



Fairer Contributions Consultation

4th January 2010 –

26th March 2010

Introduction

This consultation document explains how Bracknell Forest Council is planning to change the way an individual's contribution towards their support is calculated. The current policy is called the "Fairer Charging Policy". The new policy will be called the "Fairer Contributions Policy".

We would like to give individuals, carers, staff and our partners the opportunity to comment on these proposed changes. Your views are important, as the policy will affect different people in different ways.

Currently, some services which support people are charged while others are not. Everyone is assessed if they are currently receiving a service that is chargeable. The proposed policy would require most people, who receive support paid for by the Council, to be assessed so that people contribute what they can afford. The Council wants to ensure that future arrangements are fair to everybody.

The changes will not affect people living in long-term residential or nursing care or those receiving after-care services under Section 117 of the Mental Health Act 1983.

The consultation will run for 12 weeks from 4th January 2010 until 5pm on Friday 26th March 2010.

If you would like to comment on the changes proposed in this document, please fill in the Consultation Feedback Form and return to the Council before 5pm on Friday 26th March 2010.

If you would like further information or clarification or a copy of the full proposed policy please call Customer Services, on 01344 352000 or email personalisation.team@bracknell-forest.gov.uk . The full version of the policy, along with all the consultation documents is available at the main Council offices and libraries. They are also on the council website www.bracknell-forest.gov.uk and can be found in the "Living" section under Adult Social Care.

We will use your feedback to help us draw up the final version of the policy, which will be considered by the Executive later in 2010.

Thank you

Why does the Council need to change the policy?

Adult Social Care is changing. The Council is committed to giving individuals more choice and control over how their social care needs are met through the introduction of personal budgets. In order for this to happen there are changes the Council needs to make to its current arrangements for calculating contributions to non residential social care support.

The Government has told us that we need to update our Policy to ensure it reflects the introduction of personal budgets and that it remains transparent, fair and equitable for all individuals who receive money from the Council to pay for support to meet their social care needs.

What do you need to know about the proposed policy?

- Contributions will be fair, and calculated with input of the individual through an individual financial assessment
- The process of carrying out a financial assessment is not changing.
- Financial assessments will ensure that individuals only contribute what they can reasonably afford to.
- People will contribute the lower amount of what they have been assessed as being able to or the cost of the support they receive/the amount of their personal budget.
- The policy is changing so that people who have a personal budget know how much they have to spend before they start to plan the support they need to live their life.
- Reviews of an individual's assessed contribution can be requested at any time, and the Council has a robust Review, Appeals and Complaints process which individuals can be assisted to access, if they would like a review or would like to lodge and appeal or complaint.
- Any contributions that are paid to the Council will be spent on paying for the support that the individual receives.
- Benefits advice will be available to individuals and carers through the assessment process and will ensure that they have access to their full benefits and entitlements.

What are the proposed changes to the policy?

1. In addition to contributing toward the cost of their home support and if they can afford to, people will be asked to make a contribution to the following Community Care Services (included those funded by a Direct Payment) provided by Adult Social Care and Health:
 - Home Care and Community Support;
 - Direct Payments,
 - Meals at Home,
 - Day Care and support,
 - Transport,
 - Employment Support

This list does not include all services that require a contribution. There are other services that will require an assessed contribution including all those funded from a personal budget which are not the 'non traditional' community care services listed above (except where there is statutory guidance or a Council policy on contributions for such services already in place).

2. People who receive traditional services will be told how much their support costs.
3. There will no longer be a "maximum amount" that people are asked to contribute. People will be asked to contribute the lower amount of what they can afford or the cost of the services they receive or the amount of their personal budget.
4. People will be asked to make their assessed contribution from the day they start receiving support arranged by the Council or the day they receive their personal budget.
5. Where support was supplied or was available but the individual does not receive it because they are absent – for example they are away from their home at the time they are due to receive home care, a contribution will still be required unless the Council has been told (at least 24 hours in advance to the Council) or is due to the individual going into hospital as an emergency.
6. An individual will not get a Direct Payment until a financial assessment being completed and the person's contribution has been calculated. The Council will deduct the amount of the individual's contribution before it pays the Direct Payment to the person.
7. There will be an expectation that people will claim money from the Independent Living Fund if they are eligible. If people then choose not to apply, their contribution will be calculated as if they are receiving it.

8. For a period of one year from the date of introduction of this policy a transition period will exist if, in exceptional circumstances, the increase in an individual's contribution will cause significant financial hardship. Entitlement to a transitional arrangement will be considered on an individual basis.
9. Where an individual is clearly entitled to an additional benefit, but despite advice from the Financial Assessment Team refuses to claim the benefit in a reasonable timescale, the assessed contribution may be calculated as if the individual was in receipt of that benefit.
10. Where assistance is provided in applying for a benefit, an additional assessment will be completed based on the anticipated result of the benefit application. The individual will be notified of the effect of the new benefit on their assessed contribution which will be backdated to the date of award.
11. When an individual moves out of a property that they own into alternative accommodation, the owned property will no longer be deemed their main home and will be regarded as capital for the purposes of the contribution assessment. If an individual knowingly reduces their capital in order to reduce their contribution (for example by excessive spending or gifting), this will be taken into account in the assessment and the contribution may be calculated as if that person still holds the capital that has been disposed of.
12. For other components of the financial assessment, such as occupational pensions, disability related expenditure, rent and Council tax, a percentage increase linked to Retail Price Index (RPI) will be applied unless another amount is specified in the Councils annual budget setting process.

