

Adult Social Care

Statement of Policy on Adult Social Care and Support

Glossary

Policy	A document that explains how Wiltshire Council will make decisions about a particular area or areas. Policies are used to make it clear to everyone what they can expect from Wiltshire Council
Consultation	This is when the Council shares its ideas about a proposal to gather the views of communities and people who may be affected if the changes are agreed. Wiltshire Council will consider feedback gathered during the process and may make changes before submitting the proposal to elected members who make decisions.
Care Act (2014) Regulations Guidance	The law that sets out how local authorities must deliver care and support services in England. The policy has been developed so as to comply with the requirements of the Care Act, The Care and Support (Charging and Assessment of Resources) Regulations 2014 and the Care and Support Statutory Guidance
Wellbeing	This concept is central to the Care Act and must inform all of an local authority's activities. There is no one definition of wellbeing and it is a broad concept. Considerations of wellbeing will take the following into account; <ul style="list-style-type: none"> •Personal dignity •Physical and mental health and emotion well-being •Protection from abuse •Control by the individual over day-to-day life •Participation in work, education, training, or recreation •Social and economic well-being •Domestic, family and personal •Suitability of living accommodation •The individual's contribution to society
Carer	A carer is someone (aged 18 or over) who helps another person in their day to day life, who could not manage without that support and often is a relative or friend. This is not the same as someone who provides care professionally or through a voluntary organisation
Eligible Needs	Needs that meet the criteria set out in the Care Act and as such must be met by the Council based on your financial situation
Information	Communication of relevant knowledge and facts regarding care and support.
Advice	Helping to identify choices and/or providing an opinion or recommendation regarding a course of action in relation to care and support
Duty	What the Council is legally required to do.
Discretionary Power	Powers Wiltshire Council can exercise but are not legally required to do so

Terms included in this Policy

Information Portal	www.yourcareyoursupportwiltshire.org.uk an information and advice website including information about health and social care in Wiltshire
Assessment of Eligibility	A conversation with a individual or carer that is recorded in writing, to establish if they have care and support needs that meet the National eligibility criteria for care and support.
Care and Care and support plan	A document which details how care and support needs will be met and what services an individual will access or will be provided by the Council or other organisation.
Indicative Personal Budget	An amount of money the Council expects would be needed to fund the support, to meet eligible needs and to help create a support plan. Indicative budgets are just a ball park figure and are not a guarantee of funding.
Personal Budget	The agreed amount of funding required to meet an adult's assessed needs. The Council's contribution to this is always paid minus the adult's own contribution.
Help to Live at Home Service ('HTLAH')	A range of services intended to help people to live as independently as possible for as long as possible. Services include care at home services, assistive technology and equipment that will help people to live independently.
Direct Payment	A way in which a personal budget can be provided when the Council gives money to pay for care and support directly. Direct Payments can be used to employ staff directly or buy care from an agency or other organisation.
Commissioned Services	Services arranged and paid for by the Council to meet care and support needs.
Telecare	Any electronic equipment designed to meet care and support needs.
Independent Financial Advice	Advice about funding long term care and support regulated by the Society for Later Life Advisors. The Council works closely with two independent financial advisors.

Policy Cover Information

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Policy Control Sheet

Policy title	Statement of Policy on Adult Social Care and Support
Purpose of policy	To set out Wiltshire Councils approach to delivering social care services
Policy author(s)	Olly Spence
Lead Director	James Cawley, Strategy & Commissioning
Target audience	Frontline staff and members of the public
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This policy can be made available in a range of accessible formats if required.

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Introduction

This document has been developed in line with the Care Act 2014 (the Act) to set out the approach of Wiltshire Council in implementing this and other relevant legislation for adult social care.

The purpose of this policy document is to set out how Wiltshire Council applies this legislation particularly in areas where it has discretion.

Background

The Care Act consolidated much of the patchwork of legislation which had built up over the previous 65 years. Many aspects of the legislation are mandatory; however, the Act set out areas where Councils may choose to do things (enabling legislation) and stipulates that government may set guidance for Councils to follow in these areas. The best example of this is in charging (or means testing) for some services, which is not compulsory for Councils but which in practice all Councils choose to do for at least some services. If a Council chooses to charge for a service then it must follow the relevant guidance from the Secretary of State.

