

Data Label: PUBLIC

West Lothian Council

ADULT SOCIAL CARE

**POLICY ON CONTRIBUTIONS FOR
NON-RESIDENTIAL SOCIAL CARE SERVICES
2023-2024**

Approved: May 2023

Next Review date: March 2024

Table of Contents

1. INTRODUCTION	3
2. PROVISION OF SOCIAL CARE AND SUPPORT	4
3. WHO IS EXEMPT FROM MAKING FINANCIAL CONTRIBUTIONS?	5
4. THE FINANCIAL ASSESSMENT PROCESS	5
5. HOW WILL CONTRIBUTIONS BE CALCULATED?	7
6. DISABILITY RELATED EXPENDITURE (DRE)	8
7. PERSONAL INCOME CHECK	8
8. OTHER CHARGES	8
9. DIRECT PAYMENTS	9
10. PAYMENT OF CONTRIBUTIONS	9
11. ENQUIRIES, REVIEWS, COMPLAINTS	10
12. RELATED LEGISLATION AND WEST LoTHIAN COUNCIL POLICIES	10
13. UPDATES	11
14. APPENDICES	12

1. INTRODUCTION

- 1.1 West Lothian Council supports individuals to live at home independently, safely and for as long as possible. To help us continue providing social care to as wide a range of individuals as possible everyone who undertakes an outcome-based assessment of needs will be financially assessed to determine whether they should make a financial contribution towards the cost of their assessed non- residential care and support services. Contributions towards the cost of an individual's eligible non-residential care and support will be an important part of the council's income and will help to maintain and develop social care services.
- 1.2 A contribution towards the cost of an eligible care and support plan may apply if someone receives services from the council now or in the future. A contribution will apply whether the service is provided by the council or purchased /arranged from an external provider.
- 1.3 Local Authorities are permitted to charge for non-residential services which are provided or arranged under the Social Work (Scotland) Act 1968 and the Mental Health (Care and Treatment) (Scotland) Act 2003. These charges must be reasonable, having regard to the care and support being provided and a person's ability to meet any costs. Any charge for services should not exceed the cost of providing the service.
- 1.4 A financial assessment will be undertaken for an individual where they are assessed as requiring eligible care and support services, which there could be a contribution due for.
- 1.5 The contributions policy explains how the council will work out how much a service user should pay towards the cost of their assessed eligible care and support services. The policy approved by the council on 11 September 2018 is effective from 1 October 2018 for new service users and 1 April 2019 for existing service users.
- 1.6 The policy complies with social care legislation, Scottish Government guidance and reflects COSLA's National Strategy and Guidance for Charges Applying to Non- Residential Social Care Services 2021/22 (renamed as 'Charges applying to Social Care Support for people at home) which provides a framework for councils to demonstrate that in developing their charging policies, they have followed best practice.
- 1.7 The policy is based on:
- Fairness and equality
 - Consistent decision making
 - Transparency of cost of contribution
 - COSLA National Guidance and relevant social work legislation
- 1.8 The council will adhere to the following principles that an individual will be:
- Entitled to be assessed for eligible care and support needs and services provided on that basis;
 - Asked to contribute towards the cost of their eligible care and support where it is practicable for them to pay;
 - Required to contribute no more than the cost of providing their eligible care and support;
 - Provided with a financial assessment before any determination is made about the level of contribution they should make to their eligible care and support services;
 - Provided with a personal income check to provide them with information, advice and support to maximise and manage their income;
 - Treated in a transparent, fair and equitable manner;
 - Provided with information and assistance when they need it; and
 - Able to complain or request a review of any decision which is made about them, their care or financial contribution.

