

Cross Party Group in the Scottish Parliament on Disability – Minutes 24 September 2014

Present:

Michael McMahon – MSP
Siobhan McMahon – MSP
Annabelle Ewing – MSP
Neil Findlay – MSP
Anne McTaggart – MSP
Helen Hunter – Quarriers
Lorne Berkley – Quarriers
Ian Hood – Learning Disability Scotland
Margaret Hay – CIC
Michal Szwagrzyk - CIC
Robin Parker – Barnardo's
Robert Ferguson – SDEF
Rachel Le Noan – Down's Syndrome Scotland
Chris Fox – University of Strathclyde

Colin Millar - SPAEN
John Miller – Action Duchenne
Muriel Mowat - SIAA
Jacq Kelly Leonard Cheshire
Mike Harrison - SATA
Iain Smith – Inclusion Scotland
Stan Flett – SATA
John Ballantyne – SATA

Apologies:

Marianne Greenway - Ayrshire Children Services
Patricia Osborne - Brittle Bones Society
Donna Tomlin - Contact a Family Scotland
Heather Gray – National Deaf Children's Society
Morven Brooks – SDEF
Sheena Guz – Audio Description Scotland
Susan Grasekamp – SDEF
Marianne Scobie – Glasgow Disability Alliance
John Sutherland – Leonard Cheshire

Laura Delaney - Momentum
Ann Young - SEAG
Nancy Fancott - CCPS
Valerie Breck – Visibility
Terry Robinson – SATA
Keith Robertson – SDEF

1. Welcome and introductions

Michael McMahon welcomed all members and explained the need to ratify decisions on office bearers to complete the process of the AGM due to a lack of time at the previous meeting and the required number of MSP's not being present.

2. Minutes of the last meeting and matters arising

The minutes were approved as an accurate record.

3. Annual General Meeting

- a) Annual Return and Accounts

The submission to the Standards Committee was approved by Ian Hood and seconded by Margaret Hay.

b) Election of Office Bearers

Michael McMahon MSP – Convenor

Annabelle Ewing MSP – Vice Convenor

Siobhan McMahon MSP – Vice Convenor

Secretariat and Treasurer – Quarriers

The nominations were approved.

4. Scotland Against the Care Tax Campaign (SACT) - Ian Hood, Learning Disability Alliance Scotland

Ian Hood explained that his colleague Frances Hawarden was unable to join him due to illness.

Ian delivered a presentation on: **“What’s Wrong with Charging for Social Care?”**

Against human rights:

Community Care is crucial to ensuring disabled and older people can enjoy the human rights they are entitled to. Charges for social care mean that in Scotland disabled and older people have to pay for support to enjoy the same lives as those without disabilities enjoy. There is concern that ensuring some people’s human rights is now dependent on the amount of money they have.

Cost of Care Charging:

Local Authorities have been encouraged to pursue income maximisation. The amount raised by Care Charging has risen by 20% in the last three years. This is due to the number of people paying charges rising and the amount people have to pay increasing also. An individual can pay up to 100% of their spare income. The cost of collecting charges can be as high as 40% of what is raised.

In East Lothian a 50p charge was introduced for people to travel to day care. This required people to be employed to administer this charging system at significant expense.

‘Care Tax’ is an extremely inefficient tax.

Complexity of charging:

Every council in Scotland charges different amounts for care and a few people understand how it is worked out or why it is difficult from area to area:

- The amount of income a person can keep before charges varies from £122 to £173.
- The charge for an hour of support varies from £9 to £18.50.

- The amount of spare income taken in charges varies from 15% to 100%.
- The maximum a person has to pay varies from £23.90 to an unlimited amount.

Ian gave the example of a woman in Edinburgh with MS who had lived at home with her husband who cared for her. After her husband died the bereavement allowance she received took her income over the charges threshold and Edinburgh City Council demanded £70 out of her weekly income of £100 to pay for her care.

There is no rationale for the different charging policies from area to area.

Problems and Action:

Charges can result in people choosing not to use a service. This will serve to increase hospital admission rates.

Charges present a challenge for health and social care integration.

COSLA working group has not been able to find an adequate solution.

SACT have launched a petition in the Scottish Parliament.

SACT would like to see:

- A motion in support
- PQs in support
- Manifesto commitments for a socially just Scotland.

5. Questions and Discussion

Michael McMahon said they will put down a motion and he would like to see a members' debate. Annabelle Ewing said she would like to be involved in this and would support a motion.

Ian Hood stated that the petition was launched in August and there was still to be a hearing in the committee process.

Annabelle Ewing said she would be interested to hear what the committee has to say.

Neil Finlay, MSP said that this fits in with the whole issue of social care and the wider context. He raised the issue of social care contracts frequently being won on the basis of the lowest price. He said the health budget continues to be protected but council budgets are reduced year on year. It costs £300 on average to support someone in their own home but £4000 to keep someone in hospital.

He gave an example of a 90 year old man who has no capacity after recently being diagnosed with schizophrenia and suffering a number of strokes. It was determined his needs were best met in a care home rather than in hospital.

Annabelle Ewing asked whether the petition will bring forth any further information and inquired about the state of play with COSLA.

Ian Hood replied it was unclear whether COSLA could effectively tackle the issue of Local Authority charging variability. There are winners and loser in every eventuality – whether the amount charged is reduced or whether the taper is reduced. He doesn't see the prospect of COSLA reforming the situation as likely. We may need to look at different ways of funding social care – people need to think more imaginatively about solutions and income maximisation. There are a number of issues around the council tax freeze and it is unpopular with councils. However, Ian doesn't believe care charges will go away if the freeze was lifted.

How will this interact with Welfare Reform?

It is anticipated that most people will lose out when PIP are fully introduced in Scotland. Premium payments will stop. If people who are provided with social care have less income then there will be less money available for councils to raise in charges.

Welfare reform is a significant anxiety.

Robert Ferguson from SDEF said he was struck by the disparity in charges in different areas. He likes the thinking out the box suggestion from Ian. Is there scope for collecting more charges at source?

Neil said that free personal care for those 65 or over means that eligibility is determined not on need but on an arbitrary age. There are some people under 65 that will have greater need than those over 65.

Ian said the way some councils invoice people can lead to debt problems for some. Some council don't chase people who won't pay – this unfair on those who do. The way some local authorities invoice is also variable from small invoices to larger ones every 6 months. This can lead to debt problems.

What are the costs of abolition? More people would want services but less people may need to go into hospital in the long term.

There are £25 billion of cuts still to come. Unpaid carers save the country billions.

Money could be saved from reducing the bureaucracy involved in collecting charges.

Ian said that some people who are on an income of less than £177 a week and therefore defined as in poverty have to pay charges.

Michael McMahon reiterated his interest in having a members' debate in parliament so that these issues can be discussed. He will keep an eye on the petition as it moves forward.

6. AOB

6.1 Stan Flett (SATA) to discuss issues concerning transport with Michael McMahon at a mutually convenient time.

6.2 Ian (Inclusion Scotland) advised that they had been piloting a parliamentary intern scheme for disabled people and that there was still one intern available to work for an

MSP. He hopes this will become a permanent scheme in future. He will provide a report to the committee on the scheme at the end of the pilot period.

6.3 Suggestion for future agenda items:

- Transport and European research
- Hate Crime Agenda
- Supporting Adults with Incapacity Act
- Respite for carers
- UN Charter for Rights of Disabled People

7. Date of Next Meeting

Wednesday 3rd December 1pm – 2.30pm