

19 May 2026

To:- **Councillors Connolly (Chair), Clark, Cullen, Davis, Grant, Hunter, Kilbride and Shields.**

All other Members for INFORMATION ONLY

Dear Councillor

CABINET

You are requested to participate in a meeting of the Cabinet to be held **on Tuesday, 26 May 2026 at 10.00 a.m.** for the purpose of considering the undernoted business.

This meeting will be held in the County Hall, County Buildings, Ayr on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Chief Governance Officer

B U S I N E S S

1. Declarations of Interest.
2. Minutes of previous meeting of 28 April 2026 (copy herewith).
3. Decision Log -
 - (a) Overdue Actions (copy herewith);
 - (b) Actions Listed with Revised Dates – for approval (copy herewith); and
 - (c) Recently Completed Actions (copy herewith).
4. Economy and Strategy/Finance and Corporate Services
 - (a) Collaborative Working Update - Submit report by the Chief Executive (copy herewith).

5. Economy and Strategy

- (a) Policy – Artificial Intelligence - Submit report by the Director of Communities and Transformation (copy herewith).

6. Health and Social Care

- (a) Self Directed Support 2026-27 - Submit report by the Director of Health and Social Care Partnership (copy herewith).
- (b) Social Care Day Care Charging Implementation - Submit report by the Director of Health and Social Care Partnership (copy herewith).
- (c) Social Care Charging Policy – residential and non-residential 2026-27 - Submit report by the Director of Health and Social Care Partnership (copy herewith).
- (d) Social Care Charges Increases 2026-27 - Submit report by the Director of Health and Social Care Partnership (copy herewith).

For more information on any of the items on this agenda, please telephone
Kayley Hancox, Committee Services on at 01292 612724, at Wellington Square, Ayr or
e-mail: committee.services@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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CABINET

Minutes of a hybrid webcast meeting on 28 April 2026 at 10.00 a.m.

Present
in Girvan
Committee

Room: Councillors Brian Connolly (Chair), Alec Clark, Ian Davis, William Grant, Martin Kilbride and Bob Shields.

Attending
Remotely: Councillor Chris Cullen.

Apology: Councillor Hugh Hunter.

Attending
in Girvan
Committee

Room: S. Penman, Chief Executive; K. Braidwood, Depute Chief Executive and Director of Housing, Operations and Development; J. Bradley, Director of Communities and Transformation; S. Mulholland, Director of Education; G. Docherty, Assistant Director of Education; T. Baulk, Chief Financial Officer; C. Caves, Chief Governance Officer; J. Corrie, Head of Ayrshire Roads Alliance; C. Knape, Strategic Manager – Ayrshire Roads Alliance; T. Burns, Service Lead, Asset Management and Community Asset Transfer; F. Donnelly, Head Teacher; F. Paterson, Head Teacher; K. Shields, Head Teacher; and K. Hancox, Committee Services Officer.

Also
present
in Girvan
Committee

Room: D. Gemmell, I. Gall, G. Laird, S. Bell, G. Laird and K. Nelson.

Apologies: H. McGuire and D. Griffiths.

Also
Attending
Remotely: C. McGhee, Chief Internal Auditor.

Opening Remarks.

The Chair

1. welcomed everyone to the meeting; and
2. outlined the procedures for conducting this meeting, including that this meeting would be recorded and placed on the Council's website at a later date; and that all votes would be taken by ensuring all Members were in agreement.

1. Declarations of Interest.

There were no declarations of interest by Members of the Cabinet in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meeting.

As Councillors Connolly, Cullen, Grant and Kilbride were not in attendance at this meeting, they were not eligible to vote on these minutes.

The minutes of 17 March 2026 ([issued](#)) were submitted and approved.

3. Decision Log.

The Cabinet

Decided:

- (1) to approve the actions listed with [revised due dates](#); and
- (2) to note the recently [completed actions](#).

Education and Lifelong Learning.

4. Educational Services Performance Update

There was submitted a report ([issued](#)) of 25 March 2026 by the Director of Education providing a high-level overview of school performance across South Ayrshire using the most recent authority-level dataset, highlighting key strengths, areas requiring improvement, and proposed next steps that would support continued improvement in attainment, equity and outcomes. The findings drew on evidence from senior phase attainment (Insight Update, February 2026), Broad General Education (P1, P4, P7 and S3 ACEL), attendance, exclusions, leavers' destinations, and demographic trends.

Following discussion, which included thanks to the Education staff, the Cabinet

Decided:

- (1) to approve the Performance Review Report (Appendix 1);
- (2) to note the progress by Educational Services and the collective efforts of all staff across the service over the past year; and
- (3) to note the action points/next steps.

5. Inspection of Coylton Primary School and Early Years Centre: Education Scotland Report

There was submitted a report ([issued](#)) of 10 February 2026 by the Director of Education informing Cabinet of the outcome of the Education Scotland Inspection of Coylton Primary School and Early Years Centre.

Having considered the contents of the Education Scotland Report, following discussion which included congratulations and thanks to the staff, and having heard from the Head Teacher, the Cabinet

Decided:

- (1) to consider the contents of the National report by Education Scotland as contained in Appendices 1, 2 and 3; and
- (2) to agree that the main points for action would be addressed by the Headteacher and Quality Improvement Officer.

6. Inspection of Dundonald Primary School and Early Years Centre: Education Scotland Report

There was submitted a report ([issued](#)) of 23 February 2026 by the Director of Education informing Cabinet of the outcome of the Education Scotland Inspection of Dundonald Primary School and Early Years Centre.

Having considered the contents of the Education Scotland Report, following discussion which included congratulations and thanks to the staff, and having heard from the Head Teacher, the Cabinet

Decided:

- (1) to consider the contents of the National report by Education Scotland as contained in Appendix 1 and Appendix 2; and
- (2) to agree that the main points for action would be addressed by the Head Teacher and Quality Improvement Officer.

7. Inspection of Symington Primary School and Early Years Centre: Education Scotland Report

There was submitted a report ([issued](#)) of 19 February 2026 by the Director of Education informing Cabinet of the outcome of the Education Scotland Inspection of Symington Primary School and Early Years Centre.

Having considered the contents of the Education Scotland Report, following discussion which included congratulations and thanks to the staff, and having heard from the Head Teacher, the Cabinet

Decided:

- (1) to consider the contents of the National report by Education Scotland as contained in Appendices 1, 2 and 3; and
- (2) to agree that the main points for action would be addressed by the Headteacher and Quality Improvement Officer.

Commercial/Operational Services.

8. Road Improvement Plan 2026/27

There was submitted a report ([issued](#)) of 24 March 2026 by the Depute Chief Executive and Director of Housing, Operations and Development seeking Cabinet approval for the 2026/27 Road Improvement Plan for carriageway, footways, street lighting and other related infrastructure improvements.

Following discussion, the Cabinet

Decided:

- (1) to approve the Road Improvement Plan for 2026/2027 contained in Appendix 1; and
- (2) to approve the Carriageway and Footway Programme for 2026/2027 in Appendix 1.

9. Exclusion of press and public.

The Cabinet resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 9 of Part 1 of Schedule 7A of the Act.

Economy and Strategy/Commercial/Operational Services/Housing and Property Services.

10. Ayrshire Growth Deal (AGD) – Shaw Farm Road, Prestwick (Prestwick Proposition – Company X and Company Y)

There was submitted a report (Members Only) of 23 March 2026 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval of the Council's proposals for (a) resuming management and control of land located at Shaw Farm Road, Prestwick, (b) selling part of that land to an existing occupier, (c) constructing an industrial unit on another part of the land and leasing it to a company with an existing presence at Prestwick Airport and (d) undertaking the development of improved road access on existing Council-owned land in order to enhance effective access to the said land, with funding for these proposals being provided to the Council from the AGD fund.

Following discussion, the Cabinet

Decided:

- (1) to approve the Council agreeing to accept a lease renunciation by Freeport (Scotland Limited ("Freeport")) of the existing ground lease held by Freeport (the "Freeport Lease") over a site located at Shaw Farm Road, Prestwick (the "Site") outlined in green on the plan attached in Appendix 1 ("Plan");
- (2) to approve payment of the sum of two million seven hundred thousand pounds (£2,700,000) Sterling exclusive of VAT as an agreed premium to Freeport as consideration for Freeport agreeing to surrender the Freeport Lease to the Council;

- (3) to approve the sale of the land and buildings outlined in green on the Plan situated within the Site for the sum of two million seven hundred thousands pounds (£2,700,000) Sterling exclusive of VAT to Company W;
- (4) to delegate approval to the Chief Governance Officer to negotiate an agreement for lease with Company X, pursuant to which the Council would agree to construct a high specification engineering building on the remainder of the Site which, on completion, would be leased to Company X on a long-term basis, on agreed terms; and
- (5) to note that a report seeking approval of the agreement to lease terms would be brought to Cabinet for approval.

11. Ayrshire Growth Deal (AGD) – Shaw Farm, Prestwick, KA9 2RQ (Prestwick Proposition – Ryanair)

There was submitted a report (Members Only) of 10 April 2026 by the Depute Chief Executive and Director of Housing, Operations and Development seeking approval for the purchase and partial development of land situated at Shaw Farm, Prestwick by the Council, using funding from the Ayrshire Growth Deal Fund.

Following discussion, the Cabinet

Decided:

- (1) to approve the purchase of a greenfield site located at Shaw Farm, Prestwick and outlined in red in Appendix 1 (the “Site”) from Scottish Enterprise for a sum no greater than one million, three hundred thousand pounds (£1,300,000) sterling exclusive of VAT;
- (2) to approve the partial development of the Site to provide a carpark and footbridge access as provisionally shown in Appendix 2;
- (3) to note the purchase and development of the Site would be funded using sums from the Ayrshire Growth Deal Fund; and
- (4) to agree to instruct Harper Macleod LLP (the Council’s external legal advisors for AGD projects) to undertake appropriate due diligence and title checks in relation to the Site and to negotiate and conclude the legal aspects of the proposed transactions, in line with the terms of this report, and in accordance with instructions given to them by designated Council officers.

12. Consideration of Disclosure of the above confidential reports.**Decided:**

- (1) not to authorise the disclosures of the following reports under Standing Order No. 32.4:-
- Ayrshire Growth Deal (AGD) – Shaw Farm Road, Prestwick (Prestwick Proposition – Company X and Company Y); and
 - Ayrshire Growth Deal (AGD) – Shaw Farm, Prestwick, KA9 2RQ (Prestwick Proposition – Ryanair).

The meeting ended at 11:30 a.m.

DRAFT

Mtg	Mtg Date	Title of Report	Directorate	Managed by	Implementation	Complete	Current Due Date	Requested Revised Due Date	Notes (any date changes agreed with relevant PFH(s))	Date Revision agreed with PFH	Portfolio Holder
CAB	18/03/2025	Ayr Parking Consultation and General Parking Review	["HOD"]	Corrie, Jane	Report back to Council in six months time - different to rec in report	No	30/04/2026		At the Cabinet meeting on the 23rd September 2025, it was agreed that the current due date of 30/09/2025 be amended to 28/11/2025. Paper will now be submitted to full Council in December Deferred again - new paper to be prepared and submitted in a few months New report submitted April 26.		Connolly, Brian
SAC	18/09/2025	Proposed Ward Capital Projects – Update 2023 to 2025 and Approval of New Capital Projects 2025 to 2026	["HOD"]	Dalrymple, Kenneth	Update on Ward Capital Projects and Potential New Ward Capital Projects	No	14/05/2026		This report was deferred to May Council due to the number of papers. At the Cabinet meeting on the 28th April 2026, it was agreed that the current due date of 18/03/2026 be amended to 14/05/2026		Connolly, Brian
CAB	28/04/2026	Road Improvement Plan 2026-2027	["HOD"]	Corrie, Jane	Implementation of the Road Improvement Plan 2026/27	No	31/03/2026				Clark, Alec
SAC	14/05/2026	Update on Ayrshire Roads Alliance Electric Vehicle Infrastructure Strategy with North Ayrshire: Procurement Progress and Next Steps	["HOD"]	Corrie, Jane	Contract Commencement	No	01/05/2026				Clark, Alec

Mtg	Mtg Date	Title of Report	Directorate	Managed by	Implementation	Complete	Current Due Date	Requested Revised Due Date	Notes (any date changes agreed with relevant PFH(s))	Date Revision agreed with PFH	Portfolio Holder
SAC	26/03/2026	Redevelopment of the former Hourston's Building and former Arran Mall, Ayr	["HOD"]	Burns, Tom	Appoint a specialist consultant to assist with development of a delivery model, including demonstration of market failure in relation to Power to Advance Well-being. This has been moved back to 10th July 2026 allow for greater clarity on the power of Wellbeing and its implications on the future development of this site.	No	31/05/2026	10/07/2026			Connolly, Brian; Davis, Ian
SAC	19/02/2026	Final Investigation Report	["CEO"]	Penman, Stephen	Ensure actions are progressed to address Final Investigation Report recommendations (see Appendix 2)	No	31/03/2026	30/06/2026		22/04/2026	Connolly, Brian
CAB	26/08/2025	Sale of Former Belleisle House Hotel, Ayr	["CEO", "HOD"]	Burns, Tom; Brown, Alistair	Proposed sale agreed by Cabinet on the 26th August. Legal instructed to conclude missives. Sale to conclude prior to 1st June. Agreed with PFH Cllr Kilbride. The company has requested additional time due to internal re-structure. They are still keen to purchase the site. An extension has been agreed with the Council's Estates team to 24th July.	No	29/05/2026	24/07/2026	At the Cabinet meeting on the 28th April 2026, it was agreed that the current due date of 03/04/2026 be amended to 29/05/2026	18/05/2026	Kilbride, Martin
CAB	26/08/2025	Sale of Former Gardenrose Primary School Site	["HOD"]	Burns, Tom	The developer advised they were submitting a pre-planning application in November. They have advised that they are in the process of revising this. They have the site information in terms of services.	No	30/04/2026	26/06/2026	At the Cabinet meeting on the 17th February 2026, it was agreed that the current due date of 20/01/2026 be amended to 30/04/2026. The proposed buyer has requested an extension through the Council's agent Shepherds to carry out site investigations. It has been agreed with the PFH Cllr Kilbride to extend to 26th June The company advised on the 17th April 2026 that they have completed their Site Investigation and have a pre-planning application prepared and ready to be sent in imminently At the Cabinet meeting on the 28th April 2026, it was agreed that the current due date of 30/04/2026 be amended to 26/06/2026	18/05/2026	Kilbride, Martin

Mtg	Mtg Date	Title of Report	Directorate	Managed by	Implementation	Complete	Current Due Date	Requested Revised Due Date	Notes (any date changes agreed with relevant PFH(s))	Date Revision agreed with PFH	Portfolio Holder
CAB	21/01/2025	Non-Housing Revenue Account Residential Properties	["HOD"]	Braidwood, Kevin	Undertake SHQS survey and valuations and report back to Cabinet. Valuation work and condition survey work concluded. An options appraisal is required to be carried out for each individual property which will require discussions with Housing and Assets team in terms of common good implications. A report will be brought forward in January 2026. Option appraisals on each property not concluded.	No	31/08/2026	31/08/2026	At the Cabinet meeting on the 26th August 2025, it was agreed that the current due date of 30/06/2025 be amended to 28/10/2025.		Kilbride, Martin
CAB	28/11/2023	Ayrshire Growth Deal – Roads Enabling Progress Report	["HOD"]	Corrie, Jane	STAG Progress and approval	No	31/08/2025	25/06/2026	14/04/26 - ARA have appointed Turner and Townsend to deliver the AGD OBC, an interim report will be submitted to council on 25 June 2026		Connolly, Brian
LP	01/03/2022	Waste Strategy 2021 – 2031 Progress Report	["HOD"]	Ross, Fiona	Waste strategy refresh and 5 year update	No	01/03/2026	25/08/2026	01/05/2026 Work has commenced on developing the 5 year refresh		

Mtg	Mtg Date	Title of Report	Directorate	Managed by	Implementation	Complete	Current Due Date	Requested Revised Due Date	Notes (any date changes agreed with relevant PFH(s))	Date Revision agreed with PFH	Portfolio Holder
CAB	28/04/2026	Educational Services Performance Update	["ED"]	Mulholland, Scott	Standards and Quality Report Updated	Yes	30/09/2026				Grant, William
CAB	28/04/2026	Inspection of Coylton Primary School and Early Years Centre: Education Scotland Report	["HOD"]	Blair2, Jacqueline	Meetings to be arranged with the Headteacher to monitor progress towards areas for development in conjunction with the planned programme of visits.	Yes	31/10/2027				Grant, William
CAB	28/04/2026	Inspection of Dundonald Primary School and Early Years Centre: Education Scotland Report	["HOD"]	Blair2, Jacqueline	Meetings to be arranged with the Head Teacher to monitor progress towards areas for development in conjunction with the planned programme of visits.	Yes	31/10/2026				Grant, William
CAB	28/04/2026	Inspection of Symington Primary School and Early Years Centre: Education Scotland Report		Blair2, Jacqueline	Meetings to be arranged with the Headteacher to monitor progress towards areas for development in conjunction with the planned programme of visits.	Yes	31/10/2027				Grant, William
SAC	26/03/2026	Maybole Regeneration Programme II	["HOD"]	Yuille, Derek	Implement the recommendations regarding the properties located on School Vennel	Yes	30/04/2026				Connolly, Brian;Clark, Alec
SAC	26/03/2026	Prestwick Regeneration – Potential Projects	["HOD"]	Cox, Chris	Implement the recommendations regarding the Bathing Lake / Lido	Yes	30/04/2026				Connolly, Brian;Clark, Alec
CAB	25/11/2025	Revised Devolved School Management Scheme	["ED"]	Mulholland, Scott	Construct 2026/27 school budgets using the new DSM	Yes	30/04/2026				Grant, William

South Ayrshire Council

**Report by Chief Executive
to Cabinet
of 26th May 2026**

Subject: Collaborative working update

1. Purpose

1.1 The purpose of the report is to update Members on the progress of collaborative working.

2. Recommendation

2.1 It is recommended that the Cabinet:

2.1.1 notes the collaborative activity that the Council are actively engaged in at a national level at section 4.1;

2.1.2 notes the activity being progressed to review opportunities for local sharing of services;

2.1.3 notes that Shared Services scoping work is being progressed as part of the Council's transformation activity and that authority to commence any implementation will be sought, as relevant to the Council's Scheme of Delegation and Financial Regulations and governance arrangements;

2.1.4 agrees an update report on Shared Services be provided to Cabinet in November 2026.

3. Background

3.1 In October 2024, the Accounts Commission published 'Transformation in Councils', one of a series of outputs providing insights into how local government is responding to key challenges. The report looks at the role that transformation and collaboration can play in helping councils to achieve financial sustainability. The report notes that transformation in local government has been happening for decades, however, it also states that a 'step change is now urgently required'.

3.2 In June 2025, the Scottish Government launched the Public Service Reform Strategy - a commitment to changing and improving the way public services are delivered and making £1bn of savings in the next five years. The savings will be achieved through a combination of automation, digitisation, estate rationalisation, and workforce reform. Workstream 3 of the Strategy (Empowering People, Places

and Communities) refers to empowering local government and health partners to strengthen and streamline local decision-making through the development of Single Authority Models; promoting and sharing learning to inform local governance reform and working with regional partners to identify how best to formally devolve further elements of decision-making and delivery to Regional Economic Partnerships (REPs).

- 3.3 On 28th October 2025, Cabinet received an update on the progress of collaborative working across Ayrshire from the Chief Executive, including the benefits of current sharing arrangements, such as Ayrshire Roads Alliance (ARA) and the Ayrshire Civil Contingencies Team (ACCT), and approved further development of collaborative opportunities across Ayrshire.
- 3.4 The report also referred to the SOLACE/ Improvement Service national Transformation Programme, focussed on developing improvement initiatives and pathways for Councils nationally. Each Council has a nominated 'Single Point of Contact' (SPoC) responsible for programme engagement at a local level and regular updates are provided to Chief Executives.
- 3.5 The Council's Transformation Board has responsibility for the implementation and oversight of transformation activity across the Council, with regular reporting and scrutiny arrangements in place to elected members. Shared Services is a key opportunity for enabling cashable benefits to support the future financial sustainability of the Council.
- 3.6 *Economic Development* - In February 2026, following a review by an external professional resource, which included an initial assessment of different delivery models to deliver the Regional Economic Strategy vision and objectives, both North Ayrshire Council and East Ayrshire Council agreed to progress with the development of a shared Economic Development Service. South Ayrshire Council did not agree to participate. The shared Economic Development service will be led by North Ayrshire Council with effect from 1 June 2026, with a single management team and services located within each Council. A Project Board has been established to implement the proposals. The scope of the shared service covers:
- Economic policy
 - Business support and development
 - Tourism
 - Digital/digital renewal
 - Ayrshire Growth Deal
- 3.7 The Ayrshire Growth Deal's PMO will be retained with East Ayrshire Council as lead accountable body for Ayrshire Growth Deal (AGD). A post of Regional Economic Development Director is being created.
- 3.8 The Economic Development shared service will enhance delivery of the Regional Economic Strategy and Growth Deal and is expected to realise strategic, operational, and economic benefits, including: increased capacity and expertise; greater efficiency and service resilience and a more consistent, regionalised approach to business support.
- 3.9 *Education* - The three Chief Executives, together with the Principal of Ayrshire College have been considering opportunities to expand digital learning and skills across Ayrshire. It was agreed that further exploratory work would be required to

understand the true cost of delivery for the current Senior Phase across Ayrshire and to complete a modelling exercise of anticipated future demographic changes, with a view to maximising learning opportunities across the region within a Best Value context. Further areas identified as part of the review are school transport costs and shared training for ASN. A discussion paper is currently being drafted.

4. Detail

4.1 *National collaborative activity* - South Ayrshire Council are active in the national programmes being taken forward by SOLACE, the Improvement Service and the Digital Office including:

4.1.1 Participation in analogue-to-digital migration, housing telecare, the Shared Alarm Receiving Centre, and the Telecare Assessed Solutions Scheme. These provide resilience for life-critical services, cyber-secured equipment, cost avoidance and shared infrastructure benefits.

4.1.2 *Digital Telecare* – SAC is Platinum level in the Implementation Award Scheme.

4.1.3 *CHI (Community Health Index) Programme* - which underpins future integrated care records, improves Information Governance (IG) compliance, and supports smoother health–social care transitions.

4.1.4 *Microsoft 365 (M365) Transformation* - SAC contributes to and benefits from M365 IG framework; M365 Labelling & Classification roadmap and Azure multi-organisation procurement work. These initiatives deliver consistent governance, reduced risk and licence cost efficiencies.

4.1.5 *Visitor Levy National Collaboration Forum*

4.1.6 *Aggregated Digital Procurement* – helping to achieve cost avoidance for councils.

4.1.7 *Shared Engage Process service design repository* - used by 20+ councils, allowing access to shared blueprints and reducing service redesign time and cost.

4.1.8 *Artificial Intelligence & Innovation Participation* - SAC participates in AI Community sessions, AI governance and ethical adoption resources ensuring alignment with emerging national standards and avoiding duplication

4.1.9 *Data Capability Building* - Data literacy accredited learning, strengthening organisational capability in evidence-based decision making.

4.1.10 *Digital Assets national baselining exercise*

4.1.11 *SOLACE national reviews of Fleet and Housing services*

4.1.12 *MyAccount* – a single secure sign-in service for accessing public services in Scotland. It is fully integrated with the SAC website.

4.1.13 Other national platforms in use include: Parentsportal, Spatial Hub, tellmesotland and One Scotland Gazetteer.

- 4.2 *Local collaboration and sharing of services* - A Shared Services Senior Leadership Group (SLG) was established in February 2026 consisting of the Assistant Director – Transformation, South Ayrshire Council, Depute Chief Executive (Communities and Economy), East Ayrshire Council and Head of Finance, North Ayrshire Council. The SLG have agreed a Terms of Reference to confirm how officers from the Ayrshire Councils will work together and take any activity forward. A set of objectives underpinning the development of local Shared Services activity, and criteria to be applied to each opportunity to help assess fit against a financial and strategic case, has been proposed.
- 4.3 *Creating a technology baseline* – Any sharing of services is likely to impact each authorities ICT environments which will include different applications, infrastructures, operating models and contracts. Officers from South Ayrshire Council have developed an approach to baselining the Councils' technology architecture which is being populated by each Authority. Understanding service and delivery models, resourcing arrangements and costs will help identify opportunities for implementation of any shared model and enable stakeholders to identify areas of commonality, overlap, duplication or service gaps.
- 4.4 *Next steps* – Work is underway to develop an Action Plan with timescales to confirm proposals for service areas to be considered for sharing arrangements. A Communications Plan is in development to support clear, consistent and well-governed engagement across the Ayrshire Councils with elected members, staff and stakeholder groups.
- 4.5 The Council's refreshed approach to transformation '*Shaping Our Future Council*', provides a set of strategic objectives and a governance framework to drive forward the Council's transformation at pace. Cabinet are asked to note that Shared Services development activity is being progressed with the oversight of the Transformation Board and that the relevant authority will be sought - as outlined in the Council's Scheme of Delegation, Financial Regulations and governance arrangements – prior to any implementation.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 It is anticipated the sharing of services will realise cashable benefits for South Ayrshire Council. Business Cases will be brought forward for approval through the relevant established Council governance routes.

7. Human Resources Implications

- 7.1 There are no human resource implications arising from this report – Council policies and procedures will apply where any changes to existing staffing models are proposed as a result of the sharing of services.

8. Risk

8.1 **Risk Implications of Adopting the Recommendations**

- 8.1.1 There are no risks in adopting the recommendations in this paper. Risk Registers are in place for all transformation projects and will be considered for each shared service opportunity as it is brought forward.

8.2 **Risk Implications of Rejecting the Recommendations**

- 8.2.1 Rejecting the recommendations may negatively affect the reputation of the Council and its ability to secure Best Value in the delivery of services.

9. **Integrated Impact Assessment (incorporating Equalities)**

- 9.1 Our Integrated Impact Assessment (IIA) considers the following areas:

- Public Sector Equality Duty, Human Rights and Fairer Scotland Duty;
- United Nations Convention on the Rights of the Child (UNCRC);
- Sustainability, climate change and biodiversity;
- Potential impact on older people;
- Rural communities;
- Health and wellbeing;
- A trauma informed organisation; and
- The Promise.

- 9.2 The report does not involve proposals for policies, strategies, procedures, processes, financial decisions and activities (including service delivery), both new and at review, that affect the Council's communities and employees, therefore an Integrated Impact Assessment is not required.

- 9.3 Integrated Impact Assessment requirements will be considered as shared service proposals are further developed.

10. **Sustainable Development Implications**

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. **Options Appraisal**

- 11.1 An options appraisal is not appropriate in relation to the subject matter of this Report.

12. **Link to Council Plan**

- 12.1 The matters referred to in this report contribute to Priority 1, 2 and 3 of the Council Plan: Spaces and Place; Live/ Work/ Learn; Civic and Community Pride.

13. **Link to Shaping Our Future Council** Yes No

- 13.1 The matters referred to in this report contribute to all the Council's transformation priority areas: Our workforce; Our Technology; Our Assets; and Our Delivery Model.

14. Results of Consultation

- 14.1 There has been no public consultation on the contents of this report.
- 14.2 Consultation has taken place with Councillor Brian Connolly, Portfolio Holder for Economy and Strategy, and Councillor Ian Davis, Portfolio Holder for Finance and Corporate Services and the contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking Purposes

- 15.1 If the recommendations above are approved by Members, the Chief Executive will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Update report on Shared Services to be provided to Cabinet in November 2026.	November 2026	Chief Executive

Background Papers Report to South Ayrshire Cabinet 28th October 2025

https://www.south-ayrshire.gov.uk/media/16588/Agenda-Item-No-6-Collaborative-Working-in-Ayrshire/pdf/Item_6a_CAB281025_Collaborative_Working_in_Ayrshire.pdf?m=1761149937797

Public Service Reform Strategy

<https://www.gov.scot/publications/scotlands-public-service-reform-strategy-delivering-scotland/>

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Date: 16th April 2025

South Ayrshire Council

**Report by Director of Communities and Transformation
to Cabinet
of 26 May 2026**

Subject: Policy – Artificial Intelligence

1. Purpose

- 1.1 The purpose of the report is to seek approval for an update to the operational Policy for the ethical and responsible use of Artificial Intelligence at South Ayrshire Council.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 notes the work progressed by officers to further develop a framework for the Council’s use and governance of Artificial Intelligence;**
- 2.1.2 approves the Policy for Artificial Intelligence at Appendix 1; and**
- 2.1.3 agrees the Policy will be reviewed in 12 month’s time.**

3. Background

- 3.1 On 28th May 2025, Cabinet approved a new policy covering the use of Generative Artificial Intelligence at South Ayrshire Council.
- 3.2 Artificial Intelligence (AI) is the ability of machines or software to perform tasks that would normally require human intelligence. It can process data, learn from it and make decisions or predictions based on that data. Whilst AI offers possibilities and opportunities for service delivery, it also brings new technological risks. There are also challenges and ethical considerations, such as ensuring data privacy and avoiding bias and discrimination to consider.
- 3.3 Officers worked with industry bodies, including the Scottish Local Government Digital Office, the Society for Innovation, Technology and Modernisation, and other Councils to inform the development of the Generative Artificial Intelligence (Gen AI) policy that was approved in May 2025.
- 3.4 This collaborative work ensured the policy struck an appropriate balance between embracing the opportunities presented by Gen AI and providing proportionate regulatory oversight. It also established clear expectations to ensure the Council’s use of Gen AI was ethical, responsible, compliant with all relevant legislation and

regulatory requirements, and aligned with existing data protection and ICT security policies, including the Council's ICT Acceptable Use Policy (AUP).

