

Service	Full Charge (actual charge will depend on financial assessment) 2026-2027
Personal Support at Home Services (which are not Personal Care) for people over 18 when arranged by ELHSCP	£18.79 per hour
Resource Centres and other building-based community support sessions (3 hours)	£2.62 per person, per session
Transport	£15 per week

2. Services where charges are a Flat Rate

A charge will be applied for the following services provided (or arranged) by East Lothian Council and East Lothian Health and Social Care Partnerships IN ADDITION to any maximum weekly charge calculated by the financial assessment for the above services.

Service	Charge
Meals Provided At Home	(this is based on the contractors' charge and not set by East Lothian Council)
Community Alarm Service	£5.80 per alarm per week

Appendix B

Disability Related Expenditure (DRE)

What is disability related expenditure (DRE)?

Disability related expenditure is money that you spend on items and services that helps you manage or cope with a disability or a long-term health condition. It is money that we may recognise as an 'outgoing' when we do a financial assessment to find out how much you can afford to pay towards your care.

Thinking about what disability related expenditure would be

It can be difficult to think about disability related expenditure and what costs relate to your disability and what costs relate to day-to-day life. Try to think about what is different between what you have to spend compared to a relative, friend or neighbour who does not have your disability or long-term health condition.

Disability related expenditure costs usually fall into one of these two categories:

1. Specialised items and services: you may use things that are made especially to help with your disability, such as wheelchairs and care support. These items may have additional costs, like repair and insurance.
2. Increased use of non-specialised items and services: you may have to use things more because of your disability, such as transport or heating.

This guide sets out our standard or maximum allowances for disability related expenses:

- Costs for disability related services that support the whole household (like a cleaner) will be shared equally between all adults in the household (unless you have a good reason for us to consider a different way of sharing costs).
- Where a service is made up of different elements we will only consider costs for the part(s) that meet a disability related need. Hairdressing is a good example - we will allow a claim for the cost of washing your hair if your disability prevents you doing this yourself, but not the cost of cutting/styling as most people have to pay for this.
- You must provide bills, invoices and statements to support your claim. If you don't we will use our discretion to decide if your claim is reasonable.
- Allowances for special equipment needed due to a disability or condition will be based on the life span of the equipment and either the purchase price you paid or a lower cost alternative if that we believe would be reasonable to meet you're identified needs.
- If you must pay for maintenance of equipment - we will make an allowance for this in your financial assessment.

Please Note: We won't consider costs incurred for:

- General items or services required for daily living and used by the general population;
- Any item or service met by a payment from a Grant or where another funding source has been provided;

- The difference between the actual cost and a lower cost alternative where we consider it was reasonable for a lower cost alternative;
- Structural or landscaping work (e.g. tree surgery, path laying or re-laying) in gardens or to buildings unless:
 - The work is to help prevent falls (e.g. installing hand rails or repairing footpaths or
 - The modifications to the garden or building are essential for you to be able to use/store securely scooter or wheelchair that you need to use, or to provide secure storage for a scooter and the facility is used as such. In this case, the amount will be calculated as if the modifications were equipment with a suitable life span applied.

Calculating Disability Related Expenditure

Once DRE has been it will be deducted from your chargeable income and a final contribution to your services will be calculated.

Disability Related Expenditure

Disability Related Expenditure Item	Example	Evidence Required
Privately-arranged registered care services (including respite care)	Allowable ONLY where this is part of an agreed care assessment and support plan AND the council arranged support is reduced accordingly.	Invoices or bills from the provider/ personal assistants
Community Alarm System	Actual cost paid unless included in Housing Benefit award	Bills/bank statements
Additional laundry and replacement bedding costs (where more than 4 loads washing/week needed due to incontinence or other disability-related or medical reason)	If you have to use a special detergent and do more laundry which exceeds 4 loads per week because of incontinence or risk of infection. A fixed amount of £5.10 per week. Wear & Tear of Bedding - £2.61per week	Details required about the number of loads of washing each week detailed in care assessment or support plan.

