

# **Cabinet Member for Adult Services**

## **Agenda**

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**Date:** Monday, 21st June, 2010  
**Time:** 10.00 am  
**Venue:** Committee Suite 1 & 2, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into two parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide three clear working days' notice, in writing, in order for an informed answer to be given.

4. **Amendment to Schedule of Fees & Charges 2010/11 regarding Mental Health Plus Day Care** (Pages 1 - 4)

To consider a proposed amendment to the Schedule of Fees & Charges approved by Council on 25<sup>th</sup> February 2010.

**(There are no Part 2 items)**

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## CHESHIRE EAST COUNCIL

### Cabinet Member for Adult Services

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**Date of Meeting:** 21<sup>st</sup> June 2010  
**Report of:** Phil Lloyd – Head of Adult Services  
**Subject/Title:** Amendment to Schedule of Fees & Charges 2010/11 regarding Mental Health Plus Day Care

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#### **1.0 Report Summary**

- 1.1 This report sets out a proposed amendment to the Schedule of Fees & Charges approved by Council on 25<sup>th</sup> February 2010.

#### **2.0 Recommendation(s)**

- 1.2 To approve the extension of sessional rates for Day Care beyond the Family Placement Scheme to Mental Health Plus day care services.

#### **3.0 Reasons for Recommendation(s)**

- 3.1 This decision is required to amend the Council-approved Budget Report 2010/11 Annex 7.

#### **4.0 Wards Affected**

- 4.1 N/A

#### **5.0 Local Ward Members**

- 5.1 N/A

#### **6.0 Policy Implications including - Climate change - Health**

- 6.1 None.

#### **7.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)**

- 7.1 This amendment is in accordance with the general principles underpinning the Scale of Fees and Charges, and within the statutory framework for applying charges. It does not change the income budgets within the Budget Report, only altering the means by which these budget targets may be achieved (see details below). The overall financial impact will depend upon the volume of activity in the services, some of which may be price sensitive. A reduction in current annual fee income of £842 has been identified in respect of amending charges for Family Based Day Care in Carers Home and an increase in fee

income of approximately £38,000 is anticipated with introducing charges for Mental Health Plus.

## **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 The contents of this report are in accordance with the legal requirements. The figures contained in this report have been verified by the Council's accountancy team.

The non-residential charging policy (dating back to 2003) envisages the service covered in this report being subject to charging. Whilst there does not appear to be a legal requirement to consult, it is always advisable to properly engage with service users prior to the implementation of any charge.

## **9.0 Risk Management**

- 9.1 There are no risks associated with this report.

## **10.0 Background and Options**

- 10.1 Cheshire East Council, Adult Services operate means testing within a Non-Residential Charging Policy introduced in 2003 by Cheshire County Council. This policy was designed within the parameters of the Department of Health "Fairer Charging for Non-Residential Services" Guidance, covering all service groups, and specifies the services which are subject to means test. Day Care is subject to means test within this Policy. The Non-Residential Charging Policy was preserved at Local Government Review and applies within Cheshire East Council.
- 10.2 Mental Health Plus is a long-standing service which has developed over many years from a drop-in provision monitoring and maintaining individuals with mental health problems into two more structured outcome-based services :-
- *Occupational Opportunities* which supports individuals with skill for employment and
  - *Day Care Plus* which provides structured day care support and monitoring in small group settings.
- 10.3 Occupational Opportunities remains free of charge to the user in accordance with the Non-Residential Charging Policy.
- 10.4 Work has commenced to move the Mental Health Plus day service to a means test from 5<sup>th</sup> June 2010 in accordance with the Non-Residential Charging Policy (this excludes those assessed under Section 117 of the Mental Health Act 1983). This will bring equity in the application of the charging policy across all service user groups.
- 10.5 Work thus far has included:
- Collating information regarding Mental Health Plus users, their legal status and services. (December 2009)
  - Support gained from Individual Commissioning Senior Manager to progress the work.
  - Legal advice regarding requirement for consultation.

