



Annual Review of Swansea Council's Charging Policy (Social Services)

2021/22

Summary report on work carried out on behalf of the Council
by the Social Services Finance and Charging Policy Working Group

December 2021 v3 1

1. Introduction

1.1 **Annual Review report**- sets out the finding and recommendation arising from Swansea Council's fifth annual review of social services charges to inform council policy and a new list of charges, **due to come into effect from 1st April 2022**. This report builds on work undertaken in previous years to keep Swansea's charging fair and equal, and in line with the rest of Wales. The review also evaluates how charges are working in Swansea, by considering changes in the statutory context, issues in applying council policy, what people are telling us, how current arrangements are working and whether there are equalities impacts linked to any proposed changes.

1.2 **Review Terms of reference** - the annual review is part of a programme of work undertaken during the year by the Social Services Finance and Charging group. The remit for this review is:

- To consider the level of inflationary uplift and minimum charging levels that should be applied to non- residential care charges in the 2022/23
- To consider whether any changes are needed to Council Policy
- To identify any next steps for year ahead

1.3 **Social Services Finance & Charging Group**

The Social Services Finance and Charging group is chaired by the Director of Social services, and a remit that covers how the Council's social services manages financial process and income generation, in work with partners and citizens. This group aims to ensure there is effective governance at executive level of social services charges as set out within the current policy, and within decisions on any changes to policy and the list of charges. This group provides strategic leadership operational oversight and, through this annual review process, monitors the impact of the new Charging Policy on citizens and carers, as well as on developing the resources available to the Council.

1.4 **Swansea’s Model for Annual Review of Social Services Charges** (see fig. 1 below) is based on Audit Wales best practice for reviewing charging, to help ensure that Swansea’s charging policy continues to be based on strong principles of fairness and equality, to support Council’s approach to achieve full cost recovery and transparency in how it is being implemented. Also, under the Wellbeing of Future Generations (Wales) Act 2016, public policy has to incorporate “Five Ways of working”:

- Long term
- Collaborative
- Preventative
- Integrated
- Involvement

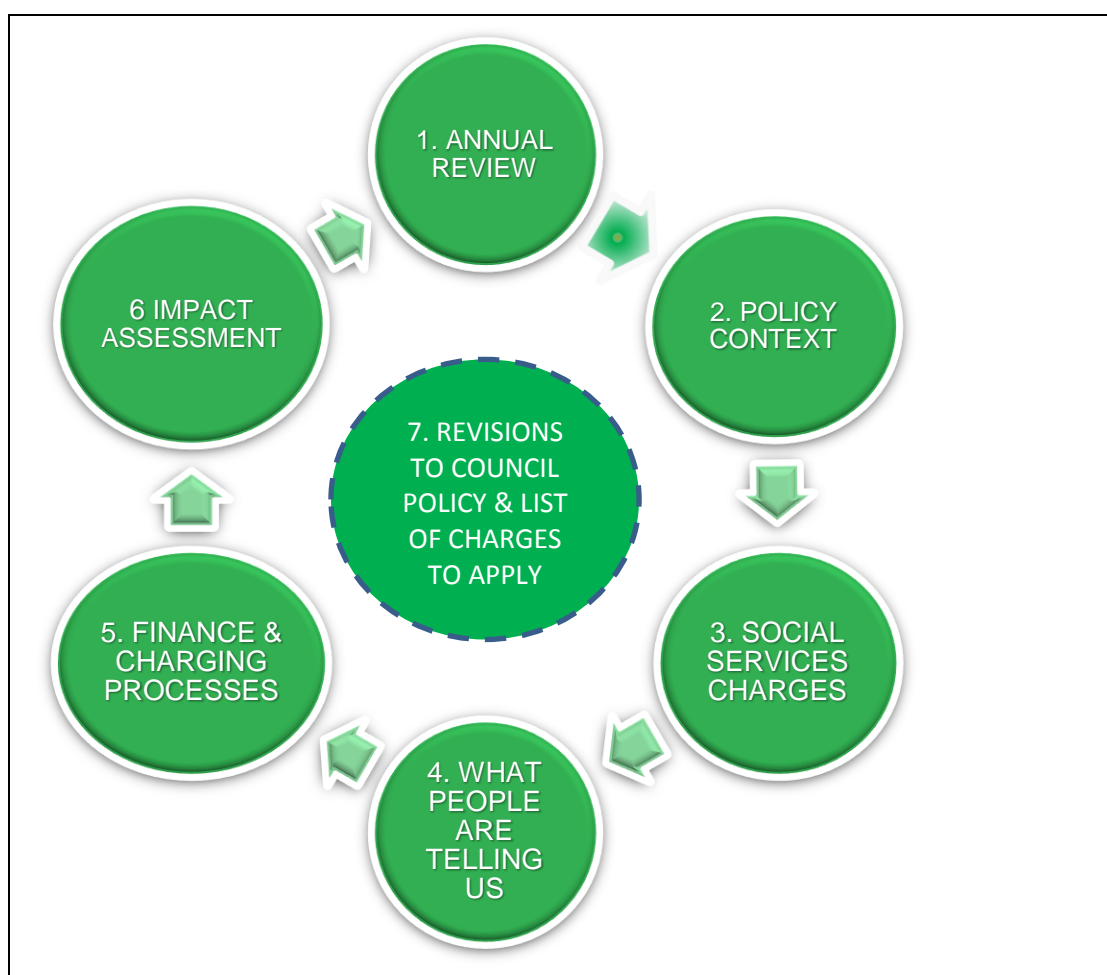


Figure 1 Swansea model for annual review of social services charging

1.5 **Integrated Impact Assessment** -his review also uses the integrated impact assessment with this approach, to ensure that the list of charges as proposed by the Social Services Finance and Charging group, chaired by David Howes, Corporate Director of Social Services, take into account the broader range of impacts on the people we serve, including groups with protected characteristics.

