

One Place East
Where disability matters

www.oneplaceeast.org
jon.abrams@oneplaceeast.org

Response to Redbridge Council's Charging Policy Consultation

Disabled people pay on average
£550 per month
on extra costs related to their disability



Scope, 2014, Priced Out: ending the financial penalty of disability by 2020

People aged 16-64 considered to be in food poverty



18.4%
Disabled

Children in families including a disabled person are almost
twice as likely to live in poverty



#Worktogether

Department for Work and Pensions, 2014. Households Below Average Income

Disabled people are **4 times** more likely to be out of work than non disabled people



Joseph Rowntree Foundation, Tania Burchardt
The education and employment of disabled young people

“Community Charging.....At worst, and over time this will affect more and more Disabled people. People are likely to face a combination of going without the care support they need, cutting back on expenditure on food, heating, clothing, and increasing levels of debt”

Jenny Morris

Introduction

Life in Redbridge is unfair

One Place East welcomes the opportunity to comment on Redbridge Council's Charging Policy Consultation

We recognise the budget constraints on the local authority and the fact that national not local government has control over the level of many funding streams and the welfare system. We also appreciate that Redbridge Council will have to make tough decisions in light of continued austerity and Government cuts.

Nonetheless, it is disappointing especially in light of Redbridge's Fairness Commission that Redbridge Council is still hitting Deaf, Disabled people, and carers with cuts and charges. Study after study, demonstrates how Disabled people are bearing the brunt of a series of decisions on public spending and are consequently losing support to enable them to take part

in community life, go out to work and see friends and family.

34%

of people with a disabled adult in the family are in poverty in London, compared with 25% of people without a disabled adult in the family.

opportunities in areas including education and employment, deteriorating access to justice, and a widening pay gap. Moreover, more Disabled people than non-disabled are living in poverty and the evidence suggests that welfare reforms and social services cuts have had a particularly

"We're also the only council in the country to have abolished all charges for home care services for older and Disabled people, getting rid of what was in effect a tax on disability."

Cllr Max Schmid, Cabinet Member for Finance, Hammersmith and Fulham

Our research [Redbridge Voices](#), demonstrated that many Disabled people believed that equality and fairness were going backwards in Redbridge.

The report, [Being disabled in Britain: A journey less equal \(April 2017\)](#) found evidence of a lack of

disproportionate, cumulative impact on the standard of living of Disabled people.

Disabled people are more likely to have unsecured debt and a [Scope survey, Priced Out, ending the financial penalty of disability by 2020](#) found that a large proportion of disabled people are relying upon credit to meet their basic needs – half (49 per cent) of Disabled people have used a credit card or loan to pay for everyday items in the previous 12 months, most commonly to pay for clothing and food.

According to the [Coalition on Charging](#) restricted access to adult social care services and increased charges for the support that is available to remain living at home has had a significant impact on the day to day lives of Disabled people, older people and carers. Moreover, charging risks discouraging Disabled people and carers from accessing the support they need. Consequently, they are more likely to become physically and/or mentally unwell.

We also believe that Redbridge Council still has flexibility in the choices it makes when targeting cuts. For example, according to [Redbridge Council's Unaudited Draft Statement of Accounts 2016/17](#) there is £166m of Usable Reserves. We are recommending that 5% is released to ameliorate cuts in core services impacting on Disabled, frail, older people and carers.

Furthermore, our analysis of [recent Council spend](#) suggests that there are a range of other cuts and savings that can be made before targeting Disabled people, carers and the long-term sick. For instance, according to the [November 2017 data set](#) Redbridge Council spent £60,000 on Business, Marketing and Management Consultants. Extrapolated over a year this equates to £720,000

“Disabled people are faced with a system of community care charging which leaves them with an income and savings which is insufficient to cover the additional costs of impairment and ill health.”

Jenny Morris

Summary of Recommendations

"The United Nations has found that cuts for Disabled people in the UK have created a 'human catastrophe' and that there are 'grave violations' of disabled people's rights. Why is the council making the situation even worse for local disabled people, when it should be standing up for the most vulnerable members of the community"

✓ Release 5% of Usable Reserves

According to [Redbridge Council's Unaudited Draft Statement of Accounts 2016/17](#) there is £166m of Usable Reserves. We recommend that 5% are released to ameliorate cuts in core services and to scrap charges impacting on Disabled, frail, older people and carers. [Hammersmith and Fulham Council, for example,](#) have abolished all charges for home care services for older and Disabled people.

✓ Council Savings

We accept tough decisions need to be made. However, it would appear from our analysis of [recent Council spend](#) that there is significant amounts of tax payers money being spent on a number of areas that need to be scrutinised and reviewed before cuts are made impacting on Disabled, older people and carers. For instance, according to the November 2017 data Redbridge Council spent £60,000 on Business, Marketing and Management Consultants. Extrapolated over a year this equates to £720,000.

✓ Hold a referendum

The cuts this year are so serious, why doesn't the council show the courage of its convictions and hold a referendum that would allow it to set higher council tax? Why not let Redbridge citizens decide if it wants to pay higher council tax to support disabled, older and frail people who use social services?

