



Committee and date

Cabinet 21<sup>st</sup> July 2010

12.30 pm

Item No

**21**

Public

## **The Development of Personal Budgets for Adult Social Care in Shropshire – Amendments to the Existing Charging Policy**

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### **Summary**

This report seeks Members' approval for the amendment of the current Charging Policy to facilitate the increasing use of Personal Budgets. The way we deliver social care is changing. People and their families are being offered much more of a say over what kind of support they get. This policy helps with the continued progress of this agenda.

People who are entitled to social care funding to meet their needs will be offered a Personal Budget. This can be used flexibly to achieve the things that are important to them to live their life in the way they want.

A Personal Budget can be used in lots of different ways to meet a person's social care needs. For example, it might be used to pay someone to help with gardening or cleaning, or to have art classes, or to attend a gym or club or have a weekend respite break. It will be used to help meet people's personal care needs such as getting up in the morning, washing and dressing.

But the important thing is that whatever the money is spent on, it has to achieve agreed outcomes for the person and keep them safe and well.

Councils need to ask people who can afford it to contribute towards the cost of their service. The system we use to work out how much they need to contribute must be fair. It must also leave them with enough money to live off.

The current charging policy for non-residential services now needs revising as it only allows the Council to charge people for traditional services (day care, homecare and transport) rather than allowing the Council to ask people to contribute towards their overall allocated personal budget.

### **Recommendations**

- A. That the amendments to the Charging Policy are approved.
- B. To approve that the amendments are implemented from 1<sup>st</sup> August 2010.

## Report

### **Background to Fairer Charging and Personalisation**

1. In December 2007 the government said that all people offered social care should have as much choice and control in what support they receive. It said that they must do this by having a Personal Budget. This is called personalisation or 'self-directed support'. The new Government has stated its commitment to increasing the roll out of personal budgets.
2. People using services are expected to contribute towards the cost of their services. This is called 'Fairer Charging'. Shropshire Council has a Fairer Charging policy that was agreed in Council in 2007 and it collects £2.6 million which helps pay for the cost of services. The amendment proposed will enable us to continue to collect this income.

### **Impact of Personal Budgets on Contributions**

3. In Shropshire, since June 2010, all people referred and entitled to social care support have been offered a Personal Budget. In addition, all people who already use services will be offered, at their annual review, the opportunity to have a Personal Budget and take the opportunity to do something different with the allocation.
4. Increasingly, people are likely to choose not to spend their budget on traditional care services but to use their Personal Budget in flexible and creative ways which better meet their needs and achieve their agreed outcomes.
5. For example a person who needs more social interaction may prefer to spend a day visiting family members some distance away, or being supported to travel to a sports event, rather than visiting a day centre.
6. The Department of Health have written new guidance for Councils on how to have a fair system that supports personalisation.
7. Based on this updated guidance, the principles that apply to the way in which council's calculate the income a person has available to make a contribution to their care (i.e. the fairer charging assessment) have not changed.
8. However, Councils do now need to decide the way in which the cost of services is worked out for the increasing number of people who have a personal budget.
9. People will, in future, have significant choice as to how they use their personal budget to best meet their needs. This may include things which the Council is currently not providing or able to purchase. .

10. This means that the Councils current charging policy needs to be amended to take account of this.
11. Examples of what a Personal Budget and the Contribution policy will mean in practice are included in Appendix 1.

### **Amendments to the current charging policy**

12. The following amendments have been made to the policy, a full copy of the amended policy is available in the Members' Library, a leaflet explaining the policy is attached at Appendix 2.

#### ***Amendment 1:-***

13. A fairer charging assessment will now be carried out for all referrals earlier on in the process. This will show what they can afford to pay towards the cost of their support and the person will be informed of this indicative contribution. The actual contribution will still be confirmed once the support plan has been signed off.
14. The impact of this amendment is that a person can make an informed choice about the support they wish to receive by knowing the costs upfront.

#### ***Amendment 2:-***

15. The contribution will be based on the value of the personal budget rather than the type of service or the number of care hours. Day centre support will remain subsidised as now. The reason behind this amendment is that a person may now choose to spend their personal budget on a variety of non traditional services.
16. The impact of this amendment is that the arrangement is very transparent as the personal budget is based on an assessment of need and the personal contribution is based on their individually assessed ability to contribute. It also means the council will still be able to collect a contribution where non traditional services are chosen.

#### ***Amendment 3:-***

17. Remove flat rate charges for day care meals and transport.
18. The impact of this amendment will be positive for clients currently paying flat rate charges. This is because some people currently pay the maximum amount they are assessed to pay under fairer charging and have to pay for day care meals and transport on top.

### **Review**

19. The Policy will be reviewed after 12 months to ensure it is still fair and working well.

**List of Background Papers (This MUST be completed for all reports, but does**

**not include items containing exempt or confidential information)**

Fairer Contributions Guidance 2009

Fairer Charging Guidance 2003

**Human Rights Act Appraisal**

The recommendations contained in this report are compatible with the provisions of the Human Rights act 1998

**Environmental Appraisal**

No impact

**Risk Management Appraisal**

Resources - risk that the Fairer Charging Team are unable to meet the increased demand for assessments. This will be monitored during implementation.

**Community / Consultations Appraisal**

The reference group involved with the My Life My Choice programme will be consulted on the practical aspects of the charging policy. We will also evaluate the policy during the first 12 months of use.

**Cabinet Member**

Councillor Simon Jones

**Local Member**

All wards

**Appendices**

Appendix 1 - Examples of how Personal Budgets and Contributions will work

Appendix 2 - Personal Budget Contribution Leaflet