



Aberdeenshire
Health & Social Care
Partnership

Non-Residential Charging Policy 2022/23



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Charging Policy Background

Aberdeenshire Council directly provides and externally commissions a wide range of care and support services to enable service users to remain in their home or in a homely setting, living as independently as possible. To ensure that services are sustainable for the future it is necessary to charge service users who use some of our services.

Aberdeenshire Council's power to charge for services is discretionary and subject to local accountability. The Council follows legislation outlined in the Social Work (Scotland) Act 1968, the Social Care (Self Directed Support) (Scotland) Act 2013 and is based on the Convention of Scottish Local Authorities (COSLA) Charging Guidance 2020/21.

Aberdeenshire Council's Charging Policy is based on the following principles:

- Participation: ensuring people requiring care and support are consulted on significant change
- Accountability: ensuring transparency
- Non-Discrimination and equality: ensuring fairness and consistency
- Empowerment: ensuring an individual has access to a full range of services and support
- Legality: ensuring information in relation to the Charging Policy is accessible.

This Charging Policy explains how Aberdeenshire Council considers and calculates a service user's ability to contribute towards their care and support package (as assessed by their practitioner).

Although contributions collected are minimal, the contributions collected enables the council to continue providing services to all those who have an assessed need and ensures the continued development and delivery of high-quality services.

Services will always be provided in accordance with the service user's assessed care needs and not their ability to pay.

Service users will not be required to contribute more than it costs to provide the services and normally a financial assessment will be carried out to determine contributions.

1. Level of Funding for Non-Residential Care and Support Services

Where a service user chooses to receive service that cost more than those that the local authority would arrange, the level of funding they will receive will not exceed the cost of the local authority arranged services.

Any care and support that exceeds the local authority level of funding will be the responsibility of the service user to arrange and fund.

Exceptional circumstances may be considered on an individual basis.

2. Financial Assistance towards your Chargeable Care and Support Services

Practitioners will work with the service user to identify the services they require to meet their needs; this is known as a support plan. The total cost of the care and support identified in the service users Support Plan is called an Individual Budget.

It is Aberdeenshire Council's policy to apply 100% charge towards the chargeable elements of Individual Budgets, however service users may be entitled to financial assistance to help with the cost of these services.

An Aberdeenshire Council Officer can assist the service user with the completion of the Financial Assistance form. The Officer will explain:

- What individual data is collected and for what purpose
- What happens after the Financial Assistance form has been completed
- To whom individual and financial information may be disclosed to

The Financial Assistance Form will gather information such as:

- The service user's total income
- The service user's partner's income
- The service user's property details
- The service user's capital

Information from the Financial Assistance form is used to complete a financial assessment. The financial assessment calculates the service user's contribution, taking into consideration:

- Total weekly income
- Less Allowable expenses
- Less Disregarded income
- Less Personal allowance

A service user may choose not to provide financial information. In these circumstances they will be required to pay the full cost of their care and support services as identified in their support plan.

2.1 Personal Allowance

A personal allowance is the amount of money that a service user must be left with before a contribution is payable towards care and support services. This is intended to cover daily living costs such as food, clothing, gas, electricity, telephone, internet etc. There is a single person allowance and a couples allowance which is higher.

There are two personal allowance levels in the COSLA Non-Residential Charging Guidance. One is for service users below state pension age, and one for service users of state pension age and above. Aberdeenshire Council apply the more generous allowances (for over state pension age) to all service users.

2.2 Verification of Financial Details

Aberdeenshire Council will verify the information provided on the Financial Assistance form. This will be carried out by verifying the information with the Department of Work and Pension (DWP) or the relevant financial institutions. Financial mandates must to be signed by the service user or the service user's Power of Attorney or Financial Guardian to allow the verification of financial details to be carried out. Failure to sign financial mandates may result in the service user paying for the full cost of their care and support services.

2.3 Allowable Expenses

Allowances will be made from a service user's assessed income for the following (please note this is not an exhaustive list):

- Rent
 - Mortgage/Mortgage Interest payments
 - Council Tax/water and sewerage charges
 - House Buildings Insurance costs (£2 per week disregarded)
 - Life assurance payments
 - Board or Lodgings (75% will be considered up to a maximum of £100 per week)
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2.4 Income taken into consideration

The following details the most common types of income taken into consideration, (please note this is not an exhaustive list):

- Income Support
- Job Seekers Allowance
- State Retirement
- Universal Credit – some components
- Pension Credit – guarantee credit
- Pension Credit – saving credit
- Attendance Allowance
- Industrial Injuries
- Disability Living Allowance (DLA) - Care Component
- Personal Independence Payment (PIP) – Care Component
- Constant Attendance Allowance
- Employment Support Allowance
- Severe Disablement Allowance
- Occupational/private pension
- Net Earnings
- Tariff Income (assumed income from any capital over £17,000. £1 per week for every £500 over the £17,000).

