



Aberdeenshire  
Health & Social Care  
Partnership

# Non Residential Charging Policy

2018/19



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## **Charging Policy Background**

Aberdeenshire Council want to help people live at home independently, safely and for as long as possible.

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). Income generated from contributions enables the council to continue providing a service to all those who have an assessed need and ensures the development and delivery of high quality services.

Services will at all times 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.

Aberdeenshire Council's Charging Policy for Non Residential Care and Support adheres to legislation outlined in the Social Work (Scotland) Act 1968 and the Social Care (Self Directed Support) (Scotland) Act 2013. It is also based on the COSLA Charging Guidance 2018/19 and 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 a individual has access to a full range of services and support
- Legality: ensuring information in relation to the Charging Policy is accessible.

### **1. Self Directed Support**

Self-directed support is about giving service users who are eligible for care and support services more choice and control about what kind of support they receive and how it is delivered. It focuses on achieving the service user's outcomes and enables service users to choose creative alternatives to traditional services e.g. a service user currently attending a day service may choose to do an alternative activity that would still meet their outcomes. Local Authorities have a duty to offer self-directed support and to provide information and advice about the various options available to people.

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## 1.1 Individual Budgets

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 creates an Individual Budget. All care and support services are classed as chargeable unless they fall into the following categories:

- **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 for individuals over 65 years of age** – your Practitioner will identify elements of your support plan which are classed as personal care. Elements of 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
  - Assistance with mobility
  - Assistance with specialist feeding
  - Assistance with stoma care
  - Assistance with catheter care
  - Assistance with skin care
  - 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 on the [Scottish Government Personal Care Guidance](#).

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- **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.
  - **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
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- 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 Carers (Scotland) Act 2016.

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

## 1.2 Care and Support Services not included in Individual Budgets

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

The care and support services that are not included in Individual Budgets are all chargeable and will form part of the service users overall contribution.

## 2. Housing Support (delivered within Sheltered Housing)

A service user who resides in sheltered housing is provided with Housing Support services. This is low level support to assist the service user to remain independent at home. Although not part of an Individual Budget the service is chargeable and will form part of the service user's contribution, based on their ability to pay.

The housing support service includes various services that the Housing Officer can assist the service user with. Some service user may not require or choose not to use all the housing support services that are available to them. Regardless of the amount of services provided the weekly charge will still apply.

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Information about the service, including the weekly charge will be provided when signing the service payment agreement at the beginning of the tenancy.

Where a service user in sheltered housing enters long term care the housing support service agreement will be closed on the Sunday following the date the service user enters long term care, 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 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 taken into account 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.

### **3. Level of Funding for Non Residential Care and Support Services**

Where a service user chooses services which cost more than those the local authority would arrange to meet any assessed needs, the level of funding the service user will receive will not exceed the cost of the equivalent local authority arranged services.

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

There may be exceptional circumstances where the cost of the services are in excess of the local authority funding level. Where exceptional circumstances are evidenced approval to exceed the local authority level of funding will be sought.

### **4. Financial Assessment**

A financial assessment determines whether a service user is able to contribute towards chargeable care and support services. Financial information must be provided in relation to income, savings, other capital and some living costs.

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

An Aberdeenshire Council officer will assist the service user to complete a financial assessment form and will explain:

- The reason for the financial assessment
  - How the financial assessment is calculated
  - What happens after the financial assessment
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- What individual data is collected and for what purpose
- To whom individual and financial information may be disclosed to

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.

#### 4.1 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
- Pension Credit – guarantee credit
- Pension Credit – saving credit
- Attendance Allowance
- Disability Living Allowance Care Component
- 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).

#### 4.2 Income not taken into consideration – Fully Disregarded from Financial Assessment (please note this is not an exhaustive list):

- Disability Living Allowance – Mobility component
- Child Benefit
- Child Tax Credit
- Child Maintenance payments
- Working Tax Credit
- The Eileen Trust
- The Macfarlane 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)

#### 4.3 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    |
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If the service user is in receipt of any of the above, the amount shown will be deducted as an allowance, the remaining amount will be taken into consideration as income on a financial assessment.

#### **4.4 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.

#### **4.5 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

#### **4.6 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

#### **4.7 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 Council will consider deprivation where a service user ceases to possess assets, or income from the asset, that would have otherwise been taken into account for the purposes of the financial assessment.

In deciding whether deprivation has occurred Aberdeenshire Council will consider the timing of the disposal of the asset (a period of 6 months prior to a financial assessment/financial re-assessment being submitted).

If upon investigation it is found that the service user has deliberately deprived themselves of any capital assets it will be treated on the financial assessment as the service user still possessing the capital, this is known as "notional capital".

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#### **4.8 Property**

The value of a service user's main home will not be included when calculating capital, although other properties owned by the service user will be included.

The capital value of any other properties owned by the service user will be taken into account. Interim financial assistance will be offered until such time as the capital become available.