Notwithstanding this, there remains considerable scope for discretion in how Wiltshire Council interprets guidance and the approach that it adopts to service provision in key areas.

To provide clarity, this document sets out the policy of Wiltshire Council to service provision in these key areas. This statement of policy has been agreed by Wiltshire Council's Cabinet and is backed by further detailed guidance to operational staff where appropriate and information available to the public on www.yourcareyoursupportwiltshire.org.uk

Policy Areas

1. Preventing, Reducing and Delaying Eligible Needs

Wiltshire Council will support people to live independently, with a focus on preventing, reducing and delaying needs and building different types of support in the community.

Wiltshire Council makes available universal support services including information, advice and health promotion. Universal services are available to everyone living within a community and are not dependent on assessed eligible needs. This includes provision for those who do not have any current needs for care and support and for carers.

Wiltshire Council will also undertake activity to identify adults with care and support needs, and carers with support needs whose needs are not being met to promote wellbeing. Information and advice are used together with targeted early interventions to support those identified. **Provision of early intervention and targeted services is dependent on the level of risk to wellbeing:** such support might include provision of equipment and telecare services from Wiltshire Council's equipment service or advice on how individual's can achieve outcomes in different ways or purchase non-standard equipment for themselves.

Where there is a high level of risk to an individual's independence Wiltshire Council will facilitate a range of preventative services to help people regain skills, reduce need and promote independence. This includes time limited interventions in the form of intermediate care. Intermediate care includes our crisis response service (Urgent Care at Home) which provides free short term care (up to 72 hours) at home to prevent a hospital admission (including looking after a cared for person when an informal carer is admitted to hospital and there is no one else to look after them). Another form of intermediate care is a period of initial support of up to six weeks from our Help to Live at Home Service which allows time to support individuals to meet a set of agreed outcomes before a full assessment and longer term support can be put in place when necessary. Intermediate care in a residential or extra care environment can be considered in some more exceptional circumstances (for example, while a house has extensive adaptations undertaken or while a complex package of care at home is being arranged).

Certain services may be charged for, in particular where there is a low level of risk. Further details are set out in our full Preventing Reducing and Delaying Eligible Needs policy.

Key Change- The Council has always worked to prevent people developing needs. The Care Act, for the first time, introduces a general duty on all local authorities to prevent, reduce and delay needs arising for everyone living in the community.

2. Needs Assessment and Determination of Eligible Needs

Any adult with an appearance of need for care and support, including carers, has the right to an assessment of their needs and the outcomes they wish to achieve.

Needs assessments are not a gateway to services. Those with needs that are deemed 'ineligible' will still be provided with information and advice on how to access support locally to meet those needs and how they can prevent or reduce their needs

Needs assessments must:

- Be appropriate and proportionate to the needs and circumstances of the individual (this can include self-assessment where the adult wishes to and the Council is satisfied the adult has capacity and is capable of fully assessing and reflecting their needs)
- Consider interventions that will prevent, reduce and delay needs
- Consider the impact on carers and the wider family
- Involve the adult and carers and any person whom the adult asks them to involve as appropriate and allow access to information the Council holds on them. If an adult lacks capacity, to ask for appropriate individuals to be involved. Wiltshire Council will involve any persons who appear to be interested in the adult's welfare.
- Involve advocates when people may have substantial difficulty being involved in the process and where there is no one else appropriate or willing to consult or be involved
- Involve specialist assessors when necessary
- Consider fluctuating needs over an appropriate period of time
- Include an assessment of the impact of the adult's need for care and support on matters relating to their 'well-being', the outcomes they wish to achieve and whether the provision of care and support will contribute to the achievement of those outcomes.
- Be set out in a written record and given to the adult

The Care Act 2014 established national minimum criteria to determine social care needs eligible for support. **These are the criteria which Wiltshire Council uses: there is no intention to provide support for needs that do not meet the eligibility threshold.** Wiltshire Council does not apply eligibility criteria until its duty to prevent, reduce and delay needs has been considered.

Although health needs may be recorded as part of an assessment, health needs are not considered as part of the eligibility criteria and people will be referred to NHS services to have these needs met.

