



National  
Housing  
Federation

## SUPPORTING PEOPLE KNOWLEDGE CARDS

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### Fairer Charging

- **Supporting People has changed the way in which service users are charged for the support they receive. Before April 2003 all service users paid for their support as part of their tenancy. Tenants with limited means were eligible to receive help with their support charges through Housing Benefit.**
- **Supporting People separates the cost and payment of housing and support. Housing related expenditure including rent and accommodation related service charges are eligible for Housing Benefit. Support costs are eligible for payment through the local Supporting People Administering Authority.**
- **From April 2003 service users in short - stay services (ie those services intended to provide support for two years or less) are exempt from charging for support.**
- **Service users in long -term services including sheltered housing are liable for support charges. Those in receipt of any amount of Housing Benefit after April 2003 are 'passported' to receive free Supporting People services.**
- **Service users who were in receipt of Transitional Housing Benefit but lost Housing Benefit entitlement in April 2003 because their HB was less than their support charge will receive transitional protection to ensure that they pay no more for their support than they did before April. This will last until a service review has taken place.**
- **Service users who do not receive any amount of Housing Benefit after April 2003 have to pay the full amount of their support charge (subject to transitional protection). They may apply for relief from charging under Fairer Charging arrangements**

- **The Supporting People Grant Conditions and Statutory Guidance require Administering Authorities to have a framework in place to financially assess the ability of service users liable for support charges and not receiving any Housing Benefit, to pay for the support services they receive. This assessment should provide for a 'taper' for partial charging for clients who are just above the Housing Benefit threshold**
- **In developing their local charging policies Administering Authorities are required to comply with Fairer Charging guidance (as locally implemented). Fairer Charging refers to Statutory Guidance issued by the Department of Health in November 2001 entitled 'Fairer Charging for Home Care and other non-residential social services' and was followed by Practice Guidance in April 2002**
- **The ODPM issued the Supporting People Financial Package in July 2002 setting out criteria for charging policies under Supporting People**
- **Service users not covered by the Housing Benefit 'passporting' arrangements are eligible for a common means test for Supporting People and non-residential social services to ensure a single assessment process for all services and that their disposable income does not fall below defined levels**
- **The Fairer Charging assessment takes account of the applicant's weekly income, living costs and disability related costs to arrive at a maximum payable charge for Supporting People services and where applicable certain social care services. The financial assessment should always provide comprehensive benefits advice**

## Frequently Asked Questions

### 1. Where is the Guidance on Fairer Charging ?

- Fairer Charging for Home Care and other non-residential Social Services November 2001- Department of Health (statutory guidance). Practice Guidance –April 2002 ✓
- Charging & Means Testing (Supporting People supplementary consultation document) January 2001 –DETTR ✓
- Supporting People Charging Administration January 2002- Office of the Deputy Prime Minister (ODPM) ✓
- The Interim Financial Package June 2002 –ODPM ✓
- Supporting People Charging Workbook –ODPM ✓
- Supporting People Grant Conditions, Directions and Statutory Guidance March 2003- ODPM ✓

✓ Available on [www.spkweb.org.uk](http://www.spkweb.org.uk)

### 2. Who should apply for a Fairer Charging Assessment ?

- All new tenants after April 2003 (not in receipt of Housing Benefit) should have access to a Fairer Charging Assessment.
- All tenants who also pay for Home Care or non-residential social services should also have access to a Fairer Charging assessment.
- There is no immediate requirement on Administering Authorities to assess other existing tenants not in receipt of Housing Benefit prior to April 2003. Interpretation of this will depend on the local charging policy and assessment framework adopted by the Administering Authorities. Providers should contact their Supporting People team to find out how widely access arrangements extend locally.

### 3. Who is responsible for carrying out Fairer Charging assessments ?

- This will depend on local circumstances but commonly the Fairer Charging assessment is carried out by the home care unit of the local Social Services Department or a dedicated charging unit who take on responsibility for all aspects of both non-residential social services charging and Supporting People charging/subsidies.
- Some Local Authorities employ specialist teams to carry out financial assessment and benefit checks often known as FAB teams .In some cases a member of the FAB team is employed as a member of the Supporting People team.

### 4. How should service users apply for a Fairer Charging assessment ?

This will depend on local arrangements but typically the process may look like this:

#### Existing tenants

- Details of existing tenants (as at April 2003) including those receiving Housing Benefit will have been passed to the Supporting People team as part of the transitional charging activities. This will have triggered the payment of full subsidy for those tenants on Housing Benefit.
- Existing tenants not in receipt of Housing Benefit were eligible to apply to the Administering Authority for a Fairer Charging assessment.

#### New tenants after April 2003

- New tenants after April 2003 who are in receipt of Housing Benefit. The Local Authority Housing Benefit section process the application for Housing Benefit and notify the client and the Supporting People team of the outcome (where the claimant has given consent for the exchange of information). Where no consent given, the client is responsible for advising the

Supporting People team of the outcome. Because Housing Benefit is payable Fairer Charging does not apply.

- New tenants after April 2003 who are not eligible for Housing Benefit may apply for a Fairer Charging financial assessment for either Supporting People charges alone or where applicable home care services. The support provider should ensure that users have access to Housing Benefit application forms (with authorisation for exchange of information between Housing Benefits and Supporting People teams) and a Fairer Charging financial assessment application form.
- Where a Fairer Charging assessment has been requested, the application will normally go to the charging unit of the Local Authority (or via the Supporting People team) who will carry out a financial assessment and full benefits check.
- The Fairer Charging unit will notify the Supporting People team and the user of the outcome of the assessment. The Supporting People team will calculate the subsidy due with notification going to the user, provider and payment section.

**NOTE : *The above is an example and service users or providers should contact their Supporting People team for details of the local process.***

## **5. Who is responsible for reporting changes in circumstances on Fairer Charging?**

- The service user should notify Fairer Charging of any changes effecting the financial assessment eg in income level or outgoings
- The Fairer Charging unit needs to notify the Supporting People team of any review of the financial assessment of relevant individuals.
- The Supporting People team action any changes required to the amount of subsidy payment
- In general providers should notify the Supporting People team of changes in service users to enable the provision of an up to date client subsidy schedule to be produced and if appropriate referral of the client for a Fairer Charging assessment.

## **6. What does a Fairer Charging assessment look at?**

- The principle behind Fairer Charging is to provide relief (or exemption) from charging for Supporting People and /or other home care services to ensure that the service user's disposable income should not fall below defined levels. It offers the service user the opportunity to increase their income (through benefits checks) and lower their liability for charges.
- A financial assessment is carried out which determines the amount of income available to the client to pay for charges by taking into account the client' s resources and expenditure. These include:
  - Weekly income (ie benefits, wages, pensions)
  - Certain living costs including disability related expenditure.
- Fairer Charging only applies where the service user has savings of under £19,500.Above that level the full cost of the service or the local maximum charge may be payable.
- For clients with savings below £19,500 the Fairer Charging assessment offers a minimum income protection ie that disposable income after having paid charges should not fall below the basic level of Income Support (applicable to the client) plus a buffer of 25%.

## **7. Where can I find out more about Fairer Charging ?**

- Talk to your Supporting People team or contact the charging unit in your local authority Social Services department.
- Look at the Department of Health website at [www.doh.gov.uk](http://www.doh.gov.uk)
- Talk to your Supporting People regional advisor .