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

#### **4.9 Allowable Expenses**

Allowances will be made from a service users 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 taken into account up to a maximum of £100 per week)

#### **4.10 Personal Allowance**

Personal Allowances are set by COSLA and reviewed annually. A personal allowance is a set weekly amount that is applied to a service user's financial assessment. The personal allowance is intended to cover daily living costs such as food, clothing, heating and electricity etc.

There is a higher weekly personal allowance applied when being financially assessed as a couple.

If a service user's assessed weekly income is less than the personal allowance, they will not be required to contribute.

#### **4.11 Couples**

Where a service user has a partner and requires a service, a joint financial assessment will be carried out and all income and capital will be taken into consideration.

#### **4.12 Verification of Financial Details**

Aberdeenshire Council will verify the information provided on the financial assessment 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 will be signed by the service user to allow the verification of

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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.

#### **4.13 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 money that is due to be paid back to Aberdeenshire Council will be backdated and recovered from the date of change.

#### **4.14 Annual Financial Re-Assessment**

The initial financial assessment is updated by an annual review which will determine any changes to a service user's contribution. This annual review will take place in April each year. The service user will be advised of the outcome of the financial re-assessment by letter.

#### **4.15 Care and Support Services not subject to Financial Assessment**

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. Contributions**

The financial assessment information will be used to calculate the service user's contribution as follows:

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

The balance remaining is considered available income towards the cost of the service user's care and support services. A service user will never contribute more than the cost of the care and support package.

#### **5.1 Contributing towards the Individual Budget**

The service will be contributing towards the annual agreed budget and not for individual services. The individual budget will be based on planned care on an annual basis to meet the service user's outcomes.

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Contributions will not be refunded if a service is not received however, we may consider a refund of contribution under certain circumstances.

## **5.2 Interim Contributions**

Aberdeenshire Council aims to complete a financial assessment within 28 days. 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 assessment form. This is known as an Interim Contribution.

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.

## **6. What happens after a Financial Assessment**

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 the contribution. 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.

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

### **6.1 Appeals Process**

If a service user wishes to appeal the amount of their contribution, they should inform their practitioner in writing 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.

## **7. 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.

Where a service user receives a Direct Payment under Option 1, in most cases the service user will be required to pay their contribution into the self-directed support bank account.

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Where a service user has chosen an Option 2 and the direct payment is made to an Individual Service Fund (ISF), in most cases the service user will be required to pay their contribution to the ISF provider.

Where a service user has chosen an Option 3, in most cases the service user will be invoiced 4 weekly in arrears by Aberdeenshire Council for their contribution.

Where a service user has chosen an Option 4, the way in which they will pay their contribution will be dependent on the content of their support plan.

For services not included in an Individual Budget, the service user will be invoiced 4 weekly in arrears by Aberdeenshire Council for their contribution.

The service user will be informed in writing how their contribution should be paid.

## **8. 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 three 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.

## **9. 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 assessment. The service user will be asked to provide evidence of the additional expenditure. An example could be that a service user incurs higher electricity costs to accommodate mobility/medical equipment.

The service user should discuss this with their practitioner in the first instance. This information will be reviewed and if it is agreed that disability related expenditure applies a waive of charge 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.

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## **10. Non Payment of Contribution**

Where a service user fails to pay their contribution, Aberdeenshire Council will not withdraw the services being received. However, this will result in accruing a debt with the local authority.

Aberdeenshire Council has a debt recovery process which will be followed where 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.

## **11. 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](#).*

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**Charges and Allowance for 2018/19 – effective from 9<sup>th</sup> April 2018****Charges for Non Residential Care Services**

Community Alarm	-	£3.50 per week
Telecare Equipment	-	£3.50 per week
Day Care Meals (2 course meal)	-	£3.50 per meal
Housing Support (local authority)	-	£17.46 per week
Housing Support (private landlord/RSL)	-	Variable
Very Sheltered Housing	-	£400.19 per week (for over 65's) £498.19 per week (for under 65's)
Very Sheltered Housing Meals	-	£24.50 per week
Blue Badge	-	£20.00
Contribution towards Individual Budget	-	up to 100% of cost
Personal Care (over 65 year olds)	-	FREE (where assessed care need is not exceeded)
Additional care at home (over 65 year olds following discharge from hospital)	-	FREE (up to a maximum of 6 weeks)

**Charges for Residential/Nursing Care Services**

Local Authority Care Home	-	£915 per week (for new residents) £803 per week (for existing residents)
Private Care Home (National Care Home Contract Rate)	-	£689.73 (Nursing Care) £593.89 (Residential Care)
Respite Care	-	£113.67 (for over 65's) £79.65 (for under 65's)

**Capital Limits – Residential and Non Residential Care**

Upper Capital Limit	-	£27,250.00
Lower Capital Limit	-	£17,000.00

**Tarriff Income**

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

**Personal Allowances**

Non Residential Single Person	-	£204 per week
Non Residential Couple	-	£311 per week
Residential	-	£27 per week

**Free Personal Care for Residential/Nursing Homes**

Personal Care	-	£174 per week
Nursing Care	-	£79 per week
Free Personal Nursing Care	-	£253 per week

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