

Proposed Bill to abolish charges for non-residential social care

Page 2: About you

Please provide your name and other contact details. Please provide at least one means of contacting you (address, e-mail or telephone) - e-mail is our preferred option. (NB: you will be given the option shortly to specify whether it is your name or your organisation's name that is to be used, and you may also request anonymity or confidentiality for your response.)

Your name (mandatory)

██████████

Name of your organisation (if applicable - otherwise leave blank)

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Your Job Title (if applicable - otherwise leave blank)

██████████

Contact details (please provide at least one of: email, telephone number, postal address) (mandatory)

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Please indicate below whether you are content for your response to be attributed to you by name (either your name or that of your organisation)

I am content for my response to be attributed to my organisation

Page 4: Your comments on the proposal

Q1: Do you support the principle that non-residential social care services should be available free at the point of delivery to those who have been assessed by a relevant professional as requiring them (as is the case within health care)?

Yes

Please explain your answer

As noted in the draft proposal, most recipients of social care have made significant contributions by way of income tax, NI and council tax. It seems rather unfair that care needs are not treated in the same way as the right to education or access to healthcare. We appreciate that much of the burden of funding social care falls on local authorities and that this is challenging, however, there is a danger that charging individuals who need additional supports to live a full and normal life can be seen as an easy means of income replacement.

Q2. Do you agree that legislation is a necessary and appropriate means of addressing the issues identified?

Yes

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Please explain the reasons for your response

Notwithstanding Scottish Government's ambition to devolve power to communities and for decision-making around budgets to reflect local needs, it has become increasingly apparent that reliance on guidance provided by COSLA is insufficient. Apart from that fact that some local authorities are withdrawing from membership, COSLA has no "teeth". The current situation where each local authority imposes different eligibility criteria, differing chargeable services at vastly varied rates is inherently unfair and creates inequality. If there must be a system of recovering costs, then this must apply equally across the country.

Q3. The current system has resulted in varying charges in different areas for the same level and quality of service. Do you agree that there should be consistency across Scotland?

Yes

What do you think the advantages and disadvantages would be?

As mentioned in the response to the previous question, it is grossly unfair that people who are already disadvantaged are not subject to a clear, fair and transparent system of charging simply because local priorities in their area differ from those in another part of the country. We would prefer to see no charging for the majority of non-residential care needs, however, if this is not economically viable, then at least it should be the same for everyone regardless of where they live.

Q4. Should all social care related services be free at the point of delivery?

No

If you answered Yes, please explain your reasons. If you answered No, please explain which services should be excluded, and why. (Please refer to the services set out on page 7 of the consultation document).

Overall, we would agree that certain services (usually those for which fixed rate charges are in place) should incur a charge or fee. These should, once again, be the same regardless of where an individual lives. The cost of providing an home alarm alert service should be broadly similar anywhere in the country. We appreciate that there might be an argument in certain circumstances for the cost of meal services to vary due to geography/distance to travel for delivery. It would also be justifiable to charge differently for transport provided to and from day centres. We do not feel that day centre attendance should be chargeable.

Q5. What are the likely financial implications (if any) of the proposed Bill to you or your organisation? What (if any) other significant financial implications are likely to arise?

We have seen an increase in referrals for advocacy over the last few years for people who are challenging or appealing local authority charges. In some instances social care users believe they were never made aware that the services being provided would be charged for and others feel that the level of charges were never made clear. In some instances the result was that people rejected the service they had been assessed as needing as it was unaffordable. This creates a potential for people to end up in crisis situations further down the line which would inevitably involve more expensive interventions in the long run. Therefore, the direct impact on our organisation would be a reduction in referrals allowing us to

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concentrate on supporting more people to actually access the support they need in the first place. In terms of the overall impact on local authority budgets, there may be some who find themselves slightly worse off but the integration of health and social care may in part mitigate the impact.

Q6. What do you think the implications of the proposed Bill are for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?

Positive

Please explain your answer. If you answered Negative, please suggest any ways this impact could be minimised or avoided.

We fail to see how the proposals might have any negative implications. Most recent Scottish legislation includes and applies human rights principles, so it is hard to understand how it can be acceptable to allow a "post code lottery" scenario to continue. If affordability determines whether or not an individual chooses to access the supports and services they need to lead as full and normal a life as possible, then we are moving away from equality.

Q7. Are there any other comments you would wish to make that are relevant to this proposal?

No