

# Charging for Non Residential Social Services

## Why do Social Services charge for its services?

The Welsh Government requires Social Services Departments to raise income to help pay for the services they provide.

The Social Services and Well-being (Wales) Act 2014 (hereby referred to as Act 2014) determines the charging rules, which means that the Council may have to ask you to pay a contribution towards the cost of care services you receive from the Council.

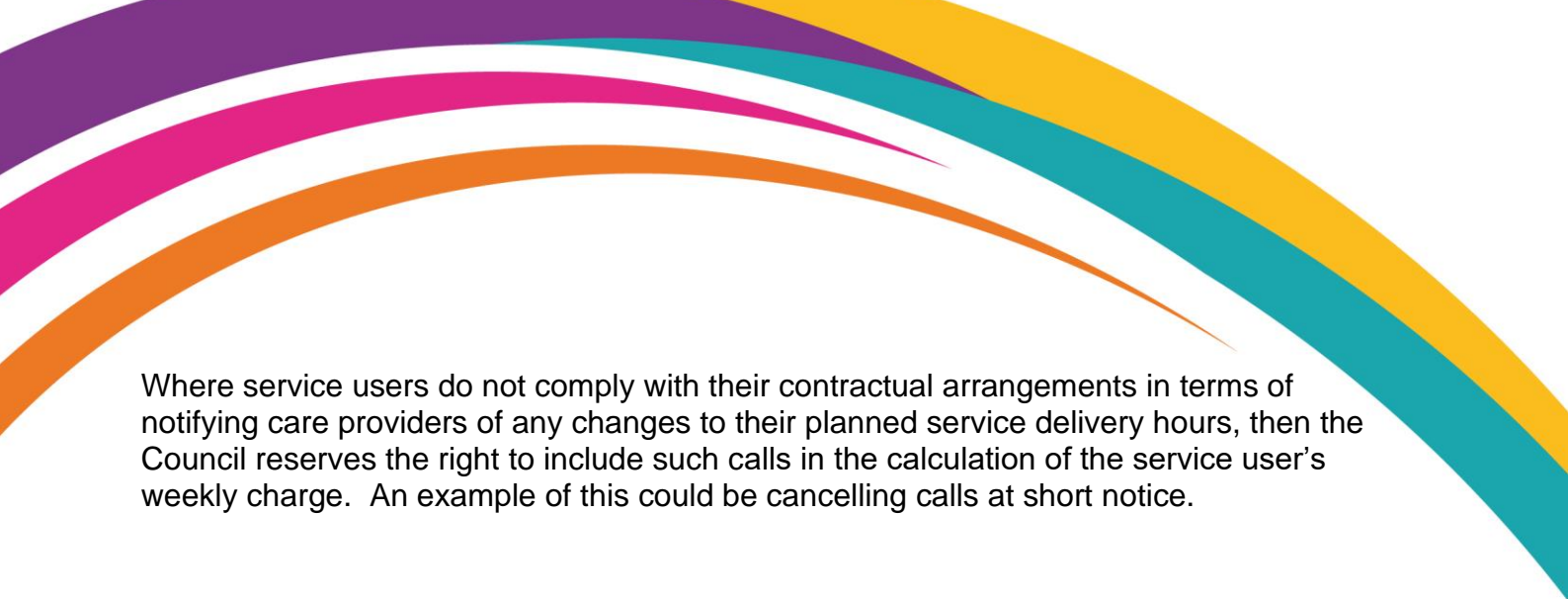
Within this factsheet are details as to how your non residential care service charges are calculated but you should note that this is for information only and you should not rely on it as a full statement of the law.

This factsheet is subject to further change during financial year 2022/23 as and when the Council's non residential care charging policy is reviewed.

## What services do I have to pay for?

Services you may have to pay a contribution towards the cost of include the following:

- Domiciliary (Home care) Services
- Day care services
- Supported living
- Direct payments
- Independent living / Outreach support
- Telecare (Tier 3)
- Respite Care (up to 56 days )



Where service users do not comply with their contractual arrangements in terms of notifying care providers of any changes to their planned service delivery hours, then the Council reserves the right to include such calls in the calculation of the service user's weekly charge. An example of this could be cancelling calls at short notice.

