

MEETING

ADULTS AND SAFEGUARDING COMMITTEE

DATE AND TIME

MONDAY 26TH JANUARY, 2015

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF ADULTS AND SAFEGUARDING COMMITTEE (Quorum 3)

Chairman: Councillor Sachin Rajput
Vice Chairman: Councillor Tom Davey

Councillors

Barry Rawlings	Pauline Coakley Webb	Reema Patel
Philip Cohen	Helena Hart	Reuben Thompstone
	David Longstaff	

Substitute Members

Councillor Anthony Finn	Councillor Brian Gordon	Councillor Daniel Thomas
BSc (Econ) FCA	LLB	BA (Hons)
Councillor Anne Hutton	Councillor Ammar Naqvi	Councillor Jim Tierney

You are requested to attend the above meeting for which an agenda is attached.

Andrew Nathan – Head of Governance

Governance Services contact: Anita Vukomanovic 020 8359 7034
anita.vukomanovic@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes	1 - 6
2.	Absence of Members	
3.	Declarations of Members Disclosable Pecuniary Interests and Non-Pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Members' Items (if any)	
6.	Public Questions and Comments (if any)	
7.	Corporate Grants Programme, 2014/15 - Grant Applications	7 - 22
8.	The Implications of the Commissioning Plan and The Care Act 2014 for Adult Social Care in Barnet	To Follow
9.	Implementation of the Care Act - Adult Social Care Deferred Payments Policy	23 - 52
10.	Committee Forward Work Programme	53 - 60
11.	Any other items that the Chairman decides are urgent	

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Decisions of the Adults and Safeguarding Committee

20 November 2014

Members Present:-

AGENDA ITEM 1

Councillor Sachin Rajput (Chairman)
Councillor Tom Davey (Vice-Chairman)

Councillor Barry Rawlings
Councillor
Pauline Coakley Webb
Councillor Helena Hart

Councillor David Longstaff
Councillor Reema Patel
Councillor Reuben Thompstone

Apologies for Absence

Councillor Philip Cohen

1. MINUTES

RESOLVED that the minutes of the meeting of 2 October 2014 are agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies for absence were received from Councillor Philip Cohen.

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Councillor Barry Rawlings declared a disclosable non-pecuniary interest in relation to Agenda Item 8 (Home and Community Support Strategy) by virtue of being a member of Unison.

Councillor Reema Patel declared a disclosable non-pecuniary interest in relation to Agenda Item 8 (Home and Community Support Strategy) by virtue of being a member of Unison.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There were none.

5. MEMBERS' ITEMS (IF ANY)

There were none.

6. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Details of the questions asked and the published answers were provided with the agenda papers for the meeting. Verbal responses were given to supplementary questions at the meeting.

Ms. Janet Leifer made a public comment in relation to Agenda Item 7 (Business Planning) Members asked questions following the comments which were answered by Ms. Leifer.

7. BUSINESS PLANNING

Ms. Kate Kennally, the Strategic Director for Communities introduced the report, which set out a proposed five year Commissioning Plan for the Adults and Safeguarding Committee. Ms. Kennally noted that the Committee had considered Business Planning at their meetings in July and October 2014.

The Committee considered the report.

The Committee noted that any future options appraisals to evaluate alternative delivery models would include consideration of the service remaining in-house.

The Chairman MOVED the following motion:

1. *“That the Adults and Safeguarding Committee approves the Commissioning Plan (as set out at Appendix A) subject to consultation. The Commissioning Plan sets out the strategic priorities, commissioning intentions, outcome measures, revenue budgets and capital requirements for recommendation to the council’s Policy and Resources Committee on 2nd December 2014.”*

Votes were recorded as followed:

In Favour	5
Against	0
Abstentions	3

The motion was carried.

Councillor Rajput MOVED the following Amendment:

2. *That the Adults and Safeguarding Committee agrees to public consultation on the Commissioning Plan commencing immediately following Policy and Resources Committee on 2nd December 2014, Policy and Resources Committee on 17 February 2015 are asked to agree the final Commissioning Plans.*
- 2.1 *That the Adults and Safeguarding Committee agrees to public consultation on the Commissioning Plan commencing immediately following Policy and Resources Committee on 2nd December 2014, and that the Policy and Resources Committee on 17 February 2015 are asked to agree the final Commissioning Plans.*

Votes were recorded as followed:

In Favour	8
Against	0
Abstentions	0

The Amendment was carried and became the substantive motion.

The Chairman moved to the vote on the substantive motion.

Votes were recorded as followed:

In Favour	8
Against	0
Abstentions	0

The motion was carried.

The Chairman MOVED the following Amendment which was SECONDED by Councillor Barry Rawlings:

3. The Adults and Safeguarding Committee notes the need to develop performance targets for the proposed outcome measures and delegates approval of the final performance measures and targets to the Strategic Director for Communities, in consultation with the Chairman of the Adults and Safeguarding Committee.

- 3.1 The Adults and Safeguarding Committee notes the need to develop performance targets for the proposed outcome measures and that the final commissioning plan which includes performance targets will be reported to Adults and Safeguarding Committee for approval in March 2015.

Votes were recorded as followed:

In Favour	8
Against	0
Abstentions	0

The Amendment was carried and became the substantive motion.

The Chairman moved to the vote on the substantive motion.

Votes were recorded as followed:

In Favour	8
Against	0
Abstentions	0

The motion was carried.

RESOLVED that:-

1. **That the Adults and Safeguarding Committee approves the Commissioning Plan (as set out at Appendix A) subject to consultation. The Commissioning Plan sets out the strategic priorities, commissioning intentions, outcome measures, revenue budgets and capital requirements for recommendation to the council's Policy and Resources Committee on 2nd December 2014.**
2. **That the Adults and Safeguarding Committee agrees to public consultation on the Commissioning Plan commencing immediately following Policy and**

Resources Committee on 2nd December 2014, and that the Policy and Resources Committee on 17 February 2015 are asked to agree the final Commissioning Plans.

- 3. The Adults and Safeguarding Committee notes the need to develop performance targets for the proposed outcome measures and that the final commissioning plan which includes performance targets will be reported to Adults and Safeguarding Committee for approval in March 2015.**

8. HOME CARE COMMISSIONING STRATEGY

Dawn Wakeling, the Adults and Communities Director introduced the report which set out the strategy for homecare provision, and described how the strategy would address the mechanisms for the procurement of the service.

The Committee considered the report:

Following a request from Members, the Chairman moved to vote on each recommendation separately.

The Chairman moved to the vote on Recommendation One, which was:

- 1. The Committee are asked to agree the strategy for re-commissioning Home and Community Support, which centres on ensuring a resilient market and to carry out a managed and safe transition to a commissioning and payment system based on service user outcomes, using a two stage procurement approach.**

Votes were recorded as follows:

In Favour	5
Against	0
Abstentions	3

The motion was carried.

The Chairman MOVED to the vote on Recommendation Two, which was:

- 2. The committee are asked to agree that payment for travel time is included in the home and community support specification.**

Votes were recorded as follows:

In Favour	8
Against	0
Abstentions	0

RESOLVED that:-

- 1. The Committee agree the strategy for re-commissioning Home and Community Support, which centres on ensuring a resilient market and to carry out a managed and safe transition to a commissioning and payment**

system based on service user outcomes, using a two stage procurement approach.

- 2. The committee agree that payment for travel time is included in the home and community support specification.**

9. COMMITTEE FORWARD WORK PROGRAMME

The Committee considered the Forward Work Programme, as set out in the report.

The Chairman noted that following agreement with the majority of Members, the meeting of the Committee scheduled to take place on 4 December 2014 would be moved to 26 January 2015.


The Committee noted that the "Management Agreements" report scheduled for March 2015 would be removed from the Forward Work Programme, and that an item titled "The Implications of the Commissioning Plan and The Care Act for Adults Social Care in Barnet" would be added to the January 2015 meeting.

10. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.24 pm

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AGENDA ITEM 7	
 <p>Adults & Safeguarding Committee 26 January 2015</p>	
Title	Corporate Grants Programme, 2014/15 – grant applications
Report of	Deputy Director of Finance & Deputy Chief Operating Officer
Wards	All
Status	Public
Enclosures	Grant assessments: <ul style="list-style-type: none"> • Appendix A - Barnet Seniors' Assembly • Appendix B - Barnet Association of Tamil Elders • Appendix C - SAAM Theatre Company
Officer Contact Details	Ken Argent, Grants Manager, Finance, Commissioning Group (ken.argent@barnet.gov.uk) (020 8359 2020) Caroline Chant, Joint Commissioning Manager – Older Adults, Adults & Communities and Barnet Clinical Commissioning Group (caroline.chant@barnet.gov.uk) (020 8359 4259)

Summary
This report attaches assessments of grant applications by three not-for-profit organisations.

Recommendations
<p>(1) That a one-year start-up grant of £7,500 be awarded to Barnet Seniors' Assembly, subject to the council's Standard Conditions of Grant Aid and the special conditions shown in the grant assessment enclosed.</p> <p>(2) That, for the reasons set out in the relevant assessment, the application for a grant by Barnet Association of Tamil Elders is not supported.</p> <p>(3) That a one-year start-up grant of £6,480 be awarded to SAAM Theatre Company, subject to the council's Standard Conditions of Grant Aid and the special conditions shown in the grant assessment enclosed.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 Voluntary and community organisations may apply for a one-year start-up grant of up to £10,000 or a one-off grant of up to £5,000 from the corporate grants programme.
- 1.2 The power to award grants of more than £5,000 to voluntary and community groups is contained in the terms of reference of theme committees in the council's constitution - annexe A of Responsibilities for Functions.

2. REASONS FOR RECOMMENDATIONS

- 2.1 These are as set out in the assessments of the three grant applications in question herewith.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 The applicants will be formally notified of the decisions.
- 4.2 The grants to Barnet Seniors' Assembly and SAAM Theatre Company will be payable in instalments following compliance with the special conditions contained in the assessment.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan for 2013-16 includes the following strategic objectives:

- Creation of the right environment to promote responsible growth, development and success across the borough
- Supporting families and individuals that need it – promoting independence, learning and well-being
- Improving the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study

- 5.1.2 The outcomes around which these objectives are prioritised include:

- To promote a healthy, active, independent and informed population
- To increase resilience amongst older people and help them to age well

- 5.1.3 The council is seeking to develop new and effective partnerships to deliver high quality public services having regard to the significant reduction in government funding. The voluntary and community sector has a significant role to play in this strategy, especially by increasing choice, accessibility and value for money, leading on innovative solutions and improving customers'

perception of public services.

