



Wiltshire Council Charging Policy for Adult Social Care

**An
independent
voice for the
people of
Wiltshire**

Commissioned by

Wiltshire Council
 Where everybody matters

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Background

Healthwatch Wiltshire is a local independent service which exists to speak up for local people on Health and care. This report provides feedback from the public either received by Healthwatch Wiltshire, or reported to us by partner organisations.

Here also is the previous report on the wider engagement that Healthwatch Wiltshire undertook on behalf of Wiltshire Council in April 2016 ([report](#)).

The initial public engagement events facilitated by Healthwatch Wiltshire were part of a wider consultation exercise undertaken by Wiltshire Council. The events ran from 11th to 22nd April 2016. A total of 103 people attended the seven events across the county; Devizes, Trowbridge, Malmesbury, Salisbury, Chippenham, Marlborough, Warminster, (and assistance to attend was available). In addition to these events, the Healthwatch Wiltshire and Wiltshire Council websites invited individuals and groups to make contact to give their feedback.



Consultation following implementation of the new charging policy

Following implementation of the new charging arrangements, (agreed in July 2016 by Wiltshire Council Cabinet and followed by the first reassessments), feedback from Healthwatch Wiltshire resulted in Councillor Jerry Wickham, (portfolio holder for adult care services) commissioning more engagement to understand the effect on peoples' lives. This was also recommended by the Health Select Committee. The purpose of the engagement was therefore to illustrate the impact of the charging policy changes on customers who had recently been financially assessed or reassessed under the new arrangements. It would also report on the customer experiences of the assessment process, including what would have improved either the process or the understanding of the outcome of the assessment procedure.

Engagement with those affected by the updated charging policy

Scope of consultation

The offer of engagement was limited to those people financially assessed or reassessed within the six months to February 2017, in relation to their client contribution to care costs. Depending on response rates, it was agreed that consultation would include those who were satisfied with the outcome of the assessment as well as those who expressed dissatisfaction or challenged the outcome of the assessment.



Process

It was agreed that financially assessed customers would be invited to share their experience in a variety of ways:

- By personalised letter from Healthwatch Wiltshire to over 900 people who had been financially assessed or reassessed under the new charging policy between August 2016 and end February 2017. The letter would be sent out from Wiltshire Council (copy attached at **Appendix 1**)
- By communications on the Healthwatch Wiltshire website; through local newsletters; through service user representative/support organisations, including mailing and membership lists.
- By completing an online questionnaire with topic areas devised by Healthwatch Wiltshire with the questionnaire constructed and uploaded by Wiltshire Council (copy with summary findings attached at **Appendix 2**)
- By contacting Healthwatch Wiltshire for assistance either in completing the questionnaire or by support to otherwise share their experience or views
- By attending one of six focus groups for small numbers of customers, with transport and support available to attend the groups.
- By attending a specific event for people in receipt of a Direct Payment, set up in partnership with Wiltshire Centre for Independent Living (WCIL)

Those who represent or support customers who have been financially assessed for contribution to care costs attended a meeting with Healthwatch Wiltshire, to provide feedback received on the impact of the charging policy. These were Wiltshire Centre for Independent Living (WCIL), Wiltshire & Swindon Users Network (WSUN) and the advocacy service ReThink.

Staff who complete the financial assessments, (the financial assessments and benefits (FAB) team), including managers and supervisors, were met with separately, to give another perspective on the process.

Response

Including questionnaire completion, telephone and email enquiries and attendance at focus groups, the response rate for the consultation was ninety people, 10% of all service users financially assessed or reassessed under the revised adult care charging policy by the end of February 2017. As would be expected in such a consultation exercise, the majority of participants were those people most unhappy with the process or the outcome of the financial assessment, although some people have fed back to the FAB team separately and to Healthwatch Wiltshire that they are happy with the outcome and consider the policy fair. There is considerable positive impact on some customers, where their benefits were maximized through the process and this is covered later in the report. The findings below therefore relate largely but not exclusively to those customers who are dissatisfied with the implementation of the new charging policy.



Main findings

Questionnaire

The findings of the questionnaire are anonymous and therefore not attributed to individuals. A total of 25 people completed the questionnaire either alone or with support; that is 10 males (40%) and 15 females (60%). Fuller results of the questionnaire findings are attached at **Appendix 2**. Very few of those attending focus group meetings reported having completed the questionnaire.

