

# Contributions Policy Review - 2016

## Contributions Policy Review - 2016

### **Purpose of Consultation**

The Council is currently considering a number of proposed changes to our Contributions Policy that would affect the way we financially assess contributions for the care people receive at home and in the community. The Contributions Policy was last updated to take into account the requirements of the Care Act 2014 but is still based on the same principles that ensure a person's contribution is based on affordability and fairness. Before making any final decisions, we want to know what people think of our proposals.

### **Background**

The Contributions Policy sets out Sunderland City Council's policy for assessing the financial contribution someone may need to pay up to for social care services they receive and is designed to comply with the Department of Health's Care Act 2014 Statutory Guidance.

The Care Act 2014 replaced the Department of Health's previous Fairer Charging Guidance and is used to provide a framework for Council's to use when assessing someone's ability to pay. The Care Act 2014 still requires us to take into account a person's income, capital and expenditure.

The Contributions Policy was first introduced in March 2012 to fit in with changes to the way social care was provided, namely the introduction of Personal Budgets.

A Personal Budget is an amount of money from the Council for you to spend on the care and support that you need to help you live more independently. Personal Budgets give people more choice and control on how to access services to help meet their assessed care needs.

We ask people who can afford it, to contribute towards the cost of the Personal Budget that they receive in order to ensure that we can continue to provide the services to everyone who needs them. We do this by carrying out a financial assessment (a means test); this looks at a person's income, capital and expenditure.

A review of our current policy has been carried out to ensure we are still adhering to the Care Act 2014 and that it is fair and equitable and we have identified some proposals that we feel will help support the overarching principle that people should still only pay what they have been assessed as being able to afford.

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The Council is proposing a number of changes to the Contributions Policy that is used to help calculate the contribution a person will make towards their Personal Budget. The table below shows the changes that we are proposing to make to the current policy.

Current Policy	Proposed Policy
Personal Independence Payment (PIP) Daily Living (DL) Component is money paid to help with the extra costs caused by having long term ill-health or a disability. It is paid at one of two levels depending on how much a person's condition affects them. At present only the lower standard rate is taken into account in the financial assessment even if they receive the higher enhanced rate. PIP replaced Disability Living Allowance for new claimants.	Take the full amount of PIP DL Component into account in the financial assessment up and including the higher enhanced rate.
Disability Living Allowance (DLA) Care Component is money paid to people under the age of 65 (although if already in payment prior to your 65 <sup>th</sup> birthday you can keep after this age) to help with extra personal care costs through the day, night or both caused by having long term ill-health or a disability. It is paid at one of three rates, lower, middle and higher. At present only up to the middle rate is taken into account in the financial assessment even if they receive the higher rate.	Take the full amount of DLA Care Component into account in the financial assessment up to and including the higher rate for anyone who receives 24 hour care or has a Personal Budget that covers care needs through the day and night.
Attendance Allowance (AA) is money paid to help with the extra personal care costs caused by having long term ill-health or a disability. It is paid at one of two levels depending on how much a person's condition affects them. At present only the lower rate is taken into account in the financial assessment even if they receive the higher rate.	Take the full amount of AA into account in the financial assessment up to and including the higher rate for anyone who receives 24 hour care or has a Personal Budget that covers care needs through the day and night.
Disability Related Expenditure (DRE) is expenditure incurred due to long term ill-health or disability conditions. Currently any DRE for Privately Arranged Care that is evidenced can be allowed in the financial assessment even if it is above identified care needs.	Cap the allowable DRE in relation to Privately Arranged Care to the amount identified in their social work assessment of care needs.
There are some people that are exempt from being financially assessed at all and not required to make a contribution. This is because either the Department of Health requires us to apply such an exemption or because the Council previously agreed a local exemption policy.	The Department of Health's statutory exemptions will remain in place. The two main ones are for aftercare services covered by Section 117 of the Mental Health Act and reablement services for a period of up to 6 weeks. Any customer not covered by these exemptions that have been assessed as being able to afford to pay for their care will be asked to make a contribution.
Council does not currently charge for arranging care for self-funders. Self-funders are customers who have been assessed to pay the full cost of their care due to having capital over £23,250 or because they have chosen not to disclose their financial circumstances. This care includes the council arranging services and managing the on-going administration for the duration they are in place.	Council to charge an arrangement fee for people with eligible care needs who pay for the full cost of their care due to having capital over the upper limit (self-funders) or where they have chosen not to disclose their financial circumstances.