Specific diet / pureed food	Extra food costs specific to your impairment and not available on the NHS. Only the price difference between a specialist product and a regular item will be considered at our discretion.	Receipts or invoices and needs identified in care assessment or support plan.								
Additional clothing and footwear	Expenditure on footwear over £47 per pair of specialist shoes (averaged over 1 year). For specialist clothing and frequent replacements – up to £9.30 per week – if good reason.	Receipts of purchases Need to be identified in care assessment or support plan								
Heating costs	Your heating costs are higher due to your impairment and allowed if the amount is over and above the following fuel bills expected for the size of your property, as follows: Annual Average fuel amounts: Flat/Terrace – single occupancy – £2,194 Flat/Terrace – couple/shared occupancy – £2,954 Semi-detached – single occupancy – £2,397 Semi-detached – couple/shared occupancy: £3,076 Detached – single occupancy £2,835 Detached – couple/shared occupancy £3,739	A % disregard will be applied to the average bills outlined opposite based on the table below. Please state clearly your household type in your application. <table border="1" data-bbox="1066 864 1497 1200"> <thead> <tr> <th>Household Type</th> <th>Utility disregard</th> </tr> </thead> <tbody> <tr> <td>Mild/Moderate disability</td> <td>20%</td> </tr> <tr> <td>Mobility issues/health condition</td> <td>30%</td> </tr> <tr> <td>Equipment Dependent Disability</td> <td>45%</td> </tr> </tbody> </table>	Household Type	Utility disregard	Mild/Moderate disability	20%	Mobility issues/health condition	30%	Equipment Dependent Disability	45%
Household Type	Utility disregard									
Mild/Moderate disability	20%									
Mobility issues/health condition	30%									
Equipment Dependent Disability	45%									
Basic gardening	Only considered where there is no other able-bodied person is residing in the household or not provided by family. A maximum contribution of £180 per annum.	Invoices or bills from the provider and identified in care assessment or support plan and not already provided by a Carers Budget.								
Basic cleaning	Disability or condition prevents the person doing this themselves and only where there is no other able bodied person residing in the household or not provided by family. A maximum contribution up to £1,340 per annum	Invoices or bills from the provider and identified in care assessment or support plan and not already provided by a Carers Budget.								
Purchase and maintenance of equipment (all costs to be spread over expected lifetime of product)	Equipment includes hoists, powered and turning beds, scooter/wheelchair and stair lifts. For wheelchair and mobility equipment these costs will be allowed net of any DLA mobility component received.	Invoices or bills from provider (excluding any Council/NHS/DFG funding) and identified in care assessment or support plan.								

Travel and transport costs where Adult Social Care have confirmed that transport, to meet an eligible need, is necessary and proportional.	If a person has a mobility car, check with the driver for consent and willingness to provide transport and if not, why? <ul style="list-style-type: none"> • Assess financial affordability, are there lower cost alternatives for the person, and the appropriateness of using these? • Direct the person to patient transport for health appointments. Additional cost of transport over and above the mobility component of ADP for necessary trips as a result of disability. Allow actual commercial/fuel costs (if reasonable) up to £33.00/week or more if evidence is provided.	Receipts or bills from provider and identified in care assessment or support plan, that excessive mileage is required that would cost more than the ADP mobility weekly benefit.
Chiropody /Podiatry	Actual cost up to a maximum £379 averaged over one year (equivalent to max £7.28/week), if NHS chiropody not available (based on 6 weekly visits).	More than one invoice or bill from provider to evidence the customer is receiving this service on a 6 weekly basis and not as a 1 off session. Care assessment must identify restricted movement.
Hair Cutting	Allowable where the customer is unable to attend standard hair dresser. We will consider the actual cost up to a maximum of £8.63 per week.	At least 2 receipts for the service and identified in care assessment or support plan.
Financial Management Charges	Where a Financial Guardianship is in place or a Financial management Service and the service charges for the management of the individual finances then these costs can be considered.	Evidence of charge being made. Full cost of the charge can be disregarded.
Legal Expenses	Legal expenses for the establishment of Guardianship for example can be considered if Legal Aid is not accessible.	Only considered if Legal Aid was not applicable.
Other Disability Related Expenses.	Other Disability Related Expenses may be allowed with good reason and proof of costs. These will be at the discretion of the East Lothian Health and Social Care Partnership.	Evidence and receipts of purchase. Evidence of need within care assessment or support plan.

Average annual amounts based on good practice guide developed by the National Association of Financial Assessment Officers. The figures are uplifted each year and for 2026 by 3% to reflect the Consumer Price Index in January 2026.

Appendix C

Thresholds, tapers and capital

Capital

For any capital held above those levels, a weekly income is assumed and this is added as income in the financial assessment, as per the rates set out in the table.

Capital Disregards

	Disregard Capital Below
Below State Pension qualifying age	£6,000
State Pension qualifying age or above	£10,000

Capital Income

	Weekly Tariff Income
Below State Pension qualifying age	£1 per £250
State Pension qualifying age or above	£1 per £500

It should be noted that where a supported person has capital in excess of the amount to be disregarded and is in receipt of Income Support, there will be no requirement to calculate the capital tariff contribution as this exercise will have been carried out by the Department of Work & Pensions (DWP) with an appropriate adjustment to the amount of Income Support paid to the supported person.

