

Report to: Lead Member for Adult Social Care and Health

Date of meeting: 28 November 2025

By: Director of Adult Social Care and Health

Title: Proposal to introduce new charges for adults who pay the full cost of non-residential care arranged on their behalf by East Sussex County Council.

Purpose: To present the outcome of the public consultation for this proposal and seek approval for implementation of the proposal and planned implementation process.

RECOMMENDATIONS:

The Lead Member is recommended to:

- 1) Note the outcome of the consultation, Equality Impact Assessment and feedback from staff engagement; and
 - 2) Approve the implementation of proposed new charges for adults who pay the full cost of non-residential care arranged on their behalf by East Sussex County Council.
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1. Background

1.1. The [Care and Support Statutory \(CASS\) guidance](#) (8.15) allows Local Authorities (LAs) to “apply an administration fee to cover costs” when “a person with eligible needs and assets above the upper capital limit (£23,250) has asked the LA to arrange care on their behalf”. Charges “must only cover costs LAs actually incur in arranging care” (CASS 8.59), so proposed charges have been set on this cost recovery basis.

1.2. Currently East Sussex County Council does not charge self-funders for arranging care, so effectively subsidises this service. However, it is understood that most LAs charge as the charges have a statutory basis and support with cost recovery. Research into the practices at West Sussex County Council, Brighton & Hove City Council, Surrey County Council, and Kent County Council was undertaken, and all the authorities charge for arranging care.

1.3. In light of research into neighbouring authorities, it is proposed that 2 charges are introduced to recover both set up and ongoing costs associated with arranging care for adults who pay the full cost. These would be:

- 1) A set-up fee (£123) to cover costs incurred when brokering non-residential care for adults who pay the full cost. This is expected to apply to 200 new adults per year. This will not apply to:
 - those whose care has already been arranged by East Sussex County Council; and
 - new self-funding adults who only access [Technology Enabled Care and Support \(TECS\)](#) as this is delivered by a commissioned provider and East Sussex County Council does not directly incur set-up costs.

- 2) An admin fee to cover ongoing costs associated with arranging care and invoicing those who pay the full cost. An ongoing charge of £11.50 would be applied to each invoice for adults in this cohort.

1.4. Unlike the set-up fee, the admin fee would apply both to TECS-only adults and adults accessing other forms of non-residential care. However, as TECS-only adults are invoiced quarterly they will only pay an additional £46 per year. Fully funding adults accessing other non-residential care would pay an additional £149.50 per year by receiving 13 4-weekly invoices at £11.50 per invoice.

1.5. The combined annual cost recovery for the 2 charges is projected to be around £100,000.

1.6. Charges were originally planned to be £118 and £11. However, these were calculated during the 2024/25 financial year and therefore were based on staffing costs at that time. As the charges are proposed to be implemented in the new financial year (starting April 2026), the original figures have been reviewed to ensure that they allow for cost recovery based on the internal costs to East Sussex County Council for the 2026/27 financial year. The proposed charges have been increased, using the standard uplift model, to £123 and £11.50 respectively.

1.7. The charges would be reviewed annually as part of the uplift process to ensure they continue to align with increasing staff costs in subsequent years. This will follow the usual local government uplift process and will take place in April, using the Consumer Prices Index (CPI) from the previous September. A full review of the internal costs behind the charges will take place every 5 years to ensure that these continue to reflect all internal costs.

1.8. As of August 2025, financial reporting shows that there are approximately 2,300 adults who pay the full cost of non-residential care commissioned by and invoiced through East Sussex County Council who would be impacted by the proposed charges.

Care and support received	Invoice frequency	Number of adults
Technology Enabled Care and Support (TECS)	Quarterly	1900
Other non-residential care	4-weekly	400

1.9 The proposal is lawful and complies with [The Care Act 2014](#), [The Care and Support \(Charging on Assessment of Resources\) Regulations 2014](#) and [The Care and Support Statutory Guidance](#). To comply with the [Public Sector Equality Duty](#), an Equality Impact Assessment (EqIA) has also been undertaken and can be found at Appendix 1.

2. Consultation and engagement

2.1. An 11-week public consultation was undertaken (6 May to 21 July 2025). The consultation was available online, promoted through local press, social media and both East Sussex County Council and partner newsletters. All 2,300 adults who would be impacted by the changes were informed by letter.

2.2. 307 responses to the consultation were received, including more than 100 direct phone calls and emails.

2.3. Additionally, the proposal was presented to 5 key stakeholder groups (Disability Rights Reference Group, East Sussex Seniors Association, East Sussex Communication and Involvement Steering Group, Inclusion Advisory Group, and Citizens' Panel). Feedback from these groups was incorporated into the consultation report and has informed the final recommendations.

2.4. It was anticipated that consulting on plans to introduce new charges would evoke strong responses from residents. Of the total responses received, 78% of respondents disagreed with the proposal. A small proportion of respondents felt charges were reasonable for those who can afford them to help preserve essential services.

