

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

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Members of Rutland County Council District Council are hereby summoned to attend the **257th MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **25 March 2024 commencing at 7.00 pm**. The business to be transacted at the meeting is specified in the Agenda set out below.

Prior to the commencement of the meeting, the Chairman will offer the opportunity for those present to join him in a moment of reflection.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

Although social distancing regulations have ended there is still limited seating available for Members of the public, if you would like to reserve a seat please contact the Democratic Services Team democraticservices@rutland.gov.uk. The meeting will also be available for listening live online.

Mark Andrews
Chief Executive

A G E N D A

- 1) **APOLOGIES FOR ABSENCE**
- 2) **CHAIRMAN'S ANNOUNCEMENTS**
- 3) **ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**
- 4) **DECLARATIONS OF INTEREST**

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

5) MINUTES OF PREVIOUS MEETING (Pages 5 - 10)

To confirm the Minutes of the 256th meeting of the Rutland County Council District Council held on 26 February 2024.

6) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

To receive any petitions, deputations or questions received from members of the public in accordance with the provisions of Procedures Rule 25 and 26.

The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

7) QUESTIONS FROM MEMBERS OF THE COUNCIL

To receive any questions submitted from Members of the Council in accordance with the provisions of Procedure Rules 27 and 28.

8) REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

To determine matters where a decision taken by a Committee has been referred to the Council in accordance with the provisions of Procedure Rule 89.

9) CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 26 FEBRUARY TO 25 MARCH 2024 (INCLUSIVE)

To determine matters where a decision taken by the Cabinet has been referred to Council by the call-in procedure of the Scrutiny Committee in accordance with the provisions of Procedure Rules 149 and 150. As a result of the decision being deemed to be outside the Council's policy framework by the Monitoring Officer or not wholly in accordance with the budget by the Section 151 Officer, or otherwise not in accordance with Article 12.

10) REPORT FROM THE CABINET

To receive Reports from the Cabinet on recommendations referred to the Council for determination.

11) REPORTS FROM COMMITTEES OF THE COUNCIL

- 1) To receive reports from Committees on matters which require Council approval because the Committee does not have the delegated authority to act on the Council's behalf.
- 2) To receive reports from Council Committees on any other matters and to receive questions and answers on any of those reports.

12) REPORTS FROM SCRUTINY

To receive reports from the Strategic Overview and Scrutiny Committee on any matters and to receive questions and answers on any of those reports.

13) JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive reports about and receive questions and answers on the business of any joint arrangements or external organisations.

A Member wishing to make a report should advise the Democratic Services Manager as soon as possible but in any event no later than noon on the working day immediately before the meeting.

14) NOTICES OF MOTION

To consider any Notices of Motion submitted by Members of the Council in accordance with Procedure Rule 31 in the order in which they are recorded as having been received.

- a) **MAKING CARE EXPERIENCE A PROTECTED CHARACTERISTIC** (Pages 11 - 12)

Notice of Motion signed by Councillor T Smith (Proposer) and Councillor A Johnson (Seconder).

- b) **RUTLAND FARMING** (Pages 13 - 14)

Notice of Motion signed by Councillor G Clifton (Proposer) and Councillor L Stephenson (Seconder).

15) TO RESOLVE THAT THE ANNUAL MEETING OF COUNCIL FOR 2024 BE MOVED FROM 13 TO 20 MAY 2024

16) REVIEW OF THE CHARGING FOR CARE AND SUPPORT POLICY
(Pages 15 - 108)

To receive Report No. 20/2024 from the Portfolio Holder for Adults and Health.

17) PETERBOROUGH SHARED SERVICE AGREEMENT FOR REGULATORY SERVICES (Pages 109 - 114)

To receive Report No. 22/2024 from the Portfolio Holder for Environment, Transport and Communities

18) PAY POLICY STATEMENT 2024-2025 (Pages 115 - 138)

To receive Report No. 23/2024 from the Deputy Leader and Portfolio Holder for Governance and Resources

19) CATMOSE SPORTS CONTRACT (Pages 139 - 164)

To receive Report No. 26/2024 from the Leader of the Council.

Appendix B to the report contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

20) ANY URGENT BUSINESS

To receive items of urgent business which have been previously notified to the person presiding.

