

**All Committee meetings were cancelled with effect from 23rd March, 2020 due to the COVID-19 emergency.**

**The recommendations in this report were approved by an Executive Director of the Council, acting under delegated authority in terms of paragraph 2.1.1 of the Council's List of Officer Powers**

Approved by Director of Health and Social Care – 27th March, 2020

## Annual Uplift in Payments to Third Party Providers and Social Care Charges for 2020-21

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**Report by:** Nicky Connor, Director of Health and Social Care

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**Wards Affected:** All

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### Purpose

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The purpose of this report is to provide the Council with information on the proposed uplift in payments to Third Party Providers of Social Care Services for financial year 2020-21.

### Recommendation(s)

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It is recommended that members:-

- a) note the current position regarding the rates increase paid for the care of residents who have been placed in long-term care in a registered care home setting. The increase for 2020-21 is subject to on-going negotiations and has yet to be agreed by COSLA and Scottish Care;
- b) approve the proposed increase in the Free Personal and Nursing Care Allowance; and
- c) approve the revised charges for Social Care Services for 2020-21 (Appendix 1).

### Resource Implications

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Agreement has yet to be reached with COSLA and Scottish Care to determine the National Care Home Contract rate from April 2020. All care homes in Fife are signed up to the National Care Home Contract and Fife Health & Social Care Partnership would be keen to ensure that the agreement, once reached, is implemented and that this can be met within the additional resources allocated to Fife from the Scottish Government.

The hourly rate for Direct Payments used to employ a personal assistant in line with the Scottish Living Wage will increase from £9.00 to £9.30 from 1st April, 2020.

The hourly rate for Shared Lives Carers will increase in line with Scottish Living Wage, increasing from £9.00 to £9.30 from 1st April, 2020.

### Legal & Risk Implications

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There is limited risk that the financial impact of the agreed National Care Home Contract rate may be greater than the budget available.

## Impact Assessment

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There is no requirement for an impact assessment in respect of this report as no change or revision to existing policies and practices is proposed.

## Consultation

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The National Care Home Contract has been developed by local authorities through COSLA and Scottish Care. Scottish Care is an umbrella organisation for independent care homes working in partnership with the Scottish Government and COSLA.

## 1.0 Background

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- 1.1. The Health and Social Care Partnership purchases a range of social care services from local, national, private and voluntary sector providers to meet assessed need. The purpose of this report is to provide the Council with information on the proposed payments to these providers for 2019-20.
- 1.2. With reference to the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc) (Scotland) Regulation 2014, Regulation 3 makes amendment to remove certain enactments from the schedule of the Act. The effect of these amendments is that the functions conferred by enactments removed from the schedule, which relates to the setting of charges for social care services, will **not** be able to be delegated by a local authority as part of the joint working arrangements prepared under the Act.

## 2.0 Issues and Options

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### 2.1 National Care Home Contract

- 2.1.1 People may be cared for in a Residential Care or Nursing Care setting. Where a person requires Nursing Care, the care home chosen to meet their needs must have qualified nursing staff available twenty-four hours a day.
- 2.1.2 Over a number of years, local authorities through COSLA, Scottish Care (the umbrella organisation for a number of Scottish care homes), the Care Inspectorate, the Scottish Government and other key stakeholders have made significant progress in advancing the quality agenda for the care home sector. This has been achieved through the National Care Home Contract (NCHC) and the associated 'payment for quality' model, whereby financial incentives and penalties are applied relative to a care home's performance.
- 2.1.3 The continued implementation of the National Care Home Contract will ensure that Fife operates in line with nationally agreed conditions to deliver the best outcomes for service users.
- 2.1.4 The following Table (Table 1) gives the proposed rate for 2019-20, applicable from 6th April 2020.

<b>Table 1</b>	<b>Nursing Care</b>	<b>Residential Care</b>
2020-21 Headline Fee	TBC	TBC
2019-20 Headline Fee	£714.90	£614.07

2.1.5 The Care Inspectorate inspect care homes using their Quality Framework for care homes for older people. The framework for inspections sets out elements within Key Questions. The Key Questions within the framework are as follows:

**Key Question 1:** How well do we support people’s wellbeing?

**Key Question 2:** How good is our leadership?

**Key Question 3:** How good is our staff team?

**Key Question 4:** How good is our setting?

**Key Question 5:** How well is our care and support planned?

2.1.6 In order to create additional incentives to improve the quality of care, an Enhanced Quality Award would continue to be available to the better performing care homes, which is paid to care homes who achieve Grade 5 (Very Good) or above in “Key Question 1: How well do we support people’s wellbeing”.

2.1.7 As part of the National Care Home Contract, a deduction of £20 per week can be applied, subject to local discretion, to the Headline Fee where care homes have not achieved a minimum of a Grade 3 (Adequate) in “Key Question 1: How well do we support people’s wellbeing”. Where the deduction is applied, reduced payments would continue until the Partnership has been notified by the Care Inspectorate that the care grade rating has been upgraded appropriately.

