



Annual Review of Swansea Council's Charging Policy (Social Services) 2019-20

A report on work carried out by the Social Services Finance and Charging Policy Working Group

September 2019 v2.2

1. Introduction

- 1.1 This report sets out Swansea Council's annual review of social services charges, with recommendations to inform a new list of charges, **due to come into effect from April 2020**.
- 1.2 This third annual review report builds on the work undertaken in previous years to keep Swansea's charging fair and equal, and in line with the rest of Wales. It 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.
- 1.3 This report is based on work undertaken during the year by the Social Services Finance and Charging group and it provides recommendations for changes to the current policy, and a revised List of Charges 2020/21 (Appendix 1.)

2. Annual Review of Charges

- 2.1 By Implementing an annual review of charges –Swansea Council is following Wales Audit Office guidance on reviewing public services charges:
<https://www.wao.gov.uk/system/files/publications/income-generation-2016-eng.pdf>

2.2 Under the Wellbeing of Future Generations (Wales) Act 2016, public policy has to incorporate “Five Ways of working”:

- Long term
- Collaborative
- Preventative
- Integrated
- Involvement

This review applies this approach, by setting out a model for the annual review of charges as agreed by the Social Services Finance and Charging group, chaired by Dave Howes, Corporate Director of Social Services.

2.3 Our Annual Review model is based on Wales Audit Office best practice for reviewing charging ,to 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.

Figure 1.Swansea Model for Annual review of charging (social services)



2.4 This Annual report of the Social Services Finance and Charging Group is proposing a new List of Charges to come into effect in 2019/20 (see **Appendix 1**), and which are to appended to the latest version of the Charging Policy (Social Services).

2.5 Under the Social Services and Well-being (Wales) Act 2014, 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

2.6 This report is the third annual review of charges 2019/20. This report also puts forward a summary of findings, recommendations and proposes a list of charges (social services) to apply in 2020/21.

3. Statutory Considerations

3.1 The Council's Charging Policy (Social Services) meets a statutory requirement under section 59 of the Social Services & Well-being (Wales) Act 2014 ('the Act'), the recently (amended) Care and Support (Charging) (Wales) Regulations 2015 [2], and the updated (April 2019) Part 4 and 5 Code of Practice (Charging and Financial Assessment). See links below:

- [Law Wales - Charging and financial assessment](#)
- [Code of Practice- Parts 4 & 5 Charging & Financial Assessment](#)
- <http://www.legislation.gov.uk/anaw/2014/4/section/59>

3.2 Applying from April 2019, the current amendments under the Act are:

- (a) in regulation 7 (maximum weekly charge for non-residential care and support), in paragraph (1), for "£80" substitute "£90";
- (b) in regulation 11 (relevant capital limit), in paragraph 2(a), for "£40,000" substitute "£50,000";
- (c) in regulation 13 (minimum income amount where a person is provided with accommodation in a care home) for "£28.50" substitute "£29.50";
- (d) in regulation 22 (maximum weekly contribution or reimbursement for non-residential care and support), in paragraph (1), for "£80" substitute "£90"; and
- (e) in regulation 28 (minimum income amount where a person is provided with accommodation in a care home) for "£28.50" substitute "£29.50".

Amendments to apply in 2020/21 are not yet confirmed by Welsh Government.

3.3 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 Council retain considerable discretion on which services are charged for and the level of charge. 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.

3.4 The Act states that any charges cannot be set at a level higher than the cost of providing the service. The 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). By exercising their discretionary powers in charging for services to meet needs, generally Councils have to be seen to be acting under a general requirement of 'reasonableness'.

3.5 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.

