

Disabled woman wins cancellation of charges for care at home in London Borough of Camden.



A disabled woman who faced a demand from Camden Social Services to pay charges for her homecare service out of her disability benefits has forced Camden to back down. The local authority has agreed not to charge her, back-dating the decision to October 2007, when Camden's current policy of means-testing all older and disabled homecare users, came into force.

Ms X, who has fibromyalgia (fatigue and severe pain in tendons and joints), gets two hours' paid care per day, plus help with food shopping. She receives Direct Payments from Camden to arrange her own care. But, like others who rely on homecare, she was pressured to pay charges for it she could not afford.

Ms X was supported by WinVisible (WV) – a multi-racial women with disabilities' group based at the Crossroads Women's Centre, and she is part of the Campaign Against Care Charges (CACC) – an umbrella group in Camden of disabled people and organisations opposed to charging and the humiliating assessments. Most members of CACC are homecare users.

Ms X had written to Camden several times since November, asking for a review of the amount that she was being told to pay, as they had overcalculated her income and undercounted her expenses. Camden insisted that, according to limits set in national guidelines, they would only count a small proportion of some of Ms X's essential expenses, for example, vitamins advised by her GP but not available on prescription. These limits dis-

criminate against severely disabled people whose essential expenses are higher than average.

In December 2007, WinVisible organised a workshop with solicitor Chris Benson from Leigh Day, for homecare users to get free advice on how to challenge their individual charges for homecare and the Careline emergency service; and whether the law had been broken in how people's care needs and finances were assessed. Housebound people, and others unable to attend, sent in questions or got advice by phone.

Subsequently, Ms X made a complaint to the Director of Adult Social Care, Neil Litherland, detailing further expenses and highlighting that when she continued to challenge the amount she was being charged, Camden had threatened to reduce her care. This may well have been unlawful – Councils are legally obliged to provide the level of service which they have decided is needed for that person's welfare. On 11 March, she received a letter confirming that “the invoice sent to you . . . has now been retracted . . . the service will remain free.”

Ms X said: *“For six months, the stress I was under rose so high that I was in great pain from my condition all the time. They say they are helping you, they say they are committed to diversity. They say one thing – then do the other. I'd say to other people – don't give up – fight for your rights.”*

For more information on our activities to defend homecare, and legal challenges in other boroughs, contact:

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INDEPENDENTLY

NEWSLETTER

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