

Consultation Findings on Proposed Changes to the Charging Policy

1. Introduction

Leicester City Council is proposing a change to its financial assessment for people who receive non-residential care. A Statutory consultation was carried out between 9 October 2023 and 31 December 2024 on proposed changes to the treatment of disability benefits.

Disability benefits are paid by the Department of Work and Pensions to people who require frequent help or constant supervision during the day and/or night.

People who are eligible for adult social care may have a financial assessment to work out if they must pay towards the cost of their care, and if so, how much. The assessment criteria is outlined in the council's charging policy, which can be found at:

leicester.gov.uk/financial-assessment

The financial assessment considers any benefits that people may receive from the Department of Work and Pensions (DWP) because of their disability. These benefits are paid at different rates depending on the level of need and are called disability benefits and are paid in the form of

- Attendance Allowance (AA) – for over 65's
- Disability Living Allowance (DLA) – for under 65's
- Personal Independence Payments (PIP) – slowly replacing DLA

Only the care elements of these benefits are used in the financial assessment. Any mobility elements must be excluded from the calculation.

The Department of Health changed its guidance on financial assessments alongside the Care Act 2014. We are proposing to change the way in which these benefits are treated, within the financial assessment, to bring it in line with the latest legislation.

We also want to introduce a charge for appointeeship, to cover the costs of administering the service. The council will later decide on whether this service will be provided in-house or via an external service provider.

If the proposal to change how we deal with disability benefits is agreed, some people are unlikely to see any change at all. They will either pay nothing as they do now or will continue to pay the same amount each week. This is because their income is either too low, or they are already paying the full cost of their services.

Other people will see an increase to the cost of their care. Some people could start paying for the first time. The highest increase anyone would have to pay is £33.65 per week.

People using the appointeeship service will only be required to pay a charge if they have a savings balance of over £1,000. For those who meet the criteria, a charge of

between £14 to £16 per week will be applied to cover administrative costs for providing the service, dependent on how the council decides to administer the service. Some people are unlikely to see any change at all.

Any changes to appointeeship would be introduced from early 2024, post decision making process.

Any changes relating to the treatment of disability benefits would be introduced at a person's next financial assessment or review.

2. Methodology

a. Letters

Letters were sent out at the start of the consultation to all service users or their carers (approximately 4593), who are in receipt of non-residential care as they would be entitled to disability benefits, if they meet the eligibility criteria. The letter explained that the Council were proposing to make changes to the financial assessment and that the recipient's opinion was important. The letter detailed all of the ways to contact the Council about the consultation and details of the public meetings to be held. A paper copy of the survey accompanied the letter.

The following were sent with the letter:

- A survey for people to complete and return using the freepost envelope provided
- Details of the three public-held meetings, where people could attend and talk about the proposal
- The web address for the consultation website, where more information about the proposal could be found, as well as an online version of the survey
- The postal address and email address to contact the consultation team with any queries
- The consultation helpline telephone number and e-mail address to contact the consultation team with any queries

The survey was also available to complete online on the council's consultation portal, Citizen Space.

A downloadable copy of the survey, the Adult Social Care Financial Assessment and Charging Policy, and Disability Related Case Studies were made available online via the consultations.leicester.gov.uk website.

An easy read version of the survey was made available for people who were identified through social care records as having learning disabilities. There were no requests for paper copies of this document. The easy read survey was available online via the consultations.leicester.gov.uk website.

Attempts were made to channel shift respondents to online where appropriate, in line with corporate vision.

b. Organisations and other stakeholders

E-mails were sent to various board/group members and organisations to inform about the consultation and help where enquiries may be made about the proposals. These organisations represent the interests of people who receive Adult Social Care services:

| Voluntary and Community Groups |
|--|
| Learning Disability Partnership Board |
| Mental Health Partnership Board |
| Learning Disability (We Think – lived experience) |
| Mental Health (Loudspeaker Group – lived experience) |
| Leicester Ageing Together Board |
| Dementia Programme Board |
| Carers Reference Group |
| Action Deafness |
| Alzheimer’s Society |
| Citizens Advice Bureau |
| LCPT |
| Leicester Quaker Housing |
| City & County Care Services (Care Watch) |

