Renfrewshire Council

Policy on Charging for Non-Residential Social Care for Adults

Policy Owner: Director of Finance and Resources, Renfrewshire Council Date Effective From: 1 April 2025 Review Frequency: Every 3 years

Renfrewshire Council

Contents

1. Purpose of Document

1.1 This document sets out Renfrewshire Council's Non-Residential Social Care Charging Policy for the financial year 2025/26.

2. Legal Basis for Charging for Non-Residential Social Care

2.1 Councils are permitted to levy charges for some non-residential social care services, as covered under the Social Work (Scotland) Act 1968 Section 87, the Mental Health (Scotland) Act 1984, and the Community Care and Health (Scotland) Act 2002. Guidance issued by the Scottish Office in 1997 (Circular SWSG1/1997) states that councils may charge for some services:

- care at home;
- day care;
- lunch clubs;
- meals at home;
- wardens in sheltered housing;
- community alarms and telecare;
- laundry services;
- aids and adaptations for disabled people;
- after care services for people with a mental illness;
- care and support services for those who have or have had a mental illness.

2.2 Charges may not be made for:

- personal care (see Appendix 1 for list of tasks classified as personal care);
- assessment of care needs or care management;
- advice or information about the availability of services;
- any justice social work services.

2.3 Under the provisions of the Carers (Waiving of Charges for Support) (Scotland) Regulations 2014 and the Self-directed Support (Direct Payments) (Scotland) Regulations 2014, local authorities must waive charges in relation to support provided to unpaid carers. This applies to support specifically to meet the carer's identified needs rather than support to the cared-for person which has the indirect consequence of supporting the carer.

2.4 Guidance from the Convention of Scottish Local Authorities (COSLA) encourages local authorities to exempt people from social care charges when they are terminally ill. In Renfrewshire, local discretion is applied, and charges are normally waived for end-of-life care.

2.5 Under the provisions of a modification to the Public Bodies (Joint Working) (Scotland) Act of 2014, the power to charge for non-residential social care services rests with local authorities despite the delivery of such services being delegated to Integration Joint Boards and typically delivered by health and social care partnerships.

3. Summary of Revisions

3.1 The material changes to this policy (since the last revision) are:

- Day Services will now be chargeable for all care groups and will require a Financial Assessment to determine if any client contribution is required.
- The flat rate attendance fee for older people's day services is therefore removed, effective 1 April 2025, and any charge will be determined as part of a Financial Assessment.
- Food cost and preparation will no longer be subsided, effective from 1 April 2025.
- The subsidy on community alarms will be reduced to 50% over the course of 2 years.

4. Principles

4.1 The Council has set out some core principles for this charging policy:

a) That the Council will follow COSLA and Scottish Government guidance on charging, by maintaining the minimum charging threshold based on DWP benefits rates and the additional buffer of 25%;

b) That financial assessments take account of the service users total support plan rather than performing separate calculations for each service;
c) Disability Related Expenditure will be taken into consideration during Financial Assessments to allow further disregards to be considered;
d) That financial assessments relate to the income of the individual, not the household income;
e) Contributions are determined only after a financial assessment and the amount of the contribution will never exceed the full cost of the service;
f) The policy applies to all non-residential services that are subject to financial assessment;
g) The impact of charges on the wellbeing of adults in receipt of services and on carers will be considered;
h) That income maximisation is at the heart of the charging policy, and all service users will be directed to support which can help them maximise their incomes (e.g. Advice Works).

5. Contributions-Based

5.1 Renfrewshire Council's charging for non-residential social care will continue to be on a contributions basis. This means that the total cost of a person's care (excluding those elements exempt from charging) will be calculated and a financial assessment will determine how much, if anything, the person can afford to pay towards that care.

5.2 The amount a person will pay depends on:

- Their income and the minimum income threshold;
- The minimum charging threshold;
- The buffer;
- The taper applied by the Council.

5.3 The minimum income threshold is the minimum level of income a service user has to be in receipt of before it will be considered that they can make a contribution towards the cost of non-residential social care services. Renfrewshire Council follows COSLA guidance on this. COSLA recommend that local authorities use the Department of Work and Pensions benefits rates plus the Scottish Government buffer of 25%. This gives the minimum charging threshold. Appendix 2 provides details of what the maximum weekly charge could be based on different incomes, when this threshold is applied.

