

# KENT COUNTY COUNCIL - RECORD OF DECISION

## DECISION TAKEN BY

Graham Gibbens, Cabinet Member for Adult Social Care and Public Health

## DECISION NO.

14/00136

*If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972*

**Subject:** : Deferred Payments and Temporary Financial Assistance

### Decision:

As Cabinet Member for Adult Social Care and Public Health, I AGREE:

That Kent County Council should adopt the proposed Deferred Payments scheme (both the mandatory and discretionary elements) from 1 April 2015 and that the current Temporary Financial Assistance scheme should end for new clients on 31 March 2015.

I also AGREE to delegate to the Corporate Director for Social Care, Health and Wellbeing, or other nominated officer, responsibility to take all further actions necessary to implement this decision.

**Any Interest Declared when the Decision was Taken** None

### Reason(s) for decision, including alternatives considered and any additional information

The Care Act 2014 introduces a new Universal Deferred Payments Scheme which all local authorities must introduce from April 2015. The relevant sections of the Act are sections 34 and 35. Further details are provided in The Care and Support (Deferred Payment) Regulations 2014 and in the statutory guidance, the final versions of which were issued in October 2014. The Act confers a duty on local authorities to develop a mandatory scheme based on national regulations. Kent will institute a scheme from April 2015 in accordance with these criteria.

In addition to the mandatory scheme, the Act gives the local authority the power to offer Deferred Payments to a wider group of people on a discretionary basis. The criteria for the discretionary scheme will be in place by January and it is envisaged that this will encompass, at the very least, the sort of situations currently covered by the Kent Temporary Financial Assistance (TFA) scheme and is likely to be wider in scope.

In view of the above, it is not believed to be necessary to continue the local TFA scheme and it is recommended that the TFA scheme end for new clients from 31 March 2015.

It is important to note that when the new Deferred Payment scheme starts on 1 April 2015, existing Deferred Payment and TFA agreements will not be affected and will continue. There are currently (as at 29.10.14) 119 Deferred Payments agreements and 43 TFA agreements extant.

### Background Documents:

Recommendation report from Corporate Director to Cabinet Member

### Cabinet Committee recommendations and other consultation:

The proposed policy was considered by KCC Cabinet on 1 December 2014 and by the Adult Social Care and Public Health Cabinet Committee on 4 December 2014.

The Cabinet Committee resolved that the decision proposed to be taken by the Cabinet Member for

Adult Social Care and Health (that the County Council should adopt from 1 April 2015, both the mandatory and discretionary elements of the proposed Deferred Payments scheme (as set out in Sections 34 and 35 of the Care Act 2014), and the current Temporary Financial Assistance scheme end for new clients on 31 March 2015) be endorsed.

**Any alternatives considered:**

None.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

None.



2 FEBRUARY 2015

signed

date

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Decision Referred to Cabinet Scrutiny			
YES		NO	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YES		NO	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published	