

People (Adults) Fees and Charges

Appendix 4

h	Agreed charges 2020/21			Proposed Charges 2021/22				Basis for charging
	Basic	VAT	Total	Basic	VAT	Total	Change %	
								Legislation/Power to Charge
Social Care Services								
1. Day care (per 7 hour session – 9am to 4pm)								
The charges proposed are in line with current staff ratios, where increased levels of support are required charges will increase.								s.14 of Care Act 2014 confers the power to charge for meeting needs under s.18-20 except where LA required to provide care is free of charge Statutory discretionary
Internally provided services – internal clients	53.50		53.50	55.00		55.00	2.80%	Care Act 2014 Statutory Discretionary
Internally provided services – external clients	63.50		63.50	65.00		65.00	2.36%	Care Act 2014 Statutory Discretionary
2. Transport (per journey)								
Harrow Special Needs Transport – rate per day	32.90		32.90	34.00		34.00	3.36%	Care Act 2014 Statutory Discretionary
Cash personal budget per day	15.00		15.00	15.00		15.00	0.00%	Discretionary
3. Court of Protection Charges								
Part 19 of the Court of Protection Rules 2017 and the accompanying Practice Direction sets out the fixed costs that may be claimed by solicitors and public authorities acting in Court of Protection proceedings and the fixed amounts of remuneration that may be claimed by solicitors and office holders in public authorities appointed to act as a deputy.								
1. Up to Court Application Stage	745.00		745.00	745.00		745.00	0.00%	Statutory Prescribed
2. 1 st Year Annual Management Fee	775.00		775.00	775.00		775.00	0.00%	Statutory Prescribed
3. Subsequent Years Management Fee - an amount not exceeding £650 Where the net assets of the Citizen are below £16,000, the local authority deputy for property and affairs may take an annual management fee not exceeding 3.5% of Citizen's net assets on the anniversary of the court order appointing the local authority as deputy Where the court appoints a local authority deputy for health and welfare, the local authority may take an annual management fee not exceeding 2.5% of Citizen's net assets on the anniversary of the court order appointing the local authority as deputy up to a maximum of £555	650.00		650.00	650.00		650.00	0.00%	Statutory Prescribed
4. Annual Property Management Fee	300.00		300.00	300.00		300.00	0.00%	Statutory Prescribed
5. Annual Report to Public Guardian.	216.00		216.00	216.00		216.00	0.00%	Statutory Prescribed
6. Preparation of a basic HMRC income tax return	70.00		70.00	70.00		70.00	0.00%	Statutory Prescribed
7. Preparation of complex HMRC Income Tax return	140.00		140.00	140.00		140.00	0.00%	statutory Prescribed
4. Appointeeships								
All charges will be levied on the basis of the prescribed OPG rates detailed in section 3 above Court of Protection Charges.								
1. Annual Administration Fee - Where the net assets of Citizen are below £16,000, the local authority may take an annual management fee not exceeding 3.5% of Citizen's net assets								

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5. Deferred Payments Charges								
The Care Act 2014 established a universal deferred payment scheme from April 2015 so that service users will not have to sell their home in their lifetime to pay for their care. The costs detailed below are calculated to ensure full cost recovery.								
1. Legal Costs for unmortgaged property (est)	500.00		500.00	500.00		500.00	0.00%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
2. Legal Costs for mortgaged property (est)	750.00		750.00	750.00		750.00	0.00%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
3. Disbursements	100.00		100.00	100.00		100.00	0.00%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
4. Valuation Fee	340.00		340.00	345.00		345.00	1.47%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
5. Annual Management Fee	650.00		650.00	650.00		650.00	0.00%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
6. Termination Charge	200.00		200.00	200.00		200.00	0.00%	Care and Support (Deferred Payment) Regulations 2014/2671 Statutory Discretionary
6. Charges for arranging care for self funders								
The Care Act 2014 gave councils the ability to charge self-funders for putting in place their care and support services to ensure full cost recovery but not to profit from such charges. These charges were introduced in April 2020 for citizens, who self-fund their care in this respect.								
Set up of the initial care package	300.00		300.00	450.00		450.00	50.00%	Care Act 2014 Discretionary
Annual Review of Care Package	200.00		200.00	240.00		240.00	20.00%	Care Act 2014 Discretionary

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<p>The Care Act will introduce a single legal framework for charging for care and support (section 14-17), including discretion as to whether or not to charge. Where a local authority arranges care and support to meet a service users needs, it may charge the adult, except where the local authority is required to arrange care and support free of charge.</p> <p>The principle is that service users should only be required to pay what they can afford. Regulations determine the maximum amount a local authority can charge.</p> <p>Only in care homes, where the financial assessment identifies that a service users resources exceed the capital limits, is the local authority precluded from paying towards the costs of care.</p> <p>The upper financial limit is current set at £23,250. Below this level a person can seek means-tested support from the local authority. Where a person's resources are below the lower capital limit of £14,250 they will not need to contribute to the cost of their care and support from their capital. The Council applies a 'tariff' or graduated scale to reflect income received on capital and assets held between the upper and lower limits. These limits are set by the Department for Work and Pensions and the Council will be notified ahead of the 1st April 2021 should these change.</p>			<p>https://www2.harrow.gov.uk/(S(1bwain55pptpzair2v30wdir))/documents/s164387/Charging%20and%20Assessment%202016-17%20%20Latest.pdf</p>

Statutory prescribed - legislation provides that the local authority charge for providing a service and either (a) the charge is prescribed (i.e set eg. £100 or (b) the range is prescribed.

Statutory discretionary (or statutory costs recovery) - legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation – the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters eg. consideration of rental value of land for allotments.

Discretionary – here the authority is not obliged to provide the service but if it does so then the charges must be based on costs recovery, based on the statutory power to charge in Local Government Act 2003/Localism Act 2011