5.4 Renfrewshire Council also takes account of additional expenses a person may have as a result of a disability and/or long term-condition and allows for a disability premium on top of the minimum income threshold.

5.6 Any service user whose income is below the minimum charging threshold will not be asked to pay for any social care support if they have been assessed as eligible for it.

5.7 The Council will apply a Taper to the service user’s income – a proportion of the amount of income above the minimum charging threshold. This is designed to help care costs remain affordable by ensuring that not all leftover income is spent on care.

5.8 The policy applies to all services, whether a person opts to take their self-directed support as a direct payment, personal budget or arranged services. Where a financial assessment deems that the person is able to contribute to the cost of their care, they will be asked to make a contribution to their personal budget.

5.9 The Contribution element of this Policy does not apply to Community Meals or Community Alarms.

5.10 Appendix 3 provides details of the minimum charging threshold, taper and has a link to a list of current charges.

6. Charging for Day Care Services

6.1 A charge will apply to all day services, irrespective of care group. This is a material change to the previous policy, when only day services for older people incurred a charge.

6.2 The cost of day care services will be subject to financial assessment. This is a material change from the previous policy, where any daily attendance fee was a flat rate which did not take a service user's income or other services into account.

7. Charging for Community Meals and Community Alarms

7.1 Community Meals are not subject to a financial assessment and will be charged as flat rate per meal.

7.2 The charge will be increased such that it covers the cost of food and preparation. This will be achieved by gradually reducing the subsidy on those elements of the cost. This increase will be effective from 1 April 2025.

7.3 The charge will not include any element for transportation of meals – this will continue to be subsided by Renfrewshire Health and Social Care Partnership.

7.4 Community Alarms are not subject to a financial assessment and will be charged at a flat rate per week.

7.5 The subsidy for Community Alarms will be phased out over two years so that the charge covers 50% of the cost of providing the alarm by 2027/28.

8. Exemptions from Charging

8.1 The following types of social care are exempt from any charges:

- Free personal care at home (for list of tasks, please see Appendix 1);
- Reablement care for the first six weeks, unless this is a regular and frequent part of a longer term care package;
- Aids and adaptations for moving and assistance and or toilet/bathing assistance;
- Any non-residential social care provided as part of any compulsion or restriction order;
- Any care and support provided under Adult Support and Protection measures for the first four weeks of that care;
- Replacement care for unpaid carers which allows a respite break where it is an agreed assessed need;
- Care management services, that is, information and advice about care options;
- End of life care, where the service user has a Benefits Assessment for Special Rules (BASRiS) form submitted and/or a letter from their GP or hospital consultant confirming terminal illness.

9. Financial Assessment

9.1 A financial assessment will be carried out for anyone with an assessed need for a non-residential social care service which is chargeable.

9.2 Where possible, Renfrewshire Council will access service user financial information held on both Renfrewshire Council and Department of Work and Pensions (DWP) systems to assess a service user's ability to pay towards their care. This information sharing is covered by a Memorandum of Understanding between Renfrewshire Council and the DWP. This is referred to as a 'light touch' financial assessment.

9.3 Where a 'light touch' financial assessment is not possible, service users can be supported by Advice Works, where required, to complete the financial assessment form, including capturing any disability-related expenditure. Information provided by the individual will then be verified with the DWP or relevant financial institutions.

9.4 Where a financial assessment shows that a service user should contribute towards the cost of their care and support, the financial contribution will apply from the start date of the chargeable service being arranged.

9.5 For those services which were previously free but are now chargeable, the financial contribution will apply from 8 April 2025 for any existing service users, or from the start date of the service for any new service users.

9.6 Financial assessments will be reviewed on an annual basis, or upon each change in support arrangements, whichever is more frequent.

9.7 In the event of any change in circumstances which affects income, service users should notify their social worker or the local social work office as soon as possible. They should also notify the Council's Business Services Finance and Assessment team so that a new financial assessment can be undertaken and charges re-calculated if appropriate. Failure to notify of any changes could result in charges continuing to be applied at the original assessed rate.

