

LINES OF ENQUIRY: OFFICER RECOMMENDATIONS & TIMESCALES

- 1.1 To review the Cambridgeshire County Council's Adult Social Care Charging Policy, comparing the interpretation and application of the Care Act and Statutory Supporting Guidance, against other council's both regionally and nationally.

Conclusion: The council's Adult Charging Policy is legally compliant through interpretation and application of CASS regulations and guidance; the policy is consistent with (17) other councils in the comparator group regionally and nationally.

Recommendation(s):

Ref	Description	Priority	Timeline
1.1.1	That CLT supports that the charging policy has been reviewed, approved, and republished for the next financial year, whilst acknowledging the recommendations arising from this review.	High	Jan 2025 to March 2026
1.1.2	That CLT support the recommendation that further detail is included, as appendices, in the charging policy on: <ul style="list-style-type: none"> • General Charging Principles • Disability Related Expenses (DRE) • Recourse to support for non-payment including right of appeal against financial assessment outcomes and the waiver process (subject to further investigation and decision) 	High	Jan to Sept 2025
1.1.3	To review introduction of financial assessment appeal and waiver process, ensuring compliance with regulation and financial scheme of delegation.	Medium	Jan to Sept 2025
1.1.4	That CLT supports a review of the type and level of expenditure considered in an enhanced (full) DRE assessment be undertaken and any output be set out in supporting documentation and online content.	Low	September 2025

- 1.2 A review of regional and wider national comparators which will compare what services (other) councils charge for, what services do they not charge for, and any rationale for why.

Conclusion: That Cambridgeshire's chargeable and non-chargeable services are in line with 99% of councils in England but it could improve how it sets out its full list of associated fees and charges. There is also the opportunity to strengthen charges for Deferred Payment

Agreements to recoup costs incurred when an agreement does not proceed due to the action of the applicant. The review notes that only Hammersmith and Fulham Council is unique for councils in England by not charging residents for community care. The decision made in 2015 required the council to cover all the costs for care provided at home and their financial position allowed, and continues to allow them, to do this.

Recommendation(s):

Ref	Description	Priority	Timeline
1.2.1	That all Fees and Charges, including for Direct Payment Managed Accounts, be detailed as an appendix to the Charging Policy and updated annually.	High	January to March 2025
1.2.2	That a decision is made on whether to annually include alongside the charging policy a list of indicative costs of care paid to providers.	Medium	December 2024
1.2.3	That consideration be given to amending the CC charging and DPA policies that the set-up fee is payable even if the DPA is not finalised due to the action of the applicant.	Medium	January to March 2025

1.3 To consider the options to charge or not for specific services, the implications this will have on the person and the council's Adult Social Care financial position.

Conclusion: The financial position of the council does not lend itself to any significant change in its charging policy. Any changes to the policy done in isolation could result in legal challenge based on equitability and fairness.

Any decision to change the current charging policy in respect of services will affect the council's financial position. The income from the charging forecast for 2024/25 for residential and non-residential care is £52.5 million.

Research shows that local authorities are not looking to stop or reduce charging levels but are looking to increase income from chargeable services and/or contributions. In the CCC comparator group this can be evidenced by the recent decision of Norfolk CC to reduce their enhanced MIG levels to that of the annual advised Government levels.

A decision to stop charging for community-based services would result in lost income of around -£19.6 million.

Recommendation(s):

Ref	Description	Priority	Timeline
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1.3.1.	That CLT support no changes are made to scope of chargeable and non-chargeable services for 2025/26. i.e. Scope of Element/charging lines remain as Deferred Payment Agreements, Self-Funder Arrangement Fees, Meals and Transport. Rates for these fees will be changed each year to reflect changes in operating cost/inflation.	High	December 2024
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1.4 A review of the current approach for Adult Social Care and the Council, with an antipoverty approach, to understand the application of such, comparing other councils both regionally and nationally to understand alternative options and the financial impact on the county council of any changes.

Conclusion: ASC actively supports the corporate initiatives on anti-poverty and the cost of living crisis at all contact points with those seeking its support and services; it offers support to those with issues in meeting their contribution to care commitments. ASC has effective access routes to the Welfare Benefits team across the service to support people maximising their personal and household income. Consideration of the introduction of financial assessment appeal and waiver process, ensuring compliance with regulation and financial scheme of delegation, may further enhance the support provided.

