

**REPORT TO: POLICY & RESOURCES COMMITTEE – 23 FEBRUARY 2023**  
**REPORT ON: INTRODUCTION OF CHARGING FOR APPOINTEESHIP SERVICES**  
**REPORT BY: EXECUTIVE DIRECTOR OF CORPORATE SERVICES**  
**REPORT NO: 58-2023**

## **1. PURPOSE OF REPORT**

This report provides members with details of the Corporate Appointeeship Services currently being provided to individuals by the Council and seeks approval on the proposal to charge for future service delivery from next financial year in order to recover the costs of providing this function.

## **2. RECOMMENDATIONS**

It is recommended that members:

- a) note the information in the report;
- b) approve the charges set out in section 5, with effect from 3 April 2023;
- c) agrees that any future changes to these charges would be considered as part of the annual review of charges process.

## **3. FINANCIAL IMPLICATIONS**

The proposed charges (based on current client numbers) would generate approximately £89,000 per annum from financial year 2023/24 onwards that would accommodate the cost of service provision for this (actual income generated will fluctuate in line with financial balances and number of service users).

## **4. BACKGROUND**

Report 385-2015 Co-ordination of Improvement of Advice Services was approved by Policy and Resources Committee on the 26<sup>th</sup> October 2015 (Article VIII refers) which included the transfer of the Appointeeship Service from the (then) Social Work Service to Corporate Services.

Councils historically have a range of differing arrangements in place to undertake these types of service, and the restructure of the Council with the transfer of duties presented an opportunity for effective service redesign.

A collaborative approach was undertaken by Welfare Rights and the Corporate Finance Client Services to redesign the service to best meet the needs of the clients through the most efficient process. Through both sections working closely in partnership to analyse previous arrangements, they identified and remedied risks and weaknesses and developed new systems and procedures that have now been implemented to ensure best practice through their cohesive, consistent and controlled approach to work in this area.

A review of other local authorities found that an external service provider was being considered by another council to provide a Corporate Appointeeship Service at a charge of £16 per week regardless of the categorisation or individuals financial circumstances. Other councils that responded had not undergone a service review in this area and are still operating a number of individual client accounts for their appointeeships as opposed to the centralised corporate service that Dundee currently provides, these authorities were also considering whether to introduce charging to recover the costs of providing this function.

## SERVICE OVERVIEW

### 4.1. Client Categorisation

Appointeeships are cases where another party acts on behalf of an individual aged 18 or over where the individual cannot manage their own financial affairs, or do not have the capabilities to claim state benefits for themselves e.g. where the person has a mental illness or learning disability and cannot act as claimant for themselves.

The Council will only act as an individual's corporate appointee to manage an individual's financial affairs if there is no other suitable person to undertake this role and/or where there is evidence of conflicting interests, suspicions or accusations of abuse. This is only appropriate where the client is incapable of managing their own affairs. This will in the main, but not exclusively, be as a result of mental capacity issues.

Wherever possible, the Council will encourage and support individuals to manage their own financial affairs. However, where the Council does take on the responsibility to manage an individual's financial affairs, it has a duty to act responsibly and in the best interests of the individual.

The following provides a brief description of the client groups receiving our Appointeeship Service:

- **Community Clients** - These clients are based in the community and receive support mainly from Alloway Centre and both the learning and physical disability teams. These clients live in the community and have a variety of needs and require the support through appointeeship whether it be because of addiction issues, mental incapacity, physical impairments or financial abuse.
- **Private & Voluntary** - These are clients based over 39 care & nursing homes and as above have no personal capacity or family members available or willing to look after their financial affairs.

### 4.2. Description of Service

When the Council is satisfied that the criteria for corporate appointeeship is satisfied, an application form is submitted to the Department for Work & Pensions (DWP) accompanied by evidence from a suitably qualified person who has personal knowledge of the customer, e.g. a Social Worker, Community Psychiatric Nurse (CPN) or GP and who has already assessed the customer's capabilities.

Following confirmation of appointeeship categorisation from the DWP, these individuals are on-boarded into the Client Management System and their individual client account is created, with all their relevant documentation and supporting evidence scanned to their records.