Of the 25 people who responded:

- The age range of participants included people from 18 to 85 and over
- 13 people were not clear what would happen at the assessment meeting
- 10 people did not know they could have someone there to support them
- 8 people did not feel they had enough time to prepare for the meeting
- 9 people did not know what information they would need to have available for the meeting
- 8 people did not find the assessor helpful
- 20 people found the assessor friendly
- 17 people found the assessor knowledgeable
- 14 people found the assessor sympathetic
- 15 people did not understand all the information given to them at the meeting, including 10 who did not understand either very much, or any of it
- 11 people did not know what would happen following the meeting
- 9 people were dissatisfied with the assessment process
- When people received the written outcome of their financial assessment, 10 people needed help to understand what it meant and 5 people could not understand it at all
- Of the assessed contribution itself, 7 people thought it was fair
- 17 people had to contribute 'a lot more' money
- One person had to contribute 'slightly less than before' and one person 'a lot less than before'
- 15 people said they had to stop paying for other things because of the increase in contribution to care costs - examples included a mobile telephone, insurance, social life, cleaner, gardening help.



“Wiltshire Council helped us to get our independence. Don't take it away, make us invisible and have to stay at home because we can't afford to go out”
Service User

Focus Groups

Thirty people in total attended seven focus groups which were arranged across the county during April, through a prior booking arrangement; (with one being a county-wide meeting for those people in receipt of Direct Payments). Support to attend the meetings was provided where required. The grid at **Appendix 3** shows the range of dates, venues and numbers attending each. In some cases, no-one booked on to the meetings but officer attendance was provided in case service users arrived without a booking, which did happen on two occasions.

It was unfortunate that on some occasions there was no representation from Wiltshire Council. This was due to sudden and serious illness on the part of the senior officer concerned. Back-up arrangements failed, although the meetings continued and feedback was collated and passed on.

Of those people who attended the meetings, feedback was almost entirely negative about both the assessment process and the financial outcome, with only one exception. Considerable anger and distress was expressed about the experience as a whole. One Carer felt that Wiltshire Council was acting unlawfully in 'not taking account of the Minimum Income Guarantee'; (this matter is dealt with in greater detail in the FAB team section below). At each meeting, one participant or more raised concerns about the training and qualifications of assessment staff in relation to the Care Act Regulations.



One person was concerned that the whole process had been completed by letter and an assessment form, with no face-to-face contact and felt her financial contribution was now punitive. (This is being dealt with separately by the FAB team). One couple thought that they had been waiting about six weeks for the written outcome of the assessment to arrive and were very worried about the size of bill they would receive; one young woman had received a bill for care that had been cancelled and was distressed at receiving no assistance to deal with this. Positive feedback came from the mother of a young woman who lived at home. The lady said that she would not have known about disability related expenses in the first place without the 2016 consultation events and was grateful that she could therefore raise this matter during her daughter's financial reassessment.

In fact, at the home visit, the assessor assisted the family with a review of employment support allowance (ESA) and discovered that they were owed over £1,000 by the Department for Work & Pensions, as well as a considerable reduction in their weekly contribution to care costs.

Several people raised concerns about the support they could receive from WCIL. They said had been told that the contract between Wiltshire Council and WCIL allows for support in setting up a Direct Payment but does not allow for ongoing management, which some people found difficult. Subsequently we have been informed that this information is incorrect and that WCIL do offer ongoing support in relation to Direct Payments.

One family carer of a son with a severe learning disability was distressed that his contribution had gone from zero to £68 a week and they were not sure how they were going to pay this without severe hardship to themselves.

