
ADULT SOCIAL CARE CHARGING POLICY FOR NON-RESIDENTIAL SERVICES

**Responsible Cabinet Member - Councillor Sue Richmond
Adult Social Care Portfolio**

**Responsible Director - Suzanne Joyner
Director of Children and Adults Services**

SUMMARY REPORT

Purpose of the Report

1. To inform members of the outcome of a consultation regarding the Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy. Aspects of the policy have been consulted upon with service users and members of the public over a period of 4 weeks.
2. The following documents are attached to support members to consider whether income from benefits should be taken into account when carrying out a financial assessment and for the Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy to reflect the decision of members accordingly.
 - (a) Consultation Paper (**Appendix A**)
 - (b) Equality Impact Assessment (**Appendix B**)
 - (c) Examples of consultation responses (**Appendix C**)
 - (d) Proposed Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy (**Appendix D**)
3. Members are reminded of the Public Sector Equality duty contained within s. 149 of the Equality Act 2010 and should read the Equality Impact Assessment before reaching decisions.

Summary

4. Following a complaint made to the Local Government and Social Care Ombudsman (LGSO) the Council has completed a new public consultation on its charging policy relating to Non-Residential Services in respect of the treatment of income from benefits.

5. In order to ensure that decision making is made correctly and is enforceable the error made is to be rectified. The Council seeks to bring to Members attention that the treatment of income from benefits is discretionary and therefore not an income which is to automatically be taken into consideration during a financial assessment. The Council seeks for Members approval to treat income from benefits as part of any financial assessment under the Policy.
6. It is a requirement of the LGSO judgement that Cabinet are aware that there is a choice on how the Council considers the treatment of income from benefits in The Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy.
7. Following the consultation process it is proposed that the Council will treat income from all eligible benefits in the financial assessment as per the Care and Support (Charging and Assessment of Resources) for Non-Residential Service Policy.

Recommendation

8. It is recommended that all eligible benefits that the Council has the discretion to include in The Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy as part of a financial assessment for those individuals being assessed for non-residential services under the Care Act 2014, its guidance and associated regulations shall be included within such assessments.

Reasons

9. The Care Act 2014 indicates that members have a choice of which benefits to take into consideration when assessing someone's ability to contribute towards their care and support needs. The Council seeks for members to exercise their discretion and to take benefits into account during a financial assessment. Such a policy would ensure that assessments are fair and consistently applied to all. The previous policy in relation to non-residential care services, namely the Fairer Contributions Policy, took into account income from benefits and this adoption of the proposed policy would see a continuation of that methodology. The financial impact on the Council in not adopting the proposed policy would be significant and could impact on the services provided by the Council as a whole. The consultation responses provided are specific to individual needs and circumstances and should members agree with the recommendation then the application of the proposed policy can be addressed on a case by case basis addressing those issues or concerns directly.

Suzanne Joyner
Director of Children and Adults Services

Background Papers

No background papers were used in the preparation of this report

Philip Haselhurst Extension: 6737
Heather McQuade: 5407

S17 Crime and Disorder	There are no crime and disorder implications in this report
Health and Well Being	This decision is likely to impact on the health and wellbeing of Darlington residents.
Carbon Impact	There are no carbon impact implications in this report
Diversity	The impact of this decision on Diversity has been considered and is laid out in the main body of the report
Wards Affected	All wards will be impacted upon in this report.
Groups Affected	Individuals being considered for Adult social care support will be impacted by the proposal laid out in this report
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework, unless members do not agree with these recommendations.
Key Decision	This is a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	This decision will not contribute to the aim of One Darlington: Perfectly Placed
Efficiency	This decision will not impact on the efficiency of the Council.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

10. Following a complaint made to the Local Government and Social Care Ombudsman (LGSO) the Council has completed a public consultation on a specific aspect of its charging policy relating to Non-Residential Services in respect of the treatment of income from eligible benefits.
11. Under the Care Act 2014, its guidance and associated Regulations, the Council has discretion about the treatment of income from eligible benefits for people who receive care and support in a non-residential setting (apart from prescribed benefits which the law says must be disregarded).
12. The Care Act 2014 originally stated that when taking into consideration income from benefits the Council must include income from benefits from the list below shown in paragraph 14. This was the position that was put before Cabinet in November 2016.
13. In 2016, prior to the Cabinet meeting, an amendment to the Care Act 2014 was made which allowed Council's to apply some discretion as to which eligible benefits are taken into account when completing a financial assessment. Officers were not aware of this amendment until it was highlighted by the LGSO.
14. The Council's report to Cabinet of 8 November 2016 said "Any income from the following benefits will be taken into account when considering what a person can afford to pay towards their care from their income":
 - (a) Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance
 - (b) Bereavement Allowance
 - (c) Carers Allowance
 - (d) The Care component of Disability Living Allowance
 - (e) Employment and Support Allowance or the benefits this replaces such as Severe Disablement Allowance and Incapacity Benefit
 - (f) Income Support
 - (g) Industrial Injuries Disablement Benefit or equivalent benefits
 - (h) Jobseeker's Allowance
 - (i) Maternity Allowance
 - (j) Pension Credit
 - (k) The Daily Living component of Personal Independence Payment
 - (l) State Pension
 - (m) Universal Credit (excluding any child, childcare and/or housing element)
 - (n) Working Tax Credit.
15. The report that went to Cabinet in November 2016 did not reflect the amendment to the Care Act referenced in paragraph 12 of this report. As a consequence, Cabinet were unaware that they could apply discretion in relation to these benefits being taken into account. To rectify this a further period of public consultation has taken

place to gain the views of the public relating to whether the Council should take income from these benefits into account as part of a financial assessment.

16. Following consultation, it is proposed that the Council's Policy includes income from all eligible benefits being considered when completing the financial assessment [as per Appendix D].
17. It is proposed that we will also add another bullet point to this list, namely [as per Appendix D];
 - (a) Any other benefits which are not listed above and that are not classed as prescribed benefits which the law says must be disregarded.

Financial Implications

18. If Cabinet choose not to accept the proposal there will be a reduction of income from individual's assessed contributions toward their non-residential assessed care and support needs of circa £2m per year.

Legal Implications

19. The Care Act 2014 sets out national Social Care guidelines relating to the Charging Policy which is to be applied to individuals who have a care and support needs assessment completed by the Local Authority. The Council have a choice whether to include identified benefits when determining an individual's financial contribution towards the cost of the care an individual receives.

Consultation

20. The Council carried out a consultation that lasted 4 weeks and took place during the period 3 September 2018 to 1 October 2018. A letter and briefing paper was sent to all individual's receiving Adult Social Care support and information was shared across the wider community. A full equality impact assessment has been completed.
21. There were 610 individuals informed of the consultation directly by letter. This included all individuals who currently receive non-residential services. The letters included details of the proposal, and details of how individuals could engage in the consultation process and provide their views and feedback. This included an invitation to attend the public events to gain more information and to discuss and feedback comments. A questionnaire and a return envelope was forwarded with the letters to ensure all potential impacts resulting from the proposal were captured.
22. A consultation event took place at the Dolphin Centre on 21 September 2018. This was advertised via the Council's website and local Voluntary and Community Sector organisation. This event was also open to the wider public to attend. A further three engagement events were held covering extra care housing schemes and Rockcliffe Court.

23. Other methods of informing individuals of the consultation in the community were used. Posters were placed in community establishments including, the Library, extra care housing schemes and voluntary sector organisations.
24. The consultation was further publicised widely using the Council's website and individuals were encouraged to feedback directly online via the Survey Monkey website.
25. A copy of all the letters and consultation paper sent to the service users regarding the consultation can be found in Appendix A which is attached to this report.
26. The consultation has made it clear that people, in receipt of services who have already been financially assessed under the policy, will not see an increase in their financial contribution as their assessment includes all benefits being taken into account at this time.

Outcome of Consultation

27. A total of 78 feedback forms were received from Adult Social Care users, carers and the wider public. This was either via the online survey or returning a paper copy of the survey directly to Adult Social Care. 30 people attended the consultation event held at the Dolphin Centre and three individuals attended other consultation events held within Extra Care Housing and Rockliffe Court. A further six people contacted adult social care directly and discussed their circumstances relating to the proposed eligibility changes on the telephone.
28. 41% of responses received indicated that they felt the proposed change would impact on them a lot, 12% indicated that the proposed change would impact a bit, 13% indicating that the proposed change would not impact on them at all or very little, 33% of respondents were not sure or did not provide a response that the proposed change would impact on them. 1% of responses received indicated that they felt that the proposed change was positive.
29. 37 people made comments which indicated that there would be a negative impact on their financial position. The majority of the issues raised relating to the financial assessment were identified as being outside the scope of the consultation.
30. Examples, of feedback received during the consultation is attached as Appendix C.

Other Issues

31. In relation to the specific letter and comments from DAD regarding the Council applying its discretion, it is correct to say that the decision being sought from members is whether income from benefits should be taken into account and determining the Council's policy on that issue. This issue is where members have the discretion to take something into account or not. The further comment regarding applying discretion to individuals is a matter for the Council on how it applies its policy. The Council confirms that where individuals can show exceptional circumstances and wish for the Council to depart from the proposed policy the

Council will consider whether to apply its discretion. The Council would recommend that the letter from DAD is read in its entirety.

