

# Policy 18 Increases in ILF Awards

**Owner:** ILF Scotland

**Subject:** Increases in ILF awards

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**Date Reviewed:**

## 1.0 Background

The current priority for ILFS is to maintain the existing support that is provided to users. In some circumstances ILFS is able to make certain changes to the funding that is provided in order for this support to continue effectively. This guidance document details the steps ILFS can consider taking to ensure packages remain stable.

In all circumstances ILFS can only consider increasing funding where there is scope within the relevant maximum sum to accommodate the additional costs.

## 2.0 Inflationary increases in the cost of care and support

ILFS will not normally consider any increase, or bring forward any review unless there is a significant change in circumstances (see 5.0) or where a review is required to meet ILFS purposes.

When reviewing the support ILFS provides, the Assessor will consider whether the user's care package is sustainable given the level of funding available at the time. The normal assumption will be that this is the case, unless it is clearly demonstrable and the Assessor is in agreement, that the care package is unsustainable due to a lack of funds. Only in these types of circumstances should the Assessor recommend an increase in funding.

The amount ILFS can agree to increase by is not specific, but is dependent upon the user's circumstances at the time of the review. In all circumstances the Assessor will need to provide justification for any increase recommended.

Decisions in all cases will be based upon information provided by the Assessor showing that an increase is necessary in order to maintain the current level of support.

Examples of where we may consider increases include:

- Where the care provider will leave due to low pay.
- Where costs are shown to be critically below the market rate, for example below the local direct payment rate.
- If a user has explored making changes, but has not been able to within the current award (e.g. the user has considered alternative providers or fewer hours of care).

We will not usually support increases where:

- A user has already had an inflationary increase in the last 12 months (an inflationary increase only applies where the cost of care has risen, it excludes increases due to a change of circumstance or statutory employment cost – see below).
- Where the cost of care is already above the market rate (consideration should be taken of the type of care provided).
- Where existing funding can be used more flexibly to meet a user's current support needs.

### **3.0 Direct payment rates**

Following a review we may increase funding to match a direct payment rate where our payment was previously based upon matching this rate. Where ILF payments were not previously linked to the direct payment rate Assessors may recommend that payments match this rate but will need to provide an explanation of why an increase is necessary. If the Direct Payment rate is no longer appropriate then employment related on-costs would need to be calculated separately based on the actual hourly rate paid.

### **4.0 Change of provider**

ILFS may consider funding an increase in costs due to the need to change provider because of circumstances beyond the user's control. This would not

apply where a user has simply decided to change to a more expensive provider. This type of increase can be considered outside of the review programme without the need for a visit by a customer services manager.

## **5.0 Additional care & support increases**

ILFS will not normally consider funding the cost of additional support except where there is a significant change of circumstances and the existing package of support is no longer suitable for the user's needs (see 6.0).

Any recommendations to pay for additional support needs can only be agreed on receipt of an Assessors report. For Group 2 users the LA must meet the threshold sum of at least £340 per week (or its annual equivalent) before we can consider funding additional care needs. We will not take over support previously provided by the local authority. In all circumstances a visit should be arranged prior to a decision being made to increase.

## **6.0 Significant changes in circumstances**

Below is a list of the circumstances where ILFS may consider arranging an out of cycle Review visit and where ILFS may consider paying for additional care:

- Starting or ending a course of further education.
- Moving out of a family home.
- Actual or imminent loss of unpaid care.
- Separation or divorce.
- Moving house, including change of LA.
- Transition from child to adult services.

An increase to the level of need due to deterioration in condition will not be viewed as a significant change in circumstances.

## **7.0 Increases in statutory or essential employment costs**

ILFS is committed to supporting users who directly employ their own PA to be responsible employers (see employer support policy). Increases or new requests relating to statutory or essential employment costs can be considered without the need for a visit by an assessor and normal employer support policy guidelines should be followed. The following costs can be considered:

- Payroll;
- Financial management;
- Bank Holidays;

- PVG checks; \*
- Employer's liability Insurance; \*
- H&S training; \*
- Legal fees;
- NI contributions; \*
- Statutory Holiday pay; \*
- Termination of employment costs; \*
- Task training;
- Statutory sick pay; \*
- National Minimum Wage; \*
- Advertising;
- Meeting agency workers regulations. \*
- Additional costs to ensure Working time regulations are met; \*

In addition where an agency can demonstrate that costs have increased in order to meet new or increased statutory employer costs (indicated above with a \*) ILFS can consider meeting these costs without the need for an assessor visit. The Head of Appeals must consider these requests.

New requests for living expenses allowance costs will not normally be paid. Requests for ILF to fund recruitment costs (other than advertising) and new travel costs must be considered by the senior management team.

## **7.0 Holiday awards**

ILFS will honour Holiday Awards that are requested in those situations where ILF have previously made an offer towards funding this. This is regardless of whether it is a holiday for the user or respite for the carer. Where holiday awards have previously been paid only as a lump sum we will continue to pay them providing the intention was that they were part of an ongoing package of support.

Requests to cover increases in either the cost of holiday support or additional support requirements during holidays will be dealt with in the same way as all other increase requests. This means they will only be considered if they relate to statutory increases or where a significant change of circumstances results in a visit being arranged.

Where the user feels there are exceptional reasons for the increase in cost of care or in the care need, they may appeal in the usual way.

**8.0 Source**

**9.0 History Date Reviewed**

**1 July 2015**