1.6 **Proposed List of Charges** - This Annual report of the Social Services Finance and Charging Group is proposing a new List of Charges to come into effect in 2022/23 (see **Appendix 1**), and which are to become appended to the Swansea Council's Charging Policy (Social Services).

2. Policy Context

2.1 **Social Services and Well-being (Wales) Act 2014** ('the Act'), determines that a local authority can only charge individuals:

- Up to the cost of providing the service
- What the person can afford to pay for an assessed for service

2.2 **Statutory requirements.** Under section 59 of the Act, there are recently (amended) Care and Support (Charging) (Wales) Regulations 2015 [2], version 5 of the Part 4 and 5 Code of Practice (Charging and Financial Assessment, updated April 2020). These all determine that Welsh Local Authorities must publish their own interpretation of the relevant Social Services and Well-being (Wales) Act Code of Practice, how any discretionary powers conferred by the Welsh Government will be exercised in the year ahead and a list of charges to apply.

2.3 **Local Authority Discretionary powers-** Where a council decides to charge for the care a person receives, it must do so in accordance with the regulations and codes of practice, as above. The national policy framework requires Councils to show to citizens how they intend to apply discretionary powers on charges for social services as conferred by Welsh Councils retain considerable discretion on which services are charged for and the level of charge.

2.4 **Statutory limits and thresholds.** The Act also states that any charges for social care cannot be set at a level higher than the cost of providing the service. That charges can only relate to the 'cost that the local authority incurs in meeting the assessed, eligible needs for managed care and support, to which the charges may apply (section 59-2).

Current amendments under the Act, applying from April 2020, are:

Non-residential care

You may have to pay up to a maximum of £100 a week if:

you have a high level of disposable income

you have savings and investments over £24,000, not including the value of your home

In deciding charges for non-residential care, local authorities must allow you to keep a set amount to help you meet your daily living costs.

Residential care

If you have capital over £50,000 you may have to pay the full cost of your residential care.

If your capital is at or below this limit, the local authority will help pay for your residential care.

How much you pay towards this care will be calculated from your eligible income, such as pensions or welfare benefits.

Local authorities must ensure you are left with at least £32.00 a week to spend on personal items.

Note: Any changes to allowances that may apply in 2022/23, are not yet confirmed by Welsh Government, here is link to current guidance: <https://gov.wales/charging-social-care>

2.5 Recent changes in UK

On 8 September 2021, the UK Government announced a new funding plan for health and social care in England. “Build Back Better” that sets out plans for a ring-fenced UK-wide Health and Social Care Levy (“the Levy”). The plans were passed by the House of Commons on 7 September 2021. The new Levy will be introduced in April 2022, initially collected as an increase of 1.25% in National Insurance Contributions (NICs). Dividend tax rates will also increase by 1.25%.

The Prime Minister also announced a guaranteed level of assets individuals will be able to keep in England if these proposed changes come into play of £20,000. The charging system we have in Wales is different (see above) – with the thresholds for capital and incomes already set at a higher level.

2.6 Recent changes in Wales

Health and Social Care are devolved in Wales, so how the Welsh Government intends to change the existing arrangements, or makes use of any additional funding, remains uncertain.

Welsh Government’s White Paper, Rebalancing care and support (February 2021), set out a series of proposals to “reduce complexity, increase sustainability, and strengthen integration”. It proposed focussing on three areas for improvement:

- refocussing the fundamentals of the care market,
- reorientation of commissioning practices; and
- evolution of integration mechanisms.

Also, the Welsh Government’s Programme for Government 2021-26, published in June 2021, committed to pursuing “a sustainable UK solution so that care is free for all at the point of need and/or consult on a potential Wales-only solution to meet our long-term care needs”.

The Welsh Government has decided to reconvene the Inter-Ministerial Group on paying for social care to consider the next steps for Wales. The outcome of the UK Government’s Spending Review 2021 should provide more information about the funding available to the Welsh Government, to deliver their plans for Social Care.

2.7 Legal Challenges

Local authority decisions about a person’s entitlements to care and support, and how much they should contribute financially have significant equality and human

rights implications. The national framework and local policy can affect the rights of older and disabled people and carers in exercising voice, control, and maintain dignity in their daily lives, to maintain relationships with carers, and families, to live and work independently and to participate in their communities. Swansea Council are starting to receive more questions, queries and challenges to how we apply national policy, and how the Council exercise its discretionary powers.

Following a small number of queries from parent- carers, the Finance and Charging group has taken the learning from a UK national test case (Norfolk), and undertaken an internal review, referring to specialist legal advice, to ensure the Authority's charging regime is not being applied in a discriminatory way. Officers are confident the Authority is fully compliant, and fair in the way we are applying discretionary powers.