32. Mitigation:

- (a) Following consultation it is proposed that the income from benefits is taken into account. All benefits were taken into account under the previous Fairer Contributions Policy. The current policy which was incorrectly approved also took into account the income from benefits. As a result of the previous policies applied assessments of individual contributions will not change and they will not be impacted further by approving the proposed policy.
- (b) Individuals will continue to have an annual financial reassessment unless there is a change of circumstances which warrant an earlier reassessment to be undertaken.

Equalities considerations

33. An Equalities Impact Assessment has been undertaken by officers, and is attached at Appendix B, to understand the likely impacts of the proposals on individuals according to their protected characteristics.
34. When making its decision, Members will be aware of the requirement to have 'due regard' to the Public Sector Equality Duty under section 149 of Equality Act 2010. This duty requires the Council, when exercising its functions to have 'due regard' to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act.
 - (b) Advance quality of opportunity between those who share a 'protected characteristics' and those who do not share the protected characteristic.
 - (c) Foster good relations between persons who share a relevant protected characteristics and persons who do not share it (this involves having due regard in particular, to the need to (a) tackle prejudice, and (b) promote undertaking).
35. Section 149 (3) of the Act states in general terms that having 'due regard' to advancing equality of opportunity involves having due regard to:
- (a) The need to remove or minimise disadvantages.
 - (b) Taking steps to meet the needs of people from protected groups.
 - (c) Encouraging people from protected groups to participate in public life or other activities where their participation is disproportionately low.
36. Members are required to read a copy of the Equality Impact Assessment carried out by Officers which can be found at Appendix B.
37. The Equality Impact Assessment found that the following protected characteristic groups were likely to be either disproportionately impacted by the proposals, or

experience a higher level of impact:

- (a) Older People: Whilst the proposals affect all social care users over the age of 18, a third of ASC non-residential Adult Social Care service users in Darlington are aged over 75, and over half are aged over 60, illustrating that older people are more likely to be accessing social care services. The impact will be a continued reduction in an individual's financial capability owing to benefits they receive being taken in to account potentially causing significant impact on their wellbeing. The impact will be directly relating to individuals who are deemed to have a low level of need.
 - (b) Physical and Mental Disability: Individuals will be impacted by benefits they receive being taken into consideration during their financial assessment for adult social care. Where benefits are taken into consideration this will potentially reduce the individual's income. This could potentially lead to increased isolation and depression.
 - (c) Learning Disability: The impact relating to the proposed change in Adult Social Care Charging Policy for Non Residential Services on these service users will be similar for individuals with other disabilities.
38. Women are more likely to be accessing Social Care services and be affected by any change to the Adult Social Care Charging Policy for Non Residential Services. This information was identified by analysing the Councils data on Adult Social Care users and financial assessment information. They are also more likely to be carers. Information was gained from Carers national statistics where it is evidenced that there are 58% of women are carers compared to 42% male. The impact will be that for individuals where benefits are taken into account there will be an impact on their This could potentially lead to increased isolation and depression should individuals chose not to commission Adult Social Care Support.

Consultation Document

CONSULTATION INFORMATION PAPER

Consultation on Darlington Borough Council's charging policy for non-residential Adult Social Care Services in accordance with the Care Act 2014

Following a complaint made to the Local Government and Social Care Ombudsman the Council has agreed to carry out a new public consultation on its charging policy relating to Non-Residential Services in respect of the treatment of income from benefits.

Under the Care Act 2014, its guidance and associated Regulations, the Council has discretion about the treatment of income from benefits for people who receive care and support in a non-residential setting (apart from prescribed benefits which the law says must be disregarded).

Paragraph 14 of Annex C in the Care and Support Statutory Guidance states:-

*“Local authorities **may** take most of the benefits people receive into account. Those they must disregard are listed below. However, they need to ensure that in addition to the minimum guaranteed income or personal expenses allowance – details of which are set out below – people retain enough of their benefits to pay for things to meet those needs not being met by the local authority.”*

The Council's report to Cabinet of 8 November 2016 said:

*Annex C of the Guidance states that “any income from the ... PIP (daily living component) **must** be taken into account when considering what a person can afford to pay from their income towards the cost of their care.”*

Members approved the recommendation of officers and the Charging for Non-Residential Adult Social Care Services policy was implemented thereafter. Members were not aware that they had a discretion as to the treatment of income from benefits.

Our current Care and Support (Charging and Assessment of Resources) for Non-residential Service Policy says, ‘Any income from the following benefits **will** be taken into account when considering what a person can afford to pay towards their care from their income:

- (a) Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance
- (b) Bereavement Allowance

- (c) Carers Allowance
- (d) Disability Living Allowance (Care component)
- (e) Employment and Support Allowance or the benefits this replaces such as Severe Disablement Allowance and Incapacity Benefit
- (f) Income Support
- (g) Industrial Injuries Disablement Benefit or equivalent benefits
- (h) Jobseeker's Allowance
- (i) Maternity Allowance
- (j) Pension Credit
- (k) Personal Independence Payment (Daily Living component)
- (l) State Pension
- (m) Universal Credit

We are not proposing to change this. It is our proposal that the Council's Policy continues to be that the default position would be that all of the benefits that the Council has the discretion to include in the financial assessment **will** be included.

In light of this, it is proposed that we will also add another bullet point to this list, namely:

- (n) Any other benefits which are not listed above and that are not classed as prescribed benefits which the law says must be disregarded

As a result of the error made to Cabinet in November 2016, whereby they were incorrectly informed that they had no discretion in relation to these benefits being taken into account, the Council is going back out to consultation on whether the Council should take income from benefits into account as part of a financial assessment. Those benefits which the Council would seek to treat as income as part of a financial assessment are set out above. We seek your views as to whether these benefits should or should not be included as income when assessing what a person can afford to pay towards their care.

Please be assured that this consultation will not result in an increase in your assessed contribution towards your care and support needs.

Initial equality impact assessment screening form

This form is an equality screening process to determine the relevance of equality to an activity, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate:	People
Service Area:	Adult Social Care
Activity being screened:	The Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy
Officer(s) carrying out the screening:	Philip Haselhurst and Heather McQuade
What are you proposing to do?	<p>We are proposing to keep the current Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy with regards to how the council treats income from eligible benefits during financial assessments the same following a recent LGSO complaint. {Can we add in here a brief overview of how the current policy therefore does treat income from the relevant benefits, i.e. we take them into account}</p> <p>This is in order to rectify the misleading information presented to cabinet in November 2016, whereby cabinet were informed that there was no discretion for councils in how they treat income from eligible benefits during financial assessments, whereas amendments to the Care Act 2014 did give councils discretion.</p> <p>We are also proposing to make a small addition to the relevant section of the existing policy to include any additional benefits, not already listed within the policy, and which are not classed as prescribed benefits which the laws says must be disregarded.</p>

Why are you proposing this? What are the desired outcomes?	<p>The proposal will bring Darlington Borough Council in line with the Care Act 2014.</p> <p>It is desired that all residents of Darlington Borough have an opportunity to indicate their views on the proposal to retain the existing charging policy and include the additional wording outlined above. It is also desired that Cabinet have full information on the reasons for and implications of the proposal when making their decision on whether to accept the proposal.</p>
Does the activity involve a significant commitment or removal of resources? Please give details	<p>The proposal is to keep the existing policy largely the same, therefore no resource is required to amend or update the policy (subject to the findings of public consultation).</p>

Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or any other socially excluded groups?

As part of this assessment, please consider the following questions:

- **To what extent is this service used by particular groups of people with protected characteristics?**
- **Does the activity relate to functions that previous consultation has identified as important?**
- **Do different groups have different needs or experiences in the area the activity relates to?**

If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate.

Protected characteristic	Yes	No	Don't know/ Info not available
Age	X		
Disability	X		
Sex (gender)		X	
Race		X	
Sexual Orientation		X	
Religion or belief		X	
Gender reassignment		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
Other			
Carer (unpaid family or friend)	X		
Low Income	X		

Rural Location		X	
Does the activity relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.		The activity relates to service users of Adult Social Care, and therefore will impact on individuals with a disability, specifically all individuals who receive Adult Social Care and are financially assessed to contribute towards their care and support needs. As adult social care service users tend to be disproportionately older, and the proposals relate to individuals in receipt of certain benefits, the proposal has been identified as likely to have a particular impact on older people and those on low incomes.	
Will the activity have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.		The activity is not anticipated to have a significant effect on how other organisations operate.	
Decision (Please tick one option)	EIA not relevant or proportionate:	Continue to full EIA:	X
Reason for Decision		The proposed change in The Care and Support (Charging and Assessment for Resources) for Non-residential Services Policy is potentially likely to impact on individuals with certain protected or socioeconomic characteristics.	
Signed (Assistant Director)			
Date			



Equality Impact Assessment Record Form

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. EIAs are public documents, accompany reports going to Councillors for decisions and are published with committee papers on our website and are available in hard copy at the relevant meeting.

