Care and Support Charges Policy

June 2026/27 - Review date: March 2027

West Lothian Council

Contents

Introduction	**3**
Section 1 - About Charging	**4**
Why is there a charge for services?	**4**
Who is exempt for charges?	**4**
What services are not charged for	**4**
What non-residential care and support do we charge for?	**5**
How do we calculate how much you will pay towards your non-residential care services?	**5**
Section 2 - Your financial assessment	**6**
What is a financial assessment?	**6**
What happens in the financial assessment?	**6**
Income we do not count	**7**
Savings and capital allowances	**7**
Section 3 – Your personal allowance and how we calculate contribution amounts	**8**
What is your personal allowance (money you keep)?	**8**
How we work out your contribution	**8**
Paying your contribution	**9**
Changes to your financial situation	**9**
Section 4 - Planned breaks, hospital stays and services not received	**10**
Section 5 - Appeals and Reviews	**11**
Review panel	**11**
Payment of contributions when waiting on review panel	**11**
Making a Complaint	**11**
Section 6 - Fees and Charges	**12**
Appendix	**13**

Introduction

West Lothian Council is committed to supporting people to live safely and independently in their own homes and communities.

This policy explains how we decide the amount of money someone may need to pay towards the cost of their care and support and how we make sure decisions are fair, clear, and follow national guidance.

This policy applies to care and support services provided in the community, such as support at home and day services. It does not apply to people who move permanently into a care home.

This policy explains:

- When you may need to pay towards your care and support
- How we work out how much you can afford to pay
- What help is available if you are having difficulties in paying.
- We review this policy every year. This helps us keep it up to date with the law, national guidance, and feedback from people who use our services.



About Charging

Why is there a charge for services?

All councils must decide whether to use their legal powers to charge adult users of social care services.

It considers their council's finances and changes in the needs of the local population. These charges must be "reasonable" for you to pay, depending on the type of service you get and your ability to meet the cost. Charges should not exceed the cost of providing the service.

Who is exempt for charges?

You will not have to pay a financial contribution to any non-residential care if you are:

- Terminally Ill *
- An unpaid carer and services are part of an agreed Adult Carers Support Plan
- Subject to a compulsion order

**(If you have a terminal illness you need to provide a completed Benefits Assessment under Special Rules in Scotland (BASRiS) form. In Scotland, this form has replaced the DS1500 and SR1 forms)*

What services are not charged for

You will not be charged for:

Nursing and personal care	In Scotland free personal care is available to anyone aged 18 or over who has been assessed by their local authority as requiring support with personal care tasks. See Appendix 3 for a list of free personal care tasks
Justice social work services	You are not charged for any Justice social work services
Information and advice, assessments for care needs or care management	You are not charged for any advice and information about availability of services, assessment of your care needs or care management.
Disabled adaptations funded through a mandatory grant	If you also receive support from the Independent Living Fund Scotland (ILFS), and pay a charge to them for that support
Services for children under 19 years of age	You will only be charged once an adult social work assessment has been completed. For young people receiving continuing care, charging will follow their individual transition plan

What non-residential care and support do we charge for?

You may need to pay for services that help you live independently, such as:



Day services and day opportunities



Laundry services



Support at home



Aids, adaptations, and equipment



Housing with Care support charge



Transport to access care or activities



Lunch clubs and other community-based activities



Aftercare services and ongoing support for individuals with lived experience of mental illness



Support provided by wardens in sheltered housing



Telecare and safety alert systems

How much will you be charged for non-residential care services?

You will only ever be charged for the care and support you receive, and you will never pay more than the service costs.

Any charge depends on a financial assessment, which looks at your income and savings. Before we do this, we will check that you are getting all the benefits you are entitled to.

Everyone who has a financial assessment will be offered a full personal income check. You do not have to take part if you do not want to. The check is carried out by West Lothian Advice Shop, and it is free, confidential, and independent. Carers and other people in your household can also choose to have an income check.

Your financial assessment

What is a financial assessment?

If you receive a chargeable service, we will carry out what we call 'a financial assessment' to work out how much you can afford to pay.

This assessment:

- Happens on completion of your All About Me care assessment or Housing with Care application
- Will look at your income, savings, and expenditure.
- Starts from the date your service begins

If you choose not to have a financial assessment, you will need to pay the full cost of your care, apart from free personal care.

You will need to provide proof of income, such as benefit letters or bank statements.

As part of the financial assessment, we may also give you advice on any benefits and allowances you could be entitled to claim. You will be advised that any information provided can be checked with the Department of Works and Pension or Social Security Scotland and other agencies to verify the information is correct.

What happens in the financial assessment?

As part of the financial assessment, we will ask you about your household income. This will include:

Income from wages - If you have a partner who lives with you then we will include their income in our calculation. (There is some income which we will not include in our calculation – see 'Income we do not count, Page 7' for more information on these)

If you have any savings and capital - If you (or your partner) have any savings, then we will ask for information about this. The amount of savings and capital you are allowed before we include it in our calculation depends on several factors including whether you are single or live with your partner. If your savings and capital are over this allowed amount, then we will work out how much income you would receive for your savings. (See 'Savings and capital allowances)

Benefits or tax credits – we will ask you about what benefits and/or tax credits you receive (There is some benefits which we will not include in our calculation – see 'Income we do not count' for more information on these)

Pension income - If you have a partner who lives with you then we will include their income in our calculation. (There is some income which we will not include in our calculation – see 'Income we do not count' for more information on these)

Other income - including income from a non-independent living at home

Partners 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 considered when calculating their contribution. This ensures that partners are left with their own income and capital.