- 1.9 Figures in this policy are correct for the financial year 1 April 2023 to 31 March 2024. As reference to COSLA guidance is made throughout this policy and this guidance is subject to annual updates, reference should be made to the latest COSLA guidance for up to date personal allowance thresholds. <http://www.cosla.gov.uk/social-care-charging-information>

2. PROVISION OF SOCIAL CARE AND SUPPORT

- 2.1 The self-directed support approach means that personal plans are developed with individuals based on their identified outcomes. The 'All About Me' assessment process generates an indicative budget and the individual is then presented with four options in order to choose how this indicative budget will be spent in order to meet their outcomes. The care and support contribution will be linked to an individual's personal finances and their ability to pay rather than the type(s) of services chosen to meet their needs.

- 2.2 A financial assessment will be carried out to determine the overall contribution due by an individual.

- 2.3 A financial contribution is not required for the following social care and support services

- Criminal Justice social work services
- Provision of information and advice
- Needs assessment
- Case management following a needs assessment
- Adaptations for disabled persons in owner occupier or privately rented housing, which attract a mandatory grant (in line with the council's Scheme of Assistance) as they are being funded by the council through a grant process to meet the cost of that work.
- Provision of nursing and personal care (see section 3 and Appendix 1)

- 2.4 Leaving Hospital

Where an individual has been an NHS in-patient for more than 24 hours or had surgery as an NHS day patient:

- A financial contribution is not required for new, intermediate or additional home care services for 42 days on discharge from hospital including reablement services, minor adaptations or equipment provided to facilitate discharge pending further assessment at home
- Services in place pre-admission and which continue after discharge will continue to be chargeable.
- Relief from charging for hospital discharge does not apply to discharges following admission on a regular or frequent basis as part of on-going care e.g. admission for respite care, on-going episodic treatment

NB Based on Scottish Executive Circular No. CCD 2/2001 "Free Home Care for Older People Leaving Hospital"

- 2.5 Individuals residing in Residential, Assisted Living or Housing with Care may be assessed for additional social care needs, in terms of the council's Eligibility for Non Residential Adult Social Care Policy. If this identifies a need for additional care and support they may be subject to a financial assessment and contribution. Other care and support provided and charged independently through Housing Support Charges or Telecare charges do not fall within the terms of this policy.

2.6 Transition from child to adult services

Children and young people are not charged for any social care up to the point they transition from children's social work services to adult social work services. The contributions policy will apply at the time an adult social work assessment is undertaken.

For children and young people who have been looked after and specifically for young people receiving continuing care, the transition to adult services can be for an extended period of time and therefore the application of the contributions policy will be in accordance with the transition plan specific to each young person.

3. WHO IS EXEMPT FROM MAKING FINANCIAL CONTRIBUTIONS?

3.1 Individuals are exempt from making a financial contribution who are:

- terminally ill (in receipt of a DS1500/BASRiS form or regarded as having a terminal illness for the purpose of determining entitlement to disability assistance)
- receiving personal or nursing care only as defined by the Community Care and Health (Scotland) Act 2002 and amendment number 2 in 2018. (see Appendix 1)
- subject to a Compulsory Treatment Order under the Mental Health (Care and Treatment) (Scotland) Act 2003
- subject to a Compulsion order under the Criminal Procedure (Scotland) Act 2003
- receiving care and support as an unpaid Carer under the Carers (Waiving of Charges for Support) (Scotland) regulations 2014

4. THE FINANCIAL ASSESSMENT PROCESS

4.1 Anyone who receives a "chargeable service" will be assessed to determine how much they can afford to pay towards the cost of those services they receive; this is called a financial assessment. The care and support provided will always be based on assessed eligible need and a contribution towards the cost of care and support based on the practicality of an individual's ability to pay that contribution. Appendix 1 contains some examples of chargeable services.

4.2 A financial assessment will be carried out along with a social care assessment. Where care and support needs have been identified eligible services will be delivered to meet those needs from an agreed commencement date on the care and support plan. Any contribution which is determined as being due will be backdated to the commencement of any care or support services being provided.

4.3 The council will ensure, as part of the financial assessment process, that an individual is receiving maximum entitlement to any benefits / income. If the financial assessment process is refused an individual may be liable for the full cost of their care and support, less any free personal care element.