Title of activity:	Revision of The Care and Support (Charging and Assessment of Resources) for Non-Residential services Policy
Name of Directorate and Service Area:	People – Adult Social Care
Lead Officer and contact details	Philip Haselhurst Tel: 01325 406737
Assistant Director accountable for this EIA	James Stroyan
Who else will be involved in carrying out the EIA:	Philip Haselhurst (Service Manager – ASC) Heather McQuade (Finance Manager)
When did the EIA process start?	3 September 2018

Section 2 – The Activity and Supporting Information

Details of the activity (describe briefly - including the main purpose and aims) (e.g. are you starting a new service, changing how you do something, stopping doing something?)

1. Following a complaint made to the Local Government and Social Care Ombudsman (LGSO) the Council has completed a new public consultation on its charging policy relating to Non-Residential Services in respect of the treatment of income from eligible benefits.
2. Under the Care Act 2014, its guidance and associated Regulations, the Council has discretion about the treatment of income from eligible benefits for people who receive care and support in a non-residential setting (apart from prescribed benefits which the law says must be disregarded).
3. The Care Act 2014 originally stated that when taking into consideration income from benefits the Council must include income from benefits from the list below shown at paragraph 5. This was the position that was put before Cabinet in November 2016.
4. In 2016 an amendment to the Care Act 2014 was made which allowed Council's to consider which eligible benefits are taken into consideration when completing a financial assessment.
5. The Council's report to Cabinet of 8 November 2016 said "Any income from the following benefits will be taken into account when considering what a person can afford to pay towards their care from their income":
 - (a) Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance
 - (b) Bereavement Allowance
 - (c) Carers Allowance
 - (d) The Care component of Disability Living Allowance
 - (e) Employment and Support Allowance or the benefits this replaces such as Severe Disablement Allowance and Incapacity Benefit
 - (f) Income Support
 - (g) Industrial Injuries Disablement Benefit or equivalent benefits
 - (h) Jobseeker's Allowance
 - (i) Maternity Allowance
 - (j) Pension Credit
 - (k) The Daily Living component of Personal Independence Payment
 - (l) State Pension
 - (m) Universal Credit (excluding any child, childcare and/or housing element)
 - (n) Working Tax Credit.
6. The report that went to Cabinet in November 2016 was factually incorrect and Cabinet were wrongly informed that they had no discretion in relation to these benefits being taken into account. Adult Social Care has now consulted on whether the Council should take income from these benefits into account as part of a financial assessment.

7. It is our proposal that the Council's Policy continues to require all eligible benefits continue to be considered when completing the financial assessment.

8. It is also proposed that we will add another bullet point to this list, namely:

- (o) any other benefits which are not listed above and that are not classed as prescribed benefits which the law says must be disregarded.

Why is this being proposed? What are the aims? What does the Council hope to achieve by it? (e.g. to save money, meet increased demand, do things more efficiently)

This proposal will bring Darlington Borough Council into line with the Care Act 2014 and provide Cabinet with necessary information to consider the treatment of income from eligible benefits for people who receive care and support in a non-residential setting (apart from prescribed benefits which the law says must be disregarded).

What will change? What will be different for service users/ customers and/ or staff?

Subject to Cabinet's agreement, the way that the council treats eligible benefits during financial assessments will remain the same and service users / customers and staff will not experience any differences during this process. The proposal to an additional bullet point will also not lead to any discernible changes, being fully in line with the current policy and practice: it is our proposal that the Council's Policy continues to be that the default position would be that all of the benefits that the Council has the discretion to include in the financial assessment **will** be included.

What data, research and other evidence or information is available which is relevant to the EIA?

The Care Act 2014 (which was introduced in April 2015), its guidance and associated regulations, which set out new charging guidelines for adult social care services, specifically:

Paragraph 14 of Annex C in the Care and Support Statutory Guidance, which states:-

*“Local authorities **may** take most of the benefits people receive into account. Those they must disregard are listed below. However, they need to ensure that in addition to the minimum guaranteed income or personal expenses allowance – details of which are set out below – people retain enough of their benefits to pay for things to meet those needs not being met by the local authority.”*

In addition, the Council's report to Cabinet of 8 November 2016, specifically:

*“Annex C of the Guidance states that “any income from **must** be taken into account when considering what a person can afford to pay from their income towards the cost of their care.”*

Finally, the council's current Care and Support (Charging and Assessment of Resources) for Non-residential Service Policy, specifically:

*“Any income from the following benefits **will** be taken into account when considering what a person can afford to pay towards their care from their income:*

- (a) Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance*
- (b) Bereavement Allowance*
- (c) Carer’s Allowance*
- (d) Disability Living Allowance (Care component)*
- (e) Employment and Support Allowance or the benefits this replaces such as Severe Disablement Allowance and Incapacity Benefit*
- (f) Income Support*
- (g) Industrial Injuries Disablement Benefit or equivalent benefits*
- (h) Jobseeker’s Allowance*
- (i) Maternity Allowance*
- (j) Pension Credit*
- (k) Personal Independence Payment (Daily Living component)*
- (l) State Pension*
- (m) Universal Credit*
- (n) Working Tax Credit”*

Engagement and consultation (What engagement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Organisation, Group or Individuals	Date of event / activity	Type of activity
Individuals	03/09/18	Consultation commencement.
Individuals	30/08/18	Letters sent to all individuals identified as currently receiving domiciliary care support from Darlington Borough Council. 78 responses received.
DAD and Healthwatch	29/08/18	E-Mails sent advising of the proposals. Includes a copy of letter, Consultation paper and poster advising of consultation events. E-mail to Healthwatch advising them of the consultation and requesting that the information be supplied be made available to their networks. Information to be included in the e-bulletin.
Darlington Library and Dolphin Centre	29/08/18	E-Mail sent advising of the proposals. Includes a copy of letter, Consultation paper including links to online questionnaire and poster advising of consultation events. Information to be made available to the venue.
Darlington Website	03/09/18	All documents made available for public view on the Darlington website.
GP surgeries	30/08/18	GP surgeries e-mail via Healthwatch to request that they display poster and copies of the consultation paper.
Consultation Event (Dolphin Centre)	21/09/18	Open consultation event at the Dolphin Centre. Afternoon event. 25 attendees
Consultation Event (Extra Care)	21/09/18	Open consultation event at Rosemary Court (Extra care housing). 2 attendees.

Consultation Event (Extra Care)	20/09/18	Open consultation event at Oban Court (Extra Care Housing). 3 attendees.
Consultation Event (Extra Care)	21/09/18	Open consultation event at Rockliffe Court supported housing. 2 attendees.

What impact will this activity have on the Council's budget? (e.g. cost neutral, increased costs or reduced costs? If so, by how much? Explain briefly why this is the case)

We currently receive circa £2m income from assessed contributions from The Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy. Agreeing the proposal will therefore ensure the council continues to receive this income.

If Cabinet choose not to accept the recommendation this would have a negative impact on the Medium Term Financial Plan.

Section 3: Assessment

How will the activity affect people with protected characteristics?	No Impact	Positive impact	Negative impact	Why will it have this effect? (refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
Age			X	<p>As of 2016, a third of non-residential adult social care (ASC) service users in Darlington are aged over 75, and over half are aged over 60. As the proposed change will exclusively impact on ASC service users and carers, there is likely to be a disproportionate impact on older people.</p> <p>Whilst older people are more likely to be property owners and have been relatively well protected from welfare reforms to date, older people in rented accommodation are often more likely to be reliant upon state benefits that other groups (their</p>

				pension) and less able to work to supplement their income, therefore any reduction in income will have a higher impact on average as they have less disposable income to begin with.
Disability (Mobility Impairment, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments, Other – Specify)			X	<p>The nature of this client group means that the vast majority of those impacted will have a disability, and the remainder will care for someone with a disability, therefore there will be a disproportionate impact on this group.</p> <p>People with disabilities are more likely to be on a low income and reliant on welfare, therefore any reduction in income is likely to have a higher impact than those without disabilities because they have less disposable income to start with. This could mean non-residential service users are less able to go out or participate in social activities which will risk either them not accessing support that they need or becoming more isolated. The reduction in income from the same proposals may also put extra strain on carers as affected individuals may also be unable to pay for opportunities for short term respite which could impact on the health and wellbeing of both service users and carers, and carers therefore may also become more isolated and depressed as a result.</p>
Sex (Gender)			X	55% of Darlington non-residential ASC service users are female. Moreover, nationally 58% of carers are female therefore there is likely to be a slightly disproportionate impact on females (51% of Darlington's population are female).
Race		X		Less than 1.8% of ASC service users report themselves as being from a

				minority ethnic background, therefore there is a low anticipated impact upon race from this proposal.
Gender Reassignment	N/A			There is no anticipated impact upon gender reassignment as a protected characteristic group with regard to the new charging policies for ASC.
Sexual Orientation	N/A			There is no anticipated impact upon sexual orientation as a protected characteristic group with regard to the new charging policies for ASC.
Religion or belief	N/A			There is no breakdown of ASC service users by religion, however it is not anticipated that this protected characteristic group are likely to be disproportionately impacted upon by these proposals.
Pregnancy or maternity	N/A			There is no anticipated impact upon pregnancy or maternity as a protected characteristic group with regard to the new charging policies for ASC.
Marriage or civil partnership	N/A			There is no anticipated impact upon marriage or civil partnership as a protected characteristic group with regard to the new charging policies for ASC.
How will the activity affect people who:	No impact	Positive Impact	Negative Impact	Why will it have this effect? (Refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
Live in a rural location?	X			There will be no significant difference to current arrangements.

