

Appendix 3

Recommendations

Proposal	Recommendation
<p>Proposal 1: Increase the minimum income guarantee amount (MIG) a person is left with after paying for care in line with national means-tested benefits with an additional 25% buffer.</p>	<p>The MIG is set in Care Act regulations that came into effect in April 2015. It was originally based on Department for Work and Pensions (DWP) pension credit and income support benefit rates with an additional 25% buffer. However as it has been frozen by DHSC since it became law the buffer has eroded to 13.8% for pension age people and 22.8% for working age people.</p> <p>This recommendation restores the buffer to 25% for 2022/23 and future years.</p>
<p>Proposal 2: Set the minimum income guarantee amount (MIG) for working age people under 25 to the same level as the MIG for working age people aged 25 and over.</p>	<p>The Care Act regulations set a lower minimum income guarantee for working age people under 25. Currently this is £19 per week less than the MIG for those aged 25 and over.</p> <p>This recommendation provides the same level of income protection for all working age people receiving social care services.</p>
<p>Proposal 3: Remove the discretionary income disregard applied to Disability Living Allowance and Attendance Allowance paid at the high rate and replace it with an allowance for any disability related expenses paid for private care.</p>	<p>The care and support statutory guidance allows local authorities to take all disability benefit income paid for care into account when setting care charges, provided that an allowance for disability related costs is made, this includes payments for private care.</p> <p>Currently Herefordshire's policy disregards the value of any disability benefits paid for night time care if the council is only providing social care support during the day. This disregard (currently £29.60 a week) is applied regardless of whether the person pays for night time care. However, as most people of working age with disabilities now receive personal independence payment and this benefit doesn't differentiate between day and night time needs, this disregard is not applied.</p> <p>Removing this discretionary disregard will ensure that people in receipt disability benefits of all ages will be treated equitably, but those that don't pay for night time care may pay more. Approximately 300 people could be affected adversely from this proposal.</p>

Proposal 4 : Charge for short stays in a care home (sometimes called respite care) for up to 8 weeks over a year under the same rules as paying for care and support in own home, or in the community.

Central government decides how councils must charge for care provided in a care home, but the care and support statutory guidance gives local authorities discretion to charge people for short stays in a care home under the same rules as charging for care in their own home or in the community.

This recommendation makes charging for short stays simpler to administer, provides a consistent approach to charging, and removes uncertainty about charges applied for part of a week, which will subsequently reduce invoice disputes.