- Engagement with Care4CE Mental Health Plus management and staff to ensure users are briefed and supported through the process. (January 2010)
- Briefing and engagement with key stake-holders: Service Users, Carers, MH Partnership Board, Community Mental Health Managers, Community Mental Health Team Care Co-ordinators, Individual Commissioning Managers, Client Finance, Mental Health Advocacy, Open Minds Voluntary Group. (from January 2010 through to June 2010)
- Financial Assessment Surgeries facilitated in each setting to provide users with a welfare benefit check, answer questions about the change and complete individual financial assessments, in order for Service Users to understand the impact of charges for them in advance of implementation. (from April to May 2010)
- When requested financial assessments have been provided in the privacy of the service users own home.
- Service users and household members have been supported to claim benefit entitlement.
- Letters have been sent to all users who have not yet had an assessment to arrange an appointment to complete. (June 2010)
- Letter to users who have completed a financial assessment to confirm their contribution from 5th June 2010. (June 2010).

10.6 Volumetrics: 129 Service Users attend MH Plus day care and of this number:

- 89 financial assessments have been completed; 16 have been assessed as not able to contribute due to low income and 24 are exempt from charges due to Section 117 Mental Health Aftercare Order.
- Community Care Assessments are almost complete.
- 26 people have no current Community Mental Health Team involvement and subject to their Community Care Assessment, these people may be ineligible for continuing Mental Health Plus day care services and will be supported to alternative appropriate provision
- 18 people are being supported to claim additional welfare benefits
- 1 individual has complained but not yet withdrawn from service.

10.7 Through engagement with service users and staff, it became clear that the day services operate on a short sessional basis rather than a full day session, and to apply the standard rate for Day Care at £32 per session would not be a fair price and would serve as a disincentive to service take up. An alternative charging structure already exists within the Department's Scale of Fees and Charges under Family Based Care day care (in the Carers Home).

10.8 As part of this work, a further issue came to light in that the resource directory on CRRIS had not been updated correctly in line with the scheme of delegated charges in 2009/10 for Family Based day care in the carer's home. Due to the low financial impact for the Council, no one had identified this as an issue. FBC customers who are receiving day care in a "support to multiple user session" (in the carer's home) have therefore been charged (according to their means) a maximum of £26.98 per session (the 09/10 Day Care charge) which has been approved by Members to increase from 10<sup>th</sup> April 2010 in line with annual charge uplift to £32.00 per session.

- 10.9 Changing the maximum charge to the correct rate according to the Scheme of Delegated Charges and as approved by Members for 2010/11 would impact on only five customers. These individuals are currently paying the full cost of their day care and would see a reduction in their contribution to £23.74 (all are receiving six hour sessions). Each customer would benefit by £3.24 per week and the Council would lose this as income  $\times 5 = £16.20$  per week per customer.

**Recommendation:**

- 10.10 It is therefore recommended that:

The approved sessional day care rates which apply to Family-Based day care in the carers home are corrected in line with the approved published rates from April 2010 and are extended to cover day care sessions in Mental Health Plus from 5<sup>th</sup> June 2010. Sessions in excess of six hours will still be charged for at the standard Day Care rate. This extension of existing charges is summarised below:

Position from April 2010	2010/11
<i>Community Based Services</i>	
Day Care (per session)	£32.00
<i>Family Based Care Day Care Scheme</i>	
Day Care – support to multiple users	
3 hour session	£11.87
6 hour session	£23.74
9 hour session	£35.61

Recommended:	2010/11
<i>Community Based Services</i>	
Day Care (per session)	£32.00
Mental Health Provider Plus	
Up to 3 hour session	£11.87
Up to 6 hour session	£23.74
More than 6 hour session	£32.00
Family Based Care (in Carers Home)	Unchanged

## 11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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