<p>Are carers?</p>			<p>X</p>	<p>There may be a negative impact for individuals receiving direct care who also have a carer supporting them, as they may have less disposable income than if eligible benefits were not taken into account in financial assessments. In addition, carers may be negatively affected if the proposal results in less disposable income for those they care for which then means they are less able to afford breaks and/or leisure activities that their carer would have benefitted from.</p>
<p>Are on a low income?</p>			<p>X</p>	<p>As the proposal relates to the treatment of eligible benefits during financial assessments, and benefit claimants are disproportionately likely to be on low incomes, the proposal to continue to treat all eligible benefits as income is likely to disproportionately affect individuals with low incomes and result in them having less disposable income.</p>

Section 4: Cumulative Impacts

Cumulative Impacts – will the activity affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men – state what you think the effect might be and why, providing evidence from engagement, consultation and/or service user data or demographic information, etc)

Are there any other activities of which you are aware which might also impact on the same protected characteristics?

The original EIA identified a number of activities resulting from the 2016 MTFP which were likely to impact on one or more of the characteristics identified above. These are listed again below for Members' information. Officers are not aware of any more recent activities which are thought to be likely to contribute to a cumulative impact.

<p>Changes to Concessionary fares and Changes to Blue Badge Parking as part of the MTFP</p>	<p>As part of the 2016 MTFP, it was proposed to remove the discretionary elements of concessionary fares, including companion passes. It was also proposed to introduce charging in off-street car parks for blue badge holders. These proposals have now been implemented and therefore may well also impact upon adults affected by the charging policy proposals.</p>
<p>Changes to the Social Fund Budget (funding cuts to social fund including crisis and community support).</p>	<p>As part of the 2016 MTFP, the amount of funding allocated for the Social Fund was reduced by over a half. This change may have a negative impact on disabled adults and carers affected by the charging policy changes as the amount of financial support available, particularly for community care goods, is lower.</p>
<p>Cease funding to DAD Information Post.</p>	<p>As part of the 2016 MTFP, funding for an information coordinator provided through DAD was cut. This may impact on individuals affected by the proposed changes to ASC charging policies as they will potentially be less able to access good quality information and advice to support them with financial assessments.</p>

Section 5: Analysis

a) How will the activity help to eliminate discrimination, harassment and victimisation?

Nothing in the proposal has been identified as likely to cause conflict between different groups by protected characteristic, however, this proposal will not help eliminate discrimination, harassment or victimisation.

b) How will the activity help to advance equality of opportunity?

The proposals will not help to advance equality of opportunity because the likely outcome is less disposable income for individuals, many of whom will have disabilities, compared to if all eligible benefits were not taken into account during financial assessments.

c) How will the activity help to foster good relations?

Nothing in the proposal has been identified as likely to cause conflict between different groups by protected characteristic.

During the engagement/ consultation process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.

Mitigation offered by Darlington Borough Council includes:

- a) There are no changes to individuals financial contributions toward their care and support needs
- b) Individuals will continue to have an annual financial reassessment

Section 6 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	Philip Haselhurst and Heather McQuade
	Date:	3 October 2018
	Job Title:	Service Manager – Adult Social Care Finance Manager
Assistant Director:		
Signed	Name:	James Stroyan
	Date:	3 October 2018
	Service:	Assistant Director Adult Services

Section 7 – Reporting of Findings and Recommendations to Decision Makers

<p>Next Steps to address the anticipated impact (Select one of the following options and explain why this has been chosen – remember we have a duty to make reasonable adjustments so that disabled people can access services and work for us)</p>
<p>a) No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity (There is no potential for discrimination or adverse impact identified)</p>
<p>b) <u>Negative impact identified – recommend continuing with the activity</u></p>
<p>c) Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact (The EIA identifies potential problems or missed opportunities. The Council will change the proposal to reduce or remove these adverse impacts, or it will achieve the aim in another way which will not make things worse for people)</p>
<p>d) Actual or potential unlawful discrimination – stop and remove the activity (The EIA identifies actual or potential unlawful discrimination. It should be stopped.)</p>
<p>Explanation of why the option above has been chosen (Including any advice given by legal services)</p>

All individuals have been treated equally. The proposed change is a minimal change. There is no proposed change to the current Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy, however, there is a negative impact.

If the activity is to be implemented how will you find out how it is affecting people once it is in place? (How will you monitor and review the changes?)

- (1) All new individuals will be assessed using the Care and Support (Charging and Assessment of Resources) for Non-Residential Services Policy.
- (2) All individuals currently receiving care and support from Adult Social Care will have a financial assessment review on an annual basis.
- (3) An annual review of the Charging Policy will occur.

Section 8 – Action Plan and Performance Management

List any actions you need to take which have been identified in this EIA, including post implementation reviews to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
Less disposable income	Ensure any affected individuals who display signs of financial hardship to financial advice and support providers e.g. CAB / Age UK /Step Change.	Financial assessment team	01/12/18

Performance Management	
Date of the next review of the EIA	
How often will the EIA action plan be reviewed?	
Who will carry out this review?	

Some examples of feedback received during the consultation include:

1. My daughter's benefits are her contribution to the family budget. Both myself and my wife earn significantly less now than we used to before our daughter was born. This is because we have a care responsibility and that is carried out by ourselves, no one else. We, as a family, used to go on holiday annually but this year that holiday has been put off indefinitely. We have also had to curb back on family days out. These ongoing contributions are putting a strain on an already stretched budget.
2. Taking my care component of my DLA will not allow me to spend it on other needs, such as aids/treatments that I pay privately for to aid my health.
3. I would lose out with social activities, if I had to pay too much.
4. Currently I have no money left after contribution assessment to save up for holidays, savings, big purchase etc. or anything extra. Have to rely on family. Every time there is a benefit rise the council claim it all back so in real terms my income does not increase at all. Since I changed to PIP I now find I am paying back to the council £194 per 4 weeks instead of less than £90 previously this is not fair. The value of my income is being eroded. I am penalised for living with my parents who are supporting me with additional money as providing all my transport outside of college hours to which I cannot make any contribution.
5. Darlington Association of Disability provided a response to the consultation:

I am writing with regard to the current consultation for the proposals to change Darlington Borough Council Adult Social Care Charging Policies.

DAD had serious concerns about these proposals when they were first introduced and continue to do so. In particular DAD strongly feel a new Equality Impact Assessment (EIA) is required which crucially identifies who is impacted, what their involvement was to identify the impacts and includes clear details of what mitigations and safety net will be put in place for people who are unable to pay and whose wellbeing would be at risk without the care and support they are receiving.

I am sure you are well aware the duty to have due regard to the needs of disabled people is a duty on all members and officers of all public bodies, when making decisions in their day to day activities, not just large policies. If asked to demonstrate how the duty was met when making a decision it must be revealed by means of an EIA.

Information coming from an EIA should be used in the making of the decision and whether any potential negative impacts were identified including any potential mitigation.

The results of this consultation alone will not be sufficient for members to fulfil their duty under the Equality Act.

DBC Equality Policy highlights that training on the duty has been identified as needed but that lack of training or knowledge does not justify not fulfilling the duty.

We would ask that a copy of the Equality Impact Assessment be sent to DAD Chief Executive, Lauren Robinson.

As it is now clear that members have discretion and can choose which benefits are included as part of the financial assessment process for non-residential care, we would ask that you take into account the following information including the information and intelligence that we have received from disabled people and carers whilst the change in policy has been implemented and the concerns we have based on this information.

The policy implementation has already meant that some disabled people have had a substantial increases to social care charges and this has had a very negative impact on them. This impact is over and above that identified in the budget cuts in the Medium Term Financial Plan. Disabled people have already been unfairly and unequally impacted by cuts to services in the Medium Term Financial Plan. DAD identified within the Medium Term Financial plan consultation that the proposals could mean an increase in costs of up to £27 per week. It is clear to see that the budget cuts already implemented have had a disproportionate impact on disabled people.

DAD feel it is crucial for cabinet members to be aware that the changes to the Non Residential Charging Policy are **discretionary** and are not required by law or changes to law. The implementation of the charges, as they stand, have already led to further multiple and accumulative impacts.

The Care Act says that the amount a person is asked to pay must be **reasonably affordable**. These changes already implemented, without any safety net, mean for many this is not the case. The change in policy has led to an increase in charges and as such must be considered alongside the other impacts that disabled people have already faced as result of austerity measures nationally and budget cuts locally e.g. reductions in benefits, introduction of Universal Credit, cuts in care packages, reductions in Housing support etc.

The impact of this policy change is already having a greater impact on people living in single households who have no one to share rising household costs.

The changes mean **all** disability benefits are taken into account, ultimately leaving people in poverty with no ability to have savings for essentials such as white goods, decorating, new beds or furniture or necessary items in relation to their impairment.