## 2.2 Free Personal and Nursing Care Allowance

2.2.1 Personal Care or Personal and Nursing Care is free for people entering care. Service users who are not eligible for full funding because of the level of capital held, are entitled to receive a weekly Personal Care or Personal and Nursing Care allowance.

2.2.2 The Scottish Government has agreed with local authorities that the weekly allowance made by local authorities towards the Personal and Nursing Care of people in Residential or Nursing Care Homes will increase in 2020-21 (Table 2):

<b>Table 2</b>	<b>Personal &amp; Nursing Care</b>	<b>Personal Care</b>	<b>Nursing Care</b>
2020-21*	£261	£180	£81
2019-20	£257	£177	£80

\* subject to Parliamentary approval

2.2.3 As required by legislation, the standard weekly charge for Fife Council Residential Care homes for older people requires to be set to recover the full cost to the Council. For 2020-21, the weekly charge will be £1082.00 per week, a 2.9% increase over the 2019-20 rate. The standard charge, net of Free Personal Care, will be £902.00 per week.

## **2.3 Other Third Party Payments**

2.3.1 In recognition that Direct Payments made to service users to purchase their own care are largely used to employ personal assistants, to increase the hourly rate paid to personal carers in line with the rise in the Scottish Living Wage. The hourly rate for Direct Payments used to employ a personal assistant in line with the Scottish Living Wage will rise from £9.00 to £9.30 from 1st April, 2020.

2.3.2 Shared Lives Carers provides family-based care in the homes of carers across Fife to adults, offering short and longer term delivered in the local community by the local community. In recognition of the Shared Lives Carers support to service users, the hourly rate paid to the carers should be in line with the Scottish Living Wage. The hourly rate for Shared Lives Carers will increase in line with Scottish Living Wage, increasing from £9.00 to £9.30 from 1st April 2020.

## **2.4 Charges for Social Care Services**

### **2.4.1 Meals on Wheels Charge**

Meals on Wheels is delivered on a self-referral basis to anyone who requests the service. Currently, courses are charged on an individual basis to the customer with the Partnership subsidising the service. The most popular choice is for a two-course meal.

The proposal is to increase the flat-rate charge from £4.50 to £4.75 for a two-course meal. Our day service users also pay £4.75 for their meal. Some people opt for a three-course meal. We propose to increase the flat rate charge for three course meal delivery from £5.75 to £6.00. A very small number of service users order soup only. We propose to introduce a proportionate increase from £1.20 to £1.25 per delivery for soup only.

### **2.4.2 Community Alarms**

A Community Alarm is delivered on a self-referral basis to anyone who requests it and there is no assessment of need for this service. The current charge in Fife is £2.80 per week. The current subsidy for the service by the Partnership is 19% of the cost. The proposed no increase charge for 2020-21 will increase the subsidy to the Partnership to 21.5%.

2.4.3 A list of the updated charges to service users for Social Care Services is included at Appendix 1 of this report.

## **3.0 Conclusions**

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3.1 The increased rates proposed in relation to the fees and payments for Third Parties have been provided for in the 2020-21 revenue budget.

## **List of Appendices**

1. List of proposed charges to service users for Social Care Services.

## **Background Papers**

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:

- National Care Home Contract
- Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2002

## **Report Contact**

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## Social Work Service - Charges for Services 2020-21

	Price Increase	Percentage Increase	2018-19 per week	2019-20 per week	Effective from
Respite Care Adults aged 18 to 24 years (note 1)	£0.60	0.9%	£64.50	£65.10	6 April 2020
Respite Care Adults aged 25 to 64 years (note 1)	£0.85	1.1%	£79.70	£80.55	6 April 2020
Respite Care Older People (65+) (note 1)	£4.05	4.0%	£101.25	£105.30	6 April 2020
Service Charge – Accommodation Services (note 2)	£1.25	5.4%	£23.35	£24.50	6 April 2020
Local Authority Residential Care Home	£30.00	2.9%	£1052.00	£1082.00	1 April 2020
Meals on Wheels for 1 course only (soup)	£0.05	4.2%	£1.20	£1.25	1 April 2020
Meals on Wheels for 2 courses	£0.25	5.6%	£4.50	£4.75	1 April 2020
Meals on Wheels for 3 courses	£0.25	4.3%	£5.75	£6.00	1 April 2020
Community Alarms (note 3)	£0.00	0.0%	£2.80	£2.80	1 April 2020
Day Centre Rate	£0.25	5.6%	£4.50	£4.75	1 April 2020

**Notes:**

- 1) Respite Care charges are based on benefit rates set by the Department for Work & Pensions (DWP) applicable from 6 April 2020.
- 2) The Service Charge is based on a calculation from single room rates set by the Department for Work & Pensions (DWP) which are applicable from 6 April 2020.
- 3) Community alarms charge is proposed as no increase due to a 24.5% increase in financial year 2019/20.