2.5. Analysing the feedback from the consultation has provided an excellent opportunity to review the plans and ensure that the voice and views of East Sussex residents are reflected in the final recommendations.

2.6. The key consultation themes, as well as resulting changes to the proposal, are summarised in the table below.

Theme	Response / Action
Most people felt the proposal is unfair, expressing that adults who fully pay for their care already contribute enough.	Future communications will highlight that this a cost-recovery charge and that East Sussex County Council fees are below the national average.
There was slightly more opposition to invoice charges compared to the setup fee. People felt invoicing should not cost East Sussex County Council as much as it does and that the current process must be very inefficient.	Whilst tied to invoicing frequency, the admin charge covers all internal costs for commissioning and administering care, not only the cost of raising and sending the actual invoice. Future communications will refer to the new charge as an administration rather than an invoicing fee to avoid confusion.
Many respondents felt the proposal penalises adults who saved for retirement and sends a message that you're better off saving nothing to get free care.	This reflects wider concerns about paying towards care. The cost-recovery basis for these charges will be highlighted in future communications to help respond to these concerns. Letters relating to the charges will remind adults to request an updated financial assessment if their situation changes.
Respondents felt the proposal was unfair to adults who lack capacity to arrange care themselves or have no one else to support them to arrange it.	The proposal has been adapted to exempt some adults from the set-up fee, for example those who lack mental capacity, those who are supported by the East Sussex County Council Appointee and Deputyship team, a Lasting Power of Attorney or court-appointed deputy.
Of those that the proposed fees will impact, the greatest detriment would be to elderly, disabled, and financially vulnerable people.	To mitigate this risk, fees are applied based on Financial Assessment outcome not based on age, disability or other characteristics. The new charges will only apply to self-funders, so financially vulnerable adults should not be at risk as those below the upper capital threshold would not be eligible for the charges.
Many respondents expressed concern that they or others would end up with less or no care because of the charges. Some respondents who receive TECS-only support said they would cancel their current support.	Charges will only be applied to those over the upper threshold, mitigating the risk that adults will be left unable to afford care. Admin charges will align with the existing invoice schedule to help match the financial impact with the value of an individual's care; i.e. lower cost TECS-only adults will only pay £46 per year. A grace period will apply before new fees are charged to allow adults to budget or make alternative arrangements for care.
Feedback highlighted that the Council needs to ensure people fully understand who would be impacted by these charges if they went ahead, and how.	Lessons have been learned from the original consultation letter (where confusion was caused for some as everyone received the same letter). Future communications will be tailored for different cohorts and reviewed by People's Bank members.

Of those who would be affected (47% of respondents), the majority either said they would not have their care arranged by East Sussex County Council or were not sure if they would.	If fewer self-funding adults ask East Sussex County Council to arrange care on their behalf because of these fees, then East Sussex County Council will incur less costs as a result (i.e. this will take less staff time).
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2.7. It should be noted that the equality impact has been fully explored within an Equality Impact Assessment and, subject to the proposed mitigation discussed in section 3 of this report, the proposal was not found to disadvantage adults based on any protected characteristics.

3. Adaptation to the original proposal – exemption process

3.1. Following the consultation, the proposal was adjusted to incorporate feedback received. The most significant change was to develop a process to exempt some adults from the set-up fee based on individual needs.

3.2. The EqIA and consultation responses identified the risk that some adults may be unable to set up their own care, regardless of their financial resources, for example those who lack mental capacity.

3.3. For these individuals, asking East Sussex County Council to arrange care is not a choice (even if they are self-funding) as they may be unable to make arrangements themselves. Charging them for this support could be seen as disadvantaging them.

3.4. To address this concern, it is proposed that these adults are exempted from the set-up fee. A practitioner-led step, with Operations Manager oversight, will be built into the process to allow this discretion in exceptional cases.

3.5. If the exemption is applied, the set-up fee will be waived in that individual's case, even if care is commissioned on their behalf by East Sussex County Council. This will ensure a clear record is maintained to explain why a charge was not applied. All exemptions would be reviewed annually in line with the financial assessment review process and if applied, the process to implement this on the internal Adult Social Care case management system (LAS) would be developed.

3.6. This type of exemption step is built into the process for applying set-up fees used by other LAs who already have these charges in place.

3.7. As the set-up fee represents a small proportion of the overall projected cost-recovery, the financial impact of applying exemptions to a small number of adults in this way is expected to be small.

3.8. Whilst exemptions would only apply in exceptional circumstances, this will mitigate the risk identified in the EqIA.

4. Internal engagement and feedback

4.1. East Sussex County Council staff comprised 17% of the consultation respondents. Proposals were shared through internal groups and internal Communications channels. Information on the proposal has also been cascaded by Operational Heads of Service and feedback has been received directly from staff at practitioner and manager level.

4.2. Operational colleagues recognised the need for these charges with the current financial challenges facing East Sussex County Council. Feedback welcomed the practitioner-led decision to exempt individuals from the set-up fee in exceptional circumstances outlined in paragraph 3.

