

Scottish Borders Health & Social Care Partnership



CHARGING FOR SOCIAL CARE IN THE HOME AND IN THE COMMUNITY

1 APRIL 2023 - 31 MARCH 2024



Scottish Borders
Health and Social Care
PARTNERSHIP

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SECTION 1

ABOUT THIS POLICY

We want to help people live at home independently, safely, and for as long as possible. To help us to provide support to people with a range of needs, we may need to charge you for some of the social care and support you receive.

These charges might affect you if you are getting services from us now, or if you need them in the future. Charges apply whether we provide the service or purchase it from an external provider.

This policy does not apply to permanent admissions to a care home where charging is governed by national regulations.

Principles

We are committed to the following principles:

- we will not charge more than the cost of providing a service
- people who use our services will be treated fairly
- people who use our services will know how and why they are being charged for a service
- charges are in line with national guidance and legislation
- we will write this policy with people who receive social care services
- we will balance the need to ask people to pay towards the cost of their care with the effect this may have on their quality of life.

Aims

This policy aims to:

- help you to understand why you are contributing to the cost of your services
- explain how we calculate your contribution and how we will let you know
- explain which services have a charge that everyone pays
- explain our appeals process
- explain our comments and complaints policy.

SECTION 2

ABOUT CHARGING

Who is exempt from paying for social care services?

The following people cannot be charged for social care services:

- People who are terminally ill
- People subject to Compulsion Orders under the Criminal Procedure (Scotland) Act 2003
- People subject to a Compulsory Treatment Orders introduced under the Mental Health (Care and Treatment) (Scotland) Act 2003
- Unpaid carers who are eligible for support under the Carers (Scotland) Act 2016.

What services do I not have to pay for?

The following are classed as free personal care and are not charged for:

- Personal hygiene – bathing, showering, hair washing, shaving, oral hygiene, nail care.
- Continence management – toileting, catheter/stoma care, skin care, incontinence laundry, bed changing.
- Food and diet – help with preparing food and help with any dietary needs in your home.
- Mobility problems – dealing with the effects of being immobile or substantially immobile.
- Personal support – counselling, or other help, provided as part of a planned programme of care.
- Behaviour management and psychological support. This applies where there is an identified risk, and support is needed to prevent or minimise physical or emotional harm to the person or to others.
- Memory and safety devices that help supported people to manage their own personal care (e.g., a personal reminder system to allow people to manage their medicines, or the use of sound/movement alarms linked to light controls to guide people with dementia to the toilet and minimise the risks related to wandering at night).
- Simple treatments – help with medication (including eye drops), applying creams and lotions, simple dressings, oxygen therapy.
- Personal assistance – help with dressing, surgical appliances, prostheses, mechanical and manual aids. Help to get up and go to bed. Transfers including using a hoist.

If you only need the services listed under free personal care, you will not be charged. You will not have to complete a financial assessment. The person carrying out your care assessment will also explain what counts as free personal care and what does not.

If you get services that do not come under free personal care, you may be charged.

Not all social care support provided to people at home is charged for.

The following services are free:

- End of life care
- Intermediate care/reablement for the first 42 days (see Page 11)
- Sensory support services
- New or additional home care services for 42 days following discharge from hospital.

Why is there a charge?

All councils must decide whether to use their legal powers to charge adult users of social care services. It considers their council's finances and changes in the needs of the local population. These charges must be "reasonable" for you to pay, depending on the type of service you get and your ability to meet the cost. Charges should not exceed the cost of providing the service. The charges will be worked out by a financial assessment. You can find out more about financial assessments on Page 7.

What services could I be charged for?

If you receive social care and support, that is not free personal care, you may have to pay towards the cost of it. This will depend on a financial assessment (See Page 7).