Charging Threshold

	2026/27
Capital Upper Limit (above which full charge is made)	£16,000
Single person (Income Support/ Disability Premium)	£176
Couple (Income Support/ Disability Premium)	£268
Single -Pension Guarantee Credit	£298
Couples -Pension Guarantee Credit	£455

Please also see COSLA Social Care Charging Guidance 2026-2027 [COSLA Charging Guidance](#)

Appendix D

Potential allowances, disregarded benefits / income list

As identified in the COSLA National Strategy and Guidance. Charges applying to Non-Residential Social Care Services.

Adoption (Scotland) Act 1978 (section 51A) Payments
Age-Related payments Act 2004 Payments
Armed Forces Compensation Scheme
Armed Forces Independence Payment
Backdated Benefits
Bereavement Payment
Budgeting Loan
Capital – various different levels of disregard
Carers Allowance (previously Invalid Care Allowance)
Carers Premium
Certain payments made to trainees
Charitable and special funds
Child Benefit
Child Disability Payment (CPD) and Short-term Assistance (STA)
Child related premiums paid to pre April 2003 Income Support Claimant
Child Support Maintenance Payments
Child Tax Credits
Children's Benefits
Christmas bonus
Christmas Bonus paid with benefits
Cold Weather Payments
Concessionary Coal payments
Council Tax Benefit / Council Tax Reduction
Dependency increases paid with certain benefits
Difference between higher and lower rate of Pension Age Disability Payment and higher and middle rate of DLA care when the person is not receiving night-time services
Difference between enhanced and standard rate of Adult Disability Payment (Daily Living Component) when the person is not receiving night-time services

Direct Payments made by a local authority under Section 12B of the Social Work (Scotland) Act 1968 to Individuals in respect of a care service that they or a dependent child have been assessed as requiring
Disability benefits paid to client's partners where the partner is not a service user
Scottish Disability Living Allowance (Mobility component)
Disability payment in respect of child
Discretionary Housing Payments
Earnings
Far East Prisoner of War payment
Gallantry Awards (e.g. GC, VC, similar from abroad)
Guarantee Credit
Guardian's Allowance
Housing Benefit
Homes for Ukraine Payments
Income from a "home income plan" annuity
Income from a mortgage protection policy
Income frozen abroad
Income in kind
Income Support
Independent Living Fund Payments
Industrial Disablement Benefit
Industrial Injuries Benefit
Industrial Injury Disability Benefit
Infected Blood Compensation
Kinship Care payments
Personal Independence Payment (Mobility Component)
MOD Pension
Non-dependent child payments
Non-therapeutic Earnings
Payment Scheme for Former British Child Migrants
Partner's earnings
Personal property, such as household goods, family car etc.
Redress Board (Northern Ireland)

Scottish Infected Blood Support Scheme (SIBSS)
Scottish Welfare Fund – Community Care Grants
Scottish Welfare Fund – Crisis Grants
Social Fund payments
Student Loan Repayment
Sure Start Maternity Grant
Tax Credits
The Macfarlane Trust
The value of any ex-gratia payments from the Skipton Fund to people infected with Hepatitis C as a result of NHS treatment with blood or blood products
Therapeutic Earnings
Trainees' training premium and travelling expenses
UK Energy Bills Support Scheme
Victims Payment Regulations
Victoria Cross/Japanese Prisoner of War Payments
Victoria or George Cross payments
War Pensioner's Mobility Supplement;
War Widow(er)'s supplementary pension
War Widow's Pension (but not War Widows' Special Payments).
War Widows Pension (pre 1973)
War widows special victims awards
War Widows/Widowers Pension and War Disablement Pension.
War Widows' Special Payments
Where the Service User is a student, any grant payment for a public source intended for the childcare costs of a child dependent
Winter Fuel Payments
Windrush Compensation Scheme
Work expenses paid by employer, and expenses paid to voluntary workers Earnings disregard of £20.00 per week.

Appendix E

Financial Assessment Examples

Step 1: Calculate total income as a weekly amount
Step 2: Create an accessible income for financial assessment. This is done by applying all disregards, these include: <ul style="list-style-type: none"> - Charging threshold (set by Cosla Guidance) - Disregard appropriate benefits (set by Cosla Guidance) - Disregard Disability related expenditure (DRE)
Step 3: Total income minus Total disregards
Step 4: Apply tapers to accessible income

Disability Related Expenditure (DRE) – Example 1

Julie is 26 and lives on her own in a one bedroom terraced house. She is in receipt of Universal Credit and Adult Disability Payment (ADP). Her rent is fully covered by Universal Credit and she has an SMI exemption towards Council Tax/Water and Sewage charges. DRE for Laundry has been applied for and awarded at £4.95 per week.

