

7 December 2023

Adult Social Care Contributions Debt

Ward(s): All

Portfolios: Adult Social Care

1. Aim

To provide an update on adult social care contributions debt and the steps the Council are taking to better improve the management and facilitation of the debt.

2. Recommendations

1. To note and provide feedback on the activity to date to investigate customer debt.
2. To note and provide feedback on the updated business processes to support customers who require a financial assessment, which determines if a customer is required to contribute towards their social care costs.
3. To consider and provide feedback on how the Council can improve how it recovers debt from adult social care customers, which is complex due to customer vulnerability and multiple reference points.

3. Report detail – know

- 3.1 Adult social care contributions debt remains a priority for both Adult Social Care and the Council as a whole. In February 2023, the Financial Assessment and Charging Team was established in Adult Social Care, which wholly administers and manages the financial assessment process, led by experienced assessment officers. This removed the involvement of social care practitioners from the financial assessment process and freeing up capacity within care management.
- 3.2 At the same time, a programme of work was commenced under the Adult Social Care Continuous Improvement Programme (ASC CIP) with dedicated resources, to investigate all customers with debt. 1841 customers were to be investigated by an officer, categorised by the level of their debt at the time – see table one.

Table One - Customer cohort breakdown

Cohort / Debt value range	Number of customers in the cohort
Tranche 1: £20,000 plus	58
Tranche 2: £15,000 - £19,999.99	34
Tranche 3: £10,000 - £14,999.99	71
Tranche 4: £5,000 - £9,999.99	215
Tranche 5: £0.00 - £4,999.99	1463
Total debt value	£7,024,997

- 3.3 The investigation would include:
- A review of the customer's financial assessment, which calculates how much a customer is required to contribute towards their social care.
 - Whether any credits are required which would reduce the amount owing by the customer. For example, where a full charge has been applied, but there has been a change in circumstances.
 - A recommendation to write off some or all the debt owing by the customer as debt is non recoverable due to:
 - being statute-barred by law - the Council has run out of time to use certain types of action to recover the debt under the Limitation Act 1980
 - The cost of recovering the debt outweighs the debt itself.
 - Confirmation of the debt amount to be pursued by the Corporate Income Team who are responsible for the recovery of debt, in line with the [Corporate Debt Policy](#).
- 3.4 Debt investigations of customers in tranches 1, 2, 3 in table one, have been completed and recovery of any outstanding debt is to be actioned by the Income Team, with support by Legal Services in some cases. Investigations under tranche 4 are in progress, with all investigations to be completed at the end of February 2024.
- 3.5 As part of this programme of work, lessons learned and recommendations on service improvements have been gathered. Significant activity has already been undertaken to improve business processes and the experience of customers who require a financial assessment. This includes:
- the production of a booklet which is issued to customers to explain the financial assessment process and their obligation to make a financial contribution towards their care, if assessed as requiring to do so.
 - Council web pages associated with paying towards adult social care are being updated to provide more information to all residents. Online customer support videos and the ability to complete the financial assessment online will be available using BetterCare Finance.
- 3.6 In addition to improved business processes, Adult Social Care is proposing to make general changes to the Council's Adult Social Care Contributions Policy, which will provide more clear and transparent information on how the Council assesses a customer to contribute towards their care costs, in line with the Care Act and Statutory Guidance. The Policy goes to Cabinet for approval on 13 December 2023.

4. *Financial information*

The PowerPoint slides accompanying this report provides the latest position on adult social care contributions debt. The Committee is asked to note:

- 46.7% of the total debt value is aged debt, over a year old.
- 50.8% of the total debt value is owed by customers who are no longer receiving a service from Adult Social Care.

This indicates the complexity of recovering adult social care debt, as it cuts across a number of references including [Care Act Statutory Guidance](#), Limitation Act 1980 and Walsall's Corporate Debt Policy. The vulnerability of some customers adds an

additional layer of complexity; as well as attempting to recover debt from a deceased customer, which equates to is 39.3% of the current debt value.

5. Reducing Inequalities

It is believed through a more clear and transparent Contributions Policy, improved financial assessment business processes and more information and advice for customers, the Council should see a reduction in new customer contributions debt.

These proposals link to the Council's corporate priority 'People have increased independence, improved health and can positively contribute to their communities; and Walsall 2024 "A community that cares" outcome by supporting people "...to be able to live independent lives and stay in their homes and communities as long as possible through provision of quality and timely support".

The principles and actions contained within this report are in full accordance with the Marmot objective enabling all people to maximise their capabilities and have control over their lives.

6. Decide

The Committee are asked to note the current approach to reducing adult social care debt and recommend any changes.

As already detailed, there are added complexities of recovering adult social care debt. Many local authorities such as [Bolton](#), [Shropshire](#) and [Derbyshire](#) now have specific policies and protocols for Adult Social Care debt recovery. The Committee is asked to consider whether further protocols could support Walsall in its debt recovery activity.

7. Respond

Any feedback provided by the Committee will be used to continue to improve how customers are informed and assessed to contribute towards their adult social care costs and associated debt recovery activity.

8. Review

Performance dashboards are being developed with support from Business Insights, to continue to monitor the effectiveness of improved business processes and debt levels.

Background papers

Appendix 1 - Adult Social Care (ASC) Contributions Debt Profile as of 1st November 2023

Author

Dionne Williams
Finance and Charging Manager
✉ Dionne.Williams@walsall.gov.uk
☎ 652577