| Non-Residential Care Providers |
|--|
| Adjuvo Care and Support Limited (Valorum Care Group PLC) |
| Action First Assessments Ltd |
| ADHD Solutions |
| Advance Housing and Support Limited |
| Affinity Trust |
| Age UK Leicestershire & Rutland |
| Ambient Support Limited (Formally Heritage Care Limited) |
| Care 4 U (Leicestershire) Ltd |
| Carers Direct Homecare Ltd |
| CareTech Community Services Ltd |
| Caribbean Court formally Leicester Jamaica Community Service Group (WISCP) |
| City & County Care Services (trading as Aspire UK) |
| Community Integrated Care |
| Creative Support |
| East West Community Project |
| Forward Thinking Movement and Dance CIC |
| Grow Wild Outreach CIC |
| Guru Nanak Community Centre |
| Guru Tegh Bahadur Day Centre |

| |
|--|
| IBC Quality Solutions |
| IBC Quality Solutions Ltd |
| Leicestershire Leicester & Rutland Headway |
| Lifeways |
| Manav Seva Community Centre |
| Mosaic: Shaping Disability Services |
| Pathfinders Community Support Ltd |
| Pet Boarding |
| POhWER |
| S5 Care Ltd |
| Sanctuary |
| Santosh |
| Sensitive Care Solutions Limited |
| Shree Santan Mandir And Community Centre T/A Sanatan Manavta DAY CARE SERVICES |
| Sova Healthcare Leicester Ltd |
| Unified Health and Care Limited |
| VISTA |
| Vista (Royal Society for the Blind) |
| Voyage Care |
| Wesley Hall Community Centre |

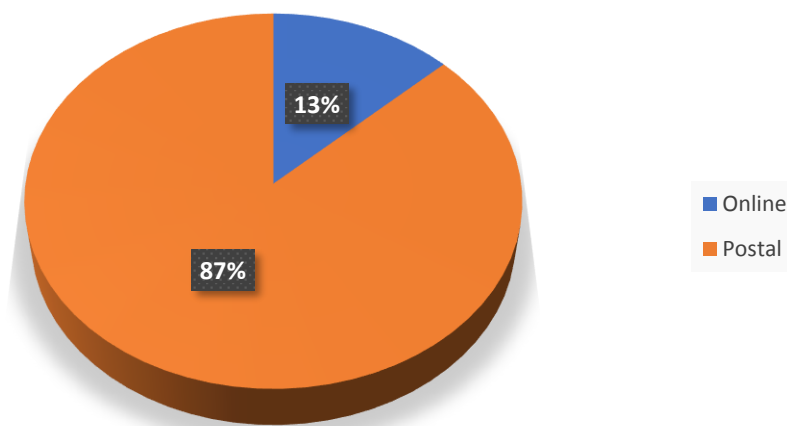
The full stakeholder engagement plan can be found in Appendix Ci.

c. Survey

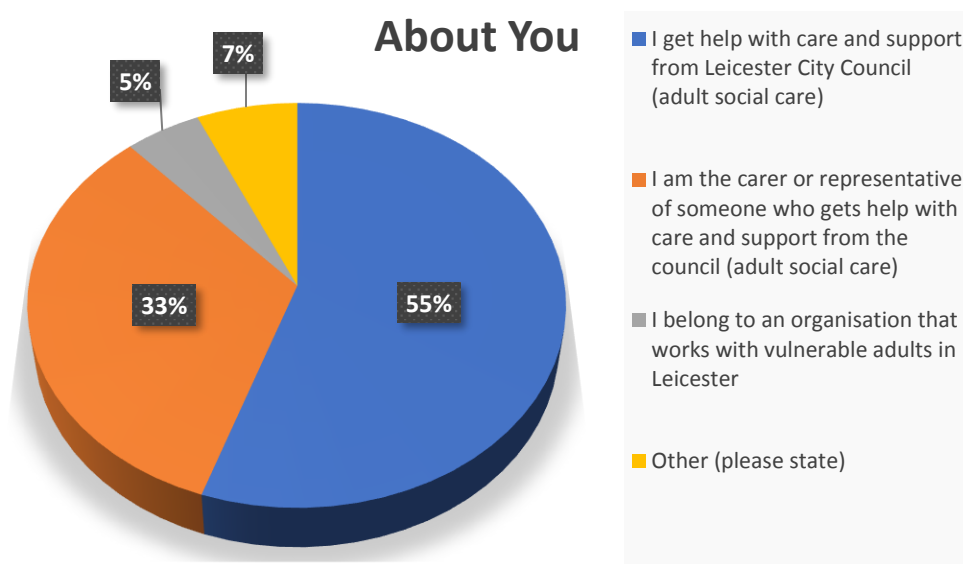
A survey was developed to find out what people's views were about the proposal to change how disability benefits were to be treated in assessing an individual's ability to contribute to the cost of their services. A paper copy was attached to the letter informing them about the consultation.