We charge for the following:

- Care at home (if not free personal care)
- Day care
- Lunch clubs
- Short breaks (where this is not part of a carer support plan). If a short break results in a stay of more than 4-6 weeks in a care home, other charges will come into effect.
- Domiciliary services (including laundry)
- Housing support (services to enable people to live as independently as possible in their community)
- Wardens in sheltered housing
- Community alarms and telecare
- Adaptations (if you qualify for a Private Sector Housing Grant you may be charged)
- Care and support services for those who have, or have had, a mental illness
- Frozen meals service
- Hire of freezers and microwaves for frozen meal service
- Transport
- Housing with Care – Cornmill Court, Queens Court, Mercer Court, Glenfield Court
- Extra Care Housing - Dovecot, Wilkie Gardens, Longfield Crescent and Poynder Apartments (opening Summer 2023)
- Sheltered Housing – Riverside House, Oakwood Park, Teviot Court, Frank Scott Court, South Garden, Loaning, Cornmill Court.

You may be charged for some services that are not covered by this policy and are not subject to financial assessment, such as:

- Day care meals
- Social centres
- Transport
- Meals service in housing with care or extra care housing (if arranged by the provider)
- Monitoring of alarms or telecare equipment (a monitoring service that offers remote support for some people).

There are several support services that we do not directly provide but can signpost you to. These include:

- Shopping services
- Key safes
- Lunch clubs

The organisations that provide these services will charge you directly.



SECTION 3

FINANCIAL ASSESSMENT

What is a financial assessment?

The services you receive will always be based on your assessed needs. Any charges for these services will be based on your ability to pay. A financial assessment will be carried out if you receive a chargeable service. We will look at your income, capital and some of your expenses to find how much you can pay.

You may choose a service that costs more than the one we would organise to meet your needs. In this case, the amount of funding you get will be no more than the cost of the service we would organise. You will have to organise and fund any care and support that costs more than this.

What happens during a financial assessment?

Our staff can help you with the financial assessment, if needed. You will have to provide information about your income and capital. You can choose to have a family member or support/advocacy worker with you.

Income is things like:

- earnings
- pensions
- benefits
- tariff income from savings (see Page 11)

Capital, for the purposes of your financial assessment, is:

- savings
- investments
- property you own, apart from your main home.

If your capital is more than **£32,750**, you will have to pay for all the chargeable elements of your care and support.

To prepare for your assessment, you should have available any pension or benefit statements, as well as bank or savings information. Our staff can help you to complete a form, if needed.

They will explain:

- the reason for the financial assessment
- what information is collected and for what purpose
- what happens after the financial assessment
- how your charges, if any, will be calculated
- who might be told about your individual and financial information.

More information on the financial assessment can be found on Page 11.

Will I have to pay for services?

This will depend on how much income and capital you have.

If your assessed weekly income is less than a certain amount you cannot be asked to pay charges. This is called a “minimum income threshold”. If your assessed weekly income is more than the minimum income threshold, you will be charged for a service.

For 2023/2024, the minimum income threshold is:

Single person under pension qualifying age	£156 per week
Single person over pension qualifying age	£252 per week

If you do not tell us your income, you will be charged the full rate for the services you receive.

How is my care charge worked out?

To find out what you can afford to pay towards your support, we will use a calculation. This considers your total income and capital. Once we know what your charges will be, we will send you a letter telling you how much you will be charged.

Some examples of how we work this out start on Page 16.

Annual financial reassessment

The financial assessment is reviewed every year. This will check if there are any changes to your contribution. This takes place from April each year. You will be told the result in writing as soon as possible.

We will use the information supplied by you in the previous year and contact you by letter to let you know what financial information we already have. You must tell us if this is wrong or has changed.

How to appeal your charges

We are committed to reviewing charges if you cannot pay or have special circumstances that we are not aware of.

We have a charging appeals panel. The panel reviews charges and has the authority to hear the appeal on behalf of any person aged 16 or over.

This applies to you if you receive social care services where:

- a charge has been applied
- there may be special circumstances that affect your ability to pay
- due to organisational or administrative error, it may be unreasonable for you to pay.