Many people have already been reassessed and are suffering the consequences, or in some cases have had essential services cancelled altogether. Some have not received a full financial assessment and were given a light touch assessment which was not Care Act compliant. This means many people were not given the opportunity to discuss disability related expenditure or whether the assessment is reasonably affordable. Where people have had reduced or cancelled services this has left people lonely and isolated.

People are also facing extreme levels of stress, affecting their mental health and wellbeing. As an example we are trying to support a young single man who has made great strides into independent living by managing in his own flat with some support. He has received a bill for over £4000.00 in backdated charges from the Local Authority with no way of possibly being able to pay. Already he has withdrawn from some of the activities to support him due to the stress this has placed upon him.

This is one of many cases where DAD is trying to support people, there will be many we do not know about who are trying to cope alone. Many people find the system confusing and impossible to navigate, and are particularly vulnerable to negative impacts. This group of people need additional safeguards and support to ensure their disability related expenditure is fully considered.

DAD are aware of people who have requested or complained that their financial assessment to be reconsidered as they cannot afford to pay, only to be informed that the council by law have to charge this. The ombudsmen ruling shows that this is not the case and the Council have discretion to ensure the amount charged is reasonable given the person's individual circumstances.

DAD would request that members ask for these people to be contacted and for the council to apply their discretion reasonably.

Darlington Borough Council
Services for People: Adult Social Care

The Care and Support (Charging and Assessment of Resources) For Non-Residential Services Policy

Author		Ref No		
Approval Dates:		Rev No	1	
Head of Adult Social Care		Issue Date	October	2018
		Review Date		

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Policy Statement

1. This policy has been written in accordance with the Care Act 2014 [hereinafter referred to as the Act] and the Care and Support Statutory Guidance issued under the Care Act 2014 by the Department of Health. The Act provides a single legal framework for charging for care and support under sections 14 and 17. The Act is supported by the Care and Support (Charging and Assessment of Resources) Regulations 2014 which Local Authorities must follow when charging individuals for their care and support needs.
2. Should readers of this policy require clarification on any of the following, the Care and Support Statutory Guidance issued under the Care Act is accessible via the following link:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf
3. The Council will charge a person when it is arranging to meet a person's care and support needs, except where the Council is required to arrange care and support free of charge. The amount a person is charged will be determined by way of a financial assessment which will determine whether they are required to pay in full, a contribution or will receive care and/or support services free of charge.
4. The new framework is intended to make charging fairer and clearer. The overarching principle is that people should only be required to pay what they can afford. People will be entitled to financial support based on a means-test and some will be entitled to free care.
5. The framework is based on the following principles, as set out in the Care and Support Statutory Guidance issued under the Act [https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf], that the approach to charging for care and support needs should:
 - (a) Ensure that people are not charged more than it is reasonably practicable for them to pay;
 - (b) Be comprehensive, to reduce variation in the way people are assessed and charged;
 - (c) Be clear and transparent, so people know what they will be charged;

- (d) Promote wellbeing, social inclusion, and support the vision of personalisation, independence, choice and control ;
 - (e) Support carers to look after their own health and wellbeing and to care effectively and safely;
 - (f) Be person-focused, reflecting the variety of care and caring journeys and the variety of
 - (g) Options available to meet their needs;
 - (h) Apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings.
 - (i) Encourage and enable those who wish to stay in or take up employment, education or training, or plan for the future costs of meeting their needs to do so; and
 - (j) Be sustainable for local authorities in the long-term.
6. The Council will also ensure there is sufficient information and advice available in a suitable format for the person's needs, in line with the Equality Act 2010 (in particular for those with a sensory impairment, with learning disabilities or for whom English is not their first language), to ensure that they or their representative are able to understand any contributions they are asked to make. The Council will also make the person or their representative aware of the availability of independent financial information and advice.

Support Needs

7. The Council has a duty to arrange care and support for those with eligible needs, and a power to meet both eligible and non-eligible needs. The Council also has the discretion to choose whether or not to charge under section 14 of the Act following a person's needs assessment.
8. Where an individual is to be charged, the Council will follow the Care and Support (Charging and Assessment of Resources) Regulations 2014 and have regard to the guidance. The detail of how to charge is different depending on whether someone is receiving care in a care home, or their own home, or another setting. This policy sets out the Council's charging policy for individuals with non-residential care needs. There is a separate charging policy for individuals with residential care needs.

9. In Darlington, the types of non-residential support individuals may be required to contribute towards include the following, although this is not an exhaustive list:
- (k) Personal Care
 - (l) Domestic Care
 - (m) Sitting Services
 - (n) Direct Payments and support to manage a direct payment
 - (o) Sleepovers
 - (p) Day Care
 - (q) Transport as provided in conjunction with the provision of community care services
 - (r) Social Activities e.g. visiting a museum, bowling etc.
 - (s) Assistive Technology i.e. Telecare.
 - (t) Items purchased through a Personal Budget
 - (u) Adaptations and Equipment costing more than £1,000
10. Where an individual requires more than one carer to support them with any of the above, their contribution will be based on the cost of both carers.

11. Whether the service is commissioned by the Council or given as a Direct Payment the total cost of the package will be calculated and the individual will be financially assessed to determine the maximum contribution they need to pay towards the total cost of their package.
12. There are services which are not included within the Policy but are charged at a flat rate, and not part of the financial assessment, these include:
 - (a) Pre-prepared meals;
 - (b) Meals at Day Care (it is the expectation that where an individual is in a 24 hour residential or nursing placement, the provider would pay the charge of the meal or provide a suitable alternative);
 - (c) Ineligible transport costs as defined in the Council's Transport Policy.

Please note this is not an exhaustive list and other services may be included.

13. The following types of care and support will be arranged free of charge by the Council:
 - (a) Intermediate care, including reablement, which will be provided free of charge for up to six weeks.
 - (b) Care and support provided to people with Creutzfeldt-Jacob Disease.
 - (c) After-care services/support provided under section 117 of the Mental Health Act 1983.
 - (d) Any service or part of service which the NHS is under a duty to provide. This includes Continuing Healthcare and the NHS contribution to Registered Nursing Care.
 - (e) More broadly, any services which the Council is under a duty to provide through other legislation may not be charged for under the Act.
 - (f) Assessment of needs and care planning may also not be charged for, since these processes do not constitute "meeting needs".
 - (g) Rehabilitation, training, employment or drop in services
 - (h) Information and Advice (including Direct Payment Advice)

- (i) Assessments, including assessment of care needs

Short Break Stays

- 14. Any assessed need for short break stays in a residential care home will be financially assessed in accordance with the Council's Care and Support (Charging and Assessment of Resources) for [Residential Services Policy](#). Under Direct Payment legislation direct payments cannot be made for purchasing more than four continuous weeks of residential care per year.

The Financial Assessment

- 15. To ensure that everyone is treated fairly all individuals with non-residential care needs will undergo a financial assessment in order to calculate their ability to contribute towards the cost of these services and to enable individuals to maximize any benefits to which they may be entitled.
- 16. The financial assessment can be conducted using a number of different methods, including in- person - via a visit or a pre-arranged appointment at the customer services centre - or over the telephone.
- 17. The Council may choose to treat an individual as if a financial assessment has already been carried out. This is known as a "light-touch" financial assessment and the main circumstances in which the Council may consider carrying out a light-touch financial assessment are:
 - (a) Where an individual has significant financial resources, and does not wish to undergo a full financial assessment for personal reasons, but wishes to access Council support in meeting their needs. In these situations the Council may accept other evidence in lieu of carrying out the financial assessment and consider the individual to have financial resources above the upper limit.
 - (b) Where the Council charges a small or nominal amount for a service which an individual is clearly able to meet without falling below the minimum income threshold, and where carrying out a financial assessment would be disproportionate.
 - (c) When an individual is in receipt of benefits which demonstrate that they would not be able to contribute towards their care and support costs.
- 18. Where a 'light-touch' assessment has been carried out the individual will be notified of

this and also of their right to request a full financial assessment should they wish.

19. At the time of a care and support needs assessment, the Council will establish whether the individual in question has the capacity to take part in the financial assessment. If the person lacks capacity, the Council must find out if the person has any of the following as the appropriate person will need to be involved:
 - (a) Enduring Power of Attorney (EPA);
 - (b) Lasting Power of Attorney (LPA) for Property and Affairs;
 - (c) Property and Affairs Deputyship under the Court of Protection; or
 - (d) Any other person dealing with that person's affairs (e.g. someone who has been given appointee-ship by the Department for Work and Pensions (DWP) for the purpose of benefits payments).

20. Individuals who lack capacity to give consent to a financial assessment and who do not have any of the above people with authority to be involved in their affairs, may require the appointment of a Property and Affairs Deputyship. Family members can apply for this to the Court of Protection or the Council can apply if there are no family involved in the care of the person. While this takes some weeks, it then enables the person appointed to access information about bank accounts and financial affairs. A person with dementia for example should not be 'forced' to undertake a financial assessment, to sign documents they can no longer understand and should not be punished for any incomplete information that is elicited from them. Instead, the Council will work with the EPA, LPA or the Deputies.

21. If there is a delay in the completion of the financial assessment, due to an application being made to the Court of Protection for deputyship, then the payment schedule of the assessed charge from the point of services being provided will be considered on a case by case basis.

