



PUBLIC PETITION NO.

PE01466

Name of petitioner

William Tait

Petition title

Local Authority Charges for Non-residential Services

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to review the implementation and regulation of local authority charges for non-residential services.

Action taken to resolve issues of concern before submitting the petition

I've made contact and had meetings with MSPs and local council and health officials, including:

- CEO of Council who expressed no interest
- COSLA which was willing to listen but its hands are tied
- Adult Care at St Andrews House which was willing to listen but its hands are also tied
- MSPs who were mainly disinterested as I am not in their area

I also tried to obtain a meeting with the Minister for Local Government but could not get an appointment.

Petition background information

This matter started as a result of experiences involving a family member being asked to pay what were, in my opinion, unreasonable and unaffordable charges for non-residential services. Through this experience, I have gained an understanding of the COSLA guidelines, the calculation formulation, the on the ground process and the lack of help and balance for the clients.

Upon further investigation and on hearing the Council mantra that they had a right to do this, I quickly discovered that potentially vulnerable and disabled adults were exposed to financial hardship. My opinion was reinforced through discussions I had with some "Help" organisations. The way in which charges are calculated does not appear to be fair and there is no body in place to regulate the actions of the councils.

The charging policy appears punitive, runs counter to good care and has no safety net, unlike other related policies such as Rent Assessment and Council Tax which both have relief capability. The only possible relief is through a government hardship payment, which suggests the policy is actually causing hardship.

Assessments for Housing Rent, Council Tax and Transport Contribution can all indicate that a client cannot afford to contribute but using the same figures, a non-residential

charging policy can demand as much as 30% or more of a client's income. A policy that literally can cause bankruptcy for a vulnerable and disabled client must be flawed.

Clients are also told that "Advocates" in local help organisations can help. The advocates that I have spoken to inform me that they are of no help, they do not understand the complexities of this policy.

The appeals process through the council appears to allow local authorities to self-police and self-regulate, and an appeal to the SPSO only looks at whether procedure was carried out properly.

A policy on charging for non-residential services should emanate from an independent authority and not be linked to local authorities, and COSLA cannot act as an effective regulatory body in this process.

The guidelines issued to local authorities should be more prescriptive forming a set of rules that councils must follow. This would increase consistency across Scotland in charging for such services, and prevent councils from interpreting the guidelines in a way that allows them to make what are, in my opinion, unreasonable charges for these services.

There is no person or body that is regulating councils, and there is no help for the client. The stress and strain placed on the vulnerable and disabled adults in this situation is inhumane and intolerable.

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01466>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

NO

How many signatures have you collected so far?

1

Closing date for collecting signatures online

N/A

Comments to stimulate online discussion