



THE PHOENIX

Campaign for Independent Living in Lewisham

April 2008

ADULT SOCIAL CARE: CHARGING

Message from Denise Smith, Campaign for Independent Living in Lewisham (CILL)

The Phoenix has not been published for the last six months because CILL no longer has any funding to produce it. However the CILL trustees were so concerned about a letter sent by Lewisham Council to social care services users about their new fairer charging policy that they felt that CILL must try to assist and support local disabled people as well as older people and carers. This is why this special edition has been produced.

The Background

Social care is in crisis nationally. Only two boroughs in the country provide care to all four criteria levels of assessed need. Every borough has its own charging policy with a few still providing free services. Basically what you get and what you pay are a postcode lottery.

In an attempt to save money, balance the budget and reduce future pressure on services last year Lewisham Council carried out its largest ever consultation for proposed changes to eligibility criteria and charges to adult social care. In response our Mayor, Sir Steve Bullock, and Cabinet decided not to change the eligibility criteria. However changes to its Fairer Charging policy were agreed.

Changes to Charges

In the Assessment and Benefits Team letter four main changes are listed. It is not until you read their detailed note on charging (and it's not until page 2) that you become aware of another change: a charge is now to be levied against savings between £13,500 and £22,250. Also they don't explain that DLA can include a mobility component that cannot be taken into account for charges and not many examples are given for disability related expenses.

The changes start to take effect from 7 April 2008 and are:

- Home Care, Day Centre services and Direct Payments are all liable to financial assessment.
- There is no separate charge for transport.
- The proportion of income assessed increases from 50% to 75%.
- The buffer increases from 25% above minimum IS level to 35% above the level.
- Earnings must be included as income but will not be assessed towards charges.
- Savings between £13,500 and £22,250 will be taken into account as part of income with £1 a week added for each £250.
- Outgoings and disability related expenditure will not be assessed.
- Income (state pension, some benefits, private and occupational pensions, savings tariff) less outgoings and disability related expenditure less income support level + 35% (this is government guidance) is your assessable income.
- A maximum of 75% of this is the charge.
- People with savings over £22,250 will be required to pay 100% of their care package.
- The maximum weekly charge increases to £290.

What it means

In their 'Feedback Consultation and Research News for Adult Social Care' Lewisham say that 61% of people did not agree with the change in charging and that 'it was felt to be unfair to make savings in this area when people have already paid taxes and national insurance and unfair to penalise people for saving'.

We think that as a result of the new charging policy:

- Those with an income of more than income support will be worse off.
- Those with private or occupational pensions are likely to have to contribute most of them.
- Those with savings between £13,500 and £22,250 will now have a bigger contribution to make.
- Those with savings of over £22,250 will have to meet the full cost of charges – **But we don't yet know what the charges are for each service.**

So much for listening to what people said! This policy is a disincentive to saving or contributing to a pension scheme. The tariff 'income' being assessed against savings bears no comparison to the real interest income being earned. It is quite simply a measure to reduce disabled and older people into economic hardship. As for pensions I would argue that they are actually deferred earnings and as such should not be assessable but they are being assessed. Never mind that we have already paid tax on them we are now being 'taxed' again in the form of a means test.

Users are being asked to complete a financial information form and that information will be used for your assessment. It is not clear from Lewisham's letter (well not to me) whether we will be visited by a Visiting Officer for a full reassessment from the Assessments and Benefits team if our circumstances have changed.

What to do now

CILL is concerned that people may not include all their disability related expenditure and that will have a direct effect on how much you are assessed to pay. So we suggest that you:

- ✓ Complete the financial assessment form carefully.

- ✓ Remember that DLA (Disability Living Allowance) can include a care and a mobility component. Only the care component can be taken into account for charges. So if your DLA includes the mobility component give a breakdown on the form of how it is made up.
- ✓ Think about all of your outgoings. Lewisham give examples of rent, mortgage, council tax, buildings insurance. If you believe you have other outgoings (what about water rates a charge you have to pay) I would suggest you list them and then Lewisham can decide if they agree.
- ✓ The extra costs you have because of your disability or health condition are your disability related expenditure. List everything you spend to keep you in your home. This includes costs for things like special diets, extra laundry, special clothing or footwear, extra heating costs, privately arranged care services and disability related equipment. Again if you believe you have other disability related expenses I would suggest you list them and then Lewisham can decide if they agree.

Next Steps

- ✚ CILL is following the issue of social care, both locally and nationally, very carefully but to influence what happens we need real examples of how services users are being affected. So I would ask you to contact me at denise.cill@btinternet.com
 1. If you have an item that you consider to be a disability related expense disallowed
 2. If the new charge you have to pay causes you financial hardship and affects your quality of life.
 3. Whether you decide to reduce/stop your services because you cannot afford them and the impact this has on you or your carer.
- ✚ On 1st May we get to vote for a new London Mayor and a Lewisham London Assembly member. Find out where the candidates stand on the issue of social care before you vote. (Far be it for me to tell anyone how to vote but they say knowledge is power so you might like to know that CILL wrote to Len Duvall, Lewisham's London Assembly member, last year about the proposed social care changes but we did not even get the courtesy of an acknowledgement **AND** locally the party that kept voicing concerns and kept CILL, and others, up to date with decisions that were being made were the Green Party).
- ✚ If the new charging policy affects your quality of life tell your local councillor and ask them where they and their party stand on the issue.
- ✚ The Government is drafting a Green Paper on Social Care. Originally spring 2008 was given as a possible date, then it was the summer and now it may not be until early 2009. I suspect that is an indication of the amount of attention given to this issue. However as the General Election approaches social care may be a major issue as older people and women (who are more likely to be carers) are more likely to vote. This means that the future for social care, both criteria and charging, may be in your hands as voters.
- ✚ The CILL website www.cill.org.uk is being updated to give information about local and national social care developments.

And Finally

While Lewisham Council seem to be happy to go along with current trends to limit services to the 2 highest levels of assessed criteria (so they, like others, may well be failing in their duty to promote human rights to private and family life and to protect people from inhuman or degrading treatment) and to force disabled people, older people and their carers into poverty or just above the poverty threshold, you might like to know that:

Surrey County Council, after listening to service users, has decided to defer its decision to change its charging policy this year and await further advice from the Department of Health on proposals to change the charging arrangements more widely from April 2009.

Sunderland is offering services to all 4 levels of assessed criteria and are in fact offering a fifth band to those who do not have assessed need but still require some level of service. The secret is.....well there is no secret. Just a commitment to provide services that meet needs and real partnership working with the PCT.

If the vision of making Lewisham 'the best place in London to live, work and learn' is ever to be achieved the issue of adult social care has to be addressed because quite simply if you use services you live here. It's no good Lewisham accepting that they are worse than some Councils and better than others. Mediocrity is mediocrity but it will not give us the best adult social care in London.

"Independent Living is not a service, it is freedom; it is liberation; it is equality for disabled people"

CILL, 5 Silverdale House, Silverdale, London SE26 4SD

email: campaign@fsmail.net