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### Glossary of Terms

<b>Attendance Allowance</b>	This is money paid to someone if you are over 65 to help with the extra personal care costs caused by having long term ill-health or a disability.
<b>Capital</b>	Total amount of someone assets such as bank accounts, shares, ISA's and investment bonds for example.
<b>Care Act 2014</b>	This replaced the Department of Health's Fairer Charging Guidance and provides a framework for Council's to determine someone's contribution towards the cost of any non-residential care services they receive at home or in the community
<b>Contributions Policy</b>	This document sets out a Council's policy for assessing the financial contribution someone may need to pay towards any social care services someone receives at home or in the community and is designed to comply with Care Act 2014 Statutory Guidance.
<b>Contribution</b>	An amount someone has been assessed as able to afford to pay towards their social care.
<b>Department of Health</b>	Responsible for the production and content of the Care Act 2014 Statutory Guidance.
<b>Disability Living Allowance</b>	This is money paid to people under the age of 65 (although if already in payment prior to your 65 <sup>th</sup> birthday you can keep after this age) to help with extra personal care costs through the day, night or both or costs for help getting around caused by having long term ill-health or a disability. This benefit is made up of two components – Care and Mobility.
<b>Disability Related Expenditure</b>	This is expenditure incurred due to long term ill-health or disability conditions.
<b>Disposable Income</b>	Assessable income less any disregards and allowances
<b>Disregard</b>	Something that is ignored, that you are allowed to keep. Often the government will tell Council's what should be treated as a disregard and how much should be disregarded.
<b>Exemption</b>	This is an exclusion from needing to complete the financial assessment process or pay towards your social care.
<b>Expenditure</b>	This is money spent on things you need to pay for such as rent, mortgage, council tax, utility bills, daily living costs or even costs incurred because of a long term illness or disability you have.
<b>Financial Assessment</b>	Process of assessing someone's financial circumstances to work out their disposable income and the amount someone would have to pay for their social care services.
<b>Identified Care Need</b>	This is normally identified by a Social Worker when they assess someone's individual care needs caused by long term illness or disability.
<b>Income</b>	This is regular payments received either weekly, 4 weekly, calendar monthly, quarterly or yearly for example.
<b>Maximum Contribution</b>	This is the most someone could be asked to pay following a financial assessment.
<b>Means Test</b>	This is a test to work out how much you would receive or need to pay based on what income you already get or assets you have.
<b>Personal Budgets</b>	This is an amount of money from the Council for you to spend on the care and support that you need to help you live more independently and gives you more choice and control on how to access the services you they need to help meet your assessed care needs.
<b>Personal Independence Payment (PIP)</b>	This is money paid to someone of working age to help with the extra costs caused by having long term ill-health or a disability. This benefit is made up of two components – Daily Living and Mobility. This replaced DLA.
<b>Self-Funders</b>	This is someone who has been assessed to pay the full cost of their care due to having capital over £23,250 or because they have chosen not to disclose their financial circumstances.
<b>Upper Limit</b>	Total amount of capital assets after any disregards before someone is financially assessed as a self-funder.

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### Question 1

**Do you agree that based on their ability to pay, people should contribute what they can afford towards the cost of their care?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

### Question 2

**Disposable income is money that someone is left with after things like rent/mortgage, council tax, utility bills, any disability related expenses and any other expenses that have been allowed for in the financial assessment.**

**Do you agree that 100% of an individual's disposable income should be taken into account when calculating their contribution to the cost of their care?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

### Question 3

**Currently, the maximum contribution someone could be asked to pay is capped.**

**Do you agree this maximum contribution cap should be removed so that people are asked to pay what they can afford to pay towards the whole cost of their care?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

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### Question 4

Currently, we disregard any money people use for Privately Arranged Care even if this does not relate to an identified and verified care need.