Recommendation(s):

Ref	Description	Priority	Timeline
1.4.1	CLT to support that all ASC staff are provided with regular updates on the wider councils' anti-poverty strategy and cost of living response and how they can ensure available support is provided where necessary for use at all contact points via the corporate center.	Medium	April 2025 onwards

1.5 Impact assessment of disregarding different levels of benefits, people receive, including higher rate of disability living allowance (DLA), Personal Independence Payment (PIP) or Attendance Allowance (AA) from the Financial Assessment.

Conclusion: The complexity of the financial assessment process means changes made in isolation to income disregarded, be they allowances and/or benefits, would have a significant impact on the council's finances and could be legally challenged based on equitability and fairness.

Any change made in isolation there is the prospect of legal challenge that the change is not fair and that all those contributing to care not affected by this isolated change are not being 'fairly' and 'equitably' treated.

If the council decided to apply a single rate of DLA/PIP/AA of £72.65, thereby disregarding the higher rate of £108.55, this would result in lost income of around -£3.2 million.

Recommendation(s):

Ref	Description	Priority	Timeline
1.5.1	That no changes to any allowances are made in the Charging Policy in 2025/26.	High	December 2024

1.6 Impact assessment of adopting a locally agreed Minimum Income Guarantee (MIG), higher than that set nationally by the Department of Health and Social Care (DHSC), setting out the financial, legal, reputational, and political implications.

Conclusion: The policy applies the same MIG rates as all (17) of its comparator group councils and any change would have significant financial impact on the council especially as all rates would need to change to mitigate challenges. For example:

- If MIG rates were raised by £10, it would result in a decrease of contributions of circa £1.15 million per annum
- If MIG rates were raised by 5%, it would result in a decrease of contributions of circa £1.19 million per annum
- Any increase in the MIG would not benefit the most financially vulnerable, who will already have been financially assessed as “Nil Cost” (zero contribution toward their care)

Recommendation(s):

Ref	Description	Priority	Timeline
1.6.1.	That CLT supports the council continue to use the MIG levels as set by the Government, and not to use its discretion to increase any MIGs.	High	December 2024

1.7 Opportunities for strengthening the welfare benefit advice available, to support residents to maximise their personal entitlement, and that of household income.

Conclusion: There is an opportunity for ASC to enhance the welfare benefits of those it supports with the subsequent positive financial impact on the council by expanding the Welfare Benefits Team to enable a focus on those in contact with ASC services.

Welfare benefits advice is provided through a dedicated Welfare Benefits Team as part of Adult Early Help (AEH) and through a commissioned service provider, P3. There is also non council support available through the likes of the Citizens Advice Bureau (CAB).

The Welfare Benefits Team sees demand outstrip capacity. This has an impact on ASC referrals as they are not prioritised ahead of residents who can self-present for support. If the

team had additional resources including a dedicated IT system, they could expand their offer so the numbers the team support, and the positive impact on the council's finances, could be increased.

Recommendation(s):

Ref	Description	Priority	Timeline
1.7.1	CLT to note an invest to save proposal is being developed to increase the capacity of the Welfare Benefits Team. To include in this review ongoing work from Cambridge City and South Cambs Low Income Family Tracker (LIFT).	High	February 2025
1.7.2	CLT to support that the operating model for benefits maximisation and welfare support be determined with consideration being given to the Welfare Benefits Team setting resources aside for ASC referrals and focusing on Attendance Allowance take up by existing service users.	Low	February 2025

1.8 Supplemental: Support with Cost-of-Living: Explore production of a visual guide to demonstrate the ways in which the council is supporting client and wider residents with cost-of-living crisis and our anti-poverty focus.

Conclusion: The provision of such a resource setting out numerous sets of information in a schematic or visual guide, that is easily understandable, is difficult. If provided in printed form, it is hard to version manage as the information can quickly change or become redundant and managing old versions in circulation is impossible.

Recommendation(s):

Ref	Description	Priority	Timeline
1.8.1	ASC requests that CCC Anti-Poverty Strategic Lead develop a visual aid that shows the response of CCC to the cost-of-living crisis that includes all principal support offered to residents for use at all ASC contact points.	Low	Autumn 2025

1.9 Further supplemental recommended actions.

The following are recommendations in addition to those contained against each line of enquiry and are for CLT to note.

Ref	Description	Priority	Timeline
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1.9.1	The annual Fees and Charges list should be available on the appropriate ASC web pages.	Medium	April 2025 onwards
1.9.2	That a detailed analysis of how the DRE banded allowances were calculated and a review of the allowances and how they are applied be undertaken.	Low	September 2025
Ref	Description	Priority	Timeline
1.9.3	Ensure that any approved waiver scheme financial implications have been determined, and the scheme is in compliance with financial regulations.	Medium	April 2025 onwards