A total of 4593 surveys were sent and 804 surveys were completed and returned, a response rate of 18% was achieved.

Survey Method of Return



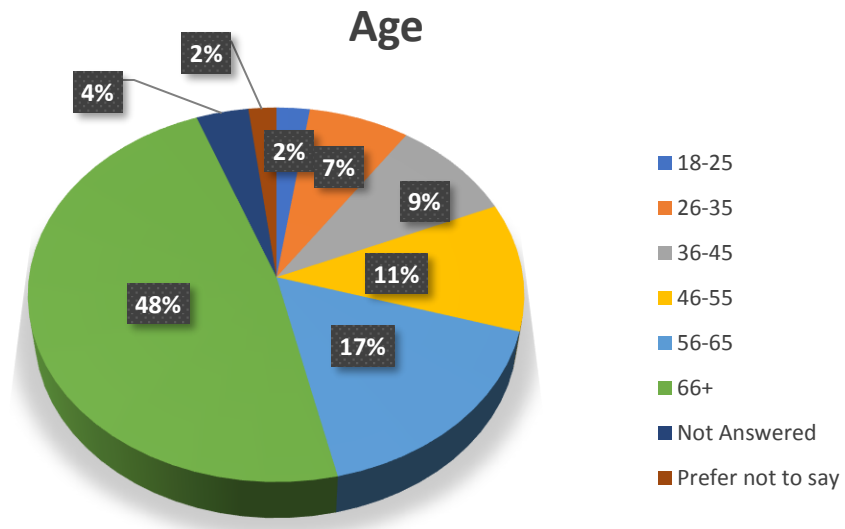
Of the 804 survey's completed 699 (87%) were returned via post



64 respondents (8%) chose to not answer this question.

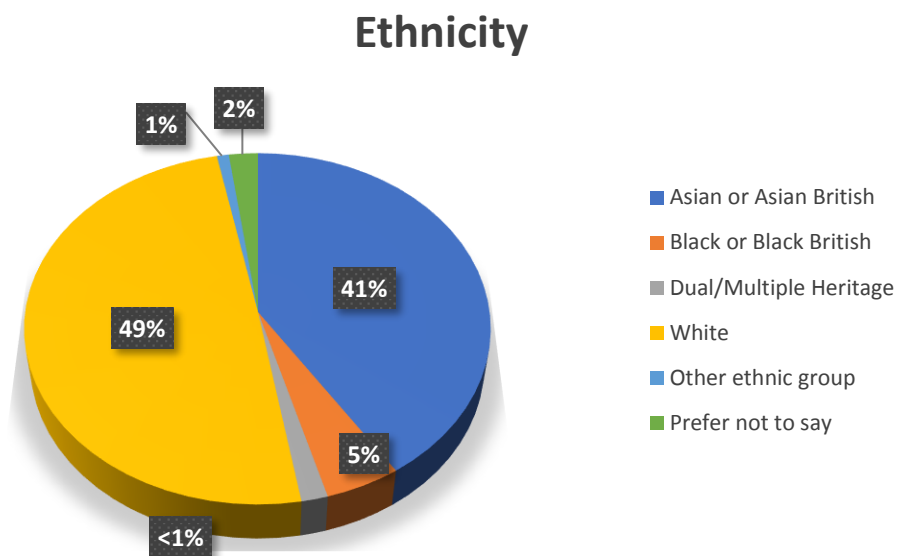
Respondents were first asked to provide some information about themselves and how they interact with Adult Social Care – 55% of those that answered this question were people who receive help and support from Leicester City Council.

33% of the responders identified as carers and 50 identified as 'other'.



30 respondents chose to not answer this question.

