

Policy 4 Available Income – Scotland

Owner: ILF Scotland

Version: 3

Last Amended: 1st October 2018

Date Reviewed: 1st September 2018

Next Review: 1st October 2019

1.0 Background

ILF recipients are required to make a contribution towards the cost of their ILF funded care and support. This policy explains:

- how this contribution is calculated;
- that the contribution will operate by way of a reduction in the value of the gross ILF award, and;
- ILF Scotland's limited discretion to offer partial or full waivers of Available Income contributions.

2.0 Policy

Effective from 1st October 2018, the maximum Available Income contribution from any ILF Scotland recipient will be £83.00 weekly. No contribution will exceed this sum. This is the case for all Group 1 and 2 fund recipients in Scotland, irrespective of age.

ILF Scotland will compare recipients' Available Income contributions as calculated under Policy 4 Version 2 (and archived on the 30th September 2018) against the new maximum weekly contribution of £83.00. Where this archived version of the policy had correctly calculated an Available Income contribution above this maximum amount, ILF will reduce the contribution to £83 with effect from 1st October 2018.

All Available Income contributions as properly made at 30th September 2018 will be capped at that level, with no further increases applied.

Where the recipient's total income increases from 1st October 2018 for any reason, no account of that increase will be taken.

Where the recipient's total income decreases from 1st October 2018, a new charge will be calculated on the basis of Policy 4 Version 2 archived as above. That lesser charge will then apply from the date of income decrease.

Where a Local Authority decreases its charge from 1st October 2018, no account of that decrease will be taken in ILF Scotland's Available Income calculation.

Where the recipient wishes to challenge their contribution from 1st October 2018, reference will be made to the archived policy noted above.

In all of the above any partner or spouse income will be wholly disregarded.

ILF Scotland will, by any of the provisions above, set no contribution greater than the maximum weekly contribution from 1st October 2018 and will review this limit with the aim of further reductions as they might

generally align with resources and future reforms in social care charging more widely.

ILF Scotland can, at its discretion, reduce an ILF Available Income contribution to a level it considers appropriate where it concludes that Version 3 of this policy has had the effect of disadvantaging a recipient relevant to Version 2, or by a related disadvantage.

3.0 Policy Qualifications

- ILF Scotland may, in exceptional circumstances, exercise its discretion to waive, in part or in full, any Available Income contribution in circumstances of terminal illness or exceptional financial hardship. Such exceptional circumstances, evidenced to ILF Scotland's satisfaction, may include:
 - Terminal illness (full waiver will apply);
 - Exceptional disability related costs;
 - Exceptional costs related to the care of children;
 - Any overlap with LA charging to the recipient's detriment.
- Protections given by ILF UK to certain Group 1 (former Extension Fund) recipients are preserved indefinitely.

4.0 Payment

An ILF Scotland award is based on an assessment of the care and support required by the recipient. The total cost of the award is calculated, and payments are made to the recipient after deducting their Available Income contribution as determined by section 2.0 of this policy, and having considered any implications of section 3.0.

5.0 Procedural considerations

Available Income will always be deducted in full from the weekly cost of care or the weekly cost of a retainer. Examples:

1. If someone is paid on receipt of invoice rather than automatically, the Available Income will be deducted from the invoice total.
2. Where a retainer is paid for part of the usual care plan i.e. for the PA element but not the agency element, the full Available Income must be deducted from the gross retainer amount.
3. If a recipient requires a replacement award for a limited or on-going period, Available Income should always be deducted.

6.0 Reviews and overpayments

When calculating any overpayment or unspent funding amount, ILF Scotland will take into consideration the net amount that it has overpaid. No overpayment will be raised on the recipient's contribution and ILF Scotland will not monitor if this is used towards Qualifying Support and Services. It will be for recipients to determine how their own contribution may best be made.

Notes

Policy 9 is deleted from 1/10/18, and its provisions no longer apply from that date.

Policy 39 Capital limits - remains in effect.