What will stay the same?

1. Some services – such as supported self assessment, needs assessment, support planning and care management, will be not be charged for.
2. The Council will not require any contribution towards community equipment services costing less than £1,000, as defined in the Community Care (Delayed Discharges etc.) Act 2003.
3. Where Intermediate Care services are provided these will be free. If they are in addition to ongoing (albeit in some cases interrupted) support arrangements, contributions will continue against those arrangements. The individual's assessment will identify those services provided under Intermediate Care arrangements.
4. The way that the Council assesses what you can afford to pay is not changing. You can find out about Financial Assessments on the Council's website <http://www.bracknell-forest.gov.uk/living/liv-community-care/liv-charging-for-social-services.htm> or by calling the Council.

5. The Council provides a number of other services which are not community care services – for example it provides catering at day centres and other establishments and support for certain leisure activities. Where payment is required for these services these will be made outside of the Fairer Contribution guidance.
6. Charges for the issue of Blue Badges will be in accordance with the current Department of Health guidance and will be agreed each year as part of the budget setting process.

Some questions answered

1. What is a contribution?

A 'contribution' is the money paid by a person who uses social services, towards the cost of the support they need to live their lives.

2. What is a 'Contributions Policy'?

If you are eligible to receive social care support, the proposed Contributions Policy is the way we work out if you should contribute towards the cost of the support and how much you can afford to contribute.

3. What is the current policy?

The current policy is called the Fairer Charging Policy. It says that:

- A person who receives homecare services must be financially assessed to determine if they can afford to contribute towards the cost of their service, and how much they can afford to contribute
- People who attend a day service do not have to pay to attend that service but they will have to pay a flat rate* for their meal if they receive one at the day service
- A person receiving a meals on wheels service will pay a flat rate* contribution

*A flat rate charge is when everybody pays the same amount for the service, irrespective of how much money they have, including income and savings.

4. What is Personalisation?

Personalisation is the term that is being used in Bracknell Forest to describe the process of getting a personal budget and planning your support. It will put you more in control of your social care support and more information is available in the enclosed leaflet.

Personalisation will mean that we can work with you to identify a Personal Budget to meet your social care needs, and help you plan how to use it to meet your needs and keep you safe.

5. What is a 'Personal Budget'?

A Personal Budget is the amount of social care funding allocated to you to meet your social care needs. You will receive a Personal Budget if you are eligible for social care assistance and you will be asked to contribute towards this budget if you have the means to do so. Your Personal Budget can be managed by you or on your behalf by the Council or by someone you nominate to represent you.

You may be able to have your Personal Budget paid directly into your bank account. This is known as a Direct Payment. Alternatively you may ask the Council to manage your Personal Budget for you and buy services on your behalf. You can ask the Council to manage some of your Personal Budget and receive some as a Direct Payment.

With a Personal Budget you can choose the support you feel best meets your needs. You do not have to use a particular service if you do not want to but you can choose to buy your care from a range of organisations and care providers.

6. Can I have a 'Personal Budget'?

If you would like to talk about having a Personal Budget please call your named contact in Adult Social Care at the Council.

7. What is the Independent Living Fund?

The Independent Living Fund (ILF) is a national resource dedicated to the financial support of disabled people to enable them to choose to live in the community. This financial support is available to those who meet certain eligibility criteria, including being in receipt of support funded by Adult Social Care and Health of more than £320 per week (excluding any contributions from individuals), aged between 16 and 65 and in receipt of the higher rate care allowance of the Disability Living Allowance.

8. Will I be affected?

The changes will affect most people who receive Adult Care Services, but the extent to which you may be affected will depend on your personal circumstances.

The new policy will not affect you if you are living in a residential or nursing home or if you receive after-care services under Section 117 of the Mental Health Act 1983.

It will also not affect you if you receive intermediate care services (e.g. services provided by Community Response and Reablement Team and intervals of care provided for less than six weeks to avoid admission to hospital or assist in hospital discharge).

9. What will Bracknell Forest Council do with the contributions?

All of your contribution will go towards helping the Council fund your social care support.

10. When will these changes start?

The results of this consultation will help us draw up the final version of the new policy, which will go to the Council's Executive for approval later in 2010.

When it has been approved by the Executive, everybody assessed as being in need of and eligible for social care will be financially assessed under the new policy.

We welcome your views on the proposed changes. Please fill in the feedback form included.

The Fairer Charging Guidance published by the Government in July 2009 can be read by clicking on the following link

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_102450

Accessibility

This document can be made available in large print, Braille, audio or in electronic format.

Copies in alternative languages may also be obtained.

Please contact:

Customer Services

Bracknell Forest Council

Easthampstead House

Town Square

Bracknell

Berkshire RG12 1AQ

Email: customer.service@bracknell-forest.gov.uk

Telephone: 01344 352000

Minicom: 01344 352045