5.1.4 A Third Sector Commissioning Framework, approved by the Cabinet Resources Committee in 2008, sets out guidelines to:

- bring consistency to the council's financial arrangements with the voluntary and community sector; and
- bring procurement from, and grants to, the sector into a single framework consistent with the council's procurement rules

5.1.5 The grants programme offers help to voluntary and community organisations (a) to develop new services and activities and (b) to run a community event or meet certain non-recurring items of expenditure.

5.1.6 All applications are assessed on their individual merits against the council's policy objectives; the benefits to the local community; the effectiveness of the organisation in its service delivery; its overall value for money; its financial needs; and the budget for making awards each year. In the case of start-up grants, the apparent or likely viability of a proposal in the years following the council's twelve-month funding is a critical factor.

5.1.7 The applications by Barnet Seniors' Assembly and SAAM Theatre Company fulfil these criteria and are recommended for an award. The application by Barnet Association of Tamil Elders is not supported on the grounds of the duplication of services and lack of a coherent sustainability strategy.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The provision for making start-up and one-off grants in 2014/15 is comprised of funds deriving to the authority from the Edward Harvist Charity; a small annual allocation from the former Borough Lottery Scheme; and a one-off contingency fund.

5.2.2 The current position on the funding available in 2014/15, which reflects the sum that has currently been drawn down to the corporate grants programme, to be supplemented from further income from the charity, is as follows:

Budget item	Funding available, 2014/15	Approvals to date	Balance remaining	Recommended herewith
Edward Harvist Charity	£44,390	£10,200	£34,190	£13,980
Former Borough Lottery Fund	£15,000	£10,800	£4,200	0
Contingency	£45,000	0	£45,000	0
TOTAL	£104,390	£21,000	£83,390	£13,980

5.3 Legal and Constitutional References

5.3.1 The council has power to make grants awards under section 1 of the Localism Act 2011.

5.4 Risk Management

5.4.1 All grants are made subject to the council's Standard Conditions of Grant Aid, with which applicants are required to signify their compliance by signing a written undertaking. Amongst other things, the conditions cover how awards are spent, allowing council officers a right of access to proof thereof, and requiring notification of any change in an organisation's circumstances which significantly affect its finances, operations or grant entitlement. The council reserves the right to withhold payment of any approved grant, or to demand full or partial repayment, if it appears that an organisation has failed to comply with any of the conditions attached to the award.

5.4.2 The shift towards greater community involvement in the delivery of services has involved some relaxation in the attitude traditionally taken to compliance with eligibility criteria before an award is recommended. Whilst all applicants are expected to satisfy basic governance requirements, such as having an independent management committee, it is accepted that community-led and self-help groups often require the support of a parent organisation or other agency. In cases such as these, account is taken of other relevant factors, such as knowledge of a supporting agency and mechanisms to manage an applicant's financial affairs. All applicants are expected to work towards full independence within a reasonable period.

5.5 Equalities and Diversity

5.5.1 Under section 149 of the Equality Act 2010, the council and all other organisations exercising public functions must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by or under the Act;
- advance equality of opportunity between people from different groups;
- foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into daily business and keep them under review in decision making; the design of policies; and the delivery of services.

5.5.2 All voluntary and community organisations grant-aided by the council are required to demonstrate that they have an equal opportunities policy covering users, staff and volunteers, which promotes equal treatment for all irrespective of their age, disability, gender, sexuality, ethnic background, faith, health, language or social and economic background. Scrutiny of compliance with these considerations, and how they contribute to promoting good relations between people and communities, forms part of the standard procedure for assessing all applications.

5.5.3 Awards from the corporate grants programme fund projects and activities in support of people from all communities and focus particularly on those who may be regarded as vulnerable. The recommendation not to award a grant to Barnet Association of Tamil Elders is not considered to be prejudicial to the community in question because of the existence of another voluntary organisation that seeks to support its needs.

5.6 Consultation and Engagement

5.6.1 The applications in question have been assessed in conjunction with the Joint Commissioning Unit for Older Adults, Adults & Communities and the Barnet Clinical Commissioning Group.

6. BACKGROUND PAPERS

6.1 Cabinet Resources Committee, 22 July 2008 (decision item 11): approval of a Third Sector Commissioning Framework.

6.2 Council, 4 March 2014: approval of corporate grants budget for 2014/15.

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GRANT APPLICATION 2014/15 – ASSESSMENT AND RECOMMENDATION

Priority Corporate Outcomes	To promote a healthy, active, independent and informed over-55 population To increase resilience amongst older people and help them to age well To encourage new integrated responses to the health and social care needs of residents	
Organisation	BARNET SENIORS' ASSEMBLY	ref 55/C/EPW
Address	c/o 7 St Augustine's Court, Somerset Road, New Barnet	

Corporate policy, aims and objectives

The council is committed to helping people to be independent and live active lives, recognizing that some people need more support than others to achieve this. The transformation of adult health and social care set out in the Care Act 2014 and Department of Health publications 'Our Health, Our Care, Our Say' and 'A Vision for Social Care, Capable Communities and Active Citizens' places growing emphasis on preventative services; delivering targeted information and advice, such as regarding healthy lifestyles; and ensuring people have the right support at the right time.

The Older Adults Strategy, 'Living Longer, Living Better', and the Older People's Commissioning Strategy, 2008-17, 'Independence, Choice and Control', focus on developing preventative services; tackling inequalities; and the wider well-being agenda. Barnet's Health and Well-Being Strategy and Integrated Care Model seek to promote the health and well-being of older and disabled people, helping them to achieve key outcomes, including the best possible quality of life, and to remain part of the community. Engagement with older people to capture their views is a key element of health and social care service planning.

Activities / proposal

An unincorporated association, Barnet Seniors' Assembly (BSA) was formed in February 2014 by the merger of Barnet 55+ Forum, predominantly a campaigning group, and Barnet Older People's Assembly (BOPA). It aims:

- * to support and represent the interests of, and act as an information resource for, senior residents of the borough;
- * to provide a mechanism through which matters of concern to Barnet residents may be raised, policies developed and action pursued;
- * to work in partnership with the council, the health authorities and other organisations on issues of concern to, or affecting, senior residents.

BSA seeks to unify the work of the two former groups, whose common objectives were to enhance the quality of life of older people affected by reduced circumstances and/or physical/mental ill health and help them to retain their independence. The new organisation states that it is committed to consultation and collaborative working to achieve better services and outcomes for older people whilst respecting the right of all members to express their views individually. Membership is open to anyone aged 55+. BSA currently has 200 members and direct links to over 1,000 other older people in Barnet who belong to affiliated organisations.

There are monthly social meetings for members, focused particularly on tackling isolation amongst, and improving the quality of life of, the 12,000+ older people in Barnet who live alone. Meetings are held at community centres and church halls across the borough. Activities, which

include group discussions and film shows, are complemented by social activities and outings. General assemblies, scheduled at present to be held twice a year, are larger gatherings generally focusing on a particular issue or theme, often with visiting speakers giving expert advice and audience interaction. The latest such assembly in October celebrated Older People's Day.

BSA works collaboratively with Adults & Communities and the Barnet Clinical Commissioning Group (BCCG) to promote new initiatives, such as personal budgets and greater integration of health and social care services, and to facilitate a two-way dialogue between those agencies and older people in Barnet, capitalising on its membership's local knowledge, for example, to identify changing needs. Represented on the Health and Well-Being Board, it actively supports the council's Ageing Well project, particularly in galvanising grassroots activity and community cohesion in designated areas through the 'Altogether Better' programme.

This application seeks help to employ a part-time paid co-ordinator to develop and expand upon BSA's work. A primary objective is to recruit and train older people to assist as volunteers in sustaining its activities, such as leading on delivery of new activities for members, aimed at developing new skills and interests, and representing BSA at meetings and reporting back to its executive committee. The incumbent will also be responsible for increasing the number of assembly events each year; for developing new cultural sub-groups in recognition of the diversity of older Barnet residents; and for introducing a newsletter for members and supporters to extend BSA's scope and reach.

Adults & Communities supports the development of BSA, as it did the former BOPA, as a systematic and effective way of incorporating older people's views into health and social care planning. Decisions and/or recommendations from BSA feed into the Older Adults Partnership and Health and Well-Being Boards. As an independent, user-led group, BSA adds value to other consultative mechanisms, such as consultation forums and focus groups, and directly supports implementation of many of the council's prevention programmes. The need for a skilled co-ordinator, not least to develop the role of volunteers, is duly endorsed.

Cost and financial need

BSA's budget for 2015 shows expenditure of £17,530, of which £9,000 is the cost of employing a co-ordinator for two days a week. Publicity and production of a newsletter (£4,000); the general assemblies (£2,500); and hire charges for the monthly meetings (£600) constitute the other main elements of the budget, which also includes one-off equipment costs (£500). Income (£5,500) includes membership fees, donations and the proceeds of fundraising and assumes that Adults & Communities will continue to defray the cost of the two existing annual general assemblies, as it has for several years when organised by BOPA.

The grant request is for £7,500 towards the cost of the part-time co-ordinator post over twelve months, including on-costs. BSA states that it will contribute the remaining £1,500 and will make up the further shortfall of £3,030 on the overall budget from balances, having inherited the net current assets of BOPA and the Barnet 55+ Forum in the sum of £7,200 upon its formation.

The cost of retaining the post beyond one year if it is considered necessary to do so forms part of the group's sustainability strategy, which is based upon a combination of earned income (from fees and charges for new activities and events) and future fundraising. The council's endorsement of BSA's aims and objectives, exemplified by the grant recommended, will serve to strengthen future bids to the many other sources of charitable funding that exist for work of this nature.