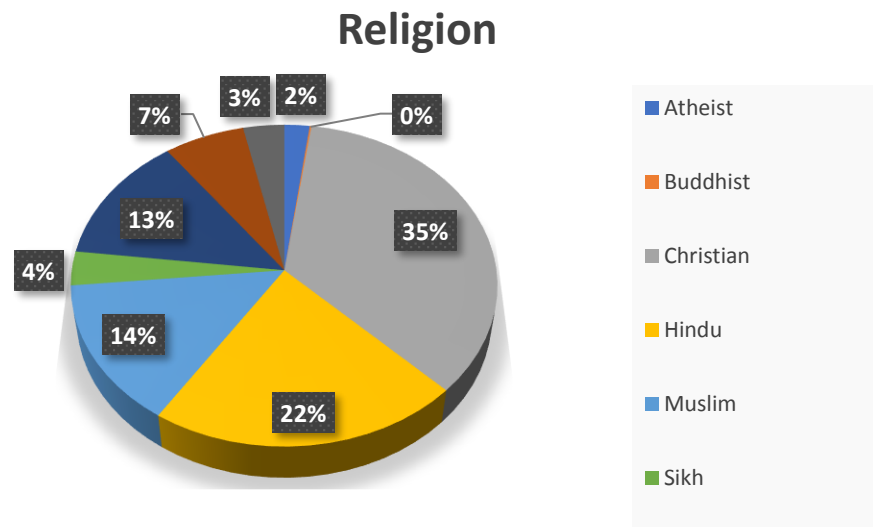
The age of the respondents varied. Over half of all who completed the survey identified as over 66 years.



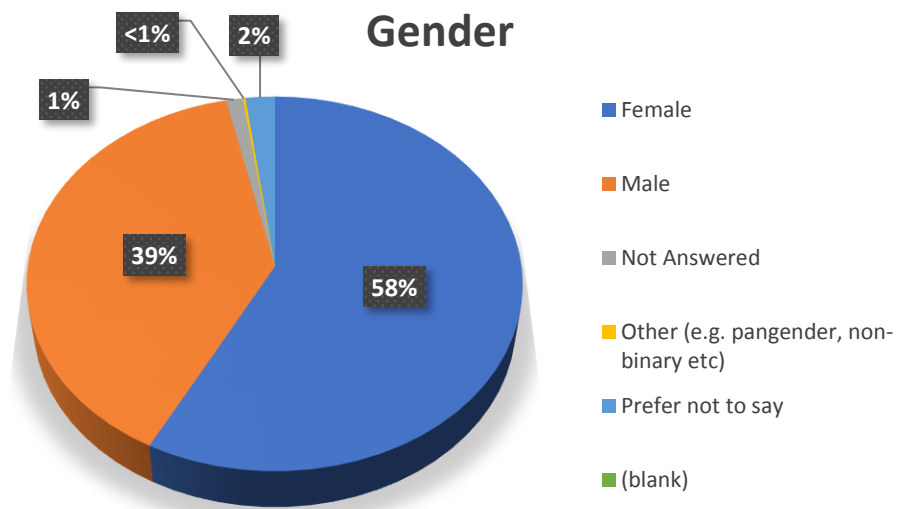
30 respondents chose to not answer this question.

A lot like the demographic of Leicester, the ethnicities of the respondents were diverse. 49% of the respondents identified as 'White' and 41% identified as 'Asian or Asian British'.

The response rate correlates with the ethnicity of those that were written to. Of those written to 48% were white, 43% Asian, 8% Black, 4% other and 1% were dual.



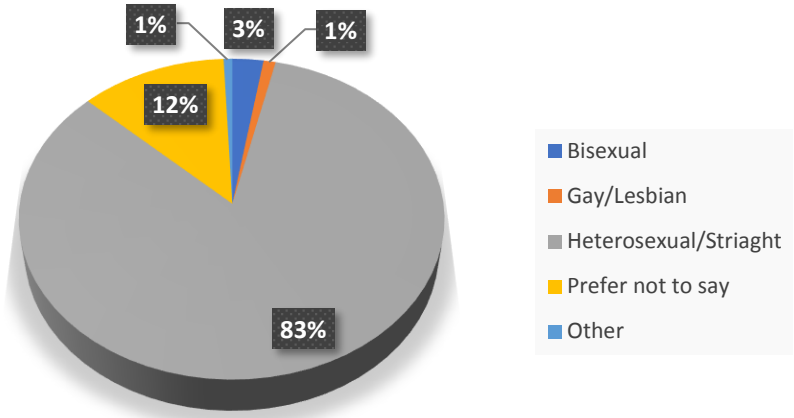
42 (5%) people did not answer this question. Of those that answered 35% identified as Christian and 22% as Hindu.



Nearly 58% of respondents identified as female. 17 people did not answer this question.