People Policy Development Committee - It has highlighted that the Council could do further work around full transparency, in particular the mechanics of how financial assessments are carried out. It is intended that Adult Services and the Social Care Inform and Finance team are to work with the People Policy Development Committee on co-producing Financial Assessment Guidance (for Social Services Charges) The People PDC's work programme indicates this work is due to commence in Dec. 2021.

3. Social Services Charges

3.1 Current policy - all charges relating to social care are covered by Swansea Council's Charging Policy (Social Services) – version 6: [Charging-Policy-Social-Services](#)

3.2 Key Principles Swansea Council aims to be clear, fair and transparent in what we charge for, and we do this by publishing an annual schedule/ list of charges, as set out in a Swansea Council Charging Policy. There are some 'fairness' issues in applying this national charging policy, which in effect imposes a charging ceiling, which can mean everyone may be charged the same regardless of wealth or amount of service received, over a certain amount. The financial assessment is carried out, to means test this approach, though still this will clearly have greatest impact on those people with less income.

3.3 Discretionary considerations. By exercising their discretionary powers in charging for services to meet needs, generally Councils have been expected to act within a general requirement of 'reasonableness'. Citizens are protected by nationally determined capital limits, weekly charging caps and personal income allowances, which are set by Welsh Government every year by ministerial statement. In most circumstances, the council must also offer a financial assessment to citizens to ensure any charge made for care and support is reasonable compared to the person's financial means. Although charges are

applied under a single policy framework, there are still some differences between calculating a charge for non-residential care (a maximum weekly charge may apply, and a capital threshold limit may apply) and calculating a charge for residential care (capital threshold may apply).

3.4 Swansea Council’s financial strategy is to work within the principle of full cost recovery, and we are continually working to improve our understand the costs of delivering services to the public, and the factors which cause variations in costs over a period of time, such as occupancy rates, staffing costs and inflationary pressures. Through the work of the Finance and Charging group, the most recently available ‘unit costs’, across the accepted categories of social services, are used as the basis for current charges, and to reflect full cost recovery.

3.5 Opportunities for New Charges -as Swansea Council’s Charging Policy (social services) makes clear, the Welsh Government’s current charging framework allows for discretion in charging for Care and Support services. In exercising this discretion, the Council must consider carefully whether any additional care and support services should to be added to the list of charges; whether within the community-based category, or by applying a flat rate, and the cost/ benefits of doing so. The following table summarises new services areas considered during the year, and the current position of the Social Services Finance & Charging group.

Council service subject to discretion	Action proposed:
Supporting People services -	Charging could be considered as part of themed Commissioning work if/when undertaken
Commissioning support – partners including administration cost	This has been explored as option by Commercial team, and is seen as not cost effective to implement at this time, particularly when providers are struggling
Carers support services	Unpaid carers provide vital and necessary care and support to family and friends. They have key role in a sustainable model of social care. This is not being considered at this time.
Deferred Payments- administration	Demand for service is seen as limited, there is limited capacity available to set up a new service and cost/ benefits case yet to be made
Self-funders - administration	As above
Local Area Coordination	This is corporate strategic, community focused approach to well-being and prevention, jointly funded with other organisations and not being considered at this time.
Occupational Therapy –provision of equipment & assistance	Currently delivered in partnership with Health, extensive consideration/ consultation would be needed for charging to apply any charge for a specialist assessment.
Employment related services	To be considered as part of themed corporate Commissioning work
Other- Preventative	Preventative services are not subject to the maximum weekly charge and a flat rate charge is not being considered at this stage
Services to Children, Young People & Families	Not being considered at this time

3.6 **Benchmarking** - this annual review of charges has also looked at the 2021/22 charging schedules of some other Welsh Local Authorities and there are examples of Welsh Council's discretionary approaches to social services charging summarised at the end of the table in **Appendix 2**.

4. What people are telling us

4.1 **Public consultation**- there has been no formal public consultation undertaken this year.

4.2 Complaints/ Compliments

The following tables show the complaints received last year relating to social services charging, in previous years (including April 2021 to end Nov. 2021).

There are no formal complaints about Swansea Council's Charging policy.

From the Corporate Complaints guidance document:

A complaint is not:

- an initial request for a service.
- a formal review or appeal against a decision or determination, the procedure for which is set out in legislation or regulations.
- a means to seek change to legislation or a "properly made" policy decision; or
- a means for lobbying groups/organisations to seek to promote a cause

At this stage in the year, the table shows a similar number of complaints at Stage One and Stage Two, relating specifically to financial matters, such as financial assessment, direct payments and decisions.

Complaints received by Corporate Complaints Team relating specifically to social services charging by year			
Outcome/ Year	2019/20	2020/21	Year to date
Stage One - Justified	-	7	3
Stage One -Partially Justified	-	2	-
Stage One - Not Justified/	1	1	2
Stage One - Local Resolution /Other	3	1	1
Stage One - Not Pursued/ Informal	-	-	-
Stage Two - Partially Justified	-	1	1
Stage Two - Not Pursued/ On-going	-	1	1
Totals	Stage 1 = 4 15, in total relating to Financial Issues	Stage 1 = 11 Stage 2 = 2	Stage 1 = 6 Stage 2 = 2