The panel can waive, reduce, or uphold charges.

If you are appealing against your charges, you will need to contact your social worker/care manager. If you do not have a named worker, please call Social Work on 0300 100 1800 option 1.

Payments during the appeals period

During the period of appeal, you should continue to pay your charges. If you pay and the appeal is upheld, any payments you made will be refunded.

How to complain

If you are not satisfied with the outcome of your appeal, you can use our complaints procedure. It can be found at www.scotborders.gov.uk/socialwork_complaints

If you have any questions, or would like a copy of our complaints procedure, please email: social.work@scotborders.gov.uk or call us on **0300 100 1800 option 1**



APPENDIX

Extra care housing and housing with care charges

(These are in addition to your rent and council tax).

Extra care housing and housing with care accommodation enables people with a range of needs to live independently, with the company of others. The charge is financially assessed.

The charge will cover support costs and related accommodation costs that are not classified as free personal care. Some people may not need, or choose not to use, all chargeable support services that are available. The weekly charge will still apply, whatever services you use.

The charge will have to be paid even if you are in hospital or are admitted to a care home temporarily.

Extra care housing is mainly for older people. Tenants have rights to occupy self-contained homes. They have agreements that cover the provision of care, support, domestic, social, community or other services. An on-site dedicated care team is in place 24 hours a day, 7 days a week, every day of the year to meet higher levels of need.

Current extra care housing developments are Dovecot, Wilkie Gardens, Longfield Crescent and Poynder Apartments (opening Summer 2023).

Housing with care sites have self-contained homes that include design features and support services to enable self-care and independent living. It can come in a range of forms, with different levels of support. Care, support, domestic and social support is available on-site from 7am-10pm. On one site, it is available overnight to meet lower levels of care.

Current housing with care developments are Cornmill Court, Queen's Court, Mercer Court, and Glenfield Court.

Intermediate care/reablement/assessment accommodation with support

This will be free for the first 42 days but will then be chargeable. The service will be charged as a short break and will be financially assessed.

In exceptional circumstances, there will be no charge. These include when your reablement plan has been delayed because you are ill, or because the home care you need, or a plan for moving on, are not in place.

Parents or guardians of children under 18 who are accommodated will not have to pay towards their child's care.

Financial assessment questions and answers

When will the financial assessment begin?

The financial assessment will begin as soon as we find out that you need a chargeable service.

What will it involve?

Certain allowable costs will be deducted from your income before calculating what you can afford to pay. These will normally be housing costs such as mortgage (both interest and capital payments), rent, ground rent and council tax. Housing costs considered in the calculation will be net of any benefits received.

What is tariff income?

We must assume that you get an amount of income each week from your capital. The amount is set by the government and doesn't change with interest rates. That is called 'tariff income'. We add it to your other income to work out your total weekly income.

Capital up to £10,000 **will not be** included in the calculation. A weekly income of £1 per week for every £500 in capital between £10,000 and £32,750 will be included. This means that you **will be** asked to pay £1 per week for every £500 (or part of it), you have in savings or assets above £10,000.



What income and expenditure are considered in the financial assessment?

Where you have earned income, only **net earnings** are considered. Net earnings are what's left after all taxes and expenses have been taken off.

We will **exclude** up to £25 of your earnings.

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

- Income Support
- Universal Credit
- Job Seekers Allowance
- State retirement pension
- Pension Credit – guarantee credit
- Pension Credit – saving credit
- Employment Support Allowance
- Severe Disablement Allowance
- Occupational/private pension/annuities
- Tariff income (see Page 11)
- Attendance Allowance *
- Disability Living Allowance (Care Component) *
- Personal Independence Payment (Daily Living Component)*
- Adult Disability Payment*

* If the high rate of the above benefits is in payment, only the first £68.10 will be considered as income.

Expenditure includes the following:

- Rent
- Mortgage/mortgage interest payments
- Council tax/water and sewerage charges
- House buildings insurance.