"I have managed to care for my 45 -year-old son at home for his whole life, including night care, but I am now at the end of my tether and hate the fact. We will probably all end up in care."
Parent Carer

The Financial Assessments & Benefits Team (FAB)

It felt necessary after all the feedback, to meet with the FAB Team for a fuller perspective on the assessment process. It soon became clear why there was so much confusion amongst those who had been assessed. It is an incredibly complex area of work. It could be described as not quite rocket science but not far off! For context, there are twenty-three welfare benefits that come into play and the visiting officer (assessor) must not only understand the criteria for each but also how they interact and impact on one another. The issue of training of assessors was raised a number of times during the consultation and in fact the training is intense. It includes six months of in-house learning about welfare benefits, followed by shadowing an experienced assessor for three months and in turn being shadowed for a further month when taking the lead in financial assessments for the first time. Ongoing sampling of assessment work, regular supervision and team development and training are the norm, particularly when the national welfare benefits landscape has changed drastically. Existing assessors have been in post since 2003, apart from three who joined at the end of 2016.

The national picture in recent times has compounded some problems for financial assessment, since Care Act guidance has moved faster than welfare benefit implementation. This creates huge problems for both policy and implementation and unfortunately Wiltshire Council fell foul of this problem in relation to the charging policy. By the time the policy had reached the FAB team it had been agreed by Cabinet without taking account of the disability premium when calculating for the Minimum Income Guarantee. This affected people in the age range of 25 to pensionable age, for people in receipt of Personal Independence Allowance (PIP), or higher rate of Attendance Allowance. Implementation amendments were made within two to three weeks. Unfortunately, considerable numbers of financial assessments had already incorrectly been sent to customers. FAB managers reviewed 1200 assessments which resulted in 99 people having the disability premium applied, their income increased and hence their financial contribution to care showed an overall reduction. Other than that problem, three errors have been discovered across the assessments completed to date.

It became clear during this session that the FAB team are under considerable pressure not only to complete several thousand further reassessments at a high level of quality assurance, but also to ensure that from here-on annual reviews are undertaken on every customer in receipt of care where financial assistance is received from Wiltshire Council. Whilst national government pay some benefits precisely so that people can fund care with those benefits (such as personal independence allowance, disability living allowance and attendance allowance) this is often not clearly understood by the public, who see client contributions to care as local government taking away what national government has given to them.

“Thank you for getting us another benefit we didn’t know about! Our contribution has gone down and now our daughter can do more activities”
Parent Carer



Key Messages

The increase in client contributions for many customers has been compounded in Wiltshire because a lot of people had received no proper review of their circumstances for a considerable period, in some cases many years. As a result, the increase in contribution to care costs was a 'big hit' rather than the incremental one it would have been under a regular review system. An annual review is undoubtedly the best way of avoiding this problem for the future.

The new policy does mean significant additional costs to customers in some cases and this is largely due to the policy decision of taking 100% of income into account rather than 80% as before, as well as some DRE changes.

Wiltshire Council is the only known local authority to still directly provide benefits checks and assist with national benefit applications on request, whether or not a resident is in receipt of council-funded care. This makes financial sense, since it is maximizing the welfare benefits for people in Wiltshire. It may be opportune for Wiltshire Council to publicise this as good practice, at the same time as reminding people of the purpose of national welfare benefits for people in need of support with care. We are informed that to date the benefits checks have resulted in over £500,000 in increased benefit income into Wiltshire households.

Undertaking financial assessments and calculating financial contributions is a complex, technical area of work and is poorly understood by a large part of the professional workforce, let alone the often more vulnerable service users who rely on welfare benefits to fully or partially pay for necessary care. Anything that the local authority can do to assist understanding will reduce the lack of clarity that currently surrounds the financial assessment process.

- **Disability-related expenses**

Any element of discretion, such as that provided in the Care Act by Disability Related Expenses (DREs) is almost guaranteed to raise questions in its implementation. "Are they taking account of diverse circumstances?" "Are they being applied consistently?" In Wiltshire, it seems that the areas covered by DREs are now clearer, although with any discretionary allowance the Council maintains the right to look at these in the light of a person's individual needs and circumstances. The Care Act and Department of Health Guidance state that evidence of expenditure should be provided in relation to DREs. As part of the financial assessment process, therefore, the Council's FAB team do not accept any DRE without evidence of expenditure, through invoices or payment proof. This means that in advance of the initial financial assessment if a person does not know they can claim for certain things (such as higher than usual heating or water needs or necessary internet access), they may not have financial proof of paying for that need. When the assessor therefore provides the calculated contribution to care it will exclude those things. The person then receives the calculation and is shocked at the cost; they seek and provide the financial proof of payment; a reassessment is undertaken and a new (reduced) contribution cost provided. Service users see this as a complaint or appeal on their part. As part of the financial process however it is neither; it is a re-assessment. Hence formal complaints about the client contributions are low, but dissatisfaction and suspicion is greater.