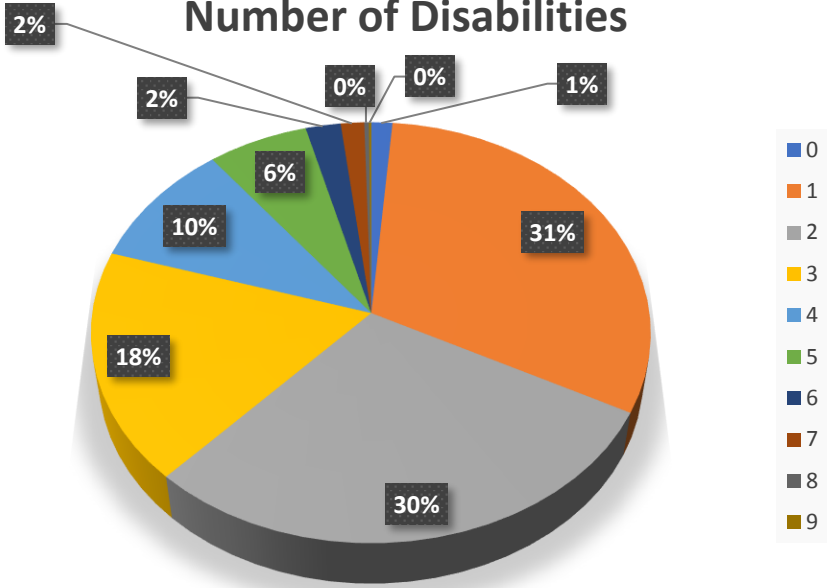
Just over 1% of people responded that their gender was different from that at birth. 20% did not answer and over 78% confirmed their gender was the same as at birth.

Sexual Orientation

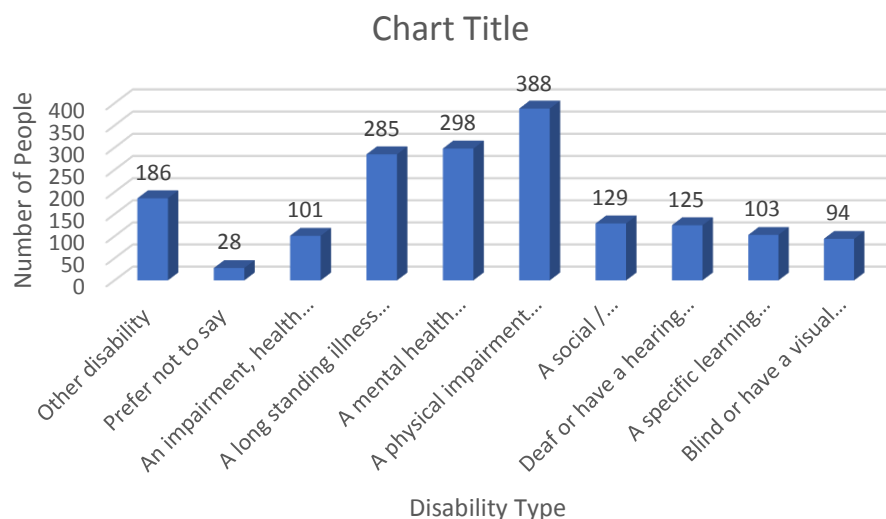


107 (13%) did not answer this question. Of those that did answer, 83% identified as Straight, 3% as Bisexual and 1% as Gay/Lesbian.

Number of Disabilities



Of the 676 (84%) that identified as having a disability, 31% indicated a single type of disability, while over 68% indicated two or more types of disability (less than 1% did not indicate the type of disability)



48% of those who answered this question, identified as having a physical impairment, followed by 35% with a long-standing illness or health condition and 37% with a mental health difficulty.

d. Public Meetings

Three public meetings were held at different locations around the city, to inform service users about the proposals and to seek their views or concerns. Details of the meetings were included in the letters to all service users, carers, and stakeholder organisations.

22 November 2023 - Peepul Centre, Training Room 3 - 6.00-7.30pm

27 November 2023 - Town Hall, Team Room 1.12 - 10.30-12.00pm

29 November 2023 - Quaker Meeting House, Ground Floor Meeting Room - 2.30-4.00pm

A total of 42 people attended the public meetings. Alternative language interpreters were also present for all three meetings.

These meetings began with an overview of the consultation process, an explanation of the disability benefits and details of the proposal.

The full meeting notes for all three public meetings can be found in Appendix Ciii.

e. Submissions and Other Comments

Approximately 112 calls were received on the consultation helpline, of which 38 required additional follow-up action.

A system was established to swiftly respond to people who had specific questions or required help/translation to complete the survey.

