



ADULT SOCIAL CARE

POLICY ON CONTRIBUTIONS FOR NON-RESIDENTIAL SOCIAL CARE SERVICES 2025-2026

Approved:

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1. Introduction

This Policy reflects the values and commitments of West Lothian Council in supporting individuals to live well, safely, and independently in their own homes and communities. It outlines how contributions toward the cost of care and support are determined and ensures that decisions are fair, transparent, and guided by national best practice, including the COSLA National Strategy and Guidance: Charges Applying to Social Care Support for People at Home.

This policy applies to non-residential care and support services that enable people to live independently and achieve personal outcomes.

The policy recognises that planning care and/or support begins with a strengths-based assessment, that builds upon an individual's abilities, supports, and identified outcomes.

This policy aims to inform individuals, families, carers, staff, and relevant others how financial contributions are calculated for formal support provided. It promotes openness and helps people feel confident about the decisions being made regarding their care and financial responsibilities.

The policy sets out;

- When there are assessed needs requiring eligible care and support services, how the financial assessment will be undertaken;
- The factors that are considered when calculating a person's financial contribution;
- The support available for those who may experience financial hardship;

Figures in this policy are correct for the financial year 1 April 2025 to 31 March 2026. This policy is reviewed annually to reflect changes in legislation, national guidance, and the lived experiences of those we support.

2. Chargeable and Non-chargeable Services

Self – directed support is Scotland's approach to the provision of social care. The legislation Social Care (Self-directed Support) (Scotland) Act 2013 places a legislative duty to the arranging of care and support for individuals to meet assessed needs and outcomes.

Through Self-Directed Support (SDS), people will be supported to shape their own care and make informed choices about how their care and support is provided.

Individuals will only be charged for the care and support they receive, they will not pay more than they can afford and will not pay more than the cost of the service.

The charge is subject to a financial assessment, which will be based on an individual's ability to pay, following an income maximisation check.

Contributions apply to services that support independent living which can include:

- Day services and day opportunities
- Support at home
- Housing with Care support charge
- Lunch clubs and community-based activities
- Support provided by wardens in sheltered housing
- Laundry services
- Aids, adaptations, and equipment
- Transport to access care or activities
- Aftercare services and ongoing support for individuals with lived experience of mental illness
- Telecare and safety alert systems

A financial contribution is not required for the following social care and support services

- Justice social work services
- Provision of information and advice
- Needs assessment
- Care Management
- Adaptations for disabled persons in owner occupier or privately rented housing, which attract a mandatory grant (in line with the council's Scheme of Assistance) as they are being funded by the council through a grant process to meet the cost of that work.
- Provision of nursing and personal care (see section 3 and Appendix 1)

Leaving Hospital

Where an individual has been an NHS in-patient for more than 24 hours or had surgery as an NHS day patient:

- A financial contribution is not required for new, intermediate or additional home care services for 42 days on discharge from hospital including reablement services, minor adaptations or equipment provided to facilitate discharge pending further assessment at home
- Services in place pre-admission and which continue after discharge will continue to be chargeable.
- Relief from charging for hospital discharge does not apply to discharges following admission on a regular or frequent basis as part of on-going care e.g. admission for respite care, on-going episodic treatment

NB Based on Scottish Executive Circular No. CCD 2/2001 "Free Home Care for Older People Leaving Hospital"

Transition from child to adult services

Children and young people are not charged for any social care services up to the point they transition from children's social work services to adult social work services. The contributions policy will apply at the time an adult social work assessment is completed.

For children and young people who have been looked after and specifically for young people receiving continuing care, the transition to adult services can be for an extended period of time and therefore the application of the contributions policy will be in accordance with the transition plan specific to each young person.

3. Who is exempt from making Financial Contributions?

Individuals are exempt from making a financial contribution who are:

- People who are terminally ill (in receipt of a Benefits Assessment for Special Rules in Scotland (BASRiS) form or regarded as having a terminal illness for the purpose of determining entitlement to disability assistance)
- People who are subject to a Compulsion Order
- Unpaid Carers

4. The Financial Assessment Process

Anyone who receives a chargeable service will be assessed to determine how much they can afford to pay towards the cost of those services they receive; this is called a financial assessment. The care and support provided will always be based on assessed eligible need and a contribution towards the cost of care and support based on the practicality of an individual's ability to pay that contribution. Appendix 1 contains some examples of chargeable services.