2.5 Income Fully Disregarded

There are certain types of income that will not be considered. This is known as disregarded income. Income fully disregarded (please note this is not an exhaustive list):

- Disability Living Allowance – Mobility component
 - Child Benefit
 - Child Tax Credit
 - Child Maintenance payments
 - Universal Credit – some components
 - Working Tax Credit
 - The Eileen Trust
 - The Macfarlane Trust
 - Future Pathways – Discretionary Fund
 - The Thalidomide Trust
 - The Independent Living Fund (2006)
 - Work expenses paid by employer
 - Crisis Grants/Community Care Grants
 - Cold Weather Payments/Winter Fuel Payments
 - The [War Pension Scheme](#) (WPS)
 - The [Armed Forces Compensation Scheme](#) (AFCS)
 - Statutory Redress Scheme and Advance Payment Scheme – Survivors of Historical Child abuse
 - Child Disability Payment (CDP) and Short-Term Assistance (STA)
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- Scottish Infected Blood Scheme (SIBSS) (and equivalent UK schemes e.g. England Infected Blood Support Scheme)
- Victims Payment Regulations 2020
- Redress Board (Northern Ireland)
- Payment Scheme for Former British Child Migrants

2.6 Income Partially Disregarded

Income partially disregarded (please note this is not an exhaustive list):

- | | |
|----------------------------------|--------------|
| • Net earnings | £20 per week |
| • Voluntary/Therapeutic earnings | £20 per week |
| • Charitable payments | £20 per week |
| • MOD special pension | £variable |

If the service user is in receipt of any of the above income that is partially disregarded, the amount shown will be deducted as an allowance, the remaining amount will be taken into consideration as income.

2.7 Benefits Health Check

It is important that Aberdeenshire Council provides support and advice to ensure a service user is receiving all the benefits they are entitled to. A benefits health check can be carried out if requested by the service user. If it is identified that there is a potential benefit entitlement has not been claimed the service user will be signposted to the correct organisation who can assist them with any application required.

2.8 Disability Related Expenditure

Where a service users daily living expenses are higher due to their disability or illness, an additional allowance may be applied to the financial assistance form. Disability related expenditure will vary for each service user and will depend on the disability and the service user's needs. An example could be that a service user incurs higher electricity costs to accommodate mobility/medical equipment.

Aberdeenshire Council will consider whether to disregard more of a person's income or capital, over and above any existing disregards, to take account of any additional disability related expenditure. This process will be undertaken on a case by case basis by request to the service user's practitioner.

The service user will be asked to provide supporting evidence of the additional disability related expenditure.

2.9 Capital

If the service user's capital exceeds £27,250 or they choose not to disclose financial details, they will be required to pay the full cost of the services.

Capital up to the value of £17,000 will be disregarded and will not affect the financial assessment. A tariff will be applied to income calculations for capital over £17,000.

2.10 Capital taken into consideration (please note this is not an exhaustive list):

- Any savings held in building society accounts
- Any savings held in bank current accounts, deposit accounts or special investment accounts. This includes savings held in the National Savings and Investments (NS&I)
- National Savings
- Premium Bonds
- Stocks and shares
- Property that is not the individual's main home
- Land
- DWP backdated payment of benefits (any backdated benefits received from the DWP will be disregarded for 1 year from the date the payment is received)

2.11 Capital NOT taken into consideration (please note this is not an exhaustive list):

- Property in specified circumstances
- Surrender value of any life insurance policy
- Household goods such as a car
- Student loans

2.12 Property

The value of a service user's main home will not be included as capital when calculating the contribution. Any other properties or shares in other property owned by the service user will be included.

Where the service user receives rental from other properties owned this will be taken into consideration as income on the Financial Assessment.

2.13 Trust Funds

Trust Funds will be considered on an individual basis and you will be asked to provide a copy of the trust deed. This information will be shared with our legal department to determine if any part of the trust should be included in the financial assessment.