22. A financial assessment consists of a Visiting Financial Assessment Officer:
 - (a) Calculating an individual's total income and capital;
 - (b) Calculating disregards and allowances;
 - (c) Completing a Disability Related Expenditure Assessment;
 - (d) Undertaking a comprehensive welfare rights check;

- (e) Supporting the individual to identify their best options for paying any charges, this may include offering the person a deferred payment agreement.
23. If an individual chooses not to supply all of the information requested on the Financial Assessment form they will be asked to complete a Non-Disclosure of Financial Information Declaration and will be charged the full actual cost of the services. Should an individual not agree to the charges then a full financial assessment will be necessary.
24. An administration fee will be charged to cover the costs to arrange the care and support needs for those with capital in excess of the upper capital limit or those who have chosen not to disclose their financial information. Individuals will be provided with information on the right to request Council support to meet their needs – and how they will be charged – and the advice and support that is available to help people make arrangements to meet their own needs.
25. Following the financial assessment, where applicable, an estimated charge for care and support services will be given to the individual, along with an explanation of how the assessment has been carried out, what the charge will be and how often it will be made.
26. Where an assessed need has been identified services will commence regardless of whether a financial assessment has been completed. Once an assessment has taken place any assessed charges will be backdated to the commencement of the service. There is no charge for the financial assessment, needs assessment or the preparation of a care and support plan.
27. The Council will endeavour to carry out a financial assessment within 8 weeks of the commencement of services to ensure that the individual does not accumulate significant debts before backdated fees are sought.

Treatment of Income

28. Income is assessed net of any tax and National Insurance contributions and net of any housing costs such as rent or mortgage and Council Tax.
29. Only the income of the individual being charged will be taken into account. Where this person receives income as part of a couple, the starting presumption is that they have an equal share of the income. In these circumstances, the Council will consider the implications for the individual's partner when making decisions about charging.

30. Because a person who receives care and support outside a care home will need to pay their daily living costs such as rent, food and utilities and buildings insurance, the Council will ensure, when deciding what to charge, that the individual will be left with the minimum income guarantee (MIG), equivalent to Income Support plus a buffer of 25%, net of any housing costs net of any benefits to support these costs. In addition, where a person receives benefits to meet their disability needs that do not meet the eligibility criteria for care and support from the Council, the charging arrangements will ensure that they keep enough money to meet these disability-related costs.
31. The financial limit, known as the “upper capital limit”, is set nationally and exists for the purposes of the financial assessment. This sets out at what point a person is entitled to access Council support to meet their eligible needs – below this level, a person can seek means- tested support from the Council. Capital below the “lower capital limit” is disregarded in the financial assessment, and where an individual’s resources are below the lower capital limit they will not need to contribute to the cost of care and support from their capital.

Benefits

32. Any income from the following benefits may be taken into account when considering what a person can afford to pay towards their care from their income:
 - (a) Attendance Allowance, including Constant Attendance Allowance and Exceptionally Severe Disablement Allowance
 - (b) Bereavement Allowance
 - (c) Carer’s Allowance
 - (d) The Care component of Disability Living Allowance
 - (e) Employment and Support Allowance or the benefits this replaces such as Severe Disablement Allowance and Incapacity Benefit
 - (f) Income Support
 - (g) Industrial Injuries Disablement Benefit or equivalent benefits
 - (h) Jobseeker’s Allowance
 - (i) Maternity Allowance
 - (j) Pension Credit

- (k) The Daily Living component of Personal Independence Payment
- (l) State Pension
- (m) Universal Credit (excluding any child, childcare and/or housing element)
- (n) Working Tax Credit.
- (o) Any other benefits which are not listed above and that are not classed as prescribed benefits which the law says must be disregarded.

33. Where any Social Security benefit payment has been reduced (other than a reduction because of voluntary unemployment), for example because of an earlier overpayment, the amount taken into account will be the gross amount of the benefit before reduction.
34. Attendance Allowance and Disability Living Allowance Care Component are paid at the higher rate if a person has day and night needs. If a person is not receiving night time care arranged by the Council then the Council cannot consider sums paid for night care as income. If night time care is arranged by the Council, the full benefit will be treated as income.
35. Any individuals currently receiving chargeable services transferring from higher rate Disability Living Allowance care component to Personal Independence Payment, (PIP), enhanced daily living component and who do not have night time care arranged by the Council will no longer receive the disregard for sums paid for night care, this is because PIP does not recognise the difference between day time and night time needs.
36. Individuals living in an extra care scheme have an emergency overnight call facility, if these individuals are in receipt of the higher rate Disability Living Allowance/Attendance Allowance care component the full benefit will be treated as income.

37. Any income from the following sources will be fully disregarded:

- (a) Direct Payments;
- (b) Guaranteed Income Payments made to Veterans under the Armed Forces Compensation Scheme;
- (c) War Pension Scheme payments made to veterans with the exception of Constant Attendance Allowance payments;
- (d) The mobility component of Disability Living Allowance;
- (e) The mobility component of Personal Independence Payments.

Earnings

38. Employed and self-employed earnings are fully disregarded as per regulation 13 of the Care and Support Statutory Guidance issued under the Act 2014.

39. A full list of what is defined as earnings in the financial assessment can be found in “Appendix C: Treatment of Income” in the Care and Support Statutory Guidance issued under the Act.

Annuity and pension income

40. An annuity is a type of pension product that provides a regular income for a number of years in return for an investment. Such products are usually purchased at retirement in order to provide a regular income. While the capital is disregarded, any income from an annuity must be taken fully into account except where it is:

- (a) Purchased with a loan secured on the individual’s main or only home; or
- (b) A gallantry award such as the Victoria Cross Annuity or George Cross Annuity.

41. Occupational pensions are fully taken into account in the financial assessment unless an individual is paying half of their occupational pension, personal pension or retirement annuity to their spouse or civil partner in which case the Council will disregard 50% of its value if at least one of the annuitants is still occupying the property as their main or only home.

42. This is not an exhaustive list of income and further information can be found in the Care and Support Statutory Guidance issued under the Act.

43. Rental income will be taken into account, except where this income is treated as earned income.

Income disregarded

44. Certain income will be either fully or partially disregarded in the financial assessment. For a full list please refer to the Care and Support Statutory Guidance issued under the Act.

45. Any income from the following sources will be fully disregarded, however this list is not exhaustive:

- (a) Child Support Maintenance Payments and Child Benefit
- (b) Child Tax Credit
- (c) Council Tax Reduction Schemes where this involves a payment to the person
- (d) Disability Living Allowance (Mobility Component) and Mobility Supplement
- (e) Income in kind
- (f) Personal Independence Payment (Mobility Component) and Mobility Supplement
- (g) Savings credit disregard
- (h) Regulated Social Fund payments (including winter fuel payments)
- (i) Any grants or loans paid for the purposes of education; and Payments made in relation to training for employment.
- (j) Guaranteed Income Payments made to Veterans under the Armed Forces Compensation Scheme

46. The following income is partially disregarded:

- (a) The first £10 per week of War Widows and War Widowers pension, survivors Guaranteed Income Payments from the Armed Forces Compensation Scheme, Civilian War Injury pension, any War Disablement pension paid to non-veterans and payments to victims of National Socialist persecution (paid under German or Austrian law).
- (b) A savings disregard based on qualifying conditions.

Notional income

47. In some circumstances a person may be treated as having income that they do not actually have. This is known as notional income. This might include for example income that would be available on application but has not been applied for, income that is due but has not been received or income that the person has deliberately deprived themselves of for the purpose of reducing the amount they are liable to pay for their care. In all cases the Council must satisfy itself that the income would or should have been available to the person.
48. Where notional income is included in a financial assessment, it will be treated the same way as actual income and will be calculated from the date it could be expected to be acquired is an application had been made.
49. The following sources of income will not be treated as notional income:
- (a) Income payable under a discretionary trust;
 - (b) Income payable under a trust derived from a payment made as a result of a personal injury where the income would be available but has not yet been applied for;
 - (c) Income from capital resulting from an award of damages for personal injury that is administered by a court;
 - (d) Occupational pension which is not being paid because:
 - i. The trustees or managers of the scheme have suspended or ceased payments due to an insufficiency of resources; or
 - ii. The trustees or managers of the scheme have insufficient resources available to them to meet the schemes liabilities in full.
 - (e) Working Tax Credit.
50. This is not an exhaustive list of income and further information can be found in Care and Support Statutory Guidance issued under the Act.

Treatment of Capital

51. In assessing what a person can afford to contribute the Council must apply the upper and lower capital limits as set by the Department of Health every year.
52. A person with assets above the upper capital limit will be deemed to be able to afford the full cost of their care. Any assets below the lower capital limit will be

disregarded.

53. Where a person has assets between the lower and upper capital limits a tariff income will apply. This assumes that for every £250 of capital, or part thereof, a person is able to afford to contribute £1 per week towards the cost of their eligible care needs.

54. The following list gives examples of capital. This list is intended as a guide and is not exhaustive.

(a) Buildings

(b) Land

(c) National Savings Certificates and Ulster Savings Certificates

(d) Premium Bonds

(e) Stocks and shares

(f) Capital held by the Court of Protection or a Deputy appointed by that Court

(g) Any savings held in:

i. Building society accounts.

ii. Bank current accounts, deposit accounts or special investment accounts. This includes savings held in the National Savings Bank, Girobank and Trustee Savings Bank.

iii. SAYE schemes.

iv. Unit Trusts.

v. Co-operatives share accounts.