Table 1. No. of complaints

During April to Nov. 2021, social services/ financial related complaints - reasons given / comments	Outcome for citizen in year to date
Complainant's father had to move from a care home to one that could meet his religious /dietary needs.	Swansea agreed to pay shortfall in care home costs
Citizen wanted payment backdated for direct payments, without evidencing expenditure	Found to be not justified
Dispute over the date charging would start though there was evidence shows that family were made aware of start date	Found to be not justified
Complaint that there appears to have been no conversation of retrospective charging for the amount	Amount due/ debt written off
Public query re neighbour's maximum assessed charge	Complaint found to be not eligible
Direct payments - delay in providing pay slips for carers to support financial assessment	Justified
Unhappy with charges levied, client disagrees with matters relating to disability related expenses	On-going
disagreement with over property held in trust for mum being part of financial assessment	Ombudsman- not justified

Table 21. Reasons/comment for social services financial related complaints in 2021-22 (to date) with outcomes

Adult Services also received a high number of compliments in 2021/22 many of which came from carers or relatives praising the professional support provided, and the help given to access a range of services.

4.3 Public Ombudsman

The Public Ombudsman cannot assess an individual's ability to pay for the cost of their care and support services, they sometimes receive complaints about related matters, which are summarised in a quarterly casebook (most recent case book April to June 2020). <https://www.ombudsman.wales/case-books/>

There has been just one local complaint passed to the public ombudsman, relating to a disagreement over property held in trust for a relative, being considered as part of financial assessment.

5. Finance & Charging Processes

5.1 Social Care Income and Finance Team

The Social Care Finance Team is part of the Revenues and benefits Service within the Financial Services Department and is responsible for:

- Undertaking financial assessments of clients' contributions towards the cost of their care
- Collection of those client contributions
- Scrutiny of claims for re-imburement from care providers
- Payments to care providers for residential and non-residential care

- Payments of Fostering and Adoption allowances including the means test that determines the allowance paid to an adopting parent
- Payment of Special Guardianship Allowances
- Payment of Direct Payments

This important section currently deals with expenditure on behalf of Social Services of approximately £50 million per year and last year generated £14 million of income to the Council. Overall, the Revenues and Benefits service manages transactions of approximately £300m a year. Staff have generously been working overtime over the last 18 months, so to avoid any significant work delays impacting on citizens, providers and partners. The SCIF team continues to provide a high standard of service on behalf of the Council's social services.

In 2020/21 the SCIF team carried out **6830** financial assessments of social care clients (9109 financial assessments in 2019/20)

Of this number, there were:

- **2477** assessments of new clients
- **4353** reviews of existing clients

In response to Covid, there has been considerable additional work carried out by the SCIF team in relation to:

- a) **Residential Care:** As a result of the covid responses between the Council and Health, the SCIF team dealt with a variety of different placements as a result of new pathways aimed at rapid discharge to help Health in releasing beds. New placement types were set up at short notice to facilitate easier reporting for Social Services. To ease pressures on residential care providers and allow them to focus on the covid crisis, payments for new residents were changed from net to gross. This means that the providers would not have to collect client contribution for new residents thereby reducing their administrative burdens. Gross payments have provided the residential social care sector with additional stability needed during this uncertain period. Many residents are moving through the cycle of community-based services and into residential / nursing care so are more used to receiving invoices from the Council towards the cost of their care. This innovative process has worked well, and the Social Services Finance & Charging groups has agreed to the arrangement at this time.
- b) **Domiciliary Care:** The section worked closely with Commissioning to put into place block payments for residential providers during the first lockdown. Following the RAG status of all Packages Of Care (POCs) by Adult Services, a number were amended or cancelled, following collaboration between the council, provider and families. To stabilise the market during uncertain times, block payments were arranged which guaranteed payments to providers at a time when they were in a critical position. The SCIF team also been involved in other commissioning changes including the calculation and issuing of invoice templates at short notice due to a mid-year uplift in provider rates and are

shortly due to redo this exercise following a further change to commissioning practices for payment of short calls.

- c) **Direct Payments:** Work has taken place in the area of Direct Payments to ensure that there is robust systems for managing and reviewing how individuals are using funds to achieve their agreed outcomes, and where there is outstanding funds, these are recovered to the Council. Our small Direct Payments section have processed 582 care worker payments, and then paid out £429,500 for eligible personal assistants under the Welsh Government scheme.

5.2 Financial Assessment

During the first lockdown as an emergency response, a substantial number of provisional financial assessments were carried out using data held by the Council's benefit system. This was in recognition of the fact that citizens were unable to access the support that they required due to lockdown, reduced family support and the closure of public buildings. For those citizens where income was not known, they were advised that assessments would be conducted as soon as possibly but at a later date as an easement due to the pandemic. They were made aware that backdated invoices would be issued when citizens could access support following the ease of restrictions. This could have posed a substantial risk to the Council's income stream, but it was felt to be an appropriate measure at the time.

Subsequent pro-active action by the team to ensure financial assessments were carried out as soon as possible has since mitigated that risk.

Our Social Care Income and Finance team also responded quickly following the introduction of the £20 Universal Credit uplift. to ensure that affected citizens' financial assessment were changed as quickly as possible as the uplift resulted in a reduction to the contribution they were required to pay towards the cost of their services. Following the removal of the £20 uplift in October this year, whilst this should have resulted in an increase to a citizen's contribution due to a reduction in income and their corresponding allowances, the Council have decided to continue with the increased allowance until April 2022 whilst reducing the citizen's income to its correct level. This allows affected citizens time to adjust their finances and also acts as a form of transitional protection.