- 3.5 Over the past 12 months there has been a rapid expansion and proliferation of a wide range of Artificial Intelligence solutions, with increasing availability, capability and potential application across public services. This growth has expanded beyond the Generative AI scope of the Council's approved Policy.
- 3.6 In response, a revised Artificial Intelligence policy has been developed to reflect this changing landscape.
- 3.7 This updated policy represents a substantive update to the original Generative AI policy approved in May 2025. It widens the scope of the previous policy to include all forms of AI, strengthens governance arrangements and provides a clear framework to enable the Council to responsibly capitalise on emerging opportunities, while ensuring that AI continues to be used in an ethical, transparent and accountable manner.
- 3.8 The key changes introduced are:
 - 3.8.1 Expanded scope. The policy now applies to all forms of Artificial Intelligence, not just Generative AI. This includes predictive, analytical, agent-based and embedded AI functionality within systems and software.
 - 3.8.2 Stronger governance arrangements. Clearer and more robust approval, oversight and monitoring processes have been introduced with the Transformation Delivery Group (TDG) confirmed as the primary corporate decision-making body for AI use.
 - 3.8.3 Clearer roles and responsibilities. Responsibilities for officers, managers and users have been clarified to strengthen accountability and consistent application across the organisation.
 - 3.8.4 Explicit recognition of "hidden" or embedded AI. New guidance has been added to help identify AI functionality that may exist within existing or upgraded systems, ensuring it is subject to appropriate governance.
 - 3.8.5 Refined Education governance. The policy now clearly sets out a bespoke governance route for AI use in schools, with review and approval provided through the Education Digital Strategy Group while maintaining alignment with corporate oversight.
 - 3.8.6 Enhanced focus on digital skills and capability. A dedicated section confirms expectations around AI awareness, training and workforce readiness, aligning the policy with the Corporate Workforce Plan.
- 3.9 These changes ensure the Policy reflects the rapid evolution of AI technologies, strengthens assurance and control and provides a clearer, more comprehensive framework for responsible AI use across the Council.

4. Proposals

- 4.1 Cabinet are asked to note the work undertaken by officers to review and update the Council's Artificial Intelligence policy, strengthening governance arrangements and expanding its scope to cover all forms of AI.
- 4.2 Cabinet are asked to approve the revised Policy for Artificial Intelligence at Appendix 1.
- 4.3 Cabinet are asked to agree the Policy will be reviewed in 12 months' time.

5. Legal and Procurement Implications

- 5.1 There are no legal or procurement implications within this report.

6. Financial Implications

- 6.1 There are no financial implications from this report.

7. Human Resources Implications

- 7.1 There are no human resources implications from this report.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There are no risks in adopting the recommendations within this report.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 Failure to adopt the revised AI policy may result in gaps in governance as AI technologies expand beyond the scope of the existing framework, increasing the risk of unmanaged or inconsistent AI use across services.
- 8.2.2 If the recommendations are rejected it could weaken assurance, expose the Council to legal, data protection, cyber security and ethical risks and limit the Council's ability to demonstrate effective oversight and compliance under audit or public scrutiny.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An Integrated Impact Assessment is not required as the policy set out in this paper is intended to provide operational and technical guidance.
- 9.2 An Integrated Impact Assessment (IIA), completed by the Service who wishes to introduce the AI solution, will be required for all digital solutions introduced to South Ayrshire Council which use this technology.
- 9.2 An Equality Impact Assessment was undertaken when developing the Digital and ICT Strategy 2023 to 2028. This assessment highlighted key impacts may exist for older people, low-income groups and those with a disability.

9.3 Deploying AI solutions doesn't materially change the impacts previously identified for the Digital and ICT Strategy, therefore these will remain as an area of focus and consideration as we look to maximise the capabilities available through AI.

10. Sustainable Development Implications

10.1 Considering Strategic Environmental Assessment (SEA) - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has been carried out in relation to the subject matter of this report. The following table summarises which options were considered and their ranking of preference:

<i>Option</i>	<i>Description</i>	<i>Ranking</i>
1. Approve the updated Policy for AI.	This option would provide the Council with a clear, modern and proportionate framework that enables it to benefit from AI while maintaining strong ethical standards, robust governance and public trust.	1 Preferred option
2. Continue with the previously approved Policy	The immediate effect from this option would be growing misalignment between how AI is used in practice and how it is governed corporately, increasing risk, reducing transparency and weakening assurance at a time when AI use is accelerating.	2 Discounted

12. Link to Council Plan

12.1 The matters referred to in this report contribute to all three priority areas within the Council Plan: • Spaces and Places; • Live, Work and Learn; and • Civic and Community Pride.

13. Link to Shaping Our Future Council Yes No

13.1 The matters referred to in this report contribute to the Council's Transformation priority area: Our Technology.

14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Director – Communities and Transformation will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Communicate updated policy to Senior Leadership team, Service Leads and Coordinators/Team Leaders.	June 2026	Service Lead – Transformation
Review Artificial Intelligence Policy	May 2027	Service Lead – Transformation

Background Papers [Policy – Generative Artificial Intelligence \(2025\)](#)

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Date: 23rd April 2026

Policy

Artificial Intelligence (AI)

A policy governing the use and application of AI

April 2026



Document information

Name:	Policy – Framework for the use Artificial Intelligence at South Ayrshire Council		
Prepared By:	Stewart McCall	Document Version No:	2.0
Type:	Policy	Document Version Date:	23-04-26
Reviewed By:	Various – see distribution list	Review Date:	May 27

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Document version history

Version Number	Version Date	Revised By	Description
1.0	28-05-25	S McCall	Approval by SAC Cabinet 28 May 2025
1.1	30-03-26	S McCall	Revised and updated to expand scope to include all AI and improve clarity on roles and responsibilities. Section on hidden AI added. Governance in Education made clearer.
1.2	15-04-26	S McCall	Updated to reflect reviewers' comments.
2.0	23-04-26	S McCall	Final version for Cabinet approval

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1. Background

Artificial Intelligence (AI) refers to technologies that enable systems or machines to perform tasks normally requiring human intelligence, such as understanding language, analysing data, identifying patterns, making predictions, supporting decisions or recognising images, audio and other inputs. AI includes rule-based systems, machine learning, deep learning, natural language processing, computer vision, robotics, predictive analytics and embedded AI features within software platforms.

AI capabilities are increasingly built into everyday tools used across public services, such as productivity suites, communication platforms and case-management systems, often operating in the background. All AI, whether explicitly deployed or embedded, must therefore be used responsibly, ethically and in line with legislation, policy requirements and governance processes.

Generative AI (GenAI) is one category of AI that creates new content such as text, images, audio, video or software code. Large Language Models (LLMs) use deep learning and large datasets to generate human-like text. While GenAI has attracted significant public interest due to its creative and flexible capabilities, it represents only one part of the wider AI landscape relevant to the Council. Emerging forms of agentic AI go further by not only generating content but also taking actions, making decisions and autonomously executing tasks to achieve goals. These agent-based systems can plan, chain actions together, call external tools or systems, and operate with a greater degree of autonomy than traditional GenAI models. Understanding the distinction between generative and agentic AI is important, as the latter introduces additional considerations around safety, oversight, decision boundaries and accountability in public-sector use.

All AI technologies, generative, agentive, predictive, analytical or embedded, present opportunities to improve efficiency, enhance services and support informed decision-making. They also introduce responsibilities around data privacy, fairness, transparency, non-discrimination, security and accountability. Ethical use and effective risk assessment are essential.

AI systems are not always accurate. Outputs may contain errors, biases or misleading information. Human oversight is therefore required, and users remain accountable for checking and validating AI-generated or AI-supported outputs before relying on them. AI should assist professional judgment, not replace it.

Safe and responsible AI use requires appropriate controls, including data protection and security assessments, ethical and equality considerations, transparency, monitoring and ongoing validation. All AI used by the Council must comply with UK GDPR, the Data Protection Act 2018 and internal governance procedures, and must align with the Council's values of fairness, transparency, accountability and respect.

2. Purpose

The purpose of this Policy is to ensure that everyone who uses AI on behalf of the Council, whether employees, contractors, developers, vendors, consultants, temporary staff or other third parties, are fully aware of their responsibilities and the risks involved.

Safe and responsible use of Artificial Intelligence (AI) requires strong controls, including data protection and security assessments, ethical and equality considerations, transparency and

monitoring. This Policy looks to provide the framework for these controls, ensuring that all AI activity is ethical, responsible, transparent and compliant with relevant legislation and regulatory requirements.

Given the rapid pace of change in AI technologies, this Policy will be kept under continual review and updated regularly to ensure it remains current, effective and fit for purpose.

3. Scope

The Policy provides a framework for the use of all types of AI.

It applies to all users with access to AI, whether through Council-owned devices or BYOD (Bring Your Own Device) in pursuit of Council activities. This includes all Councillors, employees, contractors, developers, vendors, temporary staff, consultants or other third parties (referred to as ‘users’). It also applies to third parties carrying out work on the Council’s behalf or accessing its information systems.

This Policy should be read alongside the Council’s ICT Acceptable Use Policy.

4. Roles and Responsibilities

All Directors, Assistant Directors, Service Leads and Coordinators/Team Leaders will be responsible for ensuring that the Policy is applied consistently and that existing employees who will/may use AI are fully aware of the Policy and their responsibilities with regards to the use of it.

Service Leads and Coordinators/Team Leaders are responsible for discussing the Policy with their staff to ensure the content is understood.

The Transformation Delivery Group (TDG), which includes but is not limited to Transformation, Information Governance, ICT Operations and Organisational Development, are responsible for approving the use of any AI solution being considered by the Council.

Employees who will/may use AI are responsible for reading the Policy and should ensure any concerns or queries are raised with Service Leads/Coordinators/Team Leaders prior using AI systems.

5. AI Usage

Use of AI must be in a manner that promotes fairness and avoids bias to prevent discrimination and promote equal treatment and be in such a way as to contribute positively to the Council’s goals and values.

Users may use AI for work-related purposes subject to adherence to this policy. This includes tasks such as generating text or content for reports, emails, presentations, images and customer service communications.

Materials substantially created using AI, and in particular where it has been used to support a decision, should be annotated as such. The following is an example of standard wording that should be used in this situation.

“Artificial intelligence was used to assist with drafting this content. All outputs were subject to human review and approval by South Ayrshire Council in line with its AI policy.”

6. Identifying AI-Enabled Technologies

It is not always apparent when a system or service uses AI. Users must assess technologies against the criteria below to determine whether AI functionality is present. A technology should be considered AI-enabled if it demonstrates one or more of the following characteristics:

- Supports, informs or automates decision-making.
- Delivers, interprets or generates information.
- Detects or identifies patterns within large datasets.
- Utilises machine learning to learn from data, refine outputs or solve problems.
- Predicts outcomes, identifies trends or manages risks.
- Prioritises actions, allocates resources or influences operational workflows.
- Monitors individuals, environments, assets or systems remotely.
- Identifies early indicators of health, wellbeing, behaviour or safety concerns.
- Translates, interprets or generates natural language.
- Analyses data from its environment and takes action in response.
- Recognises images, objects, individuals, speech or other sensory inputs.
- Uses historical data or previous outputs to inform future predictions or actions.
- Adapts behaviour, adjusts outputs or seeks to influence user behaviour over time.

If a system exhibits any of the above characteristics, it may be an AI system and subject to all requirements, controls and approval processes set out within this Policy and associated governance frameworks.

Where uncertainty remains regarding whether a technology incorporates AI functionality, users must seek advice from the Council's ICT Operations Service before the technology is introduced, used, or integrated into any Council process.

7. Governance and process for adopting AI solutions

To ensure the security and protection of Council data, no AI technology or service may be accessed, trialled or commissioned without prior approval. For the majority of Council activity, approval and oversight are provided by the Council's Transformation Delivery Group (TDG), which acts as the primary and mandatory decision-making body for authorising and post-implementation monitoring of all technology and AI-related activity. The TDG coordinates input from Information Governance, Procurement, Information Security, ICT Operations and Transformation as part of its assessment.

An exception applies to the use of AI in educational settings within schools where review and approval are provided through existing education governance arrangements. See Section AI in Education (Schools).

Users must formally declare their intention to use AI, including the purpose of the proposed use, the nature of the data to be input, the expected outputs and how those outputs will be shared or applied. All proposals must demonstrate how personal data will be protected and how risks, such as bias, discrimination or misuse, will be assessed and mitigated through appropriate testing.

Users proposing the introduction of an AI solution must be able to evidence the benefits it will deliver to the Council. This includes demonstrating how the technology will improve efficiency, enhance service quality, reduce risk, support decision-making or create measurable value.

Benefit claims should be supported by clear analysis, expected outcomes, and, where possible, quantifiable metrics to allow the Council to assess whether the AI solution provides a justified and proportionate advantage.

A Data Protection Impact Assessment (DPIA) and cyber security review must be completed prior to any solution being implemented, as outlined in existing Council policies and procedures. In line with these procedures, approval will be required from the Council's TDG prior to the use of any AI.

An Integrated Impact Assessment (IIA), completed by the Service who wishes to introduce the AI solution, is also required for implementations of solutions which use AI technology.

When procuring or trialling AI technologies, including no-cost pilots, the Council must ensure appropriate legal protections are in place. A Data Processing Agreement alone is insufficient, as it does not address liability, indemnities, or financial recourse, leaving the Council exposed in the event of a data breach or confidentiality issue. Where standard terms and conditions apply, these may not provide adequate protection. A suitable legally binding contract is therefore required to manage risk and meet statutory data protection obligations. Staff must seek advice from the Council's Legal Services before any AI technology is introduced or used.

Details of approved and operational AI solutions will be maintained on an internal register to provide visibility and oversight of use across the Council. This will be managed by the Portfolio Management Office (PMO). Operational solutions will also be published on [Scottish AI Register](#)* to comply with the requirements of the Scottish Government.

** The Scottish AI Register provides information about the AI systems that are currently in use or in development within the Scottish public sector. It aims to promote transparency and trust by allowing the public to learn about these AI systems, understand their purposes, and provide feedback. It's part of Scotland's broader effort to develop ethical and inclusive AI systems.*

7.1. AI in Education (Schools)

AI may also be used within Education settings, but only under strict governance arrangements. Any AI tools, systems or approaches proposed for use in schools must be submitted to the Education Digital Strategy Group for review and approval, ensuring alignment with curriculum objectives, safeguarding obligations and digital safety standards.

AI will only be considered for use in Education where it can be demonstrated that no sensitive personal information is processed, that data protection requirements are fully met and that the use of AI provides clear, positive educational outcomes for learners. Prior to implementation, a Data Protection Impact Assessment (DPIA) and a cyber security review must be completed. These measures ensure that AI is used to enhance learning and teaching in a controlled, ethical and secure way, consistent with the Council's wider commitments to responsible AI use.

7.2. New AI Functionality in an Existing, Approved Solution

When a digital solution provider introduces new AI functionality into an existing product, this constitutes a material change and must trigger a full AI governance review. Any new or updated AI capability, whether enabled by default, embedded within the system, or offered as an optional module, must be treated as a new AI implementation under this Policy.

New AI functionality introduced into an approved digital solution by an existing supplier must be escalated to the Council's TDG for consideration and approval. The TDG will coordinate input from Information Governance, Procurement, Information Security, ICT Operations and

Transformation to determine whether the AI functionality may be enabled, enabled with conditions or must be prohibited. No AI introduced by an external provider may be activated or used until TDG approval has been granted.

8. Data Protection

A Data Protection Impact Assessment (DPIA) is required to identify and minimise the risks of personal data privacy when a service is implementing a new AI solution. The use of AI to process personal data will require the completion of a full DPIA to consider these risks. Information on the Council's DPIA procedures are available at [Data Protection Impact Assessment](#).

Where AI is processing personal data; providing automated decision making and/or profiling individuals, the risks around compliance with data protection laws must be fully considered. Information Governance will provide advice and support to services who are undertaking assessments of introducing AI technology or services.

As with all personal data processed by the Council, any personal data processed through AI must comply with UK GDPR , the Data Protection Act 2018 and the Data (Use and Access) Act 2025.

Any release of private/personal information without an appropriate DPIA and a consideration of the legal basis under data protection law to do so, will result in a breach of relevant data protection laws which may result in enforcement actions from the UK Information Commissioner's Office (ICO).

9. Vendors

Any use of AI technology in pursuit of Council activities should be done with full acknowledgement of the policies, practices, terms and conditions of developers/vendors. All AI purchases must be managed through the Council's Procurement service.

10. Copyright

Users are required to comply with copyright and licensing obligations when using AI. Content must not infringe the rights of others and any licensing restrictions on AI tools must be followed. Information Governance should be consulted where clarification is needed.

11. Accuracy

All information generated by AI must be reviewed and edited for accuracy prior to use. Users of AI are personally responsible for reviewing output and are accountable for ensuring the accuracy of AI generated output before use/release.

12. Confidentiality

Until a DPIA has been completed and the AI has been approved as secure by Information Governance and ICT Operations, then confidential and personal information must not be entered into an AI tool as information may enter the public domain.

13. Ethical Use

AI must be used ethically and in compliance with all applicable legislation, regulations and organisational policies. Users must not use AI to generate content that is discriminatory, offensive, or inappropriate.

Ethical AI use depends on meaningful human oversight. Users must examine AI outputs to confirm they are accurate, fair and compliant with equality and ethical standards.

14. Disclosure

Transparency is essential to ensuring accountability in the use of AI. Users must be able to understand how AI systems support or influence decisions. The Council will disclose the presence and purpose of AI systems to relevant stakeholders, including information on how they operate, what data they use and the decision-making processes they support. Any content generated using AI must be clearly identified as such.

15. Integration with other tools

API and plugin tools enable access to AI and extend functionality for other services to improve automation and productivity outputs. Users should follow OpenAI's Safety Best Practices and implement safety measures such as moderation and human oversight. This should include:

- Adversarial testing.
- Human in the loop (HITL).
- Prompt engineering.
- "Know your customer" (KYC).
- Constrain user input and limit output tokens.
- Allowing users to report issues.
- Understand and communicate limitations.

16. Risks

Use of AI carry inherent risks. A DPIA and an Information Security risk assessment should be conducted using their defined processes and templates for any project or process where the use of AI are proposed. The risk assessment should consider potential impacts including: legal compliance; bias and discrimination; security (including technical protections and security certifications); and data sovereignty and protection.

16.1. Legal compliance

Consideration should be given to the possibility that data entered into AI may enter the public domain. Public AI includes, but is not limited to, ChatGPT, Bard, Gemini, n8n, zapier and make, and these can release non-public information and breach regulatory requirements, customer or vendor contracts, or compromise intellectual property.

To mitigate this risk, the presumption in the Council's ICT environment is that all public and/or non-TDG approved AI will be blocked from use.

16.2. Bias and discrimination

AI may make use of and generate biased, discriminatory or offensive content. Users should use AI responsibly and ethically, in compliance with Council policies and applicable laws and regulations.

Where personal data is being processed for the purpose of automated decision making or profiling by AI, appropriate measures must be implemented by a Service to ensure individuals have a right of appeal on decisions. This must be considered as part of the required DPIA process.

16.3. Security

AI may store sensitive data and information, which could be at risk of being breached or hacked. The Council must assess technical protections and security certification of AI before use.

All AI solutions must be assessed technically by the ICT Operations to ensure that information is protected, and security managed before use. The technical assessment will be completed using the information provided in the DPIA.

To mitigate this risk all public and/or non-TDG approved AI will be blocked from use.

16.4. Data hosting

An AI solution may be hosted either in its entirety or in part outside of the UK and consideration must be given to ensuring this complies with the relevant regulations and laws the Council must comply with. For example, information created or collected in the originating country will remain under jurisdiction of that country's laws. The reverse also applies. If information is sourced from AI hosted overseas, the laws of the source country regarding its use and access may apply.

AI service providers should be assessed for data sovereignty practice by ICT Operations and Information Governance prior to using their AI.

UK Data Protection laws govern the transfers of personal data to processors and organisations located outside the UK. Risks relating to the processing of personal data outside the UK must be considered and managed through the DPIA process.

17. Digital Skills and capacity building

The effective use of AI relies on the Council's workforce having the appropriate knowledge and skills to use it safely, ethically and responsibly. The Council's [Corporate Workforce Plan](#) recognises that artificial intelligence will increasingly shape service delivery and workforce roles over the next five years. It therefore places strong emphasis on building digital confidence and foundational AI awareness across the workforce, supporting the safe and effective use of tools such as M365 Copilot Chat to improve productivity, data analysis and workflow management.

AI capability development is embedded within the Council's wider corporate digital skills programme and is supported by this policy. This approach ensures the workforce is well prepared for future technological change.

Employees who use, or may use, AI as part of their role are required to complete the COAST e-learning module on AI to ensure they understand their responsibilities. Additional support and guidance is available through the Council's Digital Skills Coordinator within Organisational Development and the Council's AI documentation resources. As part of the induction process, relevant employees will also be made fully aware of the Council's AI policy.

18. Compliance

Any violations of this policy should be reported to the Council's ICT Service Desk in the first instance or senior management.

Failure to comply with this policy may result in disciplinary action, in accordance with Council's Human Resources policies and procedures.

19. Review

This policy will be reviewed periodically and updated as necessary to ensure continued compliance with all applicable legislation, regulations and organisational policies.

20. Acknowledgment

By using AI, users acknowledge that they have read and understood these guidelines, including the risks associated with the use of AI.

21. Forms and links with other Policies

Related forms and contact us:

- [Data Protection Impact Assessment](#)
- [Contact Transformation](#)

Internal policies and strategies linked to this Policy include:

- [Workforce Planning Action Plan 2026-31](#)
- [Digital and ICT Strategy 2023-2028](#)
- [ICT Security Policy](#) and [ICT Acceptable Use Policy](#)
- [Data Protection Policy](#)

External policies and strategies linked to this Policy include:

- Copyright, Designs and Patents Act 1988.
- UK General Data Protection Regulation.
- Data Protection Act 2018.
- Data (Use and Access) Act 2025.
- Equality Act 2010 (Public Sector Equality Duty).

22. Glossary of definitions for the purpose of this Policy

Term	Definition
Adversarial testing	A method used to evaluate machine learning models by intentionally providing them with malicious or harmful inputs to see how they respond. The goal is to identify vulnerabilities and improve the model's robustness and safety.
Application Programming Interface (API)	A set of definitions and protocols that enables data transmission between software solutions.
Bring Your Own Device (BYOD)	Refers to a policy where employees or external partners use their personal devices, such as laptops, smartphones, or tablets, to access Council networks, systems, and data.
Data Protection Impact Assessment (DPIA)	The process carried out on projects/changes involving personal data to help ensure compliance with data protection legislation and embed 'privacy by design'.
Deep learning	A subset of machine learning where systems 'learn' to detect features that are not explicitly labelled in the data.
Human in the loop (HITL)	Refers to a model where human interaction is integrated into the AI system's decision-making process. This approach combines the strengths of both human intelligence and machine learning to create more accurate and reliable outcomes.
Generative Artificial Intelligence (GenAI)	A form of artificial intelligence (AI) that generates text, images, or other media in response to prompts.
Know your customer	Refers to the use of artificial intelligence technologies to enhance the process of verifying the identity of customers and understanding their behaviours, preferences, and needs.
Large Language Models (LLM)	Refers to the number of parameters the model can change autonomously as it 'learns'.
Neural networks	Computational models inspired by the human brain's structure and function
Plugins	A software component that adds a specific feature to an existing solution.
Prompt engineering	Involves designing and refining the inputs (prompts) given to generative AI models to produce desired outputs. This process is crucial for ensuring that AI systems understand and respond accurately to various queries.
Query	A request for data or information from a database table or combination of tables.

South Ayrshire Council

**Report by Director of South Ayrshire Health and Social Care Partnership
to Cabinet
of 26th May 2026**

**Subject: South Ayrshire Health and Social Care Partnership – Self
Directed Support 2026-27**

1. Purpose

- 1.1 The purpose of this report is to present the current approach to Self-Directed Support across South Ayrshire and for Cabinet to approve updated Guidance.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 Approves Self-Directed Support Guidance (Appendix 1), the Fair Access to Care and Eligibility Criteria Guidance for Adults and Older People's Services (Appendix 2) and the Resource Allocation Guidance for Adults and Older People's Services (Appendix 3)**

3. Background

- 3.1 Self-Directed Support (SDS) is the mainstream approach to the delivery of social care to individuals and their carers across Scotland. Underpinned by a strength-based approach, the delivery of SDS places the individual at the centre of the assessment process, recognising they are best placed to define their needs, make choices and take more control of their lives.
- 3.2 Improving the outcomes for individuals and their families by providing them with information and advice and working alongside them is central to the successful delivery of SDS. South Ayrshire Health and Social Care Partnership (SAHSCP) is committed to carrying out its statutory duty to deliver SDS to ensure individuals and their families have real choice and control over the care and support they require.
- 3.3 Every aspect of the SAHSCP approach is in line with the SDS National Framework of Standards, and the aim is to work in partnership with individuals and their families to enable them to live independently and enjoy being part of their local communities.
- 3.4 The delivery of SDS is an integral part of the SAHSCP overall vision set out in the Strategic Plan for residents across South Ayrshire to 'Start Well, Live Well, and Age Well'.

- 3.5 The Fair Access to Care and Eligibility Guidance for Adults and Older People's Services complements the Self-Directed Support Guidance and sets out the eligibility criteria used by social workers to determine both the severity of risk to an individual and the urgency of intervention required, in terms of access to social care services.
- 3.6 The Fair Access to Care and Eligibility Guidance for Adults and Older People's Services sets out the rationale for applying eligibility criteria and the four categories of need that are used to prioritise individuals receiving an assessment.
- 3.7 The four categories are in line with guidance produced by the Scottish Government and COSLA for Local Authorities on national eligibility criteria and waiting times.
- 3.8 The Resource Allocation Guidance for Adults and Older People's Services assist frontline practitioners and their managers with the appropriate allocation of Community Care resources to service users who have eligible needs under Self-Directed Support.

4. Detail

- 4.1 The Self-Directed Support Guidance sets out the values and principles that underpin Self Directed Support, all of which are embedded within the My Life, My Outcomes Assessment Framework used by Social Work Services.
- 4.2 SDS has four Individual Support Options available to any individual who is eligible to receive social care support. The four options are as follows: Direct Payment, Individual Service Fund, Council Arranged Services and a Mixture Package of Care and Support.
- 4.3 The Self-Directed Support Guidance sets out the basis and arrangements for the four support options:

As cited earlier the Fair Access to Care and Eligibility Guidance complements the Council's Self-Directed Support Guidance providing information on procedures for service access, enablement, assessment, support planning and review:

- 4.4 Eligibility criteria assist the Council to achieve fairness, consistency, and transparency in how decisions are taken.
- 4.5 The Eligibility Criteria prioritises needs into four categories: critical, substantial, moderate, and low, this is also in line with our approach to assessing levels of risk.
- 4.6 South Ayrshire Health and Social Care Partnership Eligibility Criteria was updated in 2018 to clarify that the Health and Social Care Partnership's main priority and focus was on individuals with the highest level of need and those most at risk (i.e. individuals assessed as having 'critical' needs). This priority and focus remain in place.
- 4.7 An Integrated Impact Assessment (IIA) has been completed through the refresh of the Fair Access to Care and Eligibility Guidance, to ensure the document reflects the current IIA process of assessing impact on the wider community (see Appendix 4 for summary and Appendix 5 for full Integrated Impact Assessment). No changes to services have been made during this refresh of guidance.

- 4.8 Individuals with non-critical level of need ('substantial', 'moderate', or 'low') will also continue to receive a service through our partnership arrangements with the third sector. This may include the provision of information and advice or a range of other support services.
- 4.9 For allocation of resources The [Social Work \(Scotland\) Act 1968](#) places a duty on local authorities to ensure that resources (the relevant amount) are made available to meet eligible care needs to a standard they consider suitable and adequate
- 4.10 In South Ayrshire we have adopted an 'equivalency model' for the allocation of resources under SDS. This means an individual with eligible needs under critical eligibility will be entitled to a personal budget which is equivalent to the cost of delivering a similar level of traditional services.
- 4.11 The equivalency calculation of a budget is similar across all four SDS Individual Support Options, meaning that regardless of what option is chosen, it will not put an individual at any disadvantage.
- 4.12 The Resource Allocation Guidance for Adults and Older People's Services ensures a ensure a fair, consistent and transparent approach to resource allocation across South Ayrshire
- 4.13 The professional judgement of the practitioner working alongside the individual and their carer is central to the assessment process. Adopting a co-productive approach to assessment and support planning, coupled with applying the eligibility criteria ensures the allocation of resources is both transparent and equitable.

5. Legal and Procurement Implications

- 5.1 The legal basis of the Social Care (Self-directed Support) (Scotland) Act 2013 is to offer greater choice and control to individuals who following an assessment have eligible support needs.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Financial monitoring arrangements for individuals in receipt of Option 1 Direct Payments as detailed in the Self-Directed Support Guidance.

7. Human Resources Implications

- 7.1 There are no human resource implications.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 Rejection of the recommendations may have an impact on the interpretation and appliance of Self-Directed Support in line with Eligibility Criteria and Resource Allocation.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An Integrated Impact Assessment has been carried out on the Fair Access to Care and Eligibility Criteria for Adults and Older People's Services. The IIA Summary Report is attached. Whilst there have been no changes to services through the updating of this policy, an IIA was completed to ensure transparency and accountability around the changes to the eligibility criteria in 2018 and to align this refresh with the new IIA process.
- 9.2 Positive impacts have been identified supporting the ageing population, a trauma informed approach, consistently within rurality and supporting health and wellbeing. The Fair Access to Care and Eligibility Criteria also supports positive impacts within the human rights of individuals as regardless of income, wealth, deprivation and socio-economic background, for those who have eligible needs, they will receive the same service. Where charges may apply, additional support to maximise benefits will be provided.
- 9.3 Negative Impacts were identified in relation to age and disability. The criteria guidance relates only to those aged 16 and over and supports Adults and Older People. Mitigations to both these negative impacts have been included as for individuals who have a disability, appropriate support would be provided through the relevant disabilities team, who have their own criteria guidance around accessing supports. The same mitigations are in place for children and young people under the age of 16, who would be supported by the relevant children's service.

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document. otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services and the report aligns with the IJB Strategic Priority "We are an ambitious and effective partnership".

13. Link to Shaping Our Future Council Yes No

13.1 The matters referred to in this report are not proposing any changes to service delivery or transformation there are no specific benefits such as savings or income generation.

14. Results of Consultation

14.1 Practitioners and key stakeholders have been consulted and involved in the scrutiny and review of the guidance listed in this report and recommends to Cabinet for approval.

