



Metropolitan
Borough of Wirral
Social Services
Department

Notes on Meeting

Meeting Date:
3rd Oct 1997

Charging Policy re: Independent Living
Schemes

Location:
63 Hamilton Sq

Present: [REDACTED] PO, Support Services
[REDACTED] Res. Mgr, Learning Disabilities
[REDACTED] OIC, Esher House
[REDACTED] Contract Manager

- 1 Agreed that charging policy for care services will be based upon normal Part 3 assessment system excepting that:
Personal allowance will be equal to Income Support Personal Allowance plus Income Support Disability Premium (currently equal to £70.10 for a person aged over 25)
2. Since the majority of Service Users will not have any other income or capital assets, a version of the Domiciliary Services Assessment form will be used. [REDACTED] will amend this form to ensure that it requires sufficient information to identify the few cases where capital or other income exists. In these cases an E1 will need to be used for a detailed assessment
3. Transport charges - where a care service includes the provision of transport services, particularly where this is associated with day care services, Service Users will be charged in accordance with the Transport Charging Policy. [REDACTED] considered that, as a standard, the charge would be equivalent to the "Band 1" tariff which is presently £6 per week. [REDACTED] will confirm this approach with [REDACTED]
4. [REDACTED] to arrange meeting with [REDACTED] to discuss contractual arrangements as it is understood that the declarations made by Service Users within the assessment process is not deemed sufficient to authorise application of charges.
5. [REDACTED] to incorporate principles agreed above into contractual arrangements for ILS residents in receipt of care from private sector - McIntyre, MENCAP, Alternative Futures etc
6. Implementation of the charging policy is expected to be progressive, as contractual arrangements for the various schemes and providers are formalised.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Service User Group

This policy applies to:-

People who are Wirral residents, as defined within the criteria for Ordinary Residence issued as Department of Health Local Authority Circular LAC(93)7, and any subsequent amendments
and
are entitled to receive care services following an assessment of need, as defined in the NHS & Community Care Act, 1990, section 47, and any subsequent amendments
and
are resident in accommodation which falls outside the scope of the Registered Homes Act 1984 and any subsequent amendments
and
are in receipt of, or would qualify to receive Housing Benefits if all their capital were disregarded.

Such people will usually be living in Supported Living Services, also known as Independent Living Schemes, Community Living or Group Homes. They may also be people who had been placed with foster carers but who are now aged over 18 years.

Power to Making a Charge

The power for a Local Authority to make a charge is derived from the Health and Social Services and Social Security Adjudication Act (HASSASSA) 1983. This Act gives local authorities the powers to charge Service Users for services arranged on their behalf.
The intention of the charge is that the Service User should make a reasonable contribution to the cost of care services based upon an assessment of income and available capital resources.

Basis of the Charge for Care Services

The framework for determining the charge to be made is the Charges for Residential Accommodation Guide (CRAG) issued by the Department of Health as amended by this Policy.
Service Users should have their ability to pay determined using the CRAG rules with the following options and changes:-

- Section 1, Introduction;
- Section 2, Less Dependent Relatives;
- Section 3, Temporary Residents
- Section 4, Couples;
- Section 7, Treatment of Property;
- Section 11, Liability of Relatives;
- Section 12, Students,
- Section 13, Transitional Provisions;

will generally not apply to these Service Users, however in exceptional circumstances they will be used to provide guidance and will be applied with discretion.

Section 5. Personal Allowance

In place of the CRAG rules, the following shall apply:-

Purpose of the personal expenses allowance.

The Personal Allowance for this Service User group needs to be at a level which allows the Service User to pay costs associated with his residence for which Housing benefit cannot be claimed (e.g. food, cooking and heating costs, personal possessions insurance, etc.).

Amount of personal expenses allowance

*Accordingly the Personal Allowance shall be the sum of
Income Support Personal Allowance (age related) plus
Single Person's Disability Premium.*

This amount will vary from year to year as DSS benefit rates change.

Varying the amount of personal expenses allowance

The personal allowance may be increased in special circumstances which must be agreed by the Service User's Care Manager.

