

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**COMMUNITIES ADVISORY BOARD**

**26 July 2011**

**Report of the Chief Executive**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 CONSULTATION ON PROPOSED CHANGES TO KCC CHARGES FOR ADULT SOCIAL CARE**

**To agree a response to the consultation in light of any comments received from parish councils and local groups**

**1.1 Background information**

1.1.1 As a result of the current financial climate, KCC has had to make decisions that save money and help to protect frontline services and they have decided to make changes to their non-residential charging policy.

1.1.2 KCC is proposing to:

- Charge people who use mental health services in the same way as all other people in receipt of services (from spring 2012)
- Include day care and transport as part of the services that can be charged (from spring 2012) (this may not affect people who attend day centres provided by grant funded voluntary organisations which already charge their service users)
- Increase the amount of available income that is taken into account when working out a person's charge (this increase would be from 85% to 100%)
- Reduce the standard amount allowed for the Disability Related Expenditure Assessment (DREA) from £21 to £17 per week for everyone (this is the money allowed for extra costs of living with a disability).

1.1.3 Kent County Council is currently consulting people in the county who either receive a non-residential community service or have an open involvement with adult social care. The deadline for responses is 31 July. A consultation questionnaire has been sent out by KCC which gives more details of the

proposals as well as examples to show how they may be affected (attached as Annex 1 to this report).

- 1.1.4 In order to assist with our own formal response to the consultation, letters have also been sent from the Leader to local groups requesting that they send copies of their response to the Borough Council.

## **1.2 Response from Local Groups**

- 1.2.1 At this point we have only received one formal reply from East Peckham Parish Council (attached as Annex 2 to this report). In summary, they feel the proposed changes to charges will negatively impact on vulnerable people of all ages. They are also concerned that the questionnaires sent out are not consultative as there are no alternatives presented.

- 1.2.2 In addition to the above we have also received some emails from different members of the Tonbridge and Malling District Partnership Group (who represent adults with learning difficulties), they have made the following comments:

- *Mental health clients tend to refuse support. If they have to pay they definitely will turn down services that will help them to improve their mental state.*
- *If people have to pay more they will in turn cut their support hours and have less help. However it can cause more problems in the future for health and Social Services as they are not getting the care and support that they NEED.*
- *Somewhere along the line the method of charging people with disabilities has been uneven in some cases. People with mental health needs have been exempt in some ways with their finances so this should be readdressed and they should be charged the same as others. The issue of day care has changed radically over recent years and in the light of KCC not being a provider of services in the future this will have an effect on its users. Transport has not been charged for day care provision in many cases even if someone is in receipt of mobility allowance. This needs to be addressed and should be the same for all people receiving this service. If all recipients of services from KCC were able to receive supported living allowance based on their needs, perhaps this may be a way of making things simpler and fairer – it would then be up to the individual to decide what they want to do with their money and how to use it.*

## **1.3 Borough Council's Response**

- 1.3.1 It is clear that if the proposed changes are implemented, many service users will face an increase in charges which will obviously not be welcome. This impact will not affect those currently paying the full cost of their service, but will affect many

who currently pay a contribution to the services they receive. KCC are undergoing a consultation exercise which has included the questionnaire attached as Annex 1 as well as public meetings, but there is still concern that many vulnerable people may not fully understand what the changes will mean for them, particularly if they fall under more than one category and will be affected by more than one charge. KCC will need to ensure that the affects of any adverse impacts have been fully identified and if necessary looked at on a case by case basis.

1.3.2 With regard to older people there may be some confusion as to which people over 65 years will be required to contribute to the cost of their day care. This is due to the way that older people access services as some people have been sign posted to access the provision directly and are community care eligible, there are some that access day care who are not community care eligible, and some who access day care via KASS. With this level of variation it will be difficult to ensure that the charging policy for day care is applied equitably for all service groups.

1.3.3 With regard to service users with mental health needs there is concern that they will stop accessing services due to increases in charges. This could cause greater ill health and ultimately higher impacts and costs for service providers which would be counter productive. Whilst it is recognised that people with mental health needs should be treated the same as others accessing the same sort of services, there will also be a need for assessments to be undertaken on an individual basis to ensure that the most vulnerable are not adversely impacted to the point that they withdraw from the services that are there to help them.

## **1.4 Legal Implications**

1.4.1 None

## **1.5 Financial and Value for Money Considerations**

1.5.1 N/A

## **1.6 Risk Assessment**

1.6.1 N/A

## **1.7 Equality Impact Assessment**

1.7.1 See 'Screening for equality impacts' table at end of report. Whilst this is not a matter for the Borough Council, as part of our response to the consultation, it is suggested that we remind the County Council of their obligation for themselves to undertake an equality impact assessment of the funding changes being proposed.

## **1.8 Recommendations**

1.8.1 That the above comments **ARE INCLUDED** in the Borough Council's response to the consultation along with any additional concerns that are raised by local groups.

The Chief Executive confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Gill Fox

Nil

David Hughes  
Chief Executive

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The decision by the Borough Council relates to a consultation response and recommends that impacts are looked at on a case by case basis to avoid discrimination.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	As above
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		The Borough Council's response will incorporate the above suggestions to minimise impacts.

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*