

Policy 4 Available Income – Scotland

Version: 4

Last Amended: 1 June 2021

Next Review: 31 March 2022

1 Background

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

- How ILF Scotland calculates this Available Income contribution
- How it relates to the value of the gross ILF Scotland award
- ILF Scotland's limited discretion to offer partial or full waivers of Available Income contributions.

2 Policy

Effective from 1st June 2021, the maximum Available Income contribution from any ILF Scotland recipient will be £43.00 weekly. No ILF Scotland charge will exceed this sum. This is the case for all fund recipients in Scotland.

If a recipient's Available Income contribution, by the proper application of version 3 of Policy 4, is less than £43.00 per week then ILF Scotland will maintain that sum.

ILF Scotland will cap all contributions properly made at 1 June 2021 at that level in each case, with no further increase in ILF Scotland Available Income contributions.

All earlier versions of Policy 4 are archived for reference, in the event of any recalculation of an Available Income contribution.

Where a recipient's total income increases from 1 June 2021 for any reason, ILF will not take account of that increase.

In circumstances where ILF Scotland has carried out a notional financial assessment for a recipient who is not on a means tested benefit, and where the recipient's total weekly income decrease from 1 June 2021, ILF Scotland will compare the Available Income contribution due under this version of Policy 4 with the previous, archived version and other relevant associated archived policies. It will then apply the lesser charge, from the date of the income decrease.

Where a person is in receipt of Constant Attendance Allowance, ILF Scotland will apply the lesser of half of the amount of CAA received.

Where a Health and Social Care Partnership LA decreases its charge, from 1 June 2021, ILF Scotland will take no account of that decrease

Where a recipient's contribution would be greater under this policy, ILF Scotland will refer to the archived policy, version 3, and apply any lesser charge.

In all of the above, ILF Scotland will wholly disregard any partner or spouse income.

ILF Scotland can at its discretion, reduce an Available Income contribution to a level it feels is appropriate if a recipient would have been better off under a previous version of this or related policies.

3 Policy Qualifications

ILF Scotland has the discretion to waive, in part or in full, any Available Income contribution in circumstances of exceptional hardship. Recipients must evidence the need to this to ILF Scotland's satisfaction. Exceptional circumstances might include the following:

- Terminal illness (full waiver will apply)
- Exceptional disability related costs
- 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, on the basis and level given at 1 July 2015.

4 Payment

ILF Scotland bases its award on its assessment of the care / support a recipient requires. ILF Scotland will calculate the total gross award, will deduct any Available Income contribution as determined by section 2 of this policy, and having considered any implications of section 3, and will pay this net award to recipients.

5 Procedural considerations

ILF Scotland will always deduct the Available Income contribution 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 contribution 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, ILF Scotland must deduct the full Available Income contribution from the gross retainer amount.
3. If a recipient requires a replacement award for a limited or on-going period, ILF Scotland will always deduct the Available Income contribution.

6 Unspent Monies / Overpayments

ILF Scotland will base its calculation of unspent monies or any overpayment on the net amount it paid and will not take into account the recipient's Available Income contribution.

7 History Review

1st October 2018
1st October 2019

Notes

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

The following policies are archived from 1 June 2021.

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| Policy 7 | Board & Lodgings |
| Policy 11 | Constant Attendance Allowance |
| Policy 21 | Industrial Injuries |
| Policy 22 | Living Expenses |
| Policy 23 | Loan Interest |
| Policy 28 | Mortgage Payments |
| Policy 30 | Pension Credits |
| Policy 35 | School Meals |
| Policy 43 | War Disablement Pensions |