Below are weekly amount is based on 2025/26 rates

Financial assessment **without** Disability related expenditure applied

Universal Credit	£ 241.65 (excludes housing costs)
ADP mobility component	£ 77.05
ADP disability living component	£ 110.40

Total income - £ 429.10

Disregards applied	
ADP disability living component	£ 36.50*
ADP mobility component	£ 77.05
Charging threshold	£ 170.00

Total disregards - £ 283.55

Total income £429.10 minus Total disregards £283.55 = £145.55

75% Taper rate applied on £145.55 = £109.16

Assessed contribution £ 109.16

Disability Related Expenditure (DRE) – Example 2

Financial assessment *with* Disability related expenditure (DRE) applied

Universal Credit	£ 241.65 (excludes housing costs)
ADP mobility component	£ 77.05
ADP disability living component	£ 110.40

Total income - £ 429.10

Disregards applied	
ADP disability living component	£ 36.50*
ADP mobility component	£ 77.05
Charging threshold	£ 170.00
DRE	£ 4.95
Total disregards	£ 288.50

Total income £429.10 minus Total disregards £288.50 = £ 140.60

75% Taper rate applied on £ 140.60 = £ 105.45

Assessed contribution £ 105.45

Independent living fund (ILF) example 3

Julie applied towards the Independent Living Fund (ILF) and was successful. Julie advises the Financial Assessment team of her change in circumstances. A reassessment is completed to include ILF disregard of £43.00

Universal Credit	£ 241.65 (excludes housing costs)
ADP mobility component	£ 77.05
ADP disability living component	£ 110.40

Total income - £ 429.10

Disregards applied:	
ADP disability living component	£ 36.50*
ADP mobility component	£ 77.05
Charging threshold	£ 170.00
DRE	£ 4.95
ILF	£ 43.00
Total disregards -	£ 331.50

Total income £429.10 minus Total disregards £331.50 = £ 97.60

75% Taper rate applied on £ 97.60 = £73.20

Assessed contribution £ 73.20

**Difference between the enhanced and standard rate of Adult Disability Payment (Daily Living Component) when the person is not receiving night time support services*

Appendix F

Appeals and Complaints Procedures

Appeals

East Lothian Health and Social Care Partnership is committed to reviewing and reconsidering changes in circumstances and taking into account special circumstances which the service has not been made aware of. The Appeal Panel will ensure that all circumstances have been fully taken into account and can uphold the original determination or agree to reduce or waive charges as appropriate. The Appeals Panel will consider appeals for all services including flat rate and assessable charges. Any discretion applied will be reviewed as part of the annual reassessment process.

Charging Appeals Process and Complaints Procedure

All applications for a review of charges will be treated individually and will be reviewed by the Appeals Panel. The panel is made up of officers representing services including:

- Health and Social Care Services
- Financial Assessment Team
- Financial Inclusion Team

The scope of the Appeals Panel is to ensure that people in receipt of social care services have access to a fair and transparent process where all people are treated equally, whilst still taking account of each person's circumstances.

The following steps will be undertaken in order to determine an appeal:

- Receipt of notification/request to review/reassess contribution to care package
- Ensuring the person making the appeal has access (if they wish) to advocacy services
- Identification of the issue(s) raised
- Context of the appeal i.e. legislation, financial hardship, service over/ under provision etc.
- Clear and concise communication of Appeals Panel findings to applicant.
- Appeal panel hearings will occur on the first Wednesday of every month and clients will be notified of the outcome of the appeal hearing within fourteen days of the appeal.
- Once an appeal is lodged, the request for repayments of outstanding charges will be paused, however, invoices will continue to be issued.

Appeal hearings will also consider requests for charges being waived for reasons of risk to the client, should that individual cease to use the service because of the charge being levied. These requests may be made by relevant practitioners with the appropriate service manager hearing the case and making the decision as part of the panel.

Anyone who remains dissatisfied with the outcome of their appeal will be entitled to pursue their complaint through the Council's normal complaints procedure.

You can do this by contacting the Customer Feedback Team by:

Writing to:	John Muir House, Brewery Park, Haddington, East Lothian, EH41 3HA
Phoning:	0131 653 5290
Emailing:	feedback@eastlothian.gov.uk

You can find out more about the complaints procedure on line at [East Lothian Council Comments, Complaints and Compliments](#)

If you would like additional copies of this policy or to arrange an appointment with an officer to discuss further, please contact:

Write to:	ELHSCP, John Muir House, Brewery Park, Haddington, East Lothian, EH41 3HA
Phone:	01620 827 755
Email:	elhscp@eastlothian.gov.uk

Versions of this leaflet are available on Audiotape, in Braille, and in your own language.

 **01620 827 199**