

LOCAL AUTHORITY CIRCULAR

LAC(2003)14

To: The Chief Executive
County Councils)
Metropolitan District Councils) England
Shire Unitary Councils)
London Borough Councils
Common Council of the City of London
Council of the Isles of Scilly

Chief Executive - Care Trusts
Chief Executive - Strategic Health Authorities

The Director of Social Services

June 2003

CHANGES TO LOCAL AUTHORITIES CHARGING REGIME FOR COMMUNITY EQUIPMENT AND INTERMEDIATE CARE SERVICES

1. SUMMARY

- 1.1 This guidance explains the changes to local authority social services departments' charging regime for intermediate care and community equipment services resulting from the Community Care (Delayed Discharges etc) Act 2003, with effect from 9 June 2003. The regulations making these changes are attached with this guidance.

2. ACTION

- 2.1 Authorities providing Intermediate Care and Community Equipment Services are asked to ensure that they comply with the Act.

3. BACKGROUND

Intermediate care services

- 3.1 Any services which form part of a package of intermediate care as defined in the regulations must be provided free of charge for six weeks. Paragraph 7 of HSC 2001/01: LAC (2001)1 issued in January 2001 provides a working definition of intermediate care services. In exceptional circumstances where intermediate care is provided for longer than six weeks, the *first* six weeks of that care must be provided free of charge. The position on charging after the six-week period remains as set out in paragraph 18 of the above guidance.

Community equipment services

- 3.2 Any item of community equipment which a person (or their carer) is assessed as needing as a community care service, and for which the individual (or their carer) is eligible, is required to be provided free of charge. All minor adaptations costing £1,000 or less

(which includes the cost of buying and fitting the adaptation) are required to be provided free of charge. Councils retain the discretion to make a charge in relation to minor adaptations that exceed £1,000 to provide.

- 3.3 Services should set their eligibility criteria in line with Fair Access to Care Services (FACS) guidance. Assessment and provision of services should always be needs-led and outcome-focused. Any service carrying out the functions of providing community equipment as defined in the regulations is required to be provided free of charge, regardless of the operational name of the service.

Integrating services

- 3.4 The removal of charging should make it simpler to develop pooled budgets for intermediate care and community equipment services. The January 2001 guidance also encourages development of pooled budgets for intermediate care services. The NSF for older people (Standard 2 on person centred care) requires that single integrated community equipment services are in place by April 2004. The new resources for community equipment in the access and systems capacity grant must be invested in a pooled budget in accordance with the grant conditions. NHS and social services should work together to ensure further integration of intermediate care and community equipment services.

4. ENQUIRIES

Enquiries about this Circular should be made to:

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From: Directorate for Children, Older People and Social Care Services

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