4.4 An individual's ability to contribute toward the cost of their care will be based on their available weekly income, and capital held. An officer from the council may be required to visit an individual at home to undertake a financial assessment. The officer is required to have proof of all income and capital held, therefore any Pension or Benefit statements, and bank or savings books relating to financial affairs should be made available for inspection.

4.5 Total Assessed Income

An individual's ability to contribute to the cost of eligible care and support will take account of following income, based on a weekly amount:

- Net earnings
- Benefits / Tax Credits

- Pension Income
- Other income, including income from a non-independent living at home
- Capital income

4.6 Partner's Income

Where someone is part of a couple, this being their spouse or civil partner, only their income and capital, along with 50% of any jointly awarded/held income and capital will be taken into account when calculating their contribution. This ensures that partners are left with their own income and capital.

Jointly held capital is split equally between the couple unless he/she can demonstrate that they have no legal entitlement to the capital. Capital income (see paragraph 4.8) will be calculated on the basis of the apportioned share of capital.

4.7 Disregarded Income

Certain types of income will not be taken into account in the financial assessment process. This is known as disregarded income. These include the following:

- Disability Living Allowance (DLA) Mobility Component
- Personal Independence Payment (Mobility Component)
- Adult Disability Payment (ADP) (Mobility Component)
- Enhanced rate of (PIP) Personal Independence Payment (Daily Living Component) when the person is not receiving night time services. Therefore, only including the standard rate as income
- Enhanced rate of (ADP) Adult Disability Payment (Daily Living Component) when the person is not receiving night time services. Therefore, only including the standard rate as income
- The higher rate element of Disability Living Allowance (Care Component) when the person is not receiving night time services. Therefore, only including the middle rate as income
- The enhanced rate of Attendance Allowance when the person is not receiving night time services. Therefore, only including the lower rate as income
- £20 of net earned income
- Independent Living Fund payments
- All benefits paid for or on behalf of dependent children including Child Benefit
- Child Tax Credits
- War Disablement Pension and compensation payments made through the Armed Forces Compensation Scheme
- Compensation Payments. West Lothian Council will disregard the range of compensation payments outlined in and in line with the COSLA guidance including the consideration of payments held in Trust. This will include interest on compensation payments.

4.8 Capital

Capital such as savings, bonds, stocks and shares, ISAs etc. will be considered as a source of income.

The approach set out below disregards income received against capital held up to a level of £6,000 for individuals below state pension qualifying age; or £10,000 for individuals of state pension qualifying age or above. For any capital held above those levels a weekly income is assumed and this is added as income in the financial assessment; as per the rates set out in the table below:

	Disregard Capital Below	Weekly Capital Income
Below State Pension Qualifying Age	£6,000	£1 per £250, or part thereof
State Pension Qualifying Age or Above	£10,000	£1 per £500, or part thereof

The value of an owner occupier's home is not counted as capital.

4.9 Applicable Housing Costs

The assessable income calculation will be net of applicable housing and council tax costs. Housing costs include: rent and mortgage payments, buildings insurance premiums for owner occupiers and costs for Council Tax and Water and Sewerage will also be deducted. If an individual is part of a couple this will be a 50% deduction.

For non-dependents living at home an allowance for rent paid to family / parents will be disregarded in line with DWP guidance on non-dependent deductions.

4.10 Personal Allowance

For users of non-residential services the policy reflects the COSLA Guidance, which suggests a level of weekly income below which someone cannot be asked to pay care and support charges. These are known as personal allowances (or minimum income thresholds) and are set at the following levels for 2023/24:

Single person under pension qualifying age	£156
Couple under pension qualifying age	£238
Single person over pension qualifying age	£252
Couple over pension qualifying age	£384

The basis of the personal allowance is linked to rates set by the DWP for income support personal allowances, disability premiums and pension credit. In order to provide more help to those on low incomes and to recognise that not all of someone's income above these rates should be taken in contributions, a buffer of 25% is included in the personal allowance threshold levels set out above.