The calls were wide ranging and common themes were identified as follows:

| Call Category | Count |
|------------------------------|------------|
| Benefits question | 2 |
| Booking public meeting | 24 |
| Clarification - Survey | 6 |
| Clarification - Charging | 2 |
| Request for Easy Read Format | 5 |
| Request for Interpreter | 3 |
| Make complaint | 1 |
| No longer service user | 14 |
| Other | 15 |
| Survey completion | 34 |
| Unknown | 6 |
| Grand Total | 112 |

Where difficulties completing the form were reported the delivery team and admin officers offered to complete the form online for the caller.

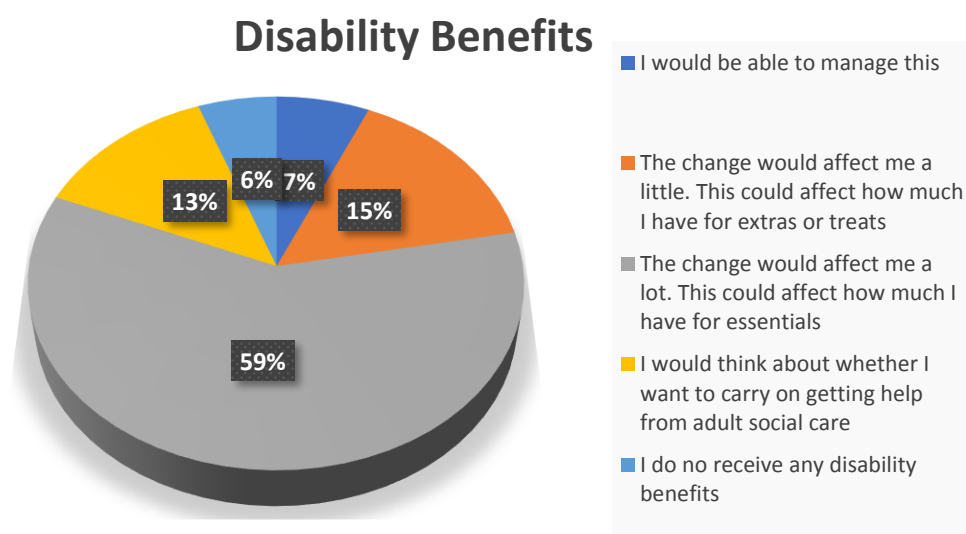
A generic email account was also set up to receive queries about the proposal. Five emails were received in total.

Service users were provided with a postal address to write and submit comments, if they wished to. No postal submissions were received.

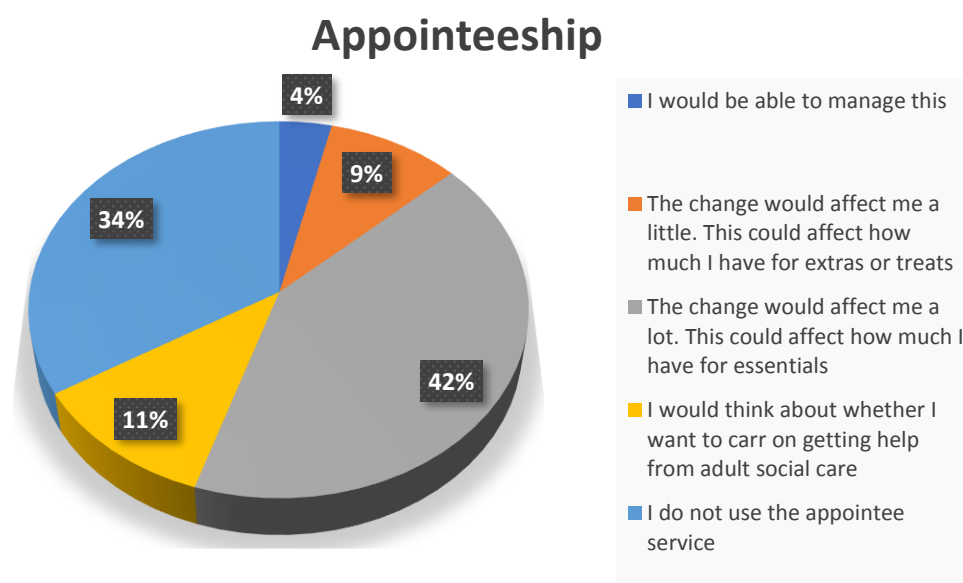
3. Headline Findings

A total of 804 surveys were completed and received.

