

## **DUNDEE CITY COUNCIL**

**REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE – 10 DECEMBER 2007**

**REPORT ON: CHARGES FOR RESPITE CARE AND SHORT BREAKS AND ENABLING SERVICES**

**REPORT BY: DIRECTOR OF SOCIAL WORK**

**REPORT NO: 363 - 2007**

### **1.0 PURPOSE OF THE REPORT**

- 1.1 This report proposes amendment to the current charging scheme for respite care, short breaks and enabling services.

### **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Social Work and Health Committee approves, with effect from 1 February 2008, the implementation of a revised charging scheme for respite care, short breaks and enabling services, as set out in Appendix 1.

### **3.0 FINANCIAL IMPLICATIONS**

- 3.1 It is estimated that implementation of all the recommendations in this report would result in increased income of £14,200 in 2007/08 and £85,000 in a full financial year.

### **4.0 MAIN TEXT**

- 4.2 Until comparatively recently, respite care was primarily provided for older people, and normally meant a stay of a week or two in a residential home, usually a local authority home, to allow informal carers a break from their caring responsibilities. However, this has changed rapidly over the past few years. Now, respite care is provided for children as well as adults, it takes many different forms and is provided for the benefit of both carers and service users in a number of different settings. The charging policy has not kept pace with these changes and therefore requires to be reviewed. In addition, enabling services have been developed within Children's Services for Children with Disabilities for whom no financial contribution is currently requested from the families involved.

- 4.2 It is important that respite care is defined in a way that makes sense to service users, carers and staff, particularly when the form this takes is increasingly similar to services provided as part of an ongoing care package. It is therefore proposed that respite care be defined as that which meets the following criteria: -

- a) planned in advance
- b) of fixed duration
- c) providing a break from the normal care routine for the service user or augmenting normal care to allow a break for the carer.

- 4.3 Within this definition, care can take many forms, including a stay in residential or nursing care, provision of domiciliary care, a short break in purpose built accommodation, attendance at a day care facility or community group, or even a short holiday with support.

- 4.4 A number of factors have to be taken into account in developing a revised charging policy for respite care:-
- a) Guidance on charging for respite care allows the local authority to charge what it considers reasonable, having regard to the person's resources and financial obligations.
  - b) After 8 weeks of residential respite care, a full financial assessment must be carried out, but this is not required for non-residential care services.
  - c) Different forms of respite care will have different effects on people's income and expenses.
  - d) Equity must be achieved, both between different client groups and between charges for different types of service.
- 4.5 Working groups in both adult care and children's services considered how the current scheme may be amended to ensure equity of treatment and a charge based on sound principles, whilst still retaining the important criterion of ability to pay. The proposals below arise from the conclusions of these working groups.

#### **4.6 Residential Forms of Respite – Older People**

- 4.6.1 It is proposed that for residential respite the charge should move from the current flat rate charge (£55.50 per week or £119.90 per week, depending on benefits received) to one that is part flat rate and part income based. The reasoning behind this is that when people enter residential forms of care, they inevitably save some of the daily living costs they would normally incur while at home, particularly food costs and fuel costs. The flat rate part of the charge would be a contribution towards the 'hotel' costs element of residential provision, and could be met using the resources normally used to meet these costs at home.
- 4.6.2 It is proposed that a flat rate charge of £32 per week be established, based on a reasonable estimate of the usual weekly living costs of one person
- 4.6.3 The rest of the respite charge would be based on excess income above a threshold level, to reflect the service user's ability to pay anything over and above their normal daily living costs. It is proposed that the existing non-residential charging scheme be used to assess ability to pay.
- 4.6.4 As no charge can be made for personal or nursing care for people aged 65+, a maximum cost of £290.50 per week for residential care homes and £292 per week for homes with nursing care would apply (2007/08 price levels). This means that the nationally set rates of £145 per week for personal care and £65 per week for nursing care are disregarded and the individual is contributing only to their hotel costs.

#### **4.7 Residential Forms of Respite – Adults**

- 4.7.1 For adults aged under 65, it is proposed that the same scheme as for older people is adopted. However, as under 65s are not entitled to free personal care the maximum rates chargeable would be different, as the individual would be contributing towards both hotel costs and personal care costs. Nursing care costs of £65 per week would continue to be disregarded as all adults are entitled to free nursing care. The weekly maximums are shown in Appendix 1.

#### **4.8 Respite Care at Home**

- 4.8.1 It is proposed that respite care at home should be an entirely income based charge to determine ability to pay, with no flat rate element, as service users still have to meet their daily living costs such as food, while receiving respite care at home. The breakdown between personal and non-personal care would be assessed as it is at present for domiciliary care packages, with the charge being assessed only against the non-personal care element for over 65s.

#### **4.9 Respite Care, Short Breaks and Enabling Services – Children with Disabilities**

- 4.9.1 It is proposed that the charging scheme be extended to include children with disabilities under the age of 18. Children with disabilities will generally be eligible for benefits to assist with the cost of meeting their care needs, and it is therefore reasonable that some of these resources are used to pay for respite care services, in the same way as currently applies for adults. The only difference in this case is that the assessment of ability to pay would be made against the household income, unless the child has an independent income.
- 4.2 Enabling services for Children with Disabilities have been developed as a further support for families over the last couple of years and it is proposed that these are also included within the charging scheme.
- 4.10 The proposed charging scheme would apply in the same way to homes in, or services provided by, the local authority, private and voluntary sector, thus eliminating any incentives or disincentives to use one sector or type of service over another. Equally the scheme would apply to all client groups. At no time would the charge levied be greater than the cost of the service provided.
- 4.11 Appendix 1 lays out the proposed charging scheme for respite care and short breaks, and some examples of how this would work in practice are given in Appendices 2 & 3.