A financial assessment will be carried out along with a social care assessment and/or Housing with Care application. Where care and support needs have been identified eligible services will be delivered to meet those needs from an agreed commencement date. Any contribution which is determined as being due will be backdated to the commencement of any care or support services being provided.

The council will ensure, as part of the financial assessment process, that an individual is receiving maximum entitlement to any benefits/income. If the financial assessment process is refused an individual may be liable for the full cost of their care and support, less any free personal care element.

An individual's ability to contribute toward the cost of their care will be based on their available weekly income, and capital held. An officer from the council may be required to visit an individual at home to undertake a financial assessment. The officer is required to have proof of all income and capital held, therefore any Pension or Benefit statements, and bank or savings books relating to financial affairs should be made available for inspection.

Total Assessed Income

An individual's ability to contribute to the cost of eligible care and support will take account of following income, based on a weekly amount:

- Net earnings
- Benefits / Tax Credits
- Pension Income
- Other income, including income from a non-independent living at home
- Capital income

Partner's Income

Where someone is part of a couple, this being their spouse or civil partner, only their income and capital, along with 50% of any jointly awarded/held income and capital will be considered when calculating their contribution. This ensures that partners are left with their own income and capital.

Jointly held capital is split equally between the couple unless he/she can demonstrate that they have no legal entitlement to the capital. Capital income (see paragraph 4.8) will be calculated on the basis of the apportioned share of capital.

Disregarded Income

Certain types of income will not be taken into account in the financial assessment process. This is known as disregarded income. These include the following:

- Disability Living Allowance (DLA) Mobility Component
- Personal Independence Payment (Mobility Component)
- Adult Disability Payment (ADP) (Mobility Component)
- Scottish Adult Disability Living Allowance (SADLA) - Mobility Component
- Enhanced rate of (PIP) Personal Independence Payment (Daily Living Component) when the person is not receiving night time services. Therefore, only including the standard rate as income
- Enhanced rate of (ADP) Adult Disability Payment (Daily Living Component) when the person is not receiving night time services. Therefore, only including the standard rate as income
- The higher rate element of Disability Living Allowance (Care Component) when the person is not receiving night time services. Therefore, only including the middle rate as income
- The higher rate element of Scottish Adult Disability Living Allowance (Care Component) when the person is not receiving night time services. Therefore, only including the

middle rate as income

- The higher rate of Attendance Allowance when the person is not receiving night time services. Therefore, only including the lower rate as income
- The higher rate of Pension Age Disability Payment when the person is not receiving night time services. Therefore, only including the lower rate as income
- £20 of net earned income
- Independent Living Fund payments
- All benefits paid for or on behalf of dependent children including Child Benefit
- War Disablement Pension and compensation payments made through the Armed Forces Compensation Scheme
- Compensation Payments. West Lothian Council will disregard the range of compensation payments outlined in and in line with the COSLA guidance including the consideration of payments held in Trust. This will include interest on compensation payments.

Capital

Capital such as savings, bonds, stocks and shares, ISAs etc. will be considered as a source of income.

The approach set out below disregards income received against capital held up to a level of £6,000 for individuals below state pension qualifying age; or £10,000 for individuals of state pension qualifying age or above. For any capital held above those levels a weekly income is assumed and this is added as income in the financial assessment; as per the rates set out in the table below:

	Disregard Capital Below	Disregard Capital Below
Below State Pension Qualifying Age	£6,000	£1 per £250, or part thereof
State Pension Qualifying Age or Above	£10,000	£1 per £500, or part thereof

The value of an owner occupier's home is not counted as capital.

Applicable Housing Costs

The assessable income calculation will be net of applicable housing and council tax costs. Housing costs include: rent and mortgage payments, buildings insurance premiums for owner occupiers and costs for Council Tax and Water and Sewerage will also be deducted. If an individual is part of a couple this will be a 50% deduction.