4.3. Concerns were raised that applying charges to those only accessing TECS services could discourage adults from accessing this preventative service. This concern was also raised in the consultation.

4.4. To address this concern, the proposal is to exempt TECS-only adults from the £123 set-up fee. As TECS services are delivered by an external provider, East Sussex County Council does not directly incur set-up costs, so it is not appropriate to charge the same fee as for setting up other non-residential care.

4.5. The ongoing admin charge can lawfully apply to TECS-only adults however, as internal processes for monitoring care and raising invoices apply to both TECS and non-TECS self-funders.

4.6. The proposal is to align the admin fee with the existing invoice frequency to help mitigate the impact on TECS-only adults. This will also align costs more closely to the value of care received. As TECS-only adults are invoiced quarterly, they will only receive 4 new £11.50 charges per year, compared to the 13 4-weekly charges that other self-funders will receive. Cost modelling throughout the project has been based on applying admin fees to TECS-only adults in this way, so this is already reflected in the projected cost recovery.

4.7. It is proposed that data on service cancellations, including the reason for cancelling care, are monitored following the implementation of the charges. This will enable the wider impact to be evaluated after the fees have been applied.

4.8. As most self-funders access TECS-only support (1,900 out of 2,300), if they were to be excluded from the admin fee this could reduce annual cost recovery by 50%.

4.9 The proposal is to apply the admin fee both to self-funders accessing TECS-only support, and self-funders accessing other forms of non-residential care.

5. Suggested implementation and communication plan

5.1. The Shared Care Information Systems (SCIS) team are developing and planning for technical changes in both LAS and ContrOCC (the financial software used by Adult Social Care) should the proposal to implement these charges be approved. This is expected to require changes to processes within Care Management Teams, Financial Services and Accounts Receivable. LAS and ContrOCC developments are underway and technical changes would be tested and applied during the planned grace period (see paragraph 6 below), with the expectation that charges would be implemented by April 2026 if the recommendations are agreed.

5.2. Guidance will be developed to support practitioner conversations with adults and representatives which will ensure consistent messaging regarding the charges and implementation.

5.3. If the charges are agreed, all adults who would be impacted will be informed in January 2026. Bespoke letters will be sent out to different cohorts to ensure the specific impact is clear for each adult. Letters will be reviewed by the People Bank before they are sent. This will be managed by the Programme team. Letters will include signposting to further support for adults who pay the full cost, i.e. to resources on the East Sussex County Council [website](#) ([1Space](#) and [Care Choices](#)). They will also outline how to request a new financial assessment, if adults feel their financial circumstances have changed.

5.4. As with previous changes to charging, if this proposal is agreed, it is planned that there would be a “grace period” between notifying adults of the new fees and those fees coming into force. This would enable adults to plan and adjust for this change.

5.5. The current grace period is planned to be 3 months, as this is similar to the period used with other financial changes previously. On that basis, if approved, it is expected that admin charges would apply from April 2026.

5.6. As the set-up fee element of the proposal would apply to new self-funding adults, it is not considered that the grace period is required. As such, subject to the proposal being approved by the Lead Member, the plan is to implement set-up fees as soon as possible in 2026.

6. Expected cost recovery

6.1. The combined annual cost recovery is projected to be around £100,000 for a full financial year, which would apply from the start of the 2026/27 financial year.

6.2. This projection is based on the current number of self-funders (2,300) and an expectation that next financial year 200 new self-funders will request for East Sussex County Council to arrange care. This estimate is based on numbers from previous years. It also accounts for an anticipated reduction in the number of self-funders who may request that East Sussex County Council arrange care on their behalf, if these charges are introduced. As these fees recover costs incurred by East Sussex County Council, if fewer self-funding adults request the council arrange their care, then costs to East Sussex County Council will be reduced, which will off-set reductions in the projected income.

6.3. If the Lead Member approves the recommendations, the data on service cancellations resulting from these charges would be collected. This would enable the cost recovery and wider impacts of implementation to be measured.

7. Conclusion and reasons for recommendations

7.1. The proposed charges offer an opportunity for East Sussex County Council to recover costs incurred from setting up non-residential care on behalf of adults who pay the full cost of their care. If applied as proposed, it is projected that they could recover up to £100,000 annually.

7.2. The Council has considered wider feedback to implement changes, such as adapting future communications and incorporating an exemption step within the planned process.

7.3. The Lead Member is therefore recommended to approve the implementation of proposed new charges for adults who pay the full cost of non-residential care arranged on their behalf by East Sussex County Council. This will support cost recovery. The power to charge has a statutory basis and is in line with the practice of many other local authorities, including other upper-tier authorities in Sussex. The EqIA has concluded that introducing the charges will not disproportionately affect any resident on the basis of their protected characteristics.

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LOCAL MEMBERS

All Members

BACKGROUND DOCUMENTS

None