Grant recommendation, type and conditions

£7,500 (from Edward Harvist Charity)

Start-up grant

 *

One-off grant

Special conditions:

Payment of the award should be made subject to (a) agreement of a work plan for the part-time co-ordinator, with targets and milestones for monitoring purposes; (b) the receipt of quarterly progress reports and an undertaking to provide an evaluation of the effectiveness of the post after twelve months; and (c) formalisation with Adults & Communities and BCCG of the future role that BSA will play in supporting community resilience work and community engagement.

Target grant outcomes

(a) To enhance the role of BSA in engaging with older people in Barnet and representing their views in health and social care planning and (b) to maintain the independence, and improve the quality of life, health and well-being of vulnerable elderly residents.

Date: January 2015

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GRANT APPLICATION 2014/15 – ASSESSMENT AND RECOMMENDATION

Priority Corporate Outcomes	To promote a healthy, active, independent and informed over-55 population To increase resilience amongst older people and help them to age well	
Organisation	BARNET ASSOCIATION OF TAMIL ELDERS	ref 76/C/EPW
Address	Watling Community Centre, 145 Orange Hill Road, Edgware	

Corporate policy, aims and objectives

The council is committed to helping people to be independent and live active lives, recognizing that some people need more support than others to achieve this. The transformation of adult health and social care set out in the Care Act 2014 and Department of Health publications 'Our Health, Our Care, Our Say' and 'A Vision for Social Care, Capable Communities and Active Citizens' places growing emphasis on preventative services; delivering targeted information and advice; ensuring people have the right support at the right time; and enabling people to plan for later life.

The Older Adults Strategy, 'Living Longer, Living Better', and the Older People's Commissioning Strategy, 2008-17, 'Independence, Choice and Control', focus on developing preventative services; tackling inequalities; and the wider well-being agenda. Barnet's Health and Well-Being Strategy and Integrated Care Model seek to promote the health and well-being of older and disabled people, helping them to achieve key outcomes, including the best possible quality of life, and to remain part of the community. The provision of culturally specific services to support older people from minority ethnic communities is a key element of each strategy to overcome the problems of social exclusion.

Activities / proposal

Barnet Association of Tamil Elders (BATE) is an unincorporated not-for-profit organisation formed in July 2013, which seeks to improve the health awareness and wellbeing of Tamil elders living in Barnet and surrounding boroughs through the provision of social and recreational activities and to preserve members' cultural identity.

Activities take place twice a week and include keep fit and yoga classes; a weekly lunch club; lectures by visiting speakers and discussions about medical issues and other topics of interest; board and card games; and other recreational pursuits. There are also occasional day trips. Some one-to-one help is offered to access statutory benefits; with translation and interpretation; and with measures to improve home safety and security. Membership has grown over the last year from eighteen to sixty, of whom over 50% are aged 70+. 42 members live in Barnet. Nearly all are from the Tamil community, notwithstanding the group's open membership policy, most having low or medium levels of dependency.

User feedback points to the value attached to the companionship that BATE provides, especially for more isolated older people, and how the focus on healthy living has improved levels of fitness and recovery from illness.

This application seeks help to consolidate and expand upon the group's work in support of enhancing the independence of members, such as by the introduction of English language and computer classes.

Another voluntary organisation, the Cultural & Recreational Organisation for Tamil Elders

(CROFTE) also meets twice a week at Watling Community Centre. Formed in 1999, CROFTE has a similar programme of activities to BATE, including yoga and keep fit classes; talks and seminars; musical entertainment; a lunch club; and cultural events, aimed at promoting the social welfare, health and independence of elderly Tamils. It has a membership of about 60, mainly living in Barnet and Harrow.

BATE was established following a disagreement between some of the members of CROFTE and the organisation's management committee over how the group was run, a dispute that could not be resolved in spite of the intervention of Adults & Communities and Community Barnet.

CROFTE is a member of the Barnet Neighbourhood Group led by Age UK Barnet, the voluntary and community sector consortium commissioned by Adults & Communities to provide activities and services to older people. CROFTE delivers activities in accordance with the terms of its contract and fulfills all other legal requirements, including the publication of annual accounts, presented to an annual general meeting.

The constraints on public funding and grants place ever greater emphasis on ensuring that services are not duplicated. BATE and CROFTE serve the same community of older people in much the same way and at the same location. In the circumstances, a grant for BATE cannot be justified. But the existence of the two groups threatens to undermine the sustainability of each. It is therefore proposed to explore ways in which their work may be re-unified, involving Community Barnet as the council's voluntary and community sector partner.

Cost and financial need

BATE has operated to date solely on the basis of income collected from membership fees (£25) and weekly charges (£1 or £3) for the classes. The members of the management committee helped to create a working contingency through small one-off donations. The accounts for the first twelve months show expenditure of £3,383, mainly to pay for a qualified yoga teacher and hire charges, and income of £4,135, resulting in a balance at 30/6/2014 of £752. Lunch and other activities are provided on an entirely voluntary basis involving no, or little, cost to BATE.

The request is for a grant of £7,000 towards estimated running costs of £7,625 based on an expanded programme of activities, computer equipment and other one-off costs. The overall shortfall on the budget presented is £5,475.

A range of possible options, including sponsorship, fundraising and the use of cheaper premises, are shown as the way in which BATE will sustain its expansion, but these do not represent a coherent sustainability strategy.

CROFTE receives £2,500 pa through the Barnet Neighbourhood Group contract.

Grant recommendation, type and conditions

NIL

Date: October 2014

GRANT APPLICATION 2014/15 – ASSESSMENT AND RECOMMENDATION

Priority Corporate Outcomes	To promote a healthy, active, independent and informed over-55 population To increase resilience amongst older people and help them to age well	
Organisation	SAAM THEATRE COMPANY	ref 334/C/CTY
Address	5 Gordon Road, N11	

Corporate policy, aims and objectives

The council is committed to helping people to be independent and live active lives, recognizing that some people need more support than others to achieve this. The transformation of adult health and social care set out in the Care Act 2014 and Department of Health publications 'Our Health, Our Care, Our Say' and 'A Vision for Social Care, Capable Communities and Active Citizens' places growing emphasis on preventative services; delivering targeted information and advice; ensuring people have the right support at the right time; and enabling people to plan for later life.

The Older Adults Strategy, 'Living Longer, Living Better', and the Older People's Commissioning Strategy, 2008-17, 'Independence, Choice and Control', focus on developing preventative services; tackling inequalities; and the wider well-being agenda. Barnet's Health and Well-Being Strategy and Integrated Care Model seek to promote the health and well-being of older and disabled people, helping them to achieve key outcomes, including the best possible quality of life, and to remain part of the community. The provision of culturally specific services to support older people from minority ethnic communities is a key element of each strategy to overcome the problems of social exclusion.

Activities / proposal

SAAM Theatre Company (STC) is a registered charity and company limited by guarantee formed in 2000 which aims to help the Iranian and Farsi (Persian) - speaking population of London to integrate into British society through theatre, performing arts and cultural events, bridging the gap between English and Persian cultures, whilst preserving the cultural heritage of its client groups. Recent or current projects include:

- * 'Healing Through Learning', helping families to explore the issues of immigration and being uprooted and supporting their integration into the community;
- * 'English Through Drama' - weekly workshops to help participants to improve their English by translating Persian plays into the English language and performing them on stage to English and Farsi-speaking audiences;
- * business start-up training with presentation skills through drama to help clients to start their own businesses or find employment.

Although based in Haringey, most of SAAM's activities take place in Barnet. Workshops are held at the Unitarian Church Hall in Golders Green, where a new programme of drama classes started this autumn. Performances, including an annual Persian Theatre Festival, have been held at Finchley Youth Theatre and the Arts Depot. Most clients are Farsi-speaking residents of north London. 36% of 642 service users over the last three years have been from Barnet.

This application concerns a proposal to establish a weekly drama and dance club specifically for older people aged 55+ living in Barnet with a focus on members of the Iranian and Farsi-speaking communities, the third largest ethnic group in the borough, but with membership open

to members of all communities in support of integration. The club, which will initially have capacity for 40 people at a time, will include drama drills and exercises; storytelling to help older people better express themselves; and talks and seminars on topics of relevance to the target group, such as money management, tax inheritance and the effect of welfare reform on statutory entitlements. Its focus on creative activities to improve physical and mental health will distinguish it from other local support groups for black and minority ethnic (BME) communities which concentrate on advice-giving, information and advocacy.

There is a reasonable expectation that the club will serve to promote integration based on the diverse audiences who have attended the public performances of STC's plays and the positive feedback from English speakers about how the productions have provided an insight into Iranian life and culture.

The proposal is supported by Adults & Communities on the basis of how it complements the emphasis on self-help and prevention, and the promotion of well-being, amongst older people, especially those from BME communities, in a way that is innovative and distinctive from other support services. A commitment to identify and target especially isolated older people and alignment with the Barnet Neighbourhood Group led by Age UK Barnet, the voluntary and community sector consortium commissioned by Adults & Communities to deliver activities and services to older people, should be conditions of any award in support of the new club.

Cost and financial need

STC operates on the basis of mainly fixed-term grants which support its various projects. It receives no core funding. Workshops are mainly run by sessional workers, actors and artists, supported by volunteers. Expenditure on four projects delivered in 2012/13 was £64,889, when grants from four sources, including the Big Lottery Awards for All Scheme, constituted 95% of income, supplemented by revenue from fees and charges. Net current assets at 31/3/2013 were £21,263, of which £17,498 were restricted funds, largely made up of grant instalments paid in advance for projects extending into the next financial year, leaving an uncommitted balance of £3,765 (7.5% of expenditure in 2013/14).

The charity's accounts for 2013/14 remain subject to auditing, but draft figures for the year show a deficit of £1,813 on a turnover of £49,999.

A grant of £9,480 is sought to launch and run the new over 55s dance and drama club over the next twelve months on the basis that it will be financially sustainable from year two onwards. The budget comprises direct delivery costs (over 40 weeks), equal to the grant request, made up of venue hire charges (£4,000); the cost of engaging drama and dance teachers (£2,500); marketing/publicity; and a contribution to administrative and management overheads. STC values the cost of in-kind support, including office rent, refreshments and other overheads, at £5,300.