**You will not currently be charged for the following services:**

- Transport to day care services
- Employment and training schemes at day care services
- Preventative services and assistance
- Community equipment
- Assessment of needs, care planning and reviews
- Provision of Information and advice
- Provision of independent professional advocacy and mediation services

**Some people are exempt from charges irrespective of income:**

- Sufferers of Creutzfeldt Jacob Disease (CJD)
- Service users provided with after care services under Section 117 of the Mental Health Act 1983
- Adult carers
- Families that access facilities in order to help them meet their parental responsibilities for children under 18 years old

**You will not be charged for health services.**

If you order meals from the Council and/or are in receipt of Telecare equipment (Tier 1 and 2) you will be asked to pay for these separately at a flat rate charge.

## How is it decided if I have to pay a contribution to the cost of the service?

If you receive a service we charge for, the Council will need to ask you about your weekly income and savings.

As part of the Council's eligibility criteria for social services, we will provide you with a financial assessment / consent to share information form and charging for care factsheets. In respect of the financial assessment form, **you must complete and return to the Council within 15 working days of receipt.**

Alternatively, you can make an appointment for a visiting officer to help you or someone with legal authority to act as your financial representative (Lasting Power of Attorney or Court of Protection financial & property Deputy) to complete the form. We would expect you to be available within 15 working days from initial contact from the Financial Assessment Team. Please do not hesitate to contact the Financial Assessment Team on **(01443) 680380 or (01443) 680383** between 9am and 5pm (Monday-Friday) or in writing to; Charging Unit, Oldway House, Porth Street, Porth, CF39 9ST to request such a visit.

You are able to request an extension to these timescales however this must be agreed by the Council. As part of the financial assessment, you will be offered a benefits check, advice and practical support to apply for benefits you might be entitled to claim.

**Should the Council not receive a fully completed form within the above mentioned timescales then you will be charged the subsidised cost of the service you receive up to the agreed maximum charge per week.**

## How much will I have to contribute to the cost of the service?

Welsh Government guidance says that after taking into account the contribution you make towards the cost of care services you receive you will be left with at least 45% more than the basic level of Income Support (or Employment & Support Allowance), or 45% more than the basic level of Pension Credit. This is known as a **“Minimum Income Amount” (MIA)**. You will not have to pay for the care services you receive if your income each week is lower than the MIA.

To work out what you should contribute towards the cost of any services you receive, we will look at your total income and take away the MIA plus any other applicable housing expenditure and an additional 5% of any attendance / disability living allowance you may receive.

The amount of contribution you will pay, for all the services you receive, will be the lesser of:

- The amount of your chargeable income; or
- The subsidised cost of the services you receive; or
- The agreed weekly maximum charge.

In all cases, the amount you will be assessed to contribute towards your care fees will be confirmed in writing and the detail as to how we have calculated your assessment will be provided in a supporting charging statement. This correspondence will also include details of

- Charge start date
- Requesting a review
- Invoice timetable
- Payment methods
- Your obligations to the Council with regards to changes in financial circumstances

Please note that charges apply for the week from Monday to Sunday

The Council continues to subsidise the cost of the services we provide for you. The chargeable subsidised rates for 2022/23 are:

<b>Service category</b>	<b>Rates</b>
Home care	£17.00 per hour
Support and independent living / Outreach Support	£17.00 per hour
Day care services	£17.00 per visit
Telecare (Tier 3)	£5.88 per week
Direct Payments (domiciliary care)	£10.00 per hour

The minimum and maximum charges for 2022/23 are:

Service category	Rates
Minimum weekly charge	£2.50 per week
Maximum weekly charge	£100.00 per week

### What will Social Services need to know?

- **Your income** - this could be state retirement pension, private pension, most benefits, but we will disregard some of it such as:
  - Earnings
  - Disability living allowance (mobility component)
  - Housing benefit and council tax benefit

- **Your outgoings** - these are things such as your rent (after housing benefit), your mortgage (after any income support/pension credit help) and council tax (after council tax benefit).

The Council will automatically disregard an additional 5% of your attendance/disability living allowance in recognition of any additional expenses you may have due to a disability.

- **Your capital** – this refers to the value of any savings or investments you have, some of which may be excluded from our calculations.

If you have savings below £24,000 they will be ignored. If you have savings in excess of £24,000 then you will be required to pay the lower of, either the weekly maximum charge or your weekly assessed charge for the services received.

## **What if I don't want to give you details of my finances?**

You don't have to. But this means that the Council will charge you the subsidised cost of the services you receive up to the agreed maximum charge per week.