14.3 Consultation has taken place with Councillor Hugh Hunter, Portfolio Lead for Health and Social Care Partnership

15. Next Steps for Decision Tracking

15.1 If the recommendations above are approved by Members, the Director of South Ayrshire Health and Social Care Partnership will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Commence use of Guidance(s)	1 st June 2026	Head of Community Health and Care

Background Papers



Appendix%201%20- Appendix%202%20- Appendix%203%20- Appendix 4 - Fair %20Self-Directed%20:%20Fair%20Access%2%20Resource%20Allo Access to Care and EI



Appendix 5 - Copy of Fair Access to Care an

Person to Contact

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Date: 20th April 2026



south ayrshire
health & social care
partnership

Self-Directed Support Guidance

March 2026



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Document Information

Date of first issue:	2023
Approval status:	<i>Draft</i>
Current issue date:	March 2026
Review date:	March 2027
Contact:	<i>SDS Lead Officer</i>

1 Introduction

- 1.1. Self-Directed Support (SDS) is the mainstream approach to the delivery of social care to individuals and their carers across Scotland. Underpinned by a strength-based approach, the delivery of SDS places the individual at the centre of the assessment process, recognising they are best placed to define their needs, make choices and take more control of their lives. Process maps can be found in Appendix D and an easy read version of Choice and Control in SDS can be found in Appendix E.
- 1.2. Improving the outcomes for individuals and their families by providing them with information and advice and working alongside them is central to the successful delivery of SDS. South Ayrshire Council is committed to carrying out its statutory duty to deliver SDS to ensure individuals and their families have real choice and control over the care and support they require. Every aspect of our approach is in line with the SDS National Framework of Standards, and our aim is to work in partnership with individuals and their families to enable them to live independently and enjoy being part of their local communities.
- 1.3. The delivery of self-directed support is an integral part of our overall vision set out in our Strategic Plan for residents across South Ayrshire to 'Start Well, Live Well, Age Well'.

2. Values and Principles of Self-directed Support

- 2.1. The values and principles that underpin Self-directed Support are embedded into the My Life My Outcomes assessment framework and they are as follows:

Collaboration, Dignity, Informed Choice, Involvement and Innovation

- From the initial engagement and throughout the assessment and support planning process we will focus on ‘what matters to you.’ We will respect the individual’s right to dignity and ensure that information and support is made available to enable real choice and control and the ability to be innovative in achieving personal outcomes.

Good Conversations

- A good conversation builds on what matters to the individual. Social care language is powerful and can create stigma and barriers. Good conversations should be open discussions about the needs, concerns or problems most important to the person where they are able to identify what is good about their life and what needs to change. These conversations should allow practitioners to build rapport, facilitating openness about personal circumstances and minimising embarrassment or anxiety. Good conversations will be able to identify assets and strengths, getting to understand the individual’s skills, their family and community support and then look at services for support where appropriate, whilst managing expectations of what can be implemented.

Participation, Responsibility and Risk Enablement

- We will support and encourage individuals to participate throughout and take as much choice and control over their care and support as possible. We will openly discuss personal responsibility and whilst promoting choice and control, we will adopt a risk enabling approach including how any potential risks can be managed. We will also listen and work with individuals to ensure they are free from any form of exploitation, coercion, and/or abuse.

Advocacy

- When completing My Life My Outcome assessments, practitioners should offer advocacy services to all service users. Whilst there are statutory requirements under the [Carers \(Scotland\) Act 2016](#),

[Mental Health Care and Treatment \(Scotland\) Act 2003](#), and the [Adult Support and Protection \(Scotland\) Act 2007](#), good practice requires everyone accessing services to be offered the opportunity to utilise advocacy services to support them through the assessment process. If this offer is declined this should also be recorded through the individuals My Life My Outcome assessment, including reasons why advocacy was decline or not appropriate. More information on the HSCP's strategic objectives related to the provisions of advocacy can be found in the [Independent Advocacy Plan 2024-2029](#).

3. Legal Basis

- 3.1. The legal basis for assessment in respect of the [Social Care \(Self-directed Support\) \(Scotland\) Act 2013](#) (“the Act”) remains within the following core legislation:
- Section 12A of the [Social Work \(Scotland\) Act 1968](#) provides the legal basis for community care assessments for adults.
 - Section 23 of the [Children \(Scotland\) Act 2020](#) provides the legal basis for community care assessments for children in need.
 - The [Carers \(Scotland\) Act 2016](#) provides the legal basis for the assessment of carers.
 - South Ayrshire Health and Social Care Partnership's [Fair Access to Care and Eligibility Criteria Policy](#)
- 3.2. The legal basis of the Social Care (Self-directed Support) (Scotland) Act 2013 is to offer greater choice and control to individuals who following an assessment have eligible support needs. We will carry out the statutory duty that is in place that requires the individual carrying out the assessment to offer and provide information about the SDS Individual Support Options that are available.

3.3. SDS has four Individual Support Options available to any individual who is eligible to receive social care support. The four options are as follows:

Individual Support Option 1 - Direct Payment

- The Council can provide the individual with a direct payment (the budget) to the equivalent financial value of the traditional care and support they are receiving or assessed as requiring. The budget can be used by the individual to design and personalise their support to meet their outcomes and this is set out in a support plan. This may include using the budget for the employment of a Personal Assistant and/or directly purchasing services from a care provider or any other innovative options that can meet the identified outcomes.

Individual Support Option 2 - Individual Service Fund

- An individual service fund is when the relevant amount of funding made available (the budget) to meet an individual's needs is purchased from a provider (nominated by the individual) or the Health and Social Care Partnership. This option means the individual can have more choice, control and flexibility as to when and how their care and support is delivered. Similar to individual support option 1, how the care and support will be delivered to meet the agreed outcomes is set out in a support plan.

Individual Support Option 3 – Council Arranged Services

- This option is often referred to as traditional care and support and the Council will arrange the care and support to be delivered by a commissioned care provider, or the existing in-house services. The care and support will be delivered to meet the agreed outcomes which are set in a support plan.

Individual Support Option 4 - Mixed Package of Care and Support

- A combination of Individual Support Options 1, 2 and 3 can be used. For example, an individual can receive traditional personal care support through Option 3 and combine this with Option 1 to

design any social support to meet their agreed outcomes set out in their support plan.

4. Individual Support Option 1 (Direct Payment) - Individuals ineligible to receive a Direct Payment

4.1 The Self-directed Support (Direct Payments) (Scotland)

Regulations 2014 (“the Regulations”) set out when an individual whom the Health and Social Care Partnership has assessed as requiring care and support is ineligible to receive a Direct Payment (Individual Support Option 1) These include:

- When the assessment identifies there is a need for the provision of either residential accommodation or residential accommodation with nursing care, then Individual Support Option 1 direct payment is not available as a means of funding a permanent placement within a care home setting. The Regulations define a period in excess of 4 consecutive weeks in a residential establishment in any 12-month period as the timeframe which would make an individual ineligible to receive a direct payment. The equivalent of 24-hour care can be offered as a direct payment where it can be evidenced that the need will be met in the community, subject to approval by senior managers. the rate for this can be found in appendix a.
- Where a person is deemed not to have capacity under mental health or criminal justice legislation.

4.2 A direct payment that is in place may be terminated in circumstances including;

- There is evidence that the provision of a direct payment is likely to put the safety of the person to whom the support is provided or others at risk.
- The local authority considers on reasonable grounds that the direct payment user has breached criminal law or a civil law obligation in relation to the support to which the direct payment relates.
- The direct payment has been used (wholly or partly) to secure the provision of support by a family member other than in

circumstances where the family member is permitted by the Council to provide support.

- There is evidence the use of a direct payment is not being used to meet the outcomes and/or not meeting the assessed need set out in the support plan.
- Where an individual has been reviewed and has been deemed to no longer meet the Critical Care Criteria.

4.3 In the event of a Direct Payment being terminated we will:

- Consider any contractual obligations entered into by the direct payment user i.e. personal assistants.
- Take into account the time that will be required to put in place alternative arrangements to provide the support to which the direct payment relates.
- Confirm the termination verbally and follow this up in writing with details of why the direct payment has been terminated.

4.4 **Self-Employed Personal Assistants**

4.5 If someone in receipt of a direct payment (Individual Support Option 1) wants to employ a self-employed personal assistant, there are some checks that have to take place before this is authorised. This includes the self-employed person providing written confirmation about their employment status. If an individual considering this option for their care and support, we will provide the relevant advice, guidance and support following the assessment.

4.6 Further information on self-employment status can be accessed [here](#), or you can contact the HMRC self-employed status team on 03000 527 450.

4.7 **Protection of Vulnerable Groups Scheme (PVG)**

4.8 From the 1st April 2025, there were changes to The Protection of Vulnerable Groups Scheme (PVG) whereby it became a legal

requirement for anyone carrying out a regulated role to be registered with the scheme.

- 4.9 There was a further update on the 18th of July 2025 which highlights amendments made to Section 5 the PVG Scheme of the [Social Care \(Self-directed Support\) \(Scotland\) Act 2013 Statutory Guidance](#).
- 4.10 Anyone who works or volunteers with a child or protected adult in a regulated role or employs someone in one, must assess this role against the criteria for regulated roles. Disclosure Scotland have produced guidance on how to do this.
- 4.11 There has been an updated Code of Practice published under the Disclosure Act. This sets out responsibilities for accredited bodies in the use of disclosure information. This applies to accredited bodies who:
- Make applications for level 1 Disclosures
 - The countersigning of level 2 Disclosures
 - 3rd parties who receive information from an umbrella body.
- 4.12 There are certain exemptions to the PVG requirements. In the amendment on the 18th of July 2025 mentioned in section 1, where a PA is carrying out the regulated role as part of a family relationship they do not need to register. This applies both to direct family members and individuals who live together and have a family like relationship.
- 4.13 Further information for PA's, PA Employers and those who provide support – including examples of where exceptions would apply – can be found in the Social Care (Self-directed Support) (Scotland) Act 2013 Statutory Guidance. This Guidance also gives more detail on the requirements on local authorities.

5. Risk Enablement

Our Approach

- 5.1 Risk enablement is an approach which recognises that risk is not only an inevitable part of life but often a necessary one. Self-Directed Support (SDS) is underpinned by principles of choice and control and to achieve this we need to adopt a more transparent and collaborative approach to working with risk. The 21st Century Social Work Review Report stated, “services must develop a new organisational approach to managing risk which ensures the delivery of safe, effective and innovative practice... focusing particularly on evidence based approaches to risk assessment and management”.
- 5.2 In South Ayrshire, we will adopt a collaborative approach to managing and assessing risk. Our approach to assessing risk will be enabling, participative and transparent, with the goal of achieving positive outcomes for individuals. Any potential risks will be discussed, recorded, monitored and reviewed throughout the assessment and review process.
- 5.3 The main principal behind embedding a risk enablement philosophy is to ensure that our professional practice model is transparent about both discussing and managing the risks associated with independent living. Adopting this approach will also enable individuals and their families to have choice, control and responsibility over their lives and how their care and support is delivered.
- 5.4 A Child’s Assessment and Plan will record the assessment and management of risk, along with contingency planning underpinned by the GIRFEC practice model.

6. Eligibility Criteria

- 6.1 Eligibility Criteria are statements about the conditions and circumstances which allow access to social work services. They are of interest to service users and the public to whom they might be applied and to staff who will make decisions about allocating resources based on the criteria.
- 6.2 Eligibility criteria assist the Council to achieve fairness, consistency, and transparency in how decisions are taken.
- 6.3 The Eligibility Framework prioritises needs into four categories: critical, substantial, moderate, and low, this is also in line with our approach to assessing levels of risk.

Category 1: CRITICAL NEEDS

Neglect or physical / mental health.

- major health problems which present immediate threat of harm to self or others
- serious harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination)
- palliative or end of life care needs

Personal care and domestic environment.

- unable to meet vital or most personal care needs causing major harm or major risk to independence.
- unable to meet vital or most aspects of domestic routines causing major harm or major risk to independence.
- homelessness of a vulnerable person
- extensive / complete loss of choice and control over vital aspects of home environment causing major harm or major risk to independence.

Participation in community life.

- unable to sustain involvement in vital aspects of work/education/learning causing severe loss of independence.
- unable to sustain involvement in vital or most aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers

- major health difficulties due to impact of their caring role causing life threatening harm or danger.
- complete breakdown in the relationship between carer and service user and carer is unable to continue in their caring role.
- carer is unable to manage vital or most aspects of their roles and responsibilities.

Category 2: SUBSTANTIAL NEEDS

Neglect or physical / mental health.

- ***harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination).***
- ***significant health problems which cause significant risk of harm or danger.***
- ***palliative or end of life care needs.***

Personal care and domestic environment.

- ***unable to undertake many aspects of personal care causing significant risk of harm or significant risk to independence.***
- ***unable to manage many aspects of domestic routines causing significant risk of harm or significant risk to independence.***
- ***substantial loss of choice and control managing home environment causing a significant risk of harm or danger to self or others, or a significant risk to independence.***

Participation in community life.

- ***unable to sustain involvement in many aspects of work/education/learning causing significant risk to independence.***
- ***unable to sustain involvement in many aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.***

Carers.

- ***significant health difficulties due to impact of their caring role causing significant risk of harm or danger.***
- ***carer is unable to manage many aspects of their caring, family or employment responsibilities.***
- ***significant risk of breakdown in the relationship between carer and service user and carer is unable to sustain many aspects of their caring role.***

Category 3: MODERATE NEEDS

Neglect or physical / mental health issues.

- ***some health problems indicating some risk to independence and/or intermittent distress. Potential to maintain health with minimum interventions.***
- ***need to raise awareness of vulnerable person to potential risk of harm.***

Personal care and domestic environment.

- ***unable to undertake some aspects of personal care indicating some risk to independence.***
- ***able to manage some aspects of domestic activities and/or home environment indicating some risk to independence.***

Participating in community life.

- ***unable to manage several aspects relating to work/learning/education that, in the foreseeable future, will pose a risk to independence.***
- ***able to manage some aspects of family roles and responsibilities, posing some risk to independence.***

Carers.

- ***main carer able to manage some aspects of caring and family/domestic roles, posing some risk of breakdown in their own health.***
- ***relationship between carer and service user under strain at times, limiting some aspects of the caring role or creating some risk of relationship breakdown.***

Category 4: LOW NEEDS

Neglect or physical / mental health.

- ***few health problems indicating low risk to independence. Potential to maintain health with minimum interventions.***
- ***preventative measures including reminders to minimise potential risk of harm.***

Personal care and domestic environment.

- ***difficulty with one or two aspects of personal care or domestic routines, indicating little risk to independence.***
- ***able to manage most basic aspects of domestic activities and environment.***

Participation in community life.

- **difficulty undertaking one or two aspects of work/learning/education responsibilities, indicating low risk to independence.**
- **difficulty undertaking one or two aspects relating to family responsibilities or social support networks, indicating low risk to independence.**
- **able to manage most aspects of family responsibilities and social support networks, posting some risk to independence.**

Carers.

- **carer able to manage most aspects of their caring and domestic role and responsibilities, indicating low risk.**
- **carer is able to manage most aspects of their family and work responsibilities, indicating low risk.**
- **relationship is maintained between client and carer by limiting aspects of the caring role.**

6.4 Our Eligibility Criteria was updated in 2018 to clarify that the Health and Social Care Partnership's main priority and focus remains on individuals with the highest level of need and those most at risk (i.e. individuals assessed as having 'critical' needs). Individuals with non-critical level of need ('substantial', 'moderate', or 'low') will also continue to receive a service through our partnership arrangements with the third sector. This may include the provision of information and advice or a range of other support services.

6.5 More information on the Eligibility Criteria can be found in the Fair Access to Care and Eligibility Criteria Guidance document.

7. Employment of Family Members

7.1 South Ayrshire Health and Social Care Partnership recognises the significant role of unpaid carers, who may often be family members. In exceptional circumstances, family member can be employed as a personal assistant, when the family member, direct payment user and the local authority are all in agreement.

- 7.2 The Self-directed Support (Direct Payments) (Scotland) Regulations 2014 define a family member and set out the criteria when they can be employed to provide care and support using a direct payment.
- 7.3 The Regulations define a “family member” as being:
- The spouse or civil partner of the direct payment user.
 - A person who lives with the direct payment user as if their spouse or civil partner.
 - The direct payment user’s parent, child, brother, sister, aunt, uncle, nephew, niece, cousin, grandparent, grandchild.
 - The spouse or civil partner of any person listed above.
 - A person who lives with any person listed above as if their spouse or civil partner.
- 7.4 A direct payment to a family member will be considered where:
- The family member, direct payment user and the Council agree to the family member providing the support.
 - The family member is capable of meeting the direct payment user’s needs i.e. supporting them to achieve their outcomes.
 - Any of the factors below apply.
- 7.5 The factors are:
- There is a limited choice of service providers who could meet the needs of the direct payment user.
 - The direct payment user has specific communication needs which mean it will be difficult for another provider to meet the needs.
 - The family members will be available to provide support which is required at times where other providers would not reasonably be available.
 - The intimate nature of the support required by the direct payment user makes it preferable to the direct payment user that support is provided by a family member.
 - The direct payment user has religious or cultural beliefs which make the provision of support by a family member preferable to the direct payment user.

- The direct payment user requires palliative care.
- The direct payment user has an emergency or short-term necessity for care.
- There are any other factors in place which make it appropriate, in the opinion of the local authority, for that family member to provide the support.

7.6 Where an individual is in receipt of a direct payment, a family member may not provide the support which relates to the direct payment in the following circumstances:

- The local authority determines that either the family member or the direct payment user is under undue pressure to agree to the family member providing support; or
- The family member is either the legal guardian, continuing attorney or welfare attorney with the power to make decisions as regards the support to be provided through the direct payment.
- The Local Authority considers that a family arrangement may impact adversely on a carer or young carer.
- It is considered the family member is unable to provide the level of care due to other reasons that have become evident during the assessment.

7.7 The potential impact of an individual becoming the direct employer of a family member should be considered and discussed during the assessment.

7.8 As with all other aspects of the assessment, the practitioner has a duty of care to ensure the safe and effective delivery of care and support. To meet this requirement, they need to agree that a family member will be able to provide the level and type of support required to meet the identified outcomes and this should be discussed as the support plan is being developed.

8. Information and advice to promote Self-directed Support

- 8.1 South Ayrshire Council is required to ensure information and advice is available to individuals to be informed about SDS and allow them to take control and have real choice in how they access any care and support. In order meet this requirement, the Council works in partnership with Ayrshire Independent Living Network (AILN) and the Community Brokerage Service which are local independent support organisation.
- 8.2 AILN is a user-led organisation and is able to offer independent advice and support in relation to all aspects of accessing self-directed support. This includes information around all aspects of being an employer alongside providing an optional payroll service to individuals who choose to employ a Personal Assistant under
- 8.3 The Community Brokerage Network is a not-for-profit Community Interest Company that has been helping people in Ayrshire navigate their social care journeys since 2012. They offer comprehensive help you explore your entitlements and understand the community-based options available.
- 8.4 If an individual, their carer or representative requires independent support to manage their SDS Individual Support Option 1, they can choose to access this type of support through other organisations equivalent to the cost of AILN.
- 8.5 AILN also lead on and manage the microenterprise project in partnerships with South Ayrshire Health and Social Care Partnership. This project offers an alternative support to the employment of a PA or contacting of a service provider. Further information can be SDS webpage. accessed both on the [AILN](#) and [South Ayrshire Health and Social Care Partnership](#) webpages.

9. The Allocation of Resources

- 9.1 The [Social Work \(Scotland\) Act 1968](#) places a duty on local authorities to ensure that resources (the relevant amount) are made available to meet eligible care needs to a standard they consider suitable and adequate. There is also a requirement under the [Children and Young People \(Scotland\) Act 2014](#) in regards to SDS services for children and young people, including those with a learning disability.
- 9.2 In South Ayrshire we have adopted an 'equivalency model' for the allocation of resources under self-directed support. This means an individual with eligible needs will be entitled to a personal budget which is equivalent to the cost of delivering a similar level of traditional services. The equivalency calculation of a budget is similar across all four SDS Individual Support Options, meaning that regardless of what option is chosen, it will not put an individual at any disadvantage.
- 9.3 The practitioner carrying out the assessment of needs will notify the individual of their allocated budget once the relevant management has approved their assessment.
- 9.4 The equivalent rates for 2026-2027 are set out in Appendix A. The rates are reviewed annually in April to reflect annual approved contract uplifts to include adult and children's social care workers real living wage increases.
- 9.5 Any individual who is not satisfied with the level of resources they have been allocated should in the first instance discuss this with the practitioner and their manager. If agreement cannot be reached, the individual should be made aware of how they can give feedback or make a complaint at [Complaints - South Ayrshire Council](#).

10. Circumstances Where Resources Cannot Be Allocated

- 10.1 The allocation of financial resources under Individual Support Option 1 is provided to meet the outcomes set out in the Support Plan. The Health and Social Care Partnership will not agree or continue with funding if it is used in the following ways:
- Unreasonably endanger any person.
 - Support an illegal act.
 - Involve gambling or financial investments.
 - Fund health care that should be met by the NHS unless budgetary arrangements have been put in place between agencies to permit this.
 - Pay for anything that other sources of income should normally cover (for example, food, drink, and petrol/taxi costs).
 - Not contribute to the agreed outcomes within the support plan.
 - Purchase of any goods or services that does not meet outcomes as detailed in the support plan.
 - Where the individual is subject to Adult Support and Protection measures, Individual Support Option 1 funding would not be allocated until the ASP is no longer in place and standard Care Management procedures apply. Option 2 ISF may be applied in these circumstances
 - Where an individual is reviewed and no longer has critical care needs.

A breakdown of what an SDS budget can and cannot be used for can be found in Appendix D.

- 10.2 Any refusal or withdrawal of funding should be discussed between the individual and the practitioner. If an individual does not agree with the decision, they can access the Council's Listening to You complaints procedure.

11. Financial Assessment and Charges

- 11.1 Individuals assessed for social support under Self-Directed Support will be subject to a financial assessment. This will be carried out after the assessment of need and in some instances a

financial contribution towards the total cost of any support provided may be put in place.

11.2 South Ayrshire Council currently applies a consistent charging policy for non-personal care services. This is in line with the COSLA's national guidance on Charges Applying to Non-residential Social Care Services. Charging thresholds and rates are adjusted annually (in April) in line with pension and benefit changes. More on this can be found in [South Ayrshires Charging Policy](#).

12. Termination of Funding

12.1 Direct payments can be terminated (Individual Support Option 1) under the [Self-directed Support \(Direct Payments\) \(Scotland\) Regulations 2014](#). The Council has the right to terminate the direct payment in a range of circumstances that include:

- Where the individual has become ineligible to receive direct payments.
- Where the payment has been used for purposes out-with the person's support plan (i.e. misuse of funds).
- Where it has been used to secure the provision of support by a family member in circumstances where the family member is not permitted to provide such support.
- Where it becomes evident that an individual is unable to manage the funds or complete the reconciliation process despite being provided with additional support and advice.
- Where the local authority considers on reasonable grounds that the individual has breached the criminal law or a civil law obligation in relation to the support to which the direct payment relates.
- The Council will work with the individual and their family and/or carer establish what is appropriate spend and find alternative care arrangement if funding has been terminated.

12.2 In the event of a direct payment being stopped, the lead practitioner will inform the individual. A period of notice will be given before the payments are discontinued. When an individual

who continues to have eligible needs is no longer eligible to receive direct payment they will continue to be supported with other self-directed support options put in place.

- 12.3 When a direct payment is discontinued, a reconciliation process will take place. South Ayrshire Council will seek to recover any misused funding as the Council deems appropriate.

13. Financial Monitoring of Individual Support Option 1 - Direct Payments

- 13.1 South Ayrshire Council is accountable for public funds and as a result it will monitor direct payments made to service users. The monitoring process is proportionate and is based on the [Chartered Institute Public Finance and Accountancy Guidance \(CIPFA\), Self-Directed Support: Direct Payments - A Guide for Local Authority Finance Managers.](#)

Financial Monitoring

- 13.2 Financial monitoring of a Direct Payment involves the SDS Finance Team tracking spend against the agreed support plan. Detailed records such as receipts and bank statements are submitted on a regular basis to the SDS Finance Team by the Direct Payment users or someone managing the payments on their behalf this could be AILN or a financial guardian.
- 13.3 The purpose of financial monitoring is to verify funds are spent on agreed outcomes included in the support plan and that public funds are spent appropriately.
- 13.4 Frequency of reconciling direct payment spend against the support plan is based on risk and proportionate to the value of the direct payment, how the direct payment is administered and the range of support purchased.

- 13.5 Through the reconciliation process this may identify bank balances that have not been used, this can occur due to a range of different circumstances. Where balances exceed 4 weeks of payments, a reclaim of the surplus bank balance will be requested, following a review by the social work team as noted in Section 13.6. The individual will be notified by SDS Finance Team in advance of this request for funding to be returned.
- 13.6 Where finance have highlighted through the reconciliation process that funds have not been spent, the finance team will notify the relevant social work team, via their duty system, to allow follow up to be undertaken. The relevant Social Work team will analyse any current risk and understand why funds have not been used to do the necessary checks to understand why funds have not been used.
- 13.7 Following analysis by the Social Work team if excess funding is due to a change in care needs. The four weekly direct payment will be reduced on a permanent basis to ensure funding allocated is to meet care needs and excess balances are avoided. This will ensure resources are distributed equally and fairly based on need.

Annual Review

- 13.8 The Care Manager should contact SDS Finance Team 4 weeks in advance of the service users annual review to determine how the DP Option has been utilised using the data collected from the reconciliation process, this is relevant to options 1, 2 and 4 of the SDS Individual Support Options.
- 13.9 All public funds provided under any of the options are monitored by a combination of the formal review process and the financial reconciliation process, to ensure the funds made available are being used effectively

14. Equality and Diversity

- 14.1 South Ayrshire Council's Equality Outcomes 2025-2029 affirms the Council's commitment to the general principles of fairness, equality and human rights and seeks to apply these principles in all that it does as a community leader, service provider, education authority and employer. If you would like to read more about the new Equality Outcomes in South Ayrshire, you can access documents [here](#).
- 14.2 Implementation of the Council's Self-directed Support Policy will support our commitment to equality and diversity by giving people greater choice and control over services they receive and enabling them to meet their particular needs and individual outcomes.

15. Related Policies

- 15.1 This policy is inter-dependent with the following local policies, strategies, procedures and guidelines:
- ***Fair Access to Care and Eligibility Criteria Guidance**
 - ***Social Care Charging Policy – Residential and Non-Residential 2026-27**
 - [South Ayrshire Health and Social Care Partnership Integrated Joint Board Strategic Plan 2021-2031](#)
 - [South Ayrshire Health and Social Care Commissioning Plans](#)
 - [Age Well: South Ayrshire Dementia Strategy 2024-2034](#)
 - [Live Well: South Ayrshire Mental Health and Wellbeing Strategy 2024-2034](#)
 - [Live Well: South Ayrshire Adult Carers Strategy 2025-2030](#)
 - [South Ayrshire Adult Learning Disability Strategy 2022-27](#)
 - [Independent Advocacy Plan 2024-2029](#)
 - [South Ayrshire GIRFEC Practice Guide 2025](#)
 - [South Ayrshire Ageing Well Strategy](#)

**2026 versions of these documents will be available shortly.*

Appendix A

Self-Directed Support Equivalent Service Rates

The following equivalent rates will be paid for individuals accessing Individual Support Option 1 (Direct Payment) and Option 2 (Individual Service Fund) and Option 4 (a mix). These rates are based on the equivalent cost of purchasing (Option 3) services from external service providers. Separate rates for employment of a personal assistant are also included and all rates will commence on the **01-04-2026**.

<u>Equivalency Hourly Rates for Option 1, 2 or 4 for all external providers</u>		
Older People (60+) - Personal/Non-Personal Home Care Rate (<i>per providers offer 21/22</i>)	£24.44	per hour (or equivalent approved rate for the Lot or rural location)
Adults (18-59) - Personal/Non-Personal Home Care Rate (<i>per providers offer 21/22</i>)	£24.44	per hour
Children (up to 18) - Personal/Non-Personal Home Care Rate	£24.44	per hour
Day Care Older People (60+)	£62.00	per day
Day Care Adults (18-59)	£107.20	Per day
Sleepover Rate	£16.49	per hour
Respite and Short Breaks		
The respite rates below are subject to waiving of charges and a carers support plan being in place. If there is no carers support plan in place the rates below will be subject to a charge.		
Older People (60+) Respite – Short Breaks Respite for Carer	£63.54	Per Week
Older People (60+) Respite – Residential Care	£930.45	per week
Older People (60+) Respite – Nursing Care	£1,074.13	per week

<u>Equivalency Hourly Rates for Option 1, 2 or 4 for all external providers</u>		
Adult (25-59) Respite	£2,414.19	per week
Young Adult (18-24) Respite	£2,414.19	per week
Children Respite	£2,414.19	per week

<u>Personal Assistant (PA) rates 2026/27</u>		
Hourly Personal Assistant Rate from 01/4/2021 <i>(this includes NI and contingency PA should be paid RLW)</i>	£17.67	per hour
Personal Assistant Sleepover Rate <i>(The P.A. should be paid £9.50 per hour - National Minimum Wage)</i>	£17.67	per hour
South Ayrshire Council will provide one-off payroll start-up costs when a Personal Assistant is employed.	£450.00	

Appendix B

Self-Directed Support Personal Assistant: Essentials Checklist

Why is the checklist required?

When an individual, or their legal proxy, chooses to access **Self-Directed Support Options 1, 2 or 4**, there are essential checks required in order to meet the terms of the local authority Self-Directed Support and Direct Payment processes and contracts, as well as the relevant legislation. These serve to safeguard all involved in the process as far as practically possible.

What Information is required?

Where an individual chooses **Individual Support Option 1 (direct payment)** and wishes to employ a **Personal Assistant** to support their assessed needs, there are several pieces of essential information which require to be provided to satisfy the processes and legislation underpinning it and for the protection of the individual. These sources of information and supporting evidence are: -

Due to our duty of care to ensure due diligence checks are completed, Self Employed Personal Assistants must provide written confirmation/evidence of the following, though not limited to.

