

**TAFLEN BENDERFYNIAD AELOD CABINET
CABINET MEMBER'S DECISION NOTICE**

PWNC/SUBJECT: Ffioedd Cartrefi Gofal Annibynnol 2016-2017
Fees for Independent Care Homes 2016-2017

AELOD CABINET/CABINET MEMBER: Y Cynghorydd/Councillor Gareth Roberts

PENDERFYNIAD/DECISION :

Cymeradwyo'r ffioedd canlynol ar gyfer 2016-17
To approve the following fees for 2016-17.

Categori gofal Category of Care	£ yr wythnos £ per week
Preswyl (yn cynnwys dibyniaeth uchel) <i>Residential (including high dependency)</i>	£483.46
Preswyl – dementia/EMI <i>Residential – dementia/EMI</i>	£532.07
Nyrsio <i>Nursing</i>	£546.27*
Nyrsio – dementia/EMI <i>Nursing – dementia/EMI</i>	£573.58*

*Nid yw'n cynnwys cyfraniad lechyd/*Does not include Health contribution*

RHESYMAU DROS Y PENDERFYNIAD/REASONS FOR THE DECISION

Dan adran 21 Deddf Cymorth Gwladol 1948 mae gan y Cyngor ddyletswydd i wneud trefniadau i ddarparu llety preswyl i bobl sy'n 18 mlwydd oed a hŷn sydd, oherwydd rhesymau'n ymwneud ag oedran, iechyd, anabledd neu unrhyw amgylchiadau eraill, angen gofal a sylw nad yw ar gael iddynt fel arall. Mae Adran 26 y Ddeddf yn caniatáu i'r Cyngor wneud trefniadau o'r fath gyda'r sector preifat. Mae adrannau 35-38 o'r Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 hefyd yn rhoi'r hawl i'r Cyngor gwrdd ag anghenion gofal a chefnogaeth oedolyn drwy ddarparu llety mewn cartref gofal.

Wrth ymgymryd â'r swyddogaethau yma, mae gofyn i Gyngor Gwynedd hefyd weithredu dan y Cyfarwyddiadau a Chanllawiau Llywodraethol - y rhai mwyaf perthnasol yw'r Cyfarwyddiadau Dewis Llety a "Bywydau Cyflawn, Cymunedau Cefnogol: Canllaw Fframwaith Comisiynu ac Arfer Dda".

Pwrpas yr adroddiad yma yw gosod ffioedd 2016-17 yn unol â hyn.

Under section 21 of the National Assistance Act 1948 the Council has a duty to make arrangements for providing residential accommodation for persons aged 18 or over who by reason of age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them. Section 26 of the Act permits the Council to make such arrangements with the private sector. Sections 35-38 of the 2014 Social Services and Wellbeing (Wales) Act also give the Council the rights to meet the social needs and support of individuals by providing accommodation in a care home.

In undertaking these functions Gwynedd Council is also required to act under Governmental Directions and Guidance – the most relevant being the Choice of Accommodation Directions and “Fulfilled Lives, Supportive Communities: Commissioning Framework Guidance and Good Practice”.

The purpose of this report is to set the 2016-17 fees in accordance with this.

YSTYRIAETHAU PERTHNASOL/ RELEVANT CONSIDERATIONS

Mae Safon 10 y Canllaw Fframwaith Comisiynu yn gofyn i'r Cyngor fel comisiynwyr fod wedi deall y gost o wasanaethau gofal cymdeithasol sy'n cael eu contractio a'u darparu'n uniongyrchol, ac i weithredu mewn modd sy'n hyrwyddo cynaladwyedd y gwasanaeth. Mae Cyfraith Achos yn dangos y dylai comisiynwyr “ddeal” costau darparwyr a gweithredu er mwyn hyrwyddo cynaladwyedd y gwasanaeth; nad oes raid i Gynghorau osod ffi sy'n ad-dalu holl gostau'r darparwyr yn llawn; y dylai comisiynwyr wneud ymholiadau ynghylch y gwir gostau o ddarparu gofal; bod natur a dwyster yr ymholiadau hynny yn fater i'r Cyngor benderfynu arno.

Mae'r gwaith a wnaed gan Grŵp Ffioedd Cartrefi Gofal Gogledd Cymru wedi cynnwys gwneud ymholiadau perthnasol ynghylch gwir gost y gofal. Mae hyn wedi cynnwys edrych ar faterion megis Isafswm Cyflog Cenedlaethol, cyfraddau chwyddiant, cyfraddau enillion ar fuddsoddiad, darpariaethau newydd mewn perthynas â thál salwch statudol a phensiynau, a chost bwyd a gwasanaethau.

Wrth bennu'r ffioedd arfaethedig ar gyfer 2016-17 mae Cyngor Gwynedd hefyd wedi gorfod cydbwysio anghenion Gofal yn erbyn amrediad o alwadau cyllidol, blaenoriaethau strategol a'r arbedion y bydd rhaid eu gwneud dros y 3 mlynedd nesaf.

Mae'r tabl isod yn amlinellu'r ffioedd presennol a'r ffioedd a gynhigir ar gyfer 2016-17.

Categori Gofal	2015-16	2016-17
Preswyl	£465.90	£483.46
Preswyl – dementia/EMI	£509.72	£532.07
Nyrsio	£523.83	£546.27
Nyrsio – dementia/EMI	£549.00	£573.58

Mae'r rhain yn cynrychioli cynnydd o 3.77%, 4.39%, a 4.48% a thrwy hynny yn cynyddu llinellau cyflog yn unol â'r cynnydd yn yr Cyflog Byw Cenedlaethol o 8.5% (heblaw costau rheolaeth sydd wedi ei gynyddu 2.2%). Nid yw'r elfen 'dychweliad ar fuddsoddiad' o'r ffi wedi ei gynyddu gan yr ystyrir bod y raddfa bresennol o 12% yn uwch nag unrhyw raddfa arall sydd ar gael ar hyn o bryd ar gyfleon buddsoddi.