Key Statement - Assessments will be completed for everyone with an appearance of need and eligibility determinations will be based on the statutory framework in the Care Act.

3. Care and Care and support planning

In care and support planning, Wiltshire Council will only make provision for eligible needs which are unmet by other means. Wiltshire Council will ensure people are involved in their care planning and that they are free to choose how their needs are met, whether through local authority or third-party provision, by direct payments, or a combination of the three approaches.

The key factors to consider are:

- What needs will the Council meet?
- What is the most effective way of meeting those needs?
- Which means of provision achieves best value for the Council?

The Council will aim to meet an adult's eligible needs identified with the minimum necessary intervention. The focus of the care or care and support plan will be on the outcomes to be achieved. The starting point is consultation with the adult and carer(s) to maximise their own resources and contributions to their support.

Care and Care and support planning is available from the Council and from our commissioned providers.

We will support adults to plan their support creatively. Support does not always require services commissioned by the Council, and we will regard universal services (services also open to those who may have 'ineligible' needs) as a means by which an adult's eligible needs can be met. Universal

services can include those provided by voluntary organisations, housing related support or other services available within the community. Wiltshire Council will help to identify health needs as part of an assessment and may help meet these needs where these are part of a jointly funded package with health. However, support to meet health care needs cannot be directly funded by the Council.

As part of the care and support plan, it is good practice for all adults to have a crisis plan in place, setting out what services would be put in place in the event of a breakdown of the normal care arrangements and informal support networks.

Support will not always need to directly relate to the outcomes agreed in a care and support plan, but the care and support plan should demonstrate how it will contribute to the achievement of outcomes for the adult. As part of the care and support planning, adults should be given an idea of what their personal budget will be.

Adults receiving support through preventative or intermediate care pathways, including initial support and bed based intermediate care, will not be allocated a personal budget.

Personal Budgets

Following a Needs Assessment, adults will be verbally told at the end of the assessment and in writing of an indicative personal budget based on the needs assessment and professional judgement. This will be used to give the individual adult an idea of the amount of money which may be available to meet their needs.

A personal budget will be developed based on the cost of meeting an adult's needs and is made up of both Council funding and the person's assessed contribution. Individual adults may choose to take all or part of their personal budget as:

- a commissioned service, where the Council holds and manages the personal budget on the person's behalf;
- as a direct payment (an amount of money you can use to meet your needs);
- an Individual Service Fund (ISF)
- or as a combination of all of these.

The personal budget must be used to deliver the outcomes in the care and support plan. The size of a personal budget depends on a 'reasonable price'. The reasonable price is based on a balance of how effective a care and support plan will be; how cost-effective the care and support plan will be based on all the options; the level and complexity of need a person has; and the overall cost of a care and support plan will be based on how much it will cost the Council to commission services to address those needs.

To ensure a fair allocation of funding allocated to a person through direct payments, Wiltshire Council has established a 'reasonable price' for a range of ongoing services. These will be updated as new contractual rates are agreed. The rates for personal budgets will be stored on the Council's information and advice website www.yourcareyoursupport.org.uk the rates are also available in other formats if required by an individual adult.

Services excluded

The Preventing, Reducing and Delaying Eligible Needs policy describes services that will not be included as part of a personal budget including, prevention services, intermediate care services provided for a period of up to six weeks, services provided under section 117 of the Mental Health Act and aids or adaptations under the value of £1000.

Key Change- Personal Budgets were introduced for everyone in the Care Act. A Personal Budget is the amount of money it costs to pay for the care and support you need. The statement sets out how Wiltshire Council will establish how much a person should receive as a personal budget. The table below lists the 'reasonable' rates that will be used to calculate if a programme of activities represents a 'reasonable' cost for care and support.

Direct Payments

If needs for care and support are to be met by Wiltshire Council, adults will be helped to think how best to meet those needs, including how to use their personal budget.

Where the Council is funding elements of the personal budget these may be taken as a direct payment as an alternative to any commissioned services. Direct payments are cash payments to an individual adult or a nominated¹ or authorised² person acting on the adult's behalf that can be used to purchase care and support services. Direct payments will be provided in accordance with the personalisation and self directed support policy. This policy can be accessed via the Council's website:

<http://www.wiltshire.gov.uk/personalisation-policy.pdf> or by contacting the Council on 0300 456 0111 to request a copy.