5. HOW WILL CONTRIBUTIONS BE CALCULATED?

- 5.1 To determine the amount someone can afford to contribute towards their eligible care and support, the following will be completed:

Total Assessed Income (A)
Less Applicable Housing Costs (B)
Less Disregarded Income (C)
Less Personal Allowance (D)
Equals Excess Income (E)
Apply WLC Taper of 65% if (E) > Nil

Equals Maximum Weekly Contribution

- 5.2 If the assessable weekly income is calculated at less than the personal allowance figure, an individual will not be charged for their care and support service.
- 5.3 A decision to apply taper rates to contributions or charges is at the discretion of individual local authorities. The council has decided that the maximum weekly contribution that someone will be required to contribute to their eligible care and support costs is 65% of any excess income. This is in addition to the 25% buffer rate included in the personal

allowance and other income and expenditure disregards.

- 5.4 Individuals will be required to contribute the maximum weekly contribution that has been assessed, or the actual cost of their care and support plan, whichever is the lesser amount.
- 5.5 Individuals with an assessed contribution of less than £1 per week will not be asked to contribute.
- 5.6 Appendix 3 provides some examples of how a contribution will be calculated.

6. DISABILITY RELATED EXPENDITURE (DRE)

- 6.1 DRE is the additional expense that a person incurs, because they are disabled or have health problems. DRE will vary for each individual and what may or may not be included in a financial assessment will depend on the disability and individual's needs.
- 6.2 The council will consider whether to disregard more of a person's income or capital, over and above any existing disregards, to take account of any additional disability related expenditure as part of their financial assessment process or on a case by case basis by request. Where an individual is in receipt of a Disability Related Benefit then a contribution calculation to disregard any excessive DRE can be requested or taken into account. DRE does not include general items or services required for daily living by anyone; items or services met by a grant or other funding source; the difference between the actual cost and a lower cost alternative where it is considered reasonable to have the lower cost alternative.
- 6.3 Should someone have additional disability related expenditure, which they feel is not taken account of in the additional 65% income taper applied to all financial assessments, they should provide details of that expenditure so it is considered in a financial assessment. If a contribution will cause undue financial hardship an individual may request a review of their contribution in line with the process detailed in Paragraph 11 providing evidence of all additional disability related expenditure. The council may refer individuals to the West Lothian Advice Shop for a Personal Income Check before they consider a review.

7. PERSONAL INCOME CHECK

- 7.1 To fully assess an individual's circumstances, it is important that help, support and advice are provided at the right time. To support an individual's needs a full holistic personal income check will be offered encompassing advice and support in Income Maximisation, Debt, Money Management, and Energy & Housing options.
- 7.2 All individuals who undertake a financial assessment will be given the opportunity to undertake a full personal income check. Individuals can opt out of this.
- 7.3 The service is provided by West Lothian Advice Shop, who will carry out an impartial, confidential and a holistic income check. Carers and/or other members of the household can also have a personal income check completed.

8. OTHER CHARGES

- 8.1 The contribution which is to be made towards care and support will be based on assessed eligible care needs regardless of what Self Directed Support option is chosen or whether care is provided by the council or another provider.

- 8.2 Access to the Home Safety Service (“Telecare”) will not be part of an individual’s assessed needs if this has been chosen as a service. The current charge for the Telecare service for 2023/24 is £3.34 per week. This will remain as a separate chargeable service.