Section 6. Capital

The CRAG rules will apply with the following exceptions:-

Capital limits

The upper limit of £16,000 will not be applied as long as the Council provides services. All assessment rules which are qualified by this limit will be applied to the total assessed available capital.

For example where a resident has capital a tariff income would be calculated on the total amount above the lower limit of £10,000. Thus a resident with capital of £40,000 would be assessed for weekly tariff income of £120 per week.

(£40,000 less £10,000 = £30,000. Tariff income is £1 per £250. Tariff on £30,000 is $30,000/250 = £120$ per week)

This rule will be amended in future should the DSS minimum of £10,000 be changed.

Capital Disregarded Indefinitely

There shall be no disregard of

any payment made or derived from;

- the Independent Living Fund*
- the Independent Living (Extension) Fund*
- the Independent Living (1993) Fund*

This rule will be amended in future to allow for any other similar schemes.

Section 8 Income Other Than Earnings

The CRAG rules will apply with the following exceptions:-

All income from Housing Benefit will be fully disregarded.

There shall be no disregard of

any payment made or derived from;

- the Independent Living Fund*
- the Independent Living (Extension) Fund*
- the Independent Living (1993) Fund*

Other Charges

Where Service Users receive transport services as a part of the Care Services arranged by Council, they will be expected to make a contribution to the cost of such services in accordance with the current Council Charging Policy for the provision of Transport Services.

Supported Living Schemes

General Conditions of Residence

1. You will share a house with a number of other residents. This will be your home whilst you stay with the Supported Living Scheme.
2. You will have your own furnished bedroom and you will have the use of shared facilities such as bathroom and toilet, kitchen, laundry equipment, lounge/dining area. The exact facilities may vary from one home to another.
3. Wirral Social Services will arrange to provide care and rehabilitation services which are appropriate to your care needs. These services will be agreed with you following an assessment of needs, and written up in your Care Plan.
4. A Care Worker will be identified as your "Key Worker" and will be your main contact in helping you to deal with any problems which arise during your stay.
5. You will be able to bring personal possessions but you should discuss this first with your Key Worker as space may be limited.
6. You will have to enter into either an Unsecured Tenancy Agreement or Occupancy Licence with the landlord of the property. The landlord may be Wirral Council or a Housing Association. The Tenancy Agreement or Occupancy Licence will include various conditions which affect your residence. You should be aware of this conditions.
7. You will continue to live at the house until it is agreed that your care needs can best be met elsewhere. You should be aware that your residence is an "unsecured tenancy". This means that if it is agreed that you should move to other accommodation, you will need to give four weeks notice to your landlord and you do not have the right to refuse to move.
8. You must pay rent to the landlord of the property. The rent paid will include both the cost of your own room and a part of the cost of shared facilities. Details about the way the rent must be paid will be included in your Tenancy Agreement or Occupation Licence.
9. You will be required to pay a contribution to the cost of care services. This will be based upon your DSS Benefits and any other Income which you receive. You will be able to retain a reasonable amount to pay for your own day-to-day expenses.
10. Your Care Plan may include time spent away from your home, for example visiting a day centre. Arrangements for transport will vary from one scheme to another. If transport is provided for you, you will be required to pay a charge for the use of that transport.
 If public transport is used you will have to pay the usual fares.
 If transport is provided then you will be required to pay a charge based upon the Council's Charging Policy for Transport Services.
 In some Supported Living schemes, the residents of the scheme club together to pay for a vehicle which is available to all the residents and which can be used as and when needed. In such circumstances, the costs will depend upon the arrangements at that particular scheme.
 You will be told which arrangements operate before you take up residence.

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I have read and understood the general conditions of the Supported Living Scheme.

I understand that I will be responsible for making rental payments.

I understand that I will be responsible for paying a contribution to care costs.

I understand that I may be required to pay towards transport costs

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name (Please print)

I confirm that the resident named above understands the General Conditions of the Supported Living Scheme.

Witnessed by \_\_\_\_\_ Date \_\_\_\_\_

Name and address (Please print)