Reviews

Reviews of care and support plans and associated personal budgets must take place periodically, involving the person and agreeing any necessary changes. In most cases an anticipated review date will be included in the plan. In line with the statutory Guidance a light touch review will be conducted after 6-8 weeks and it is expected the care and support plan will be reviewed annually. Reviews will be proportionate to the needs to be met by the plan.

In accordance with the relevant Regulations and Guidance Direct Payments will be reviewed after six months (or sooner if required) to ensure they are providing the level of support the person needs and there are no excessive surpluses or deficits in the bank account. Thereafter reviews of direct payments will be annual and in so far as possible the Council will align annual reviews of direct payments with care and support plan reviews.

Individual Service Funds

This is where all or part of the person's budget is held by a provider of their choice under the terms of a contract held between the Council and the provider.

Adults may choose to take all or part of their personal budget as an Individual Service Fund (ISF). Wiltshire Council is working to develop contracting models that support the effective delivery of ISFs and will develop policy and guidance explaining how they will be promoted across Wiltshire.

4. Financial Assessment

The Council assesses what contribution an adult may make towards their personal budget for a range of services and does this in line with the charging regulations arising from the Care Act.

Key Change- Wiltshire Council has introduced a policy detailing its charging policy which

¹ A nominated person is anyone who agrees to manage a direct payment on behalf of the person with care needs.

² An authorised person is someone who agrees to manage a direct payment for a person who lacks capacity according to the Mental Capacity Act 2005.

incorporates the way in which it calculates how much people need to pay for care and support services.

The areas the Council charges for are all those outlined in the personal budget section above (not including the 'services excluded') and:

- An **administration fee** covering legal work, valuation and land registry fees (which will not exceed the cost of providing the service) **for deferred payment agreements** and an **interest rate** (set in line with the maximum amount set in the deferred payment regulations) for those eligible for this support. These agreements allow adults to meet the cost of residential care without having to sell their home straight away. Further details are set out in the Council's Deferred Payment Agreement Policy at **Appendix 2**;
- An **arrangement fee** (not exceeding the cost of arranging the service) where a self-funder asks the council to arrange their services (currently this does not apply to residential care until 2020). These fees will be regularly reviewed and updated by the Associate Director for Adult Social Care as and when necessary.

Key Change- Deferred payments are loans for people who want to postpone paying for care and support services in care homes or extra care settings until a later date. Through this policy the Council will exercise its discretionary powers to charge an administration fee for setting up a deferred payment and the loan will accrue interest in accordance with the national guidance

We will support adults to maximise their income through ensuring they receive all their financial entitlements. We will ensure individual adults are aware of charges before entering into any agreements.

Arrangement Fees

The Council will arrange care and support services for adults with eligible needs who are assessed as having resources above the national maximum threshold, who choose to have care at home arranged by the Council. Arrangement fees will be charged for this service based on a cost recovery basis. Adults with ineligible needs will be given information and advice about what community resources are available.

Adults with eligible needs will be offered brokerage support where the Council will broker care on their behalf with the Help to live at Home Provider or block/framework providers or a provider of their choice. A charge of £56.00 will be charged each time an adult asks the Council to broker care at home services on their behalf. The charge shall be reviewed on an annual basis and shall be updated from time to time based on any changes to internal costs. The Council will make best endeavors to negotiate a reasonable rate with providers on behalf of adults who request this service.

Key Change- The Council does not currently charge an administration fee to organise care and support on behalf of self-funding adults. The Care Act (2014) introduces a duty on Local Councils to offer arrangement services for adults with eligible needs who have assets above the maximum threshold. The Care Act allows Councils to charge an arrangement fee based on the costs incurred as a result of delivering this service. Through this policy the Council will adopt this discretionary power and will charge individual adults £56.00 per arrangement.

Reviews and re-assessments

Existing care and support plans will be reviewed at regular intervals and at any time when there is a significant change in circumstance for an individual adult. Dependent on individual need and agreement, reviews can happen at any time after a care and care and support plan is started, but must happen within one year of the service starting.

Reviews will check if there are any problems with support arrangements and whether the outcomes are being met. If there are problems, individual adults can either sort them out directly with the providers involved, or ask Wiltshire Council to help. If this relates to Help to Live at Home, any problem should be raised with the providers first.