5.3 Income Generation - Table showing Income Generated by year

Service Category	2018/19	2019/20	2020/21	Difference to last year
Community Alarms	(487,686.01)	(450,380.46)	(395,850.45)	54,530.01
Day Services	(433,814.04)	(559,804.47)	(241,029.93)	318,774.54
Direct Payments	(886,156.62)	(1,371,828.11)	(1,341,393.14)	30,434.97
Domiciliary Care	(2,790,266.64)	(2,803,475.86)	(2,823,829.58)	(20,353.72)
Other/Administration	(392,489.57)	(545,833.20)	(378,393.61)	167,439.59
Residential Care	(11,579,594.43)	(12,845,876.02)	(11,628,620.06)	1,217,255.96
Grand Total	(16,570,007.31)	(18,577,198.12)	(16,809,116.77)	1,768,081.35

Table 3. Adult Services Yearly Analysis of income/ income related to charging by type - figures based on information within the Council's financial ledger

Main Points from previous table:

- Income generated from Adult Social Care continues to be impacted by the pandemic, as the Council's, adult community-based and residential care services have modified their offer in response to the emergency situation.
- The table shows a £1.8m fall in the amount of income generated in 2020/21 to Swansea Council, which related to adult social care, as compared to 2019/20.
- This included £1.2m relating to residential care
- Income from day service charges has fallen significantly by £319k,
- £30k income from direct payment recovery is largely derived from the recovery of excess balances on individual accounts

Welsh Government provided a loss of income scheme for the 2020/21 financial year, and this has continued for the first half of 2021/22 as a Social Care Recovery grant. This has provided the Council with a level of protection from loss of income specifically attributable to the pandemic. It is clear the pandemic will continue to impact on income generating from clients and partner organisations in 2022/23, with safe distancing requiring necessary reductions in service capacity, and in some cases service closures.

5.4 Income projections for 2021/22, in Swansea, we can estimate the net loss of income within Adult Services to be in the order of **£1.46m**. Social Service Performance and Financial Monitoring meeting will continue monitor the situation monthly within the budget reporting, and action taken accordingly. It is not possible to reliably predict income generation for 2022/23 with any confidence, due to the number of variables to consider.

5.5 Debt Recovery / Invoicing

Considerable work has been undertaken through the year to reduce outstanding debt in social services. At the start of the pandemic Debt Recovery across the whole authority was suspended. Residential care debt less than 90 days old, at March 2020, was reported as £445k. This figure increased to £645k in January 2021. By April 2021, by which time debt recovery processes had recommenced, the debt position had decreased to its best ever position, even before the pandemic had started, at £325k. Currently residential care debt between 30 to 90 days old, stands at **£371k**. However, the vast majority of this relates to a very small number of cases which are currently pending settlement.

Although debts over 90 days old have increased during this time period from £2m to **£3m**, this is partly attributed to the delays in probate being granted and subsequent delays in executors being able to settle estates. Also, due to the impact of high complexity in settling a small number of high value cases.

Alongside the work above, it is vital that we are consistent in our work with partners, in ensuring that invoices for services or work we provide on their behalf are raised in a timely, reliable and realistic way. We aim to notify partners also of

any changes to social care fees and charges, based on the work on Finance & Charging group, reflecting the actual costs of the commissioned services, which in turn, are based on accurate figures for service usage, and estimates of all the costs are applied.

Effective joint working between SCIFT, Corporate Commercial and Procurement teams and the Social Services Finance officers continues to ensure that all our processes are working effectively.

5.7 Grant Schemes

From October 2020, the Revenues and Benefits section (which includes Social Care Income & Finance) have been administering the Self Isolation Payments scheme on behalf of Welsh Government. Staff from Benefits and SCIF have been diverted to dealing with the grant scheme which has resulted in higher workloads across the section. To date, staff across the section have received more than 13,500 applications and dealt with over 8000 e-mails from citizens with a range of different queries for the scheme.

From 13 December 2021, the Revenues and Benefits section has also been tasked with administering the Winter Fuel Support Scheme on behalf of Welsh Government in addition to the Self Isolation Payments scheme. This scheme will see eligible households receiving a grant of £100 towards their fuel costs. Again, staff from across the section including SCIF will be assisting in processing these grants. It is estimated that 30,000 households within the City and County of Swansea will be eligible to receive this grant over the 2-month eligibility period.

5.8 Other process Improvements made during year

Work has continued on strengthening links between social work practitioners and the Social Care Finance Team, to make sure that any changes in care and support plans triggers a new or revised financial assessment and fair charging. This work aims to make sure that Charging policy is fairly applied to all people receiving social services in Swansea, and that there are no individuals in receipt of services without a financial assessment or subject to charging.

The Council has also commenced rolling out a 'provider portal' which care providers can use to provide details of the care they have supplied which ensures payments are made to them rapidly. The portal also supports early scrutiny of payment requests to ensure they are within the required parameters. Work will continue to roll this out to all providers in the city of the coming year.

5.7 Improvements planned for year ahead

WCCIS - The introduction of the Wales Community Care Information System (WCCIS) to Swansea Council is not just a system implementation, but an opportunity to improve and reshape our culture and practice to better meet the needs of the people we work with.

One of the major overhauls of business process has been around service provisions, the details of which were held across a number of different systems, with no easy means of collating what service people are receiving and when.