- **The financial assessment meeting**

It is essential that details about the initial assessment meeting are provided in writing, even if the arrangement is made by phone or email. The letter should include the leaflet about DREs and stress the necessity for proof of disability related expenditure (and what constitutes acceptable proof), with examples. It should state that the person can have a friend, relative or other representative present at the financial assessment and it should give sufficient time for the person to prepare for the assessment and gather the required documentation. This should be available in easy-read format for a person with a learning disability, even where they have a paid or unpaid carer. As so many respondents reported that they did not understand what was said at the meeting, this does need to be checked carefully and followed up where necessary.

- **Client contribution in writing**

The FAB team report that every financial assessment is completed, and along with the financial contribution, this leaves their team within 48 hours of the assessment meeting. Participants in the consultation report quite long delays in this time-period (often from 4-6 weeks), hence there is a hold up elsewhere in the Council since we understand the letters themselves go from the (separate) Finance Team. Whatever is slowing down this process needs to be rectified, since it seems to be causing concern, distress and resentment.

- **Reviews and reassessments**

The FAB team feel that the worst period is over for those in the financial assessment process. Undoubtedly the team are committed to making this process as pain-free and equitable as possible, but there have clearly been problems of capacity and of not applying the disability premium when initially implementing the policy. This has drawn out the process and caused incorrect calculations to be sent to some customers. This has made the process difficult and often distressing for those receiving this information. It has caused a number people with a disability to lose faith in Wiltshire Council. To ensure that this situation does not deteriorate and that annual reviews are now undertaken as a matter of course, ongoing capacity in the FAB team needs to be sufficient for the task.

- **'Direct Payments'**

We met with Wiltshire Centre for Independent Living (WCIL), Wiltshire & Swindon Users Network (WSUN) and the advocacy service ReThink, to discuss the impact of revisions to client contributions on people with a disability, in particular those clients in receipt of a Direct Payment. Whilst we do not take a view on the facts of individual complaints, the case studies being collated by WCIL demonstrate distressing experience for service users and similar experiences were related at focus groups.

We suggested to WCIL that they submit their own summary of seemingly serious problems that have arisen since the implementation of the changes and submit those to Wiltshire Council, which we understand they have done and we will not duplicate those here. There does appear to be some specific hardship within the group of people who receive a Direct Payment and we have requested that Adult Care Services look at this in more detail. For example, some of the disabled people who live at home with parents describe having lost a large part of their remaining income almost overnight following financial reassessment. It is unclear, from what we know so far, whether examples such as this constitute an error, an unintended consequence that needs review, or an expected outcome of the change in charging policy. This therefore needs scrutiny and should be clearly communicated not only to those affected but also to the service user organisations that represent them.

Communication

With the exclusion of the problems outlined in this report, many of the difficulties experienced and related to us by service users stem from a lack of information and poor communication. This means that those people who received their financial assessment prior to the end of February 2017, had a particularly tough time. Adult Social Care consulted with Healthwatch Wiltshire about information for the public and we assisted with their leaflets and portal information, but for many of those affected this was too little, too late. Along with service user organisations, we were also able to advise on process changes that could help matters. At present, we have no information on whether this has improved the experience for customers.

To all those who participated in this consultation, we have committed to providing updates about the implementation process on the Healthwatch Wiltshire website, and for individual concerns that people asked us to feed back to Wiltshire Council, we have done so and asked that customers be contacted direct.

There were some undoubted flaws in the initial implementation of the charging policy, ranging from the fact that it did not initially apply the appropriate disability premium when calculating for the Minimum Income Guarantee, to a lack of clear information for people affected. This needs to be available in formats and language that make a complicated technical assessment accessible to the people concerned. At present people feel Wiltshire Council are trying to hide things from them and whilst we found no evidence of this being the case, there is not enough for people to understand how their contribution is calculated and what constitutes the 'premiums' and 'enhancements' that are mentioned in their letters. The FAB team are currently exploring expansion and improvements in what is available and Healthwatch Wiltshire would be very happy to review this with the team. Follow their consultation with Healthwatch Wiltshire and organisations that represent service users, we feel that the written information now provided by Wiltshire Council, for people who are being financially assessed, is much better. The next round of financial assessments may not result in the contribution outcome people would want, but experience of the assessment process should be much improved.