What income is not considered?

Certain types of income will not be considered when assessing your ability to pay:

- All benefits paid for or on behalf of dependent children
- All income received by your partner
- Christmas Bonus paid with benefits/state pension
- Disability Living Allowance mobility component
- Adult Disability Payment mobility component
- Personal Independence Payment mobility component
- Half of all occupational, private pensions or annuities (if you have a partner)
- Independent Living Fund payments
- Payments of War Pension/War Widows Pension and payments made under the Armed Forces Compensation scheme
- Permitted Work in line with Department of Work and Pensions (DWP) Assessment
- Winter Fuel payments.

If you are assessed as being entitled to a welfare benefit, but refuse to claim it, your financial assessment will include the amount of income you would receive from that benefit.

Examples of capital considered:

- Any savings in building society accounts
- Cash
- Any savings in bank current accounts, deposit accounts or special investment accounts.
- Land
- Premium Bonds
- Property that is not your main home
- Stocks and shares.

If you have received a compensation payment because of personal injury to fund anticipated future care costs, it will be counted as capital. This includes compensation payments held in trust. If you have a trust fund that is not due to personal injury, then the Charges for Residential Accommodation Guidance guidelines will apply for your support services.

Examples of capital NOT considered:

Property in specified circumstances such as:

- Your own home
- If you move into sheltered housing or extra care housing and put your house up for sale, this is not taken into account for six months
- Surrender value of any life insurance policy.

Cases where capital has been 'gifted', moved into bonds, or otherwise transferred, will be assessed on an individual basis. This will determine whether the value should be considered in the financial assessment.

Will my partner's information be included in the financial assessment?

Only your income will be considered. If you have a joint bank account, savings or capital with another person, 50% of it will be included in the assessment.

I have children. Will that affect my financial assessment?

No.

What happens if my finances are managed by another person?

You will still be financially assessed, but the information will be taken from the person acting on your behalf.

Do I have to have a financial benefits check?

No. If you provide details of your finances then a benefits check can be done as part of the financial assessment. This is to ensure that you are receiving all the benefits that you are entitled to.

Do I have to tell you if my income or savings change?

Yes. If there are changes in your circumstances that may affect your financial assessment, such as a rise or fall in your income or expenditure, you need to let us know and ask for a reassessment. Examples are things like savings, inheritance, welfare benefit or pensions, expenditure (such as rent, mortgage, buildings insurance). Contact your social worker or the Care Resource Team. If you do not let us know, you might have to pay a backdated charge.

Do I have to pay if I don't get care or support service because I am in hospital?

If you received services before going into hospital or a care home on a temporary basis, you will not be charged for them while you are away from home. There are some types of support that will still be charged, for example extra care housing.

Will I be charged for the full hour if I only get care or support for part of an hour?

You will be charged for the care or support identified in your support plan. If the care or support time you receive is less than you have been assessed as needing, contact your social worker or call 01835 824000 and ask to speak to the Care Resource Team.

If I need more than one home carer at the same time, will I be charged for them?

No.

Will I have to contribute if I am 65 or over?

There will be a financial assessment for all chargeable services, regardless of your age. However, part of or all your support may be free if it is covered by free personal care.

What happens if my financial assessment is incorrect?

If an incorrect financial assessment means you are being charged too much or too little, a new financial assessment will be done. The correct charge will be backdated. Call 01835 824000 and ask to speak to the Care Resource Team.

What happens if I can afford to pay but don't?

If you don't pay your contribution, we will not take away your services. But you will be in debt to us. We have a debt recovery process that will be followed if you don't pay.

What should I do if I am finding it difficult to pay?

If you have difficulty paying, you can appeal on hardship grounds. You should discuss this with your care manager or social worker. They can talk to you about an appeal (see Page 9).