Income we do not count

Some income is disregarded and not used in the assessment. This includes:

- Disability benefit mobility payments
- Some parts of disability care benefits
- £20 of earnings from work
- Independent Living Fund payments
- Child Benefit and children's benefits
- War pensions and compensation payments
- Approved compensation payments and trusts

Mortgages, Rent and Housing Costs

We will also take housing costs off your income before working out your contribution. This includes:

- Rent or mortgage
- Council tax and water charges
- Building insurance (for homeowners)

Note: If you live with a partner, we usually count half of these costs.

Savings and capital allowances

We ignore savings and capital up to:

£6,000

if you are under pension age.

If you have more than this, we treat part of it as weekly income. For every £250 (or part) savings above this amount we will count £1 per week as income from savings.

£10,000

if you are of pension age or over

If you have more than this, we treat part of it as weekly income. For every £500 (or part) savings above this amount we will count £1 per week as income from savings.

- If you are a couple, we only count your income plus half of any joint income or savings.
- We will only take available capital and savings into account; we will not include the value of your main home.

Section 3

Your personal allowance and how we calculate contribution amounts

What is your personal allowance (money you keep)?

Everyone must be left with a minimum amount of income to live on. This is called a 'personal allowance'.

For the financial year 2026/27 the weekly amounts are:

- Single person under pension age: £176
- Couple under pension age: £268
- Single person over pension age: £298
- Couple over pension age: £455

If your income is below this amount, you will not be charged.

How we work out your contribution

We calculate your contribution like this:

- Work out your total income (calculated through your financial assessment)
- Take off housing costs
- Take off income we disregard
- Take off your personal allowance
- Apply a *65% **taper rate charge to anything left

This is the maximum you will pay. You will never pay more than the actual cost of your care.

If your contribution is less than £1 per week, you will not be charged.

Appendix 4 provides some examples of how a contribution will be calculated.

***The taper rates for council care costs refer to the percentage of a service user's assessable income that the local authority will contribute towards the cost of care services. This percentage is applied to the assessable income to determine the maximum level of contribution required by the service user.*

**A taper rate of 65% will be applied for this financial year 2026/ 2027. This will increase by 10% next year, 2027/2028 raising the applied taper to 75%.*)

Paying your contribution

You will receive an invoice once your financial assessment is complete.

Please note: Your care service may start before you are invoiced. Charges will be made from the day your care provision starts.

How you pay depends on how your care is arranged:

If you receive a Direct Payment (Option 1 in Self-Directed Support)

Your contribution is taken off before you get your direct payment. Individuals are 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.

If your care is organised through Self-Directed Support Options 2, 3, or 4

You will be invoiced for the full year, but you will have the option to set up a monthly payment scheme.

Direct Debit is the preferred payment method, but other options can be discussed.

If payments are not made, recovery action may be taken.

Changes to your financial situation

You must tell us about any changes in your financial circumstances which may affect your financial assessment.

Examples of changes you should tell us about are:

- You start to receive a new benefit
- You change address
- Your income changes (such as an increase in pension or benefit)
- The value of your savings or investments changes
- Any changes in Housing Benefit or Council Tax Reduction

Please note that this will be considered from the start date of the new benefit award period

Enquiry relates to the financial assessment please call 01506 280000.



Planned breaks, hospital stays and services not received

If your situation changes (for example, hospital stays or holidays), your contribution may change. You or someone supporting you must tell us as soon as possible so we can adjust your charges if appropriate.

Hospital Stays

You may not need to pay for **new** or **extra home care** for up to 42 days after leaving hospital.

However, any care provision you already had before going into hospital may still be charged.

Planned Breaks

Your contribution may be reduced for going on holiday or being admitted to hospital for a scheduled operation if you tell us at least four weeks in advance.

Services not received

Sometime the services individuals are supposed to receive may not be provided, for example, a day centre may be closed due to severe weather, or a provider may not have staff to attend due to absences. Where services are not available in these situations, the individual or their representative can report nonservice delivery.

The quickest way to do this is **online** - Online Enquiry about your Contributions – West Lothian Health and Social Care Partnership

Alternatively contact our Integrated Access Point on 01506 280740.

Exceptions to changes in contributions

When charges will not change

- **Day Care Opportunities:** Charges still apply even if you do not attend, as places are block-booked.
- **Housing Support and Telecare:** Charges continue while your tenancy or equipment is in place, even during short absences. Charges stop if you end your tenancy.
- **Care not delivered:** If care is cancelled at short notice or staff are refused entry, charges still apply.
- **Planned breaks or respite:** If known in advance, charges will be reduced to reflect the care provided.
- **Short-term absences:** Occasional illness or missed appointments do not reduce charges. Longer illness may be reviewed if requested.