The individuals then undergo a full financial health check from Welfare Rights in relation to their circumstances and their benefit entitlements, and any claims or adjustments applicable are made at this point. This is followed by a full budget management exercise, in conjunction with their Care Managers to ensure that they are fully aware of their client's financial requirements and commitments.

All financial affairs are then managed by Client Services who undertake all transactions on behalf of the individual in order to ensure that they have sufficient financial resources in order to live as independently as they can on a daily basis, whilst ensuring that all expenditure is managed on their behalf.

Client Services provide weekly client financial statements, alerting Welfare Rights of any changes of circumstance and areas of concern. Welfare rights are in regular contact with all relevant care managers and support workers to ensure that the needs of the individuals are being adequately met and that the Council are acting in the best interest of the individual.

Regular budget reviews are undertaken and in circumstances where appointeeship ceases (i.e. the individual is deceased / capacity to manage finances has changed / appointee role transferring to next of kin), Client Services prepare final statements and make all applicable settlements on behalf of the individual.

### 4.3. Statistics

The following table details the current number of live caseloads as at 30<sup>th</sup> November 2022 and the financial value of assets being managed on their behalf:

<b>Current Appointeeship Caseload</b>		
<b>Client Category</b>	<b>No. Clients</b>	<b>Value of Assets</b>
Community Care	144	£1,726,503.72
Private and Voluntary	53	£676,956.15
<b>Total</b>	<b>197</b>	<b>£2,403,459.87</b>

### 5. PROPOSED CHARGING MATRIX

In order to recover the costs of providing this service the following charges are proposed for consideration:

	<b>Balances</b>	
	<b>£5,000-£10,000</b>	<b>&gt; £10,000</b>
/		
Private & Voluntary	£5 per week	£8 per week
Community Care	£10 per week	£15 per week

These charges are proportional in respect of the level of operational financial support provided.

Whilst the average balance of client accounts is currently £12,200, and the following provides an overview of client balances:

<b>Account Balance</b>	<b>Total</b>	<b>Private &amp; Voluntary</b>	<b>Community Care</b>
<£5,000	53	14	39
£5,000-£10,000	39	11	28
>£10,000	105	28	77
<b>Total</b>	<b>197</b>	<b>53</b>	<b>144</b>

Service users with balances under £5,000 will continue to be provided with this service on free of charge basis.

### 6. POLICY IMPLICATIONS

This report has been subject to an Integrated Impact Assessment to identify impacts on Equality & Diversity, Fairness & Poverty, Environment and Corporate Risk. An impact, positive or negative, on one or more of these issues was identified. An appropriate senior manager has checked and agreed with this assessment. A copy of the Integrated Impact Assessment showing the impacts and accompanying benefits of / mitigating factors for them is included as an Appendix to this report.

### 7. CONSULTATIONS

The Council Leadership Team were consulted in the preparation of this report and agree with the content

**8. BACKGROUND PAPERS**

None.

**ROBERT EMMOTT  
EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**14 FEBRUARY 2023**

# Integrated Impact Assessment

Committee Report Number: 58-2023

Document Title: INTRODUCTION OF CHARGING FOR APPOINTEESHIP SERVICES

Document Type: Service

Description:

The document seeks approval on the proposal to charge for future service delivery from next financial year in order to recover the costs of providing this function.

Intended Outcome:

The approval of charges set out with effect from 3 April 2023, and agreement that any future changes to these charges would be considered as part of the annual review of charges process.

Period Covered: 01/04/2023 to 31/03/2024

Monitoring:

Annual review of charges as part of annual budget process

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# Equality, Diversity and Human Rights

## Impacts & Implications

Age: No Impact

Disability: No Impact

Gender Reassignment: No Impact

Marriage & Civil Partnership: No Impact

Pregnancy & Maternity: No Impact

Race / Ethnicity: No Impact

Religion or Belief: No Impact

Sex: No Impact

Sexual Orientation: No Impact

Are any Human Rights not covered by the Equalities questions above impacted by this report?