Respondents were asked to state how an increase towards the amount they have to pay towards their care would affect their day-to-day affordability.



87% of respondents reported that paying more towards their care would have at least some effect on their personal finances. 59% of whom believe that paying more would affect their personal finances 'a lot'.



When asked about the Appointees Service 44 (5%) people did not answer. Of those that answered 34% did not use the service. 42% responded that the change would affect them a lot and impact how much they had for essentials.

Respondents were given the opportunity to provide some commentary regarding their choice, 64% of respondents chose not to provide a comment, this includes 5% of people that stated 'no comment' or something similar in the comments box.

Themes emerged from the comments provided, significantly around:

- I. Funding (not having the funds or income to absorb an increase in contribution; ability to pay for essentials; ability to pay for extras).
- II. A feeling that the proposal is either unfair, concerning or unsatisfactory.

Over half of all the respondents (51%) reported that an increase to their weekly charge would affect them (or someone they represent) a lot, including how much they have for essentials. Under a quarter (12%) of respondents indicated that they would be affected a little, including how much they have for extras or treats. The remaining respondents noted that they would either be able to manage the increased charge (5%) or they would consider stopping the Adult Social Care services they receive (12%). 19% of respondents did not receive disability benefits or use the appointeeship service.

The table below shows a breakdown of the responses by theme. Many comments covered multiple themes and as such the total theme 'count' is higher than the actual number of comments. In addition to the 288 responses

received via the survey we also received 10 comments from the Making It Real Group for 298 comments.

| Q4 Comment/Concerns Raised: | | |
|-----------------------------|--|------------|
| Theme Number | Primary Theme Description | Count |
| 1 | I think the proposal is unfair/unsatisfactory/concerning | 82 |
| 2 | These proposals would affect my ability to buy care related essentials | 39 |
| 3 | I don't have the funds / I have low income | 31 |
| 4 | Significant worry/anxiety | 25 |
| 5 | Dissatisfied with current service | 20 |
| 6 | Appointeeship | 16 |
| 7 | Reconsider/Terminate Care | 16 |
| 8 | Need more info | 17 |
| 9 | I need more funding / support, not less | 15 |
| 10 | I think the proposal will not significantly impact me | 13 |
| 11 | Impact on family/unpaid carer | 9 |
| 12 | Payments have already increased recently | 4 |
| 13 | Personal circumstances should be taken into consideration. | 3 |
| 14 | These proposals would affect my ability to spend on extras | 1 |
| 15 | Other | 46 |
| | TOTAL | 336 |

23 of the responders' primary theme in their comments was around the fact that they do not have the funds to absorb an increase in the amount of money they have to contribute toward their care (Themes 1 and 2). 28% felt the proposal was either unfair/unsatisfactory or concerning.

Theme 1: I think the proposal is unfair/unsatisfactory/concerning

Responders in this category state their dissatisfaction with the proposal if it were to be implemented. This was the primary theme in 28% of responses.

"Once again, people who need the most support to have some level of a life are being hit. Having a learning disability is not a choice, it is how dealt at

birth. Furthermore, how people are living in old age and society need to support them.”

“The changes proposed are not in the best interest of the person receiving care and LCC is taking advantage of the most vulnerable in Society.”

Theme 2: These proposals would affect my ability to buy care essentials.

Responders in this category specifically cited concern around funding essentials if their contribution was to increase. Approximately 13% of all responders are in this category. Example comment below.

“I already pay towards contribution. if this does increase and with the cost of living crisis i will not be able to afford my essentials”

“I would not be able to pay as I have limited money to live on, as it is expensive. Plus I would not be able to buy clothes for myself or feed myself.”

Theme 3: I don't have the funds / I have low income.

Responders in this category specifically cited an inability to absorb any increase in financial contribution that may be required. This theme accounted for 10% of comments provided. Some example comments from this category are below.

“I don't have any savings, this time is hard to survive and definitely not able to pay anything toward it.”

“It would be a struggle because I can not afford to pay as I am on a strict budget where the money I have is mostly spent on the items I need for my disability.”

Theme 4: The proposals could cause significant anxiety and/or worry

Almost 8% of responders mentioned the impact the proposals would have on their mental health. Example below.

“With the current situation with the cost of living I am already struggling to manage on what I'm left with after my payment goes out to Direct payments if this was to increase I would not be able to live on what money I have left. If I cancelled my care package then I would be housebound indefinitely and this is no quality of life so I would probably end up committing suicide as I won't survive.”