9.8 More detail on the financial assessment is undertaken and what income is considered can be found in Appendix 4. This includes information on what income is included and what is not, as well as additional allowances that may be applied.

10. Policy Review

10.1 The Director of Finance and Resources, Renfrewshire Council is the owner of this policy.

10.2 This policy and associated guidance will be reviewed every three years.

10.3 An equalities impact assessment will be undertaken every three years, to inform the review of the policy.

Appendices

Appendix 1: Free Personal Care definition

Using the Scottish Government's definition of Free Personal Care, Practitioners will identify elements of support plans which Renfrewshire Council consider as personal care; this means that should any of the following elements of care form part of the service users' support plan, they will be considered as Free Personal Care and free from contribution.

- Assistance with laundry associated with medical conditions (e.g., bed changing);
- Assistance with eating/drinking;
- Assistance with getting out of bed/going to bed;
- Assistance with dressing/undressing;
- Assistance with washing and bathing;
- Assistance with service user grooming/dental hygiene;
- Assistance with continence care;
- Assistance with toileting;
- Assistance with stoma care;
- Assistance with specialist feeding;
- Assistance with catheter care;
- Assistance with skincare;
- Food preparation;
- Special preparation of food associated with dietary requirements;
- Administering of medication (including administering of oxygen);
- Food preparation;
- Rehabilitation work (under support of professional);
- Assistance with medication (supervising/reminding);
- Assistance with mobility.

Further information on Personal care services is available on the Scottish Government Personal Care Guidance.

Appendix 2: Maximum weekly charges at selected levels of income

These are examples only and give an indication of what the maximum charge would be at different income levels. This does not mean a person would be charged that amount – it would be dependent on the services received – but they would not be asked to pay more than this amount.

Single Person – Below state pension age			Maximum Contribution (£) %			
Weekly Income	**Charging Threshold**	**Excess Income**	**60%**	**65%**	**70%**	**75%**
£100.00	£156.00	-£56.00	£0.00	£0.00	£0.00	£0.00
£125.00	£156.00	-£31.00	£0.00	£0.00	£0.00	£0.00
£150.00	£156.00	-£6.00	£0.00	£0.00	£0.00	£0.00
£175.00	£156.00	£19.00	£11.40	£12.35	£13.30	£14.25
£200.00	£156.00	£44.00	£26.40	£28.60	£30.80	£33.00
£225.00	£156.00	£69.00	£41.40	£44.85	£48.30	£51.75
£250.00	£156.00	£94.00	£56.40	£61.10	£65.80	£70.50

Single Person - State pension qualifying age or above			Maximum Contribution (£) %			
Weekly Income	**Charging Threshold**	**Excess Income**	**60%**	**65%**	**70%**	**75%**
£175.00	£252.00	-£77.00	£0.00	£0.00	£0.00	£0.00
£200.00	£252.00	-£52.00	£0.00	£0.00	£0.00	£0.00
£250.00	£252.00	-£2.00	£0.00	£0.00	£0.00	£0.00
£275.00	£252.00	£23.00	£13.80	£14.95	£16.10	£17.25
£300.00	£252.00	£48.00	£28.80	£31.20	£33.60	£36.00
£325.00	£252.00	£73.00	£43.80	£47.45	£51.10	£54.75

Appendix 3: 2025/26 Values

a) Minimum Income Thresholds

The thresholds for 2025/26 are based on DWP benefit rates (as recommended by COSLA) together with a 25% buffer applied. A disability premium is applied to reflect the additional costs which can be associated with living with a disability and/or long term health condition.

	2024/25	**2025/26**
Single person below 60	£167	£170
Single person above 60	£273	£284
Couple below 60	£254	£258
Couple above 60	£417	£434

b) Tapers applied to income

From 1 April 2025, the taper percentage will be 60%. It is intended that this will increase annually until 2028/29, to 65%, 70% and then 75%.

c) Local Authority (HSCP) Service Rates for Non-Residential Charges

Current charges are published by the HSCP on their website.