Income from a proposed weekly charge of £3, potentially generating up to £4,800 pa depending on how quickly take-up builds, is excluded from the budget. The grant recommended assumes that at least £3,000 will be collected in this way based on an average weekly attendance of 25, reducing the funding requirement to £6,480.

The club's sustainability is predicated on the introduction in year two of a membership fee and a new charging structure linked to the development of other volunteer-led activities, including one-to-one support and assistance to less independent clients and those with a language barrier and an expanded programme of social events; reconfiguration of the club as a social enterprise; and fundraising initiatives in the Iranian and Farsi-speaking communities. A

proposal to set income from fees in year one against costs in year two has been rejected in the context of this application.

Grant recommendation, type and conditions

£6,480 (from Edward Harvist Charity)

Start-up grant

 *

One-off grant

Special conditions:

Payment of the award should be made subject to (a) validation of the charity's management and recruitment procedures against Barnet's multi-agency standards for safeguarding the care of vulnerable adults; (b) membership of the new club being restricted to Barnet residents only; (c) agreement of an implementation plan to include a strategy for identifying and targeting isolated older people and milestones and targets for monitoring purposes; (d) collaboration with the Barnet Neighbourhood Group of providers of social welfare support for older people; and (e) the receipt of quarterly progress reports and an undertaking to provide an evaluation of the club at the end of twelve months.


Target grant outcomes

(a) To maintain the independence, and improve the quality of life, health and well-being, of vulnerable elderly people from the Iranian, Farsi-speaking and other minority ethnic communities and (b) to support their integration into the wider community.

Date: October 2014

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	<p style="text-align: right;">AGENDA ITEM 9</p> <p style="text-align: center;">Adults and Safeguarding Committee 26 January 2015</p>
<p>Title</p>	<p>Universal Deferred Payments</p>
<p>Report of</p>	<p>Mathew Kendall, Adults and Communities Director</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>Appendix 1: Universal Deferred Payments - Feedback from the consultation Appendix 2- Equalities Analysis (EqA)</p>
<p>Officer Contact Details</p>	<p>Gary Johnson, Customer Finance Manager, Adults and Communities, 020 8359 2289, gary.johnson@barnet.gov.uk</p>
<p>Summary</p>	
<p>Under the Care Act 2014 all councils in England are required to have a universal deferred payments scheme in place from 1 April 2015. Universal deferred payment schemes will be required to follow legislation and Department of Health guidance. This report recommends a scheme for Barnet Council which meets legislative and statutory guidance requirements.</p>	

<p>Recommendations</p>	
<p>1. 2. 2(a)</p>	<p>That the Adults and Safeguarding Committee approve the adoption of a new universal deferred payments scheme as set out in this report with effect from 1 April 2015. This scheme will meet statutory guidance and the legislative requirements of the Care Act 2014.</p> <p>The Adults and Safeguarding Committee approve the recommendations on the amounts that can be deferred. The recommendations as set out in paragraphs 2.4 to 2.5 of this report:</p> <p>That approval is given that under Barnet Council’s universal deferred payments scheme the amounts that can be deferred will generally be the actual rate the person pays the residential/nursing care provider.</p>

- 2(b) That approval is given that the rate to be deferred will be regularly reviewed under the guidance and procedures.**
- 3. The Adults and Safeguarding Committee approve the recommendations on interest and administrative charges for deferred payments. The recommendations as set out in paragraphs 2.9 to 2.11 of this report:**
- 3(a) That approval is given that the interest rate is set at the rate it costs the Council and/or at the rate as set by the Department of Health, whichever is the lower amount.**
- 3(b) That approval is given that the actual costs incurred in arranging and maintaining the deferred payment will be charged.**
- 3(c) That approval is given that the administrative, legal and interest charges will be rolled up into the overall deferred payment agreement should the person decide they want to defer these costs.**
- 4. The Adults and Safeguarding Committee approve the recommendations on offering deferred payments to people receiving non-residential care services, in addition to residential care. The recommendations as set out in paragraphs 2.14 to 2.15 of this report:**
- 4(a) That approval is given that options around offering deferred payments to people receiving community based care services will be explored and should further amendments to the scheme be required a report will come back to the Adults and Safeguarding Committee on this issue.**
- 4(b) That approval is given that on a 'case by case' basis that the Barnet scheme allows deferred payments for people in supported living.**
- 5. The Adults and Safeguarding Committee approve the recommendation on the treatment of rental income from properties. The recommendation as set out in paragraph 2.21 of this report:**
- 5(a) That approval is given that the option of a disregard on rental income is reviewed after consulting other local authorities to establish best practice and further work with Barnet Homes and other housing providers to establish the viability of a rental income disregard scheme. If a rental income disregard is viable, that this is included within the deferred payments guidance and procedures.**
- 6. The Adults and Safeguarding Committee approve the recommendation on the types of security that can be accepted when offering deferred payment. The recommendation as set out in paragraph 2.23 of this report:**
- 6(a) That approval is given that the requirement to have discretion to accept other forms of security will be incorporated within the finalised universal deferred payments guidance and procedures.**

- 7. The Adults and Safeguarding Committee give approval to the recommendation that authority to finalise and agree a universal deferred payments guidance and procedure is delegated to the Director for Adults and Communities in consultation with the Chairman of the Adults and Safeguarding Committee. The recommendation as set out in paragraph 2.28 of this report.**
- 8. That the Adult and Safeguarding Committee give rigorous consideration to the equalities analysis and the consultation outcomes in the appendices to this report (Appendices 1 and 2).**

1. WHY THIS REPORT IS NEEDED

Legislative Background

- 1.1 The Government is committed to ensuring that no-one should be forced to sell their home during their lifetime to pay for care costs. People with assessed needs for residential or nursing care, who own their home are sometimes faced with the prospect of selling it to pay for their care costs. For people receiving community based care services the value of their main home is not taken into account when assessing contributions towards care.
- 1.2 For some people who are assessed as needing care and move into residential/nursing care and own their home there is an automatic disregard of the value of the property where, for example, it is occupied by a spouse or partner or a close relative who has a disability. This will continue under universal deferred payments.
- 1.3 Where the main home is taken into account, a deferred payment is a way of deferring the costs of residential/nursing care in exchange for putting a legal charge on the property. The council agrees to pay for the costs of residential/nursing care in return for the person receiving care or their representative agreeing for these payments to be secured as debt against the property. Entering into a deferred payment agreement with the council allows a person to retain their home and defer paying some of the costs of care and support until a later date.
- 1.4 Under the Care Act 2014 and from 1st April 2015, all councils in England will be required to offer a deferred payment to people who are assessed as needing residential/nursing care and when their main home has been taken into account when financially assessing a contribution. The establishment of a universal deferred payment scheme will mean that fewer people will be faced with the prospect of selling their home in order to pay for care.
- 1.5 The purpose of this report is to set out Barnet Council's policy for a universal deferred payments scheme from April 2015. This policy takes into account the main changes introduced by the Care Act 2014 and statutory guidance published by the Department of Health on 24 October 2014.

Current deferred payment schemes

- 1.6 There is existing legislation which allows councils to offer deferred payments for people with a property and who are assessed as needing residential/nursing care. Section 55 of the Health and Social Care Act 2001 already allows councils to offer deferred payments for people receiving residential/nursing care. Barnet Council has its own deferred payment scheme which meets this requirement.
- 1.7 Although councils are already required to have a deferred payments scheme, existing schemes are locally administered and will often have different rules on eligibility. To reduce anomalies across the country and to ensure consistency between councils, the Care Act 2014 has introduced a universal deferred payments scheme, with a set eligibility criteria which all councils will be required to follow.

Universal Deferred Payments

- 1.8 The Care Act 2014 clearly sets out the responsibilities of councils to have a deferred scheme in place. The scheme will be universally available, throughout England and the Government is committed to providing councils with additional funding for the scheme. The funding arrangements are set out in section 5 of this report.
- 1.9 The Department of Health has published guidance on universal deferred payments which provides councils with the framework within which universal deferred payments should be offered. Guidance allows councils to offer deferred payments to:
 - Anyone who has assessed eligible care needs that can be met by the provision of care in a residential/nursing care home;
 - Anyone with assets, excluding the value of their main home, of less than £23,250 (in 2016/17 this capital limit increases to £118,000);
 - Anyone whose home is not disregarded as a capital asset when assessing contributions towards residential/nursing care.
- 1.10 Department of Health guidance sets out the circumstances in which the deferred payment request can be refused and a deferred payment agreement can be terminated. The guidance also sets out how information and advice should be provided to people entering into a deferred payment agreement. Guidance is provided on:
 - How councils should administer the scheme;
 - Eligible charges to cover the costs of the scheme;
 - The amounts that can be deferred.

2. REASONS FOR RECOMMENDATIONS

The London Borough of Barnet universal deferred payments scheme

2.1 The proposed universal deferred payments scheme set out in this report has been developed to take into account the relevant legislation and guidance. It is proposed that the key principles underpinning the scheme for Barnet Council are:

- To ensure that those who have been assessed as needing care may not need to sell their main home to pay for these care costs;
- That those who can afford to pay a contribution continue to do so;
- To ensure that residents are fully informed about deferred payments and care funding options;
- That the scheme is self-financing and sustainable.

2.2 In addition to the key principles which underpin the scheme it is proposed that there are a number specific policy changes under the proposed scheme for Barnet. This report sets out the main changes and those changes which were also subject to consultation (see Appendix 1). The six week consultation started on 9 September and ended on 21 October 2014. The feedback received was broadly in favour of some of the proposals in this report. The need to ensure that the scheme is financially sustainable has shaped the recommendations on administrative and interest charges. These charges are necessary to cover the costs of the scheme.

Deferring the costs of care.

2.3 The Department of Health guidance allows councils to have discretion on the amount of residential/nursing care costs that can be deferred. The basic contracted rate Barnet Council pays for residential care is £500.48 or £546.01 per week. Universal deferred payments allows councils to defer at the contracted rates with residential/nursing care providers or the private rate someone pays as a self-funding client or the rate paid because they choose more expensive accommodation.

Recommendation

2.4 To promote choice and ensure greater flexibility on the care and support provided, it is recommended that under Barnet Council's universal deferred payments scheme the amounts that can be deferred will generally be the actual rate the person pays the residential/nursing care provider. This actual rate includes where applicable the private rate.