- 3.6 The Council aims to be clear and transparent in what we charge for by publishing an annual schedule/ list of charges, as set out in a Swansea Council Charging Policy. 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).
- 3.8 There are issues with this national charging policy, which in effect imposes a charging ceiling, which means everyone may be charged the same regardless of wealth or amount of service received, over a certain amount. The financial assessment is undertaken to means test this approach, though clearly this will have greatest impact on those people with less income.
- 3.9 The current financial situation for Social Services is extremely challenging. Significant future financial pressures, current overspends and continued austerity mean that we have to look towards charging for local authority social services as a means of ensuring the sustainability of our services. Swansea's corporate financial policy on setting charges for all services sets out an expectation 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 2018-22.

4. Swansea Council's Social Services Charging policy (Version 3)

- 4.1 Relatively few changes were made to Swansea Council's Charging policy (social services) for 2019/20, following last year's annual review of charges.
- 4.2 The list of charges published prior to the start of the financial year reflected the inflationary pressures, which are impacting the social care sector to increase all charges by 5%. Any issues with implementing the Charging Policy are considered by the Social Services Finance and Charging group, which meets bi-monthly. Each meeting receives reports from the various work streams, and keeps an action log which is updated and reviewed.
- 4.3 The current Finance & Charging work programme has the following workstreams:
- WCCIS – financial
 - Opportunities for New Charging
 - Process Improvement
 - Debt recovery/ Invoicing
 - Annual Review of Charging/ Policy
 - Annual Uplift of fees

4.3 The Annual Review of charging has to ensure that the work undertaken by the workstreams over the course of the year is fully reflected in this report. Work on the annual uplift of fees payable to provider organisations is covered by a separate report.

4.4 Financial Assessments

Swansea Council's Social Care Income and Finance Team (SCIFT) carries out a wide range of function in support of social services charging.

<http://www.swansea.gov.uk/staffnet/SCIFT>

The team is responsible for the following:

- Offering and carrying out financial assessments on behalf of the Social Services, in order to calculate how much a client must contribute towards the cost of their care.
- Calculating the charges that apply for an individual receiving care and support based on financial assessment
- Sending out notification letter to notify citizens of the expected contributions,
- Invoicing for charges incurred
- Recovery of charges that are outstanding in respect of outstanding care and support charges

In 2018/19, the SCIF team carried out **8691** financial assessments of social care clients on behalf of the Council.

Based on more recent data (between 08/04/19 and 16/09/19), SCIF team have already undertaken **5000** assessments, they could expect to have carried out close to 10000 financial assessments of citizens in 2019/20.

4.5 Income Generation

Service Category	17/18	18/19	Difference	As a %
Community Alarms	476,322	487,686	11,364	10%
Day Services	283,698	433,814	150,116	53%
Direct Payments	680,232	886,157	205,925	30%
Domiciliary Care	2,047,926	2,790,267	742,341	36%
Other/Administration	332,493	392,490	59,997	18%
Residential Care	11,235,249	11,579,594	344,345	3%
Grand Total	15,055,919	16,570,007	1,514,088	10%

Table 1. Adult Services Yearly Analysis of income/ income related to charging by type

The above table shows an overall 10% increase in the amount of income related to Adult social care, generated to Swansea Council this year, as compared to last year (2017/18). This table excludes grant income and recharging. Figures are based on information within the Council's financial ledger.

4.6 Service Usage –

STATS Wales publish comparative information on the number of adults who paid the maximum weekly charge towards the cost of care and support or support for carers during the year: [StatsWales - Adults charged for social care](#)

- a) **Day Service Charges** - during this year, we have successfully implemented new charges for Day Services to adults. We are closely monitoring demand for and capacity within our day services, through a commissioning review.. Also we considered whether there were any unintended consequence from the Council's Charging policy, for example:
- in terms of people refusing a financial assessment,
 - people leaving day services
 - people declining the service, as agreed with their care and support or care and treatment plan.

According to service managers, there may have been one or two examples of people who have been taken out of day services, by their families who are not willing to complete a financial assessment or pay charges. However there has been no pattern or significant impact noted. Where this has arisen, alternatives would be offered for example direct payments or local area coordination.