9. DIRECT PAYMENTS

- 9.1 Self-Directed Support allows everyone with a care and support package to manage their own care and provides them with opportunity to exercise choice and control on how those needs are met. Where a person has been assessed as being able to contribute towards their care and support, and chooses a direct payment (Self-Directed Support option 1), their assessed contribution will be deducted prior to the provision of the monthly direct payment i.e. the direct payment will be paid ‘net’. The supported person is therefore expected to pay their contribution into their nominated direct payment bank account to ensure their care service invoices or payroll costs can be paid in full each invoicing period.
- 9.2 When a direct payment is the only Self-directed Support funding option received, the payment will be paid net of any assessed financial contribution unless a request is made for the payment to be paid gross. If the Direct Payment is received alongside other SDS funding options, the contribution charges will be invoiced, and the Direct Payment will be paid gross.
- 9.3 The council will give any request to pay a direct payment gross its full consideration. The council will consider the reasons and circumstances behind any request before making a decision. It will inform the person in writing of their decision.

10. PAYMENT OF CONTRIBUTIONS

- 10.1 Individuals will be invoiced on completion of the financial assessment for their annual contribution from the date their eligible care and support services commence to end of the financial year, and thereafter will be billed annually in advance.
- 10.2 A direct debit will be set up to collect the contribution in instalments on a monthly basis. If individuals are unable to use the Direct Debit Scheme then the council will discuss alternative methods of collection with them.
- 10.3 Failure to make payment of any contribution may result in the council taking appropriate recovery action in line with its Service Accounts invoicing and collection process and Corporate Debt policy.

Planned and unplanned breaks

- 10.4 It is the responsibility of individuals to advise the council in advance of any planned circumstances which will impact on the need for service delivery. A representative such as guardian, family member or care provider may advise the council of any known absences – adhoc, planned or unplanned - so that appropriate steps can be taken to pause or cancel any care provision. The council may require to confirm with the individual details of any absence before being able to cancel any care provision.

Notice of planned and unplanned breaks can be provided by the individual or their representative to an allocated worker, by email (adultsocialcare@westlothian.gov.uk) or telephone (01506 284848).

Planned breaks including scheduled admission to hospital

An adjustment can be made to the individual’s contribution for going on holiday or being admitted to hospital for a scheduled operation subject to advance notice of at least four weeks. The section on hospital discharge (section 2.4) should be read in conjunction with this.

Unplanned and emergency breaks in care provision

An adjustment to a contribution can be made for unplanned or emergency admission to hospital on the advice of an individual or their representative. The nature of unplanned or emergency admission means that no advance notice is expected to be given, and any adjustment to a contribution will be backdated to the date of admission and adjusted for the remainder of the invoice period. The section on hospital discharge (section 2.4) should be read in conjunction with this.

Ad hoc absences, including being ill (at home) or absent for appointments are not eligible for adjustments to an individual's contribution. This is because the care provision will already have been scheduled and paid for. When a period of being ill at home becomes extensive an adjustment can be considered on a case by case basis, if requested. This will normally be undertaken in conjunction with a re- assessment of care needs to identify if a change to a care plan is required.

11. ENQUIRIES, REVIEWS, COMPLAINTS

- 11.1 West Lothian Council seeks to resolve customer dissatisfaction as close as possible to the point of service delivery. The first point of contact should be the assessor who has undertaken the needs assessment.
- 11.2 If there are concerns the financial contribution has been miscalculated or income, capital or disregards used in the calculation are incorrect the Financial Assessment Team can be asked to review their decision. Reconsideration of the financial assessment is the first step in the review process.
- 11.3 If an individual feels their financial contribution will cause undue financial hardship they can request a social work review to determine if further disregards should be applied, or a reduction of the contribution or waiver of it should be applied.
- 11.4 If the individual has a complaint about the service they receive, they are entitled to make a complaint at any time. The West Lothian Council Complaints Processes will apply.
- 11.5 The provision of care and support will continue during the period of any review or complaint.
- 11.6 Details of the review and complaints processes are available on request and on the Council's website.