21) DATE OF NEXT MEETING

Annual Council: Monday, 20 May 2024 (Subject to Item 15)

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TO: MEMBERS OF THE COUNCIL

Councillor A Brown – Chairman of the Council
Councillor S Harvey – Vice-Chairman of the Council

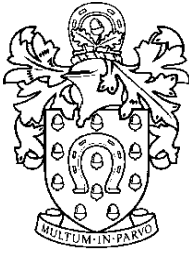
Councillor N Begy	Councillor P Browne
Councillor T Carr	Councillor M Chatfield
Councillor G Clifton	Councillor K Corby
Councillor H Edwards	Councillor D Ellison
Councillor M Farina	Councillor K Heckels
Councillor O Hemsley	Councillor A Johnson
Councillor S Lambert	Councillor S McRobb
Councillor K Payne	Councillor R Payne
Councillor R Powell	Councillor R Ross
Councillor T Smith	Councillor L Stephenson
Councillor G Waller	Councillor A West
Councillor D Wilby	Councillor C Wise
Councillor H Zollinger-Ball	

Quorum: 7

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THE COUNCIL'S STRATEGIC AIMS

- Tackling the Climate Emergency
- A diverse and sustainable local economy
- Support the most vulnerable
- Provide good public services



Rutland County Council

Catmose Oakham Rutland LE15 6HP

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Minutes of the 256th **MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 26th February, 2024 at 7.00 pm

PRESENT:

Councillor A Brown (Chairman)	Councillor N Begy
Councillor P Browne	Councillor T Carr
Councillor M Chatfield	Councillor G Clifton
Councillor K Corby	Councillor H Edwards
Councillor D Ellison	Councillor M Farina
Councillor K Heckels	Councillor O Hemsley
Councillor A Johnson	Councillor S Lambert
Councillor S McRobb	Councillor K Payne
Councillor R Payne	Councillor R Powell
Councillor R Ross	Councillor T Smith
Councillor L Stephenson	Councillor G Waller
Councillor A West	Councillor D Wilby
Councillor C Wise	Councillor H Zollinger-Ball

APOLOGIES: Councillor S Harvey

OFFICERS	Mark Andrews	Chief Executive
PRESENT:	Dawn Godfrey	Strategic Director for Children and Families
	Penny Sharp	Strategic Director for Places
	Kim Sorsky	Strategic Director for Adults and Health
	Kirsty Nutton	Strategic Director for Resources
	Angela Wakefield	Strategic Director for Law and Governance
	Mathew Waik	Communications Services Manager
	Tom Delaney	Democratic Services Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S Harvey.

2. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that since the last meeting of Council he or the Vice-Chairman had attended the following civic events:

- Lord-Lieutenant of Rutland's Festival of Remembrance, St George's Barracks
- Armistice Day Service, Grounds of Oakham Castle
- Service of Remembrance, All Saints' Church
- Citizens Advice AGM, Victoria Hall
- Preview to Christmas, Belvoir Castle

- Mayor of Melton's Carol Service, St Mary's Church, Melton
- Chairman of North West Leicestershire's Charity Dinner, The Royal Arms Hotel, Sutton Cheney
- Combined Police & Fire Carol Service, Leicester Cathedral
- Stocken Prison Carol Service
- 2248 Air Cadet Squadron Presentation Evening, Oakham Cadet Centre
- Mayor of Melton's Charity Quiz Night, Melton Borough Council
- University of Leicester Winter Graduations, De Montfort Hall
- Mayor of Peterborough's Holocaust Memorial Service, St John's Church, Peterborough
- Lord Mayor of Leicester's Holocaust Memorial Service, De Montfort University
- Annual Meeting of the University Court, Leicester University
- Mayor of Northampton Town Council Civic Service, All Saints' Church, Northampton

3. **ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**

Councillor G Waller, informed Members that she had attended several meetings on behalf of the Council, and a written update on these meetings would be circulated with the minutes.

4. **DECLARATIONS OF INTEREST**

Councillor K Payne notified Members that with regard to her report at Item 13 – Joint Arrangements and external Organisations – Heidelberg Cement had submitted a planning application to the Council. Councillor Payne confirmed that as a Member of the Planning and Licensing Committee she had not participated in any discussion at the liaison committee with regard to the application and would therefore not be able to answer any questions from Members with regard to the application.

