

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	<b>Cabinet Member for Adult Social Care</b>
2.	<b>Date:</b>	<b>21st October, 2013</b>
3	<b>Title:</b>	<b>LAC (DH) (2013) 2 – Armed Forces Independence Payments – Treatment in the Financial Assessment for Charging</b>
4	<b>Directorate:</b>	<b>Neighbourhoods and Adult Services</b>

### 5 Summary

This circular provides guidance on the treatment of Armed Forces Independence Payments when carrying out financial assessments in order to calculate how much someone should pay towards their accommodation charges.

### 6 Recommendation

- **Members agree to disregard Armed Forces Independence Payments entirely when calculating non residential care charges for former armed forces veterans, in line with the statutory disregard which applies when calculating residential care charges**

## **7 Proposals and Details**

- 7.1 From 8<sup>th</sup> April 2013, Personal Independence Payments will replace Disability Living Allowance for eligible working age claimants.
- 7.2 The mobility component of Disability Living Allowance is excluded by legislation from being taken into account in the financial assessment for charges. The mobility component of Personal Independence Payments should also be disregarded.
- 7.3 From 8<sup>th</sup> April 2013, Armed Forces Independence Payments will begin to replace Disability Living Allowance for veterans.
- 7.4 Unlike a Personal Independence Payment, an Armed Forces Independence Payment is not divided into daily living and mobility components. However, the total amount of the payment is the same.
- 7.5 For residential care charging, under the National Assistance (Assessment of Resources) Regulations 1992, Armed Forces Independence Payments should be fully disregarded in the financial assessment.
- 7.6 For Non residential care charging, as set out in "Fairer Charging Guidance", councils may choose to disregard Armed Forces Independence Payments entirely, in recognition of the contribution made by armed forces personnel injured whilst on active duty.
- 7.7 Should the Council decide not to disregard the Armed Forces Independence Payment in full we must disregard an amount equivalent to what would be disregarded from a Personal Independence Payment.

## **8 Finance**

The frequency of occurrence is negligible; therefore the potential impact of this is likely to be minimal.

## **9 Risks and Uncertainties**

The Council would be viewed as recognising the contribution made by armed forces personnel injured whilst on active duty should they choose to disregard the payment in its entirety.

## **10 Policy and Performance Agenda Implications**

No Implications

## **11 Background Papers and Consultation**

11.1 Fairer Charging for Home Care and other non-residential social services issued by the Department of Health.

11.2 Local Authority Circular (DH) (2013) 2 dated June, 2013 (attached).

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