By implementing Day Service Charges, this involved the SCIF team carrying out **447** additional financial assessments – this figure is based on only those clients with a start date of 01/10/18.

A contribution to day service charge will apply/ be paid by **221** service users for the period 01/10/18 – 07/04/19 (this figure only includes those with a start date of 01/10/18 when the new charge was first applied).

- b) **Respite** – we continue to improve consistency in how respite care is charged; by specifying that the charging week now that the service commences on, particularly in how this applied to requests for emergency respite care across all service types.

4.7 Process Improvement

- a) **Debt recovery** - At time of reporting (July 2019) there were **212** clients with an outstanding non-residential balance, of which only **24** people are receiving Day Services, and of that number, only **8** are people solely receiving Day Care. Of all **24** clients with a day service- related debt, they are all at varying stages in the recovery process, or their

cases are on hold. People with higher charging- related debt are mainly clients receiving a mix of community based services (domiciliary care and day care). The SCIF team supports those people with a charging debt, working alongside a social worker, to agree a payment arrangement.

- b) **Invoicing** - It is important to partners that our invoices for services we provide on their behalf are timely and based on reliable and realistic actual costs of commissioned services, which in turn are based on accurate figures for service usage, and estimates of all the costs are applied. Joint work between SCIFT, Corporate Procurement and the Financial team has been carried out to ensure that our processes are working effectively.

4.8 Updated Policy

Through the above workstreams, there has been some requests to simplify the current policy by reducing the amount of content, particularly where it is set out in the national Code of Practice.

5. Comparisons with other Welsh Local Authorities

5.1 Council Policy

Swansea Council's operates the principle of full cost recovery, and we are continually working to improve our understanding of 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,

5.2 Inflation

Within the Finance and Charging group, a figure for future inflationary pressures with social care provision is proposed to be applied to the List of Charges in the year ahead (**see Appendix 1**).

There is a great deal of uncertainty with regard to the inflation over the coming year. The revised minimum wage rate will not be set until September, the pay award for internal staff is unknown and the potential for volatility in other costs is increasing.

The minimum wage rate is currently £8.21 for those over 25. When the rate was rebranded in 2016, the stated intention was to reach 60% of median earnings by April 2020. At that time, this was equivalent to £9.00 per hour. Due to wage increases in the wider economy being less than forecast, it is unlikely this will occur. A consultation by the Low Pay Commission proposed a

rate of £8.67 per hour (5.6% increase). Ultimately, the level of the minimum wage is a Political decision and will be unknown until November. Any General Election/wider political turbulence has the potential to delay this further.

The current year represents the final year of a two-year pay agreement. The future rate is unknown and subject to negotiation. The current year has seen a bottom weighed arrangement to take account of movements in the minimum wage. This has seen increases of between 2% and 7.3%. Average increases for those on Grade Six and below in 18/19 were in excess of 4%.

Latest OECD projections for CPI inflation in 2020 are 1.92%. However, there are significant risks around any inflation projections when the means and methods of the UK's departure from the European Union remain unconfirmed. There are particular risks around imported items due to possible exchange rate fluctuations and supply issues. The risks around Brexit remain high and are a growing risk in the context of current events. It has been a generation or more since we have experienced the current level of uncertainty in the wider economic environment.

5.3 **Benchmarking**

It is useful to keep an eye of what other, particularly those similar Welsh Local Authorities are doing in relation to their charging for social services. Following detailed work last year, a partial review of some neighbouring Council's published charges for social care was undertaken. A Table (**Appendix 2**) shows how Swansea compares this selection of other Welsh Local Authorities.

5.4 **Opportunities for new charges**

As Swansea Council's Charging Policy (social services) makes clear, the Welsh Government's current charging framework allows for a number of areas of discretion in those Care and Support services which are to be charged for.

In exercising this discretion, the Council has to routinely consider whether there are additional care and support related services which have yet to be considered within the current arrangements. Council's commercial team supports the Social Services Finance and Charging group in looking at potential opportunities.

