

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3279

Author:

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Department:

Children and Adults

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Subject:

Adult Social Care - Fees and Charges

Total Value:

£33,000 per year (Type: Revenue)

Decision Being Taken:

Having regard to the outcome of consultation and paying due regard to the Council's statutory equality duty, to give approval to implement increases to fees and charges for Adult Social Care as set out in this report below.

On 20th February 2018 the Executive Board agreed, as part of the medium term financial plan, the proposal to review fees and charging for Adult Social Care.

Nottingham City Council is committed to maintaining quality services for elderly, disabled and vulnerable people. However the numbers of people requiring these services will continue to rise over the coming years and within the climate of the current budget reductions, Nottingham City needs to consider how to sustain these services.

Adult social care charges are means-tested and citizens who receive these services are asked to contribute towards the cost if they're assessed as being able to do so. This means-testing is carried out to comply with the Government's financial assessment guidance which seeks to ensure no-one is asked to contribute more than they can afford and that citizens are accessing other benefits that might be available to them. Currently over 5000 citizens receive social care services. Approximately 1230 citizens pay for all or part of their social care.

On the 14th August permission was sought and agreed to consult with all citizens receiving Transport , Day Care or a combination of both to ask them to complete a survey to express their views.

The proposal consulted on consisted of:

- Ø The charging for Traditional Day Care to increase from £12 to £20 per day.
- Ø The charging for Traditional Transport to Day Centres to increase from £8 to up to £16 per return
- Ø Self-funding citizens who request support with arranging services to be charged an administration fee. This will impact on new service users only.

The period of consultation was one month and responses to the survey have now been collated. 815 citizens were sent consultation letters, 262 surveys were completed.

81% of respondents 'strongly agreed/ agreed' that the system Nottingham City Council operates should be fair to everyone. 12.1% of respondents 'strongly disagreed / disagreed'

45.6% of respondents 'strongly agreed/ agreed' that citizens should be asked pay more towards their care package if they have been assessed as being able to afford to. 37.5% of respondents 'strongly disagreed/ disagreed'

32.2% of respondents 'strongly agreed/ agreed' with an increase to contributions as the funding budget reduces. 38.9% of respondents 'strongly disagreed / disagreed'.

Citizens were also asked

- Ø As a result of proposed changes you may be asked to contribute more to the cost of your care. If you would like to comment on this, please tell us here:-
- Ø Do you have any other suggestions that could help Nottingham City Council to meet the rising costs of Adult Social Care?

All responses to the above have been considered as part of the consultation process.

Those citizens using traditional day care and transport services will continue not to be charged the full cost of these services.

These increases to charges will contribute to the sustainability of services for elderly, disabled and vulnerable people.

This proposal will affect citizens who currently use a day care, transport or a combination of day care/ transport. 96 citizens will see an increase not more than £50 every 4 weeks, 44 citizens will see an increase between £50 to £100 every 4 weeks, 18 citizens will see an increase between £100 to £300 every 4 weeks.

Other Options Considered:**Other Option 1: Move to a full charge costing model.**

The proposal outlined above continues to offer a subsidy to those citizens using traditional day care and transport. Moving to a full charge costing model would substantial increase citizen's contribution for example specialist day care can range from £30 to £90 a day. Citizens using these services tend to be within the most vulnerable group of those receiving support from Adult Social Care. (Not favoured)

Other Option 2: Keep the existing arrangements for charges.

Nottingham City Council is committed to maintaining quality services for elderly, disabled and vulnerable people. However the numbers of people requiring these services will continue to rise over the coming years and within the climate of the current budget reductions, Nottingham City needs to consider how to sustain these services. Keeping the existing arrangements for charges will not contribute to the sustainability of these services going forward. (Not favoured)

Background Papers:

Summary report - Consultation attached

Unpublished background papers:

Fees and Charges Consultation Summary Report 021018.docx, Options - Fairer Charging.doc

Published Works:

Exec Board report from 20th February 2018 - General Fund MTFP 2018/2019
Legislation regarding Social Care duties

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Consultations:

Date: 02/10/2018

Other: Current Service Users

Refer to consultation results in the body of the decision.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no implications arising from these proposals

Equality:

Please login to the system to view the EIA document: EIA Consultation - Fees and Charging decision.doc

Decision Type:

Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 16/10/2018

Advice Sought: Legal, Finance, Equality and Diversity

Legal Advice:

1. The Care Act 2014 gives Councils discretionary power to charge adult users of the services identified in this report.
2. The Portfolio holder should have regard to the outcome of consultation in relation to the proposals put forward for approval when making a decision in relation to this report.
3. The report also identifies the key equality considerations which will assist the Portfolio holder when having due regard to the Council's statutory equality duty, when making a decision in relation to this report.
4. The public sector equality duty, as set out in section 149 of the Equality Act 2010 requires the Council when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have 'protected characteristics' such as age, disability, race, religion, sex, sexual orientation, pregnancy and maternity and gender reassignment and those who do not share that protected characteristic.
5. A decision-maker must pay due regard to any obvious risk of such discrimination arising in respect of the decision before them. There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Impact Assessment is the most usual method. For this reason these matters are examined in the EIA appended to this report.
6. The public sector equality duty is not a duty to achieve the objectives or take the steps set out in s.149 of the Equality ACT 2010 rather it is a duty to bring these objectives into consideration when carrying out its public functions. At the same time, a decision-maker will also need to have regard to other factors which it is proper and reasonable for them to consider. Budgetary pressure and economic and practical factors will be relevant here. Advice provided by Sarah Molyneux (Head of Legal and Governance) on 28/09/2018.

Finance Advice:

The income generated from the proposals totalling an estimated £33k in a full year will support the delivery of savings included in the Council's 2018/19+ Medium Term Financial Plan. It should be emphasised that full financial assessments will continue to be carried out such that individuals pay only what they can afford. Advice provided by Darren Revill (Senior Commercial Business Partner) on 26/09/2018.

Equality and Diversity Advice:

A systematic review as outlined in the EIA will need to be completed to ensure that citizens identified to pay / contribute will be able to sustain that contribution in order that they do not fall below any guidance re: eligibility. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 26/09/2018.

Signatures

Sam Webster (PH for Adult Social Care and Health)
SIGNED and Dated: 08/10/2018

Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 04/10/2018