



**CABINET**

**9 NOVEMBER 2016**

**DIRECTOR OF ADULT SOCIAL CARE AND MANAGING DIRECTOR OF OLYMPUS  
CARE SERVICES: DR CAROLYN KUS**

**CABINET MEMBER FOR ADULT CARE DELIVERY: COUNCILLOR BILL PARKER**

|                         |  |
|-------------------------|--|
| <b>Subject:</b>         | Paying for Care and Support When Eligible for Adult Social Care  |
| <b>Recommendations:</b> | <p>The Cabinet is asked to:</p> <ol style="list-style-type: none"> <li>1. To note the contents of the report.</li> <li>2. To approve the commencement of a consultation process on the proposals set out in this report, and then further report the results of the consultation to a future meeting of Cabinet for consideration and decision.</li> <li>3. To receive a further report to Cabinet on the proposals set out in this report once appropriate Financial and Legal Advice has been received.</li> </ol> |

**1. Purpose of Report**

- 1.1 Cabinet are asked to agree to commence a 6 week consultation on the proposed changes to the document attached. As a County Council we need to ensure that we have in place policies and procedures which clearly outline the Councils position in regard to payment for care and support.
- 1.2 Having reviewed the document and taken into account feedback received it was felt necessary to make changes, in order to ensure people who receive our services have clarity about their responsibility and as a Council we have a in place procedures which enable a more robust approach to reducing this element of client debt.
- 1.3 The major changes which Cabinet are being asked for agreement to consult on are as follows:
  - 1.3.1 that with all the relevant checks undertaken that where there is deliberate non-compliance we are able to issue an intent to cease providing care, until the commitment is reinstated
  - 1.3.2 the process of notifying an individual of non-payment of contributions will reduce from 4 weeks to 2 weeks
  - 1.3.3 direct debits are now the preferred option to make payment unless there is an issue with capacity - there will be an agreed payment date made in advance to ensure regular deductions are made, this again will reduce the necessitation to give a 10 day notice period.

**2. How this decision contributes to the Council Plan**

The Council’s vision is to make Northamptonshire a great place to live and work. This

is achieved through increasing the wellbeing of your county's communities and/or safeguarding the county's communities.

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| This initiative specifically delivers increased wellbeing and/or safeguarding by ensuring that: |
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- |  |
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| <ul style="list-style-type: none"><li>• Resources are utilised effectively and efficiently, in coordination with partners and providers.</li></ul> |
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### 3. Background

3.1 The Council Plan 2016-20 set out an ambitious strategy for NCC and described critical success factors, which were used to prioritise resources and develop the medium term financial plan. In addition, the Council seeks to ensure that

*“resources are utilised effectively and efficiently, in coordination with partners and providers”*

The Council is compelled to manage the budget/finances, at a time of austerity and decreasing resources, while, at the same time, ensuring that needs are met using the most efficient, effective and high quality services.

3.2 As a Council with responsibility for adult social care there is a requirement that those who are both vulnerable and eligible for social care have their needs met, within the financial resources available. Equally however, the Council also needs to ensure that, after a full financial assessment, there is an ability for the customer to make a contribution to their care needs, they and their family fully understand this and commits to making the agreed regular payments.

3.3 Having undertaken a review of our debt, and with the introduction of a debt management board, we have been able to establish that part of the increased debt has been due to agreed contributions to pay for care not being met, for a variety of reasons.

3.4 It is accepted that in some cases there may be a valid reason for this and in those circumstances we will continue to work with individuals who may have experienced a change in circumstances. However, where there is deliberate non-compliance or refusal to make agreed commitments, we need to take appropriate action. Taking these actions will ensure that the limited resources we have are available to meet our community of vulnerable adults who are eligible for our support.

3.5 Therefore the document **Paying for your Care and Support in your Own Home** has been updated to ensure it is explicitly clear of what the Council's adult social care role is and the expectations of the service user if deemed both eligible and able to make a financial contribution. It is this document that Cabinet are being asked for approval to make the relevant changes and to consult on those changes.

The Document is attached in the appendices. Cabinet are asked to note Section 4 **What if I am unable to meet my agreed contributions**, which is the additional paragraph added.

#### 4. Consultation and Scrutiny

4.1 It is proposed to undertake a six week consultation, we will also seek legal advice to ensure we remain compliant with the Care Act 2015.

#### 5. Equality Screening

|   |   |
|---|---|
| <b>Reason that no EqlA is required</b>  | <b>✓ as appropriate</b>   |
| The paper is for information only   |   |
| The proposal/activity/decision has no impact on customers or the service they receive                                 |   |
| The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive* |   |
| Other (please explain further)  | <b>✓ we will complete and include as part of the consultation</b> |

\* where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation

#### 6. Alternative Options Considered

None

#### 7. Financial Implications

This action will reduce debt by offering a more robust process, any potential financial implications will be completed at the end of the consultation period.

#### 8. Risk and Business Continuity Management

8.1 Risk(s) associated with the proposal

| <b>Risk</b>   | <b>Mitigation</b>   | <b>Residual Risk</b> |
|---|---|----------------------|
| People could have their service stopped and reduced | A detailed check list will be completed agreement to stop services can only be signed off at Director Level after all relevant checks have been carried out by an Assistant Director. | Amber                |

8.2 Risk(s) associated with not undertaking the proposal

| <b>Risk</b>   | <b>Risk Rating</b> |
|---|--------------------|
| Individual client debt will increase, which will place an added burden on the council | Amber              |

#### 9. List of Appendices

- Appendix 1 – Paying for Care and Support in your Own Home

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| Author:  | Name: Dr Carolyn Kus<br>Team: Adult Social Care  |
| Contact details:   | Tel: 01604 367670<br>Email: <a href="mailto:ckus@northamptonshire.gov.uk">ckus@northamptonshire.gov.uk</a> |
| Background Papers:   |  |
| Does the report propose a key decision is taken?   | YES  |
| If yes, is the decision in the Forward Plan?   | YES  |
| Will further decisions be required? If so, please outline the timetable here   | NO   |
| Does the report include delegated decisions? If so, please outline the timetable here  | NO   |
| Is this report proposing an amendment to the budget and/or policy framework?   | YES  |
| Have the financial implications been cleared by the Strategic Finance Manager (SFM)?<br>Have any capital spend implications been cleared by the Capital Investment Board (CIB) | YES<br>Name of SFM: Yalini Gunarajah<br><br>NO   |
| Has the report been cleared by the relevant Director?  | YES<br>Name of Director: Dr Carolyn Kus  |
| Has the relevant Cabinet Member been consulted?  | YES<br>Cabinet Member: Councillor Bill Parker  |
| Has the relevant scrutiny committee been consulted?  | NO   |
| Has the report been cleared by Legal Services?   | YES<br>Name of solicitor: Laurie Gould   |
| Have any communications issues been cleared by Communications and Marketing?   | YES<br>Name of officer: Joni Ager  |
| Have any property issues been cleared by Property and Asset Management?  | NO   |
| Are there any community safety implications?   | These will be considered and taken into account as each service or proposal is put through the framework   |
| Are there any environmental implications:  | These will be considered and taken into account as each service or proposal is put through the framework   |
| Are there any Health & Safety Implications:  | NO   |
| Are there any Human Resources Implications:  | NO   |
| Are there any human rights implications:   | NO   |
| Constituency Interest:   | NO   |