



Derby City Council

## **COUNCIL CABINET** **15 July 2015**

Report of the Cabinet Member for Integrated  
Health and Care

# **ITEM 9**

## **Consultation on Adult Social Care Charging Policy**

### **SUMMARY**

- 1.1 The Care Act 2014 brings a new framework for charging for social care services. The Council's existing Fairer Contributions Policy Care is out of date and no longer fit for purpose.
- 1.2 The following report sets out the proposed process to consult with customers, carers and other stakeholders about whether and how to charge for Adult Social Care support provided by the Council. This process will include a full Equality Impact Assessment.
- 1.3 The report sets out a timetable for the consultation and Equality Impact Assessment to be carried out and then reported to Council Cabinet. This will enable Council Cabinet to make a decision on the refreshed Adult Social Care Charging Policy.

### **RECOMMENDATION**

- 2.1 To fully consult upon the proposed Adult Social Care Charging Policy and to adopt the consultation timescale set out in the Supporting Information section.
- 2.2 To consider consultation feedback and the full Equality Impact Assessment at Council Cabinet in January or February 2016 and to then decide whether the refreshed Adult Social Care Charging Policy will be adopted from April 2016.

### **REASONS FOR RECOMMENDATION**

- 3.1 The proposed approach and timescale will allow meaningful consultation with individuals and organisations potentially affected by proposals that will fully inform Council Cabinet decisions.
- 3.2 A full Equality Impact Assessment will identify populations that might be particularly affected by the proposals, and identify measures to minimise negative consequences.

**SUPPORTING INFORMATION**

**4.0 Proposed timescales for consultation**

- 4.1 The table below sets out key milestones in the planned consultation and Equality Impact Assessment (EIA) activity.

Formal consultation begins	Formal consultation launched subject to Council Cabinet decision	1 September 2015
End of consultation	12 week consultation ends at 5pm	24 November 2015
Completion of EIA	Equality Impact Assessment completed by the end of the consultation period	24 November 2015
Council decision	Council Cabinet decision on proposals informed by the consultation and the Equality Impact Assessment	January / February 2016

**4.2 Summary of consultation proposals**

- 4.3 The consultation will seek opinions on how the Council should charge for Adult Social Care Services and how it should conduct Financial Assessments to determine how much customers can afford to pay towards the costs of their care.
- 4.4 The proposal is for a single Adult Social Care Charging Policy covering charges and fees for all adult social care services in both residential and non-residential settings.
- 4.5 With the exception of certain services that must be provided free of charge, it is proposed that customers will be liable for charges from the start of the service, and will pay up to the full cost of their services subject to the outcome of their Financial Assessment.
- 4.6 The limits and thresholds in the proposed Financial Assessment process will ensure that customers only pay what they can afford to pay towards their care costs

**OTHER OPTIONS CONSIDERED**

- 5.1 Not updating the Council's Adult Social Care Charging Policy will risk the Council's processes not complying with legislation and potentially prevent the Council from achieving financial balance.

- 5.2 Implementing the proposed changes to the existing Fairer Contributions Policy without further consultation informed by a focused Equality Impact Assessment will risk adverse consequences for customers and carers, especially those from disadvantaged communities that could have been avoided with fuller consideration.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Olu Idowu Alison Walker, Jo Moody  Kirsty Everson Yvonne Wilkinson
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Colyn Kemp 01332 642634 colyn.kemp@derby.gov.uk None Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 No Financial or Value for Money implications arising from this report.

**Legal**

- 2.1 Conducting the proposed consultation will help to ensure that the Council has a firm legal foundation for applying charges for Adult Social Care services.

**Personnel**

- 3.1 No Personnel impact identified.

**IT**

- 4.1 No IT impact identified.

**Equalities Impact**

- 5.1 No Equalities impact as a result of this paper. The planned Equalities Impact Assessment will identify populations that might be particularly affected by the proposals, and identify measures to minimise negative consequences..

**Health and Safety**

- 6.1 No Health and Safety impact identified.

**Environmental Sustainability**

- 7.1 No Environmental Sustainability impact identified.

**Property and Asset Management**

- 8.1 No Asset Management impact identified.

**Risk Management**

- 9.1 Conducting the proposed consultation will help to reduce the risk of challenge from customers disputing the charges applied for services that they receive.

## **Corporate objectives and priorities for change**

- 10.1 The proposed consultation will help support the following Council Pledges:
- Resilient Derby – Governance
  - Resilient Derby - Commercial