A review of individual contributions to care and support needs will also be completed at least annually by the Council or an authorised representative.

Anybody involved with an individual adult's support can ask for a review of need at any time or a reassessment of financial contributions if there is a change of circumstances. The Council will then decide if a review is required, if it does not respond to a request for a Review it will provide the adult with reasons for this decision

5. Services Commissioned to meet assessed needs and deliver outcomes

Supporting Independence at Home

We will always try to enable an adult to return to their own home, as longer term this can help with their independence and in some occasions may even lead to longer term reductions in support required.

If an adult chooses to stay at home in instances when the value of an individual adult's personal budget will significantly exceed the value of support in a care home, the Council will offer the adult the equivalent value minus any funded nursing care and 'hotel costs' so that they can fund care packages at home.

In some instances we will approve high cost care and support plans for a time limited period, to establish whether a care at home package would be a sustainable option for their care and support. These care and support plans must be signed off by a relevant Head of Service and will be reviewed on a regular basis to establish whether the support has achieved the outcomes.

The basis of how these plans are set up will be clearly explained to individual adults so that plans can be ended should it become clear that outcomes will not be achieved.

Key Statement- The Council will only consider offering permanent support in a care home if the total cost of care and support at home is likely to exceed the care and support costs of support in a care home. This reflects the Council's current practice and the fact that the Council is committed to supporting as many people as possible to live at home as independently as possible.

Ongoing support at home packages

We will support people to live at home wherever possible and commission a range of services including Help to Live at Home services (HTLAH) to meet an individual adult's eligible needs only. These services are focused on meeting outcomes. Individual adults' outcomes can be met in a variety of ways. Our aim in working with individual adults the Council will always maximise independence, and support individuals to remain in their own home whenever possible.

Wiltshire Council will not provide support services to meet health needs. Where appropriate the Council

may work with healthcare services to create a jointly funded package of care to meet both health and social care needs. The Council will not purchase services solely to support people with medication needs as this is a health need and individual adults will be directed to health services. Support which involves prompting for medication may be offered from time to time but only when this is an ancillary task that can be completed while meeting social care needs.

All services, except for those with complex needs requiring specialist services and agreed by a Head of Service, are commissioned from the identified Help to Live at Home providers.

No services (including care homes), are provided indefinitely. All provision will be regularly monitored and reviewed with an aim to reflect progression as individual adults' independence is supported. Objectives and outcomes for reducing reliance on care will be clearly recorded in the care and support plan.

Adults not eligible for financial support from the Council will be encouraged to access the Help to Live at Home provider services.

Equipment

Provision of equipment will be considered as a way of meeting assessed needs and outcomes in a cost effective way. Equipment provision may also prevent or reduce the need for domiciliary care support, and will help the adult remain independent.

Community equipment (aids and minor adaptations) will be offered free of charge where it is identified that these might prevent, reduce and delay needs arising. Equipment might also be applied after an assessment of need if it is agreed that this will meet or prevent, reduce or delay needs arising. A minor adaptation is one costing £1,000 or less.

If an adult does not have eligible needs or is not thought to be at a high risk of developing an eligible need, they will receive advice and support in the purchasing of the correct equipment to meet any needs.

One-off Direct Payments (covering the cost of equipment, delivery and five years of maintenance costs) are an option for the provision of equipment and may enable an adult to top up or choose non-standard equipment where this will still be suitable for meeting or preventing needs arising.

Where Community Equipment under the value of £1000 is provided for people who meet the eligibility criteria, this will be excluded from an adult's financial assessment. Wiltshire Council will not fund major adaptations to housing unless this can be funded through the eligibility criteria for Disabled Facilities Grants.

Where hoisting is required, as part of an adult's care and support plan, an Occupational Therapy assessment should be agreed with providers to establish the need for any double-up support. The opportunity to provide suitable hoisting equipment should be identified to reduce the need for double-up support.

The provision of a same day, next day or out-of-hours delivery service is expensive and will be avoided wherever possible. If special delivery arrangements are required, the reasons for this will be documented.

