



PE1480/J

20 April 2015

To:
Public Petitions Clerks
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

Dear Mr Sharratt,

PE1480 PETITION ON ALZHEIMER'S AND DEMENTIA AWARENESS

Thank you for your letter which requested information about the contact COSLA has had with the Scottish Government on free personal care for people under 65 with Alzheimer's or dementia; and timescales for completion of the Financial Assessment Template. While related, these two matters connect to different elements of our charging guidance and the committee's understanding of the situation may benefit from the clarification set out below.

On the first point, COSLA is engaged in ongoing work to bring greater consistency to the non-residential charging policies developed and used by Scottish councils. In recent years we have made significant steps in improving consistency from the user perspective whilst respecting the need for councils to tailor their policies according to local circumstances and priorities. The agreement by COSLA Leaders, in January this year, to a core set of minimum rates and allowances as part of the financial assessment is one of those steps and is something which service users say is important to them (Appendix A). It might be noted that councils are free to continue offering more generous rates if they feel it is appropriate but the rates should be no less generous than those set out in the template.

Given the timing of this decision in relation to the finalising of councils' budgets for 2015/16 no explicit timescales were set for compliance with this policy but it is anticipated that councils would work toward full alignment with the template during the period ending April 2016. COSLA will maintain oversight of progress during the coming months.

On the second point, COSLA has always sought to ensure that robust anti-poverty measures are recommended through the national charging guidance. Indeed, every council in Scotland ensures that charges are levied on the basis of ability to pay, as well as waiving charges in the event of hardship and offering benefits maximisation advice. Whilst there have been some general discussions on potential anti-poverty measures with the Scottish Government, we have not formally discussed the extension of Free Personal Care to people aged under 65. If such proposals were to be considered by the Scottish Government, we are assuming that this would require a change to the primary legislation governing Free Personal Care. The new policy would also need to be fully funded.

Yours sincerely,

Councillor Peter Johnston
COSLA Health & Well-being Spokesperson



Financial Assessment Template – Minimum Standard

INCOME	
Capital (Tariff Income):	above pension age ¹ £1 / £500 below pension age £1 / £250
Non-dependent Relatives Income	YES (proportion of partners income can be counted)
Compensation (Care Element)	YES
DISREGARDS	
Disability Related Expenditure (DRE)	YES
Capital (Disregard):	above pension age £10,000 below pension age £6,000
Potential Disregarded Benefits	(see list ²)
CHARGING THRESHOLDS³	
Capital Upper Limit (above which full charge is made) (income based benefits / non-residential rate)	£16,000
Single Person - below pension age	£123
Single Person - above pension age	£177
Couple - below pension age	£188
Couple - above pension age	£269

¹ Prior to 2014/15 the guidance recommended that local authorities use different rates for persons aged under 60, and over 60, and used the terms 'older people' and 'others'. This was based on previous DWP guidance and sought to reflect the different levels of benefit received by people of state pension qualifying age or above; data used in the development of the template relates to those categories.

The guidance now refers to these groups as 'people below state pension qualifying age' and 'people of state pension qualifying age or above' and suggests that councils may now wish to give consideration to this in the context of the Equality Act 2010 and the on-going DWP alignment of state pension qualifying age for men and women (Annex B of the guidance).

² For consistency this lists the names of benefits and payments which councils may *consider* for disregard.

³ Based on 2015/16 DWP Benefit Rates