For non-dependents living at home an allowance for rent paid to family/parents will be disregarded in line with DWP guidance on non-dependent deductions.

Personal Allowance

For users of non-residential services, the policy reflects the COSLA Guidance, which suggests a level of weekly income below which someone cannot be asked to pay care and support charges. These are known as personal allowances (or minimum income thresholds) and are set at the following levels for 2025/26:

Single person under pension qualifying age	£ 170
Couple under pension qualifying age	£ 258
Single person over pension qualifying age	£ 284
Couple over pension qualifying age	£ 434

The basis of the personal allowance is linked to rates set by the DWP for income support personal allowances, disability premiums and pension credit. In order to provide more help to those on low incomes and to recognise that not all of someone's income above these rates should be taken in contributions, a buffer of 25% is included in the personal allowance

threshold levels set out above.

5. How Will Contributions Be Calculated?

To determine the amount someone can afford to contribute towards their eligible care and support, the following will be completed:

Total Assessed Income (A)
Less Applicable Housing Costs (B)
Less Disregarded Income (C)
Less Personal Allowance (D)
Equals Excess Income (E)
Apply WLC Taper of 65% if (E) > Nil

Equals Maximum Weekly Contribution

- If the assessable weekly income is calculated at less than the personal allowance figure, an individual will not be charged for their care and support service.
- A decision to apply taper rates to contributions or charges is at the discretion of individual local authorities. The council has decided that the maximum weekly contribution that someone will be required to contribute to their eligible care and support costs is 65% of any excess income. This is in addition to the 25% buffer rate included in the personal allowance and other income and expenditure disregards.
- Individuals will be required to contribute the maximum weekly contribution that has been assessed, or the actual cost of their care and support plan, whichever is the lesser amount.
- Individuals with an assessed contribution of less than £1 per week will not be asked to contribute.
- Appendix 3 provides some examples of how a contribution will be calculated.

6. Disability Related Expenditure (DRE)

Disability Related Expenditure (DRE) is the additional expense that a person incurs, because they are disabled or have health problems. DRE will vary for each individual and what may or may not be included in a financial assessment will depend on the disability and individual's needs.

The council will consider whether to disregard more of a person's income or capital, over and above any existing disregards, to take account of any additional disability related expenditure as part of their financial assessment process or on a case by case basis by request. Where an individual is in receipt of a Disability Related Benefit then a contribution calculation to disregard any excessive DRE can be requested or considered. DRE does not include general items or services required for daily living by anyone; items or services met by a grant or other funding source; the difference between the actual cost and a lower cost alternative where it is considered reasonable to have the lower cost alternative.

Should someone have additional disability related expenditure, which they feel is not taken account of in the additional 65% income taper applied to all financial assessments, they should provide details of that expenditure so it is considered in a financial assessment. If a contribution will cause undue financial hardship an individual may request a review of their contribution in line with the process detailed in Paragraph 11 providing evidence of all additional disability related expenditure. The council may refer individuals to the West Lothian Advice Shop for a Personal Income Check before they consider a review.

7. Personal Income Check

To fully assess an individual's circumstances, it is important that help, support and advice are provided at the right time. To support an individual's needs a full holistic personal income check will be offered encompassing advice and support in Income Maximisation, Debt, Money Management, and Energy & Housing options.

All individuals who undertake a financial assessment will be given the opportunity to undertake a full personal income check. Individuals can opt out of this.

The service is provided by West Lothian Advice Shop, who will carry out an impartial, confidential and a holistic income check. Carers and/or other members of the household can also have a personal income check completed.

8. Other Charges

The contribution which is to be made towards care and support will be based on assessed eligible care needs regardless of what Self-Directed Support option is chosen or whether care is provided by the council or another provider.

Access to the Home Safety Service ("Telecare") will not be part of an individual's assessed needs if this has been chosen as a service. The current charge for the Telecare service for 2025/26 is £4.54 per week. This will remain as a separate chargeable service.