## **Charges for Respite Care (up to 8 weeks)**

Welsh Government guidance states that from 6<sup>th</sup> April 2016 respite care (up to 8 weeks, included in your care and support plan) will be included as a non-residential service and will, therefore, be subject to the current maximum charge of £100 per week.

You will be notified of your contribution towards the respite care you receive when you access this for the first time. Reassessments are carried out annually and following an initial respite stay in the new financial year, you will also be notified of any changes in your charge. The Council's charging statements sent to you will clearly show the:

- Contribution when receiving regular care services i.e. Home/Day Care
- Revised weekly Contribution (if applicable) when accessing respite services

Please note that respite stays are charged weekly from Monday to Sunday (or part of this week)

If your stay spans 2 chargeable weeks, you may have to pay a 2 weekly charge, for example for a stay from a Friday to the Tuesday.

## **Appointing someone to act for you**

From April 2016, new service users will, as part of the Council's eligibility criteria for care, be required to identify if they lack the capacity to manage their financial affairs. If assessed capable to manage their own financial affairs, the service user will be invoiced for their charges directly to their place of residence. The Council will provide a copy correspondence (but not official invoices) to a third party as long as the service user has provided us with the relevant written authority.

If someone is acting on a service user's behalf, it is important that they are doing so formally, for example as an Appointee for your state benefits, Lasting Power of Attorney or Deputy under the Court of Protection. Only in these cases, will the Council contact a service user's representative for information on their finances and then if they take responsibility to make payments, the Council will invoice them directly for the assessed charge.

## How do I make payments?

Every 4 weeks the Council will send you an invoice; this invoice will be sent in arrears. There is a range of methods to pay charging invoices. Details of these methods are included on the back of the bill sent out each month, and include the following payment options:

- Direct debit
- Cheque
- At any Barclays bank
- At any post office (using council swipe card)
- By debit / credit card
- Via council cash desks

## What if I don't agree with the contribution I have to make?

A service user may request a review of their financial assessment where they feel an inappropriate decision has been made, either in the level of the charge, or in relation to the basis upon which the decision to impose a charge was made. You are entitled to provide additional information for inclusion in your financial assessment, for example, additional disability related expenditure. The Council will set up a Review Panel headed by the Head of Service to consider these requests.

A review form and factsheet are available on request by contacting the Financial Assessment Team on **(01443) 680380 or (01443) 680383** between 9am and 5pm (Monday-Friday) or in writing to Charging Unit, Oldway House, Porth Street, Porth, CF39 9ST.

If you are unhappy with the Review Panel's decision you will be able to make a formal complaint about this to the Council in accordance with the Council's Social Care complaints procedure.

## What if my financial circumstances change?

Should your financial circumstance changes, you must advise the Financial Assessment Team as soon as possible, as this may affect their assessed charge. Changes, which should be notified, include:

- Receipt of a new benefit
- Changes in capital
- Changes to income or allowable expenditure

This will ensure you are being charged fairly and correctly.

## **What happens if I don't pay?**

Where you accrue a debt, the Council will take all reasonable steps to find out the reasons why this has happened and only when it is clear that it is as a result of a deliberate non-payment will debt recovery be considered, in line with the requirements of the Act 2014.

## **Where can I get more information than there is in this leaflet?**

We have a helpline to provide information and advice. Please do not hesitate to contact the Financial Assessment Team on **(01443) 680380 or (01443) 680383** between 9am and 5pm (Monday-Friday) or in writing to Charging Unit, Oldway House, Porth Street, Porth, CF39 9ST.

## **Where can I get independent financial advice?**

We are aware that planning for your future care and support needs can be complicated and funding can be expensive. Taking professional advice may be helpful in enabling you (and your family) to identify the most suitable and cost effective solution.

There are a large number of organisations that will provide free general advice about the funding of care and support. These are a good place to start if you are looking for information and want to see what sort of options are available.

### **The Money Advice Service**

Tel No 0800 138 7777

<https://www.moneyadviceservice.org.uk/>

### **Age Cymru**

Tel No – Advice Line 08000 223 444

<http://www.ageuk.org.uk/cymru/>

### **Citizens Advice**

Tel no Helpline 034554 04 05 06

<https://www.citizensadvice.org.uk/wales/>

**This information can be made available in other formats  
(Welsh, large print, Braille and other languages)**

To comment about this fact sheet or any other information received from social services,

Please contact [\*\*socialservices@rctcbc.gov.uk\*\*](mailto:socialservices@rctcbc.gov.uk)