"We are also very concerned about the cumulative effect of local and national changes . We have local cuts and more national cuts proposed. Put together all these chip away at all the support mechanisms and services our families rely on and causes even costlier family breakdown and deeper inequalities."

✓ **Produce a Cumulative Impact Assessment**

Redbridge Council is unaware of the extent to which Disabled people have been affected by previous and current national and local welfare reforms and social care cuts. A recent study conducted by the Equality and Human Rights Commission has pointed out that "welfare reforms have significantly affected the already low living standards of disabled people."

According to Proposal 5 of the Charging Policy, Redbridge Council is considering **taking into account £10 of the higher rate Disability Living Allowance, Personal Independence Payment and Attendance Allowance.** However, the Council- despite requests - has not provided any detailed analysis in the consultation document - in line with the **Public Sector Equality Duty** on how these proposals will impact on people in receipt of the above benefits.

✓ **Scrap charging carers**

We recommend that Redbridge Council scrap charging carers. In most cases local authorities do not charge for providing support to carers, in recognition of the valuable contribution that carers make to their local community.

✓ **Co-production Nothing about us without us**

Financial decisions resulting in cuts to services and higher charges impacting on Disabled People and carers are often being made by people who have little or no contact with the people actually using the service or affected by the cuts. This is why **Disabled people have argued for many years that policy and services should be co-produced with the people whose lives it affects.**

Views on charges

A tax on disability

For many years, disability campaigners have pointed out that the system of charging for daily living support (community care, or home care, charging) is effectively a **tax on disability**. As [Jenny Morris](#) writes: *"Apart from the general injustice, it particularly discriminates against those with the highest needs, as they will be more likely to be limited to an income just above poverty levels; it discriminates against people reliant on a pension income because this is taken into account for the purposes of charging whereas an income from wages is not; and it prevents people from building up savings which might be needed to pay for expensive equipment or adaptations."*

"Does the council accept that higher charges will serve to deter people from accessing social care services, and that this will result in greater costs to the public purse, including more admissions to residential and nursing care, and greater use of NHS hospital?"

We have asked Redbridge Council to provide data on the financial hardships caused by the increasing level and incidence of charges. **Previous research has pointed out that charging risks discouraging Disabled and older people and carers from accessing the support they need.** In other words, short term savings to the public purse are likely to be offset by increased admissions to hospitals as people reach breaking point due to lack of effective support.

Consultation document does not offer alternatives

The Supreme Court has provided guidance on how to conduct a fair public consultation process in R (on the application of Moseley) v London Borough of Haringey [2014] UKSC 56.

According to the [Judgement](#) :

"But, even when the subject of the requisite consultation is limited to the preferred option, fairness may nevertheless require passing reference to be made to arguable yet discarded alternative options. "

Direct Payments Gap

“What is the council going to do about the biggest charge of all for many service users : the direct payments gap - the difference between what an hour of care actually costs and what the council pretends it costs. BBC data shows that the real hourly rate locally was £21.90 an hour in 2016, while the direct payments rate is barely half that. ”

Disability Related Expenditure (DRE)

“This proposal will make it easier to reduce the charge for some people. So I personally would welcome it. However, the Council will need to have a good system in place to support people who have more DRE to claim it and they should make it clear to people that if they have higher DRE they should claim it.”

“So would it be a good idea to think about social workers in the first instance, having that knowledge (about Disability Related Expenditure) and being able to talk that through with people?”

“When you say it is on the form, is that the different categories because when it filled it out here is a big grid and you go down. I've got to be honest, I did complete it and I did fill in those boxes. It was ignored on the financial assessment. It was not taken into account at all. That's why I was arguing earlier, I don't think it is that clear.”

“I wanted to make a point about the disability expenditure. Up to today I've never heard of that so where do I get some information on it?”

Redbridge Council's invoicing and reimbursement system is unfair and is causing hardship and distress

"It can impact. You know, I'm paying for a service am paying the totally fictitious amount based on some sort of assessment, that's fine, but who is going, who has got the resources and time to go back and say well this person was charging correctly. Let's adjust it and give them a refund, I personally would want a refund, I wouldn't want it adjusted off a future invoice. "

"Ok, let me tell you what happens to me. A carer comes in, does their work, now I get 2 hours a week. The carer comes in and I time them. Time in, time out. After four weeks or so I get an invoice. But I don't agree with invoice because they are over charging me. So I go back to the Council and the Council says ok I'll get your proof. So, another four weeks go by and they get me proof but the proof they are giving me is proof of the money they are trying to charge me for. So, I don't accept that either. So I throw it back to the Council for them to reinvestigate and it takes months. If you think, I'm going to stand by and let the Council hold my money for six months because - as far as I'm concerned - you are charging me for something. I'm not having that"

"I had to tell them that they owe me money and it took a very long time just kind of like getting through them. A lot of times it is really difficult because the phone, they don't answer the phone and then emails I send. I have to keep on emailing because I don't think they check them or they don't reply."

"So our view is that it is unfair on people who are already struggling to have to be chasing up the Council for money that is owed to them. The system needs to be person centred not council centred."