As well as a more outcomes focused social work assessment and case management review, WCCIS now includes information related how people are receiving a range of services, including:

- Internal Home Care
- Domiciliary Care
- Day Care
- Direct Payments
- Residential and Nursing Care

Swansea's WCCIS system went live in April 2021, supported by skilled business support to ensure that decisions are being made with the most accurate up to date information possible, and early signs are promising. We are review our business processes that link the care and support plans to how we calculate the costs and charges to apply, to financially assess and where necessary to invoice citizens. We are developing interfaces between Swansea's CCIS and Abacus systems to streamline a new end to end process, that puts the citizen firmly at the centre and involves closer working between social workers and business support.

6. Integrated Impact Assessment

6.1 The current economic situation, as the world continues to respond to the pandemic, remains one of uncertainty, stories of personal and family struggle and public facing agencies responding quickly to each set of circumstances as they arise. This period, with the additional challenges of changes to furlough scheme, universal credit, inflation rises, specifically food, energy and fuel prices, is having a devastating impact on some individuals, families, communities and businesses. Government support for jobs and businesses during the pandemic, and the costs of Brexit, will have had a significant impact on public sector borrowing. Although the additional investment in Health and Social Care is to be funded by increases in national insurance, there will be a need to restore national debt to more sustainable levels over time, and this has the potential to affect spending on public services. The financial outlook for all public services in Wales is likely to be extremely challenging over the next decade.

A more detailed analysis is set out in the Council's Medium Term Financial Plan.

6.2 Deprivation is an important consideration when looking at imposing charges on the care and support of our most vulnerable citizens and in support of their carers. The Wales Index of Multiple Deprivation (WIMD) is updated every 4 to 5 years. The most recent index was published in 2019, **17 (11.5%)** of Swansea's 148 LSOAs are in the most deprived 10 per cent in Wales (similar to the overall proportion in 2014). Swansea also has 8 Lower-layer Super Output Areas (LSOAs) in what is termed Deep-Rooted Deprivation; those that have remained within the top 50 most deprived – roughly equal to the top 2.6% – small areas in Wales for the last five publications of WIMD ranks. The current economic situation is likely to have greatest impact in these areas.

6.3 Overall the financial outlook coupled with high demand for social care and and population changes mean that the Council continues to apply the Welsh Government's framework for local authority social services charging to ensuring the continued sustainability of our services. Swansea's corporate financial policy on setting charges still sets out an expectation on all services to aim for Full Cost recovery where possible, and to operate within the key principles set out in the Sustainable Swansea programme, and through objectives in the Corporate Plan 2020-22.

7. Revisions to Council Charging Policy and the List of Charges to apply in 2022/23

7.1 Swansea Council Charging Policy (Social Services)

The policy and this annual review process, as reflected in this report, aims to ensure that charging, where it occurs, is consistent, fair and clearly understood. Individuals when asked to pay a charge will only be required to pay what they can afford.

The current policy takes into account the principles set out in the charging and financial assessment framework introduced by the Act, and the relevant codes of practice.

Public Information and advice about charging is available on the council website, and leaflet, taking account of individual communication needs, on request. Swansea Council are committed to giving people a stronger voice and real control over the care and support they need, to achieve their own well-being outcomes

Recommendations:

- Social Services Finance and Charging group to ensure up to date public information is available on the new corporate website
- Working with People PDC, to consider approaches to coproduction in the future development of Charging – social services policy and guidance

7.2 **Changes within the List of Charges** as published prior to the start of the financial year should reflect the many inflationary pressures impacting on the social care sector.

The costs of providing social care services are subject to inflationary pressures. Significant changes have been made in previous years to ensure that Swansea's charging policy is consistent with most other local authorities in Wales, and that this policy is applied with fairness and equity.

The report UK government spending review is underway, has made proposals about the future funding of social care services to meet demand pressures, but Welsh councils are unlikely to be fully funded to meet increasing costs of recruiting and retaining a professional social care workforce, and pay scales reflecting the current Living Wage. It is expected that inflation next year will be at least above **4%**

for a time, though the impact on households, as food, heating, travel costs are increasing, may be felt more deeply.

Recommendation:

- The proposal as made by the Social Services Finance & Charging group is to increase all charges by **3%** to apply to all set out in the List of Charges to apply in 2022/23.

8. Conclusions

In summary Swansea Council's annual review of social services has taken into account the following

- Policy Annual review approach
- Social Services charging framework
- What people are telling us
- Continuous process improvements
- Integrated Impact
- Comparisons with some other Welsh LAs
- Any revisions needed

Within the current context, it is not deemed necessary or appropriate to consult upon making any changes to the current charging policy.

9. Recommendations

Cabinet is asked to accept the findings of the annual review of changes, and that there are no new service charges to apply in 2022/23.

- To agree that an inflationary increase of **3%** to be applied to all social services charges to come into effect on 1st April 2022.
- Cabinet to approve the list of social services charges to apply from 1st April 2022, for the year 2022/23.
- The new List of charges 2022/23 (Appendix 1), once agreed, is appended to the Council's Charging (social services) policy.

Appendix 1 Swansea Council List of Charges (to apply in 2022/23) v2

These are the amount clients will be charged for social care services, subject to any limits on the maximum charge specified by Welsh Government.

1. Residential Care and Support Services (Local Authority)

Council's in-house residential care service delivers a high-quality service for individuals with complex needs, and also offer placements for residential reablement and respite care.

