

Cabinet – 24 June 2015

Community Alarm Charge Policy

Portfolio: Councillor Eddie Hughes, Care and Safeguarding

Related portfolios: Public Health and Wellbeing

Service: Social Care and Inclusion

Wards: All

Key decision: Yes

Forward plan: No

1. Summary

- 1.1. The Charging Policy for non residential social care services was approved by Cabinet 18 March 2015 following a review and consultation approved by Cabinet in September 2014. Included in the revised policy was provision for a £2.90 per week charge for users of community alarm, which reversed the previous policy whereby those over 80 years of age were exempt from any charge for that service.
- 1.2. This report summarises the current position on implementation of the revised policy and options for consideration that could amend the charge for this service.

2. Recommendations

- 2.1 That the Cabinet approve the exemption of all users of the community alarm service with effect from 1 July 2015 (option 2 in the report).

3. Report detail

- 3.1 The Community Alarm Service provides a life line support to disabled and frail people in their own homes on a 24/7 basis. There is a telephone response, help and advice service, with visits by the reablement service where there is an urgent problem or need that requires that intervention. The service helps prevent falls, admissions to care homes and hospital, and promotes

independence. There are 5793 people using the service, of whom 4036 are over 80 years.

The revised Charging Policy introduced a £2.90 per week charge for community alarm services, which is the real cost. It is the lowest such charge in the West Midlands. There is an exemption in the revised policy whereby those who have an income that is based solely on the state pension with no additional benefits (i.e. equivalent to Pension Credit). Provision is then made to provide Welfare Rights support to securing benefits that could enable income to cover this charge.

- 3.2 The review of the charging policy before March 2015 had an element that focused upon the over 80 year exemption from charging for community alarm services. The consultation sought peoples' views on whether everyone should be charged the same regardless of age and what in that event would be a reasonable charge. There was concern that some people aged over 80 might withdraw from the service and others wanted exemptions for other categories such as those with deaf/partial hearing. Overall 745 people responded of whom 60% were over 80 years. In response to the question "should everyone be charged the same regardless of age for their community alarm": 45% said yes, 43% said no; and 12% not sure.
- 3.3. The policy was implemented with effect from 1 April 2015, and letters with invoices for the charges went out in late May 2015. To date 600 people have expressed a wish to withdraw from the service rather than pay the charge (of whom 254 are over 80 years). There has been a cautious approach to this, by way of suspending the charge whilst assessment visits are arranged to ensure that those seeking withdrawal are safe to do so or resolve their concerns.
- 3.4. There are three options for the Cabinet to consider in amending the charging policy:

Option 1 Exemptions to current policy: keep the income exemption criteria and add one of risk of loss of independence (which can relate to age but not specific to 80 years) to be determined through assessment. The time to complete this given the numbers could over 6 months as well as an increased opportunity cost of assessments. This would benefit many older people and be legal.

Option 2 Exempt all users of this service from charging: This would benefit those over 80 years most and be legal. The income from the new charge for the service is estimated at £299k, and therefore the additional cost for those under 80 years exempted would be £84k.

Option 3 Exempt those over 80 years: Revert to a free over 80 year policy for this service (see the legal section below).

4. Council priorities

- 4.1 The Council policy to protect the vulnerable, and the Care Act duty to prevent loss of independence are both incorporated in the Community alarm Service, and any changes to charging for these services could be seen as supporting these objectives.

5. Risk management

- 5.1 The financial risks of any exemption are set out in paragraph 6 below in terms of additional budget reductions from elsewhere in the already stretched social care budgets. The legal risks of an age related policy are set out in paragraph 7, and Option 3 would require detailed advice to mitigate such risks.

6. Financial implications

- 6.1. Following the implementation of the revised charging policy agreed by Cabinet on 18th March 2015, the Community Alarm service is currently estimated to raise charges of circa £299k in 2015/16, based on numbers of people utilising the service.
- 6.2. If Option 3 were adopted then it is estimated that the current income level would reduce by circa £214k, which would have to be found from elsewhere in the social care budgets. If Option 2 were adopted there would be no income and consequent additional pressure on the social care budget of £299k. If Option 1 were implemented, the impact on income cannot be estimated at this time as individual assessments of vulnerability would be required, which would also incur additional cost/time of social workers.

7. Legal implications

- 7.1 The Council needs to assess the impact of any changes to policy under S149 of the Equality Act 2010. The revised policy approved in March 2015 was lawful and rational. There had been legal advice that the previous exemption on grounds of age did not comply with the Act, hence the revised policy has no distinction by age alone.
- 7.2 If the Council can show a new approach to offering free services was proportionate to achieving a legitimate aim it would be lawful – hence the Option 1 could extend the current exemption on grounds of income to include vulnerability (often associated with age but not fixed at 80 years).

8. Property implications

- 8.1 None

9. Health and wellbeing implications

- 9.1 The promotion of wellbeing through community alarms is outlined in 3.1. above and is clearly grounds for consideration of exemptions where appropriate and legal.

10. Staffing implications

10.1 None at present.

11. Equality implications

11.1 The legal advice summarised in paragraph 7 above sets out the equality implications of age discrimination in Option 3.

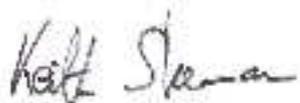
12. Consultation

12.1 The consultation carried out in November 2014 - January 2015 on the charging policy review was comprehensive and taken into account by the decision in March 2015 by the Cabinet. The same consultation feedback needs to be taken into account in any revision to the current policy.

Background papers

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