This table summarises area which have been considered during the year, and the current position.

Council service subject to discretion	Action proposed:
Supporting People services - floating support	To be considered as part of a Commissioning review (4 th) to be undertaken next year.
Administrative charges for commissioned services to partners	Currently being explored as option by Commercial team
Carers support service	This is a sensitive area, in which carers are seen as vital to sustainable social care- not being considered at this time.
Deferred Payments- administration	Demand for service is seen as limited, and there is limited capacity available/ set up costs too high
Self-funders - administration	As above
Local Area Coordination	This is new strategic approach to well-being and prevention, part of Sustainable Swansea- not being considered at this time.
Occupational Therapy –provision of equipment & assistance	Currently delivered in partnership, extensive consultation would be needed for charging to apply
Other- Employability related services	To be considered as part of Commissioning review
Other- Preventative	As with LAC, preventative services are not subject to maximum weekly charge and a flat rate charge would have to be considered

This annual review of charges has also looked at the 2019/20 charging schedules of many Welsh Local Authorities and there are further examples of discretionary charging summarised at the end of the table in Appendix 2.

6. What people are telling us

6.1 Public consultation

There has been no formal public consultation undertaken this year.

6.2 Complaints

The following tables show the complaints received last year relating to social services charging, and those received in this year to date (September 2019). There has been no increase in the number of complaints received, the proportion of justified complaints or any significant change in the reasons given for the complaint.

Total number of complaints received by Corporate Complaints Team - related to social services charging		
Outcome/ Year	2018/19	2019/20 to date
Justified	2	-
Partially Justified	2	-
Not Justified	2	1
Not Pursued	1	-
No further contact/ withdrawn	1	2
On-going	-	1
Totals	8 (Stage 1 =6; Informal =1; Request for service =1)	4 (Stage 1= 4)

Table 2. No. of complaints

Table 3. Reasons/comment for all charging related complaints 2018-2020 (to date)

Year	Social Services Complaint- reasons/ comments	Outcome
2019/20	backdated fee for 12 week rule re financial support and payments	Not justified
2019/20	received invoice of £2,000 for mums care. thought was free care	Withdrawn
2019/20	respite fees	Not pursued
2019/20	Financial error	On-going
2018/19	Financial -debt recovery 3 years later and unhappy with care at the time is documented	Justified
2018/19	Financial complainant unhappy with pay increase for care (meds) and s.w. not providing forms	Partially justified
2018/19	Unhappy with charges levied	Not justified
2018/19	Disagrees with overpayment request in respect of direct payments for mothers care	Partially justified
2018/19	Delay in financial assessment, followed up with letter & financial assessment completed	Justified
2018/19	Unhappy with charges levied	Not pursued
2018/19	Unhappy with charges levied	Not justified
2018/19	Lack of support/ help provided	No further contact

6.3 Feedback from day service managers

The reviewer attended the Day Services Managers meeting in July 2019 to review the impact of charging on their service areas. As not all managers were in attendance, the group were invited to submit comments and specific examples.

Some comments:

- Service users may lack capacity and/ or understanding of their rights and entitlements in respect of charging policy and financial assessment
- Managers would like more information about how charges are calculated for individuals, based on income, living expenses and personal allowance
- More support needed from social workers in dealing with services users and families on financial matters/ best interest decisions
- Families are being presented with charging information/ financial assessment forms and they need support
- Charges are applied to day services per day or half day attended, whereas some service users attended by session
- Examples of large bills for social services charges being sent to families, with few resources to pay
- Requests for service provision related to a person's care and support plan following social care assessment, though personal outcomes not always defined-what service is expected to achieve/ why it is needed by person.
- There was a hold on Older People day service referrals between Sept. to Dec. 2019 linked to commissioning review which would have impacted on numbers attending, at same time as charges were introduced.
- List of people who can help with financial assessment forms should be available in services
- How we define day services (charged) and employability services (not charged) in terms of charging policy

6.4 Public Ombudsman

Whilst there has been no local complaints passed to the public ombudsman, there is the opportunity to draw learning from recent national cases.