9. Direct Payments

Self-Directed Support allows everyone with a care and support package to manage their own care and provides them with opportunity to exercise choice and control on how those needs are met. Where a person has been assessed as being able to contribute towards their care and support, and chooses a direct payment (Self-Directed Support option 1), their assessed contribution will be deducted prior to the provision of the monthly direct payment i.e. the direct payment will be paid 'net'. The supported person is therefore expected to pay their contribution into their nominated direct payment bank account to ensure their care service invoices or payroll costs can be paid in full each invoicing period.

When a direct payment is the only Self-directed Support funding option received, the payment will be paid net of any assessed financial contribution unless a request is made for the payment to be paid gross. If the Direct Payment is received alongside other SDS funding options, the contribution charges will be invoiced, and the Direct Payment will be paid gross.

The council will give any request to pay a direct payment gross its full consideration. The council will consider the reasons and circumstances behind any request before making a decision. It will inform the person in writing of their decision.

10. Payment of Contributions

Individuals will be invoiced on completion of the financial assessment for their annual contribution from the date their eligible care and support services commence to end of the financial year, and thereafter will be billed annually in advance.

A direct debit will be set up to collect the contribution in instalments on a monthly basis. If individuals are unable to use the Direct Debit Scheme then the council will discuss alternative methods of collection with them.

Failure to make payment of any contribution will result in the council taking appropriate recovery action in line with its Service Accounts invoicing and collection process and Corporate Debt policy.

Planned and unplanned breaks

It is the responsibility of individuals to advise the council in advance of any planned circumstances which will impact on the need for service delivery. A representative such as guardian, family member or care provider may advise the council of any known absences – adhoc, planned or unplanned - so that appropriate steps can be taken to pause or cancel any care provision. The council may require to confirm with the individual details of any absence before being able to cancel any care provision.

Notice of planned and unplanned breaks can be provided by the individual or their representative to an allocated worker, by email (adultsocialcare@westlothian.gov.uk) or telephone (01506 280740).

Planned breaks including scheduled admission to hospital

An adjustment can be made to the individual's contribution for going on holiday or being admitted to hospital for a scheduled operation subject to advance notice of at least four weeks. The section on hospital discharge (section 2.4) should be read in conjunction with this.

Unplanned and emergency breaks in care provision

An adjustment to a contribution can be made for unplanned or emergency admission to hospital on the advice of an individual or their representative. The nature of unplanned or emergency admission means that no advance notice is expected to be given, and any adjustment to a contribution will be backdated to the date of admission and adjusted for the remainder of the invoice period. The section on hospital discharge (section 2.4) should be read in conjunction with this.

Ad hoc absences, including being ill (at home) or absent for appointments are not eligible for adjustments to an individual's contribution. This is because the care provision will already have been scheduled and paid for. When a period of being ill at home becomes extensive an adjustment can be considered on a case by case basis, if requested. This will normally be undertaken in conjunction with a re- assessment of care needs to identify if a change to a care plan is required.

11. Enquiries, Reviews and Complaints

West Lothian Council seeks to resolve customer dissatisfaction as close as possible to the point of service delivery. The first point of contact should be the assessor who has undertaken the needs assessment.

If there are concerns the financial contribution has been miscalculated or income, capital or disregards used in the calculation are incorrect the Financial Assessment Team can be asked to review their decision. Reconsideration of the financial assessment is the first step in the review process.

If an individual feels their financial contribution will cause undue financial hardship they can request a social work review to determine if further disregards should be applied, or a reduction of the contribution or waiver of it should be applied.

If the individual has a complaint about the service they receive, they are entitled to make a complaint at any time. The West Lothian Council Complaints Processes will apply.

The provision of care and support will continue during the period of any review or complaint.

Details of the review and complaints processes are available on request and on the Council's website.

