

FREQUENTLY ASKED QUESTIONS – CHARGING FOR NON-RESIDENTIAL CARE

1. Information on Charging for Services in your Home	<p>Shetland Islands Council wants to help people live independently and at home, safely and for as long as possible. To help us to continue to provide services to people with a range of needs, we may need to charge you for some care and support services.</p> <p>These charges might affect you if you are getting services from us at the moment or if you need them in the future.</p> <p>The figures in this guide are correct for the financial year 2021-22</p>
2. Why is there a charge?	<p>Local Authorities don't have to but are allowed by law to charge adult users of non-residential services provided or arranged under the Social Work (Scotland) Act 1968 and the Mental Health (Care and Treatment) (Scotland) Act.</p> <p>These charges must be "reasonable" for people to pay having regard to the type of service provided and a person's ability to meet the cost. Any charges should not exceed the cost of providing the service.</p> <p>For means-tested services this charge will be determined by a financial assessment.</p> <p>You can find out more about financial assessments below.</p>
3. What can I be charged for?	<p>If you receive care at home, day services or day care from Shetland Islands Council's Community Care service you may be required to contribute towards the cost of the services you receive.</p>

<p>4. Will all services be charged for?</p>	<p>Not all services provided to support people are subject to charges. The following services are free and are NOT subject to a charge:</p> <ul style="list-style-type: none"> • Criminal Justice Social Work Services • Information and Advice • Needs Assessment • Care Management • Personal Care <ul style="list-style-type: none"> ○ Dressing, Personal Hygiene, Nutrition ○ Meal preparation ○ Assistance with Bath / Shower / Toiletry Needs ○ Laundry – only where the customer is unable to use their machine or suffers from incontinence. Where the person is incontinent – <ul style="list-style-type: none"> i. The consequential making and changing of the customer’s bed ii. Caring for the customer’s skin to ensure that it is not adversely affected ○ Visits to GP, hospital etc. This is only provided where no family, friends or voluntary services are available to assist. • New, intermediate or additional Home Care services for 42 days on discharge from hospital (services in place pre-admission to any hospital stay and continuing after discharge will be chargeable) <p>The following services are chargeable on the result of a financial assessment:</p> <ul style="list-style-type: none"> • Housing Support - available to individuals who require input and advice to maintain their home / tenancies and can include some enablement, support with finances, assistance to link into other services etc. • Day Care (including Supported Vocational Activity at Eric Gray Resource Centre) • Social Activities • Domestic Support • Laundry
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	<p>The following services have a set (fixed rate) charge and will be charged in addition to any other chargeable services provided:</p> <ul style="list-style-type: none"> • Community Alarm • Day Care meals • Meals on Wheels 										
<p>5. Who is exempt from being asked to pay?</p>	<p>The following people cannot be charged for care services (Excluding Meals on Wheels, Day Care Meals and Community Alarm):</p> <ul style="list-style-type: none"> • People who are terminally ill • People with a mental illness who are subject to a Compulsory Treatment Order 										
<p>6. Who will be asked to pay?</p>	<p>For all other users of non-residential services there is a level of weekly income below which someone cannot be asked to pay care charges. These are known as Charging Thresholds and are:</p> <table border="1" data-bbox="647 651 1868 850"> <thead> <tr> <th></th> <th>2021/22</th> </tr> </thead> <tbody> <tr> <td>Single person under pension qualifying age</td> <td>£138</td> </tr> <tr> <td>Couple under pension qualifying age</td> <td>£210</td> </tr> <tr> <td>Single person over pension qualifying age</td> <td>£222</td> </tr> <tr> <td>Couples over pension qualifying age</td> <td>£338</td> </tr> </tbody> </table> <p>If your assessable weekly income is less than your charging threshold figure you should not be charged for a financially assessed service.</p> <p>If your assessable weekly income is more than your charging threshold figure you may be charged for a service.</p> <p>70% of the difference between a person's (or a couple's) assessed income and the charging threshold will be the maximum charge for the chargeable services detailed in section 4.</p>		2021/22	Single person under pension qualifying age	£138	Couple under pension qualifying age	£210	Single person over pension qualifying age	£222	Couples over pension qualifying age	£338
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<p>7. How will charges be calculated?</p>	<p>The services you receive will always be based on your needs and the charge for financially assessed services will be based on your ability to pay.</p> <p>When we assess your income to see how much you can pay, this is known as a financial assessment. A financial assessment will be carried out if you receive a chargeable service.</p>										