No

## Fairness & Poverty

### Geographic Impacts & Implications

Strathmartine:	No Impact
Lochee:	No Impact
Coldside:	No Impact
Maryfield:	No Impact
North East:	No Impact
East End:	No Impact
The Ferry:	No Impact
West End:	No Impact

### Household Group Impacts and Implications

Looked After Children & Care Leavers: No Impact

Carers: No Impact

Lone Parent Families: No Impact

# Household Group Impacts and Implications

Single Female Households with Children: No Impact

Greater number of children and/or young children: No Impact

Pensioners - single / couple: No Impact

Unskilled workers or unemployed: No Impact

Serious & enduring mental health problems: No Impact

Homeless: No Impact

Drug and/or alcohol problems: No Impact

Offenders & Ex-offenders: No Impact

## Socio Economic Disadvantage Impacts & Implications

Employment Status: No Impact

Education & Skills: No Impact

Income: Negative

The report recommends the introduction of charges to clients who receive this service from the Council who have savings in excess of 5000 pounds. These charges are based on both the type of care they receive, and the level of savings they have as follows:

Residential care clients with bank balances of over 5,000 pounds, but under 10,000 pounds, the charge will be 5 pounds per week

Residential care clients with bank balances of over 10,000 pounds, the charge will be 8 pounds per week

Community care clients with bank balances of over 5,000 pounds, but under 10,000 pounds, the charge will be 10 pounds per week

Community care clients with bank balances of over 10,000 pounds, the charge will be 15 pounds per week

Whilst these charges would be a reduction in the level of disposable incomes, there would be no adverse impact on any protected group where they can afford to pay the charges.

If the Council could no longer afford to provide this service, and service was removed, the appointeeship clients needs would have to be met from commercial services provided by private solicitors. As private companies providing services, the costs of service provision would be far greater, and would be applied regardless of consideration of client's affordability.

Caring Responsibilities (including Childcare): No Impact

Affordability and accessibility of services: No Impact

Fuel Poverty: No Impact

Cost of Living / Poverty Premium: No Impact

Connectivity / Internet Access: No Impact

Income / Benefit Advice / Income Maximisation Negative

The introduction of charges for appointeeship clients with savings in excess of 5000 pounds would have a small impact the level of disposable income. Whilst these charges would be a reduction in the level of disposable incomes, there would be no adverse impact on any protected group where they can afford to pay the charges. The implications are previously noted.

Employment Opportunities: No Impact

Education: No Impact

Health: No Impact

Life Expectancy: No Impact

Mental Health: No Impact

Overweight / Obesity: No Impact

Child Health: No Impact

Neighbourhood Satisfaction: No Impact

Transport: No Impact

## **Environment**

### **Climate Change Impacts**

Mitigating Greenhouse Gases: No Impact

Adapting to the effects of climate change: No Impact

### **Resource Use Impacts**

Energy efficiency & consumption: No Impact

Prevention, reduction, re-use, recovery or recycling of waste: No Impact

Sustainable Procurement: No Impact

### **Transport Impacts**

Accessible transport provision: No Impact

Sustainable modes of transport: No Impact

### **Natural Environment Impacts**

Air, land & water quality: No Impact



Biodiversity: No Impact

Open & green spaces: No Impact

## Built Environment Impacts

Built Heritage: No Impact

Housing: No Impact

Is the proposal subject to a Strategic Environmental Assessment (SEA)?

No further action is required as it does not qualify as a Plan, Programme or Strategy as defined by the Environment Assessment (Scotland) Act 2005.

## Corporate Risk

### Corporate Risk Impacts

Political Reputational Risk: Not Known

There is a possibility that the introduction of charges for appointeeship clients with savings in excess of 5000 pounds could have implications in respect of potential reputational risk as it introduces charging for services previously provided free of charge. In order to ensure that these charges remain affordable, we will continue to benchmark these charges. The charges are a simple reflection of the cost of service provision, and although there is a risk to reputation by the introduction of these, this risk would be far greater if the service had to be removed due to the Council being unable to afford to provide.

Economic/Financial Sustainability / Security & Equipment: No Impact

Social Impact / Safety of Staff & Clients: No Impact

Technological / Business or Service Interruption: No Impact

Environmental: No Impact

Legal / Statutory Obligations: No Impact

Organisational / Staffing & Competence: No Impact

Corporate Risk Implications & Mitigation:

The risk implications associated with the subject matter of this report are "business as normal" risks and any increase to the level of risk to the Council is minimal. This is due either to the risk being inherently low or as a result of the risk being transferred in full or in part to another party on a fair and equitable basis. The subject matter is routine and has happened many times before without significant impact.