

Executive Advisory Panel for Pathways to Independence

Dorset County Council



Date of Meeting	23 June 2017
Officer	Helen Coombes - Transformation Programme Lead for the Adult and Community Forward Together Programme.
Subject of Report	‘Making Charges Fairer’ – Progress Report
Executive Summary	<p>On 8 March 2017 the Cabinet considered the outcome of a review of charges for adult social care. The review included a public consultation to examine the impact of phasing in more policy changes designed to promote equity and other principles set out in the Care Act.</p> <p>As well as policy, the review considered the levels of fees and charges for non-residential care. The Cabinet agreed increases of up to 5%.</p> <p>A number of recommendation were agreed by the Cabinet. This report reviews our progress so far in implementing them.</p>
Impact Assessment:	<p>Equality Impact Assessment:</p> <p>An Equalities Impact Assessment (EqIA) has been completed. It was informed by the public consultation exercise. The EqIA helps to ensure that our financial policies meet our duties to protected groups under the Equalities Act 2010 and it includes actions to minimise the impact on people of losing income.</p> <p>One of the actions in the Panel’s proposed Work Programme is to review the action plan associated with the EqIA.</p> <p>Use of Evidence:</p> <p>The new policy proposals were formulated on the basis of evidence gathered from practice, research and the recent public consultation exercise.</p>

	<p>Budget:</p> <p>One of the aims of the Panel’s work is to develop financially sustainable policies.</p>
	<p>Risk Assessment:</p> <p>The main risk is of a negative financial impact as we reshape our services to ensure they are Care Act compliant.</p> <p>The current level of risk is described as MEDIUM.</p> <p>The main residual risk will be that there are limited resources to implement new policies, particularly if significant system changes are required. However, this risk can be managed so the residual level of risk is identified as LOW.</p>
	<p>Other Implications:</p> <p>None.</p>
Recommendations	<p>The Panel is asked to:</p> <ul style="list-style-type: none"> (i) consider progress and identify any areas for further work; (ii) support a recommendation to the Cabinet that we accept the significant progress towards prompt billing offered by the implementation of the standard configuration of Mosaic, and resume work towards our objective of billing two weeks in advance and two weeks in arrears in the autumn.
Reason for Recommendations	<p>To help secure a sustainable approach to the County Council’s corporate plan aims that people in Dorset be safe, healthy, independent and prosperous.</p>
Appendices	<p>Appendix 1 – Progress Report</p>
Background Papers	<ol style="list-style-type: none"> 1. ‘Making Charges Fairer’ for Adult Social Care (Cabinet - 8 March 2017). 2. The ‘Making Charges Fairer’ Equalities Impact Assessment:
Report Originator and Contact	<p>Name: Michael Ford, Service Manager Tel: 01305 224964 Email: M.J.Ford@dorsetcc.gov.uk</p>

1.0 Background

- 1.1 ‘Making Charges Fairer’ is a programme of work looking at the county council’s policies about charging people for a contribution towards their adult social care, if a means-test shows they can afford to pay it. The council charges already, the reasons for the work are to make sure that the policies continue to:
- (i) support ‘personalised’ care arrangements;
 - (ii) remain fair and affordable for everyone in the future;
 - (iii) be financially sustainable for the county council in the years to come.
- 1.2 The work relies on a constructive dialogue with Dorset people and good quality communications. The new policies set out in Appendix 1 were approved by the Cabinet after discussion with partners from the voluntary and community sectors and a ten-week public consultation. An ‘easy-read’ version of the consultation survey was provided. We have sent letters about forthcoming changes to all the people receiving services who are known to us. We will continue to make sure that people are prepared, when they are about to receive a means-test under the ‘Making Charges Fairer’ policy.
- 1.3 The public consultation showed that a majority of respondents agreed with the proposals for changes put forward by the council. However, people highlighted areas within ‘Information and Advice’ where further work and promotion was needed. In response, the Panel asked for further work to:
- investigate the source of financial advice and information which people make use of; and,
 - signpost people (particularly self-funders) more effectively to appropriate sources of financial advice and information.

These areas are covered by another paper on the agenda of this Panel’s meeting.

- 1.4 Officers are working to develop suitable reporting formats, so that members and officers will be able to view progress towards full implementation of the new policies on a month by month basis.