Whilst the Public Ombudsman cannot assess an individual's ability to pay for the cost of their care and support services, they sometimes receives complaints about related matters, which are summarised in a quarterly casebook.

<https://www.ombudsman.wales/case-books/>

Recent case related to charging:

- Pembrokeshire County Council – Other Case Number: 201900872 – Report issued in June 2019 Ms X complained that Pembrokeshire County Council (“the Council”) provided her with misleading information about her mother’s entitlement to respite care and care funding.

Another recent case relates to how Councils provide support to adults who are assessed as lacking capacity in carrying out financial assessment.

7. Equalities Impact Assessment

7.1 The Welsh Government’s national charging framework has taken steps to ensure that the person’s income levels are protected, and these national arrangements were subject to a Equalities Impact Assessment, and the thresholds set within the framework are reviewed regularly. The impacts of new charges implemented locally are also assessed each of the different ‘protected characteristics’ as well as being fully considered in each individual circumstance, through the financial assessment and at population level by the Equality Impact Assessment

7.2 Actions from last year’s EIA

Action from last year	Progress made
The offer of a direct payment can help address care and support needs, and the Council also needs to review cases where there is take up of day services using direct payments	– Direct Payments strategy in development (version 1)
Support to carers, and steps to improve offer of carers assessment.	– Regional carers partnership, and work programme to inform local strategy
To update and improve public information available on charging and financial assessment	– SCIF team provide information, advice and assistance on all matters relating to charging/ social services debt – Public Information fact sheets on social services charging updated and made available via social workers – Adult Services Practice Manual in development as single source of up to date information for professionals, to include pages on Finance and Charging
Translation of public information materials (fact sheets/ Information leaflets/ web pages) into Welsh, and other languages on request	– Charging policy and list of charges have been translated into Welsh, and other languages available on request

The above actions are monitored through the Social Services Finance and Charging group.

7.2 Equalities Impact Assessment this year

This report is set to apply previously agreed increase in charges for domiciliary care, and an inflationary increase to other services in the list of charges to apply from April 2020. An updated Equalities Impact Assessment screening form has been undertaken at this stage (attached in Appendix 3), with the agreed outcome a full EIA assessment was not required at this stage.

7.3 Risks identified

There are no specific risks within the Corporate Risk Register relating directly to the Council's charging policy (social services). PE90 Financial stability of the social care market relates to fees payable to providers and the annual costs review undertaken.

7.4 Actions needed- A review of the current policy is due this year and the aim will be to reduce the overall size of the policy and to ensure it still remains aligned to any recent amendments within regulation/ code of practice (see section 3).

8. List of Charges to apply in 2020/21 (see Appendix 1)

8.1 Overall, in updating the list of charges to apply in Swansea in 2020/21, there is an expectation that these charges will accurately reflect the inflationary pressures expected to impact on social services in particular.

Within our domiciliary care service within Adult Services, there remains some disparity between the amount charged by the Council and the cost of providing the service. This year 2018/19, Swansea has increased the hourly charge of care at home to £15 per hour a significant increase from £10.20 per hour in 2017/18.

There is a need to move towards full cost recovery for all external services whilst ensuring that a greater proportion of users pay the maximum they are assessed as being capable of paying.

The current differential is such that a further increase is unavoidable. Therefore this annual review proposes that for domiciliary care the estimated cost/ charge of £19/hour in 2020/21 is brought forward to apply in 2019/20, and that there is a need to move the hourly charge to this figure within the time scale.

Therefore the proposals set out in last year's report, and agreed was to increase to charge in 2020/21, as indicated in the table below. This proposal is now to come into effect in the List of Charges for 2020/21.