- their employment status,
- registration with HMRC as a self-employed taxpayer
- insurance as a self-employed carer/PA/company
- most recent completed PVG check.
- an agreement on the hourly rate of pay and any additional costs they will be expected to cover.
- If the PA is intending on using their own vehicle if a social support is commissioned, then their driving licence should be checked, and they should have business insurance included in their cover.
- record of relevant training appropriate to the needs of the individual
- relevant registration status with professional bodies, for example Scottish Social Services Council.
- there should also be evidence of relevant and current training appropriate to the needs of the individual.

South Ayrshire Council will provide a one-off payroll start-up fee when a Personal Assistant is employed.

Where can an individual access support and guidance with employing a Personal Assistant SDS Option 1?

South Ayrshire Council contract Ayrshire Independent Living Network (AILN) to provide advice, guidance and support to individuals and their families choosing to secure their supports through SDS Option 1. They have put together this handy guide with tips and helpful information for individuals about to embark on employing a Personal Assistant.

[Small-one-SDS-opt-1-31-July.pdf \(ailn.org\)](#)

AILN staff are available to guide the individual in the completion of appropriate recruitment checks reflective of those required by the local authority. They can give assistance to ensure all of the relevant recruitment, payroll, contractual and associated processes are in place prior to the commencement of a Personal Assistant (PA) and shall maintain relevant employer records for the individual.

AILN are a non-profit making organisation who take a minimal weekly/monthly charge from the individual for providing the ongoing employment and resource support and initial start-up one-off costs are provided by the local authority, detailed in Appendix 1, Self-directed Support Equivalent Service Rates.

Any self-employed Personal Assistant sourced through an employment agency or broker via Individual Support Option 1 (Direct Payment) **must** provide the same information to the individual as though they were being employed by them directly. The agency or broker may advise that these essential pieces of evidence have been provided to them, but in order to meet the requirements of the individual and the local authority when accessing public funds, the professional providing support to the individual, e.g. Social Worker, Community Care Assistant, etc **must insist on obtaining these prior** to any self-employed Personal Assistant commencing. The commencement is dependent on these checks being satisfactory.

Appendix C

Self-Directed Support (SDS)

Your Guide to Choice and Control

What is Self-Directed Support?

Self-Directed Support (SDS) is Scotland's way of giving you **choice and control** over your care and support.

If you need social care, SDS lets you decide **what support** you get and **how it is delivered**, so you can live well and stay connected to your community.

Our Promise to You

We will work with you in a way that is:

- **Respectful** – we listen to what matters to you.
- **Collaborative** – we plan support *with you*, not for you.
- **Flexible** – your support can be creative and personalised.
- **Strengths-focused** – we look at what you can do, not just what you need help with.
- **Rights-based** – you have the right to choice, control and dignity.

Your Four SDS Options

You can choose one option or mix them.

Option 1 – Direct Payment

You receive a budget to arrange your own support.

You can employ a Personal Assistant (PA), buy services, or build a personalised support plan.

Option 2 – Individual Service Fund

A provider you choose, or the council, holds your budget.

You still choose how and when the support happens.

Option 3 – Council-Arranged Support

We arrange your support for you using our usual providers.

Option 4 – A Mix of Options

You combine Options 1, 2 or 3 in a way that works best for you.

Who Can Help You?

You don't need to manage SDS alone.

Ayrshire Independent Living Network (AILN)

AILN provides **independent advice and hands-on help** with:

- understanding your options
- employing a Personal Assistant
- payroll and employer support
- budgeting and managing Direct Payments

You can choose to use AILN or another suitable support service.

Using a Personal Assistant (PA)

If you use Option 1, you may employ a Personal Assistant. We will help you understand:

- what checks are needed (PVG, insurance, training)
- what paperwork you need
- how to be a safe, confident employer

AILN can support you every step of the way.

Planning Support Around You

Your support plan should:

- reflect what matters most in your life
- help you achieve your personal outcomes
- build on your strengths and connections
- give you independence, safety and wellbeing

We will talk with you about any risks and how to manage them **together**.

How Your Budget is Decided

Your personal budget is based on the cost of providing similar support through traditional services.

This ensures your budget is:

- **fair**
- **transparent**
- **enough to meet your assessed needs**

We will explain your budget before you make decisions about your support.

If You Disagree With a Decision

You have the right to:

- ask for the decision to be reviewed
- receive a clear explanation
- seek independent advice and advocacy
- make a complaint if needed

We are committed to being open, fair and supportive.

Equality and Inclusion

SDS is for everyone.

We will adapt our approach for:

- people with mental health needs
- people with sensory impairments
- disabled people
- children, young people and families
- carers
- people from minority ethnic communities

If you need information in a different format, just ask.

Want to Learn More or Get Support?

 **South Ayrshire Health & Social Care Partnership**

 Website: *[insert web link]*

 Email: *[insert email]*

 **Ayrshire Independent Living Network (AILN)**

 www.ailn.org

 info@ailn.org

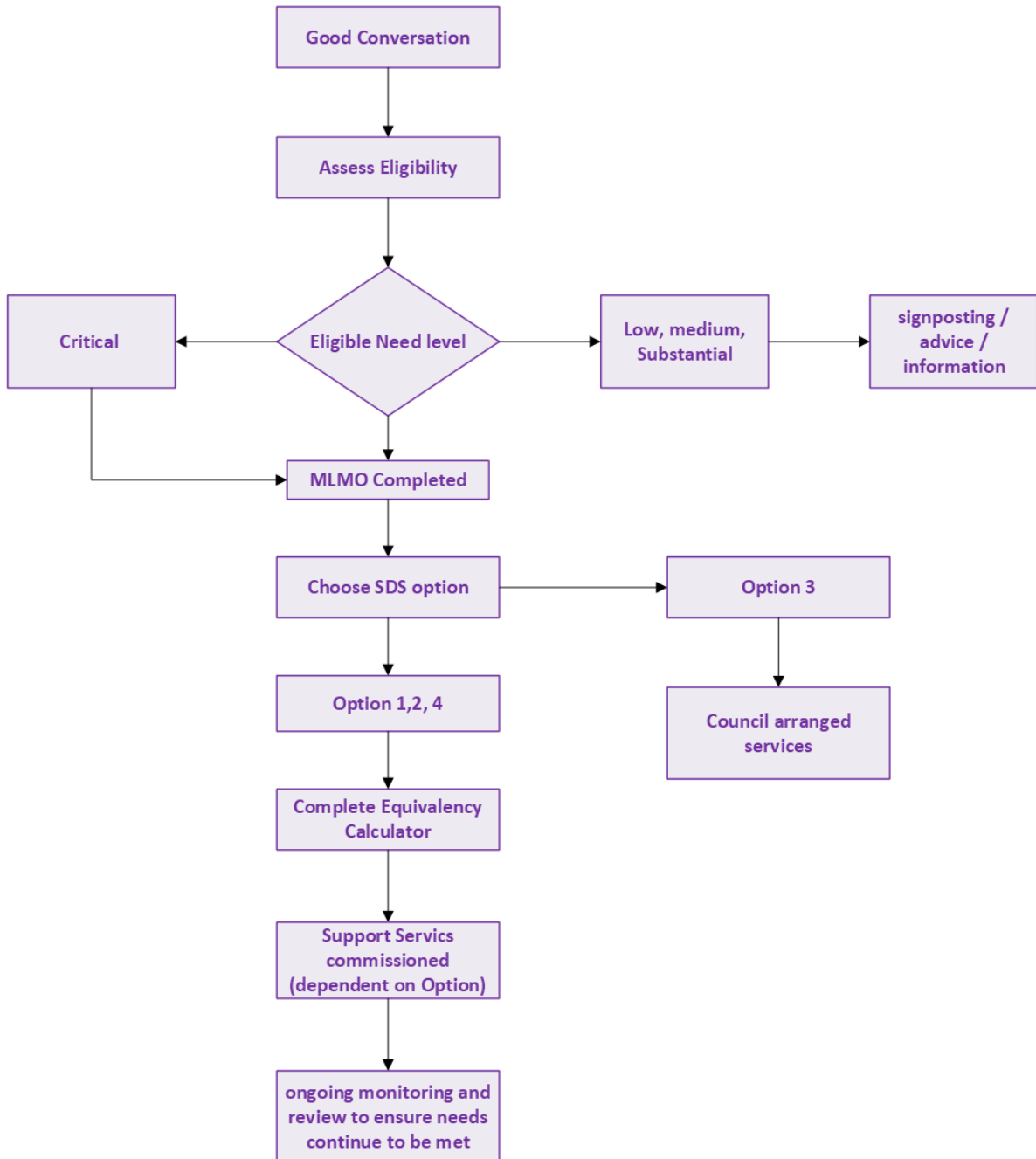
SDS gives you real choice. Real control. Real independence.

We are here to walk the journey with you.

DRAFT

Appendix D

SDS Process Map



Process Map for Service Users and Carers

Self-Directed Support Process



Appendix D

Self Directed Support (SDS) - Spending Your Personal Budget

All of your personal budget must be used by you to meet your assessed outcomes. All care and support is bespoke to you and it is up to you to decide what outcomes are most important for you to achieve each year.

All negotiated personal budget spend will be presented by the Care Manager to Senior Management who will consider each case on an individual basis, using a person centred, outcome focused approach. This decision making will be open and transparent across all service areas. The Council has the final decision on this.

Any equipment that you buy with your personal budget cannot be resold as it remains the property of the Local Authority.

You **cannot** spend your personal budget on anything that is not identified as an outcome within your support plan.

As illustrated below there are 3 areas to consider when deciding how to spend your personal budget:

- **RED you cannot spend your personal budget on these areas.**
- **GREEN you can spend your budget on these areas.**
- **AMBER you may be able to spend your budget on these areas after negotiation with your practitioner and there may be a cap on the amount you can spend on these areas.**

You cannot spend your budget on:

<p>Anything that has not been identified and agreed through the assessment and support plan.</p>	<p>Rewards/gifts to unpaid carers – this should be paid from the supported person's income.</p>	<p>Client contributions for services, including respite which must be paid from your personal funds.</p>	<p>Paying or employing someone who is a Welfare or Financial Guardian or Power of Attorney or who holds parental rights and responsibilities.</p>	<p>Gambling including scratch cards, bingo, casinos, slot machines and online gambling.</p>
<p>Anything that is illegal.</p>	<p>Alcohol, tobacco products or e-cigarettes.</p>	<p>Insurance; car, home, holiday, personal or household items.</p>	<p>Permanent residential care and support.</p>	<p>Paying off debts.</p>
<p>Any specialist equipment or therapy that you have been assessed as requiring that will be provided directly by the NHS, Health and Social Care Partnership or the Local Authority such as: Housing, Education and Children's Services, Occupational Therapy, cannot be funded from your personal budget.</p>	<p>Supported person's food including teas/coffees on holiday or in respite.</p>	<p>Transport costs: taxis, petrol, transport, travel where in receipt of DLA mobility or PIP (mobility). It also can't be used for the charge for blue badge.</p>	<p>Household expenditure; rent or mortgage payments, utility bills, food/drink, furniture replacement, broadband.</p>	

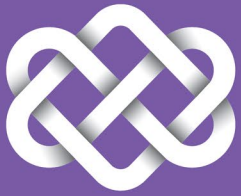
You can spend your personal budget on:

<p>To achieve / meet your assessed outcomes.</p>	<p>Employing Personal Assistants when in receipt of Option 1 (Direct Payment).</p>	<p>Purchasing support from an agency / provider.</p>	<p>Live in carers.</p>	<p>Purchasing respite / holiday care.</p>
<p>Support to attend education, volunteering opportunities or employment.</p>	<p>Purchasing items activities and services that support you to meet your assessed outcomes and needs.</p>	<p>Statutory employment responsibilities and costs incurred when employing Personal Assistants (PA) for example: payroll, insurance, terms and conditions of employment.</p>	<p>Paying for activities, services and memberships for example: to be more involved in your community or gain access to leisure. Examples are joining a lunch club or gardening club.</p>	

Negotiable with practitioner to meet a specific outcome:

Specialist equipment that is not directly provided by the NHS, Health and Social Care Partnership or the Local Authority.	Purchasing equipment or membership where there is evidence that this meets an outcome, for example: sports equipment, gym membership, horse riding lessons.	Short breaks or holidays as an alternative to respite. Where this meets identified outcome, (food should not be included in the cost).	Activities with an unpaid carer (identified and agreed in support plan), note the priority is to facilitate the supported person accessing the activity.	Travel costs in excess of DLA mobility this may be for transport and petrol to meet an assessed outcome.
Expenses: paid carers / PA's / support workers (not informal or family members) when accompanying the supported person on an outing or activity and the expense incurred is directly linked to an identified outcome, for example: developing life skills, social skills. Maximum allowance should be agreed from onset.	Startup costs (maximum of £450) when employing PA's and / or ongoing admin costs such as paper, postage, ink for printer etc incurred when managing your personal budget.	Where training has been identified for several PA's or specialist training the supported person can request additional funding to support worker development (only where the costs exceed any contingency monies).	Maintenance/running costs of equipment, anti-virus packages; where the personal budget has been used to purchase a piece of equipment you may or may not be allowed to pay for the maintenance of this item.	Leisure education that needs to be paid, for example: night classes where these cannot be accessed through other education channels.
Leisure and alternative therapies e.g. yoga, aromatherapy (within reasonable timescales and costs).	Eating out including teas/coffees only where this is to meet an assessed outcome.	Alternatives to residential nursing care.		

(Care manager has to consider type and cost of service or item to achieve or meet the identified outcomes – there may be a cap on the amount available to spend.)



south ayrshire
health & social care
partnership

Adults and Older Peoples Service

Fair Access to Care and Eligibility Criteria Guidance

November 2025



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Document Information

Date of first issue:	June 2014
Approval status:	<i>Social Work Governance Board</i>
Current issue date:	November 2025
Review date:	November 2027
Contact:	<i>Principal Social Worker</i>

1. Glossary of Terms

Carers	A carer is anyone who provides care to a loved one. This can be a partner, family member or friend. This may only be an hour or two per week or may be constant support throughout the day.
Self-Directed Support (SDS)	A framework that allows individuals to have more choice and control over support the local authority would provide to them.
Core self-care tasks	Care tasks that are essential for maintaining overall health and wellbeing, such as being able to wash yourself, eating, drinking, processing emotions, an having social connections.
Criteria	Criteria is a framework that sets out a guide for practitioners to follow to identify what level of care needs someone has.
Connect South Ayrshire	Connect South Ayrshire is a single source of community information including support groups, local activities and events, to support everyone's health and wellbeing in South Ayrshire.
Screening	When a new referral is received into social work services practitioners will initially screen the referral details and gather initial information to build a decision around what criteria an individual meets.
Free Personal and Nursing Care	<p>Free personal care is available for people over the age of 65 who have been formally assessed by social work services and require formal care within the critical criteria. No matter their condition, capital or income, those who are assessed by their local authority as needing this service, are entitled to personal care support without charge.</p> <p>Free Nursing Care is similar and is available to all who are assessed as requiring 24 hour nursing care services and meet the critical criteria, regardless of age, without charge. This</p>

	payment is only the nursing care element of care home fees, and more charges may apply.
Personal care and domestic environment	In relation to the critical criteria when we refer to personal care and domestic environment, we specifically mean elements, of living environments or an inability to carry out personal care tasks that create such a risk to life that without statutory support significant harm to the individual would occur.
Reablement	Reablement is short term care support that helps an individual with initial support that allows them to regain skills to be able to care for themselves.

2. Purpose

- 2.1 This policy sets out the South Ayrshire Health and Social Care Partnership's eligibility criteria and Fair Access to Care for Adults and Older People Community Care Services. This eligibility criteria is to be used by social workers to determine both the severity of risk to an individual and the urgency of intervention required, in terms of access to social care services. It explains South Ayrshire Council's eligibility criteria for accessing social care services and how it should be applied as part of the assessment and review process.
- 2.2 This policy sets out the rationale for applying eligibility criteria and the four categories of need that are used to prioritise individuals receiving an assessment. These categories are in line with guidance produced by the Scottish Government and COSLA for Local Authorities on national eligibility criteria and waiting times.
- 2.3 This guidance also complements the Council's *Self-Directed Support Policy*. The Policy sets out our overall approach to delivering self-directed support in South Ayrshire. The Eligibility Guidelines provide information on our procedures for service access, enablement, assessment, support planning and review.

3. Definition

What is an Eligibility Criteria?

- 3.1 Eligibility Criteria are statements about the conditions and circumstances which allow access to social work services. They are of interest to service users and the public to

whom they might be applied and to staff who will make decisions about allocating resources based on the criteria.

- 3.2 The initial purpose of an assessment is to identify an individual's needs with a view to determining whether the local authority has an obligation to meet those needs. In other words, it is to determine if the level of presenting needs are eligible to receive formal support. In relation to adults, in order to qualify as an individual in need, support must be required arising out of infirmity or age or from illness, mental disorder or disability. Applying a level of eligibility to an individual's needs requires thorough professional judgement based on the analysis during the initial screening process carried out by a practitioner.
- 3.3 The overall purpose of an eligibility criteria is to assist local authorities to demonstrate equity, consistency and transparency in both the decision-making process and the allocation of resources.

Why Do We Need Eligibility Criteria?

- 3.4 There are four main reasons why we have eligibility criteria as part of the system for accessing social care services.
- Social work resources are finite and should be targeted at those with the greatest level of need. Consistent application of eligibility criteria for prioritising the needs of everyone who requests or requires a service will ensure equity.
 - The Social Work (Scotland) Act 1968 places a duty on local authorities to assess the needs of anyone who appears/requests community care services. Once needs have been identified via an initial analysis, the local authority should decide what level of care needs there are based on the eligibility criteria and if they require the provision of services. The purpose of having Eligibility Criteria is to clarify the link between needs and resources, and urgency and risk.
 - Under Section 12A of the Social Work (Scotland) Act 1968 the Council has a duty to assess any adult (person over 18 years of age) who they believe may need community care services. The assessment of needs is used to determine whether a social care service is required to be put in place to meet those needs in line with eligibility for services.
 - The Council applies the National Standard Eligibility Criteria and waiting times for the Free Personal and Nursing Care of older people consistently across both adults and older people services.
 - Eligibility criteria assist the Council to achieve fairness, consistency, and transparency in how decisions are taken.

4. What is an Assessment and Review?

- 4.1 South Ayrshire Health and Social Care Partnership have a duty to assess the needs of any individual in need of social care support. A needs assessment involves talking with social work staff to look at actual needs and how they are impacting on all aspects of daily living.
- 4.2 Assessment is a process where relevant information about individual circumstances is gathered. This will often include information about activities of daily living, health and individual's finances. The aim is to get a full picture of the assets available including the support available from others.
- 4.3 The social worker or other assessor may ask permission to contact other people that provide support including a family doctor or GP. The person carrying out the assessment will discuss the outcomes a person wants to achieve and the kinds of support that work best, before deciding what support may be available from adult social services. All of the information gathered during the assessment informs whether there are eligible needs for Health and Social Care Partnership funded social care and support.
- 4.4 In circumstances where formal social care services are provided, it will be reviewed on an annual basis. The purpose of a review is to ensure the support is achieving the outcomes agreed at the initial assessment. The review process will consider any significant changes in circumstances and, if necessary, make changes to the support provided. At any time, a person in receipt of formal support can ask for a review of their situation.

5. Carers

- 5.1 A carer is someone who is unpaid and looks after a relative, partner or friend in need of support. This could be for a number of reasons including age, physical or learning disability or illness, including mental illness. All of those identified as carers in South Ayrshire are offered a carers support plan (assessment) and are provided with information, advice and support relative to their levels of needs.
- 5.2 A Carer's Support Plan focuses on the quality of life and the impact of their caring role. On completion of the support plan the assessor will discuss any eligible needs with the carer or alternatively signpost them to relevant community services. More information on support for carers can be found at [Carers - Health and Social Care Partnership](#)
- 5.3 This policy does not apply to Carer's Eligibility or Adult Carer Support Plans. More information can be found within the Carers Eligibility Policy.

6. South Ayrshire's Eligibility Criteria

- 6.1 The eligibility framework prioritises needs into four categories: critical, substantial, medium and low, this is also in line with our approach to assessing levels of risk.
- 6.2 The needs of an individual and the associated level of risk arising from these needs are closely linked during the professional assessment. In other words, as individual needs are identified the priority and level of risk will become evident through analysis of the individual's overall situation. When all the information is collated and analysed professional judgement is used to apply a level of eligibility to an individual's needs.
- 6.3 A full account of how the individual's needs and risks might change over time should also be considered during the initial analysis. The practitioner should consider and evidence through analysis the potential impact of a failure to intervene and whether this would lead to escalation of need in future. A holistic approach, recognising that risks to participation in society (living an ordinary life, engaging with others) are valid alongside risks to dignity (personal care, "life and limb" support). The individual should be provided with and able to access information and advice about alternative sources of support to meet needs that will not be met by formal or funded social services.
- 6.4 Application of South Ayrshire Council's eligibility criteria should consider both the level of needs and associated risks alongside the urgency of intervention to respond. Some levels of needs and risk will call for services or other resources as a high priority. Others may call for some services / resources, not as a high priority but managed and prioritised on an ongoing basis. Some may not call for any social care intervention as signposting to local community activities may be the most appropriate way of addressing the need.
- 6.5 As part of the professional role in the initial analysis and planning process, it is the responsibility of the practitioner to use professional judgement to determine how each individual's needs match against eligibility criteria in terms of need and urgency for intervention taking into account the statutory provision that South Ayrshire Council and partners are required to provide.
- 6.6 Our eligibility criteria was updated in 2018 to clarify that the Council's main priority and focus remains on individuals with the highest level of need and those most at risk (i.e. individuals assessed as having 'critical' needs). Individuals with non-critical level of need ('moderate', 'low' or 'substantial') may also continue to receive a service through our partnership arrangements with the third sector. This may include the provision of information and advice or a range of other support services.
- 6.7 In South Ayrshire our approach to applying eligibility is underpinned by a strong commitment to prevention and early intervention through the ongoing development of services within the third sector. We are committed to ensuring individuals living in their own communities continue to receive high quality care and support in line with their level of needs.

- 6.8 For those who do not meet the critical needs criteria, sign posting, and information and advice will be provided. Services and support from Connect South Ayrshire may be more suitable for individual needs at this time and in the first instance this is where individuals and their carers will be signposted to.

Risk Categories

- 6.9 Individual needs should be assessed against the categories detailed below.

Category 1: CRITICAL NEEDS

Neglect or physical / mental health.

- major health problems which present immediate threat of harm to self or others
- serious harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination)
- palliative or end of life care needs

Personal care and domestic environment.

- unable to meet vital or most personal care needs causing major harm or major risk to independence.
- unable to meet vital or most aspects of domestic routines causing major harm or major risk to independence.
- homelessness of a vulnerable person
- extensive / complete loss of choice and control over vital aspects of home environment causing major harm or major risk to independence.

Participation in community life.

- unable to sustain involvement in vital aspects of work/education/learning causing severe loss of independence.
- unable to sustain involvement in vital or most aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers

- major health difficulties due to impact of their caring role causing life threatening harm or danger.
- complete breakdown in the relationship between carer and service user and carer is unable to continue in their caring role.
- carer is unable to manage vital or most aspects of their roles and responsibilities.

Category 2: SUBSTANTIAL NEEDS

Neglect or physical / mental health.

- harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination).
- significant health problems which cause significant risk of harm or danger.
- palliative or end of life care needs.

Personal care and domestic environment.

- unable to undertake many aspects of personal care causing significant risk of harm or significant risk to independence.
- unable to manage many aspects of domestic routines causing significant risk of harm or significant risk to independence.
- substantial loss of choice and control managing home environment causing a significant risk of harm or danger to self or others, or a significant risk to independence.

Participation in community life.

- unable to sustain involvement in many aspects of work/education/learning causing significant risk to independence.
- unable to sustain involvement in many aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers.

- significant health difficulties due to impact of their caring role causing significant risk of harm or danger.
- carer is unable to manage many aspects of their caring, family or employment responsibilities.
- significant risk of breakdown in the relationship between carer and service user and carer is unable to sustain many aspects of their caring role.

Category 3: MODERATE NEEDS

Neglect or physical / mental health issues.

- some health problems indicating some risk to independence and/or intermittent distress. Potential to maintain health with minimum interventions.
- need to raise awareness of vulnerable person to potential risk of harm.

Personal care and domestic environment.

- unable to undertake some aspects of personal care indicating some risk to independence.
- able to manage some aspects of domestic activities and/or home environment indicating some risk to independence.

Participating in community life.

- unable to manage several aspects relating to work/learning/education that, in the foreseeable future, will pose a risk to independence.
- able to manage some aspects of family roles and responsibilities, posing some risk to independence.

Carers.

- main carer able to manage some aspects of caring and family/domestic roles, posing some risk of breakdown in their own health.
- relationship between carer and service user under strain at times, limiting some aspects of the caring role or creating some risk of relationship breakdown.

Category 4: LOW NEEDS

Neglect or physical / mental health.

- few health problems indicating low risk to independence. Potential to maintain health with minimum interventions.
- preventative measures including reminders to minimise potential risk of harm.

Personal care and domestic environment.

- difficulty with one or two aspects of personal care or domestic routines, indicating little risk to independence.
- able to manage most basic aspects of domestic activities and environment.

Participation in community life.

- difficulty undertaking one or two aspects of work/learning/education responsibilities, indicating low risk to independence.
- difficulty undertaking one or two aspects relating to family responsibilities or social support networks, indicating low risk to independence.
- able to manage most aspects of family responsibilities and social support networks, posing some risk to independence.

Carers.

- carer able to manage most aspects of their caring and domestic role and responsibilities, indicating low risk.

- carer is able to manage most aspects of their family and work responsibilities, indicating low risk.
- relationship is maintained between client and carer by limiting aspects of the caring role.

7. Key Principles Underpinning the Eligibility Criteria

7.1 The following key principles should be adhered to when applying eligibility criteria in relation to social care services.

- Eligibility criteria should be applied only after an initial analysis of an individual's needs, taking account of the apparent urgency of their situation. Evidence based professional judgment is key to carrying out a thorough assessment and is vital to achieving better outcomes for people with social care needs. This should be carried out in line with our *Adults and Older People Local Operating Procedures*.
- The eligibility criteria should be applied fairly across all care groups and all existing as well as new service users. Application of the criteria should not discriminate between people's needs on any other basis apart from the associated risks to independent living and wellbeing.
- For individuals who meet the eligibility criteria, appropriate services will not necessarily mean they are provided in a date order of when placed on the waiting list, rather based on the level of need required.
- People who are not eligible for services under the criteria should be offered advice and information or be signposted to alternative sources of assistance.
- All those with assessed needs should be subject to regular review to ensure that their changing needs and level of priority for services are taken into account and Support Plans / services adjusted accordingly.
- *Involving people* - The whole process of assessment, care planning and review is a joint process, based on collaboration and communication with the individual and their carers. Their own priorities and preferences about how their needs might be met along with their view of what resources should be available to them should be discussed. Individuals should have a choice about how their needs will be met and any discussion or differing views on eligibility should be recorded in the assessment.
- *Maximising income* - Ensuring that people are aware of their benefit entitlement and supporting people to take this up should be a feature of every social work

intervention. It is especially important when eligibility criteria are being applied to target those in greatest need. People with lower-level needs not eligible for social work support may have to use appropriate benefits and alternative routes to meet their needs.

- As well as offering prompts and checks on benefit take-up, staff should direct people to the benefits agency or local advice centre for more specialist assistance, as appropriate.

8. Determining Eligibility

- 8.1 South Ayrshire Council's eligibility criteria promotes fairness and equity in the assessment and provision of social care services.
- 8.2 The application of the eligibility criteria begins at the screening stage and is **ongoing** throughout the assessment, support planning and ongoing review of an individual's situation. The provision of any formal or funded service provision is determined by the level of eligible needs. Funded services will be targeted at individuals with 'critical' needs.
- 8.3 Decisions around eligibility are based on the skilled judgement of the professionals and by adopting a collaborative approach throughout the assessment process.
- 8.4 Once outcomes have been identified, the provision of any services should be provided in line with what threshold level our eligibility criteria is set. Levels of eligibility are informed in terms of:
- Levels of risk – e.g. protection, lack of support.
 - Core self-care tasks – e.g. feeding, toileting.
 - Needs of carers – e.g. respite.
 - Other elements deemed necessary to quality of life – e.g. participation in community life.
- 8.5 The *Adults and Older People Local Operating Procedures* provides guidance on the key stages where decisions on eligibility will be made. These stages can be summarised as follows:
- Screening stage – the practitioner undertaking the screening will state the overall level of priority for the individual based on the current levels of need and risk and their analysis of the overall situation. This will provide the basis for the Screening Decision which will be approved by the Team Leader.
 - Reablement stage – the practitioner will apply the eligibility criteria post Reablement if there are ongoing social care needs. Consistent application at this

juncture will result individuals either going on to complete an assessment or being signposted to other services.

- Relevant assessment – in conducting assessment the practitioner will identify the individual's needs and any associated risks. The practitioner should then apply our eligibility criteria against each identified need. The purpose of applying the eligibility criteria is to determine a threshold and whether or not the individual's needs call for the provision of arranged services or whether they can be met by being signposted to alternative community resources.
- Review stage – during the review process the practitioner will reassess the priority level for each of the individual's stated needs – and any newly identified needs.

8.6 The flow-chart at Appendix One outlines the process for applying the eligibility criteria during the Service User Pathway.

8.7 Unless there are grounds for compulsory intervention, practitioners must respect the entitlement of any individual to decline the assistance for which they are considered eligible.

8.8 However, where the practitioner is of a view this would leave the person vulnerable the situation should be discussed with their respective line manager to ascertain whether other action is necessary.

9. 'Low', 'Moderate' and 'Substantial' Needs

9.1 If an individual has been assessed as having 'low', 'moderate' or 'substantial' needs they will not be prioritised for formal or funded Community Care Services.

9.2 Our assessment process is underpinned by the principle of having a 'good conversation' with service users; exploring their strengths and resources and the changes they would like to see happen. This approach is focused on prevention, self-management and building local supports and connections for service users which will lead to more resilience in our communities.