2.5 The rate to be deferred will be regularly reviewed under guidance and procedures. The purpose of the review will be to ensure that the scheme remains financially viable and mitigate against financial risks as the Care Act 2014 implementation is rolled out.

Interest and administrative charges

- 2.6 The Department of Health guidance allows council to charge interest and administrative costs to ensure that schemes are run on a cost neutral basis. Where councils charge interest it must not exceed the maximum amount as set out in regulations. The maximum amount of interest that can be charged by councils has been set by the Department of Health for the period 1 April 2015 to 30 June 2015 at 2.65%. Interest rates will be periodically reviewed by the Department of Health in accordance with the Governments autumn statements and spring budgets.
- 2.7 The actual cost of new borrowing for Barnet Council is currently 4% (December 2014). However, the Council does not undertake any temporary treasury borrowing at present as the Council has positive cash flow and cash reserves and a balanced budget. The Council is permitted only to cover its costs when charging customers under the deferred payments scheme, the interest rate which we will charge deferred payments customers with effect from 1st April 2015 will be 1.00% or whatever the potential investment income foregone percentage for Q1 of 2015-16 is forecast to be as at 28th February 2015 (to give adequate lead-time to set-up the first deferred payment agreements starting on 1st April 2015). The Council will review the interest rate on a quarterly basis to reflect any change in the Council's borrowing requirement and interest rates. The Council's effective rate of borrowing may increase in future years and necessitate charging deferred payments customers up to the maximum rate permissible at the time by the Government.
- 2.8 In addition to interest rate charges, councils will also be allowed to make a charge for:
- The costs of registering a legal charge, land property searches;
 - The costs of property valuation;
 - Legal costs associated with the setting up of a deferred payment agreement; administrative costs.

Recommendation

- 2.9 To ensure that the universal deferred payment scheme is sustainable and self-financing as possible, it is proposed that the interest rate is set at the rate it costs the Council and/or at the rate as set by the Department of Health, whichever is the lower amount.
- 2.10 Only the actual costs incurred in arranging and maintaining the deferred payment will be charged. To ensure transparency and choice these charges will be publicly available and clearly set out as part of the deferred payment application process. Preliminary work on the costings would indicate that these would be in the region of £615 set up cost plus annual running costs of £70 per year. The actual costs will be finalised and published nearer the go live date on 1 April 2015.

- 2.11 That the administrative, legal and interest rate charges will be rolled up into the overall deferred payment agreement should the person decide they want to defer these costs.

Deferred payments for people in other care settings.

- 2.12 When consulting on the draft guidance the Department of Health initially sought feedback on the possibility of allowing deferred payments for people receiving non-residential or community based care services, for example home care. Although someone's main home is not taken into account when financially assessing contributions towards community based care, there are circumstances when a person may want to unlock the equitable value in their home. For example, someone with assessed care needs may want to use the equity in their property to purchase additional care over and above the care they have been assessed as needing.
- 2.13 The Department of Health guidance refers to councils having discretion to offer deferred payments to people who move from their main home into a supported living setting.

Recommendation

- 2.14 That options around offering deferred payments to people receiving community based care services will be explored and should further amendments to the scheme be required a report will go forward to the Adults and Safeguarding Committee.
- 2.15 To promote greater choice and flexibility when arranging care it is proposed that on a 'case by case' basis that the Barnet scheme allows deferred payments for people in supported living.

Universal Deferred Payments policy

- 2.16 In addition to the main changes already highlighted within this report, the introduction of universal deferred payments introduces a number of other changes and adjustments to Barnet Council's existing deferred payments scheme. These changes were also commented upon during the local Barnet public consultation.

Treatment of rental income

- 2.17 Although the person receiving care will be eligible for deferred payments they will still be responsible for paying a contribution towards their care out of their assessable income. Where someone's main home has been taken into account and the person is entitled to a deferred payment, there is a question as to how any rental income is treated when assessing a contribution towards care.
- 2.18 Under the current deferred payments scheme when assessing rental income, net rental income is fully taken into account along with other assessable income. After assessing a charge the person living in residential/nursing care

is left with a personal expenses allowance of £24.90 per week (2015/16 rates). This expenses allowance is set by the Department of Health and follows statutory guidance.

- 2.19 From 1 April 2015, under the Department of Health guidance the personal expenses allowance increases from £24.90 to £144 per week for people who will be eligible for a universal deferred payment. The intention of the increase is to allow people to retain additional income to pay for any associated housing costs, such as the costs of maintaining the property.
- 2.20 The Department of Health guidance also allows councils discretion to have a further disregard on rental income, at a rate to be decided by each local authority. The purpose of this disregard is to incentivise people who qualify for a deferred payment to rent out their property.

Recommendation

- 2.21 It is proposed that the option of a disregard on rental income is reviewed after consulting other local authorities to establish best practice and further work with Barnet Homes and other housing providers to establish the viability of a rental income disregard scheme. If a rental income disregard is viable, that this is included within the deferred payments guidance and procedures.

Other forms of security

- 2.22 Councils are required to obtain adequate security when entering into a deferred payment agreement. The primary form of security will be a legal charge registered on the person's main or only home. It is also necessary to provide for discretion on accepting other forms of security as there may be cases where refusal to do so may lead to the Council being unable to enforce debts that the resident has accrued, in accordance with section 69 (2) of the Care Act 2014 (See Legal section of the report paragraph 5.3.3).

Recommendation

- 2.23 The requirement to have discretion to accept other forms of security will be incorporated within the finalised universal deferred payments guidance and procedures.

Advice and information

- 2.24 Under the Care Act 2014 councils will have a responsibility to provide advice and information about care and support. This responsibility extends to advice and information about deferred payments, including:

- A clear process to explain deferred payments agreements which takes into account a person's mental capacity.
- Advice on renting, insuring and maintaining the property.
- Facilitating access to advice on care funding options.

- 2.25 As a safeguard, there will be a clear deferred payment process to ensure that those entering into a deferred payment agreement or their representative are aware of the need to obtain independent advice and there will be particular safeguards for people who have mental capacity issues.
- 2.26 It is considered that Barnet is well placed to deliver on the advice and information responsibilities of the Care Act 2014. For example, there is an existing pathway of referrals for advice on care funding options through to *My Care My Home*. It is recognised that further work needs to be undertaken on advice and information, for example developing a referral pathway to housing associations and other agencies that may assist with the renting of a property. This will include exploring opportunities to utilise empty properties with social housing landlords in the borough, for example Barnet Homes. These and other options will be developed within the wider advice and information offer.
- 2.27 The advice and information pathway will be further developed as the universal deferred payments guidance and procedure is finalised.

Recommendation

- 2.28 That authority to finalise and agree a universal deferred payments guidance and procedure is delegated to the Director for Adults and Communities in consultation with the Chairman of the Adults and Safeguarding Committee.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 It is a legal requirement that all councils in England need to have a universal deferred payment scheme in place from April 2015. Universal deferred payment schemes needs to comply with Department of Health guidance, whilst retaining some local discretion as to how the scheme is implemented. The proposed policy changes outlined in this report provides a universal deferred payment scheme which meets new legal requirements.

4. POST DECISION IMPLEMENTATION

- 4.1 It is proposed that subject to the main recommendations in this report being agreed that the more detailed guidance and procedures will be delegated to the Director for Adults and Communities in consultation with the Chairman of the Adults and Safeguarding Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Successful implementation of the Care Act 2014 will help to support and deliver the following 2013/16 Corporate Plan priority outcomes:

- “To sustain a strong partnership with the local NHS, so that families and individuals can maintain and improve their physical and mental health”.

- “To promote a healthy, active, independent and informed over 55 population in the borough so that Barnet is a place that encourages and supports residents to age well”.
- “To promote family and community well-being and encourage engaged, cohesive and safe communities”.

5.1.2 The Health and Well-being Strategy 2012-15 echoes many themes of the new policy framework with its emphasis on promoting independence and wellbeing whilst ensuring care when needed. The reform agenda links directly with three of the main strands of the strategy: Well-being in the community; How we live; and Care when needed. In particular, ‘Care when needed’ identifies plans for developing increased independence for older people, improving support for residents in care homes and improving support for carers.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 The Care Act 2014 will have a significant financial impact on social care as detailed in previous reports to Committee and in this report. Current modelling has shown that Barnet could expect between 30 to 44 new deferred payment entrants per year as the universal deferred payments scheme is rolled out.

5.2.2 The most immediate impact will be on cashflow. Although the debt will be secured through a deferred payment agreement and a legal charge on the property, the main impact will be on the flow of income between financial years:

	2015/16	2016/17	2017/18	2018/19	2019/20
Opening cohort of people each year	8*	38	68	75	75
New entrants in each year	30	30	30	30	30
People leaving the scheme	0	0	-23	-30	-30
Cash outflows (care costs, administrative costs and interest on cost of borrowing) **	£870,000	£2,000,000	£2,880,000	£2,865,000	£2,865,000
Cash inflows (repayment of debt including administrative fees and interest) ***	£0	£0	-£2,160,000	-£2,820,000	-£2,820,000
Net cashflow impact for Adults & Communities	£870,000	£2,000,000	£720,000	£45,000	£45,000

*Assumption: There will be new entrants who would qualify in the 12 weeks period prior to the 1 April implementation date.

**Assumptions: Average care home costs are £36,000 p.a.; average stay in residential/nursing care 2.5 years. Includes: costs of admin/legal charges; interest rate at 4%

***Assumptions: Average deferred payment starts to be repaid in year 3; bad debt averages 2%.

- 5.2.3 In the first 3 years of the scheme, there is a net cash outflow as debts do not start to be repaid until half-way through Year 3 (2017/18). It is worth noting however, that is a cashflow impact only and will not impact on the revenue budget as a Long Term Debtor will be raised for any outstanding deferred payments at the end of each financial year.
- 5.2.4 If there was no bad debt, the scheme would be cashflow and cost neutral from Year 4 (2018/19) onwards; the net cash outflow of £45,000 represents projected bad debt.
- 5.2.5 The projected implications on a worst case scenario of 44 new entrants a year and a bad debt ratio of 3% would further exacerbate the impact on cash flow. The cumulative net cash outflow would be in the region of £1.2 in year 1 (2015/16) increasing to £5.5m in year 5 (2019/20) and thereafter rising by approximately a further £0.1m each year.
- 5.2.6 The Government has announced that there will be additional national funding of £85.5m to fund the scheme. The Department of Health's funding allocation formulae allocates an additional £529,565 to the London Borough of Barnet to fund universal deferred payments. This will be a one off non-recurring payment to cover the initial costs of setting up a universal deferred payment scheme.
- 5.2.7 It is anticipated, that given the volume of entrants, that no additional staffing resources are needed to support the operational delivery of the scheme in 2015. IT system requirements have been captured within the procurement of the new case management system for Adults and Communities. Further work is being undertaken to clarify that the new system requirements will ensure deliverability in April 2015.