Charges relating to Home Care/ Domiciliary care	2017/18	2018/19	2019/20	2020/21
Charge/hour	£10.20	£15.00	£17.00	£19.00

Table 4. Charges for home care increased as agreed in previous annual review

9. Summary and Recommendations

9.1 Summary of findings - this annual review has taken into account:

- National directives on charging for social services in Wales
- Costs of providing social care services are subject to inflationary pressures
- Significant changes made last year, and still to be fully implemented (day services)
- Comparatively, Swansea's charging framework is moving closer to other Wales LAs
- Areas for new charging are considered within Social Services Finance and Charging group
- Any changes to charging policy has to consider whether people with care and support needs may decide they cannot afford to pay charges and then decide not to attend services.
- The new List of charges 2020/21 (Appendix 1), once agreed by Cabinet, is to be appended as a revision to the Council's Charging (social services) policy.

7.2 Recommendations:

- Cabinet decide to accept the findings of the annual review of charges, and that there are no new service charges (social services) to apply in 2020/21.
- To agree that an inflationary increase of 5% is applied to all social services charges,
- To agree to apply the increase in home care charge, as previously agreed by Council.
- Cabinet to approve the list of social services charges to apply from 1st April 2019, for the year 2020/21.

Appendix 1. Swansea Council List of Charges (to apply in 2020/21). These are the amount clients will be charged for social care services, subject to any limits on the maximum charge specified by Welsh Government.

a) Residential care and support services

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. The costs shown below for privately owned care homes are indicative of the weekly costs at care homes, which accept the Council's usual rates. Some homes may charge more.

Long Term Residential Care			
Charges for Services per category	Weekly charges in 2019/2020	Weekly charges in 2020/21	% Increase/ Comment
Council owned residential care homes			
Elderly care	£584.90	£614.15	5%
Dementia Care	£584.90	£614.15	5%
Learning Disabilities	£1,532.67	£1,609.30	5%
Mental Health	£1,532.67	£1,609.30	5%
Younger Adults	£1,532.67	£1,609.30	5%
Privately owned care homes			
Residential Care			
Older persons	£551	£578.55	TBC, to reflect agreed % fee increase
Mental Health	£551	£578.55	As above
Learning Disabilities	£551	£578.55	As above
Younger Adults	£572	£600.60	As above
Nursing care			
Older persons	£631	£662.55	TBC, to reflect agreed % fee increase
Mental Health	£631	£662.55	As above
Learning Disabilities	£631	£662.55	As above
Dementia Nursing Care	£649	£681.45	As above
Younger Adults	£631	£662.55	As above

Short Term Residential Care (Local Authority and Private Sector)			
Charges for Services	Weekly charges in 2019/20	Weekly charges in 2020/21	Comment
All adults Short term residential care up to 8 weeks (known as Respite care, re-ablement (from week 6 and up to week 8) or temporary short-term emergency or planned placement)	£90	TBC	To reflect Max. weekly charge set by Welsh Government
Temporary residential care (up to 52 weeks). Where the placement is known to last more than 8 weeks from the outset or from week 9 when a short term residential care placement has been extended, the charging rates will be the same as the long term residential rates shown in the previous table			

b) 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

Charges for Services	Charges in 2019/20	Charges in 2020/21	% Increase/ Comment
Means tested up to the maximum standard charge as outlined in the categories below			
Home Care			
Domiciliary Care or Home Care, including respite at home, supported living	£17.00 per hour	£19.00 per hour	Change agreed to previously
Day Services Older People			
Older Persons Day Services	£42 per day, up to a maximum charge of £90 per week	£44.10 per day	5%, maximum weekly charge applied
Day Services Younger Adults			
Younger Adults/ Special Needs Day Services	£52.50 /day	£55.13/day	5%, as above

c) Flat rate charges for other services provided by Swansea Council

These charges are not subject to a means test or a maximum charge.