9.3 Where individuals have noncritical level of need ('low', 'moderate' or 'substantial'), the practitioner should offer appropriate advice and information or direct the individual to alternative community-based sources of assistance.

9.4 An individual with low to substantial needs should have their benefits maximised. Any additional benefits should then be considered as a financial means to meeting some of the presenting needs if appropriate (e.g. Attendance Allowance to enable someone to get housework or shopping done).

- 9.5 Staff should make use of the third sector support available through VASA (Voluntary Action South Ayrshire) and the Connect Hub. Practitioners will need to have a good (and up-to-date) knowledge of support available in the individual's local community or be able to access this information easily.

10. Timescales

- 10.1.1 Timescales for the provision of support are in line with COSLA Guidelines. Once critical needs have been identified support should be provided within 6 weeks, however this will be dependent on the resources being available within this time period.
- 10.1.2 Where an individual is currently waiting on services to commence, practitioners will ensure that the individual has access to community resources such as Connect South Ayrshire, Information and Advice Hub and community group resources.

11. Complaints about Social Care

- 11.1 The South Ayrshire Health and Social Care Partnership are committed to providing high-quality social care services. All comments and complaints are valued and used to help us to continuously improve our services.

If you are dissatisfied or want to make a suggestion about the service that you receive please let us know in one of the following ways:

Complete a form online through the Council's website: www.south-ayrshire.gov.uk/listeningtoyou.

Advice and Assistance

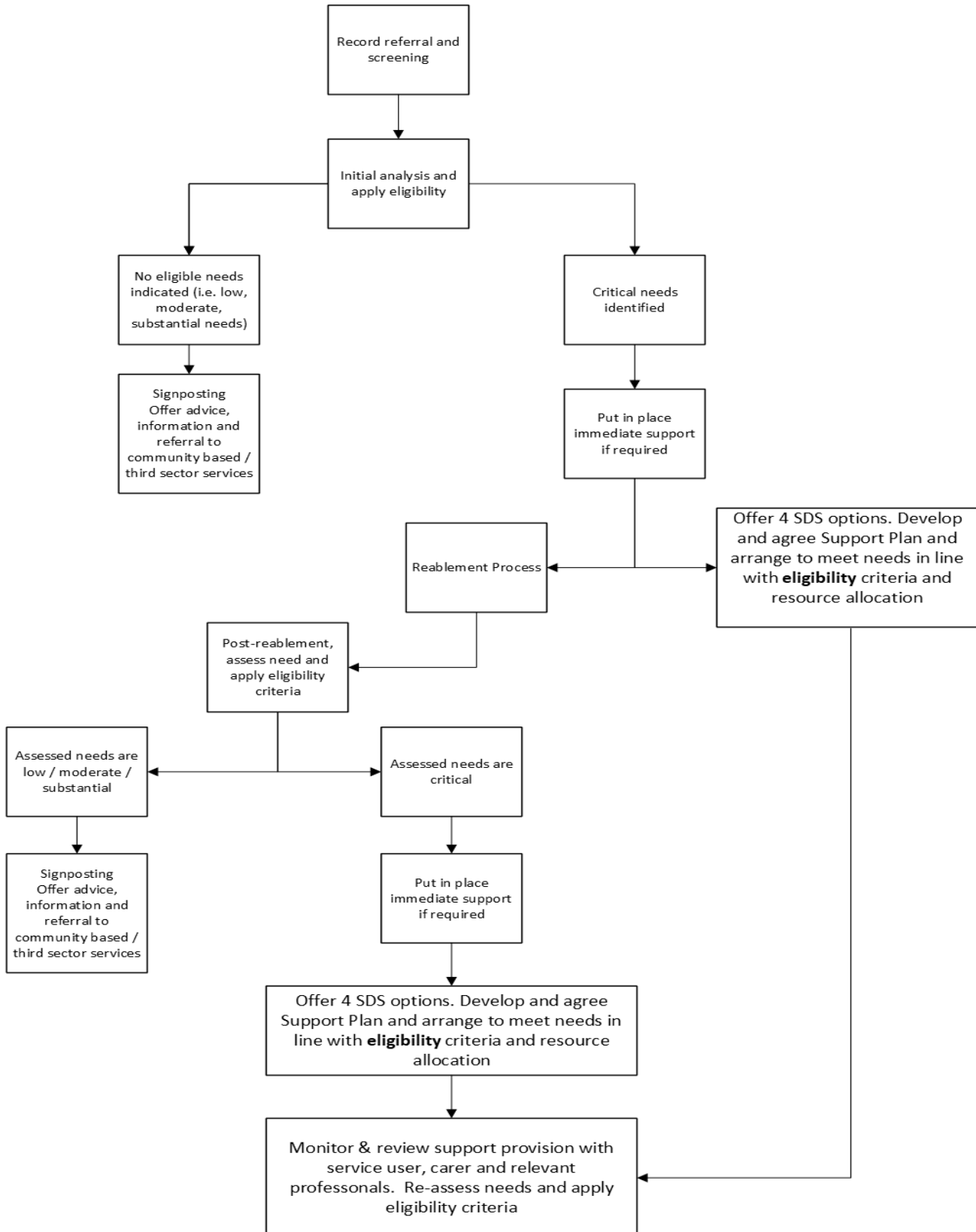
If you require any further advice and assistance in interpreting the information in this document, please contact:

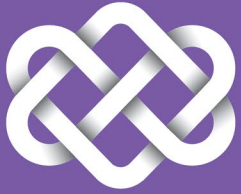
South Ayrshire Health and Social Care Partnership
Elgin House, Ailsa Hospital, Dalmellington Road
Ayr, KA6 6AB

Telephone: 0300 123 0900

12. Appendix One

Process for applying South Ayrshire Council's Eligibility Criteria





south ayrshire
health & social care
partnership

Resource Allocation Guidance Self-Directed Support (Adults and Older Peoples Services)

March 2026



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Document Information

Date of first issue:	2015
Approval status:	<i>Draft</i>
Current issue date:	March 2026
Review date:	March 2027
Contact:	<i>Principal Social Workers</i>

1. Purpose

- 1.1 These Management Guidelines have been produced to assist frontline practitioners and their managers with the appropriate allocation of Community Care resources to service users who have eligible needs under Self-Directed Support (SDS). This Guidance relates to those being provided services within Adults and Older Peoples Services. Resource allocation within Mental Health and Learning Disabilities Services can be found in their service specific guidance.
- 1.2 The aim of these guidelines is to ensure a fair, consistent and transparent approach to resource allocation across South Ayrshire. This internal, operational guidance explains the Health and Social Care Partnership's (HSCP) resource allocation model for SDS.
- 1.3 In South Ayrshire we are aligned to the national approach of Getting it Right for Everyone (GIRFE) in how we deliver information, advice and support across our communities. Our approach emphasises working together with individuals and their families and using all of our available resources to provide the right support at the right time. We will continue to embed GIRFE across all our practice and policy resources including these guidelines to ensure we have a fair, consistent and transparent approach to allocating resources across South Ayrshire.
- 1.4 This guidance complements the HSCP *Self-Directed Support Policy* as well as our [*Fair Access to Care and Eligibility Criteria policy*](#). The SDS Policy sets out our overall approach to delivering self-directed support in South Ayrshire.
- 1.4 The HSCP currently provides formal funded services to those assessed as having critical needs. We will provide advice and guidance to all individuals requesting support who do not currently have critical needs. Individual needs should be assessed against the categories below.

Category 1: CRITICAL NEEDS
<p><i>Neglect or physical / mental health.</i></p> <ul style="list-style-type: none"> • major health problems which present immediate threat of harm to self or others • serious harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination) • palliative or end of life care needs

Personal care and domestic environment.

- unable to meet vital or most personal care needs causing major harm or major risk to independence.
- unable to meet vital or most aspects of domestic routines causing major harm or major risk to independence.
- homelessness of a vulnerable person
- extensive / complete loss of choice and control over vital aspects of home environment causing major harm or major risk to independence.

Participation in community life.

- unable to sustain involvement in vital aspects of work/education/learning causing severe loss of independence.
- unable to sustain involvement in vital or most aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers

- major health difficulties due to impact of their caring role causing life threatening harm or danger.
- complete breakdown in the relationship between carer and service user and carer is unable to continue in their caring role.
- carer is unable to manage vital or most aspects of their roles and responsibilities.

Category 2: SUBSTANTIAL NEEDS

Neglect or physical / mental health.

- harm or neglect has occurred or is strongly suspected (including financial abuse and discrimination).
- significant health problems which cause significant risk of harm or danger.
- palliative or end of life care needs.

Personal care and domestic environment.

- unable to undertake many aspects of personal care causing significant risk of harm or significant risk to independence.
- unable to manage many aspects of domestic routines causing significant risk of harm or significant risk to independence.

- substantial loss of choice and control managing home environment causing a significant risk of harm or danger to self or others, or a significant risk to independence.

Participation in community life.

- unable to sustain involvement in many aspects of work/education/learning causing significant risk to independence.
- unable to sustain involvement in many aspects of family/social roles, responsibilities and contact causing significant distress or risk to independence.

Carers.

- significant health difficulties due to impact of their caring role causing significant risk of harm or danger.
- carer is unable to manage many aspects of their caring, family or employment responsibilities.
- significant risk of breakdown in the relationship between carer and service user and carer is unable to sustain many aspects of their caring role.

Category 3: MODERATE NEEDS

Neglect or physical / mental health issues.

- some health problems indicating some risk to independence and/or intermittent distress. Potential to maintain health with minimum interventions.
- need to raise awareness of vulnerable person to potential risk of harm.

Personal care and domestic environment.

- unable to undertake some aspects of personal care indicating some risk to independence.
- able to manage some aspects of domestic activities and/or home environment indicating some risk to independence.

Participating in community life.

- unable to manage several aspects relating to work/learning/education that, in the foreseeable future, will pose a risk to independence.
- able to manage some aspects of family roles and responsibilities, posing some risk to independence.

Carers.

- main carer able to manage some aspects of caring and family/domestic roles, posing some risk of breakdown in their own health.
- relationship between carer and service user under strain at times, limiting some aspects of the caring role or creating some risk of relationship breakdown.

Category 4: LOW NEEDS

Neglect or physical / mental health.

- few health problems indicating low risk to independence. Potential to maintain health with minimum interventions.
- preventative measures including reminders to minimise potential risk of harm.

Personal care and domestic environment.

- difficulty with one or two aspects of personal care or domestic routines, indicating little risk to independence.
- able to manage most basic aspects of domestic activities and environment.

Participation in community life.

- difficulty undertaking one or two aspects of work/learning/education responsibilities, indicating low risk to independence.
- difficulty undertaking one or two aspects relating to family responsibilities or social support networks, indicating low risk to independence.
- able to manage most aspects of family responsibilities and social support networks, posing some risk to independence.

Carers.

- carer able to manage most aspects of their caring and domestic role and responsibilities, indicating low risk.
- carer is able to manage most aspects of their family and work responsibilities, indicating low risk.
- relationship is maintained between client and carer by limiting aspects of the caring role.

2. Our approach to allocating Community Care resources

- 2.1 The Social Work (Scotland) Act 1968 requires local authorities to ensure that advice, guidance, and/or assistance are provided to any persons who require it. Where an individual meets the critical eligibility criteria, assistance may be provided for the individual to access resources (formal funded support) to meet their assessed needs.
- 2.2 The professional judgement of the practitioner working alongside the individual and their carer is central to the assessment process. Adopting a co-productive approach to assessment and support planning, coupled with applying our eligibility criteria will ensure the allocation of resources is both transparent and equitable.
- 2.3 Under South Ayrshire Health and Social Care Partnership's eligibility criteria, directly-funded Community Care services will be targeted at individuals assessed as having 'critical' needs. Individuals with 'substantial' 'moderate' or 'low' needs will continue to receive advice and guidance and be signposted to alternative forms of community support.
- 2.4 South Ayrshire utilises an 'equivalency model' for the allocation of resources under self-directed support. This means that an individual with eligible needs (and choosing SDS Option One – Direct Payment or Option Two – Individual Service Fund ISF) will be entitled to a personal budget which is equivalent to the cost of arranging traditional services to meet these needs. The 'equivalency model' means that whichever one of the four SDS options is chosen, no individuals will be placed at a disadvantage. You can find the Equivalency Rate within the Self-Directed Support Guidance (2026/2027).
- 2.5 Any individual who is not satisfied with the level of resources they have been allocated should in the first instance discuss this with the practitioner and their manager, if required. In the event of informal discussions not resolving an issue, the individual should be made aware of the Council's [Listening to You](#) procedure.

3. Consistent resource allocation

- 3.1 Our aim is to ensure a fair, consistent and transparent approach to resource allocation under SDS. To achieve this aim, practitioners making decisions on resource allocation should follow the framework contained in the remainder of this guidance.

- 3.2 The framework sets out the expected level of provision to be allocated following a community care assessment that evidences critical needs. Following the assessment, we will allocate the relevant support/resources required.
- 3.3 The decision-making process on resource allocation will have three steps:
- The practitioner's recommendation and the identification of critical care needs through the My Life My Outcomes assessment process.
 - Options are then explained to the individual for them to make a choice.
 - The practitioner's recommendations will then be subject to agreement by the Team Leader.
- 3.4 Within the allocation of resources, Team Leaders are able to approve up to £20,000 of a personal budget. Personal budgets have an upper limit that requires approval from a Principal Social Worker. For budgets up to £100,000 a Senior Manager will review and approve. Budgets over £100,000 will require to be submitted and reviewed by the Directorate Management Team (DMT) Resource Allocation Group, chaired by the Head of Community Health and Care Service.

4. Carers

4.1 Short Breaks

4.2 In line with the [Carers \(Scotland\) Act 2016](#), we have a statutory duty to provide short breaks.

4.3 Following the completion of a carers support plan, if someone is assessed as having critical needs to continue in their caring role and formal services may be required, this can be offered in the form of a short break. We will allocate the equivalent of up to a maximum of 2 day of traditional day care as detailed in the Self-Directed Support Guidance.

4.4 Respite

4.5 In line with good practice a Carer's Assessment should be completed prior to any request for formal respite services. The need for respite services designed to meet the eligible critical needs of the carer should be identified in the Carer's Assessment.

- Respite should be planned and linked to meeting the personal needs of carers. The level of provision should be appropriate to meeting these needs.
- Following a robust carers support assessment, where individuals meet the critical criteria for those who require respite can access up to a maximum of 28 days
- The amount of respite support allocated to an individual should not exceed **28 days every 12 months**. A request for additional respite will require to be clearly

explained through the Assessment process and subject to agreement by both the Team Leader and Principal Social Worker.

5. Signposting to other support providers

- 5.1 If an individual has been assessed as having 'substantial', 'moderate', or 'low' needs, they will not access directly funded Community Care Services.
- 5.2 Our My Life My Outcomes assessment process is underpinned by the principle of having a 'good conversation' with service users; exploring their strengths and resources alongside the changes they would like to see happen. This approach is focused on prevention, self-management and building local community connections for service users which will lead to more resilience in our communities.
- 5.3 Not Everyone will require a My Life My Outcomes assessment and will receive appropriate signposting through the Response Social Work Team.
- 5.4 Where individuals have lower levels of need ('substantial', 'moderate' or 'low'), the practitioner should offer appropriate advice, guidance and information that direct the individual to alternative sources of assistance.
- 5.5 Staff should make use of Connect Model to appropriately signpost individuals and their carers to third sector organisations that offer support in their locality area. Practitioners should also have knowledge of other local support available in the individual's local community or be able to access this information easily.

6. Review Process

- 6.1 Each individual will have their formal supports reviewed on an annual basis. These can be reviewed at an earlier date in situations where this is deemed necessary.
- 6.2 The review process will be based on the critical needs criteria. As an individual's circumstances may change over time, their eligibility for support will be reassessed at appropriate intervals. Where a review determines that an individual no longer meets the critical needs criteria, they will be signposted to suitable alternative services that can meet their level of need. In such cases, access to formal services provided under this policy will be withdrawn.

6.3 An individual may continue to meet the critical care criteria; however, their level of support may be reduced where improvements in their health or care needs are identified. The practitioner undertaking the review assessment will explain the rationale for any proposed changes and will work collaboratively with the individual, and where appropriate their carer, to determine the most suitable level of support.

6.4 This process is in line with the Self-Directed Support Guidance and further information can be found within this document.

DRAFT

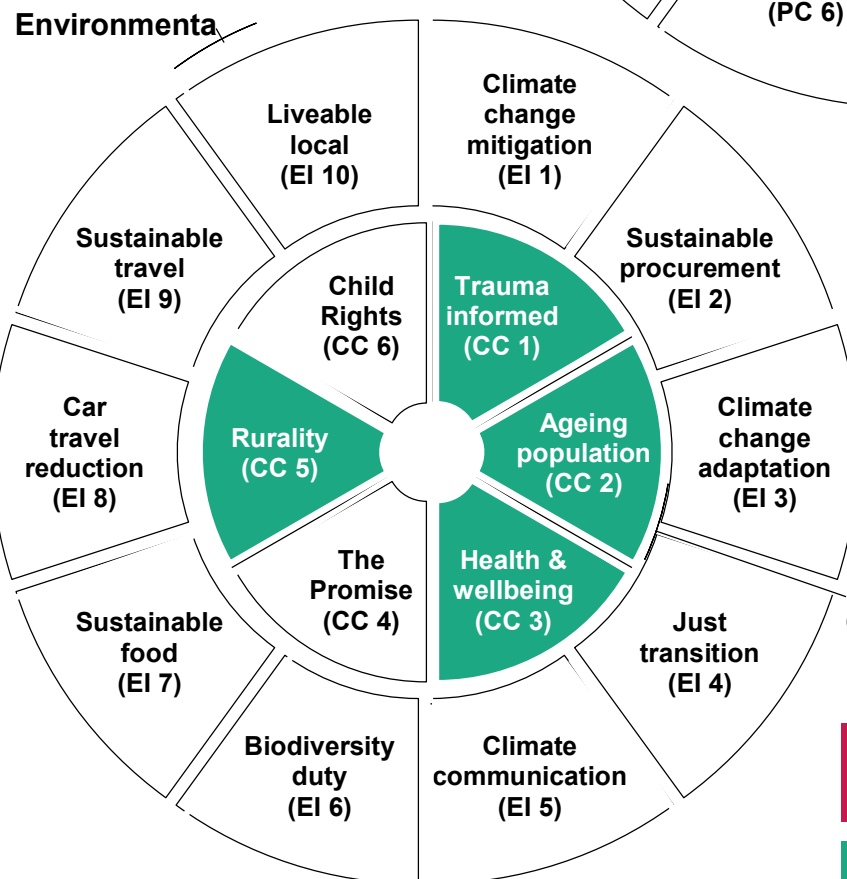
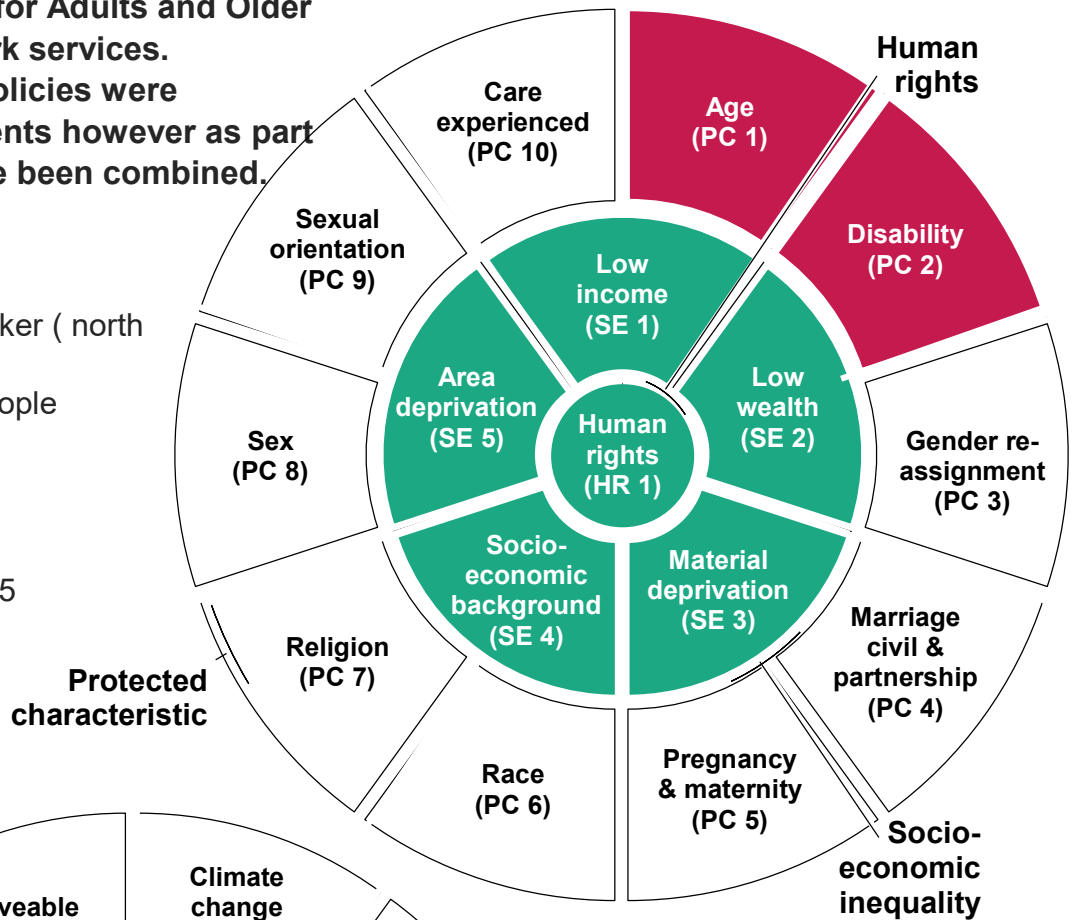
Integrated Impact Assessment Summary Report

We are currently reviewing and updating the Fair Access to Care and Eligibility Criteria for Adults and Older People Social Work services. Previously both policies were individual documents however as part of the refresh have been combined.

Completed by:

Mark Halpin,
Principal Social Worker (north locality) ,
Adults and Older People Services

Date started 04/06/25



To be implemented on:

September 2025

Review date:

every 2 years

Oversight Panel:

Social Work Governance Board

negative impact	uncertain / not clear
positive impact	no impact / not applicable

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

The guidance will ensure a consistent approach regardless of any protected characteristics

Advancing equality of opportunity?

The guidance will ensure a consistent approach regardless of any protected characteristics

Fostering good relations?

The guidance will ensure a consistent approach regardless of any protected characteristics

Consultation declaration

We confirm consultation has been carried out as part of this process.

impacts)

EQUALITIES: impact on protected characteristics

PC 1	Age	The document takes cognisance of the ageing population in South Ayrshire and the increasing dependency ratio. The guidance also considers specific health issues. Any adult over the age of 18 will all go through the same assessment for eligibility regardless of how old they are.
PC 2	Disability	Specialist services for learning disabilities and sensory impairments are provided by a separate health and social care service and would oversee the support for individuals who have a disability. The eligibility criteria will be applied fairly across all care groups and all existing as well as new service users. Application of the criteria will not discriminate between

South Ayrshire Council

Report by Director of South Ayrshire Health and Social Care Partnership to Cabinet of 26th May 2026

**Subject: South Ayrshire Health and Social Care Partnership –
Social Care Day Care Charging Implementation**

1. Purpose

- 1.1 The purpose of this report is to present a proposal to implement day care charges for attendance at Adult and Older People Day care services.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 Notes the consultation on day care charging and feedback received.**
- 2.1.2 Notes benchmarking information on day care charging.**
- 2.1.3 Approves the implementation and proposed Day Care Charge of £10 payable by South Ayrshire residents in receipt of Day Care Services from 15th June 2026 with a maximum £20 weekly charge.**
- 2.1.4 Approves the proposed Day Care Charge to other Local Authorities is set at the actual cost of delivering the service.**
- 2.1.5 Notes service users' entitlement to benefits will be maximised.**
- 2.1.6 Notes Social Care Charging Policy for Non-Residential and Residential includes guidance for waiving or abating non-residential charges in cases of financial hardship or in other exceptional circumstances.**

3. Background

- 3.1 Since the introduction of Community Care and Health (Scotland) Act 2002, local authorities have been permitted to charge for non-residential social care support with the exception of personal care. The Convention of Scottish Local Authorities (COSLA) issue annual guidance which defines a set of principles to underpin the development of local charging policies for social care support for people at home. It is managed by the COSLA Charging Guidance Working Group and any change to guidance requires approval by the political leadership of COSLA.

- 3.2 Income generated through charges represents an important revenue stream for the Council. All income from social care service charges is reinvested through the Health and Social Care Partnership to sustain and develop services, thereby supporting the Council in delivering services within available financial resources.
- 3.3 South Ayrshire Integrated Joint Board (IJB) approved the implementation of Day Care Charging on the 9th of October 2019, with a plan to implemented in March 2020. However, this was never acted upon due to the Covid pandemic in March 2020 and the closure of day care for infection prevention measures. In February 2021 an Independent Review of Adult Care in Scotland was published this included a recommendation to remove non-residential social care charging. To date this recommendation has not been implemented or funded by the Scottish Government.
- 3.4 As part of the budget setting process for 2026-27, the IJB Budget Working Group recommended that day care charging should be implemented to address the existing income budget of £0.204m, which has remained a budget pressure since 2020, and to generate an additional £0.100m in 2026-27.
- 3.5 South Ayrshire Council charges are set in line with statutory requirements and National Guidance and are subject to approval by elected members.

4. Detail

- 4.1 Day Care provision within South Ayrshire offers a safe and inclusive environment for older vulnerable adults and younger adults with disabilities. The service aims to reduce isolation, promote wellbeing, and support individuals to maintain independence by providing social opportunities, alongside mental, and physical stimulation, essential care, monitoring, and coordination with other services.
- 4.2 The total annual cost of delivering Day Services in 2025-26 was £2.420m. The cost of Older People's Day care costs ranges from £74.13 to £80.06 per person per day depending on location. Adult day care costs range from £97.69 to £110.95 per person per day also depending on location.
- 4.3 South Ayrshire Council are one of the few local authorities who do not charge for day care. A benchmarking exercise was conducted using data from COSLA non-residential care and support charging survey 2024-25, the most recent data available. This indicated 24 of Scotland's 32 Local Authorities charge for day care, with charges ranging from £2.08 to £76 per day, with an average daily charge of £29.27.
- 4.4 Within the social care budget, an income target of £0.204m was originally expected to be achieved from the implementation of day care charging in March 2020. As noted above, these charges were not introduced due to the Covid pandemic and closure of day care. The subsequent Independent Review of Adult Care in Scotland published in February 2021 recommended the removal of non-residential social care charging.
- 4.5 The removal of non-residential social care charging has not been mandated by the Scottish Government. Any such change would require additional Scottish Government funding to offset the resulting loss of charging income.
- 4.6 The IJB Budget Working Group recommended that day care charging should be implemented as part of the 2026-27 budget process to meet the existing income

budget of £0.204m and generate an additional £0.100m in 2026-27. An initial proposal of a £15 daily charge, capped at £30 per week was put forward for public consultation, with final proposals to be presented to Cabinet for approval following consideration of consultation feedback.

- 4.7 A consultation was undertaken over a 7-week period, from 23rd February 2026 to 13th of April 2026. Participants were asked to respond to a set of questions on the proposed implementation of day care charges. The survey was available both online and in paper format.
- 4.8 The consultation survey included the following questions, with participants also given the opportunity to provide additional comments. Analysis of the feedback is provided in Appendix 1 Day Care Services Charging Consultation Results.
- We are proposing a charge of £15 per day for Day Services with a weekly maximum of £30. Do you agree or disagree with this proposal.
 - If these charges were introduced, would support from our Information and Advice Hub be helpful for you?
 - If charges were introduced, would this make you less able or unable to attend day services?
 - Would there be other groups or opportunities you could consider attending in place of day care?
 - Do you have any other comments you would like to share with us?
- 4.9 The survey received 121 responses; this includes one letter received with comments. Out of 244 people who receive day care support this represents a significant level of engagement and provides a meaningful indication of views on Day Care Charging.
- 4.10 Responses to the proposal to introduce a £15 daily charge, capped at £30 per week, reflected mixed opinions. Overall, 46% (55 respondents) agreed or strongly agreed. 36% (43 respondents) disagreed or strongly disagreed with the proposal. A further 18% (22 respondents) selected not sure.
- 4.11 The main concern was affordability of the £15 daily charge to a maximum of £30 per week was considered excessive.
- 4.12 In response to consultation, a revised proposal has been developed to introduce a charge of £10 per day, capped at £20 per week. This charge represents a contribution towards the overall cost of day care provision and incorporates charges for meals (where currently provided) as well as transport.
- 4.13 Day care services can also be provided to individuals funded by other Local Authorities, where the service user may reside near the border or be in receipt of care within South Ayrshire funded by another local authority. In this instance it is proposed that the relevant local authority will be charged the full daily cost of delivering the service
- 4.14 Day Care charges will be reviewed annually as part of the IJB budget process, with any proposed increases presented to Cabinet for approval.
- 4.15 Care Managers will ensure all service users receive appropriate benefits advice and their entitlement to benefits is fully maximised.

- 4.16 The Social Care Charging Policy (Non-Residential and Residential) provides guidance on waiving or abating non-residential charges in cases of financial hardship or in other exceptional circumstances. This will be assessed on a case-by-case basis and approved by the relevant Head of Service. COSLA national guidance states “Council’s should exercise local discretionary powers to apply flexibility in cases deemed appropriate. It is neither necessary or desirable to issue guidance on how these powers would be applied as such guidance would remove discretion and impose prescription.” COSLA advice is to keep records of decisions as good practice.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 The proposals in this report will provide £0.058m of additional funding to assist the HSCP in balancing the budget for 2026-27 and ensure sustainability of service delivery.

7. Human Resources Implications

- 7.1 There are no human resource implications.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 There is a risk that service users may stop using services due to an inability to pay, this risk will be mitigated by ensuring service users benefits are maximised and they are in receipt of all benefits they are entitled to.

8.2 Risk Implications of Rejecting the Recommendations

- 8.2.1 Rejection of the recommendations will increase the financial burden to the Health and Social Care Partnership.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An Integrated Impact Assessment has been carried out on the proposals contained in this report, which identifies potential negative impacts. The IIA Summary Report is attached as Appendix 2 which includes information on any mitigation or follow-up action required.

