



COMMUNITY CARE SERVICES - FEES AND CHARGES 2024/25

Report by Head of Partnership Services and Community Care

PURPOSE

- 1.1 The purpose of the Report is to seek approval for revised charges for Comhairle Community Care Services delegated to the Integration Joint Board (IJB) for the financial year 2024/25. The Report includes the inclusion of full cost recovery for Comhairle residential care related services.

EXECUTIVE SUMMARY

- 2.1 The Report sets out the framework of charges for 2024/25 for Community Care services, in the context of COSLA guidance on charging for social work services. Personal care delivered to people, regardless of age, has been delivered free of charge since 1 April 2019. People who receive services as a consequence of an Order under the Mental Health (Care and Treatment) (Scotland) Act 2003, and other compulsory measures, are similarly exempt from charges. Charges for food provided in day centres and by care homes to day care users and those in supported accommodation are payable by all recipients.
- 2.3 The Comhairle continues to follow COSLA Guidance on charges. The charges relating to residential services set out in this Report are the maximum charge for each service, and do not translate into the amount that all individuals will pay towards their care. The estimated income anticipated to be received is included in the revenue projections of the IJB budget. The duty for setting the associated fees and charges remains a decision of the Comhairle.
- 2.4 The recommendations in this Report are based on the introduction of full cost recovery for 2024/25 as opposed to the previous approach of applying uplifts to the previous financial year's figures. This approach is set out due to the budgetary pressures of the local authority and the IJB and has been approved by both organisations for inclusion in the budget setting process. As a result, this Report will include the detail of introducing full cost recovery calculations for Comhairle residential and extra care housing services in 2024/25.
- 2.5 Full cost recovery means that the financial assessment process is applied to the full cost of the service provision as opposed to the practice of a charge set by applying a percentage increase annually. The Comhairle will continue to follow COSLA Guidance on charges and this Report outlines in paragraph 5.1 what the framework of charges for 2024/25 would be based on full cost recovery. Full cost is represented by all direct costs and apportionment of any attributable support costs incurred by the service. The charges set out in this Report are the maximum charge for each service, and do not translate into the amount that all individuals will pay towards their care.
- 2.6 The cost of delivering residential care through the local authority across the islands is significant. The anticipated value to the Integration Joint Board budget for full cost recovery in 2024/25 will be £746k. Excluding full cost recovery, the budget deficit for the Comhairle services within the Integration Joint Board for 2024/25 is estimated to be £4.3m.

RECOMMENDATIONS

- 3.1 It is recommended that the Comhairle approve the fees and charges for 2024/25 as follows:
 - (a) the standard weekly charge for Comhairle care homes for the elderly in 2024/25 increase from £1,287 to £1,912 per individual room per week;

- (b) setting the standard weekly charge for Housing with Extra Care (HWECC) at Bremner Court, Goathill, Stornoway at £1,108 per individual flat per week;**
- (c) the standard weekly charge for Ardseileach Care Home for 2023/24 be increased from £1,845 to £2,649 per individual room per week;**
- (d) the 2024/25 fee for residential assessment and respite (currently £163.45 per week) be increased by the percentage increase in pension credit (8.51%) to £177.35 per week;**
- (e) the rates for the independent care homes for 2024/25 are not yet agreed as the tendering process is currently in progress. The 2024/25 rates will be brought to the June 2024 Committee Series for approval;**
- (f) the meal provision charges for Day Care and other community-based service users be increased by 5% to £0.87 for tea/coffee and £3.58 per meal for lunch or a cooked meal;**
- (g) the room hire and other facilities related charges be increased by 5%;**
- (h) the hourly rate for direct payments be £18.51 for one-to-one personal care, £38.01 and £76.03 for the half-day to full-day rate for Day Care equivalent for adults with learning disabilities depending on assessment. This is in line with the Scottish Government's Adult Social Care Pay Uplift for Personal Assistants.**

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Background Papers: Initial Impact Assessment - Full Cost Recovery
Community Care Services - Full Cost Recovery (CNES Report, 20 November 2023)
Community Care - Full Cost Recovery Charging (IJB Report, 25 January 2024)

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	The anticipated value to the Integration Joint Board budget for full cost recovery in 2024/25 will be £746k. Excluding full cost recovery, the budget deficit for the Comhairle services within the Integration Joint Board for 2024/25 is estimated to be £4.3m. For other charges, the 5% increase in line with anticipated pay and cost of living inflation has been applied. Charging is linked to external factors such as Department of Work and Pensions and rates set nationally.
Legal	The legal basis for charging is based on COSLA charging guidance and the local charging policy decisions approved by the Comhairle. The setting of the charge of the externally commissioned residential and nursing care is in progress. The financial aspects of the tendering process were planned to be based on the application of the national uplifts. These are still to be finalised pending conclusion of national negotiations.
Staffing	None
Assets and Property	None
Strategic Implications	Implications/None
Risk	The challenge of the budgeted deficit is the trigger for consideration of full cost recovery charging and it is appreciated that service users and potential service users will be dissatisfied with the increase in charge – regardless of the financial assessment processes caveats. The service anticipates complaints in this regard.
Equalities	Initial Impact Assessment indicated no Equalities implications. The ability to pay continues to be the approach to financial assessment applying the national policy and guidance when undertaking such matters.
Corporate Strategy	Provision of statutory services.
Environmental Impact	None
Consultation	None