**Do you agree that this disregard should be limited to an amount identified in an assessment of care needs carried out by a social worker only?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

### Question 5

At the moment we still exempt some groups from paying a contribution to their care, no matter how much they can afford to pay.

**Do you agree that local exemptions should be removed from current policy for new customers so that people are all treated the same? (Note – exemptions covered by the Department of Health's Care Act 2014 Statutory Guidance will remain)**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

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### Question 6

**Disability benefits such as Personal Independence Payment, Disability Living Allowance and Attendance Allowance are paid to someone to cover any costs they incur due to having a long term ill-health or disability condition.**

**The Care Act 2014 states that we should take these benefits into account as part of the financial assessment.**

**Do you agree that we should treat this income this way?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

### Question 7

**Where someone has been assessed as a self-funder and assessed as able to pay for the full cost of their care and they request the Council to arrange and manage these services on their behalf, the Council is proposing to charge an arrangement fee for incurring these costs.**

**Do you agree the Council should charge an arrangement fee?**

*(please select one answer)*

Agree .....  Disagree .....

**If you have any other comments, please tell us here**

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**If you have a specific issue outside of the consultation and would like a response, please provide your contact details in the boxes below so we can contact you.**

**Name**

**Telephone number**

**Please give brief details of the issue in the box below**

**We would like to thank you for taking the time to complete this survey. Should you have any concerns how these proposals may affect you, please contact the Customer Service Network Helpline on 0191 520 5517.**

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### About you

Sunderland City Council want to deliver the highest quality services to everyone, whatever their background. You are not required to complete any of these sections, but telling us about your background will help us to make sure that we are meeting the needs of all our communities. If you feel that the group you identify with is not listed feel free to write this in. All responses will be treated in confidence.

#### Gender

**Please specify your gender**

*(please select one answer)*

- Female .....
- Male .....
- Transgender .....
- Prefer not to say .....

#### Age

**Please specify your age group**

*(please select one answer)*

- 17 or under .....
- 18-24 .....
- 25-44 .....
- 45-59 .....
- Over 60 years .....
- Prefer not to say .....

**How would you define your sexual orientation?**

*(please select one answer)*

- Heterosexual .....
- Gay .....
- Bisexual .....
- Lesbian .....
- Prefer not to say .....

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### Ethnicity

#### What is your ethnic group

(please select one answer)

#### White

English / Welsh / Scottish / Northern Irish / British .....

Irish .....

Gypsy or Irish Traveller .....

Any other White background .....

#### Mixed/Multiple Ethnic Groups

White and Black Caribbean .....

White and Black African .....

White and Asian .....

Any other Mixed background .....

#### Asian or Asian British

Indian .....

Pakistani .....

Bangladeshi .....

Chinese .....

Any other Asian background .....

#### Black/African/Caribbean/Black British

Caribbean .....

African .....

Any other Black background .....

#### Other ethnic group

(please select one answer)

Arab .....

Any other ethnic group .....

#### Other ethnicity

The above ethnic groups are those categories used on the 2011 census. If you feel that these categories do not represent your ethnicity please use your preferred description here e.g. Polish

**If you selected other, please write in your ethnic group in the box below**

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**Religious belief**

**What is your religion?**

(please select one answer)

- No religion .....
- Christian (including Church of England, Catholic, Protestant and all other Christian denominations) .....
- Buddhist .....
- Hindu .....
- Jewish .....
- Muslim .....
- Sikh .....
- Any other religion (please write your religion in the box below) .....

**Disability**

**Do you consider yourself to be a disabled person?**

(please select one answer)

- Yes .....  No .....

**Impairment**

**If you are disabled, how would you describe your disability?**

(please select all that apply)

- Visual impairment .....
- Speech impairment .....
- Hearing impairment .....
- Mobility (a wheelchair user) .....
- Mobility (not a wheelchair user) .....
- Mental health condition .....
- Long term medical condition .....
- Learning disability .....
- Hidden impairment .....
- Other .....

**Impairment other**

**Please specify disability**