12. Related Legislation and West Lothian Council Policies

This policy complies with the following core legislation which continues to be the legal basis for assessment in West Lothian Council:

- The Social Work (Scotland) Act 1968
- Chronically Sick and Disabled Persons Act 1970
- The NHS and Community Care Act 1990
- Children (Scotland) Act 1995
- The Human Rights Act 1998
- Data Protection Act 1998
- Adults with Incapacity (Scotland) Act 2000
- The Regulation of Care (Scotland) Act 2001
- Community Health and Care (Scotland) Act 2002
- Mental Health (Care and Treatment) (Scotland) Act 2003
- The Adult Support and Protection (Scotland) Act 2007
- Social Care (Self-directed Support) (Scotland) Act 2013
- Children and Young People (Scotland) Act 2014
- The Carer's (Scotland) Act 2016
- West Lothian Council Policy on the application of hourly rates for the purchase of registered agency services under Self-directed Support Option 2 ('SDS Option 2 Policy')
- West Lothian Council Policy on Self-directed Support ('SDS Policy')
- West Lothian Council Eligibility Criteria for Carer Support ('Carer's eligibility')
- West Lothian Council Policy on Assessment and the Application of Eligibility Criteria for Non-Residential Care ("Eligibility Policy")

13. Updates

This policy will be reviewed annually. Up to date information will be published on the council's website www.westlothian.gov.uk Paper copies are available on request.