“With the illness I'm recovering from I can't afford myself to become stressed or I'll put myself back in hospital. I literally dump it down and walk away from it. There was something I had to send back and the date ran out and they rang me up about it, they were asking questions about the care agency there needs to be something in place to give us the support we need to help us cope with these things that have been put in place.”

“I did get the money back in the end but it took a long time took a lot of effort and that is not right I don't think because a lot of people think is it worth it? It is quite mentally draining.”

Quality of care

“An agency cannot provide the right quality of care. They can't train and supervise and oversee staff for those rates. So yes, the reassurance, the contract is there. But agencies with a lot of integrity won't take that contract. And secondly just a quick comment, I'm a social worker and I have trouble recruiting as well. But my suggestion for Redbridge is you have a lot of good quality unqualified staff doing what social workers and OTs are doing. Train your own because then you have the quality assurance.”

“An agency cannot provide the right quality of care. They cannot, whatever they tell you, cannot provide the right quality of care for the amount they are paid by Redbridge. That is why organisations don't any longer have contracts with Redbridge. It is not possible. That is why a lot of people have lost their carers”

“What are you doing as a council to ensure that the care providers or the agencies that give out the care are, they have had their DBR checks. They are valid and the quality of the staff and getting their training and they know what they are doing ”

Appointeeships and impact of charges

“Is charging service users the best way to fund it? It is not clear whether the service in itself is a service that can be provided under the Care Act 2014. It potentially could be classed as such, but it has to meet eligible need for support. ”

“I just wanted to say that the proposal that I'm most uncomfortable with is the £5 admin charge for the appointeeship and that is because the people that have an appointeeship by the Council are the very people that do not have the capacity to manage their own finances and therefore would not be able to voice their view on that, whether they agreed with it or not, so I feel really uncomfortable with that one and I just wanted to make that point.”

“The service is provided to the most vulnerable people in Redbridge and it could be a big loss for this group. ”

Carer Assessments

“The only time I had any help as a carer was in 2014, I had no assessment. It might have been '15 when the Carers Act came in I had no assessment because I was a carer and for a year I enjoyed use of 4 hours. I had direct

“I know I'm wasting my time but why have you got to means test carers, not all boroughs do? We keep on being told what a wonderful job we do and we are still being means tested so can you review the situation?”

debit and I used the money as I saw fit to keep my own health by swimming. That was cut because the social worker who came to see me and my husband said that Redbridge have to now joint lie says. I queried it and I was told that is the policy. I wrote to Mike Gates and I asked him to explain how a local authority could override government law and all he wrote back as a response was this is Redbridge's policy. Basically like it and lump it."

"I would like to say that when the Carers Act came into force I know it was not financially backed up and I know various boroughs have therefore decided that they would have to implement a financial assessment in order to make the money they do have go further but I would just like to point out it means that those of us who have worked hard and been careful all our lives and put savings by are unable to access any help as a carer as we are assessed together in Redbridge and therefore our joint savings are above the threshold."

"This is just a quick comment. I haven't had a social worker since 2004 and every time I've had a review come in and they said yes we'll sort someone out and in the end I just give up asking about it."

Charging risks discouraging Disabled people and carers from accessing the support they need.

"Overall, I think the concept that someone would have care in place without knowing what the full quality of that care will be will be a total disincentive. I'll put it in context for you. People are going out who are not social workers. They are assessment

officers, a few of our carers have said they have been visited by these assessment officers who do not understand how the process works, have no knowledge of direct payments, have no understanding and can't actually advise people.

"So there I am, Mrs Smith, desperate for this care, I can't wait for the financial assessment because I don't know when this is going to be and at the same time I'm scared about what the true cost of that care is going to be and that assessment officer who is there to put all these things in place can't advise me so I'm going to go, no thank you dear.

"I was waiting 19 months. I waited from July 2015 to February this year to see an OT and that is not acceptable. One person waited for years and a young lady passed away before she even got to see one. Social workers never turned up."

Duty of Care

"How does that sit with your duty of care, because I'm telling you now in the same way as when the Care Act came in carers started getting charged for services for carers support that was a total disincentive and a lot of people refused it. I don't know how you will manage that because, believe me, you do have a duty of care and already carers are coming to us who have looked at these consultation proposals to say there is no way I'm going to accept care without knowing what the full cost will be, so you have a real training issue for your front line staff."

Communication

"I'm just a bit concerned about when these changes come to effect how are they going to be communicated to for example someone like me, I don't have proper access to the internet. I

have multiple health problems and I know for example one of my surgery scars started bleeding so my eye was off the ball in terms of letters. I didn't read that my contribution was to be increased so it just feels like the onus was on me. It was my responsibility to read that properly, but I didn't read it and I was not well thereafter but it just seems that every time something like that happens I'm getting the blame. So how would the changes be communicated to someone like me? I'm sure others are in similar situations."

"Rather than not being able to get through on the phone, the internet system or the web is often down being repaired, being repaired. The access to information is being denied to a lot of people and you are putting the onus back of people with disabilities to sort it out when they have a hard enough time getting support. "