Charges for Services	Charges in 2019/20	Charges in 2020/21	% Increase/ Comment
Telecare / Lifeline	£2.76/week	£2.90/week (tbc)	5%
Meals (within community-based, day services)	£3.68 /day	£3.86 /day	5%
Court of Protection Deputyship	£745 application fee; £775 for first year management and £650 per year thereafter if over £16,000 in net assets, or 3.5% if these are under £16,000; Other additional charges may apply: - £300 property management fee - £216 preparation and lodgement of an annual report.	TBC	These are fixed rate charges for Local Authorities set by the Court of Protection (Part 19 of the Court of Protection Rules 2007) and revised rates apply from 1 April 2017
Pre Deputy support charge	£5 per week	TBC	Approved by Cabinet and commenced on 1 April 2017. Fees taken retrospectively from date of case management to date of Court order when replaced by Court fees above.

APPENDIX 2: Annual Review of Charges – Tables

How Swansea compares to selected other Welsh Local Authorities, within main categories for Adult Social Care charges (following web search/ email request)

(NB some service heading may be defined differently by a particular Welsh LA- e.g. whether includes short term or respite provision)

All figures shown in the following table are social services charges as agreed and applied by these Councils in 2019/20, unless stated.							
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 (weekly charge applies)	Telecare/ Lifeline (per week)	Other (per day)
Swansea (19/20)	£17 per hour	£42 per day (OP) £52.5 per day (YA/SN)	Variable	£585 (standard L/t elderly care) £649 - Dementia nursing care	£90 (Max weekly charge applies)	£2.76 (T/c)	Meal- £3.68
NPT	£16 per hour	£30 per attendance £76.50 (LD – other LA)	Value of direct payment	£572.37 (standard res. Care) £767 (Pobl charges to new residents)	£90 (Max weekly charge applies)	£2.70 (T/c) £3.95 (LL) £5.70 (LL- Extra)	Meal- £4.60
Bridgend(19/20)	£19.16 per hour	£34.21 £64.46	Variable	£583 (Older people- higher dependent res); £622 - very dependent residential; £715 specialist dementia in nursing setting	Variable	£2.25 to £6.00 per week (pricing range- no in household)	Meal - £5.51 Tea time snack - £1.64

All figures shown in the following table are social services charges as agreed and applied by these Councils in 2019/20, unless stated.

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 (weekly charge applies)	Telecare/ Lifeline (per week)	Other (per day)
Carmarthenshire	£14 per hour	£13.70 per session	£11.90 per hour £88.20 per night	N/a	£90 (Max weekly charge applies)	£15.80 per quarter (CL monitoring) £40.84 per quarter (monitor & pendant)	Meal -£4.80
Ceredigion	£18.10	N/a	£11 per hour in lieu of Dom. Care	£558 Elderly- very dependent) £606 (Nursing dementia)	£90 (Max weekly charge applies)	£3.10 (LL) £5.70 - Assistive Technology	Lunch per meal in day centre- £7.20
Pembs	£16.71	£39.60 (Day Opps. per day)	£11.64	£577.58 (Res) £609.13 (EMI) £618.60 (Nursing/ EMI)	£90 (Max weekly charge applies)	£2.69 (Community alarm)	Meal £4.86

All figures shown in the following table are social services charges as agreed and applied by these Councils in 2019/20, unless stated.

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 (weekly charge applies)	Telecare/ Lifeline (per week)	Other (per day)
Powys	£20.50 per hour	£15 per day (OP) £15 per hour (LD)	£20.50		£90 (Max weekly charge applies)	£2.00 (CA)	Meal - £7.50
RCT	£34 per hour	£34 per hour	N/a	£588 (Elderly /frail- res) £594 (Elderly /frail- nurs) £628 (Nursing –EMI)	£90 (Max weekly charge applies)	£138.12 (LL pa) £312.64 (T/C pa)	Meal - £3.85
Torfaen	£15.72	£95.15	£8.20 £8.91 -after 8pm £65.85- Sleep in	£637.22 (OP-residential) £698.55 (Dementia - res) £697.34 (Dementia – nursing)	£90 (Max weekly charge applies)	£68.40 Annual lifeline & telecare services)	Meal- £4.70