2.14 Deprivation of Capital

Aberdeenshire Council may identify circumstances that suggest a service user may have deliberately and intentionally deprived themselves of, or decreased their assets in order to avoid or reduce the level of their contribution towards their care and support services. Aberdeenshire Health & Social Care Partnership may consider deprivation where a service user ceases to possess assets, or income from the asset, that would have otherwise been considered for the purposes of the financial assessment.

If upon investigation it is found that the service user has deliberately deprived themselves of any capital assets it may be included in the financial calculation as if the service user still possesses that asset.

3. What happens after a Financial Assessment?

After the financial assessment has been verified and calculated, available income is identified. If there has been no available income identified the service user will not be liable to contribute towards their care and support services.

Where there has been available income identified the service user will be liable to contribute towards their care and support services. The service user will be contributing towards the total cost of chargeable support in their Individual Budget. The individual budget will be based on planned care on an annual basis to meet the service user's outcomes.

Details of the service user's weekly contribution will be sent to the nominated individual, with a full explanation of the calculation, along with information about how to pay it. If the service user feels they will have difficulty paying or disagrees with the calculation, they should advise their local finance office within 28 days.

Contributions are payable based on your planned care and support however, we may consider a refund of contribution in exceptional circumstances.

Where a service user's care needs change, their contribution will be recalculated based on the financial information held. The service user will be advised if there is a change in contribution payable. Full details of the calculation will be provided.

3.1 Interim Contributions

Aberdeenshire Council aims to complete a financial assessment within 28 days of receipt from the service user. In circumstances where we have been unable to receive verification of financial information within the 28 days, we will calculate the service user's contribution based on the information provided on the financial assistance form.

Once verification of financial information has been received any differences will be applied. The contribution will be re-calculated and backdated. Any underpayment will be recovered, and any overpayments will be credited.

3.2 Payment of Contribution

The way in which the service user will be asked to pay their contribution is dependent on the option choices the service user has chosen and the content of the support plan.

In most cases the service user will be invoiced 4 weekly in arrears by Aberdeenshire Council. The service user will be informed in writing how their contribution should be paid.

3.3 Non-Payment of Contribution

Where a service user fails to pay their contribution, Aberdeenshire Council will not withdraw the services being received. Aberdeenshire Council has a debt recovery process which will be followed where the non-payment of contributions has occurred.

If a service user is in a situation where they cannot pay their contribution it is important that they contact their practitioner or local finance team at the earliest opportunity.

3.4 Change in Financial Circumstances

It is the responsibility of the service user to advise Aberdeenshire Council of a change in their financial circumstances.

If it is discovered that the service user has not advised Aberdeenshire Council of a change in circumstances, any change in contribution may be backdated.

3.5 Annual Financial Re-Assessment

The initial financial assessment is updated annually to capture any changes to a service user's contribution. This process will take place from April each year. The service user will be advised of the outcome of the financial re-assessment by letter.

3.6 Financial Hardship

Where a service user feels they will have difficulty paying the assessed contribution they should discuss this with their practitioner in the first instance.

If the practitioner agrees that there may be financial hardship, the service user will be asked to provide 6 months (most recent) bank statements for all bank accounts that they hold and any other relevant financial information. This information will be reviewed and if it is agreed that financial hardship applies, a waive of charge for part or all of the assessed contribution may be agreed. This information will be reviewed on a regular basis.

A benefits health check can also be carried out if requested by the service user to ensure they are receiving all benefits to which they are entitled.

3.7 Appeals Process

If a service user wishes to appeal the amount of their contribution, the service user or nominated representative should contact their local finance team or practitioner within 28 days of being advised.

The appeal will be considered by the service at Senior Management level and the service user will be advised within 28 days of the decision.

The service user should continue to pay the contribution until the appeal has been considered.

4. Care and Support Services not subject to Financial Assistance

A small amount of care and support services are not subject to a financial assessment and are payable in full by the service user. These are:

- Day Care Meals
- Very Sheltered Housing Tenants Meals
- Blue Badge

5. Care and Support Services not included as part of an Individual Budget and charged separately

A small amount of care and support services are not included in an Individual Budget. These are:

- Telecare
- Community Alarm
- Sheltered Housing – Housing Support (Local Authority and Non-Local Authority)
- Day Care Meals
- Very Sheltered Housing Tenants Meals
- Blue Badge

6. Respite provided in a registered residential care setting.

Where respite is provided in a registered residential establishment, a flat rate charge will apply for up to a maximum of 8 weeks. This does not include other types of respite such as creative breaks, respite at home etc which form part of the individual budget. The amount of respite provided is determined by your care needs assessment.