A copy of the fully completed IIA can be accessed here <https://southayrshiregovuk.sharepoint.com/:x/r/sites/IntegratedImpactAssessment/Shared%20Documents/IIA%20->

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

Consultation and engagement were carried out on the initial proposals with the final proposal reflecting feedback from responses received.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services and the report aligns with the IJB Strategic Priority "We are an ambitious and effective partnership".

13. Link to Shaping Our Future Council **Yes** ✓ **No** ☐

- 13.1 The implementation of day care charging will contribute to £0.058m of funding to Health and Social Care Partnerships budget, this contribution will help sustain delivery of social care provision in day care.

14. Results of Consultation

- 14.1 There has been a consultation on the implementation of day care charges.
- 14.2 Appendix 1 – Day Care Services Charging Consultation.
- 14.3 Consultation has taken place with Councillor Hugh Hunter, Portfolio Lead for Health and Social Care Partnership, and IJB Budget Working Group includes all SAC voting members. The contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking

- 15.1 If the recommendations above are approved by Members, the Director of South Ayrshire Health and Social Care Partnership will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Implementation of Day Care Charges 15 th June 2026	June 2026	Service Lead - Revenue and Benefits

Background Papers **None**

Person to Contact **Lisa Duncan, Chief Finance Officer HSCP**
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Date: **17th April 2026**



south ayrshire
health & social care
partnership

Day Care Services Charging Consultation Results

16th April 2026



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Background

South Ayrshire Health and Social Care Partnership is considering introducing a small charge for individuals attending Day Services.

Since the introduction of Community Care and Health (Scotland) Act 2002, local authorities are able to charge for non-residential social care support with the exception of personal care. The Convention of Scottish Local Authorities (COSLA) produce annual guidance which defines a set of principles to underpin the development of local charging policies for social care support for people at home. It is managed by the COSLA Charging Guidance Working Group and any change to guidance requires approval by the political leadership of COSLA.

Charges are an important source of Council income and all income from social care service charges are reinvested through funding the Health and Social Care Partnership in order to maintain and develop services and in so doing are a means to help the Council deliver services within available resources. South Ayrshire Council charges are set in line with statutory requirements and National Guidance and are subject to approval by elected members. Day care services are provided to older people and adults and delivered by inhouse Council Services. Charging for day care was previously approved in 2019; however, this has never been implemented. Implementation was paused during the Covid pandemic due to social isolation restrictions, then paused due to Scottish Governments commitment to remove non-residential charging. The HSCP are now in a position where raising charges is necessary to continue to deliver services.

A benchmarking exercise was conducted as part of the budget process for 2025-26, this highlighted 24 out of 32 Local Authorities charge for day care, with charges ranging from £2.08 per day to £76 per day. The cost of delivering Older People's Day care ranges from £74.13 to £80.06 per day dependent on location. Adult's day care ranges from £97.69 to £110.95 per day dependent on location. It is proposed to implement a flat rate day care charge of £15 per day, up to a maximum of £30 per week, equivalent to 2 days day care.

The proposal introduces a client contribution of £15 per day for attendance at council day services, with a maximum weekly charge capped at £30. The charge is intended to contribute towards the costs of providing day services, including staffing, transport, activities and support, while helping to ensure the continued sustainability of services at a time of significant financial pressure.

The weekly cap is designed to limit overall costs for individuals who attend more frequently, ensuring that no one pays more than £30 per week regardless of the number of days attended. This approach seeks to balance affordability for service users with the need to maintain essential preventative and supportive services.

Legislation

The legal basis for charging non-residential social care services is the Social Work (Scotland) Act 1968, (as amended) and Community Care and Health (Scotland) Act 2002.

Further information is available at: [Community Care and Health \(Scotland\) Act 2002](#)

South Ayrshire Day Service Provision

There are 3 centres which provide Day Services in South Ayrshire

- [Overmills Day Centre- Ayr](#)
- [Nursery Court Day Service - Girvan](#)
- [Arran View Support Service - Ayr](#)
- [Girvan Opportunities](#)

Table 1: Day Service figures for week commencing 13/04/26

	Overmills	Nursery Court	Arran View	Girvan Opportunities
Total number of people using day service per week	130	70	27	17
Number of places per week	134	106	83	44
Number of people allocated 1 day	130	40	0	0
Number of people allocated 2 days	4	24	0	7
Number of people allocated 3 days	0	6	25	10
Number of people allocated 4 days	0	0	2	0
Number of people allocated 5 days	0	0	0	0

South Ayrshire Day Services
currently support
244 people weekly

Method:

The consultation took place from the 23rd of February 2026 - 13th of April 2026, over a 7 week period. Participants were asked to complete a set of questions (Appendix 1 p.25). The questions were available to complete online and hard copies were also available. An easy read version was available for individuals attending Arran View and Girvan Opportunities.

120 surveys were completed, 62 online and 58 hard copies were returned. There was also one letter received with comments about the proposal to introduce Day Service charges, which has been included in the analysis.

121
people took part in the consultation

The following section illustrates what people have told us about the proposal of introducing day service charges in South Ayrshire.

Findings:

We asked if people agreed or disagreed with the proposal to introduce £15 per day for day services , with a maximum weekly charge of £30.

They told us:

Chart 1: Do you agree or disagree with introducing charges for Day Service provision?



Overall, the responses indicate mixed views on introducing a £15 daily charge (maximum £30 per week):

- A total of 120 responses were received to the question relating to the proposal to introduce a charge for Day Service provision in South Ayrshire.
- A plurality of respondents expressed support for the proposal, with **46%** (55 respondents) indicating that they *agreed* or *strongly agreed*. Of these, **38%** agreed and **8%** strongly agreed.
- However, a significant proportion of respondents expressed opposition. **36%** (43 respondents) indicated that they *disagreed* or *strongly disagreed* with the proposal. Notably, **23%** of respondents selected *strongly disagree*, compared to **8%** who selected *strongly agree*, suggesting stronger strength of feeling among those opposed.
- A further **18%** (22 respondents) selected *not sure*, indicating a degree of uncertainty or a need for further information among some respondents.
- There is more support than opposition, but support is not overwhelming.
- Strong opposition is more prevalent than strong support, highlighting sensitivity around charging for Day Service provision.
- In summary, while more respondents supported the proposal than opposed it, support was not unanimous, and a substantial minority expressed strong concerns. The proportion of respondents who were unsure highlights the importance of clear communication around the rationale for charging, the mitigation measures in place (including the weekly cap), and the potential impact on individuals.

Respondents were asked to share why they agreed or disagreed with the proposal.

88 people answered. Responses show a wide range of views, but most fall into 8 consistent themes.

Value of the Service Is Widely Recognised:

Many respondents strongly emphasised that Day Services are:

- A lifeline for older people and people with disabilities
- Essential for social interaction, mental wellbeing, routine and stimulation
- Highly valued by unpaid carers as a source of short break

Common sentiments included:

- “A great service”, “excellent”, “wonderful facilities”
- Staff described as caring, dedicated and appreciated
- Services seen as essential to maintaining independence and preventing isolation

Some respondents stated they would rather pay something than lose the service entirely.

Affordability Is the Main Concern:

The single strongest theme was concern about affordability, particularly for:

- People on the state pension only
- Those attending multiple days per week
- People already paying for other services (care charges, community alarms, meals, council tax)

Repeated concerns included:

- £15 per day or maximum £30 week amounts to an additional outgoing of **£60 or £120 per month**
- Additional costs such as:
 - Lunch charges- is lunch included in the charge?
 - Community alarms cost has increased
 - Transport- is this included in the charge?
 - Rising council tax and energy bills

Several respondents described the charge as:

- “Too much”, “steep”, “a big hit”, or “unaffordable”
- Likely to put people off attending, increasing isolation
- Particularly difficult given the cost of living crisis

There is strong anxiety that the charge could reduce access for the most vulnerable.

Scale and Speed of Increase:

Many respondents objected not just to the charge itself, but to:

- The size of the increase , £0 to £15
- The move from free to paid provision
- Lack of phasing or staged implementation

Specific points raised:

- Pension increases being far lower than proposed charges
- Charges rising faster than council tax or benefits
- Requests that increases be introduced gradually

Repeated Calls for a Lower Daily Charge:

A very common alternative suggestion was:

- £10 per day rather than £15
- Often paired with:
 - A weekly cap
 - If a lunch charge is separate or included

This was frequently framed as:

- A fair contribution
- Less punitive for those attending once a week
- More realistic for people on fixed incomes

Clarity on What the Charge Includes :

A large number of responses asked the same unanswered questions, including:

- What exactly counts as a “day service”?
- Is lunch included in the £15 charge?
- Is transport and included in the £15 charge?
- How was the £15 figure calculated?
- Will there be exemptions or support for low-income users?
- Can the charge be reduced or phased in?
- How will income raised be used?
- What consultation has taken place with individuals on what is included?

Lack of clarity created frustration and difficulty in judging fairness.

Equality, Fairness and Ethical Concerns:

Many respondents framed their objections in terms of fairness:

- People having “paid their dues” through lifelong taxation
- Perception that vulnerable people are being penalised for ill health
- Concern that services providing prevention and early intervention could become inaccessible, leading to:
 - Greater pressure on carers
 - Increased hospital admissions
 - Earlier crises and higher long-term costs

Several respondents felt charging contradicted:

- Shifting the balance of care to the community
- Prevention strategies

Support for Paying a Contribution (Conditional Support):

A significant minority supported charging, with conditions:

- Contributions seen as reasonable if they:
 - Protect the service from closure
 - Represent value for money
 - Are affordable and fair

Supportive responses often stated:

- “You can’t expect everything for free”
- “Preferable to losing the service”
- “Other councils already charge”

However, even supportive respondents frequently expressed concern for others who may struggle to pay.


Concerned reactions:

Some responses expressed concerns, including:


- Perception that money would not be reinvested into Day Services
- Belief that funds would “fill budget gaps”
- Strong language expressing frustration with council finances

While fewer in number, these responses were highly emotive.


Quotes:



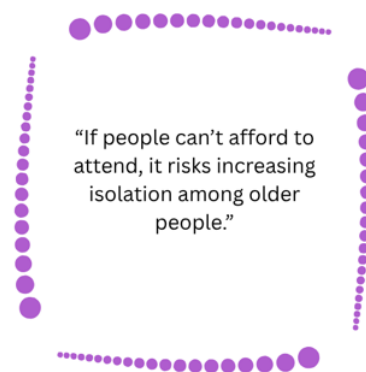
“Paying something towards the service is better than losing it altogether.”




“The increase feels too steep – it’s a big jump compared to pension and benefit rises.”




“A lower daily charge, such as £10, would feel fairer and more manageable.”



“If people can’t afford to attend, it risks increasing isolation among older people.”



“A client contribution is appropriate – the council cannot pay for everything and services need to be sustained.”



“For transport, activities, staff support and lunch, £15 feels like reasonable value.”

Summary:

Respondents overwhelmingly value Day Services and recognise their importance for wellbeing, independence and unpaid carer short breaks. While some support paying a contribution to help sustain services, the proposed £15 daily charge raised significant concerns around affordability, especially for those on fixed or low incomes. Many felt the size and speed of the increase were excessive and could deter attendance, increasing social isolation and pressure on carers. There was strong support for a lower daily charge, clearer information on what is included, and protections for the most vulnerable users.

Respondents were asked if the charges were introduced , would support from our Information and Advice hub be helpful to you, to for example check that you are receiving all of the benefits that you are entitled to?

Chart 2: Would you like support from the Information and Advice hub?



*Percentages shown in this chart show more than 100% because figures are rounded to the nearest whole number, which causes slight variations in totals.

Responses were evenly split, showing mixed levels of interest in accessing support from the Information and Advice Hub.

- **Yes:** 51 respondents (**43%**)
- **No:** 45 respondents (**38%**)
- **Not sure:** 24 respondents (**20%**)

Key messages

- A significant proportion (**43%**) indicated that they would welcome support from the Information and Advice Hub, suggesting clear demand for advice or guidance alongside changes to Day Services.
- A similar proportion (**38%**) stated that they would not require support, which may reflect confidence in managing independently, support from family, or existing advice arrangements.
- Over one fifth of respondents (**20%**) were unsure, indicating potential lack of awareness about what the Information and Advice Hub offer or how it could help.

Overall, the findings suggest that while support from the Information and Advice Hub (IAAH) would be valuable for many people, clearer communication about the purpose, scope and benefits of the IAAH may help those who are currently unsure to assess whether it could meet their needs.

Respondents were asked why they did or did not want to access support from the Information and Advice hub. They told us :

Summary of reasons provided:

48 people responded showing mixed views on the need for support from the Information and Advice Hub, with comments broadly falling into three main groups:

- Those who do not need support
- Those who would welcome support
- Those who recognise its value for others even if not for themselves

Reasons for not needing support:

Many respondents stated that they did not require assistance because they felt their situation was already clear or supported. Common reasons included:

- Belief that they are already receiving all benefits they are entitled to
- Recent or completed Social Work or financial reviews
- Support already provided by:
 - Family members
 - Professional roles in families (e.g. a daughter working in benefits)
 - Previous advice services (e.g. Age Concern)
- Having no expectation of financial gain
- Feeling content or stable in their current circumstances

Some respondents also indicated practical barriers, such as:

- Work commitments preventing attendance
- Lack of perceived relevance
- Belief that seeking advice would not change affordability

A small number expressed concern about:

- Privacy and personal financial information
- The perception that advice provision shifts responsibility away from service providers

Reasons for wanting support

Respondents who supported access to the Information and Advice Hub highlighted several key needs:

a) Navigating a complex benefits system

Many described the benefits system as:

- Confusing
- Frequently changing
- Difficult to access or understand

Support was seen as helpful for:

- Checking benefit entitlement
- Ensuring people are not missing out on support
- Understanding what may be available now or in the future

b) Help with forms and processes

Several respondents specifically mentioned:

- Difficulty completing forms
- Challenges with technology or lack of internet access
- Struggling with systems that rely heavily on verbal or digital communication

c) Access to timely information

Some respondents felt that:

- Information is hard to find while waiting on Social Work input
- People can feel “stuck” without guidance at critical points
- Earlier access to advice could prevent crises or escalation of need

d) Supporting independence

A number of responses highlighted that the Information and advice hub :

- Enable self-management
- Help people remain independent in the community
- May reduce reliance on unpaid carers

Recognition that support may be more important for others

Even respondents who did not feel they personally needed help often commented that:

- Some of the most vulnerable people would not know where to go for help
- Older people, carers and those new to the system may struggle
- Lack of digital access increases inequality

- Even with maximised benefits, additional charges can represent a substantial proportion of income

There was recognition that:

- Information and advice hub could give people hope and reassurance
- Knowledge could help people make informed choices about service use

Lack of clarity about the Information and Advice Hub:

A repeated theme was uncertainty about:

- What the Information and Advice Hub does
- How it differs from advice already provided by Social Workers or other agencies
- Whether it affects eligibility or access to Day Services

This uncertainty influenced some respondents' reluctance or ambivalence.

Quotes :

“Social Work has recently completed a review, so further advice is not needed.”

“Even with benefits maximised, charges can still take a large part of income.”

“I do not fully understand what the Information and Advice Hub does.”

“Support with understanding benefits and completing forms would be helpful.”

“Sometimes it’s difficult to know what you are due without help.”

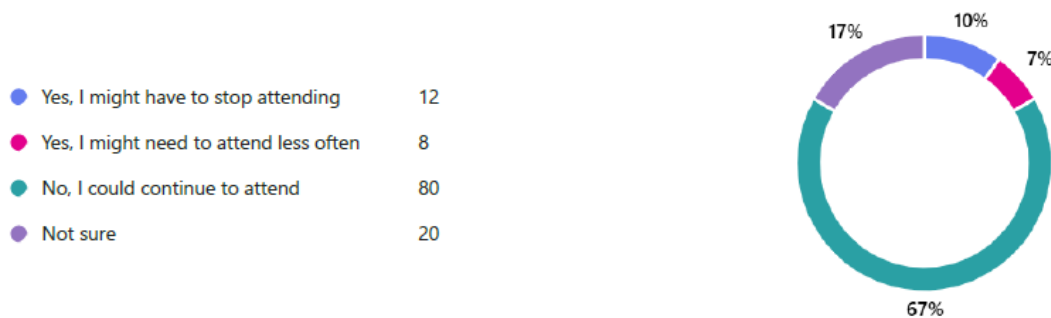
“We struggle with technology and accessing information on our own.”

Summary:

Overall, responses suggest that while many people feel confident they do not personally require additional advice, there is strong recognition that the Information and Advice Hub could play a valuable role, particularly for those who are vulnerable, digitally excluded, or unsure of their entitlements. Clearer communication about the Information and Advice Hub's purpose, accessibility and scope may help people better understand how it could support them.

We asked If charges were introduced, would this make you less able or unable to attend Day Services? Respondents told us :

Chart 3: If charges were introduced would you be less able/ unable to attend Day services?



*Percentages shown in this chart show more than 100% because figures are rounded to the nearest whole number, which causes slight variations in totals.

Summary of Responses:

Responses indicate that while the majority of respondents felt they could continue to attend Day Services, a significant minority reported potential impacts on their ability to attend.

- No, I could continue to attend: 80 respondents (**67%**)
- Yes, I might have to stop attending: 12 respondents (**10%**)
- Yes, I might need to attend less often: 8 respondents (**7%**)
- Not sure: 20 respondents (**17%**)

Most respondents (**67%**) indicated that they would be able to continue attending Day Services. However, **17%** of respondents stated that they may be less able or unable to attend, either by stopping attendance altogether or attending less frequently.

A further **17%** were unsure, suggesting uncertainty about affordability or the longer-term impact of the proposed changes. Combined, these responses indicate that around one third of respondents either

anticipate or are uncertain about a negative impact on attendance, highlighting potential risks to accessibility for some individuals.

Respondents provided a range of reasons explaining their ability to continue attending Day Services if charges are introduced. Responses reflected a balance between the perceived value of the service and individual financial circumstances.

Reasons respondents would be able to continue attending:

48 people responded and many indicated that they would be able to continue attending because:

- They feel the proposed charge represents good value for money, given the social, emotional and practical benefits of the service.
- The service provides an important opportunity for social interaction, stimulation and routine, particularly during winter months.
- Attendance supports mental wellbeing, reduces isolation and enhances quality of life.
- The service provides essential respite for unpaid carers, helping them to cope and maintain their own wellbeing.
- They attend once a week or infrequently and consider the cost manageable at that level.
- Some respondents indicated they could use specific benefits (e.g. Pension Age Disability Payment) towards the cost.
- Several described the Day Service as the highlight of the week or the only opportunity to leave the house.

Several respondents stated that while they personally may not be impacted, they were confident the cost would affect others who rely heavily on the service.

Reasons respondents may be less able or unable to continue attending:

Other respondents expressed concern that attending would become more difficult or unaffordable due to:

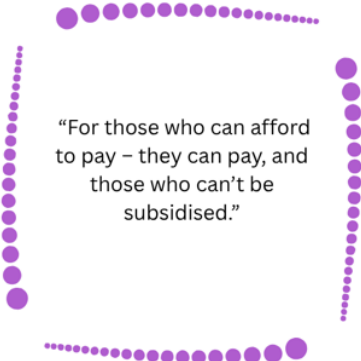
- Increasing financial pressures, including rising household bills, food costs and transport costs.
- Living on a tight or fixed income, requiring difficult prioritisation of essential spending.
- The cumulative impact of charges when combined with increasing costs e.g. food prices and energy prices..
- Concern that the cost is not cost-effective for some households.
- Uncertainty about whether the charge includes additional elements such as meals and transport.
- Fear that higher costs could lead to reduced attendance or social isolation, particularly for those living alone.
- Concern that changes could affect service quality or accessibility.

Uncertainty and conditional responses:


Some respondents were unsure whether they could continue attending, noting that:

- Their ability to afford the service may depend on future increases in household costs.
- They would need to reassess attendance if bills or personal circumstances change.
- Clearer information about what the charge includes would help them make an informed decision


Quotes:




“For those who can afford to pay – they can pay, and those who can’t be subsidised.”




“The service is vital for my family to get a break and keep myself stimulated.”




“People living on their own and having bills to pay may not go to daycare if costs are almost doubled. It is a lifeline to so many.”



“This is the only day that I am out and this is a great social day for me which I really enjoy.”



“The professional help she gets from the service helps me cope.”



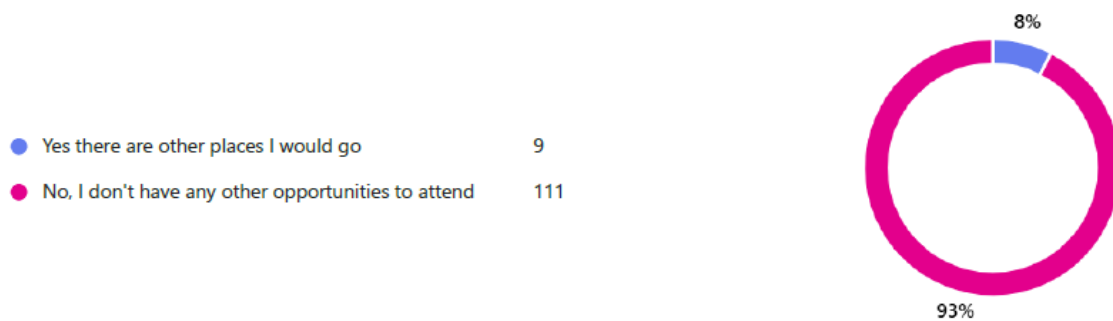
“£15 weekly is a lot these days. I would prefer not to sit housebound 7 days per week.”

Summary:

Overall, responses indicate that while many service users see Day Services as essential and are willing to contribute financially where possible, affordability remains a key factor influencing continued attendance. The potential impact appears greatest for those on lower or fixed incomes, those facing multiple financial pressures, and those who rely most heavily on the service for social contact and support.

We asked if there would there be other groups or opportunities you could consider attending in place of Day Service provision?

Chart 4: Would there be other groups or opportunities you would consider attending in place of day care?



Responses show that for the vast majority of respondents, Day Services are the only option available.

- No, I don't have any other opportunities to attend: 108 respondents (**93%**)
- Yes, there are other places I would go: 8 respondents (**8%**)

*Percentages shown in this chart show more than 100% because figures are rounded to the nearest whole number, which causes slight variations in totals.

Summary:

An overwhelming majority of respondents (**93%**) indicated that they do not have alternative groups or services they could attend in place of Day Service provision. This suggests that Day Services often provide a unique and irreplaceable source of support, social contact and structured activity for many users.

Only a small minority (**7%**) felt they had access to other groups or opportunities, indicating that for most respondents there are limited or no suitable alternatives within their communities.

We asked respondents can you please provide details of what other groups / opportunities you could attend? They told us:

20 respondents provided details of alternative groups or activities they currently attend or could potentially access. Responses indicate that alternatives are limited, conditional, and often not directly comparable to Day Service provision.

Types of alternative groups identified:

Where alternatives were mentioned, these included:

- **Community-based or voluntary sector groups**, such as:
 - Community cafés
 - Library-based activities (e.g. 360 and history group held at Ayr Library)
 - Church services or faith-based activities
 - Interest-based or social groups (e.g. music or memory groups)
 - Knitting group
 - Duff Street Cafe
- **Short-duration support or activity sessions**, such as:
 - Crossroads 2 sessions for two hours per week
- **Named organisations or services**, including:
 - Turning Point
 - Crossroads
 - Seascape group
 - Vibrant Voices
 - Occasional outings with neighbours or informal social contact

Key limitations highlighted:

Respondents consistently noted that alternative options were not equivalent to Day Services, due to:

- Lack of transport, with many alternatives requiring individuals to make their own way to venues.
- Activities being shorter, less frequent, or occasional rather than full-day provision.
- Accessibility concerns, particularly for people with mobility issues, cognitive impairment or memory difficulties.
- Services being suitable only for those who are more independent, mobile or confident when attending alone.
- A lack of awareness of what other groups are available locally.
- They would require a carer to attend.

Several respondents stated they were not aware of any alternative groups or requested information on what opportunities exist.

Reliance on Day Services:

A number of responses reinforced that:

- Day Services are seen as irreplaceable by other provision.
- Familiarity, routine and trusted support were important factors.
- Some individuals would be reluctant or unable to attend alternative groups due to anxiety, additional support needs, memory issues or concerns about reliability of support.

Summary:

Overall, the limited number of alternative options identified and the constraints associated with them suggest that Day Services cannot be easily substituted by other community-based activities for most individuals. Where alternatives exist, they tend to be supplementary rather than replacement provision, often dependent on an individual's mobility, confidence and access to transport. A lack of awareness of alternative groups suggests that information about community-based provision is not consistently reaching Day Service users and their families. This may reflect limited access to information, digital exclusion, reliance on informal networks, or the absence of clear communication of local opportunities.

Responses also indicate that for many people, Day Services act as the primary or sole gateway to social contact and support, particularly for those with health conditions, mobility limitations or reduced confidence. Even where other groups exist, a lack of awareness may prevent people from accessing them, increasing dependence on structured services.

We asked if there were any other comments people wanted to share with us. They told us:

65 respondents used this question to reinforce earlier views, highlight areas of concern, and express the personal importance of Day Services. Comments were wide-ranging but showed several consistent themes.

Strong support for Day Services:

Many respondents described Day Services as:

- A vital lifeline, particularly for people who are isolated, housebound, disabled or living with dementia.
- Essential for social contact, mental stimulation and wellbeing.
- Something they look forward to and rely on as part of their weekly routine.
- A high quality, engaging service and the care and support provided by staff, is of a high standard.

Several carers highlighted the important role Day Services play in providing short breaks, supporting family wellbeing and enabling carers to manage ongoing caring responsibilities.

Concerns about affordability and fairness:

A significant number of comments reiterated concerns that:

- £15 per day represents a substantial cost for people on pensions or fixed incomes.
- Cost of living crisis (meals, utilities, other care charges) make the impact cumulative.
- Charges could create financial hardship or force people to stop attending.
- Introducing charges may disproportionately affect the most vulnerable, particularly people with complex needs or disabilities.

Some respondents questioned whether charges should apply equally to people with high or critical support needs, suggesting that alternative or subsidised approaches may be more equitable.

Opposition to charging and distrust of council financial decisions

Some comments expressed strong opposition to the introduction of fees, including:

- Perceptions that charging represents a “cash grab” or unfair burden.
- Frustration about wider council spending priorities and rising council tax.
- Concerns that income generated would not be reinvested directly into Day Services.

These responses tended to reflect a broader lack of confidence in financial decision-making.

Preference for a lower or staged charge:

Many respondents who accepted the principle of charging suggested:

- A lower daily rate (e.g. £10–£12) would be more reasonable.
- Charges should be phased in gradually rather than introduced at once.
- Clear clarity is needed on whether meals and transport are included.
- Annual increases should be transparent and explained in advance.

Equality, prevention and long-term impact:

Several respondents raised concerns that charging could:

- Increase social isolation, loneliness and declining wellbeing.
- Increase pressure on unpaid carers, including impacts on carer health and employment.
- Result in higher long-term costs through increased demand on primary and emergency health services.
- Conflict with stated strategic aims such as prevention, early intervention, community-based care and creating age-friendly communities.

Feedback on communication and consultation process:

Some respondents commented on the consultation itself, noting:

- Insufficient time to consider responses.
- Lack of clear information on what charges cover.
- Difficulty completing the survey, particularly:
 - Use of QR codes
 - Digital access barriers
 - Lack of alternative formats
 - Requiring assistance to complete the survey
- A view that individuals could have been consulted earlier or more directly.

Requests for service improvements or clarity:

Additional suggestions included:

- More feedback for families on how individuals spend their day and any observed changes.
- Clarification on:
 - Payment during absences
 - Whether places would be held
 - Impact on service quality or facilities
- Interest in using contributions to fund enhanced activities or introduce on-site chargeable services (e.g. hairdressing, chiropody).

Quotes:

“The consultation has not been very user friendly for my generation – I had to get help to complete it.”

“Decisions have already been made- council just has to ratify it. - Shame on you . Try putting your house in order without penalising and upsetting those you are meant to help. Surely you could have worked earlier to lighten the huge deficit”

“The activities, conversations with staff and the afternoon sing-songs give everyone a lift – you don’t get that sitting at home.”

“Because I am disabled I am unable to go to other groups. I am very grateful that [Day Service] Team can cope with my level of disability.”

“£15 is too big an increase – please consider £10 or £12 as a more acceptable starting point.”

“The day centre is a valuable resource and if a client contribution would make it viable to continue then I would be happy to proceed.”

Summary:

Overall comments reinforce the perception that Day Services are highly valued and essential for many individuals and families. While some respondents support paying a contribution to sustain services, there is widespread concern about affordability, fairness, communication and potential unequal impacts. Many emphasised the need for careful consideration to ensure continued access for those who rely most on the service.

Conclusion:

The consultation responses demonstrate that Day Services are highly valued and regarded as essential by many individuals, carers and families. Across all questions, respondents consistently described Day Services as a lifeline, supporting social contact, mental and physical wellbeing, independence and carer resilience. Many emphasised that the service provides benefits that cannot be easily replicated through other community or voluntary provision.

Views on the introduction of a daily charge were mixed. Some respondents accepted the principle of a client contribution, particularly where this would help ensure the continuation of services, and felt the service represented good value for money. However, affordability was the most significant concern raised throughout the consultation, especially for people on fixed or low incomes, those attending multiple days per week, and those already facing multiple care-related or household costs.

A notable proportion of respondents indicated they may need to attend less often, stop attending, or were uncertain about their ability to continue attending if charges are introduced. For most respondents, Day Services were identified as the only realistic option available, with limited awareness of, or access to, alternative groups. Where alternatives were identified, these were generally shorter, less frequent, lacked transport, or were unsuitable for individuals with higher support needs.

There was strong concern about the potential equality impacts of introducing charges, particularly for older people, disabled adults, people living with dementia and unpaid carers. Respondents highlighted risks of increased social isolation, pressure on carers, declining wellbeing and potential long-term impacts on health and social care services.