The charges shown below are for the council-run care homes only and are only indicative of the average weekly costs of care and support, as some individuals may have additional needs to be identified and charged accordingly.

All charges for residential care are means tested. Residents may only be required to pay a contribution towards the total weekly cost. In certain circumstances, residents may be required to pay the full cost of residential care.

a) Long Term Residential Care (Local Authority)

Charges for Services by category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
Residential Care			
/ Council run only			
Elderly Care	£624.90	£643.65	3%
Dementia Care	£624.90	£643.65	3%
Mental Health	£1,637.46	£1,686.58	3%
Learning Disabilities	£1,637.46	£1,686.58	3%
Younger Adults	£1,637.46	£1,686.58	3%

As part of a planned response to the current crisis, Adult Services are currently offering nursing placements within In-House Services.

Charges for Services by category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
Nursing care/ Council run only			
Adults	£653	£672.59	3%

The charge (fee) is set at a rate in line with external nursing placement

b) Short Term Residential Care (Local Authority)			
Charges for Services by category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
All adults short term residential, up to 8 weeks (known as Respite care, residential reablement (from week 6 and up to week 8) or temporary short-term emergency or planned placement)	£100	TBC by Welsh Government	To reflect Max. weekly charge set by Welsh Government

2. Non-residential, community-based care and support Services

- Domiciliary Care – is care in the client’s home provided by a private sector provider
 - Home Care – is care in the client’s home provided by the Local Authority
- All charges are means tested up to the maximum standard charge as outlined below

Charges for Services per category of care	Weekly charges in 2021/22	Weekly charges in 2022/23	% Increase/ Comment
All adults Non-residential, community-based care and support Services			
Domiciliary Care or Home Care, including respite at home, supported living	£19.32 per hour	£19.90 per hour	3%
Older Persons Day Services	£44.86 per day	£46.21 per day	3%
Day Services Younger Adults /Special Needs Day Services	£56.10/day	£57.78/day	3%

3. Flat rate charges for other services provided by Swansea Council

These social care charges for Council run services are discretionary, and are **not** subject to a means test, or a maximum weekly charge.

Charges for Services per category of care	Weekly charges in 2020/21	Weekly charges in 2022/23	% Increase/ Comment
Adult social care charges for Council run services			
Community Alarms (Lifelines)	£150.80 exclusive VAT (four quarterly instalments of £37.70) £180.96 inclusive VAT (four quarterly instalments of £45.24)	TBA	May be subject to change https://www.swansea.gov.uk/communityalarms
Meals (within community-based, day services)	£3.93	£4.05	3%
Court of Protection Deputyship	Court of Protection Deputyship charges as set in law by the Ministry of Justice	Court of Protection Deputyship charges as set in law by the Ministry of Justice	
Pre-Deputy support charge	£5 per week	£5 per week	No change proposed

APPENDIX 2: COMPARISON WITH OTHER WELSH LOCAL AUTHORITIES

- a) Table showing latest available information about how Swansea's social services charges compare to selected other Welsh Local Authorities. This year due to Covid, information has been collated and updated following a web search for the following service areas:

Local Authority	Home Care (subject to weekly charge)	Day Care (subject to weekly charge)	Direct Payments	Residential Care Long Term /Temp Elderly/ week	Residential Care Short Term/ Respite (Telecare/ Lifeline (per week)	Other (per day)
Swansea (2021/22) <u>Updated</u>	£19.32 per hour	£44.86/ day-older people £56.10/ day-adults	Variable	£624.90- older people £1,637.46- learning disability £653 Nursing	£100 (Max weekly charge applies)	45.24 per quarter	Meal £3.93
NPT <u>Updated</u>	£16 per hour subject to 2% increase	£30 per attendance	Value of direct payment	£572.37 (standard res. Care) £767 (Pobl charges to new residents) subject to 2% increase	£100 (Max weekly charge applies)	£2.70 (T/c) £3.95 (LL) £5.70 (LL-Extra) subject to 2% increase	Meal £4.60
Bridgend <u>Updated</u>	£19.72	£35.17 / day £53.23/ day	Variable	Remodelling	£100 (Max weekly charge applies)	£6.17/ week (one person in household)	Meal - £5.66 Tea/snacks £1.69

Local Authority Social Services Charges in 2021/22	Home Care (subject to weekly charge)	Day Care (subject to weekly charge)	Direct Payments	Residential Care Long Term /Temp Elderly/ week	Residential Care Short Term/ Respite (Telecare/ Lifeline (per week)	Other (per day)
Carmarthenshire <u>Updated</u>	£16.85 per hour (community support)	£16.50 per session	PA rates £12.40 per hour/£98.60 per night	N/a	£100 (Max weekly charge applies)	£3.22 per week	Meal £5.00
Powys <u>Updated</u>	£20.50 per hour	£15.00 per day	£11.41 per hour PA rate £14.47 per Hour agency rate	Residential £659 Dementia care £669 Nursing £660	£100 (Max weekly charge applies)		Meal £7.50
Pembs <u>Updated</u>	£18.27/ hour	Day Opportunities £43.45	£12.69	Residential £658.71	£100 (Max weekly charge applies)	£2.24- with Disablement Exemption Certificate £2.69 -without Disablement Exemption Certificate	Meal- TBC
<u>RCT</u> <u>Updated</u>	£17.00/ hour	£17 per visit	£10.00 per hour	Determined on individual basis	£100 (Max weekly charge applies)	Tier 3 £5.88 per week	Minimum weekly charge = £2.50 per week

APPENDIX 3. INTEGRATED IMPACT ASSESSMENT SCREENING FORM

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Adult Services

Directorate: Social Services

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

Annual Review of Swansea Council's charging (social services) policy 2021/22, and list of charges to apply in 2022/23.