Dangosir dadansoddiad manwl o'r ffi fel y mae ar hyn o bryd, y ffi argymhellir a'r cynnydd argymhellir yn **Atodiad 1**.

Nid yw'r ffigyrau uchod yn cynnwys cyfraniad y Bwrdd Iechyd at Ofal Nyrsio.

Cynhaliwyd cyfarfod o'r Fforwm Darparwyr ar y 24 Chwefror 2016, lle cafodd y ffioedd arfaethedig eu cyflwyno. Rhoddwyd gwahoddiad i unrhyw ddarparwr ddod mewn cysylltiad a'r Cyngor i drafod unrhyw fater ymhellach. Ni dderbyniwyd unrhyw geisiadau am gyfarfodydd pellach.

Cynigir felly fod Cyngor Gwynedd yn mabwysiadu'r ffioedd uchod ar gyfer 2016-17.

Standard 10 of the Commissioning Framework Guidance requires the Council as commissioners to have understood the costs of directly provided and contracted social care services and to have acted in a way to promote service sustainability. Case law indicates that commissioners should "understand" providers' costs and act to promote service sustainability; does not require Councils to set a fee which fully reimburses providers for their costs; that commissioners should make inquiries into the actual costs of providing care; that the nature and intensity of those inquiries are a matter for the Council to decide.

The work undertaken by the North Wales Care Home Fees Group has included making relevant inquiries into the actual cost of care. This has involved looking into matters such as the National Minimum Wage, rates of inflation, rates of return on investment, new provisions relating to statutory sick pay and pensions, the cost of food and utilities.

In reaching the proposed fees for 2016-17, Gwynedd Council has also had to balance care needs against a range of financial demands, strategic priorities and savings that will need to be made over the next 3 years.

The table below sets out the current fees and the proposed fees for 2016-17.

Category of Care	2015-16	2016-17
<i>Residential</i>	<i>£465.90</i>	<i>£483.46</i>
<i>Residential – dementia/EMI</i>	<i>£509.72</i>	<i>£532.09</i>
<i>Nursing</i>	<i>£523.83</i>	<i>£546.27</i>
<i>Nursing – dementia/EMI</i>	<i>£549.00</i>	<i>£573.58</i>

These represent % increases of 3.77%, 4.39%, and 4.48% thereby increasing the staffing lines by the living wage increase of 8.5% (except for management costs which will increase by 2.2%). The 'return on Investment' element of the fee, has not been increased as it is considered that the existing rate of return of 12% is in excess of all returns on offer at present when compared with other Investment opportunities.

*A detailed breakdown of the existing fees, the proposed fee and the proposed increase is shown in **Appendix 1**.*

The above figures do not contain the Health Board's contribution towards Nursing care,

A meeting of the local Providers Forum was held on the 24 February 2016 where the proposed fees were presented. Providers were invited to get in touch with the Council on an individual basis if they wished to discuss any issues further. No requests for further meetings have been received.

It is therefore proposed that Gwynedd Council adopts the above fees for 2016-17.

BARN Y SWYDDOGION STATUDOL/VIEWS OF STATUTORY OFFICERS

1. Y Prif Weithredwr/Chief Executive:-

Mae'n amlwg bod gwaith hynod o drylwyr y tu cefn i'r cynigion sydd gerbron. Rwy'n eu cymeradwyo.

It is obvious that there has been very detailed work behind the proposals before us. I approve.

2. Swyddog Monitrol/ Monitoring Officer:-

Mae'r daflen yn adlewyrchu gwaith manwl ar osod y ffioedd cartref. Rwy'n nodi hefyd fod y ffioedd yma yn cael eu hadlewyrchu yn y Polisi Codi Tal Oedolion oedd yn destyn ystyriaeth gan y Cabinet ac yn cynnwys aseisad o'r adrawiadau cydraddoldeb perthnasol i'r defnyddiwyd. Dim sylwadau pellach o safbwynt priodoldeb.

The leaflet reflects the detailed work on setting the home fees. I also note that these fees are reflected in the Adult Charging Policy which was an item for consideration by the Cabinet which also contained the Equality Impact Assessment on the users. No further comments regarding propriety.

3. Prif Swyddog Cyllid/Chief Finance Officer:-

Cadarnhaf rhoddwyd ystyriaeth briodol i'r costau, gan gynnwys y ffactorau crybwyllir o dan y tabl yn y rhan "ystyriaethau perthnasol" o'r daflen, cyn argymhell lefelau ffioedd addas i'w talu i'r cartrefi gofal annibynnol yn ystod 2016/17. Darparwyd yn ddarbodus ar gyfer y gwariant perthnasol wrth lunio cyllideb y Cyngor ar gyfer 2016/17.

I confirm that appropriate consideration was given to the costs, including the factors mentioned below the table in the "relevant considerations" section of the notice, before recommending suitable levels of fees to be paid to the independent care homes during 2016/17. Prudent provision was made for the relevant expenditure when preparing the Council's budget for 2016/17

BARN YR AELOD LLEOL/VIEW OF LOCAL MEMBER

Ddim yn berthnasol
Not relevant

LLOFNOD /SIGNED



DYDDIAD/DATE

24 03-2016