5.3 Legal and Constitutional References

- 5.3.1 The Care Act 2014 consolidates and replaces several different pieces of legislation into one legislative framework. There is a specific legislative requirement for local authorities to provide a universal deferred payments scheme from April 2015. The Department of Health has also issued statutory guidance on 23 October 2014, which all councils in England are required to follow.
- 5.3.2 Under Sections 34-36 of the Care Act 2014 and Care and Support (Deferred Payment Agreements) Regulations 2014, all councils will need to have a deferred payment scheme which:

- Complies with new national eligibility criteria on who is entitled to apply for a deferred payment.
- Allows Councils to charge interest and administrative fees to offset the costs of the scheme and ensure it is cost neutral.
- Allows councils to retain some local discretion on how the scheme is administered, for example the amounts of care costs that can be deferred.

5.3.3 The Care Act 2014 Section 69 (1) and (2) states:

- (1) Any sum due to a local authority [as residential charges] is recoverable by the authority as a debt due to it.
- (2) But subsection (1) does not apply in a case where a deferred payment agreement could, in accordance with regulations be entered into, unless—
- (a) the local authority has sought to enter into such an agreement with the adult from whom the sum is due, and
- (b) the adult has refused

5.3.4 The responsibilities of the Adults and Safeguarding Committee are contained within the Council's Constitution - Section 15 Responsibility for Functions (Annex A). Specific responsibilities for those powers, duties and functions of the Council in relation to Adults and Communities including the following specific functions:

- Promoting the best possible Adult Social Care services.

5.3.5 Adults and Safeguarding Committee is responsible for the following:

- Working with partners on the Health and Well-being Board to ensure that social care interventions are effectively and seamlessly joined up with public health and healthcare, and promote the Health and Well-being Strategy and its associated sub strategies.
- Ensuring that the local authority's safeguarding responsibilities is taken into account.

5.4 Risk Management

5.4.1 Whilst the overall direction is positive for people receiving care and their carers, there are risks which centre on resources and financial implications of implementing the Care Act 2014. Risk management information is reported quarterly to the Care Act Programme Board which in turn feeds into the Adults and Communities risk register. The implementation of universal deferred payments will be monitored and risk escalated accordingly.

5.4.2 The operational delivery of deferred payments will remain within Adults and Communities. The expansion of the scheme under universal deferred payments will be monitored by Adults and Communities and CSG finance (income recovery/debt collection) to mitigate the impact on cash flow and bad debt.

5.5 Equalities and Diversity

5.5.1 On 1 October 2012, new provision in the Equality Act came into force banning age discrimination in health and social care. This is in line with the duties incumbent on all public bodies through s149 of the Equality Act 2010 to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

5.5.2 Adult Social Care works within LBB policy framework for equalities, offers services to users within this framework, and undertakes relevant positive action to ensure social care is accessible to groups with different equalities characteristics; for example producing easy read information for people with learning disabilities and offering interpreters for service users.

5.5.2 Age discrimination should be considered broadly: younger people may perceive that older people receive more favourable treatment from services as well as older people perceiving that they are less favourably treated. The prohibition does not mean that all age group should therefore be offered identical support or services. However, it does require the local authority to have a transparent and fair rationale for different approaches or support offered to different age groups, just as it already does for current positive action in place, such as providing interpreters.

5.5.3 There is a general risk applicable to all local authorities, which may face an increased level of potential legal challenge from individual users or groups, using a failure to comply with equalities duties as its basis. Nationally there have been legal challenges based on equalities legislation: for example the 2011 challenge to Birmingham City Council on its proposed change to its adult social care eligibility criteria.

5.5.4 An Equalities Impact Assessment has been undertaken on the implementation of the universal deferred payments policy and is attached as Appendix 2 to this report. The overall impact of the universal deferred payments is positive. The implementation of the proposed policy will be monitored and reviewed to assess its impact.

5.6 Consultation and Engagement

5.6.1 The main proposals contained within this report and draft universal deferred payments policy was subject to public consultation. Consultation questions primarily focussed on the areas of discretion which councils are required to consider exercising when implementing the scheme, for example whether to charge an administrative fee to cover the costs of the scheme.

5.6.2 The outcome of consultation is set out in Appendix 1 of this report. Although limited in numbers, the qualitative data obtained from consultation did assist with the formulation of the policy and recommendations within this report.

There was mixed feedback on the specific proposal to charge interest and administrative fees. However, the Council needs to ensure that the scheme is financially sustainable so it is proposed that charges are made under the universal deferred payments scheme. Feedback from consultation has been incorporated within the proposals within this report

6. BACKGROUND PAPERS

- 6.1 Special Safeguarding Overview and Scrutiny Committee on 24 September 2012 received a report on the 3 key adult social care policy documents published in July 2012: Caring for Our Future (White Paper); the draft Care and Support Bill; and the Government's interim statement on funding reform for Adult Social Care. The Committee endorsed Officers undertaking further work to assess the potential impact of these policy changes on Barnet. Adult Social Care and Health (1.1)
- 6.2 Cabinet on 18 April 2013 received a report describing the main impact of the White Paper, Caring for our Future, and the draft Care & Support Bill, both published in July 2012; and of the policy statement on Care and Support Funding Reform, presented to Parliament on 11 February 2013. The report set out the implications for Barnet based on empirical data and modelling where appropriate. Social Care Funding Reform and the Draft Care and Support Bill: Implications for the London Borough of Barnet (3.1)
- 6.3 Health and Well-being Board on the 27 June 2013 received a report which summarised the implications of the Care Bill and a further report on 21 November 2013 to update the Board on progress made locally to prepare for the implementation of the new legislation. Social Care Funding Care and Support Bill Update (1.1)
- 6.4 The Safeguarding Overview and Scrutiny Committee on the 10 April 2014 received a report setting out the main points from the forthcoming changes to social care legislation as set out in the Care Bill, the implications for Barnet and the approach being taken to prepare for the new requirements. The Care Bill Update Report (2.1)
- 6.5 The Adults and Safeguarding Committee received a report on the implementation of the Care Act 2014 on the 2 July 2014. The Implementation of the Care Act 2014.
- 6.6 The Adults and Safeguarding Committee received a report on the Consultation on the Statutory Guidance on the 31 July 2014. Response to Consultation on the Care Act Guidance.
- 6.7 The Adults and Safeguarding Committee on 2 October 2014 received a report on Implementing the Care Act 2014. The Implementation the Care Act 2014.
- 6.8 The Policy and Resources on 2 December 2014 received report on the impact of the Care Act 2014, including the financial impact. Appendix A1 Adults and Safeguarding Committee Commissioning Plan 2015-2020.

Appendix 1: Universal Deferred Payments - Feedback from Consultation

1. Methodology

1.1 Public consultation commenced on 9 September and ended on 21 October 2014. The main way of consulting was through a webpage and an online survey. In addition to the online survey the hard copies of the survey was sent out to voluntary sector organisations in the borough and presentations made to partnership board meetings

2. Feedback results

2.1 There was a low response to the survey (12 people responded). This low response rate can in part be attributed to the complexity of subject area and to the limited numbers who would be affected by the proposed introduction of universal deferred payments.

2.2 Despite the low return rate, the outcome of the consultation was used to feedback into the proposals and recommendations on the universal deferred payments scheme.

2.3 **Question: Do you think the maximum rate Barnet Council should offer a deferred payment should be set at the rate the Council usually pays care providers or the rate a person pays because they choose more expensive accommodation?**

Answer Options	Response Percent	Response Count
The rate the Council usually pays care providers	36.4%	4
The rate a person pays because they choose more expensive accommodation	63.6%	7

Some feedback comments:

"I think it is only fair that if people opt for more expensive accommodation they pay more"

"It should be flexible allowing people to go to the higher cost if they wish to"

Response to feedback

2.4 It is recommended in the committee report to Adults and Safeguarding that the proposed universal deferred payment scheme for Barnet Council incorporates the option of deferred payments generally at the amount the person actually pays for care.

2.5 **Question: To what extent do you agree or disagree that Barnet Council should consider having a scheme which provides deferred payments for people receiving other care services**

Answer Options	Response Percent	Response Count
Strongly agree	36.4%	4
Tend to agree	36.4%	4
Neither agree or disagree	0.0%	0
Tend to disagree	9.1%	1
Strongly disagree	18.2%	2
Don't know	0.0%	0

Some feedback comments:

“Individuals who are able to receive care in the community should also be allowed to pay for their care in a similar manner, if they so wish”.

“the council should pay for it - it should not come from the value of the property - again it would not be fair to people who do not have a property”.

Response to feedback

2.6 It is recommended in the committee report to Adults and Safeguarding that deferred payments are offered to people moving into supported living on a ‘case by case’ basis and that further options around offering deferred payments receiving community based care services should be developed.

2.7 **Question: To what extent do you agree or disagree that Barnet Council should consider having a scheme which accepts other forms of security? (Please tick one option only).**

Answer Options	Response Percent	Response Count
Strongly agree	18.2%	2
Tend to agree	9.1%	1
Neither agree or disagree	9.1%	1
Tend to disagree	27.3%	3
Strongly disagree	27.3%	3
Don't know	9.1%	1

Some feedback comments:

“Assessment of the value of other forms of security could be manipulated in Barnet's favour”

“I cannot see the benefit of this idea, and there could be a disadvantage if the ‘security’ from another person failed”

Response to feedback

2.8 It is recommended in the committee report to Adults and Safeguarding that the requirement to exercise discretion and accept other forms of security will be incorporated within the universal deferred payments guidance and procedures.