Sandie Lewis

Associate, Healthwatch Wiltshire

- **Direct Payments**

If you are in receipt of a 'direct payment' a further option is for you to attend a separate meeting on 19 April in Devizes. You can get details about this meeting by contacting Wiltshire Centre for Independent Living on 0300 1233 442.

Focus groups are taking place:

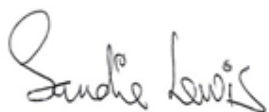
Date	Time	Venue
Tuesday 4 April	2.30 – 4.30	Civic Centre, Usher Suite 2, St Stephen's Place, Trowbridge, Wiltshire, BA14 8AH
Thursday 6 April	10.30 – 12.30	St Paul's Church, Room 1 SP2 Community Centre, Fisherton Street, Salisbury, SP2 7QW
Tuesday 11 April	2.30 – 4.30	Civic Centre, Usher Suite 2, St Stephen's Place, Trowbridge, Wiltshire, BA14 8AH
Thursday 13 April	10.30– 12.30	St Paul's Church, Room 1 SP2 Community Centre, Fisherton Street, Salisbury, SP2 7QW
Monday 24 April	10.30 – 12.30	Calne Town Hall, Council Chamber, Bank House, The Strand, Calne, Wilts, SN110EN
Tuesday 25 April	2.45 – 4.30	Sheldon Road Methodist Church, Audley Rd, Chippenham SN14 0DU

Healthwatch Wiltshire is an independent organisation which exists to speak up for local people on health and social care. We rely on you to tell us about your experiences and views.

You can find out more by visiting our website www.healthwatchwiltshire.co.uk or telephone 01225 434 218.

Please Note, this letter was sent by Wiltshire Council on behalf of Healthwatch Wiltshire, your personal details have not been shared with Healthwatch Wiltshire. If you have received this letter in error, please accept our apologies.

Yours Sincerely,



Sandie Lewis

Associate, Healthwatch Wiltshire



Evolving Communities CIC (formerly Healthwatch Wiltshire CIC) is a community interest company limited by guarantee and registered in England and Wales with company number 08464602. The registered office is Unit 5 Hampton Park West, Melksham, SN12 6LH.

Appendix 2

Charging Policy Financial Assessments and Benefits survey

Wiltshire Council Financial Assessments and Benefits Survey

Healthwatch Wiltshire

You may have recently, within the last 6 months, received a finance and benefits (FAB) assessment since the Council introduced a revised charging policy in August 2016.

Wiltshire Council have asked Healthwatch Wiltshire to find out about peoples experiences relating to financial assessments and the policy to see if there are any improvements that can be made.

This questionnaire is only for completion by people who have been financially assessed, within the last six months, by a member of the Financial Assessments and Benefits (FAB) Team at Wiltshire Council.

About you

Q1 Are you?

- 10 Male
- 15 Female
- 0 Transgender
- 0 Prefer not to say

Q2 What is your age range?

- 1 18-24
- 5 25-34
- 2 35-44
- 5 45-54
- 3 55-64
- 3 65-74
- 1 75-84
- 5 85+

Q3 What is your postcode?

24

Q4 Do you have a name and contact telephone number in case we need to contact you? (you do not need to do this if you do not want to - you may skip to the next question)

15

Before the Financial Assessment

Q5 How were you informed that the financial assessment was to take place?

- 18 I was informed by letter
- 0 I was informed by email
- 6 I was informed by phone
- 1 I was informed by my Social Worker
- 0 I was informed by a third party

Q6 How much notice were you given of the meeting to talk about the Financial Assessment?

- 10 About a week's notice
- 7 About two week's notice
- 3 About a month's notice
- 1 More than a month's notice
- 3 I can't remember

Q7 Were you clear what would happen at the meeting?

- 11 Yes
- 13 No

Q8 Were you informed that you could, if you wanted, have someone at the meeting to support you?

- 14 Yes
- 10 No

Q9 Did you feel that you had enough time to prepare for the meeting?