12 RELATED LEGISLATION AND WEST LOTHIAN COUNCIL POLICIES

This policy complies with the following core legislation which continues to be the legal basis for assessment in West Lothian Council:

- The Social Work (Scotland) Act 1968
- Chronically Sick and Disabled Persons Act 1970
- The NHS and Community Care Act 1990
- Children (Scotland) Act 1995
- The Human Rights Act 1998
- Data Protection Act 1998
- Adults with Incapacity (Scotland) Act 2000
- The Regulation of Care (Scotland) Act 2001Community Health and Care (Scotland) Act 2002
- Mental Health (Care and Treatment) (Scotland) Act 2003
- The Adult Support and Protection (Scotland) Act 2007
- Social Care (Self-directed Support)(Scotland) Act 2013

- Children and Young People (Scotland) Act 2014
- The Carer's (Scotland) Act 2016
- West Lothian Council Policy on the application of hourly rates for the purchase of registered agency services under Self-directed Support Option 2 ('SDS Option 2 Policy')
- West Lothian Council Policy on Self-directed Support ('SDS Policy')
- West Lothian Council Eligibility Criteria for Carer Support ('Carer's eligibility')
- West Lothian Council Policy on Assessment and the Application of Eligibility Criteria for Non-Residential Care ("Eligibility Policy")

13 UPDATES

This policy will be reviewed annually. Up to date information will be published on the council's website www.westlothian.gov.uk Paper copies are available on request.