#### **5.0 POLICY IMPLICATIONS**

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

The major issues identified are the recommendations in this report will ensure that services are accessed on the basis of need and will eliminate inequities in charges for these services.

#### **6.0 CONSULTATION**

- 6.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance have been consulted in the preparation of this report.

#### **7.0 BACKGROUND PAPERS**

- 7.1 None.

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Director of Social Work

Date: 13 August 2007

## Charges for Respite Care Services/Short Breaks

Service	Client Group	Cost of Service	Proposed Charge	Maximum Charge (1)
MacKinnon Centre	Adults with Physical Disabilities Adults with Learning Disabilities	£851 per week	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Residential home	Older people Adults with Physical Disabilities Adults with Learning Disabilities Adults with Mental Health Difficulties or Addictions	£290.50 per week £367 per week* £326 per week* £326 per week*	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Nursing home	Older people Adults with Physical Disabilities Adults with Learning Disabilities Adults with Mental Health Difficulties or Addictions	£292 per week £386 per week* £347 per week* £347 per week*	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Whitetop Centre	Adults with Profound Disabilities Children with Profound Disabilities	£2,290 per week	£ 32 per week flat rate remainder income based to determine ability to pay	£200 per week
Domiciliary care at home	Older People Adults with Disabilities Children with Disabilities	£10.00 per hour	Income based charge to determine ability to pay	£83.40 per week
Day care services	Older People Adults with Physical Disabilities Adults with Learning Disabilities	£28.20 per day £16.20 per session	Income based charge to determine ability to pay	£83.40 per week
Community activities	Older People Adults with Disabilities	£10.00 per hour	Income based charge to determine ability to pay	£83.40 per week
Enabler Services	Children with Disabilities	£14.40 per hour	Income based charge to determine ability to pay	£83.40 per week
Cairdeas House	Adults With Mental Health Problems	£326 per week	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Gillburn Road respite unit	Children with Disabilities	£323 per day	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Side by Side service (Barnardos)	Children with Disabilities	£323 per overnight £20.56 per hour (day)	£32 per week flat rate remainder income based to determine ability to pay	£200 per week
Young adults respite unit	Adults with Learning Disabilities	£1,112 per week	£32 per week flat rate remainder income based to determine ability to pay	£200 per week

1 The above maximum charges would apply to service users with capital of £20,750 or less. Above this limit, the full cost of care would be payable, with no upper limit

A day is defined as a period of up to 24 hours

\* Will increase in line with adult placement rate agenda note if approved on 10th December

## APPENDIX 2

### RESIDENTIAL /NURSING FORMS OF RESPITE CARE - OLDER PEOPLE

Current charge - in receipt of Income Support, CTB or HB £55.50 per week flat rate  
- not in receipt of Income Support, CTB or HB £119.90 per week flat rate

#### Proposed charges

Capital/savings (excluding house) over £20,750 – full cost payable

Chargeable income nil or negative - £32 per week

Chargeable income £20 per week - £32 per week flat rate  
£20 per week income based  
£52 total charge

Chargeable income £40 per week - £32 per week flat rate  
£40 per week income based  
£72 total charge

Chargeable income £258.50 per week - £32 per week flat rate  
(residential) £168 per week income based  
£200 total charge (maximum)

Chargeable income is 50% of weekly income left after disregarding certain benefits, disregarding housing costs and disregarding a further £139.00 (single person over 65).  
Thus an individual would have to have £336 per week 'free' income after these deductions have been made to be eligible to pay the maximum cost of £200 per week. Few, if any, people will fall into this category

### APPENDIX 3

#### CHILDREN'S SERVICES - TYPICAL CHARGEABLE INCOME CALCULATIONS

a) Couple with 2 children - one child has disabilities.

Earnings	£360.00
Carer Allowance	69.00
Child Benefit	30.20
DLA Care Component	43.15
DLA Mobility	<u>45.00</u> (disregarded)
Total Income	<u>£502.35</u>

##### Disregards

Rent	£ 60.00
Council Tax	22.85
Couple (under 60 years)	181.00
2 Children	<u>116.00</u>
Total Disregards	<u>£379.85</u>

$£502.35 - £379.85 = £122.50 \times 50\% = £61.25$  Maximum Weekly Charge.

b) Young Couple with 2 children - one child has disabilities.

JSA & Carer Allowance	£102.85
Child Benefit	30.20
Child Tax Credit	117.88
DLA Care Component	43.15
DLA Mobility	<u>45.00</u> (disregarded)
Total Income	<u>£294.08</u>

##### Disregards

Rent	Nil
Council Tax	£ 5.20
Couple (under 60 Years)	181.00
2 Children	<u>116.00</u>
Total Disregards	<u>£302.20</u>

Total disregards are higher than total income, therefore no charge.