

ADULT SOCIAL SERVICES - CHARGING POLICY - SERVICE USERS RESIDING AT "IN HOUSE" SUPPORTED LIVING UNITS DURING THE PERIOD 1997 TO 2003

Question submitted by a Member and comments from north west Adult Social Services Local Authorities:

Question:

"In 1999, was the charging policy to which you referred in your earlier response:

(a) a single charging regime for domiciliary care etc., applied to all supported living establishments?

or

(b) a separate policy applied only to a subset of people receiving care and if so, how was that subset identified?

I would be grateful for any further comments you may wish to make regarding (b)".

Comments Received:

<u>Local Authority</u>	<u>Option A or B?</u>	<u>Comments</u>
A	N/A	This Council did not begin charging until 2002 as a result there was no charging policy in 1999.
B	A	I can confirm the response to be (a). The policy devised was applied to all establishments managed by the local authority even though some services were provided externally (eg. Mencap). There were some other Supported Living provisions managed and provided by Health but these were exempted from charge contributions by virtue of their 'Health' status. These were brought into the scheme when the funding structure changed and these users were also deemed liable for the 'social care' charging policy.
C	A	Our 1999 charging policy would definitely come under the definition of (a).
D	A	A single charging regime for domiciliary care etc., applied to all supported living establishments.

E	A	The Council applied option (a) single charging regime for domiciliary care etc., consistently applied to all supported living establishments.
F	A	We are pretty certain that our answer is (a) – one charging policy for all supported living establishments.
G	B	The charging policy in use in 1999 was applied only to a sub set of people in 24 hour supported accommodation.
H	B	<p>In 1999 as far as I am aware the charging policy for supported living establishments was different to that applied for domiciliary care where most people paid a flat rate charge based on the level of services provided i.e. number of home care visits/hours of service provided.</p> <p>A separate charging policy applied to people in supported living who contributed based on the benefits.</p> <p>It is my understanding that charges for non-residential care is discretionary and under Section 17 of Health & Social Services & Social Security Adjudications Act 1983 the authority shall not require him to pay more for it than it appears to them that it is reasonable practicable for him to pay.</p> <p>The difficulty in this matter is determining what is "reasonable" as each case may require a financial assessment & benefit check to determine what charge to apply - this would also require an appeals system in cases of hardship as the authority has discretion to charge or otherwise and it can not fetter its discretion under the charging regulations.</p>
I	N/A	Prior to July 2003, people residing in supported accommodation were not charged for services.
J		Did not reply.
K		Did not reply.