Section 5

Appeals and Reviews

Review panel

If you think your charge is unfair, you can ask for a review because of:

- Disability related costs (Appendix 3, page 14)
- Financial hardship

You can make a review referral independently or request for a referral to be made on your behalf by a professional supporting you.

The Advice Shop - West Lothian Council can help individuals to apply and gather evidence for a review.

You will also be able to highlight any disability-related costs you incur and financial hardship in the financial assessment.

Payment of contributions when waiting on review panel.

When appealing to the Review Panel, you must continue to pay your assessed contribution. If recovery action has started, this will be paused to allow time to set up a payment plan. If the appeal is successful, invoices will be reduced or a refund issued where appropriate, and your payment plans adjusted.

If contributions are not paid during the appeal period, recovery may restart and arrears may build up, which could result in higher monthly payments for the remainder of the financial year.

Making a Complaint

Details of the review and complaints processes are available on request and on the **Council's website**.

Section 6 – Fees and Charges

Service	Charge 2026/27	Rate
Support at Home (Care Level 1)	£23.02	Hourly
Support at Home (Care Level 2)	£26.49	Hourly
Support at Home (Care Level 3)	£23.57	Hourly
Sleepover Service	£15.12	Hourly
Day Care	£48.84	Daily
Day care transport	£2.56	Daily
Pathways Day Care	£64.19	Daily
Pathways Day Care Transport	£13.94	Daily
Ability Centre Day Care	£74.76	Daily
Ability Day Centre Transport	£20.16	Daily
Community Inclusion Team Day Care	£64.19	Daily
Community Inclusion Day Care Transport	£13.94	Daily
An Carina Day Care	£157.81	Daily
Eliburn Support Service Day Care	£125.27	Daily
Eliburn Day Service Transport	£44.54	Daily
Garvald Day Care	£220.30	Daily

Appendix

Appendix 1: 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 2001 • Community 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
- West Lothian Council Policy on Self-directed Support
- West Lothian Council Eligibility Criteria for Carer Support
- West Lothian Council Policy on Assessment and the Application of Eligibility Criteria for Non-Residential Care

Appendix 2: Personal care tasks

We will exclude these tasks when we calculate your assessed charge:

- Personal Hygiene – help with bathing, showering, hair washing, shaving.
- Personal Assistance – help with dressing, surgical appliances, prosthesis, continence management, toileting, skin care, bed changing.
- 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 and meals services.

  Moving and handling – Assistance to get up/go to bed, transfers, including the use of hoists.

Appendix 3: Disability Related Costs

Disability Related Expenditure is the additional expense that a person incurs, because they are disabled or have health problems. Disability Related Expenditure 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

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 on a case-by-case basis by request.

You will need to provide evidence, such as receipts. Everyday living costs, and any grant or external funded services are not included.

Disability Related Expenditure 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.

Appendix 4: 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 £25.00 per week.

Tables to updated to reflect 65% taper and include examples of couples in HWC.

Total Assessed Income	**£**
Employment and Support Allowance (Income Related) - including disability premiums	£161.75
Adult Disability Payment Daily Living Standard Rate	£73.90
Capital	£0.00
Total Assessed Income (A)	£235.65
Applicable Housing Costs (B)	
Assumed Housing Costs for a Non-Dependent Adult	£21.47
Disregarded Income (C)	N/A
Personal Allowance (D)	
Single Person Allowance – under pension age	£170.00
Total Housing Costs, Disregards and Personal Allowances	£191.47
Excess Income (E)	£44.18
Maximum Weekly Contribution (65% of excess income)	£28.71
Actual Weekly Contribution	£25.00

Appendix 4 continued

In this example, because the client's applicable housing costs, disregarded income and personal allowance are lower than their total assessed income, they have been assessed as having excess income of £44.18 per week. As West Lothian Council applies an additional taper of 65%, their maximum weekly contribution will be reduced to £28.71 per week.

The client's maximum weekly contribution is higher than the weekly cost of their care and support package which is £25.00 per week, and they have therefore been assessed as requiring to pay the total cost of £25.00 per week for their non-personal care.

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 £605.00 per week.

Total Assessed Income	**£**
Employment and Support Allowance (Income Related) – including enhanced disability, severe disability and support component	£244.65
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate	£110.40
Capital	£0.00
Total Assessed Income (A)	**£432.10**

Applicable Housing Costs (B)	
Council Tax (including Water and Sewerage)	£6.00
Rent (net of Housing Benefit)	£0.00

Disregarded Income (C)	
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate – only the difference between the enhanced rate and standard rate is taken into account)	£36.50

Personal Allowance (D)	
Single Person Allowance – under pension age	£170.00

Total Housing Costs, Disregards and Personal Allowances	£289.55

Excess Income (E)	£142.55
Maximum Weekly Contribution (65% of excess income)	£92.65
Actual Weekly Contribution	£92.65

In this example, because the client's applicable housing costs, disregarded income and personal allowance are 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.nder pension age. They receive 27 hours of non-personal care a week, at a cost of £605.00 per week.

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