You will be asked to provide three months of recent bank statements for all bank accounts you have, and any other relevant financial information. This will be reviewed. If it is agreed that you are in financial hardship, part or all your contribution may be waived. This information will be reviewed regularly. You can also ask for a benefits health check to ensure you are receiving all the benefits you are entitled to.

What happens to the information I give you?

The information you give us will be used only for your financial assessment. We have measures to protect your personal data. A privacy notice, with information about your rights under data protection laws, and details about what will happen to your personal data, can be found at www.scotborders.gov.uk/privacystatement

For a hard copy of the privacy notice, please contact:

The Information Management Team

Legal and Licensing | Regulatory Services | Council Headquarters
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tel: 0300 100 1800 or email: dataprotection@scotborders.gov.uk



Scottish Borders Council Fees and Charges 2023/2024

SERVICE	CHARGE (EXCLUDING VAT)
Lunch Clubs (per meal)	£3.81
Meal provided at day centres (per meal)	£3.81
Frozen meals at home (per meal)	£3.50
Freezer hire (per week)	£1.40
Microwave hire (per week)	£1.13
Bordercare Alarms (per week)	£5.19
Housing with Care (per week) Financially assessed	£11.10

Financial assessment examples

A percentage (%) is applied to your remaining income and this is the calculation of what you will pay. This is called the taper. The percentage is set each year by the Council. The taper for 2023/2024 is 75%. You will see the taper in the following examples.

Please note that service costs vary depending on the provider, which is why some of those costs in the examples are different.



EXAMPLE 1

A 90-year-old woman lives alone in sheltered housing and receives Pension Credit Guarantee Credit. Her rent is fully covered by Housing Benefit.

Her income consists of State Pension, Pension Credit Guarantee Credit with Severe Disability Premium and higher rate Attendance Allowance of £101.75.

She is liable to pay £15.56 per week for housing support. The assessment of her charge shows she could pay £56.92 per week, but as the charge is £15.56 per week, she can pay no more than that amount.

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Retirement Pension	£170.65
Pension Credit	£106.78
Attendance Allowance - lower rate considered	£68.10
Total income	£345.53
Allowable expenditure	
Disability Related Expenditure (20% of Attendance Allowance)	£13.62
Council Tax	£4.02
Income Allowance	
Single person's income allowance (pension age)	£252.00
Total allowances	£269.64
Remaining income	£75.89
Taper	£56.92
Ability to pay	£56.92
Sheltered housing charge	£15.56
Total cost of chargeable services	£15.56
Charge	£15.56

EXAMPLE 2

Mrs A (aged 77) lives with her husband and she receives 5 hours of personal care and 6 hours of home care services (non-personal care).

They receive partial Housing Benefit and pay £10.52 per week in rent and £7.68 per week in Council Tax.

After an assessment in line with our charging policy, she would pay a charge.

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Retirement Pension – Mrs A	£223.38
Attendance Allowance - Lower Rate – Mrs A	£68.10
Occupational Pension (50% only considered)	£13.35
Total income	£304.83
Allowable expenditure	
Disability Related Expenditure (20% of Attendance Allowance)	£13.62
Housing cost - Council Tax (50%)	£3.84
Housing cost rent (50%)	£5.26
Income Allowance	
Single person's income allowance (pension age)	£252.00
Total allowances	£274.72
Remaining income	£30.11
Taper	£22.58
Ability to pay	£22.58
Cost of services 6 hours @ £16.70 per hour	£100.20
Total cost of chargeable services	£100.20
Charge	£22.58

EXAMPLE 3

A 78-year-old man lives alone in sheltered housing and receives full Housing Benefit. His income consists of State Pension, Occupational Pension and higher rate Attendance Allowance of £101.75. He has savings of £11,200 in a bank account.

He also receives 5 hours personal care and 4 hours home care services (non-personal care).