7. Sheltered Housing – Housing Support

Charges for Sheltered Housing are broken down in to rent, service charges and Housing Support. The rent covers the cost of providing and managing the property, including repairs, maintenance, and housing improvements. The service charges cover the cost of providing additional services such as heating and light, lift maintenance, the cleaning of communal areas and more. Residents will be asked to pay the service charges along with their rent charges. Housing Support is charged separately.

The Housing Support Charge is for the low-level support provided by the Sheltered Housing Officers to help the service user to remain independent at home. This charge applies to all residents of Sheltered Housing and will be invoiced separately to their rent and service charges. Housing Support Charges are payable from the start of tenancy until the tenancy end date. This includes periods that the service user may be away from their accommodation such as holidays, hospital stays etc. Information

about the Housing Support service, including the weekly charge will be provided when signing the tenancy.

A Financial Assessment will be offered to all service users to assess their ability to pay the Housing Support Charges. Service users will not be asked to pay more than they have been assessed as able to contribute.

Where a resident in sheltered housing enters long term care, the housing support service agreement will be closed on the Sunday following the date they were admitted. The service user will not be charged for the housing support charge for a period of up to 12 weeks. If the tenancy is not terminated within this 12-week period, the service user will be liable to start paying the housing support charge again until the tenancy is terminated.

Property that is no longer the service user's main home due to moving in to sheltered housing accommodation will not be considered as capital for a period up to 26 weeks. Evidence will be required to show that steps are being taken to sell the property or that the property is already on the market for sale.

Further information on sheltered housing is available on the Aberdeenshire Council Website.

8. Services that are not charged for:

- **End of Life Care (DS1500)** – a DS1500 is a certificate that is issued by a General Practitioner when service users have a terminal illness.

The certificate is used by the Department for Work and Pensions to facilitate fast track access to Disability Living Allowance, Individual Independence Payment or Attendance Allowance. In these circumstances, on receipt of the DS1500 certificate, the Practitioner will request a waive of charge for all non-residential care and support charges including Very Sheltered Housing and Housing Support.

A DS1500 cannot be used where respite care has been received in a registered residential care setting. This will be chargeable to the client at a flat rate fee under the Charging for Residential Accommodation Guide (CRAG).

- **Personal Care** – your Practitioner will identify elements of your support plan which are classed as personal care. Elements of the care that are considered as Free Personal Care are as follows: -
 - Assistance with laundry associated with medical conditions (e.g. bed changing)
 - Assistance with eating/drinking
 - Assistance with getting out of bed/going to bed
 - Assistance with dressing/undressing
 - Assistance with washing and bathing
 - Assistance with personal grooming/dental hygiene
 - Assistance with continence care
 - Assistance with toileting
 - Assistance with medication supervising/reminding
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- Assistance with mobility
- Assistance with specialist feeding
- Assistance with stoma care
- Assistance with catheter care
- Assistance with skin care
- Behaviour management and psychological support
- Food preparation
- Special preparation of food associated with dietary requirements
- Administering of medication (including administering of oxygen)
- Rehabilitation work (under support of professional)

Further information on personal care services is available [here](#).