Adults who have been provided with equipment by Wiltshire Council, who choose to move to a different local authority area may be allowed if it is practicable (as set out below) to take that equipment with them to the new host authority. The decision to move equipment with the individual adult will be based on the individual adult's preference, the effectiveness of the equipment and if it will still be effective in the new host authority area and the cost effectiveness of the decision.

Consideration will also be given to the contract for maintenance of the equipment and whether the equipment is due to be replaced. The Council will only retain responsibility for maintaining equipment if the adult remains ordinarily resident in Wiltshire.

Telecare

All providers are required to consider how telecare and other equipment can replace the need for direct care. Telecare will not be seen as an additional service people can receive but offered to every adult as an alternative to direct service provision. If a person has a long term package of care, telecare will be a chargeable service.

Prior to a making a residential placement the Council will use telecare (Just Checking) to establish the need for a placement.

Accommodation and Services outside the home

Choice of Setting

Where the care planning process has determined that a person's needs are best met in settings such as a care home, shared lives, supported living or extra care housing, Wiltshire Council will ensure at least one option for providers of the same type is available within a person's personal budget.

An adult has the right to exercise a preference for the care home they wish to live in. An adult must be informed of their rights. Where, for any reason, Wiltshire Council decides not to arrange a place for someone in their preferred accommodation it must have a clear and reasonable justification for that decision which is subject to four considerations:

- (i) **Suitability of accommodation** – which depends upon the individual adult's assessment of need and the compliance of the home with relevant registration regulations
- (ii) **Cost** – the Council is not required to pay more than they would usually expect to pay, having regard to assessed needs. When an adult has expressed a preference for more expensive accommodation than the Council would usually expect to pay to meet the assessed needs, and then they may be asked to pay a top up fee.
- (iii) **Availability** – it is acknowledged that waiting and interim placements are occasionally inevitable. The Council should give adults an indication of the likely duration of any interim arrangement and provide an review (reassessment) after a reasonable time period (e.g. 12 weeks) before a move to different accommodation.
- (iv) **Terms and conditions** – the Council needs to be able to impose certain contractual conditions on the care home.

A choice of care home places within the block contract will always be offered first where this is reasonable. Any offer of a Council commissioned care home within Wiltshire will meet the above criteria and will therefore be a suitable option. Wiltshire Council will not cover the cost of transport in such circumstances (where the offer is a suitable option) but will work with families to overcome any transport difficulties that arise (see transport section below).

Where an adult wants a place in a care home, which costs more than the Council's personal budget rates, top-up payments or a deferred payment agreement can also be arranged.

Where an adult wants a place in a care home out of Wiltshire, the personal budget will be set at the same rate that is paid by the host local authority.

Where an adult has already arranged a care home placement, and finds they can no longer afford the fees, the Council will arrange for a needs assessment and financial assessment to take place. In such

circumstances, the Council will not necessarily pay for the current accommodation and may instead pay for eligible needs to be met in another care or nursing home. In deciding how much to pay, the Council will take into account the individual adult's needs and wellbeing, in particular whether it would be proportionate to expect an adult to move into another care or nursing home even though, for example, the current accommodation costs more than it would usually expect to pay. For this purpose the Council will balance the disruption to the individual adult (to include the likely effect of a move on wellbeing and on physical and mental health) with its duty to the community as a whole to achieve best value. Third party top ups and deferred payment agreements would remain an option to avoid any move. Any placements in care homes must also meet the criteria on suitability, availability and the Council's standard terms.

Extra care and sheltered housing with care

Before considering a care home placement, all other options should be explored with the individual adult. The use of extra care housing or sheltered housing with care may give an adult more independence and choice, and may provide a better value option for the Council and more choice for the adult.

Care Home Provision

Where the Council is arranging a care home placement for an individual adult the Council's block contracts for care homes providing personal care will be used. Other placements in care homes providing personal care cannot be used without the specific authorisation of a Head of Service.

Nursing Homes

The Council has purchased further beds from a number of nursing homes in Wiltshire. Framework agreements, with the remaining nursing homes in Wiltshire, have been agreed or are being negotiated with fixed prices. These homes, with the agreed prices in the personal budget table, must be used wherever possible when the Council is arranging care.