<p>8. What happens during a financial assessment?</p>	<p>You will be sent an Application for Financial Assistance form to complete and return to the council.</p> <p>If you need help to complete the form and have no family member or friend who can assist, please ask your usual care / support worker to arrange a visit from a member of the Community Health and Social Care Team to help with your Application for Financial Assistance form.</p> <p>The Community Health and Social Care Team member will need to see proof of all income and capital held.</p> <p>You should therefore have available any Pension or Benefit statements, and bank or savings books relating to your financial affairs.</p>
<p>9. What information must I provide?</p>	<p>It will help you complete the form to have the following information to hand;</p> <ul style="list-style-type: none"> • Income - DWP notification letter and bank statement showing details of retirement pension, income support, DLA (care and mobility), attendance allowance, wages, etc. • Relevant outgoings - rent book or statements, Council Tax payments, mortgage statements, details of housing costs etc. • Capital - bank statements, savings passbooks, ISA or share certificates. • Where there is documentary evidence of Pension Credit / Income Support the weekly amount of payment is required. • Information regarding Attendance Allowance, PIP and DLA are always required as these benefits are paid in respect of care needs and can meet the charges applied. They can also lead to further claims / awards.
<p>10. What if I refuse to provide this information?</p>	<p>If you do not wish to give the Community Care Service financial information for the assessment, you will be charged the full cost of providing the service. This may mean that you are charged and required to pay more than you would have done had you completed the Application for Financial Assistance form.</p>

<p>11. What income is taken into account in the Financial Assessment?</p>	<p>We will consider income from all sources and will take account of net earnings and all social security benefits with the exception of:</p> <ul style="list-style-type: none"> • Mobility component of the Disability Living Allowance/Personal Independence Payment. • Higher Rate Care Component of Disabled Living Allowance if the customer does not receive a night time service, Middle Rate will be taken into account • Higher Rate Care Component of Attendance Allowance if the customer does not receive a night time service, Lower Rate will be taken into account • All benefits paid for or on behalf of dependent children e.g. Child benefit • Disability payment in respect of child • War Pension <p>Earnings: Where a supported person or their partner is in receipt of earned income, when assessing income, we will only take account of net earnings. In addition, we will apply a minimum earnings disregard of £20.</p> <p>Compensation payments: Where a person is in receipt of a compensation award, we will establish the breakdown of any payments and consider whether some elements should be included when assessing a supported person's ability to pay a charge.</p>
<p>12. What costs are to be deducted in arriving at the assessable income level?</p>	<ul style="list-style-type: none"> • All rent payments made after application of housing benefit by people living in rented accommodation when calculating their available income. • All capital and interest payments made by owner-occupiers towards mortgages on their primary residence (usual residence where a person owns more than one property) when calculating their available income. • The agreed lodging allowance for people who reside at home with their parent/s which has been set at £59.54 per week for the purposes of this policy. • A property maintenance allowance amount of £59.54 per week for homeowners with savings under £10,000 to enable them to maintain their property. • Payments made by owner occupiers and tenants for council tax, water, sewerage and household insurance.

<p>13. Will my partner's information be included in the financial assessment?</p>	<p>Where one member of a couple receives non-residential services then only the income and capital of the person receiving care services will be taken into account for the purpose of the Community Care financial assessment. Where both members of a couple receive non-residential services, all income and capital will be taken into account for the purpose of the Community Care financial assessment. Any charge for support will be based on each individual's needs and circumstances.</p> <p>For example, if one member of the couple has support with personal care this will be provided free of charge, any other additional non-personal care and support tasks provided will be subject to charge based on the financial self assessment.</p>
<p>14. I have children; will that affect my financial assessment?</p>	<p>Any income from all benefits paid for, or on behalf of, a dependent child will not be counted as income for the purposes of the financial assessment.</p>
<p>15. Will my savings be taken into account?</p>	<p>We will take into account available capital such as savings held in a bank, building society, post office or other savings account, bonds, stocks and shares, value of PEPs , ISAs, etc. The value of a supported person's home is not taken into account for the purposes of this policy. We will disregard capital below £10,000.</p>
<p>16. How will my capital be calculated?</p>	<p>£1 per £500 of capital above £10,000 will be counted as a source of income for the purposes of this policy. This is known as your Capital Tariff.</p>
<p>17. Will the capital value of my house be taken into account?</p>	<p>No, the capital value of your house will not be taken into account for the purpose of a financial assessment for provision of care and support to you when you live in your own home. There are different rules for people who go into residential care on a permanent basis.</p>
<p>18. What happens if someone's finances are managed by another person?</p>	<p>If someone's finances are managed by another person, the person responsible will be asked to complete the financial assessment form.</p>
<p>19. Can I get a full benefit check at the same time?</p>	<p>The council is unable to provide a full benefits check, we would direct you to Shetland Citizens Advice Bureau, who will be able to assist.</p>