14. APPENDICES

Appendix 1

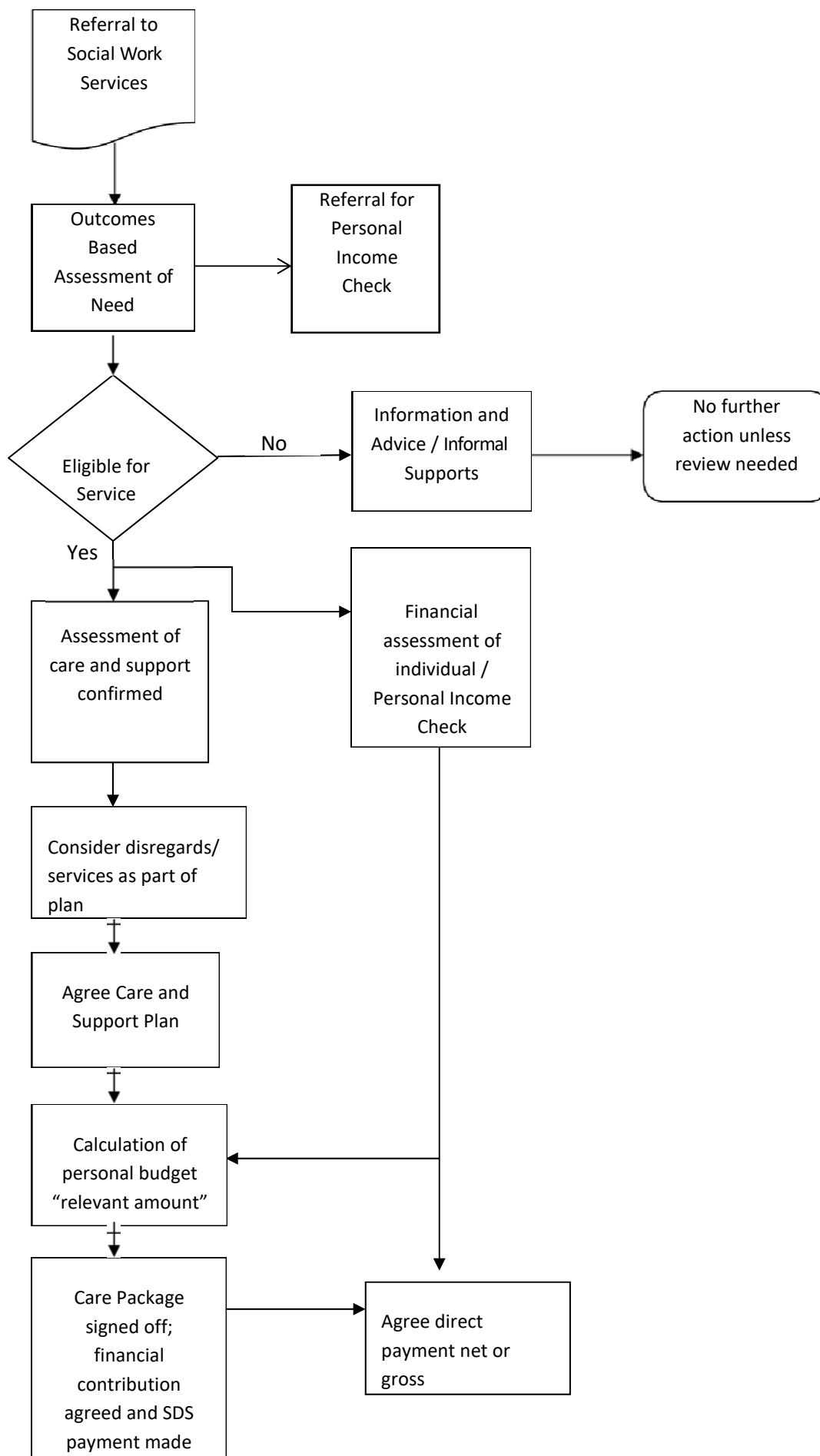
Definition of personal care

- Personal Hygiene- Bathing, Showering, hair washing, shaving etc.
- Personal Assistance – Dressing, surgical appliances, prosthesis etc.
- Continence Management, Toileting, skin care, bed changing etc.
- Simple Medical Treatments – Assistance with medication, including eye/ear drops, application of creams, simple dressings etc.
- Food and Diet – Food and drink provision, feeding, assistance with special diets, assistance to manage different meals services etc.
- Moving and handling – Assistance to get up/go to bed, Transfers, including the use of hoists.

Examples of Non-residential care services

- Day support, including day care
- Care at Home – supported accommodation, supported living, housing support services
- Lunch Clubs
- Wardens in Sheltered Housing
- Laundry Services
- Aids and Adaptations
- Transport
- After Care services for people with a mental illness
- Care and support services for those who have, or have had a mental illness, (in or not in hospital)

Assessment of Needs and Financial Assessment Process



Appendix 3

Non-Residential Social Care Examples

Client A: This client is a single person under pension age living with parents. They have been assessed as requiring 1 hour of non-personal care per week, costing £20.00 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) - including disability premiums	149.05
PIP Daily Living Standard Rate	68.10
Capital	0.00
Total Assessed Income (A)	217.15
Applicable Housing Costs (B)	
Assumed Housing Costs for a Non-Dependent Adult	£19.78
Disregarded Income (C)	
N/A	
Personal Allowance (D)	
Single Person Allowance – under pension age	156.00
Total Housing Costs, Disregards and Personal Allowances	175.78
Excess Income (E)	41.37
Maximum Weekly Contribution (65% of excess income)	26.89
Actual Weekly Contribution	20.00

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £41.37 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £26.89 per week.

The client's maximum weekly contribution is higher than the weekly cost of their care and support package which is £20.00 per week, and they have therefore been assessed as requiring to pay the total cost of £20.00 per week for their non-personal care.

Contd/

Appendix 3 continued

Client B: This client is a single person under pension age. They receive 27 hours of non-personal care a week, at a cost of £547.15 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) – including enhanced disability, severe disability and support component	225.45
PIP Mobility Enhanced Rate	71.00
PIP Daily Living Enhanced Rate	101.75
Capital	0.00
Total Assessed Income (A)	398.20
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	5.55
Rent (net of Housing Benefit)	0.00
Disregarded Income (C)	
PIP Mobility Enhanced Rate	71.00
PIP Daily Living Enhanced Rate – only the difference between the enhanced rate and standard rate is taken into account)	33.65
Personal Allowance (D)	
Single Person Allowance – under pension age	156.00
Total Housing Costs, Disregards and Personal Allowances	266.20
Excess Income (E)	132.00
Maximum Weekly Contribution (65% of excess income)	85.80
Actual Weekly Contribution	85.80

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £132.00 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £85.80 per week.