14. Appendices

Appendix 1: Definition of Personal care

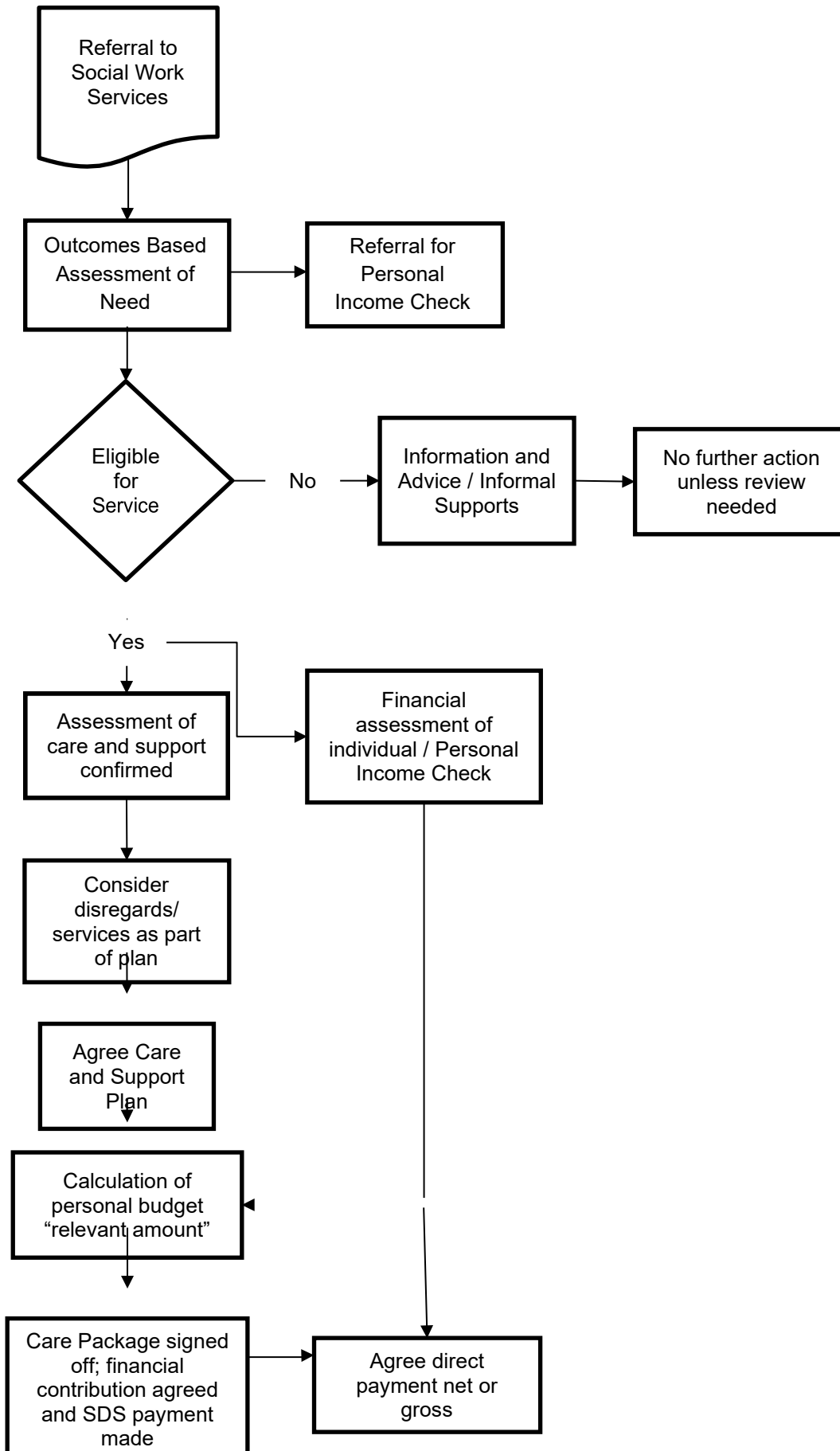
Definition of personal care

- Personal Hygiene- Bathing, Showering, hair washing, shaving etc.
- Personal Assistance – Dressing, surgical appliances, prosthesis etc.
- Continence Management, Toileting, skin care, bed changing etc.
- Simple Medical Treatments – Assistance with medication, including eye/ear drops, application of creams, simple dressings etc.
- Food and Diet – Food and drink provision, feeding, assistance with special diets, assistance to manage different meals services etc.
- Moving and handling – Assistance to get up/go to bed, Transfers, including the use of hoists.

Examples of Non-residential care services

- Day support, including day care
- Care at Home – supported accommodation, supported living, housing support services
- Housing with Care Support Charge
- Lunch Clubs
- Wardens in Sheltered Housing
- Laundry Services
- Aids and Adaptations
- Transport
- After Care services for people with a mental illness
- Care and support services for those who have, or have had a mental illness, (in or not in hospital)

Appendix 2: Assessment of Needs and Financial Assessment Process



Appendix 3: Non-Residential Social Care Examples

Client A: This client is a single person under pension age living with parents. They have been assessed as requiring 1 hour of non-personal care per week, costing £25.00 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) - including disability premiums	£161.75
ADP Daily Living Standard Rate	£73.90
Capital	£0.00
Total Assessed Income (A)	£235.65
Applicable Housing Costs (B)	
Assumed Housing Costs for a Non-Dependent Adult	£21.47
Disregarded Income (C)	
N/A	
Personal Allowance (D)	
Single Person Allowance – under pension age	£170.00
Total Housing Costs, Disregards and Personal Allowances	£191.47
Excess Income (E)	£44.18
Maximum Weekly Contribution (65% of excess income)	£28.71
Actual Weekly Contribution	£25.00

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £44.18 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £28.71 per week.

The client's maximum weekly contribution is higher than the weekly cost of their care and support package which is £25.00 per week, and they have therefore been assessed as requiring to pay the total cost of £25.00 per week for their non-personal care.

Contd/.

Appendix 3 continued

Client B: This client is a single person under pension age. They receive 27 hours of non-personal care a week, at a cost of £605.00 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) – including enhanced disability, severe disability and support component	£244.65
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate	£110.40
Capital	£0.00
Total Assessed Income (A)	£432.10
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	£6.00
Rent (net of Housing Benefit)	£0.00
Disregarded Income (C)	
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate – only the difference between the enhanced rate and standard rate is taken into account)	£36.50
Personal Allowance (D)	
Single Person Allowance – under pension age	£170.00
Total Housing Costs, Disregards and Personal Allowances	£289.55
Excess Income (E)	£142.55
Maximum Weekly Contribution (65% of excess income)	£92.65
Actual Weekly Contribution	£92.65

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £142.55 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £92.65 per week.

The client's maximum weekly contribution is lower than the weekly cost of their care and support package which is £605.00 per week, and they have therefore been assessed as requiring to contribute £92.65 per week towards the cost of their non-personal care.