Other discretionary charges currently applied by Welsh Councils:

Bridgend CBC

- Day care with shared lives carer = £51.78 per day
- Extra Care housing schemes = £156.38 per week

Ceredigion County Council

- administration charge (self funders/ Deferred payments) £600 per year
- Laundry service –cost per wash - £4.50

Neath Port Talbot CBC

- Hillside secure unit - £930 per day)

Pembrokeshire CBC

- Administration set up cost– deferred payments (one off charge) = £500
- Interests charged 1.65%

Torfaen CBC

- Keysafe installation = £25.80 incl. VAT
- Lifeline & Telecare installation = £68.40 incl. VAT
- Social Work time – to other LAs - £20.35 (unqualified) / £24.49 (qualified)

Powys CBC

- 24 hour support (supported tenancy) £80.00 per week
- Shared lives scheme £28.85 per night (to a maximum of £70 per week)

RCT

- Tiered charging for Lifeline, Home Safety and Telecare services (whether assessed need / part of care plan)

Appendix 3: EQUALITIES IMPACT SCREENING TOOL

Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).

Section 1	
Which service area and directorate are you from?	
Service Area: SOCIAL SERVICES	
Directorate:	SOCIAL SERVICES

Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(b) Please name and describe here:

Annual Review of Charges (Social Services) 2019/20

This EIA covers the Annual Review of Charges (Social Services), which sets out any changes within Swansea Council's Charging Policy (Social Services) and the proposed List Of Charges for 2020/21.

The main change to take effect from 1st April 2020 is that all social services charges are to be increased in line with an inflationary uplift of 5%. 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 £90 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(a) WHAT DOES Q1a RELATE TO?

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input type="checkbox"/> (M)	<input type="checkbox"/> (L)

Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...

High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
--------------------	----------------------	-------------------	-------------------

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

Evidence shows that disabled people, older people and people from minority ethnic backgrounds have proportionately lower levels of income and could therefore experience a greater level of financial impact from any increases to social care charges.

Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?

Please provide details below – either of your planned activities or your reasons for not undertaking engagement

The council is complying with its duties under the Social Services & Wellbeing (Wales) Act 2014 which allows local authorities to exercise discretion and to work within the principles of fairness, transparency and equality. A full Equality Impact Assessment, and consultation exercise was carried out (Feb 2018), when major changes were made to the Council's Charging Policy, and these were introduced in 2018/19, such as charging for day services and the schedule of hourly rate increases for domiciliary care.

All charging thresholds/ limits to the Councils charges are set by the Welsh Government, and these are in place to protect citizens against poverty and social exclusion. The Welsh Government has undertaken a full EIA of the Charging framework (December 2016):

[EIA-Changes to Charging \(Welsh Government\)](#)

Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?

High visibility <input type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input checked="" type="checkbox"/> (L)
---	---	---

(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION? (Consider the following impacts – legal, financial, political, media, public perception etc...)

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input checked="" type="checkbox"/> (L)
---	---	---

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

Yes No If yes, please provide details below

Q7 HOW DID YOU SCORE?
Please tick the relevant box

MOSTLY H and/or M → **HIGH PRIORITY** → **EIA to be completed**
Please go to Section 2

MOSTLY L → **LOW PRIORITY /** → **Do not complete EIA**
NOT RELEVANT **Please go to Q8 followed by**
Section 2

Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.

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 applies 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 is proposing an inflationary increase to charges to reflect increasing costs of social care to come into effect on 1st April 2020, in line with other Council charges. It is not necessary to update the current full Equalities Impact Assessment

Section 2

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 – no electronic signatures or paper copies are needed.

Screening completed by:	
Name:	Simon Jones
Job title:	Social Services Strategic Performance & Improvement Officer
Date:	12 th September 2019
Approval by Head of Service:	
Name:	David Howes
Position:	Director of Social Services
Date:	September 2019

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