Appendix 4: Financial Assessment Process

Everyone in receipt of chargeable non-residential care services such as Care at Home, Supported Living and Direct Payments will undergo a light touch financial assessment to determine how much they can afford to pay towards the cost of the planned services.   This means that Renfrewshire Council will access service user financial information held on both Department of Work and Pension (DWP) and Renfrewshire Council systems to assess a service users' ability to pay towards their care. Assistance can be arranged to support the service user to complete a financial assessment form

Where this is not possible, assistance can be arranged, where required, to support the service user to complete a financial assessment form and will explain:

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

Renfrewshire Council will verify the information provided on the financial assessment form. This will be carried out by retrospectively verifying the information with the DWP or relevant financial institutions, however, where information cannot be verified by usual checks then the service user may have to provide supporting information

Renfrewshire Council aims to complete a financial assessment within 28 days of being advised of a service users' support arrangements being agreed. In circumstances where we have been unable to receive verification of financial information within the 28 days, we will calculate the service user's contribution based on the information obtained from the financial assessment known to RHSCP. This is an interim assessment which will be amended once the service user's fuller financial information is clarified.

The aim is to ensure that people in receipt of care services are not placed in financial hardship.

The actual cost of providing care services such as supported living in most instances far outweighs the financial contribution that a service user pays for the actual service they receive. So, while the process may feel intrusive it is normally in a service user's interests to participate in the financial assessment.

The financial assessment will consider most (but not all) of a service user's income and capital whilst allowing a predetermined threshold of income for daily living expenses as well as some additional relevant disregards.

The following details the most common types of income taken into consideration as part of the Financial Assessment process. Please note this is not an exhaustive list:

Income Included in a Financial Assessment

- Income Support
- Job Seekers Allowance
- State Retirement
- Pension Credit – guarantee credit
- Pension Credit – saving credit
- Attendance Allowance
- Universal Credit
- Disability Living Allowance Care Component
- Employment Support Allowance
- Severe Disablement Allowance
- Occupational/private pension
- Net Earnings
- Adult Disability Payment Care Component

Example of Income fully disregarded from Financial Assessment:

- Statutory Redress Scheme and Advance Payment Scheme– Survivors of Historical Child Abuse23
- Future Pathways – Discretionary Fund
- Thalidomide Trust
- Child Disability Payment (CDP) and Short-Term Assistance (STA)
- Scottish Infected Blood Scheme (SIBSS) (and equivalent UK schemes e.g., England Infected Blood Support Scheme)
- Victims Payment Regulations 2020
- Redress Board (Northern Ireland)
- Payment Scheme for Former British Child Migrants
- Windrush Compensation Scheme24
- UK Energy Bills Support Scheme
- Homes for Ukraine Payments
- Income derived from all benefits paid for, or on behalf of, a dependent child

Capital considered as part of the Financial Assessment

- Any savings held in building society accounts
- Any savings held in bank current accounts, deposit accounts or special investment accounts. This includes savings held in the National Savings and Investments (NS&I)
- National Savings
- Premium Bonds
- Stocks and shares
- Property that is not the individual's main home
- Land

Capital fully disregarded from Financial Assessment

- Fifty percent of capital held in joint names
- Surrender value of any life insurance policy
- Student loans

If a service user is in receipt of any of the above, or those identified in the COSLA National Strategy & Guidance Charges Applying to Social Care Support for people at home 2025/2026 they may be deducted as an allowance, with the remaining amount will be taken into consideration as income on a financial assessment.

Disregarding these capital payments will ensure that the person receiving the payments fully benefits from them in line with the reason for their payment and they are not used to paying for social care support.

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

INCOME	
DLA Care Component (Higher)	£101.75
DLA Mobility Component (Higher) Benefits	£71.00
Income Support	£191.45
TOTAL INCOME	**£364.20**
ALLOWANCES	
DLA Mobility Component (Higher)	£101.75
Minimum Income Guarantee	£156.00
TOTAL ALLOWANCES	**£257.75**

TARIFF INCOME	
Capital	£2,000.00
TOTAL ASSUMED TARIFF INCOME	**£4.00**
Total Income	£368.20
Total Allowances	-£257.75
DISPOSABLE INCOME	**£110.45**

Tariff Income

Renfrewshire Council's financial assessment process for Adult Social Care costs applies the COSLA tariff income policy. This policy assumes an additional income from a service user's savings and investments. Renfrewshire Council, therefore, calculates £1 for every £250 in savings above £6,000 for service users below the state pension age. For those service users at or above state pension age, the rate is £1 for every £500 over £10,000. This assumed income, combined with any other income like property rent, is essential in determining the service user's contribution towards their care costs during the financial assessment process.