Contd/.

Appendix 3 continued

Client C: This client is part of a couple under pension age with a partner receiving Carers Allowance, they have jointly held capital totaling £12700.00 and own their home. WLC will assume income solely received by the person receiving care and only 50% of any income or capital jointly received or held by the couple. The client receives 1 hour of non-personal care a week, at a cost of £17.50 per week.

Total Assessed Income	£
Employment and Support Allowance (Income Related) - including enhanced disability premium, support component and carer premium less any tariff income from joint held capital.	£233.75
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate	£110.40
Capital (£1 for every £250 over £6000 based on 50% of jointly held capital)	£2.00
Total Assessed Income (A)	£423.20
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage) – 50%	£3.00
Standard Allowance for Buildings Insurance Premium – 50%	£1.45
Disregarded Income (C)	
PIP Mobility Enhanced Rate	£77.05
PIP Daily Living Enhanced Rate – only the difference between the enhanced rate and standard rate is taken into account)	£36.50
Personal Allowance (D)	
Couple Personal Allowance – under pension age	£258.00
Total Housing Costs, Disregards and Personal Allowances	£376.00
Excess Income (E)	£47.20
Maximum Weekly Contribution (65% of excess income)	£30.68
Actual Weekly Contribution	£17.50

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £47.20 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £30.68 per week.

As the client's maximum weekly contribution of £30.68 is greater than the weekly cost of their care and support package, £17.50 per week, they are required to pay the lesser of the two calculations towards the cost of their non-personal care, £17.50.

Contd/.

Appendix 3 continued

Client D: This client is a single person of state pension qualifying age. They receive 2 hours of non-personal care a week at a cost of £50.20 a week

Total Assessed Income	£
War Disablement Pension	£71.70
New State Pension	£230.25
DLA Mobility low rate	£29.20
DLA Care middle rate	£73.90
Private Pension	£50.50
Capital	£0.00
Total Assessed Income (A)	£455.55
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	£6.00
Rent (net of Housing Benefit)	£7.50
Disregarded Income (C)	
DLA Mobility low rate	£29.20
War Disablement Pension	£71.70
Personal Allowance (D)	
Single Person Allowance – state pension age	£284.00
Total Housing Costs, Disregards and Personal Allowances	£398.40
Excess Income (E)	£57.15
Maximum Weekly Contribution (65% of excess income)	£37.15
Actual Weekly Contribution	£37.15

In this example, because the client's applicable housing costs, disregarded income and personal allowance is lower than their total assessed income, they have been assessed as having excess income of £57.15 per week. As West Lothian Council apply an additional taper of 65%, their maximum weekly contribution will reduce to £37.15 per week.

As a result of the client's maximum weekly contribution of £37.15, being less than the actual cost of care, £50.20, they are required to pay the lesser of the two calculations, £37.15

Contd/.

Appendix 3 continued

Client E: This client is part of a couple and is over pension age. WLC will assume income solely received by the person receiving care and only 50% of any income or capital jointly received or held by the couple. In this example, the couple do not receive any joint income or hold any capital over £10,000. The client currently receives 12 hours of non-personal care a week at a cost of £241.20 per week.

Total Assessed Income	£
State Pension	£176.45
Attendance Allowance	£110.40
Partner's Income (jointly held)	£0.00
Capital (jointly held)	£0.00
Total Assessed Income (A)	£250.35
Applicable Housing Costs (B)	
Council Tax (inc Water and Sewerage)	£3.00
Rent (net of Housing Benefit)	£12.50
Disregarded Income (C)	
Attendance Allowance	£36.50
Personal Allowance (D)	
Couple Personal Allowance – state pension qualifying age	£434.00
Total Housing Costs, Disregards and Personal Allowances	£486.00
Excess Income (E)	£0.00
Maximum Weekly Contribution (65% of excess income)	£0.00
Actual Weekly Contribution	£0.00

In this example, because the client's applicable housing costs, disregarded income and personal allowance is higher than their total assessed weekly income, it has been assessed that they do not have any excess income to contribute towards their non-personal care package.