Respondents also raised issues relating to clarity and communication, including what the proposed charge includes, whether meals and transport are covered, how income raised would be used, and how charges might change in future. Some expressed dissatisfaction with the consultation process itself, citing accessibility barriers, digital exclusion and a lack of detailed information to inform responses.

Consultation responses demonstrate that Day Services are widely regarded as an essential and highly valued form of support for individuals and carers. Many respondents described the service as a lifeline, supporting social connection, wellbeing, independence and carer resilience, with limited or no suitable alternatives available.

Views on the introduction of charges were mixed. While some respondents understood the financial pressures facing the Council and supported paying a contribution to sustain services, concerns about affordability were widespread. Evidence suggests that proposed charges could affect attendance for some individuals, particularly older people, disabled adults, people on fixed or low incomes and unpaid carers, with potential impacts on equality, wellbeing and social inclusion.

Overall, the consultation highlights a strong desire to protect access to Day Services, alongside recognition of financial pressures facing the Council. Responses point to the importance of careful consideration of affordability, proportionality, communication, and mitigation measures to ensure that those who rely most on Day Services are not disproportionately affected.

Appendix 1:

Survey questions

Have Your Say on Day Service Charges

South Ayrshire Health and Social Care Partnership is considering introducing a small charge for attending Day Services.

Before any decisions are made, we want to understand how this might affect you and hear your views. This short survey is anonymous and should only take a few minutes.

Thank you for taking the time to share your feedback.

* Required

1. **We are proposing a charge of £15 per day for Day Services, with a weekly maximum of £30. Do you agree or disagree with this proposal? ***

- Strongly agree
- Agree
- Not sure
- Disagree
- Strongly Disagree

2. **Optional: Please tell us why?**



3. If these charges were introduced, would support from our Information and Advice Hub be helpful for you?
(For example checking that you are receiving all the benefits you are entitled to) *

- Yes
- No
- Not sure

4. Optional: Please tell us why?

5. If charges were introduced, would this make you less able or unable to attend Day Services? *

- Yes, I might have to stop attending
- Yes, I might need to attend less often
- No, I could continue to attend
- Not sure

6. Optional: Please tell us why?

7. Would there be other groups or opportunities you could consider attending in place of day care? *

- Yes there are other places I would go
- No, I don't have any other opportunities to attend



8. If yes, can you please provide details of what other groups / opportunities you could attend?

9. Do you have any other comments you would like to share with us?

This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.

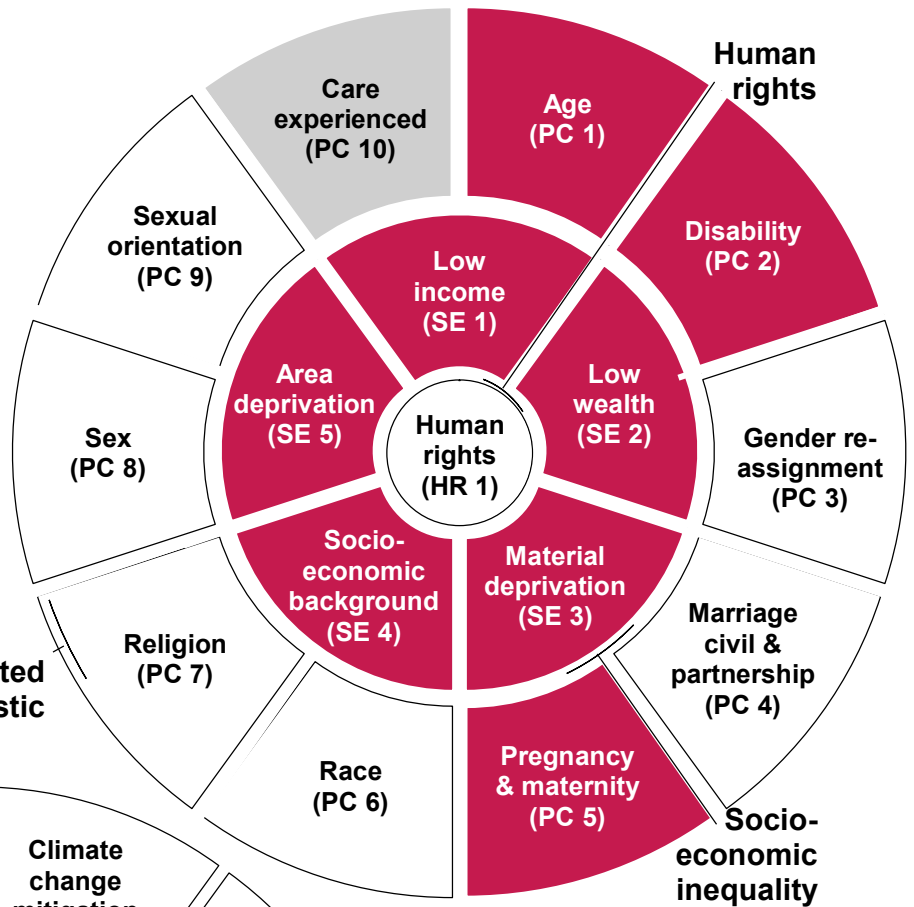
Integrated Impact Assessment Summary Report



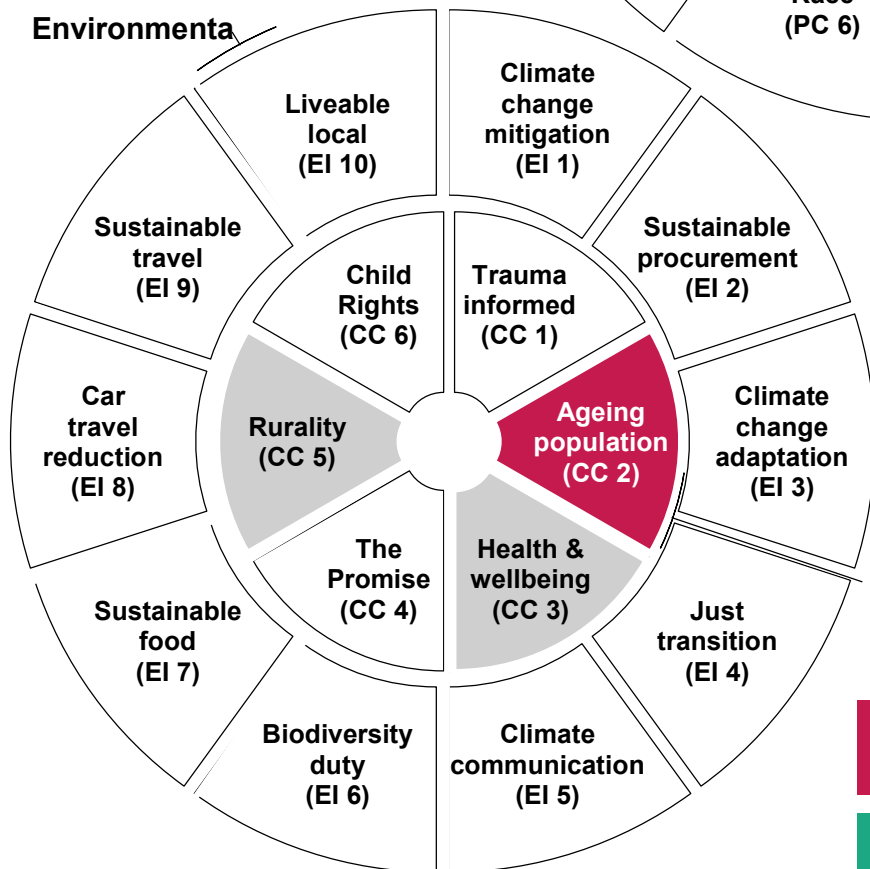
Social Care 'Day Care' Charging Proposals 2026-27.

Completed by:
LISA DUNCAN,
CHIEF FINANCE OFFICER,
HSCP DIRECTORATE

Date started 15.10.2025



Protected characteristic



Environmental

Cross-

To be implemented on:
01.06.2026
Review date:
setting process
Oversight Panel:
South Ayrshire Council
Cabinet.

negative impact	uncertain / not clear
positive impact	no impact / not applicable

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

The proposed charge would be consistently applied regardless of any protected characteristics.

Advancing equality of opportunity?

The proposed charge would be consistently applied regardless of any protected characteristics.

Fostering good relations?

The proposed charge would be consistently applied regardless of any protected characteristics.

Consultation declaration

We confirm consultation has been carried out as part of this process.

Mitigating Actions Required (re negative / unclear

EQUALITIES: impact on protected characteristics

PC 1	Age	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate benefits which are currently not used to pay for services
PC 2	Disability	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate benefits which are currently not used to pay for services

Mitigating Actions Required (re negative / unclear impacts)

PC 5	Pregnancy and Maternity	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate benefits which are currently not used to pay for services
PC 10	Care Experienced (SAC-specific)	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate benefits which are currently not used to pay for services

EQUALITIES: impact on socio-economic inequality

SE 1	Low Income / Income Poverty	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate benefits which are currently not used to pay for services
SE 2	Low and / or no wealth	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate
SE 3	Material Deprivation	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate
SE 4	Socio-Economic Background	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate
SE 5	Area Deprivation	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived. There may be an impact on those who are already in full receipt of all appropriate

(CRWIA)?

no

South Ayrshire Council

**Report by Director of South Ayrshire Health and Social Care Partnership
to Cabinet
of 26th May 2026**

**Subject: South Ayrshire Health and Social Care Partnership –
Social Care Charging Policy 2026-27**

1. Purpose

- 1.1 The purpose of this report is to present the annual updated Social Care Charging Policy to Cabinet for approval reflecting national guidance.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 approves the Social Care Charging Policy (Appendix 1).**
- 2.1.2 notes the exemptions from social care charges in line with COSLA guidance.**
- 2.1.3 notes the inclusion of waiving an abating charge in circumstances of financial hardship in line with COSLA guidance.**
- 2.1.4 notes no change to the percentage taper applied to residual income to calculate the contribution to non-residential social care charges.**
- 2.1.5 notes update to the Social Care Charging Policy in line with the implementation of day care charging and annual social care charging increases, following approval by Cabinet on the 28th of May 2026.**
- 2.16 notes the financial assessment process for calculating contributions to residential care homes follows Charging for Residential Accommodation national guidance.**

3. Background

- 3.1 Since the introduction of Community Care and Health (Scotland) Act 2002, local authorities can charge for non-residential social care support with the exception of personal care. The Convention of Scottish Local Authorities (COSLA) produces annual guidance, [COSLA non-residential charging financial assessment guidance](#). The guidance defines a set of principles to underpin the development of local charging policies for social care support for people at home. It is managed by the

COSLA Charging Guidance Working Group and any change to guidance requires approval by the political leadership of COSLA.

- 3.2 Charges are an important source of Council income and all income from social care service charges are reinvested through funding the Health and Social Care Partnership in order to maintain and develop services and in so doing are a means to help the Council deliver services within available resources.
- 3.3 South Ayrshire Council charges are set in line with statutory requirements and National Guidance and are subject to approval by elected members. Social Care Charging Proposals for 2026-27 were presented for approval by Council's Cabinet on the 28th of May.
- 3.4 It is a legal requirement that everyone who is permanently admitted to residential care is required to pay a contribution towards the cost of their care and accommodation. The legal basis for charging for residential care services is the National Assistance (Assessment of Resources) Regulations 1992. The Scottish Government provide detailed [Charging for Residential Accommodation Guidance](#) on an annual basis. This is the guidance adhered to by officers calculating residential care charging within South Ayrshire.
- 3.5 The purpose of the Social Care Charging Policy(Appendix 1) is to explain how charges are calculated in line with statutory requirements and National Guidance. The policy is subject to approval by Elected Members.

4. Detail

- 4.1 The Social Care Charging Policy explains how South Ayrshire Council considers and calculates the contribution to care that people will be expected to pay towards the social care services they receive.
- 4.2 Contributions and charges apply whether the service is provided directly by South Ayrshire Council or by an external provider commissioned by the Health and Social Care Partnership to provide services.
- 4.3 The Social Care Charging Policy is based on the following principles:
- We will not charge more than the cost of providing a service.
 - People who use services will be treated fairly.
 - People who use services will know how and why they are being charged for a service.
 - Charges are in line with national guidance and legislation.
 - We will balance the need to ask people to pay towards the cost of their care with the effects this may have on their quality of life.
- 4.4 The Social Care Charging Policy sets out who cannot be charged for social care services as stated in COSLA national guidance, the following are exempt from charging:

- People who are terminally ill, this has been defined by the Scottish Government as “an individual is to be regarded as having a terminal illness for the purpose of determining entitlement to disability assistance, if having had regard to the Chief Medical Officer’s guidance, it is the clinical judgement of a registered medical practitioner that the individual has a progressive disease that can reasonably expected to cause the individual’s death.” This is evidenced through Benefits Assessment for Special Rules (BASRiS) form or a letter from an individual’s GP or consultant confirming the individual has already been awarded a BASRiS. These charges will be waived.
- People who are subject to a Compulsion Order under the Criminal Procedure (Scotland) Act 2003.
- People subject to a Compulsory Treatment Orders introduced under the Mental Health (Care and Treatment) Scotland Act 2003.
- Unpaid Carers who are eligible for support under the Carers (Scotland) Act 2016.
- Children under 19 years of age and in full time education.

4.5 The Social Care Charging Policy includes advice for waiving or abating non-residential charges in cases of financial hardship or in other exceptional circumstances. This will be assessed on a case-by-case basis and approved by the relevant Head of Service. COSLA national guidance states “Council’s should exercise local discretionary powers to apply flexibility in cases deemed appropriate. It is neither necessary or desirable to issue guidance on how these powers would be applied as such guidance would remove discretion and impose prescription.” COSLA advice is to keep records of decisions as good practice.

4.6 Minimum Charging Thresholds are provided in the national guidance and linked to rates set by the UK Government Department for Work and Pensions (DWP). A person who has income below the charging threshold will not pay towards their non-residential social care support if they have been assessed as eligible for support. This ensures a person retains a level of income to meet their daily living needs.

4.7 A buffer of 25% is applied to these rates by the Scottish Government to recognise that not all of a person’s income should be taking into account when calculating charges or people on low incomes or who may incur additional living costs due to their impairment or to support frailty. Once the taper has been applied any income over and above is classed as residual income.

4.8 Since 2016, South Ayrshire Council apply a further taper over the residual income, for people below state qualifying age this is set at 25% and for people of state qualifying age or above this is set at 50%. It is proposed that there is no change to the taper value. Section 8 of the Social Care Charging Policy provides detail of how this works in practice.

4.9 Social Care Non-Residential Charging proposals to implement day care charging and increase social care charges have been reflected in the updated Social Care Charging Policy, subject to South Ayrshire’s cabinet approval on the 28th of May,

4.10 The social care charging policy provides information on the financial assessment

process for calculating the contribution to residential care. It is a legal requirement that everyone who is permanently admitted to residential care is required to pay a contribution towards the cost of their care and accommodation. The legal basis for charging for residential care services is The National Assistance Act 1948 and the National Assistance (Assessment of Resources) Regulations 1992. The Scottish Government provides detailed [Charging for Residential Accommodation](#) Guidance on an annual basis this is the guidance adhered to when calculating residential care charging within South Ayrshire.

- 4.11 The national guidance for both residential and non-residential charging is updated on an annual basis. The Social Care Charging Policy will be subject to an annual review as part of the IJB budget setting process this will reflect any changes included in the national guidance and provide information on any approved changes to the non-residential financial assessment taper or changes to social care charges.
- 4.12 The Social Care Charging Policy appendices two to four include annual minimum charging thresholds, the annual non-residential charges and annual residential charges as set out in the National Care Home Contract 2026-27.

5. Legal and Procurement Implications

- 5.1 The social care charging policy adheres to legislation and national guidance in relating to charging for social care services.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Elected members should note that, in cases of financial hardship, contributions and charges may be waived for non-residential charges, in whole or in part, at the discretion of the Head of Service/Director of Health and Social Care.

7. Human Resources Implications

- 7.1 There are no human resource implications.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

- 8.2.1 Rejection of the recommendations may have an impact on service users interpreting how their contribution to social care charges are calculated, how to pay for services and who to contact if experiencing financial hardship.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An Integrated Impact Assessment has been carried out on the Social Care Charging Policy contained in this report, which identifies potential negative impacts. The IIA Summary Report is attached as Appendix 2 which includes information on any mitigating or follow-up action required.

A copy of the fully completed IIA can be [x HSCP Social Care Charging Policy Non-residential and residential care services 2025-26.xlsm](#)

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report. Social Care Charing is included in national policies, the annual update of the South Ayrshire Policy is to inform how South Ayrshire Council apply the national policies to non-residential charging and residential charging.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services and the report aligns with the IJB Strategic Priority “We are an ambitious and effective partnership”.

13. Link to Shaping Our Future Council Yes No

- 13.1 the matters referred to in this report are not proposing any changes to service delivery or transformation there are no specific benefits such as savings or income generation.

14. Results of Consultation

- 14.1 The IJB Budget Working Group has been consulted and involved in the scrutiny and review of the charging policy and recommends to Cabinet for approval.
- 14.3 Consultation has taken place with Councillor Hugh Hunter, Portfolio Lead for Health and Social Care Partnership, and IJB Budget Working Group includes all SAC voting members. The contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking

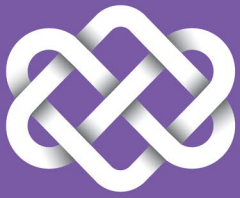
- 15.1 If the recommendations above are approved by Members, the Director of South Ayrshire Health and Social Care Partnership will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the ‘Council and Cabinet Decision Log’ at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Implement Charging Policy	1 st June 2026	Service Lead - Revenue and Benefits

Background Papers

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Date: 23rd March 2026



south ayrshire
health & social care
partnership

Strategy Document

17th August 2016

Social Care Charging Policy

Non-residential and Residential care services 2026-27



Social Care Charging Policy Non-Residential and Residential Care Services

Document Register

Title	Social Care Charging Policy Non-Residential and Residential Care Services
Author	Lisa Duncan
Approver(s)	South Ayrshire Cabinet
Issue Date	28 th May 2026
Subject	Social Care Charging
Version	V.1
Published Location	
Updating Frequency	Annual
Next review date	March 2027

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1. Policy Statement

We want to help people live at home independently, safely, and for as long as possible. To help us to provide support to people with a range of needs, we may need to charge you for some of the social care and support you receive.

These charges might affect you if you are getting services from us now, or if you need them in the future. Charges apply whether services are provided direct by South Ayrshire Health and Social Care Partnership or purchased from an external provider or purchased through an individual service fund or direct payment.

The charges have been set in line with principles of Convention of Scottish Local Authorities (COSLA) guidance, best value framework, benchmarking against other local authorities and income generation.

The charging policy is reviewed annually and any revisions to charges and financial assessment rules are included in the annual budget setting process and are approved by South Ayrshire Council Cabinet.

Principles

We are committed to the following principles:

- we will not charge more than the cost of providing a service.
- people who use our services will be treated fairly.
- people who use our services will know how and why they are being charged for a service.
- charges are in line with national guidance and legislation.
- we will balance the need to ask people to pay towards the cost of their care with the effect this may have on their quality of life.

Aims

This policy aims to:

- help you to understand why you are contributing to the cost of your services.
- explain how we calculate your contribution and how we will let you know.
- explain which services have a charge that everyone pays.
- explain financial hardship process.
- explain our complaints policy.

2. Legislation

Residential Care Services for Adults

Residential care services provide 24-hour care and support in a homely setting. The care home must be registered with the Care Inspectorate and meet your assessed needs of either residential or nursing care or both. Care provision can be permanent, temporary, emergency or respite care.

It is a legal requirement that everyone who is permanently admitted to residential care is required to pay a contribution towards the cost of their care and accommodation. The legal basis for charging for residential care services is The National Assistance Act 1948 and the National Assistance (Assessment of Resources) Regulations 1992. The Scottish Government provide detailed [Charging for Residential Accommodation Guidance](#) on an annual basis this is the guidance adhered to when calculating residential care charging within South Ayrshire.

Under the Carers (Scotland) Act 2016, there is no longer a charge for residential respite where this service is accessed in line with eligibility criteria and accompanied by a Carers assessment. This complies with the legislation which seeks to ensure that Carers are offered the support which they require, and charges are waived where this is appropriate.

Non-Residential Care Services

Non-residential care services provide a range of services in the community to enable you to live as well and as independently as possible. These services are provided following an assessment of need and are identified to assist you to meet your identified outcomes. The legal basis for charging non-residential social care services is the Social Work (Scotland) Act 1968, (as amended) and [Community Care and Health \(Scotland\) Act 2002](#).

3. Exemptions from Charging

Who is exempt from paying for social care services?

- People who are terminally ill defined by the Scottish Government as “an individual is to be regarded as having a terminal illness for the purpose of determining entitlement to disability assistance, if having had regard to the Chief Medical Officer’s guidance, it is the clinical judgement of a registered medical practitioner that the individual has a progressive disease that can reasonably be expected to cause the individual’s death.” This is evidenced through Benefits Assessment for Special Rules (BASRiS) form or a letter from an individual’s GP or consultant confirming the individual has already been awarded a BASRiS.
- People who are subject to a Compulsion Orders under the Criminal Procedure (Scotland) Act 2003
- People subject to a Compulsory Treatment Orders introduced under the Mental Health (Care and Treatment) Scotland Act 2003
- Unpaid Carers who are eligible for support under the Carers (Scotland) Act 2016.
- Children under 19 years of age and in full time education.

4. What Services we do not Charge for?

- Criminal Justice Social Work Services
- Children’s care and support
- Information and Advice
- Needs Assessment

- Care Management
- Personal Care for all adults and children (See Appendix 1 for list)
- Reablement Home Care Services for 42 days on discharge from hospital
- Respite Care if required to give your carer a break from caring duties.
- Aids and Equipment

5. What services we do Charge for?

- Care at Home/ Community Support (if **not** personal care)
- Community Alarms/ Telecare
- Hot Meals Service
- Day Care (**subject to approval**)
- Corporate Appointee Charge
- Respite Care (if **not** for Carer's Support)
- Blue Badges

6. Why is there a Charge?

Local Authorities don't have to but are allowed by law to charge adult users of care and support services provided or arranged under the Social Work (Scotland) Act 1968 and the Mental Health (Care and Treatment) (Scotland) Act.

Consideration is made of the funding available to provide care and support to meet the needs of the local population. Charging provides a contribution to service delivery; charges are set at a reasonable level and rarely will cover the full economic cost of the service provided. The charge will never exceed the full cost of the service.

7. How are charges for non-residential social care services calculated?

Charges are calculated based on benchmarking with other local authorities and reviewing the costs to the Health and Social Care Partnership to deliver the service.

The following services are subject to a flat rate charge; therefore you pay for the service regardless of your income:

- Administration of Blue Badge scheme <https://www.mygov.scot/apply-blue-badge>
- Meals at Home
- Community Alarm /Telecare
- Day Care (**subject to approval**)
- Corporate Appointee Charge – administration of service users finances

The following services are subject to a financial assessment and based on your ability to pay:

- Care at Home/Community Support (if NOT personal care)

8. How are the contributions for non-residential social care services calculated?

The services you receive will always be based on your assessed needs. Any charges for these services will be based on your ability to pay. A financial assessment will be carried out if you receive a service that is chargeable. We will look at your income, capital and some of your expenses to find out how much you can pay.

Through Self-Directed Support Option 1 – Direct Payment and Option 2 – Individual Service Fund, you may choose a service that costs more than the one we would organise to meet your needs. In this case the amount of funding you will get will be no more than the cost of the service we would organise to meet your needs. When you organise your care through Option 1 and Option 2 you will need to pay any costs more than we would pay.

What happens during a financial assessment?

Your care manager will complete a Financial Assessment form with you and will forward the information to the Council's Social Care Support (SCS) Finance Team to complete the assessment and calculate your maximum weekly charge.

The SCS Finance Team will complete the financial assessment using the information you have provided and where required by checking income details held by Department for Work and Pensions (DWP) and local authority systems. We may request supporting evidence from you if required.

If you require a benefits maximisation, check you or your care manager can complete an online referral form using the link [Council's Information and Advice Hub](#).

Once the maximum weekly charge has been calculated, the SCS Finance team will then determine the actual charge for you depending on the level of services received; the charge will always be the lesser of the two amounts. You will receive a letter detailing your charge, see Section 10 on how to pay.

Financial Assessments following the annual [COSLA Social Care Charging Guidance](#).

Minimum Charging Threshold

Included in the COSLA annual guidance is the minimum charging threshold, this is updated each financial year in line with DWP benefit increases. The minimum charging threshold, (or minimum income threshold) is the weekly income which you need to meet daily living expenses. A person who has income below the charging threshold will not pay towards their social care support if they have been assessed as eligible. **Appendix 2 – Current Allowances 2026-27.**

Buffer

A buffer, endorsed by Scottish Government is applied to the minimum charging threshold, to recognise that not all of a person's income should be taken into account when calculating charges for people on low incomes or who may incur additional

living costs due to their impairment to support frailty. The buffer is currently set at 25%. The minimum charging threshold is worked out by adding the buffer (25%) to the appropriate DWP rate(s) for people, as set out in **Appendix 2 Non-Residential Allowances 2026-27**.

Max Weekly Charge

We set a maximum weekly charge each year. No-one will pay above this maximum weekly charge regardless of the cost of the service or the outcome of the financial assessment. This included in the table of charges, see **Appendix 3 – Current non-residential service charges**.

Non-disclosure

If you fail to provide information required to complete a financial assessment or choose not to disclose information, then you will be assessed as being able to afford the maximum weekly charge or the actual cost of your care, whichever is the lesser amount.

Income

All income sources should be considered including: -

- All Benefits
- Income from Earnings
- Rental Income
- Occupational/Private Pensions
- Income from Capital
- Any Other Income

Income Disregards and allowable expenditure

Certain types of income and expenditure are disregarded and not taken into account when assessing your ability to make a contribution including: -

- Mobility component of the Disability Living Allowance/Personal Independence Payment or Disability Assistance
- War Disablement Pension
- Armed Forces Compensation Scheme
- Net Rent payable (less any Housing Benefit/Universal Credit Housing Costs)
- Council Tax (less any Council Tax Reduction) & Water and Sewerage Charges
- Interest and Insurance Payments made by owner-occupiers towards mortgages.
- Interest and insurance payments made towards an endowment mortgage.
- First £20 of earned income per week.
- Independent Living Fund Payments
- Partner's earnings
- Dependent Children benefits paid for, or on behalf of a dependent child.
- If you are in receipt of high rates of Disability Living Allowance care component, Adult Disability Payment enhanced component, Attendance Allowance or PIP enhanced daily living component, we will only take into

account the middle rate of DLA or the standard rate of PIP, standard rate of Adult Disability Payment or lower rate of Attendance Allowance, provided you are not in receipt of overnight care.

Compensation Payments

Where compensation has been paid or held in Trust to address future care needs. We will request a breakdown of any compensation award and consider whether some elements of compensation payments should be included when assessing your ability to pay a charge. Any charges will be dependent on the settlement information that relates to future care needs, and where necessary informed by relevant legal input.

Capital & Tariff Income

Capital can be considered a source of income. However, there can be no upper capital limit at which people would be refused support, as the provision of social care support at home will always be based legally on need rather than the ability to pay.

Only available capital will be taken into account for non-residential charging purposes; this precludes taking into account the value of your home.

The approach taken in consideration of capital is the same as used by DWP for means testing income-based benefits. This disregards income received against capital held up to a level of £6,000 for people below state pension qualifying age, or £10,000 for people 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	Weekly Tariff Income
Below state pension qualifying age	£6,000	£1 per £250
State pension qualifying age or above	£10,000	£1 per £500

Taper

If your financial assessment calculates a sufficient level of available income for a charge. A percentage taper is applied to the available income to determine a maximum contribution. The contribution will not exceed the cost of providing the care and support. Set out in **Appendix 2 Non-Residential Allowances 2025-26**.

Example of how a Maximum Weekly Charge is Calculated

Single person, 51 years old, with no capital, living in local authority housing, receiving maximum housing benefit and exempt from Council Tax. In receipt of 8 hours social care support consisting of 4 hours personal care and 4 hours non-personal care. Maximum charge is 25% of the residual income available £4.88 per week.

Income in receipt of:	Per Week
ESA /Universal Credit	£118.80
DLA Care/PIP Care/ADP Care	£76.70
Total Income	£195.50
Less Threshold Level	£176.00
Residual Income	£19.50
Max Charge (Under State Qualifying Age 25% of Residual Income)	£4.88

The table below shows the actual cost of 4 hours non-personal care, personal care is free of charge, total charge of service provided is £60.60 per week. The charge is the lesser amount of the maximum charge or cost of service provision, therefore £4.88 per week.

Details of Service Provision	Weekly Charge
4 Hours Non Personal Care @ £15.15 per hour	£60.60
4 Hours Personal Care	Free
Total Cost of Service Provision	£60.60
Total Charge lesser amount of Max Charge and Cost of Service	£4.88

Notional income and capital

If you dispose of capital in an effort to avoid charges this will be deliberate deprivation and notional capital will be calculated and applied to your financial assessment.

Annual Financial Reassessment

Annual financial re-assessment will be undertaken each year in line with DWP uprating of benefits and review of COSLA's annual guidance. New annual charge will reflect any new approved increases to charges.

Change in Financial Circumstances

Any changes in financial circumstances contact your care manager or email financesocial.work@south-ayrshire.gov.uk who will calculate an accurate and up to date financial assessment and calculate your charge accordingly.

Disability Related Expenditure

Disability Related Expenditure are extra costs that you may incur compared to non-disabled people to enable you to live as independently as possible. These extra costs

may be recognised as an 'outgoing' when we do a financial assessment to calculate how much you can afford to pay towards your care.

Additional disability related expenditure may relate to: -

- Purchase, maintenance and repair of disability related equipment.
- Specialist dietary requirements
- Specialist clothing
- Help with cleaning or other domestic tasks e.g. gardening
- Extra laundry
- Additional bedding
- Additional heating costs

The Financial Assessment will capture any additional costs and these will be taken into account when calculating how much you can afford to pay towards the cost of your care. The additional costs will vary dependent on individual circumstances.

