

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Adult Social Care and Public Health
Date:	11 March 2015
Title:	Single Policy for Paying for Care
Reference:	6547
Report From:	Director of Adult Services

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1. The decision:

- a) That the Executive Member for Adult Social Care and Public Health approve the use of the attached (Appendix C) policy framework under the Care Act and publication of the framework.
- b) That the Executive Member for Adult Social Care and Public Health give approval for the backdating of care charges under the Care Act so that the service user is charged from the point at which the service begins.
- c) That the Executive Member for Adult Social Care and Public Health approves that, from the coming into force of Regulations on Deferred Payments under the Care Act 2014, the County Council will only offer Deferred Payment Agreements in relation to eligible people going to live in a care home and where the County Council can place a first legal charge on the property and where relevant obtain consent from other people with an interest in the property (as set out in Appendix D).
- d) That a further report be brought to the Executive Member at a later stage seeking approval for the County Council's policy in relation to offering a Deferred Payment Agreement where the Council is not legally required to do so.

2. Reasons for the decision:

2.1 The Care Act modernises existing social care law and asks that adult social care authorities must comply with a range of statutory obligations.

2.2 At her decision day on 27 January 2015, the Executive Member formally agreed to continue to financially assess and charge as at present for both residential and non-residential care (with the exception of some new or revised charges that were proposed in the report and agreed upon at that meeting); and that consequential amendments would be made to the policy framework.

2.3 The Care Act gives discretion to charge for both residential and non residential care; currently legislation only gives Local Authorities discretion on non residential charging. The policy framework has therefore been revised to a single policy framework to charge for residential and non residential care in line with the discretion given by the Care Act.

2.4 Following the decisions taken on the Deferred Payment Agreement Scheme at the Executive Member Decision Day on 27 January, further detailed work was carried out by Adult Services in liaison with the legal and financial assessment teams to prepare for the new scheme in Hampshire. The Department Management Team agreed recommendations on discretionary areas of the Care Act regarding the application of Deferred Payment Agreements, in order to produce key information for service users and their families.

2.5 The policy information has been produced to ensure transparency and clarity for all service users, carers and their representatives, as to when Hampshire County Council will consider applications for the Deferred Payment Agreement scheme.

3. Other options considered and rejected:

a) None

4. Conflicts of interest:

a) Conflicts of interest declared by the decision-maker: None

b) Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by: ----- Executive Member for Adult Social Care and Public Health Councillor Liz Fairhurst	Date: 11 March 2015
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