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Retirement Pension	£187.86
Occupational Pension	£81.28
Attendance Allowance *	£68.10
Tariff income (£1 for every £500 (or part thereof) over £10,000 in savings)	£3.00
Total income	£340.24
Allowable expenditure	
Disability Related Expenditure (20% of Attendance Allowance)	£13.62
Rent	£0.00
Council Tax	£5.32
Income Allowance	
Single person's income allowance (pension age)	£252.00
Total allowances	£270.94
Remaining income	£69.30
Taper	£51.98
Ability to pay	£51.98
Sheltered Housing charge	£0.00
Cost of services 4 hours @ £16.70 per hour	£66.80
Total cost of chargeable services	£66.80
Charge	£51.98

EXAMPLE 4

Mr B is a 59-year-old man and receives 2 hours personal care and 7 hours home care services (non-personal care). He earns £325.71 per week.

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Earnings	£325.71
Less earnings disregarded	25.00
Total income	£300.71
Allowable Expenditure	
Rent	£73.50
Council Tax	£23.06
Income Allowance	
Single person's income allowance (below pension age)	£156.00
Total allowances	£252.56
Remaining income	£48.15
Taper	£36.11
Ability to pay	£36.11
Cost of services 7 hours @ £29.28 per hour	£204.96
Total cost of chargeable services	£204.96
Charge	£36.11

EXAMPLE 5

Mrs M is 35 years old and receives 2 hours personal care and 2 hours home care services (non-personal care). She receives £850.95 Universal Credit every month, which is converted to a weekly charge for the calculation.

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Universal Credit (including housing element paid monthly)	£196.37
Earnings	£15.45
Less earnings disregarded	£15.45
Total income	£196.37
Allowable expenditure	
Rent	£73.50
Council Tax	£17.29
Income Allowance	
Single person's income allowance (below pension age)	£156.00
Total allowances	£246.79
Remaining income	£0
Taper	£0
Ability to pay	£0.00
Cost of support 2 hours @ £14.32 per hour	£28.64
Total cost of chargeable services	£28.64
Charge	Nil

EXAMPLE 6

An 83-year-old woman lives alone in sheltered housing. She has £35,000 in capital.

She is liable to pay £15.56 per week in housing support costs.

She will pay £15.56 per week because her capital is above the £32,750 threshold.

EXAMPLE 7

An 85-year-old man lives alone in a property he rents from a private landlord. His income consists of State Pension, Occupational Pension and higher rate Attendance Allowance of £101.75. He has £40,000 in capital.

He receives 8 hours personal care and no chargeable services. As he has no chargeable care, he has nothing to pay.



EXAMPLE 8

A 70-year-old man owns his own home and lives alone. He receives 5 hours per week home care services (non-personal care). He has State pension of £203.90 and an occupational pension of £90.00 per week.

His Council Tax charge is £17.87 per week.

CALCULATION	TAPER 75% (£ PER WEEK)
Income	
Retirement Pension	£203.90
Occupational Pension	£90.00
Total income	£293.90
Allowable expenditure	
Council Tax	£17.87
Income Allowance	
Single person's income allowance (pension age)	£252.00
Total allowances	£269.87
Remaining income	£24.03
Taper	£18.02
Ability to pay	£18.02
Cost of services 5 hours @ £16.70 per hour	£83.50
Total cost of chargeable services	£83.50
Charge	£18.02

CONTACT INFORMATION

Scottish Borders Council

0300 100 1800

Social Work Team

01835 825080

Care Resource Team

01835 824000

This policy has been co-produced by people with lived experience, carers, third sector organisations and Scottish Borders Council staff.

Alternative format/language

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Параграф об альтернативном формате языковой версии

Чтобы получить данный документ в записи на пленке, в крупношрифтовой распечатке и в других различных форматах, вы можете обратиться к нам по приведенному ниже адресу. Кроме того, по данному адресу можно обращаться за информацией о переводе на различные языки, получении дополнительных копий а также с тем, чтобы организовать встречу с сотрудником, который сможет редставить объяснения по тем разделам публикации, которые вам хотелось бы прояснить.

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