2.9 **Question: To what extent do you agree or disagree that Barnet Council should charge interest to cover the costs of the scheme?**

Answer Options	Response Percent	Response Count
Strongly agree	18.2%	2
Tend to agree	27.3%	3
Neither agree or disagree	9.1%	1
Tend to disagree	0.0%	0
Strongly disagree	45.5%	5
Don't know	0.0%	0

Some feedback comments:

“Barnet should charge interest at the prevailing Bank rate plus a charge to cover handling. To put the two together is not transparent”.

“Should be self-financing scheme”

Response to feedback

2.10 It is recommended in the committee report to Adults and Safeguarding that interest charges will be made to cover the costs of the scheme. There was mixed feedback from the consultation on the proposal to charge interest. To ensure the scheme is financially sustainable it is recommended that interest is charged.

2.11 **Question: To what extent do you agree or disagree that Barnet Council should charge an administrative fee to cover the costs of arranging the deferred payment?**

Answer Options	Response Percent	Response Count
Strongly agree	18.2%	2
Tend to agree	27.3%	3
Neither agree or disagree	0.0%	0
Tend to disagree	18.2%	2
Strongly disagree	36.4%	4
Don't know	0.0%	0

Some feedback comments:

“Councils need to cover their costs”.

“This cost should be absorbed by the council”.

Response to feedback

2.12 It is recommended in the committee report to Adults and Safeguarding that administrative charges will be made to cover the costs of the scheme. Similar to the proposal on charging interest, there was mixed feedback from the consultation on the proposal to make an administrative charge. To ensure the scheme is financially sustainable it is recommended that there is an administrative charge to cover the costs providing the deferred payment.

2.13 **Question: Please tell us below your views on the Barnet Council's draft deferred payments policy**

Some feedback comments:

“Deferred payments for care homes are necessary as it is sometimes difficult to sell homes quickly. However, tenancy schemes to pay for care homes could be useful and also create more rental properties”

3. Response to feedback

3.1 Adults and Communities do not currently have anyone who receives a deferred payment which may partially explain the low response rate to the consultation. Universal deferred payments is also a complex area of legislation. Although the numbers of people who responded were low, the comments and feedback were used to shape the overall policy.

4. Feedback from the Labour Group

4.1 In addition to the general public feedback on the universal deferred payment proposals the Labour Group provided feedback on two specific issues:

- No interest should be charged under the scheme where the person owning the home agrees to Barnet Homes using the property for temporary/emergency accommodation.
- The scheme should be administered by the council's finance/treasury service rather than by Adults and Communities

4.2 Response to feedback

Waiving interest charges

- 4.2.1 The report to Adults and Safeguarding Committee on 26 January 2015 recommends allowing for the Director of Adults and Communities in consultation with Chairman of the Adults and Safeguarding Committee to agree and finalise the universal deferred payments guidance and procedures.
- 4.2.2 It is proposed in the committee report, paragraph 2.20 that the option of allowing a full or partial disregard of rental income is developed. This would be developed as an alternative to waiving interest charges.
- 4.2.3 Implementing a disregard on rental income would:
- Bring immediate cash benefit to the person applying for the deferred payment rather than a waiver of interest charges;
 - Be simpler to administer than a waiver of interest charges.
 - Incentivise people in to rent out their property.

Administration of the scheme

- 4.2.4 The council's finance team, Customer Support Group (CSG), is already responsible for income collection and debt recovery for social care contributions. Harrow and Barnet Public Law are responsible for putting legal charges in properties. The Adults and Communities customer finance functions closely with CSG and Harrow and Barnet Public Law to collect social care contributions and recover debt.
- 4.2.5 The expansion of deferred payments under a universal deferred payments scheme would build on existing business processes. The new case management system for Adults and Communities will also deliver an integrated solution for customer finance functions under the Care Act: care accounts; financial assessments; deferred payments. Retaining universal deferred payment administrative functions within Adults and Communities delivery unit would be more efficient, utilising the new case management system whilst building on established debt and income recovery processes between CSG and Adults and Communities as the universal deferred payments scheme is implemented. Adults and Communities would undertake the initial financial assessment and CSG would be responsible for monitoring bad debt and debt recovery.

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Appendix 2

Equality Analysis (EqA)

Questionnaire

Please refer to the guidance before completing this form.

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Deferred Payments Scheme Policy	
Is it a new or revised function, policy, procedure or service? New	
Department and Section: Adults & Communities	
Date assessment completed: 29/10/14	
2. Names and roles of officers completing this assessment:	
Lead officer	Gary Johnson, Customer Finance Manager
Stakeholder groups	Citizens – Clients and Carers Adult and Communities Social Care Experts by Experience Partnership Boards
Representative from internal stakeholders	Karen Jackson, AD Adult Social Care Jon Dickinson, Head of Integrated Care Older People/Physical Disabilities Karen Morrell, Head of Integrated Care Learning Disability/Mental Health Kiran Vagarwal, Head of Community Safety
Representative from external stakeholders	
Delivery Unit Equalities Network rep	Sarah Perrin, Carers Project Manager
Performance Management rep	Deborah Robinson, Interim Business Improvement, Adults and Communities
HR rep (for employment related issues)	n/a

3. Full description of function, policy, procedure or service:

Please describe the aims and objectives of the function, policy, procedure or service
Please include - why is it needed, what are the outcomes to be achieved, who is it aimed at? Who is likely to benefit? How have needs based on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership and carers been taken account of? Identify the ways people can find out about and benefit from the proposals. Consider any processes they need to go through or criteria that we apply to determine eligibility.

- The Policy supports the implementation of the mandatory Universal Deferred Payments (UDP) scheme, introduced by The Care Act 2014 and which will be available across England. Because the national scheme allows Councils discretion in some areas, it is necessary to have a local Deferred Payments Scheme and Policy. The Borough's proposed Scheme and Policy are in accordance with the provisions of the Care Act 2014 and the associated Regulations and Care and Support Statutory Guidance.
- The Policy is primarily designed to prevent people who require residential or nursing care (and meet certain other eligibility criteria) from having to sell their home during their lifetime if they do not wish to do so, by lending them the money to pay for care costs, secured against a charge against their property (or other security). People receiving other types of care may also be able to benefit from the scheme where they have a property (or other security).
- With its related procedures, publicity and published materials the Policy will provide transparency and visibility for the Borough's local Deferred Payments Scheme, including the eligibility criteria.
- The Policy and Scheme will be available to citizens, customers, carers and other authorised representatives who access adult social care, staff from the Council and its partners.
- The Policy and Scheme, related procedures, guidance and information will be available on the Council's website, in printed and other formats.
- Together this will enable citizens, customers, their supporters and carers to be able to make informed decisions about their entitlement to a deferred payment, how to access the Borough's Deferred Payment Scheme.
- The stages a customer will go through will be articulated on the Council's website, in printed and other formats. These stages will include (but not an exhaustive list) the application process, entering into a Deferred Payment Agreement, how charges and interest will be calculated, the regular statements of account that will be issued and the termination of the Agreement.
- The Scheme's eligibility criteria and its various processes apply equally and fairly to all citizens and there have been no particular needs identified based on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership and carers.
- The issue of mental capacity is dealt with explicitly in the Scheme, following national Care and Support Statutory Guidance issued under the Care Act 2014 by the Department of Health

4. How are the equality strands affected? *Please detail the effects on each equality strand, and any mitigating action you have taken so far. Please include any relevant data. If you do not have relevant data please explain why.*

Equality Strand	Affected?	Explain how affected	What action has been taken already to mitigate this? What action do you plan to take to mitigate this?
1. Age	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	<p>Older People can be vulnerable, isolated and not have ready access to information that explains deferred payments</p> <p>Younger people are less likely to access the Scheme, because they are less likely to own their own home outright, or for there to be sufficient equity available for the Council to secure a sufficient amount to be able to offer a deferred</p>	<p>The UDP workstream of the Care Act Implementation Project has worked and will continue to work to develop and establish the Borough's new Deferred Payments Scheme under the provisions of the Care Act 2014. This will replace the existing Scheme to become business as usual.</p> <p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p> <p>The Scheme and how it works will be communicated by all Council outlets, staff and partner agencies. It will be communicated to representative user and carer groups.</p> <p>There will also be a complementary national publicity campaign by the Department of Health in the run-up to the introduction of the Scheme.</p> <p>The main beneficiaries of the national Scheme appears to be intended to be older people who own their own homes with sufficient available equity, who wish to enter residential care for the remainder of their lifetime. If a younger person meets all the eligibility criteria, then they will be accepted</p>

		<p>payment for the likely period of care.</p>	<p>regardless of age. However, the Council cannot alter the fundamentals of home ownership, whereby older people are more likely to have sufficient available equity in their properties.</p> <p>In mitigation, the Council has discretion to accept other forms of security on a case by case basis, for example from a third party guarantor. Although this discretion will not be offered universally, and will only be exercised by the Council on a case by case basis, this could assist younger people.</p>
<p>2. Disability</p>	<p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/></p>	<p>A&C clients through the nature of their disability may not be able to access information that explains deferred payments</p>	<p>The UDP workstream of the Care Act Implementation Project has worked and will continue to work to develop and establish the Borough's new Deferred Payments Scheme under the provisions of the Care Act 2014. This will replace the existing Scheme to become business as usual.</p> <p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p> <p>The Scheme and how it works will be communicated by all Council outlets, staff and partner agencies. It will be communicated to representative user and carer groups.</p> <p>There will also be a complementary national publicity campaign by the Department of Health in the run-up to the introduction of the Scheme.</p>

<p>3. Gender reassignment</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>	<p>The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to gender reassignment.</p>	<p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p>
<p>4. Pregnancy and maternity</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>	<p>The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to pregnancy and maternity.</p>	<p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p>
<p>5. Race / Ethnicity</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>	<p>The Department of Health's overall Equality Analysis for the Care Act states: "No evidence suggests that there will be inequitable impact on race." It further states: "One aspect of the Act which we have aligned with language barriers is that of Information and Advice. The Act places a duty upon Local Authorities to provide Information and Advice to service users in the 'appropriate' format, to ensure accessibility. Guidance will set out that this may also include needing to ensure this information is provided in different languages."</p>	<p>Current plans are for the information about the Policy and Scheme to be published in English as a matter of course but to be made available in other languages on request.</p>
<p>6. Religion or belief</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>	<p>The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to religion or belief.</p>	
<p>7. Gender / sex</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>		
<p>8. Sexual</p>	<p>Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/></p>	<p>The Department of</p>	

orientation		Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to sexual orientation	
9. Marital Status	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>		
10. Other key groups?	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>		

5. What will be the impact of delivery of any proposals on satisfaction ratings amongst different groups of residents?

Having a Deferred Payments Scheme which is open, visible, transparent and similar to neighbouring Boroughs, and which will avoid people having to sell their home in their lifetime, will improve satisfaction ratings amongst those who are eligible and also their carers, friends and families.

