

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: AHWB.021.2021 Adult Social Care Charging Policy

BOX 1

DIRECTORATE: Adults, Health and Wellbeing

DATE: 6.4.2021

Contact Name: Geraldine Byrne

Tel. No.: 01302 737776

Subject Matter: Adult Social Care (ASC) Charging Policy

BOX 2**DECISION TAKEN**

To approve changes to the Charging policy so that it aligns with the Cabinet decision taken on 25 February 2020 ([Adult Social Care Charges - Cabinet report 2020 Final](#))

BOX 3**REASON FOR THE DECISION**

On 25 February 2020 Cabinet approved changes to a range of fees and charges and charging practices in Adult Social Care.

In total 9 individual proposals were agreed with an implementation date of April 2020. The proposals related to the following areas:

1. Home alarm service
2. Care at home
3. Day opportunities provided by the Council's SMILE service
4. Safeguarding personal assets
5. Arrangements for people who pay for their own care in full
6. Maximum weekly charge for non-residential services
7. Enhanced daily living component of Personal Independence Payment (PIP)
8. Financial Assessments for Residential Respite & Short Stay Care
9. The Minimum Income Guarantee (MIG)

The proposals are explained in detail in the [Adult Social Care Charges - Cabinet report 2020 Final](#)

Due to the Council's response to the COVID-19 pandemic some of the implementation was suspended until October 2020.

It was recommended that the wording in the policy was reviewed, arising from the ASC charges Cabinet decision, and for the policy to fully document Doncaster Council's agreed approach to charging and financial assessment for adult social care and support.

The policy details the principles and guidance for decision making around charging and financial assessments for adult social care and support, ensuring legal compliance with the Care Act 2014.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Option 1 – Do nothing

This is not an option given the changes approved as part of the ASC charges Cabinet decision

Option 2 – To ensure the policy reflects the changes to ASC charging, approved at Cabinet and which have subsequently been implemented.

Recommended – Option 2

BOX 5

LEGAL IMPLICATIONS

The Care Act 2014 obligates the Council to meet the eligible needs for care and support of its population in accommodation in a care home or by providing care and support to those individuals in their home or in the community.

Sections 14 and 17 of the Care Act 2014 and the supporting Statutory Guidance provide a legal framework for charging for adult social care and support.

The Act states that local authorities have the discretion to choose whether or not to charge under section 14 of the Care Act 2014 following a person's or carer's needs assessment.

Where a local authority decides to charge, it must follow the Care and Support (Charging and Assessment of Resources) Regulations 2014 and have regard to the guidance. A local authority may only charge up to the costs they incur when contracting for care.

The proposed charging policy is consistent with this statutory framework.

Name: N. Concannon **Signature:** By Email **Date:** 27/4/21

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

The Adult Social Care Charges Cabinet report approved 25th February 2020 identified amendments which would generate an estimated £2.142m increased income when fully implemented.

The changes to the charging policy that this decision recommends reflect the measures in the Cabinet report and enable them to be implemented in a clear and consistent manner. As such

there are no financial implications to this decision further to delivering the £2.142m identified in the Cabinet report.

Name: Paul Williams Signature: __by email__ Date: 28/04/2021

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

No further implications

Name: __Bryony Shannon_____ Signature: _____ Date: __28/04/2021

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS: (To be completed by the author).

It is anticipated that the changes will result in better compliance with the council's equality objectives and with the Equality Act 2010. Further details are available in the [Adult Social Care Charges - Cabinet report 2020 Final](#) papers.

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

If the charging policy is not updated it will not align with the Cabinet decision on charges.

BOX 10

CONSULTATION

The Cabinet decision was informed by a consultation on changes to adult social care charges in 2019. Further details are available in the [Adult Social Care Charges - Cabinet report 2020 Final](#) papers.

BOX 11

INFORMATION NOT FOR PUBLICATION

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures

Name: _Gillian Parker_____ Signature __by email_____ Date: __29/04/2021__

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: Phil Holmes Signature:  Date: 13/05/2021

Director of Adults Health and Wellbeing_

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.