- **Leaving Hospital** – service users who are aged 65 years or over on the day of discharge from hospital, who have been an NHS inpatient for more than 24 hours or had surgery as an NHS day care, may be entitled to receive any additional care at home free of charge for a period of up to 6 weeks. This does not apply to admissions on a regular or frequent basis as part of the individual's ongoing care arrangements.
 - **Enablement Care** – is a time limited, intensive intervention that aims to reduce or remove the need for ongoing homecare support. This service is free for a period of up to 6 weeks. If the service user is already in receipt of chargeable care and support these services will remain chargeable.
 - **Aids and Adaptations** – where a service user has been assessed as requiring aids and adaptations by an Occupational Therapist, District Nurse or Physiotherapist there is no charge for any equipment supplied. Equipment is on loan to a service user for as long as it is needed. If aids or adaptations have not been assessed as being required and are purchased through an Individual Budget by the service user, this will be chargeable.
 - **Individuals under 18 years old** – where care and support services are provided to a service user under the age of 18 or whilst the service user remains in Children's services over the age of 18, care and support services will be free.
 - **Emergency services arranged by Out of Hours** – emergency arrangements will be free of charge, however if on-going care and support services are required, the normal charging policy will be applied when the case is allocated.
 - **Compulsory Treatment Order** – all non-residential care and support services provided to a service user under a Compulsory Treatment Order are exempt from charges under the Mental Health (Care and Treatment) (Scotland) Act 2013.
 - **Criminal Justice Social Work Services** – all care and support services provided to a service user in terms of the Criminal Procedure Act (Scotland) 2003 are exempt from charges.
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- **Care Management Services** – if a service user requires information and advice in relation to social care, there is no charge for the professional services provided.
- **Short Term Housing Support Services** – where a service user has designated short term services, which aim to bring about or increase the capacity for independent living, this service will be free of charge for a period of up to two years. Examples of people who may be eligible are:
 - Those suffering domestic violence
 - Homeless
 - Drugs/alcohol rehabilitation
 - Young vulnerable people
 - Ex-Offenders
 - Refugees
- **Double Up Care** - where a service user requires more than 1 to 1 support to assist the main carer, the service user will not be charged for the additional carer/s.
- **Unpaid Carers** – where an unpaid carer has been assessed as having eligible needs which are not met by support for the person they care for, any support provided will be free of charge.

Where the unpaid carer's eligible needs are already being met by support for the person they care for, a decision will be made by the Carer Practitioner around whether any of the charges will be waived under the Carer's (Scotland) Act 2016.

Further information on charging for carers is available on the [Scottish Government Statutory Guidance - Carers \(Scotland\) Act 2016](#).

9. Complaints Procedure

Aberdeenshire Council is committed to providing high quality customer services. We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with the service you have received, please tell us. You can complain in person at any of our offices, by phone, in writing, by email or via our complaints form on our website (link provided below).

We understand that you may be unable, or reluctant to make a complaint yourself. We accept complaints from the representative of a service user who is dissatisfied with our service. We can take complaints from a friend, relative or an advocate, if you have given them your consent to complain for you. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Further information about the [Complaints Procedure](#) is available on the [Aberdeenshire Council Website](#).

2022/23 CHARGES AND ALLOWANCES
EFFECTIVE FROM 11th APRIL 2022

Charges for Non-Residential Care Services (Not part of SDS Personal Budget)

Community Alarm	- £3.75 per week
Telecare Equipment	- £3.75 per item per week (Max £7.50 per week)
Day Care Meals (2 course meal)	- £3.80 per meal
Housing Support (local authority)	- £19.71 per week
Housing Support (private landlord/RSL)	Variable
Very Sheltered Housing Meals	- £26.79 per week
Personal Care	- FREE (for assessed care needs)
Additional care at home (over 65 year olds following discharge from hospital)	- FREE (up to a maximum of 6 weeks)
Contribution towards Individual Budget	- Up to 100% of the cost of the chargeable parts of a Personal Budget subject to financial assessment. See unit costs below.

Unit Costs (forms part of an SDS Personal Budget)

Adult Services:

Day Care	£44.13 per day
Respite Care (Day)	£25.97 per hour
Respite Care (Overnights)	£39.17 per night
Supported Living	£19.94 per hour
Transport (up to 50 miles)	£ 7.65 per one-way trip

Older People & Physical Disabilities Services:

Day Care	£33.14 per day
Homecare	£28.25 per hour
Transport (up to 50 miles)	£ 7.65 per one-way trip
Very Sheltered Housing	£438.15 per week

Charges for Residential/Nursing Care Services

Local Authority Care Home	£1032 per week
Respite Care	£127.47 per week (for over pension age) £82.20 per week (for under pension age)

Free Personal Care for Residential/Nursing Homes

Personal Care	£212.85 per week
Nursing Care	£95.80 per week
Free Personal Nursing Care	£308.65 per week

2022/23 CHARGES AND ALLOWANCES
EFFECTIVE FROM 11TH APRIL 2022

Financial Assessment Capital Limits

Non-Residential Upper Capital Limit	£27,250
Non-Residential Lower Capital Limit	£17,000
Residential Upper Capital Limit	£29,750
Residential Lower Capital Limit	£18,500

Financial Assessment Tariff Income

Residential	£1 for every £250
Non Residential	£1 for every £500

Financial Assessment Personal Allowances

Non Residential Single Person	£228 per week
Non Residential Couple	£348 per week
Residential	£31 per week