The client's maximum weekly contribution is lower than the weekly cost of their care and support package which is £547.15 per week, and they have therefore been assessed as requiring to contribute £85.80 per week towards the cost of their non-personal care.

Contd/

Appendix 3 continued

Client C: This client is part of a couple under pension age with a partner receiving Carers Allowance, they have jointly held capital totaling £12700.00. WLC will assume income solely received by the person receiving care and only 50% of any income or capital jointly received or held by the couple. The client receives 1 hour of non-personal care a week, at a cost of £17.50 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) - including disability premiums and less tariff income from joint held capital.	214.30
PIP Mobility Enhanced Rate	71.00
PIP Daily Living Enhanced Rate	101.75
Capital	2.00
Total Assessed Income (A)	389.05
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage) – 50%	2.90
Rent (net of Housing Benefit)	0.00
Disregarded Income (C)	
PIP Mobility Enhanced Rate	71.00
PIP Daily Living Enhanced Rate – only the difference between the enhanced rate and standard rate is taken into account)	33.65
Personal Allowance (D)	
Couple Personal Allowance – under pension age	238.00
Total Housing Costs, Disregards and Personal Allowances	345.55
Excess Income (E)	43.50
Maximum Weekly Contribution (65% of excess income)	28.27
Actual Weekly Contribution	17.50

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £43.50 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £28.27 per week.

As the client's maximum weekly contribution of £28.27 is higher than the weekly cost of their care and support package, £17.50 per week, they are required to pay the lesser of the two calculations towards the cost of their non-personal care, £17.50.

Contd/

Appendix 3 continued

Client D: This client is a single person of state pension qualifying age. They receive 2 hours of non- personal care a week at a cost of £40.20 a week

Total Assessed Income	£
War Disablement Pension	79.25
State Pension	233.30
DLA Mobility low rate	26.90
DLA Care middle rate	68.10
Private Pension	45.00
Capital	0.00
Total Assessed Income (A)	452.55
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	5.80
Rent (net of Housing Benefit)	5.50
Disregarded Income (C)	
DLA Mobility low rate	26.90
War Disablement Pension	79.25
Personal Allowance (D)	
Single Person Allowance – state pension age	252.00
Total Housing Costs, Disregards and Personal Allowances	369.45
Excess Income (E)	83.10
Maximum Weekly Contribution (65% of excess income)	54.01
Actual Weekly Contribution	40.20

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £83.10 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £54.01 per week.

As a result of the client's maximum weekly contribution of £54.01, being greater than the actual cost of care, £40.20, they are required to pay the lesser of the two calculations, £40.20

Contd/.

Appendix 3 continued

Client E: This client is part of a couple and is over pension age. WLC will assume income solely received by the person receiving care and only 50% of any income or capital jointly received or held by the couple. In this example, the couple do not receive any joint income or hold any capital over £10,000. The client currently receives 12 hours of non-personal care a week at a cost of £241.20 per week.

Total Assessed Income	£
State Pension	132.30
DLA mobility high rate	71.00
DLA Care middle rate	68.10
Partner's Income	0.00
Capital (jointly held)	0.00
Total Assessed Income (A)	271.40
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	2.65
Rent (net of Housing Benefit)	12.50
Disregarded Income (C)	
DLA mobility high rate	68.10
Personal Allowance (D)	
Couple Personal Allowance – state pension qualifying age	384.00
Total Housing Costs, Disregards and Personal Allowances	467.25
Excess Income (E)	0.00
Maximum Weekly Contribution (65% of excess income)	0.00
Actual Weekly Contribution	0.00

In this example, because the client's applicable housing costs, disregarded income and personal allowance is higher than their total assessed weekly income, it has been assessed that they do not have any excess income to contribute towards their non-personal care package.