

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Peter Oakford, Cabinet Member for Specialist Children's Services

**DECISION NO:**

16/00087

**For publication****Key decision**

Affects more than 2 Electoral Divisions

**Subject: Review of Means Testing for Special Guardianship Order Allowances, Adoption Allowances and other related Allowances**

**Decision:** As Cabinet Member for Specialist Children's Services I propose to:

- a) **REVIEW** the Means Testing for Special Guardianship Order Allowances, Adoption Allowances and other related Allowances
- b) **DELEGATE** authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision.

**Reason(s) for decision:** The current method of completing the financial means testing of claimants needs reviewing to ensure a more equitable process is applied. By introducing a fairer system, not focused on individual lifestyle choices, it is predicted that KCC will reduce its expenditure on allowances as such choices will be self-funded by the claimants and not by the Local Authority.

**Financial Implications:** Whilst difficult to quantify, the Review will deliver some element of savings.

**Legal Implications:** Regulation 13 of the *Special Guardianship Guidance* published in February 2016 states that local authorities must take into account all available income streams to the special guardian and must take into account reasonable outgoings and commitments. They must have regard to the maximum fostering maintenance element (which would have been payable if the child were fostered) when calculating how much allowance will be paid. These changes do not seek to challenge this and seek only to be clearer regarding allowed income and outgoings for households. Advice from Coram Chambers is that Kent County Council can interpret the guidance and it is considered that the proposed changes do not have any legal implications for the council.

**Equality Implications:** An equality impact assessment has been completed.

**Cabinet Committee recommendations and other consultation:**

The decision will be discussed at the Children's Social Care and Health Cabinet Committee on 10 November 2016 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

**Any alternatives considered:**

None

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

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signed

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date