- 16 Yes
- 8 No

Q10 Did you know what sort of information you needed to have with you for the meeting?

- 15 Yes
- 9 No

About the Financial Assessment itself

Q11 Was the person doing the assessment?

	Yes	No
Helpful	14	7
Friendly	20	4
Knowledgeable	17	4
Sympathetic	14	5

Q12 Did you understand the information given to you at the meeting?

- 9 Yes I understood all of it as it was very clear
- 5 I understood some of the information but not all
- 7 I didn't really understand much about it
- 3 I didn't understand it at all

Q13 Following the assessment was it made clear to you what would happen next?

- 12 Yes
- 11 No

Q14 Overall how satisfied were you with the assessment process (this does not mean the outcome just how it was undertaken and how engaged you felt with the process)

- 2 Very satisfied
- 9 Satisfied
- 5 Neither satisfied nor dissatisfied
- 5 Dissatisfied
- 4 Very dissatisfied

Q15 If you said you were dissatisfied in any way can you say why?

8

Since the Financial Assessment

Q16 How long after the financial assessment did you hear again from Wiltshire Council (e.g. byletter, phone call or email?)

- 10 About a week
- 7 About two weeks
- 6 About a month
- 1 Longer than a month

Q17 Did you understand the letter that you received which explained your financial contribution to care costs?

- 10 Yes it was very clear
- 10 Yes but I needed help in understanding it
- 5 No it wasn't clear at all

Q18 Did you agree with the amount of money you were being asked to contribute to the costs of your care?

- 7 Yes I thought it was fair
- 6 Yes but I thought it could have been less
- 3 No I didn't agree but did nothing about it
- 9 No I didn't agree and took matters further

Q19 If you decided to take matters further what did you do?

Please say 9

Q20 If you decided to take matters further are you receiving support from another person or organisation and if so who?

Please say 7

Q21 As a result of the Financial Assessment were you asked to contribute more or less towards your care costs?

- 17 I was asked to contribute a lot more
- 2 I was asked to contribute a little bit more
- 4 It stayed about the same
- 1 It was slightly less
- 1 It was a lot less

Q22 If you said that your contributions either increased or decreased can you say roughly how much that increase or decrease was a week?

22

The effect on you of any changes to your financial contribution to care costs

Q23 Has any change in your financial contribution meant that you have had to stop paying for certain things?

10 No

15 Yes

If yes can you say what things? 13

Q24 Finally do you have any further comments to make?

21

Thank you for taking the time to fill out this survey. We will treat all your answers in the strictest confidence. If you want to find out more about the consultation you can contact Healthwatch Wiltshire by email: info@healthwatchwiltshire.co.uk or by phone: 01225 434218

Appendix 3

Schedule of Focus Group Meetings

Tuesday 4 April	2.30 – 4.30	Trowbridge	Civic Hall Usher Suite 2	No participants, plus Healthwatch Wiltshire & Wiltshire Council
Thursday 6 April	10.30 – 12.30	Salisbury	St Pauls Church Room 1 at SP2 Community Centre	No participants, plus Healthwatch Wiltshire & Wiltshire Council
Tuesday 11 April	2.30 – 4.30	Trowbridge	Civic Hall Usher Suite 2	No participants, plus Healthwatch Wiltshire & Wiltshire Council
Thursday 13 April	10.30 – 12.30	Salisbury	St Pauls Church Room 1 at SP2 Community Centre	2 participants, plus Healthwatch Wiltshire
Wednesday 19 th April	10.30 – 12.30	Countywide Direct Payments Session	Com Exchange, Devizes Yeoman Room	17 participants, plus Healthwatch Wiltshire
Monday 24 April	10.30 – 12.30	Calne	Council Chamber, Calne Town Hall Bank House, The Strand,	7 participants, plus Healthwatch Wiltshire
Tuesday 25 April	2.45 – 4.45	Chippenham	Sheldon Road Methodist Church	4 participants, plus Healthwatch Wiltshire

Why not get involved?

Visit our website: healthwatchwiltshire.co.uk

Email us: info@healthwatchwiltshire.co.uk

Phone us: 01225 434218

Write to us: Unit 5, Hampton Park West, Melksham,
SN12 6LH

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June 2017

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