2.0 Deferred Payment Agreements

- 2.1 The County Council offers the universal Deferred Payment Agreement (loan) to all eligible applicants, as prescribed by the Care Act. The Panel and the Cabinet have previously supported the proposal that in certain other circumstances senior managers exercise discretion to enter into a Deferred Payment Agreement without the security of a first legal charge on a person’s land. When carefully exercised, this discretion would benefit both the council and the person. For example, it could help a person who needs to move from a mobile/park home into residential care.
- 2.2 Research by the Royal London company published in May 2017 highlighted that the Care Act’s universal scheme is not yet offered by all councils. So it is perhaps not surprising that we have been unable to find an example of an existing well-established approach to the operation of a discretionary scheme. However, we have found two councils that are also currently trying to develop an approach and who

have identified similar challenges in relation to compliance with the Consumer Credit Act. Following that work, colleagues in Legal Services are currently considering what is the most appropriate approach in Dorset to compliance with the Act. Recommendations will be presented to a future meeting of the Panel.

3.0 Paying for Care

3.1 The Cabinet agreed a policy recommendation arising from the ‘Making Charges Fairer’ review that bills should be sent out promptly whilst people are still receiving care, for payment by the end of the care period. This had been tested as a proposal through the public consultation and it was supported by 81% of respondents. In order to implement the policy successfully we knew we would need to:

- allow people (many of whom are dependent upon welfare benefits) a reasonable period of time to transition from paying bills several weeks in arrears, to being up to date with payments;
- put in place arrangements for recording variations (meeting the criteria for a refund) between the care that was planned and the actual care that was delivered, so that adjustments to bills could be made every three months.

3.2 The standard configuration of the Mosaic case management system that is currently being implemented, will support billing four weeks in arrears on the basis of actual care received. This offers us a good opportunity to:

- bill accurately, (variations will be processed more frequently than every three months);
- bill more promptly than we do currently – although not as promptly as agreed by the Cabinet in respect of non-residential care.

3.3 If we were to pursue the introduction our agreed policy for non-residential care alongside the implementation of Mosaic we would have to undertake a significant number of manual interventions and reconciliations in each billing period, which we judge would be administratively costly and error-prone at this stage. This report therefore recommends that we accept the significant progress towards prompt billing offered by the implementation of the standard configuration of Mosaic and we resume work towards our objective of billing two weeks in advance and two weeks in arrears in the autumn. We will achieve this first in the major area of bills for residential care services.

Helen Coombes

Transformation Programme Lead for the Adult and Community Forward Together Programme.

June 2017

Appendix 1

Progress Report

No.	Subject	Cabinet decision	Current position
1.	Fees and Charges	Publish a new schedule of charges for 2017-18, reflecting average increases of up to 5%.	Implemented for financial year 2017-18
2.	The financial means-test	<p>The council makes sure everyone has a personalised means-test and an offer of free welfare benefits advice.</p> <p>The council stops disregarding 25% of disability-related benefit income in the financial means-test to establish what a person can afford to contribute towards the cost of their adult social care.</p> <p>It is proposed that this change takes effect from 1 April 2017 for new service users, following a personalised means-test and welfare benefits advice.</p> <p>For existing service users, it is proposed that this change takes effect following a new personalised means-test and welfare benefits advice.</p>	Implementation began with effect from 1 April 2017. The aim is to complete the work within six months.
3.	Paying for care	The council sends out bills whilst people are still receiving the care and asks for those bills to be paid by the end of the care period.	Pease see report Section 3.0.
4.		Where appropriate, the council will strongly encourage people to pay contributions to the cost of their adult social care by Direct Debit.	Two letters to service users since April have included a request for bank details. The % paying by Direct Debit is increasing.
5.		The council issues regular four weekly bills for planned care and only makes adjustments for variations in service every three months.	Pease see report Section 3.0.
6.	‘Top-up’ payments in residential care	The council uses the feedback from the consultation to design a proportionate and sensitive means-test for third-parties.	This work is underway and a proposal will be presented to a future meeting of the Panel.

No.	Subject	Cabinet decision	Current position
7.	Information and advice	The council uses the feedback from the consultation to improve the information and advice offered.	<p>Specifically, we have increased our capacity to offer welfare benefits advice.</p> <p>Another specific area of information and advice is covered elsewhere on this agenda.</p> <p>More generally, improving information and advice is now a very high priority for the Directorate.</p>