(h) Cash

(i) Trust funds

55. Where ownership of capital is disputed, the Council will seek written evidence to prove where ownership lies. If a person states they are holding capital for somebody

else, the Council will require evidence of this arrangement, the origin of the capital and intentions for its future use and return to its rightful owner.

56. Where a person has joint beneficial ownership of capital, except where there is evidence that the person own an unequal share, the total value should be divided equally between the joint owners and the person should be treated as owning an equal share. Once the person is in sole possession of their actual share, they can be treated as owning that actual amount.
57. Capital which is not immediately realisable due to notice periods, for example Premium Bonds, should be taken into account at face value at the time of assessment and may need to be confirmed and adjusted when the capital is realised.

Notional Capital

58. In some circumstances a person may be treated as possessing a capital asset even where they do not actually possess it. This is called notional capital.
59. Notional capital may be capital which:
 - (a) would be available to the person if they applied for it;
 - (b) is paid to a third party in respect of the person; and
 - (c) the person has deprived themselves of in order to reduce the amount of charge they have to pay for their care and support needs.

Capital Disregarded

60. Certain types of capital may be disregarded in the financial assessment. For a full list refer to the Care and Support Statutory Guidance issued under the Act.

Property Disregards

61. If an individual moves from their main home into any other property on a permanent basis (i.e. rented property, extra care or supported living scheme) this new establishment will be deemed as being their main home for financial assessment purposes. Any property that they own or have an interest in may be taken into account as a capital asset in the financial assessment.
62. The person's main or only home, will be disregarded in the following circumstances:
- (a) Where the person is receiving care in a setting that is not a care home;
 - (b) If the person's stay in a care home is temporary and they:
 - i. Intend to return to that property as their main or only home and it remains available to them; or
 - ii. Have taken reasonable steps to dispose of the property in order to acquire one that is more suitable.
 - (c) Where the person no longer occupies the property but it is occupied in part or whole as their main or only home by any of the people listed below, the mandatory disregard only applies where the property has been continuously occupied since before the person went into a care home
 - iii. The person's partner, former partner or civil partner, except where they are estranged
 - iv. A lone parent who is the person's estranged or divorced partner
 - v. A relative of the person or member of the person's family who is
 - 1. Aged 60 or over, or
 - 2. Is a child of the resident aged under 18, or
 - 3. Is incapacitated.

63. Precise definitions for the terms used above can be found in the Care and Support Statutory Guidance issued under the Act.
64. If an individual moves from their main home into supported living or extra care housing the value of their property may be taken into account in the financial assessment. If this is the case then they may be eligible to enter into a deferred payment agreement.
65. By entering into a deferred payment agreement, an individual can 'defer' or delay paying some of the costs of their care and support until a later date. Deferring payment can help the individual to delay the need to sell their home, and provides peace of mind during a time that can be challenging (or even a crisis point) for them and their loved ones as they make the transition into care

Allowances/Disregard Housing Costs

66. Disregards are made for certain housing-related costs, as follows:
 - (a) Mortgage payments - Mortgage payable net of any housing benefit is disregarded. This is disregarded by the number of people named on the deeds and whether there is a specified percentage share.
 - (b) Rent Payments - Rent payable net of housing benefit can be disregarded as long as the individual's name is on the tenancy and they are deemed eligible under the housing benefit rules. If housing benefit is reduced for under occupation then the difference that an individual is required to pay will also be disregarded. If the assessment is for one member of a couple then a maximum of 50% disregard is given for rent. No disregard will be given for water/sewerage rates included in the rent amount.
 - (c) Council Tax – If they are the owner occupier or tenant of the property
 - (d) Water rates – No disregard will be given for water/sewerage rates, unless above the average levels for the area and housing type.
 - (e) Utility bills – No disregard will be given as this is included in the Minimum Income Guarantee, however, if any additional expenditure is incurred for gas/electricity due to an individual's illness, health condition or disability these may be considered as part of a Disability Related Expense, (please see section below).
 - (f) Building Insurance – No disregard will be given as this is included in the Minimum Income Guarantee, unless the individual has entered into a deferred payment agreement.

Other allowances

67. Other disregards available include:

- (a) A disregard will be made for non-dependants, but only if a non-dependant deduction has been made by Housing Benefits.
- (b) Disability-Related Expenditure
- (c) Pre-paid funeral policy

The Deferred Payment Scheme

68. If an individual moves from their main residency into supported living or extra care housing they may be eligible to enter into a deferred payment agreement.

69. The deferred payment scheme is designed to help individuals who have been assessed as having to pay the full cost of their care, but who cannot afford to pay the full weekly charge because most of their capital is tied up in their home. Deferred payment agreements will be offered to anyone who meets the qualifying criteria and are able to provide adequate security as outlined in Darlington Borough Council's [Deferred Payment Policy](#).

70. Individuals will pay a weekly contribution towards their care that they have been assessed as being able to pay from their income and other savings. The Council pays the part of the weekly charge that they cannot afford until the value of their home is realised.

71. The Council will charge an administration fee for setting up a deferred payment agreement including legal and ongoing running costs.

72. The Council will charge interest on the deferred amount using the nationally-set maximum interest rate.

Arrangement Fees

73. If a person with eligible needs and assets above the upper capital limit asks the Council to arrange their care and support on their behalf, the Council has a duty to meet these eligible needs but will charge an arrangement fee.
74. The arrangement fee will only cover the costs the Council incurs in negotiating and/or managing the contract with a provider and any administration costs. This fee is currently £100 but will be subject to review on an annual basis.
75. When an individual assessed as being responsible for paying for their care and support requests the Council meets their needs, the Council will ensure the individual has sufficient assets for the arrangements that it puts in place to remain both affordable and sustainable.
76. The Council will secure the individual's, and any third parties that have agreed to contribute towards these costs, agreement in writing to pay the costs they are responsible for in meeting their needs, including payments to providers.

Disability-Related Expenditure (DRE)

77. Where an individual is receiving disability-related benefits, the Council will make an assessment and allow the person to keep enough benefit to pay for necessary disability-related expenditure to meet any needs which are not being met by the Council
78. Allowable Disability Related Expenditure will be for expenditure deemed necessary as a result of disability or condition or for health and safety reasons. The Social Worker or other professional may be required to assess the need for disability related expenditure
79. In assessing disability-related expenditure, the Council will take account of any reasonable additional costs directly related to a person's disability, including but not limited to :
 - (a) Payment for any community alarm system.
 - (b) Costs of any privately arranged care services required, including respite care.
 - (c) Costs of any specialist items needed to meet the person's disability needs, for example:

- i. Day or night care which is not being arranged by the Council;
- ii. Specialist washing powders or laundry;
- iii. Additional costs of special dietary needs due to illness or disability (the person may be asked for permission to approach their GP in cases of doubt);
- iv. special clothing or footwear, for example, where this needs to be specially made; or additional wear and tear to clothing and footwear caused by disability;
- v. additional costs of bedding, for example, because of incontinence;
- vi. any heating costs, or metered costs of water, above the average levels for the area and housing type, occasioned by age, medical condition or disability;
- vii. reasonable costs of basic garden maintenance, cleaning, or domestic help, if necessitated by the individual's disability and not met by social services;
- viii. purchase, maintenance, and repair of disability-related equipment, including equipment or transport needed to enter or remain in work; this may include IT costs, where necessitated by the disability;
- ix. reasonable hire costs of equipment may be included, if due to waiting for supply of equipment from the Council;
- x. personal assistance costs, including any household or other necessary costs arising for the person;
- xi. internet access for example for blind and partially sighted people
- xii. other transport costs necessitated by illness or disability, including costs of transport to day centres, over and above the mobility component of DLA or PIP, if in payment and available for these costs. In some cases, it may be reasonable for the Council not to take account of claimed transport costs – if, for example, a suitable, cheaper form of transport, e.g. council- provided transport to day centres is

available, but has not been used;

- xiii. in other cases, it may be reasonable for the Council not to allow for items where a reasonable alternative is available at lesser cost. For example, the Council might adopt a policy not to allow for the private purchase cost of continence pads, where these are available from the NHS

- 80. All individuals, whether in receipt of disability-related benefits or not, will be asked if they have any disability-related expenditure and the cost of this will be assessed and given as a disregard/allowance in line with Council policy. A checklist will be made available which will support individuals to identify disability-related expenditure
- 81. Where a disregard is relevant, evidence of actual expenditure will be requested. If receipts have not been kept the Council can request that this is done for future expenditure. It is legitimate that the Council can verify that items that have been claimed for have been purchased.
- 82. Generally, disregards should be given based on past expenditure; however in some cases estimates of annual expenditure based on available evidence can be made.
- 83. Allowances for disability-related expenditure can be set for a fixed period but the individual can request a review at any time if their disability-related expenditure changes. This will require supplementary evidence.
- 84. If the individual fails to keep future receipts and there is doubt as to whether the expenditure was actually incurred it is reasonable for the Council not to include this in the assessment.
- 85. If more than one person with eligible needs live in the same household, then additional costs relating to a disability or condition may be shared between the occupants whose needs contribute to the additional costs. The costs of providing domestic assistance or gardening, if allowed may be attributed to all of the adult occupants of the service user's home.
- 86. The disability-related expenditure assessment will be reviewed on an annual basis as part of the financial reassessment.