“After the bill payments, there is not much left behind for my personal use and I hardly have little money for my groceries and personal use which affects me a lot mentally.”

Theme 5: Dissatisfied with current service

Comments in this theme either criticized or expressed their dissatisfaction with the service that they currently receive. Examples below

“I do not no if I pay for having a mental health worker. No one come's to see me, or take me out in the week if I need anything. I have to ring my worker up.”

“Cost of living is high and what you are proposing is essentially a cut in funding. You propose to spend money more widely, however this never happens. Services are poor.”

Theme 6: Appointeeship

5% of responders commented about the appointeeship. Example below

“Charging for appointeeship per week I feel does not seem fair. Rather, a one off cost to set this up. Once all work has been done to set this up, payment arrangements have been made, there would not be a need to monitor or make changes every week, so a weekly cost does not seem fair. Alternatively, a lower monthly cost maybe more appropriate.”

Theme 7: Reconsider/Terminate Care

5% of responders mention they may need to reconsider if they can afford to continue to pay for care if the changes are made. Example of comments below

“The change will affect me a lot and I feel I would have to reconsider the care that I pay for.”

“I may have to stop all my care if I am charged extra money.”

Theme 8: Need more information

Some responders felt they needed more information on how the proposal would impact them. Approximately 6% of people mentioned this. Example comments below.

“Depends on the changes. We need more information about the prices involved.”

“Until we have details about proposed changes, it is difficult to understand its impact. But the uncertainty is worrying and currently due to cost of living increases., any reduction would obviously have a large impact.”

Theme 9: I need more funding/support, not less

Responders in this category felt they needed more funding and/or support and not less. 5% of all responders are in this category. Example comment below.

“We should not be paying any money toward care because we got too many expenses. We are not getting enough benefit to cover the cost of day to day living.”

“I find it difficult to manage on what benefits I receive now. I need more help with my care needs which is refused at present.”

Theme 10: I think the proposal will not significantly impact me/I think the proposal is fair.

Responders in this category felt the proposal, if implemented, would not significantly impact upon them, 4% of comments are in this category. Example comment below.

“good to be in line with national guidance if there's flexibility when people cannot pay”

“Definitely fair. My mum does not receive any disability benefits at all.”

Theme 11: Impact on family/unofficial carer

3% of responders highlighted the potential impact on unofficial carers.

“Family members who do not qualify for carers' allowance, but give substantial help with caring for adults receiving social care should be given some form of financial support, e.g. tax deductions, as incentives for the assistance they provide.”

Theme 12: Payments have already increased this year

Some responders noted how the amount of money they must contribute has already increased recently. 1% of responders stated this. Example comments below.

“Already price of carers increased July 2023. Will not be able to manage with any further increase.”

Theme 13: Personal circumstances should be taken into consideration

A small number of responders (1%) cited the need for personal circumstances to be taken into consideration with clear and transparent guidance to be provided to staff. Example comment below.

"I feel costs especially those related to disability should be assessed on an individual."

Theme 14: These proposals would affect my ability to spend on 'extras'

Responders in this category specifically cited concern around funding extras if their contribution was to increase. Only 1 person cited this as a concern

"Will affect extras/treats eg. hair dressers and having feet done. They have already increased amount I pay."

Theme 15: Other.

Comments in this category cover a variety of angles that do not easily fit into any other category. Most simply describe their current situation without any indication of their feelings towards the changes.

"During the current cost of living crisis and side effects of medication making me very cold hence heating needing to be put on."

"Everyone should pay equal - not different. Charges should be clear before service is set up and offered if possible - unless emergency. Assessment should be done in person - not phone calls."

Public Meetings

A question and answer session with members of the public formed the public consultation meetings. The following themes emerged from the meeting discussions:

Unfair/concern about changes

- Comments around people with disabilities being unfairly targeted
- Statements on proposed increases being difficult to manage
- Mention of the Norfolk Council Court case in 2020

The Proposal

- Night time care definition
- Whether the council must apply these changes
- Clarification on whether only the financial contribution is being affected
- Whether the council has explored other options for cost savings
- Would people have to be reassessed.

The Financial Assessment

- How the assessment will be carried out
- What will and won't be taken into account
- Whether disability benefits or income support will be taken into consideration
- Whether discretion can be applied
- Whether personal circumstances will be considered

Off Topic/ Non-Related

- Personal enquiries on how the proposals would impact them.

Appointeeship

- Queries around the appointeeship proposal and savings balance threshold