9. How are the contributions to residential social care charges calculated?

Financial Assessments

If you are assessed as needing residential care, a financial assessment will be undertaken to identify the contribution you are required to pay to the care home towards your care costs. This information will be requested and collected by the SCS Finance Team who will calculate your contribution to your care home.

If you are placed in a care home and the financial assessment has still to be completed by the SCS Finance Team, the care home may charge an interim client contribution until the full financial assessment has been carried out based on the information requested. The interim client contribution may well change depending on the outcome of the financial assessment and could result in backdated fees being owed to the care home. Any additional charges from the care home above the assessed client contribution will be required to be met by the resident/financial representative. On admission the care home should inform you of any additional charges above the National Care Home Contract weekly rate.

Benefits

When you have been placed in a care home, your benefits for Attendance Allowance and the care components of Disability Living Allowance and Personal Independence Payments must cease after being in hospital or a care home for four consecutive weeks. It is the responsibility of you or your financial representative to notify the Department for Work and Pensions as soon as possible of any changes in circumstances. Any overpayments will require to be paid back.

Income

In general, all income you receive will be taken into account. If an occupational pension is paid, you can opt to give 50% of the amount paid to your spouse if you are

married or in a civil partnership if they live in the community. This must be declared on the financial assessment form.

Personal expenses allowance

You are entitled to a weekly personal expense allowance, from income. This amount is set annually by the Scottish Government. The personal expenses allowance is to enable you to have money to spend as you wish, for example on stationery, personal toiletries, small presents for friends and relatives and other minor items. See **Appendix 4 Residential allowances and charges for current allowances.**

Capital

Capital from all sources can be taken into account, including savings held in a bank, building society, post office or other savings account, stocks and shares, values of Personal Equity Plans (PEPs) and Individual Savings Accounts (ISAs). We will also consider the value of any property you own in assessing charges for residential services.

Disregards

The value of the property can be disregarded where:

- Your partner is continuing to reside in the property.
- A relative, over 60 years old, will continue to reside in the property.
- A relative, aged under 16 years, who is dependent on being maintained by you is continuing to reside in the property.
- A relative who resides in the property is incapacitated.
- In certain circumstances, discretion may be applied if a carer has given up their own home in order to care for you.

Capital Thresholds

Capital thresholds are set each year by the Scottish Government, there is both an upper and lower funding threshold. The upper threshold is the amount of assessable capital that you have, above which you are required to meet the full cost of your care. You would therefore be classed as a self-funder. **See Appendix 4 – Residential allowances and charges.**

If you have capital in excess of the upper funding threshold, there is an entitlement to a Free Personal/ Nursing Care payment to the residential or nursing care you receive. **See Appendix 4 –Residential allowances and charges.**

This amount is paid direct to the care home by South Ayrshire Council. You, or your financial representative, pay the balance due to the care home, based on their charging rates for self-funders.

The lower threshold is the amount of capital disregarded in your financial assessment. If your capital falls between the upper and lower thresholds you will have a tariff income applied. This is currently £1 for each band of £250 or part £250 above the lower threshold level.

12-week property disregard

If you do not have savings in excess of the upper funding threshold, but you do own a property, the value of this will be taken into account in the financial assessment. For up to the first 12 weeks following admission to a care home, the value of the property will be disregarded. This disregard must be requested in the financial assessment. This is called a 12-week property disregard (ends sooner if the property is sold within the 12-week property disregard period) and allows time for you to decide if you wish to remain in a care home setting. If you decide to stay this allows time to make arrangements for the sale of the property. Any additional charges from the care home above the assessed client contribution will be required to be met by the resident/financial representative. On admission the care home should inform you of any additional charges above the National Care Home Contract weekly rate.

Charging order

After the disregard period, the value of the property will be taken into account in the financial assessment. If you or your financial representative makes the decision to sell the property and the property is not sold within the 12-week period, the Council can assist with interim funding of the care home fees up to the National Care Home Contract Rate by placing a charging order on the property. The Council will then recoup the costs of interim funding once the property is sold. The care home may also recoup any sums owed to them for the difference in the self-funding rate and National Care Home Contract Rate, you would need to discuss this with the care home direct. More detailed information regarding the use of a charging order can be provided by the SCS Finance Team.

Notional Income and capital

SCS Finance Team will seek legal advice if it appears that income or capital assets have been deliberately disposed of in anticipation of admission to a care home. This is known as deprivation of capital and if this is established, we will include the capital assets in the financial assessment - i.e. We will calculate your contribution to care home fees as if you still own the asset, this is termed as notional capital.

Annual Reassessments

Annual financial reassessment will be undertaken in line with the DWP uprating of benefits and the annual review of national guidance.

Change in financial circumstances

If you are a self-funder in receipt of free personal/nursing care and your capital is depleting, you are advised to contact SCS Finance Team when capital reaches £10,000 above the upper threshold which changes annually (**see Appendix 4 – Residential allowances and charges**). This enables a new financial assessment to be completed, in respect of additional funding potentially being required from the Council. Any other changes in financial circumstances - e.g. sale of property, capital receipts from gifts, including inheriting money from others - will be included.

Respite Charges

If you are cared for at home by family or friend, they are your carer. Your carer takes responsibility for your care. Respite is provided to give your carer a break from their caring duties. The care charge will be waived if respite is to give the carer a break, to a maximum of 4 weeks per year from the date of the carer's assessment. The weekly charge will be a flat rate charge based on DWP age- related Benefits, as noted in Appendix 4.

Emergency admission to a care home will be free for the first 4 weeks, this is an assessment period to understand your future care needs.

Where residential care is required and this is for your assessed care need, there will be a charge in line with guidance in Charging for Residential Accommodation Guidance.

10. Paying for services

Non-Residential

If you are in receipt of a chargeable service, you will receive a regular bill (currently 4-weekly). Details of how to pay will be noted on the invoice.

Blue Badge Scheme is paid directly with your application.

If you receive a direct payment, your personal contribution will be deducted from your 4 weekly direct payment you receive into your dedicated direct payment bank account. You must pay your contribution into your account to ensure you have the total available funds to meet the costs of your care.

Residential

If you are paying for respite care you will receive an invoice for your charge following your period of respite.

If you are residing in one of the Local Authority care homes, you will receive a 4-weekly bill based on your assessed contribution to your care home fees.

If you are residing in a private care home, commissioned by the local authority your contribution will be paid direct to the care home. The care home will provide you details on how to make this payment.

11. Financial Hardship – Non-Residential Care

In cases of financial hardship or in other exceptional circumstances consideration may be given to charges being waived or abated. This will be assessed on a case-by-case basis and approved by the relevant Head of Service. To request a waiver or abatement service users should contact their Care Manager in the first instance.

12. **Complaints Process**

If you wish to make a complaint in relation to the processes detailed in this policy, please follow South Ayrshire Council's complaint process, this can be found at [Complaints](#).

Appendix 1 – Free Personal Care Services

The following are classed as personal care and are not charged for: -

Personal hygiene – bathing, showering, hair washing, shaving, oral hygiene, nail care.

Continence management – toileting, catheter/stoma care, skin care, incontinence laundry, bed changing.

Food and diet – help with preparing food and help with any dietary needs.

Mobility problems – dealing with the effects of being immobile or substantially immobile.

Personal support – counselling, or other help, provided as part of a planned programme of care.

Behaviour management and psychological support - This applies where there is an identified risk, and support is needed to prevent or minimise physical or emotional harm to the person or to others.
to the person or to others.

Simple treatments – help with medication (including eye drops), applying creams and lotions, simple dressings, oxygen therapy.

Personal assistance – help with dressing, surgical appliances, prostheses, mechanical and manual aids. Help to get up and go to bed. Transfers including using a hoist.

Appendix 2 – Non-Residential Allowances 2026-27

Minimum Charging Thresholds 2026-27

For People below state qualifying age:

	Personal Allowance	Disability Premium	Buffer 25%	Minimum Charging Threshold
Single Person	£95.55	£44.85	£35.10	£176.00
Couple	£150.15	£64.00	£53.53	£268.00

Taper for 2026-27 is 25% of any available income over and above the weekly charging threshold can be used towards social care charges.

Minimum Charging Thresholds 2026-27

For People of state qualifying age or above:

	Pension Credit - Guarantee Credit	Buffer 25%	Minimum Charging Threshold
Single Person	£238.00	£59.50	£298.00
Couple	£363.25	£90.81	£455.00

Taper for 2026-27 is 50% of any available income over and above the weekly charging threshold can be used towards social care charges.

Appendix 3 – Non-Residential Charges 2026-27

Charge	26-27 Approved Charge	Per
Meals at Home	£6.85	Meal
Day Care	£10.00	Day
Day Care - Other LA's	At Cost £74.13 to £110.95 (Dependent on Day Care unit)	Day
Community Alarms	£5.35	Week
Community Support (Non Personal Care)	£15.15	Hour
Blue Badge	£20.00	Badge
Corporate Appointee Charge - (<i>admin fee Community based service users</i>)	£8.40	Week
Corporate Appointee Charge - (<i>admin fee care home service users</i>)	£3.15	Week
Max Weekly Charge	£105.00	Week

Appendix 4 – Residential allowances and charges

Allowances	2026-27	Per
Personal Allowance	£37.65	Per Week
Capital threshold Lower Thershold	£22,750	
Capital threshold Upper Thershold	£36,750	
Free Personal Care Residential	£260.30	Per Week
Free Personal Nursing Care	£377.40	Per Week

Respite Charges *	2026-27	Per
Respite Care - 18 to 24 years	£110.35	Per Week
Respite Care - 25 to Pension Age	£130.25	Per Week
Respite Care -Pension Age and over	£200.35	Per Week
*Where respite is for the individual' care and not to give the carer a break		

Residential Care	2026-27	Per
South Lodge Care Home	£930.45	Per Week
Hillcrest Care Home	£930.45	Per Week

*Local authority care home charges (annual uplift in line with NCHC residential increase)



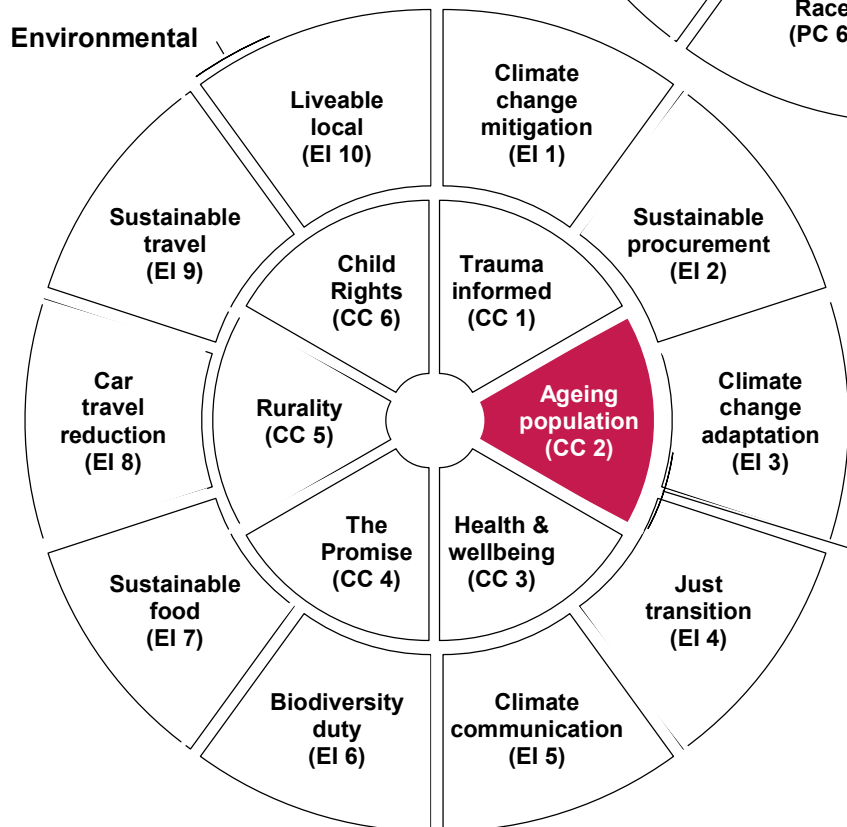
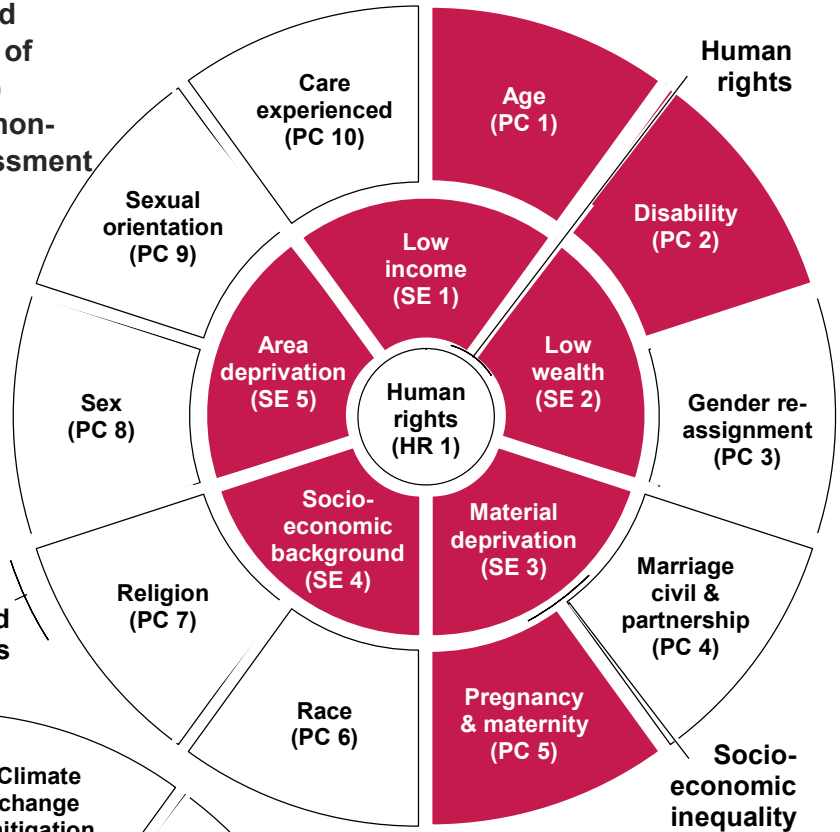
Integrated Impact Assessment Summary Report

The purpose of social care charging policy is to explain how charges are calculated in line with statutory requirements and National Guidance The Convention of Scottish Local Authorities (COSLA) produce annual guidance, COSLA non-residential charging financial assessment

Completed by:

Lisa Duncan,
Chief Finance Officer,
South Ayrshire HSCP Directorate

Date started: 08/04/26



To be implemented on:
01.06.2026
Review date:
Budget Process.
Oversight Panel:
South Ayrshire's Council
Cabinet

negative impact	uncertain / not clear
positive impact	no impact / not applicable

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

The implementation of this policy will ensure a consistent approach regardless of any protected characteristics.

Advancing equality of opportunity?

The implementation of this policy will ensure a consistent approach regardless of any protected characteristics.

Fostering good relations?

The implementation of this policy will ensure a consistent approach regardless of any protected characteristics.

Consultation declaration

We confirm consultation has NOT been carried out as part of this process.

Mitigating Actions Required (re negative / unclear impacts)

EQUALITIES: impact on protected characteristics

PC 1	Age	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
PC 2	Disability	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.

Mitigating Actions Required (re negative / unclear impacts)

PC 5	Pregnancy and Maternity	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
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EQUALITIES: impact on socio-economic inequality

SE 1	Low Income / Income Poverty	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
SE 2	Low and / or no wealth	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
SE 3	Material Deprivation	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
SE 4	Socio-Economic Background	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.
SE 5	Area Deprivation	A financial assessment will be undertaken to prevent negative impacts. People who are experiencing financial hardship and unable to meet charges, will be reviewed on a case by case basis and some or all of the charge may be waived.

CROSS-CUTTING IMPACTS

Does this proposal require a Child Rights and Wellbeing Impact Assessment (CRWIA)?	no
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South Ayrshire Council

**Report by Director of South Ayrshire Health and Social Care Partnership
to Cabinet
of 26th of May 2026**

**Subject: South Ayrshire Health and Social Care Partnership –
Social Care Charges Increases 2026-27**

1. Purpose

- 1.1 The purpose of this report is to present the proposed social care charges increases for the financial year 2026-27 for approval.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 Approves the increase in proposed social care charges for 2026-27 set out in appendix 1.**

3. Background

- 3.1 Since the introduction of Community Care and Health (Scotland) Act 2002, local authorities are able to charge for non-residential social care support with the exception of personal care. The Convention of Scottish Local Authorities (COSLA) produce annual guidance which defines a set of principles to underpin the development of local charging policies for social care support for people at home. It is managed by the COSLA Charging Guidance Working Group and any change to guidance requires approval by the political leadership of COSLA.
- 3.2 Charges are an important source of Council income and all income from social care service charges are reinvested through funding the Health and Social Care Partnership in order to maintain and develop services and in so doing are a means to help the Council deliver services within available resources.
- 3.3 South Ayrshire Council charges are set in line with statutory requirements and National Guidance and are subject to approval by elected members.

4. Detail

- 4.1 The proposed rates have been shared and reviewed with South Ayrshire IJB's budget working, who have recommended the proposed rates for approval.

- 4.2 Meals at Home are commissioned from an external provider, the current cost of a hot meal is £8.33 delivered to the service user's home. The current charge is £5.64 per meal; therefore, the meal is subsidised by £2.69 (32%) per meal.
- 4.3 Last year's Social Care Charging Proposals approved removing the subsidy over a three-year period, 2026-27 represents the 2nd year of the three-year period. The proposal is to increase meals at home by 21% to £6.85 per meal.
- 4.4 Community Alarms are charged as a flat rate per week and not means tested, the current charge is £5.10 per week. Community Alarms are now digital, following the transfer from analogue to digital over the last couple of years.
- 4.5 The cost of providing a community alarm including the responder service is £11.76 per alarm per week. An increase of 5% is proposed for 2026-27 to increase the charge to £5.35 per week.
- 4.6 Community Care (Non-Personal Care) is provided to individuals to support them with preparing food, shopping, accessing the community and socialising. The charge for non-personal care is means tested and a financial contribution is based on [COSLA non-residential charging financial assessment guidance](#). The cost of purchasing this service from providers is £24.44 per hour. An increase of 5% is proposed for 2026-27 to increase the charge from £14.39 per hour to £15.15 per hour.
- 4.7 South Ayrshire Council Finance Team manage Corporate Appointees/Access to Funds for service users who lack capacity to act and make financial decisions for themselves. The service provided includes all aspects of financial management, payment of utilities, rent, council tax, insurance as well as day to day living expenses and budget management in conjunction with the Care Manager. A weekly charge for these services was implemented last year.
- 4.8 It is proposed to increase the Corporate Appointee charge by 5%. For community-based services this will be an increase from £8.00 to £8.40 per week and for care home-based residents an increase from £3.00 to £3.15 per week. No charge will be made for the first 8 weeks from commencement of Appointeeship. This will allow a sufficient period to identify and budget income and expenditure on behalf of the individual.
- 4.9 Maximum Weekly Charge is the maximum a service user can be charged to contribute to their social care services. This is currently £102 per week the proposal is to increase this by 3% to £105 per week. Currently one service user pays the maximum weekly charge.
- 4.10 The Council operates two residential care homes, South Lodge in Ayr and Hillcrest in Girvan. It is proposed to increase the weekly charge to the National Care Home Contract (NCHC) for residential care, set at £930.45 per week for 2026-27 an increase of 14% from the current charge of £815.13 per week. The average weekly cost of a council care home placement is £1,254.80.
- 4.11 The increase to the council-run residential care nursing homes represents a 14% increase. This reflects the historically lower base rate compared to the NCHC, as previous years increases only matched then NCHC uplifts. To ensure equity and fairness with service users living in private care homes, who are charged the NCHC rate, it is proposed to align the council rate with the NCHC rate.

- 4.12 The contribution a person makes to their care home fees is determined by a financial assessment following the Scottish Government's [Charging for Residential Accommodation Guidance](#) rules. The financial assessment takes account of income and capital a person has and applies specific disregards as defined in the guidance. This guidance is applied to all residents of care homes and ensures fairness and equality in determining contribution to residential care home fees.
- 4.13 Where respite in a care home is required for the persons care needs and not for carers respite there is a weekly charge that is not means tested and based on Department for Work and Pensions benefits for employment support allowance, disability premium less personal expenses allowance.
- 4.14 Where respite is provided to give a carer a break from their caring duties. The charge for respite is waived.
- 4.15 Appendix one provides a summary of the proposed increases for approval.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 The proposals in this report will provide £0.115m of additional funding to assist the HSCP in balancing the budget for 2026-27 and ensure sustainability of service delivery.

7. Human Resources Implications

- 7.1 There are no human resource implications.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 There is a risk that service users may stop using services due to an inability to pay, this risk will be mitigated by ensuring service users benefits are maximised and they are in receipt of all benefits they are entitled to.

8.2 *Risk Implications of Rejecting the Recommendations*

Insert one of the following statements:

- 8.2.1 Rejection of the recommendations will increase the financial burden to the Health and Social Care Partnership.

9. Integrated Impact Assessment (incorporating Equalities)

- 9.1 An Integrated Impact Assessment has been carried out on the proposals contained in this report, which identifies potential negative impacts. The IIA Summary Report is attached as Appendix 2 which includes information on any mitigating or follow-up action required.

A copy of the fully completed IIA can be accessed at [x IIA - HSCP SOCIAL CARE CHARGING INCREASES PROPOSAL 2026-27.xlsm](#)

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

The proposals are annual increases to charges. The proposals are in line with COSLA Non-Residential Charging Guidance.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and effective enabling services and the report aligns with the IJB Strategic Priority “We are an ambitious and effective partnership”.

13. Link to Shaping Our Future Council Yes No

- 13.1 Increasing of charges will contribute to £0.115m of funding to Health and Social Care Partnerships budget, this contribution will help sustain delivery of social care provision in day care, community alarms, non-personal care and provision of meals services.

14. Results of Consultation

- 14.1 There has been public consultation on the Council’s Budget for 2026-27 this gathered input on financial priorities, service charges and potential cost-saving measures.

- 14.2 Feedback on fees and charges showed a strong preference for flexibility in fees and charges. Nearly half (48%) selected a ‘varying rates’ approach (between 2.5% and 10%), compared with 30% favouring a flat 2.5% increase and 22% favouring a flat 5% increase. This suggests a preference for differentiated fees, not uniform uplifts.

- 14.3 Consultation has taken place with Councillor Hugh Hunter, Portfolio Lead for Health and Social Care Partnership, and IJB Budget Working Group includes all SAC voting members. The contents of this report reflect any feedback provided.

15. Next Steps for Decision Tracking

- 15.1 If the recommendations above are approved by Members, the Director of South Ayrshire Health and Social Care Partnership will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Increase in Charges	June 2026	Service Lead - Revenue and Benefits

Background Papers **None**

Person to Contact **Lisa Duncan, Chief Finance Officer HSCP**
Elgin House, Ailsa Hospital, Dalmellington Road, Ayr
Phone 01292 612392
E-mail lisa.duncan2@south-ayrshire.gov.uk

Date: **8th April 2026**

2026-27 CHARGING INCREASED FOR SOCIAL CARE

Non - Residential Charge	Current Charge	Increase	26-27 Proposed Charge	Current Cost	Per	Date of Implementation	Means tested?	Comments
Meals at Home	£5.64	21%	£6.85	£8.33	Meal	Jun-26	N	Remove subsidy over 3 year period - 2026-27 represents second year
Community Alarms	£5.10	5%	£5.35	£11.76	Week	Jun-26	N	Increase to meet additional costs of transfer to digital
Homecare - Non Personal Care	£14.39	5%	£15.15	£24.44	Hour	Jun-26	Y	Increase following benchmarking with other Local Authorities
Corporate Appointee Charge - (admin fee Community based service users)	£8.00	5%	£8.40		Week	Jun-26	N	Charge to support management of individuals finances
Corporate Appointee Charge - (admin fee care home service users)	£3.00	5%	£3.15		Week	Jun-26	N	
Max Weekly Charge	£102.00	3%	£105.00		Week	Jun-26	Y	Increase in line with inflation
Residential and Respite	Current Charge	Increase	26-27 Proposed Charge	Current Cost	Per	Date of Implementation	Means tested?	Means tested?
Local authority care home charges (in line with NCHC Residential Base Rate)	£815.13	14.1%	£930.45	£1,254.80	Week	Jun-26	Y	Financial assessment carried out in line with Charging for Residential Accommodation Guidance (CRAG)
Respite in care home charges - Age 18-24	£106.70	3.4%	£110.35	£930.45	Week	06/04/2026	N	Charge related to benefits - charge waived if respite for Carer - Carers Assessment is completed
Respite in care home charges - Age 25 to Pension Age	£125.85	3.5%	£130.25	£930.45	Week	06/04/2026		
Respite in care home charges - Pension Age and Over	£191.20	4.8%	£200.35	£930.45	Week	06/04/2026		

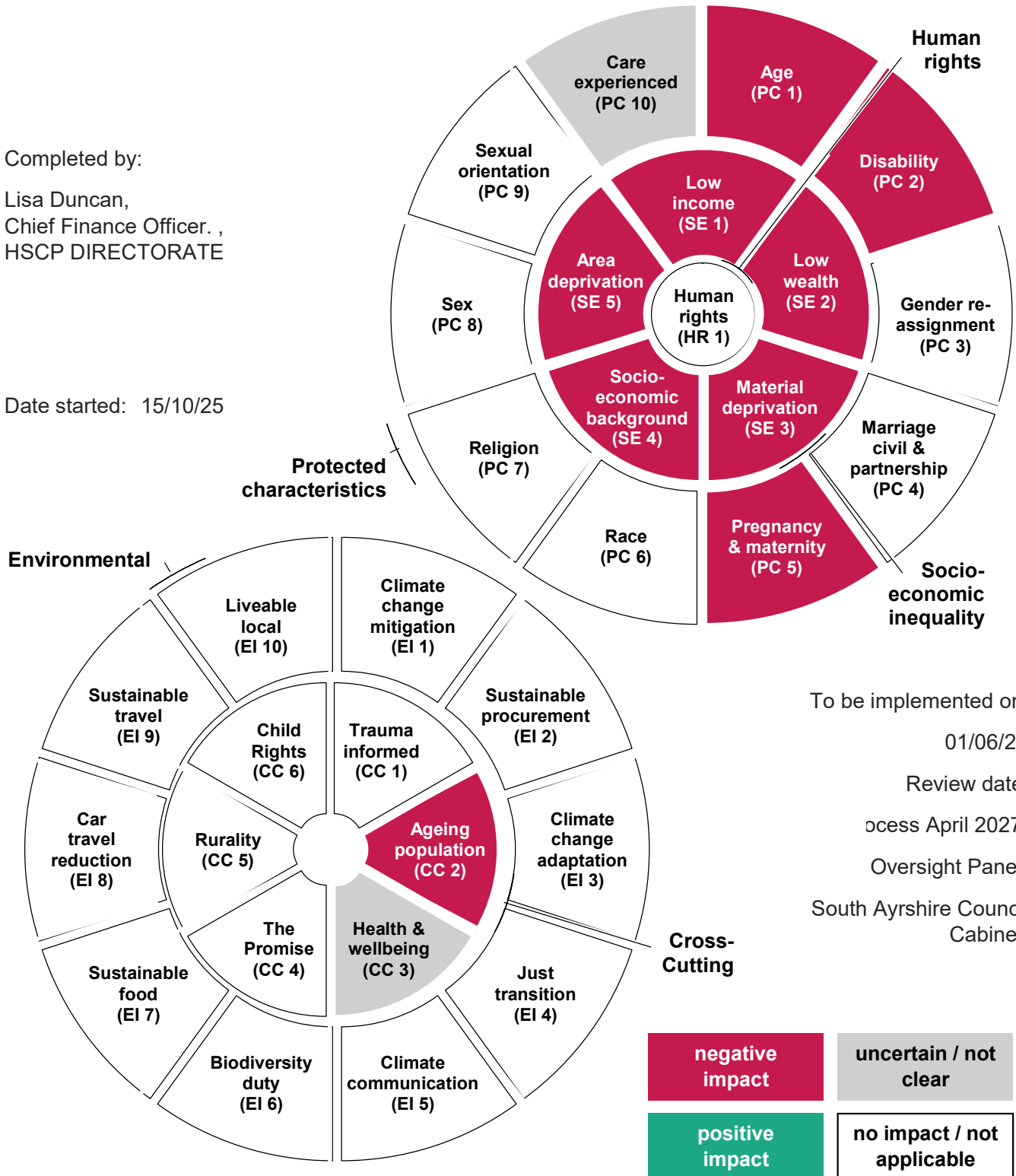
Integrated Impact Assessment Summary Report



Social Care Charges increases for 2026-27.

Completed by:
 Lisa Duncan,
 Chief Finance Officer.,
 HSCP DIRECTORATE

Date started: 15/10/25



To be implemented on:
 01/06/26
 Review date:
 ocess April 2027.
 Oversight Panel:
 South Ayrshire Council
 Cabinet.

Public sector equality duty

Eliminating unlawful discrimination, harassment, and victimisation?

Application of charges will ensure a consistent approach regardless of any protected characteristic.

Advancing equality of opportunity?

Application of charges will ensure a consistent approach regardless of any protected characteristic.

Fostering good relations?

Application of charges will ensure a consistent approach regardless of any protected characteristic.

Consultation declaration

We confirm consultation has been carried out as part of this process.

Mitigating Actions Required (re negative / unclear impacts)

EQUALITIES: impact on protected characteristics

PC 1	Age	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
PC 2	Disability	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.

Mitigating Actions Required (re **negative / unclear impacts)**

PC 5	Pregnancy and Maternity	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
PC 10	Care Experienced (SAC-specific)	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.

EQUALITIES: impact on socio-economic inequality

SE 1	Low Income / Income Poverty	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
SE 2	Low and / or no wealth	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
SE 3	Material Deprivation	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
SE 4	Socio-Economic Background	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.
SE 5	Area Deprivation	All service users will have their benefits maximised. People who are experiencing financial hardship will be reviewed on a case by case basis. Some charges may be waived.

Does this proposal require a Child Rights and Wellbeing Impact Assessment (CRWIA)?	no
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