Debts

87. Disregards would not normally be given for debt, however, if there are pre-existing debt prior to any assessed care and support services beginning then these debts may be taken into consideration in the financial assessment.
88. Any new debts incurred after the start of the assessed care and support services may be considered in exceptional circumstances, i.e. if they are relation to their illness, health condition or disability

The Welfare Rights Check

89. As part of the Financial Assessment the Visiting Financial Assessment Officer should ensure that appropriate benefits advice is given to all individuals. This should include advice about benefit eligibility; help with the completion of benefit claims and the follow up of claims with the benefit provider where the Individual wishes this. As most decisions about benefit entitlement carry the right of appeal, then the Visiting Financial Assessment Officer may also suggest that expert advice be sought as early as possible to avoid loss of benefit and lengthy appeal processes.
90. Advice will not be limited to benefits directly affecting charges. It will include Housing Benefit, Council Tax Benefit, and Council Tax Discounts and reductions as well as the core benefits of Income Support and Pension Credits, disability benefits (AA/DLA) and Tax Credits.
91. The individual will also be notified whether charges are likely to increase if a benefit application is successful.
92. Some individuals may prefer to obtain independent Welfare Rights advice from agencies such as Age Concern, Citizens Advice Bureau and should be offered this choice. Where the Individual has given permission, information regarding the financial assessment will be exchanged with the relevant agency.
93. Individuals can choose not to take the advice offered by the Visiting Financial Assessment Officer. Where the individual fails to make a claim for a benefit that they will be entitled to, this may result in this amount being treated as notional i.e. as if it is still there.

Review of Assessed Charges

94. An income and expenditure uplift will be applied in line with benefit increases annually.
95. The Council will undertake regular reviews of financial assessments. This will usually be on an annual basis.
96. A financial reassessment will be completed as a result of any changes in financial circumstances. This includes being awarded new benefits and the payments of new income.

Change in Financial Circumstances

97. It is the responsibility of the individual or their representative to inform the Council of any relevant change of financial circumstances, as failure to do so may lead to backdated charges. Examples of changes in circumstances include reductions and increases in income or capital.
98. An individual or their authorised representative can request a review of their financial assessment at any time and this should be undertaken to consider any changes in their resources. If it comes to the attention of the Council that an individual's circumstances may have changed then a referral should be made to the financial assessment team for the financial assessment to be reviewed accordingly. When undertaking a review of the financial assessment, individuals will be expected to provide the requested updated information to the Council within 15 working days. If the individual refuses to provide updated information then they will be deemed to afford the full actual cost of the services they receive.
99. The individual will be notified in writing of any alteration to their weekly contribution, as a result of any changes. Any change to the individual's weekly contribution may be from the date of such change.

Paying for Care and Support

100. All individuals will be invoiced on a 4 weekly basis, in arrears for their assessed charge.
101. Direct Payments may be paid net of the client contribution; this will be assessed on an individual basis and notified in advance.
102. Details on how to pay assessed contributions will be provided on invoices.

Non-attendance at Services Commissioned by Adult Social Care

103. Where an individual does not require their non-residential social care for whatever reason [such as a period of ill health, going on holiday], then providing they give at least 48 hours' notice they will not be charged for those services. Notice should be given in writing wherever possible however it may be acceptable for verbal notification to be received in particularly in the case of ill health which has occurred suddenly. Where notice has not been given, charges may only be waived at the discretion of the appropriate Operations Manager, e.g. emergency admission to hospital. The Council will notify the service provider of such planned non- attendance at services to ensure no charge is made.

Appeals

104. If the client disagrees with the assessment a different Visiting Financial Assessment Officer will verify the assessment. This will be completed within 20 working days and a written reply made setting out the reasons for maintaining or amending the present charge.

105. If the individual or their authorised representative still disputes the charge, then a further review will be completed by the Visiting Financial Assessment Officers' line manager. Again, a written reply will be sent out within 10 working days confirming the reasons for maintaining or amending the current charge.

106. If the individual still remains dissatisfied regarding the outcome of their appeal then the Director of Services for People or a nominated officer will hear appeals against decisions made by the Financial Assessment Section.

107. At any time during this process the individual or their representative can make a complaint under the Council's Complaints Procedure. Details regarding the Council's complaints procedure are detailed at the end of this policy.

Waiving the Charges

108. In exceptional cases, the charges for care and support may be waived. Cases will be considered on an individual basis taking into account the effect upon the individual.

109. In such cases, the Assessing officer and their Team Manager will submit a report outlining the client's circumstances and the reasons why they believe that the charges should be waived to the Assistant Director Adult Social Care for approval. Approval

may be given retrospectively and the individual would be reimbursed for contributions paid back to the date that approval was effective. It can also be given for a specified period of time to give the individual the opportunity to reassess their own position on paying for their care.

110. The Council has a responsibility to provide care and support to people assessed as needing it through a Care and Support Needs Assessment regardless of the individual's ability or willingness to pay. Services that are essential to support someone safely in the community should not be withdrawn because the person refuses to pay. Where the person withdraws themselves from services, further enquiries and alternative advice and assistance will be offered.

Debt Management

111. Where an individual has accrued a debt, the Council may use its powers under the Act to recover that debt. In deciding how to proceed, the Council will consider the circumstances of the case before deciding a course of action.
112. Ultimately, the Council may institute County Court proceedings to recover the debt due to the Council. However, the Council will only use this power once other reasonable alternatives for recovery have been exhausted.

Complaints

113. Darlington Adult Social Care welcomes and responds positively to all comments, compliments and complaints as a means of demonstrating its commitment to working in partnership with individuals and carers and improving services.
114. The Adult Social Care Complaints Procedure comprises of one stage after which the complainant should be advised to discuss the matter with the Complaints Manager or refer the matter to the Local Government Ombudsman.
115. Although complainants can refer their complaint from the outset to the Local Government Ombudsman, they will not normally investigate the matter until the Council has conducted its own investigation and made a response.
116. More information is available from:

Complaints and Information Governance
Team Darlington Town Hall
Darlington DL1 5QT

Tel: 01325 388043

www.darlington.gov.uk/complaints

E-mail: complaints@darlington.gov.uk

117. Complaints concerning the conduct of Officers of the Council will be dealt with under the Council's employment policy and procedures.

EXAMPLES OF DISABILITY RELATED EXPENDITURE 2015-2016

This is a non-exhaustive list however all DRE will be looked at on a case by case basis.

Disability Related Expense	Evidence Required
Alarm Line (Community Alarm System)	Check Lifeline services/bills from provider/Direct Debit on bank statements
Foot care Not normally allowed unless special circumstances as should be provided under NHS	Bill/receipt /bank statement Confirmation of need from assessing officer or doctor/health professional
Domestic help – Private (eg housework and shopping), Where service user is unable to do this as a result of disability and there is no-one else in the household who could reasonably be expected to assist)	Bill/receipt/bank statement/contract/ letter Confirmation of need from assessing officer
Clothing and footwear May include specialised clothing or footwear, or frequent replacement, eg for people with physical disabilities, mental health problems or learning disabilities	Bills/receipts/bank statement
Bedding and Towelling May include sheets, quilts towels etc.	Bills/receipts/bank statement
Dietary Additional costs of special dietary needs due to illness or disability	Details required Receipts required
Assistance Dogs (eg blind, deaf or epileptic) Unless provided free from relevant organisation (including training and vets bills).	Details required Receipts required
Gardening Basic garden maintenance (where client is unable to maintain due to disability and no-one else in household can reasonably be expected to assist) Check if local gardening scheme available	Confirmation of need from assessing officer Receipts/ bank statements/ bill/invoice.
Utilities Exceptional Any heating costs or metred costs of water above the average levels for the area and housing type required by age, medical condition or disability)	Confirmation of need from assessing officer 12 months of bills/ receipts.

Laundry Includes: additional costs of washing powder, cleaning materials, wear and tear on washing machine, washing	Confirmation of need from assessing officer Bills/Receipts required
Clothing & bedding, if necessitated by age, medical condition or disability	
Health Needs Non prescribed items eg incontinence creams, wipes etc where not provided by the NHS)	Bills/Receipts required
Personal Care – Private Includes bathing, washing feeding and dressing	Bills/receipts/bank statement/service agreement/letter from carer Confirmation of need from assessing officer
Prescriptions Where the individual has to pay	Receipts required
Holidays Additional reasonable costs for disability related adaptations plus cost of accommodation for Personal Assistant, if applicable	Receipts /invoices required
Special equipment Purchase, maintenance, and repair rent of disability related equipment	Evidence of purchase Confirmation of need from assessing officer or Occupational Therapy worker.
Transport Costs Other transport costs necessitated by illness or disability	Bills/receipts required Evidence of need from assessing officer
Other Disability Related Expenditure	Bills/receipts required Evidence of need from assessing officer