<p>20. Do I have to tell you if my income or savings change?</p>	<p>You should let your care co-ordinator know as soon as possible and you may need to complete a Notification Of Changes form.</p>
<p>21. Do I have to pay if no care or support service is provided because I am in hospital or on holiday?</p>	<p>You will not be charged if you are in hospital as a result of an emergency admission.</p> <ul style="list-style-type: none"> • If you are admitted to hospital as a planned admission we ask that you give a minimum of 24 hours' notice to Community Care letting us know the period that you will not require services. • If you go on holiday, or your circumstances change which means you don't need support, you will not be charged as long as you give a minimum of 24 hours' notice. • If you are temporarily admitted to a Care Home, you may be required to meet any cost for residential services pending financial assessments. You will not be liable for any non-residential assessed charges whilst in a care home.
<p>22. Will I be charged for the full hour if only part of an hour of care or support is given?</p>	<p>You will be charged up to the nearest 15-minute block of care or support.</p>
<p>23. If I need more than one home carer will I be charged for both?</p>	<p>No, the rate of charges is the same whether you require one or two carers.</p>
<p>24. What happens if I can afford to pay but do not?</p>	<p>Shetland Islands Council will pursue all assessed charges not paid by people assessed as being able to pay, through the Corporate Council Debt Recovery procedure.</p> <p>The Director of Community Health and Social Care can recommend a debt for write-off once all normal Council Debt Recovery procedures have been followed. Write-off of debt for non-residential services can only be considered on the following grounds:</p> <ul style="list-style-type: none"> • Financial reasons – the customer has died and has left no estate or has absconded • Social grounds – to pursue the debt would be at the detriment of the customer's well-being

<p>25. What should I do if I am finding it difficult to pay?</p>	<p>If you are finding it difficult to pay you should contact your care coordinator as soon as possible to discuss.</p>
<p>26. What happens to the information I give you?</p>	<p>The information will be stored on the Community Care Services computer system, and will be subject to the standard Data Protection regulations. Further information can be found at the following link; https://www.shetland.gov.uk/managing-information/privacy-data-protection</p>
<p>27. When will the financial assessments begin?</p>	<p>Your Care Co-ordinator will provide you with an Application for Financial Assistance form to complete before you receive any care services. Your charge will be reassessed in April every year unless your total package is covered by Free Personal Care. In subsequent years you will be sent a simplified form based on the information you have previously provided. If your financial circumstances change in the meantime you can request a new financial assessment.</p>
<p>28. What if I am unhappy with any part of the financial assessment?</p>	<p>Anyone not satisfied with the calculation or outcome of their financial assessment should discuss their concerns with staff involved in the assessment process, or the member of care staff working with them. If you're still not satisfied, you can pursue your complaint through the Department's complaint procedure. Further details can be found at; https://www.shetland.gov.uk/contact-us/make-complaint</p>

29. What calculation is made to determine my care charge?	To determine the maximum amount you can afford to contribute towards your care package, the following calculation will be completed:	
		<i>For further information refer to:</i>
	Total Income excluding any disregarded income (A)	<i>section 11</i>
	Less Deductable Costs (B)	<i>section 12</i>
	Add Capital Tariff (C)	<i>section 16</i>
	A – B + C = Maximum Assessable Income (D)	<i>section 6</i>
	Less Charging Threshold (E)	
	D – E = Income Over Charging Threshold (F)	
Less 30% of Income Over Charging Threshold (G)		
F – G = Maximum Charge		
Should the cost of the services you receive be less than your maximum charge, you will only be charged for the cost of the services you receive. Where the cost of the services you receive is more than your maximum charge, you will be charged your maximum charge rate.		
30. Further questions	If you have any further questions please phone us on 01595 744400 or send an email to community.care@shetland.gov.uk	