Example: A service user who is 65 years old (above state pension age) with savings of £12,000 will, as part of the financial assessment, be reviewed for tariff income using the following simplified steps:

- **Savings Assessment**: Since the service user is above state pension age and their savings exceed £10,000, the savings between £10,000 and £12,000 are considered for tariff income. This is £2,000 in excess savings.

- **Tariff Income Calculation**: Renfrewshire Council uses the rate of £1 for every £500 over £10,000 for service users above state pension age therefore the excess savings of £2,000 is used and the calculation to work out the tariff income would be £2,000 / £500 = £4. Therefore, the service users tariff income is £4 per week.

- **Total Assumed Income**: This £4 per week (£208 annually) is added to any other income the service user has, such as pensions, benefits, or rental income.

- **Contribution Determination**: The service user's total income, including the tariff income and the other steps laid out in this policy, is then used to calculate how much they can afford to contribute towards her care costs.

INCOME	
DLA Care Component (Higher)	£101.75
DLA Mobility Component (Higher) Benefits	£71.00
Income Support	£191.45
TOTAL INCOME	**£364.20**
ALLOWANCES	
DLA Mobility Component (Higher)	£101.75
Minimum Income Guarantee	£156.00
TOTAL ALLOWANCES	**£257.75**
TARIFF INCOME	
Capital	£2,000.00
TOTAL ASSUMED TARIFF INCOME	**£4.00**
Total Income	£368.20
Total Allowances	-£257.75
DISPOSABLE INCOME	**£110.45**

This is a simplified example, actual assessments would consider other factors like living expenses, disabilities, and additional income sources as defined in this policy.

Additional Allowances

In addition, certain types of expenditure can be offset against the services user's income in line with COSLA guidance. These include allowances such as:

- Net housing costs payable – this is the amount a service user needs to pay for housing (like rent, service charges, or mortgage) after subtracting any housing benefits or support you receive.
- Net council tax payable as above after any benefits paid to meet the costs have been considered.
- Water and sewerage charges payable.

What happens after a Financial Assessment?

Details of the service user's weekly contribution will be sent to the service user by the Council (a charge notification letter) with a full explanation of the calculation, along with information about how to pay the contribution and to whom. If the service user feels they will have difficulty paying or disagrees with the calculation, they should advise their allocated social worker or local Social Work office within 28 days by calling 0300 300 0330.

Annual Financial Re-Assessment

The initial financial assessment is updated by an annual review which will determine any changes to a service user's contribution or the contribution percentage. There will be an annual reassessment of this carried out. The service user will be advised of the outcome of the financial reassessment by letter which will include information on where they can access advice and advocacy around charges.

Changes in circumstances

If there are changes in an individual's circumstances that may affect the current financial assessment, increases or reductions in income or expenditure e.g., award of Attendance Allowance, Disability Allowance, Personal Independence Payment, Employment Support Allowance, Pension Credit, or Income Support, it is essential for service users to contact their allocated Social Worker or local Social Work office to request a reassessment. You can contact your local office by calling 0300 300 0330.

Please note that failure to advise the HSCP of your change in circumstances may result in a service user being liable to pay a backdated charge.

Glossary

Buffer: An amount, currently 25%, on top of the minimum income threshold to ensure that a person has money left over from essentials before any charges can be applied.

Financial assessment: A process of reviewing all the income a person has versus the amount needed to live on, so that the Council and HSCP can work out whether the person can afford to pay something towards their care.

Minimum charging threshold: an amount equal to the minimum income threshold plus the 25% buffer. Anyone with income below this will not have to make a contribution to care costs, excluding community meals and community alarms.

Minimum income threshold: The amount determined by the Department of Work and Pensions that is the minimum a person should have to live on.

Taper: A percentage applied to any income above the minimum charging threshold so that a person does not have to use all remaining income towards care charges.