This the fifth annual review of social services charging was carried out on behalf of the Social Services Finance and Charging group, chaired by the Director of Social Services.

This IIA screening covers both the Annual Review of Charges (Social Services) report which sets out any changes within Swansea Council's Charging Policy (Social Services), and the proposed List Of Charges to be applied in 2022/23.

The main change to take effect from 1st April 2022 is that all social services charges are to be increased in line with an inflationary uplift of **3%** There are no new charges proposed by this annual review.

Clearly there are some impacts arising from applying an inflationary uplift within the Council's charges (on social care) However all social service non -residential charges are set within a national legislative framework, and in compliance to regulations and code of practice as set by Welsh Governments, namely within Parts 4 and 5 of the Social Services and Well-being (Wales) Act 2014, henceforth 'the Act'.

Under the Act, citizens to whom the charges apply are protected by some important policy entitlements:

- right to be offered a financial assessment to consider whether they have the means to pay a contribution to the costs of their social care and support
- there are clear principles that a person's ability to pay should not precluding access to care and support or that the charges for care and support should not exceed the costs of provision - there are personal thresholds set by the Welsh Government: namely a maximum weekly charge to be set at £100 per week (2019/20)
- Capital and Personal income allowances are also set for people who are subject to charges in relation to residential care

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?

Yes No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes No

c) Does the initiative apply each of the five ways of working?

Yes No

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes No

Q5 What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The Council's Charging policy (social services) was agreed by Council in March 2016, following a full Equalities Impact Assessment, which was carried out to consider and consult on how the policy is applied to all client groups that are able to access residential and non-residential community care services. Any impact on individual or population groups with protected characteristics is mitigated by minimum income allowances, capital thresholds and weekly charging caps which are set annually by Welsh Government. New charges to day services, and respite at home were introduced and applied this year (2018/19), and a full EIA was completed to support this change.

This year the annual review of charges carried out this year is proposing an inflationary increase to charges, to reflect increasing costs of social care, to come into effect on 1st April 2023, in line with other Council charges. It is not necessary to complete a full Integrated Impact Assessment

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

• **Summary of Impacts (Q2)** Impacts are positive and low on specific groups, due to the nature and purpose of the report as explained above. No overall direct negative impact has been identified, during this annual review of Charging policy. If service users are over-charged for their services, there is a risk that they or their carers may decide they can no longer attend. There is little evidence that there has been a significant number of people leaving community-based support services due to charges being applied. Swansea Council has a complaints process which allows citizens to communicate their views about the service and any unhappiness they may have about their experiences, and recourse to this channel has been considered in this report.

• **Summary of involvement (Q3)** Social Services work closely with other Engagement takes place on an individual basis, through their care and support assessment, and the financial assessment processes. Both of these person-centred, Council managed activities help to reduce any lack of fairness in how charging is being applied or between different forms of care and support which a charge may apply.

The Council's Charging policy aims to promote fairness, consistency, and transparency in how a person is made aware, via a statement of a charge, how they are financially assessed for the charges, and how a request for payment is made. This clear policy has helped to promote a more informed and clearer relationship between local authority and people who are charged for their care and support.

The Annual Review of Charges considers whether any further improvements are needed to the management of the care and support assessment and financial assessment process to support the implementation of the Council's Charging policy. This work is overseen by the Social Services Finance & Charging group, which meets monthly.

• **WFG considerations (Q4)** Well-being of Future Generation support a sustainable approach to the planning and delivery of adult social care. By applying the Welsh Government's national charging framework, and threshold with fairness and transparency, the Council is ensuring resources are available for care and support services to promote the wellbeing of individuals, carers and families in the present, and for the future.

• **Any risks identified (Q5)**

Social Services Finance and Charging group continually improves current arrangements in applying Charging policy, and takes action to apply any changes needed to current policy or processes, through its work programme.

We have to ensure that sufficient, up to date public information is made available on charging for social care in a suitable format, and in the Welsh Language, that service users can access. This information, and the List of Charges to apply, is updated following consideration of the annual review of charging report by Cabinet.

• **Cumulative impact (Q7).**

Charging for social care may add to the financial burden of individuals, families and un-paid carers. We apply a set of core principles within the Councils Charging – social services policy to ensure that individual circumstances are fully taken into account. Tackling Poverty service is now part of the Council’s Social Services directorate and their vital work in areas such as Welfare rights, Benefits training, Poverty and Prevention strategies and targeting financial advice is having a positive impact. A report on the Tackling Poverty team’s activity and performance is considered by the monthly Social Services Performance & Financial Monitoring meeting.

Also, there is considerable work being undertaken by the Council, and within the Poverty Policy Development Committee, on poverty reduction and debt management.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Simon Jones
Job title: Social Service Strategic Performance & Improvement Officer
Date: 10th December 2021
Approval by Head of Service:
Name: David Howes
Position: Corporate Director of Social Services
Date: 10th December 2021

Please return the completed form to accesstoservices@swansea.gov.uk