6. How does the proposal enhance Barnet's reputation as a good place to work and live?

It should encourage better integrated working between A&C staff and partner agencies such as HB Public Law and Barnet Homes.

It should help the citizen know where they stand in terms of eligibility for deferred payments in the Borough. It should reassure citizens who may otherwise have feared losing their home that they will not have to sell it during their lifetime.

7. How will members of Barnet's diverse communities feel more confident about the council and the manner in which it conducts its business?

The Policy supports the introduction of the national Universal deferred Payments scheme with eligibility criteria at least equal to, if not more generous than the national scheme, that apply to any citizen meeting those criteria. These will be widely publicised in a variety of formats and encourage transparency and openness and customer involvement.

A draft version of the Scheme has already been the subject of a formal public consultation exercise (September-October 2014) and feedback from the consultation will be taken into account in formulating the final Policy and will be publicised under the "We Asked, You Said, We Did" communications methodology.

8. What measures and methods have been designed to monitor the application of the policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact? Include information about the groups of people affected by this proposal. Include how frequently will the monitoring be conducted and who will be made aware of the analysis and outcomes? Include these measures in the Equality Improvement Plan (section 15)

The take-up of the Scheme will be monitored after The Care Act comes in to force in April 2015. This will include reporting on the numbers who are beneficiaries of the Scheme compared to pre April 2015 (zero), amounts borrowed, administrative and interest charges applied, as well as demographic data collected about those beneficiaries. We will also monitor any cases where the outstanding amount of any individual's deferred payment rises to a level where it can

no longer be secured by the remaining equity in the property, and subsequent to this what proportion of that individual's care costs are paid by themselves and from what resources, and what proportion by the Council, and also any impact on 'top up' payments previously made.

9. How will the new proposals enable the council to promote good relations between different communities? *Include whether proposals bring different groups of people together, does the proposal have the potential to lead to resentment between different groups of people and how might you be able to compensate for perceptions of differential treatment or whether implications are explained.*

There is the potential for resentment between home-owners and those who do not own their own home, if the facts are not fully explained. Clear, transparent information about the Scheme on the Council's website, in printed and other formats, will make clear that the assessment of customer contributions is not changed by the Deferred Payments Scheme and that it simply allows charges to be deferred, not avoided or written off; also that the Scheme should be cost-neutral to the Council, and therefore the Council Tax payer.

10. How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal? *Please include information about any prior consultation on the proposal been undertaken, and any dissatisfaction with it from a particular section of the community.*

The Policy is enacting a Government requirement enshrined in The Care Act 2014. Citizens and representative groups in the Borough have been consulted on the draft Scheme with a number of specific questions on details of the proposed Scheme (September-October 2014). Responses have been mixed, with no consistent view apparent of the Scheme or the details upon which we specifically consulted. Nonetheless, some useful suggestions have been received and these and the views expressed will be reflected wherever possible in the report on the Policy and Scheme to the Adults an Safeguarding Committee, and also on the Council's Engage Space.

Overall Assessment

11. Overall impact		
Positive Impact <input checked="" type="checkbox"/>	Negative Impact or Impact Not Known ¹ <input type="checkbox"/>	No Impact <input type="checkbox"/>
12. Scale of Impact		
Positive impact: Minimal <input checked="" type="checkbox"/> Significant <input type="checkbox"/>	Negative Impact or Impact Not Known Minimal <input type="checkbox"/> Significant <input type="checkbox"/>	

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.


15. Equality Improvement Plan

Please list all the equality objectives, actions and targets that result from the Equality Analysis (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer responsible	By when
<p>The Deferred Payments Scheme and Policy to be widely available to citizens, customers, carers and other authorised representatives who access adult social care, staff from the Council and its partners.</p>	<p>The Deferred Payments Scheme and Policy to be available in a variety of formats including on the Council’s website and printed materials.</p> <p>The Council to publicise the Deferred Payments Scheme and related Policy along with other aspects of the implementation of the requirements of the Care Act 2014.</p> <p>Staff groups within A&C and partner agencies to be briefed and kept updated about the development of the Deferred Payments Scheme and Policy.</p>	<p>The numbers assessed as eligible for the Scheme as well as the numbers making enquiries about eligibility will be monitored through the Care Act Implementation Project.</p>	<p>M Kendall</p>	<p>1/4/15</p>

<p>1st Authorised signature (Lead Officer) Gary Johnson</p>	<p>2nd Authorised Signature (Delivery Unit management team member) Mathew Kendall</p>
<p>Date: 08/12/14</p>	<p>Date:08/12/14</p>

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	AGENDA ITEM 10
	<p>Adults & Safeguarding Committee</p> <p>26 January 2015</p>
Title	Adults & Safeguarding Committee Work Programme
Report of	Dawn Wakeling, Adults and Health Commissioning Director
Wards	All
Status	Public
Enclosures	Appendix A - Committee Work Programme June 2014 - April 2015
Officer Contact Details	Anita Vukomanovic, Governance Team Leader Email: anita.vukomanovic@barnet.gov.uk Tel: 020 8359 7034

Summary
The Committee is requested to consider and comment on the items included in the 2014/15 work programme

Recommendations
1. That the Committee consider and comment on the items included in the 2014/15 work programme

1. WHY THIS REPORT IS NEEDED

- 1.1 The Adults & Safeguarding Committee Work Programme 2014/15 indicates forthcoming items of business.
- 1.2 The work programme of this Committee is intended to be a responsive tool, which will be updated on a rolling basis following each meeting, for the inclusion of areas which may arise through the course of the year.
- 1.3 The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

2. REASONS FOR RECOMMENDATIONS

- 2.1 There are no specific recommendations in the report. The Committee is empowered to agree its priorities and determine its own schedule of work within the programme.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 N/A

4. POST DECISION IMPLEMENTATION

- 4.1 Any alterations made by the Committee to its Work Programme will be published on the Council's website.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Committee Work Programme is in accordance with the Council's strategic objectives and priorities as stated in the Corporate Plan 2013-16.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Terms of Reference of the Policy and Resources Committee is included in the Constitution, Responsibility for Functions, Annex A.

5.4 Risk Management

5.4.1 None in the context of this report.

5.5 Equalities and Diversity

5.5.1 None in the context of this report.

5.6 Consultation and Engagement

5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

6.1 None.

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**London Borough of Barnet
Adults and Safeguarding
Committee Work Programme
January 2015 - May 2015**

Contact: Anita Vukomanovic 020 8359 7034 anita.vukomanovic@barnet.gov.uk

Subject	Decision requested	Report Of	Contributing Officer(s)
26 January 2015			
Corporate Grants Programme, 2014/15 - Grant Applications	Committee to consider assessments of two grant applications.	Deputy Chief Operating Officer	
The Implications of the Commissioning Plan	Committee to receive a report covering the implications of the Commissioning Plan and The Care Act for Adults Social Care in Barnet.	Strategic Director for Communities	
Implementation of the Care Act - Adult Social Care Deferred Payments Policy	To approve an updated Deferred Payments Policy to meet the requirements of The Care Act 2014.	Adults and Communities Director, Later Life Lead Commissioner	
19 March 2015			
Your Choice Barnet Task and Finish Group	To consider a six-month update report from Officers on the approved recommendations of the Your Choice Barnet Task and Finish Group.	Housing and Environment Lead Commissioner, Later Life Lead Commissioner	
Commissioning Priorities	To agree commissioning priorities for 2015/16.	Family and Community Well-being Lead Commissioner, Later Life Lead Commissioner	

Subject	Decision requested	Report Of	Contributing Officer(s)
Implementation of the Care Act	To receive an update on progress with the implementation of the Care Act.	Adults and Communities Director, Later Life Lead Commissioner	
Implementation of the Care Act - Young Carers & Transitions Paper	To note the new duties for young carers and people transitioning to Adults Social Care arising from the Care Act 2014.	Adults and Communities Director, Later Life Lead Commissioner	
Implementation of the Care Act - Remodelling Adult Social Care	<p>To agree changes to the ASC process that will enable it to comply with the Care Act 2014.</p> <p>To agree a new policy arising from the Care Act 2014 formalising the new duties of the council where a care provider fails.</p> <p>To agree an approach to how councils can develop a sustainable social care market place to meet the new duties of the Care Act 2014.</p>	Adults and Communities Director, Later Life Lead Commissioner	
Implementation of the Care Act - Prevention , Information & Advice Policy	To agree an approach to Information & Advice and Advocacy services in relation to the requirements of the Care Act 2014	Adults and Communities Director, Later Life Lead Commissioner	
Implementation of the Care Act - Prevention Policy	To agree new policies in line with the requirements of the Care Act	Adults and Communities Director, Later Life Lead Commissioner	

Subject	Decision requested	Report Of	Contributing Officer(s)
Implementation of the Care Act - Eligibility and Contributions	To agree new policies in line with the requirements of the Care Act.	Adults and Communities Director, Later Life Lead Commissioner	
23 April 2015			
Your Choice Barnet Task and Finish Group	To consider a 12-month update report from Officers on the approved recommendations of the Your Choice Barnet Task and Finish Group.	Adults and Communities Director	
Implementation of the Care Act	To review progress made against the implementation plan.	Adults and Communities Director, Later Life Lead Commissioner	
Healthwatch Barnet Enter & View Reports	To receive Enter & View reports from Healthwatch Barnet which relate to the provision of adult social care services.	Adults and Communities Director	