PROPOSED CHARGES 2024/25

Comhairle Care Homes

5.1 Full cost recovery has been included in the budget setting for 2024/25, and the impact on fees and Charges is as follows:

Comhairle Community Care Services	2023/2024	2024/25
Standard weekly charge for Comhairle care homes	£1,287 per individual per week	£1,912 per individual per week
Housing with Extra Care (HVEC) at Bremner Court	£762 per flat per week	£1,108 per flat per week
Ardseileach Care Home	£1,845 per individual room per week	£2,649 per individual room per week

- 5.2 With the introduction of Full Cost Recovery, as set out in the table above, the financial assessment process would be applied to the full cost of the service provision as opposed to the practice of a charge set by applying a percentage increase annually. The Comhairle will continue to follow COSLA Guidance on charges. The Charging for Residential Accommodation Guidance (CRAG) states that where a person is provided with accommodation under Part III of the National Assistance Act, Section 22 of that Act provides for them to be charged for the accommodation. Section 22 requires local authorities to set the standard rate for local authority homes at an amount equivalent to the full cost to the authority of providing the accommodation.
- 5.3 Personal care delivered to people regardless of age has been delivered free of charge since 1 April 2019. People who receive services as a consequence of an Order under the Mental Health (Care and Treatment) (Scotland) Act 2003, and other compulsory measures, are similarly exempt from charges. People assessed as requiring a service can choose to have their ability to pay assessed, and the total of all charges will thereafter be restricted to the assessed threshold. They also have the option to pay the full charge without assessment.
- 5.4 Full cost is represented by all direct costs and apportionment of any attributable support costs incurred by the service. The charges set out in this Report are the maximum charge for each service, and do not translate into the amount that all individuals will pay towards their care. The income received forms part of the IJB budget, it is a legal requirement that these fees be set by the Comhairle. The anticipated value to the Comhairle/IJB of full cost recovery in 2024/25 would have been £746k in addition to the budget income estimate set in the approved charges.
- 5.5 Service users assessed as liable to fund the cost of their care qualify for Free Personal Care Allowance. For 2024/25 these rates are £248.70 per week for residential care and £360.60 per week for nursing care.
- 5.6 The standard weekly charge for the new Housing with Extra Care (HVEC) at Bremner Court, Goathill, Stornoway is proposed to be £1,108 per individual flat per week in 2024/25.
- 5.7 The 2024/25 fee for residential assessment and respite (currently £163.45 per week) be increased by the percentage increase in pension credit (8.51%) to £177.35 per week.
- 5.8 The lower capital limit in residential care charging for 2024/25 is £21,500 (previously £20,250) and the upper capital limit is £35,000 (previously £32,750), These limits are set in line with guidance provided by the Scottish Government.
- 5.9 The Personal Expenses Allowance (PEA) is £34.50 per week (previously £32.65 per week) and is set in line with the guidance provided by the Scottish Government. This is the weekly amount that care home residents must be allowed to retain.

Charges - Independent Care Home Providers

- 5.10 The rates for the independent care homes for 2024/25 are not yet agreed as the tendering process is currently in progress. The 2024/25 rates will be brought to the June Committee Series for approval.

5.11 Charge for Meals Provided (Day Care and Care Homes)

Meals	2023/24 £	Proposed Rate for 2024/25 £
Am/pm Tea/Coffee	0.83	0.87
Cooked Meal/Lunch	3.41	3.58
Total Daily Charge	5.07	5.32

It is proposed to increase the fees and charges for all Community Care premises for room hire and other facilities by 5%.

Direct Payments

- 5.12 The Comhairle offers several Direct Payment options for assessed needs that fall within the Eligibility Criteria for Community Care services.

Direct Payments	2023/24 £	Proposed Rate for 2024/25 £
One-to-One (Personal Care and Complex Needs)	16.97	18.51
Day Care equivalent for Adults with Learning Disabilities (Half-day)	34.85	38.01
Day Care equivalent for Adults with Learning Disabilities (Full-day)	69.70	76.03
Respite/Short Break	£762.62	£762.62 plus NCHC inflationary uplift when known

Impact of Changes

- 5.13 The introduction of a full cost recovery approach would result in a significant increase to charges, with the caveat that the assessment of ability to pay remains central to the assessment process. An initial equality impact assessment has been undertaken and determined that due to the continued application of the assessment process for eligibility for residential care related services and similarly the continued application of the financial assessment process based on COSLA charging guidance the impact on the protected characteristic groups is unchanged.
- 5.14 Following confirmation of agreed charges, bespoke communication will be managed with service users and their legal representatives as appropriate. Public information will be issued detailing all service charges for 2024/25. Officers within the Department will continue to ensure that all service users are encouraged to maximise their benefits entitlements through collaborative working with the Western Isles Citizens Advice Service and the Comhairle/Macmillan Benefit Advisers.