Following a nursing needs assessment, completed by a health representative, access to nursing homes and fees for this will be agreed. The Personal Budget rates for this are set out in the reasonable price table which can be accessed via <https://www.yourcareyoursupportwiltshire.org.uk/care-and-support/personal-budgets.aspx>. Personal Health Budgets may also be agreed to cover funded nursing care costs.

Interim Placements

Where an individual adult has been assessed as requiring a long-term care home placement and funding has been agreed, but their chosen care home does not have a suitable vacancy, an interim placement will be offered in another suitable home in Wiltshire. This will ensure that people are not delayed unnecessarily in hospital. Interim placements will be chargeable and adults who are in interim placements will be offered a move to their chosen home once a vacancy has become available.

Financial information and advice

The Council will not normally arrange care home placements for individual adults able to meet the full cost of their care, until April 2020. Instead, the Council will provide the adult and their family with information and guidance to make private arrangements directly with the care home provider. The Council might make a placement for self funders in exceptional circumstances (for example, where the adult has no relatives or is unable to arrange his or her own affairs). All people contacting the Council for information and advice will be informed about the arrangement the Council has with companies offering independent specialist financial advice to people needing long term care.

Where the Council makes a care home placement on behalf of a self funder and the individual adult

wishes to be placed in accommodation that is more expensive than the Council would normally be expected to pay, then a written agreement will be arranged with the adult or his/her representative clarifying that this may mean a move for the adult in the future subject to a needs assessment if:

- The Council has to assist with funding if the individual adult's resources are depleted; and
- The accommodation occupied by the adult still costs more than the rate the Council would pay (the personal budget rate); and
- There is suitable accommodation elsewhere that meets the adult's needs.

A 'care cap' of £72,000 will be introduced from 1 April 2020. This means that everyone, including self-funders, will be provided with a care account demonstrating how their personal budget (comprising Council and individual contributions) is accumulating towards the cap. Once the care cap is reached it becomes the responsibility of the Council to meet the costs of care at the personal budget rate (not including daily living costs or top up payments) and the provisions above will apply in such circumstances. The provisions will also apply where a self-funder has arranged their own care and depleted their resources to the extent they are now reliant on Council support.

Continuing Health Care

In any case where the individual adult has complex health needs, assessments and reviews will consider potential eligibility for NHS Continuing Health Care (CHC). Adults will be made aware of their right to CHC funding and joint assessments and care and support planning will take place wherever possible.

We will seek case-by-case legal advice where individual adults are believed to have health needs and do not wish to pursue CHC funding.

The Council is not legally able to fund any services that are deemed as health services and which should be met via a health care assessment and provided by appropriately trained staff e.g. nurses.

Day Services

For some people provision of some type of daytime activity can reduce the need for individual care or placement and can also be a cost effective way of meeting someone's need. The majority of day services are currently provided under contract by Orders of St John and the rates for this are set out in the personal budget table.

If an adult attending day services has personal care needs they are entitled to access the Order of St John Service with the specialist support required.

The Council will also fund a number of community based day opportunities or offer a personal budget to meet individual adults' needs in another way.

Transport to services outside the home

Where an individual adult is assessed as being eligible for any service agreed in a care and support plan, this does not automatically lead to the provision of transport to that service; it should be a separate part of the assessment discussion to ensure that the adult meets the eligibility criteria for transport as well.

All possible options for transport must be discussed with the individual adult such as support from friends and family or the use of universally available services (public transport).

All relevant benefits including but not limited to the disability living allowance mobility component will be taken into account when determining whether the Council should meet any transport costs.

If as a result of assessment, a individual adult is deemed to have an eligible need for transport to access a community based service, then the council will calculate the personal budget for this based on the cost of reaching the nearest suitable activity. Adults are welcome to choose alternative activity centers further away but will be expected to contribute the difference.

Key Statement- This reflects the Council's existing transport eligibility criteria. Through this policy, adults who are eligible for funded transport services will only be supported to access the nearest appropriate service. The policy reaffirms that the Council expects adults to make use of public transport where possible and that transport costs will only be funded to meet assessed eligible care and support needs.

7. Complaints

Wiltshire Council's Corporate Complaints Policy applies this can be accesses via <http://www.wiltshire.gov.uk/council/complaints/complaintsmakingacomplaint.htm> or by calling 0300 456

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