5. **MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meetings of Council held on 6 November, 6 December and 18 January.

A motion to approve all minutes was moved by the Chairman and seconded, and a separate vote was taken on each set of minutes.

With 24 votes in favour and 2 abstentions, the minutes of the meeting held on 6 November were approved.

With 21 votes in favour and 6 abstentions, the minutes of the special meeting held on 6 December were approved.

With 24 votes in favour and 2 abstentions the minutes of the special meeting held on 18 January were approved.

RESOLVED

- a) That the minutes of the meetings of Council held on 6 November, 6 December and 18 January be **APPROVED**.

6. PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

No petitions, deputations or questions had been received from Members of the public.

7. QUESTIONS FROM MEMBERS OF THE COUNCIL

One question had been received from Councillor R Ross and this was put to Councillor A Johnson as detailed in the agenda supplement.

In response Councillor Johnson confirmed that relief for Oakham School was £370,000 and for Uppingham School £451,000. The Council retained 50% of the remaining £220,000 business rate yield meaning it received £110,000 in income from the schools. Councillor Johnson also outlined the benefits arising from the schools including combined employment of 1000 people and offering of leisure facilities to the public. It was also set out that both schools owned several domestic dwellings in Rutland in which their pupils and staff reside and for which council tax was paid in addition to business rates.

8. REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

No referrals had been received.

9. CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 6 NOVEMBER 2023 TO 26 FEBRUARY 2024 (INCLUSIVE)

No call-ins had been received.

10. REPORT FROM THE CABINET

Two reports had been received from the Cabinet.

A) CORPORATE STRATEGY REFRESH 2024 - 2026

Report No. 03/2024 was introduced by Councillor G Waller, Leader of the Council. The report set out revisions to the strategic priorities of the Council covering the period 2024-2026. The revision had been undertaken as part of a scheduled refresh of the existing Corporate Strategy which was approved by Council in July 2022.

Members spoke in support of the revised strategy highlighting its role as a high-level document with more specific delivery plans and policies coming separately, for which Members set out a wish for changes and their implications to be carefully considered, particularly with regard to climate change and transformation.

A motion to approve the recommendations of Report No 03/2024 had been moved by Councillor G Waller and seconded. Upon being put to the vote, with 26 votes in favour the motion was unanimously carried.

RESOLVED

- a) That Council, on the recommendation of Cabinet, **APPROVED** the Corporate Strategy Refresh 2024-2026

B) INTEGRATED BUDGET PLAN AND MEDIUM-TERM FINANCIAL STRATEGY - 2024/25 TO 2027/2028

Report No. 04/2024 was received from Councillor A Johnson, Deputy Leader and Portfolio Holder for Resources and Governance. The report came to Council as part of the Council's formal budget setting process and set out a number of required decisions from Council, including the setting of Council Tax (including an Adult Social Care precept), and approval of the Medium-Term Financial Strategy and Fees and Charges Strategy. It was noted a revised Appendix Q had been circulated in the agenda supplement with updated figures from the Combined Fire Authority.

Members spoke in support of the proposed budget, highlighting the Council's commitment to operate within its means through investment in transformation activities to reduce expenditure in the long term. Members noted the difficult financial circumstances and subsequent choices facing many local authorities based on national government policy and the lobbying the Council was engaging in seeking fairer funding for rural authorities.

Thanks were also expressed to the Council's Section 151 Officer and all officers who had worked throughout the budget-setting process in order to bring the budget before Council. Thanks were also expressed to the members of the public who had engaged in the Council's budget consultation.

A motion to approve the recommendations of Report No. 04/2024 had been moved by Councillor A Johnson and seconded with the inclusion of the updated Appendix Q, a recorded vote being required voting was as follows:

There voted in favour:

Councillors N Begy, A Brown, P Browne, T Carr, M Chatfield, G Clifton, K Corby, H Edwards, D Ellison, M Farina, K Heckels, O Hemsley, A Johnson, S Lambert, S McRobb, K Payne, R Payne, R Powell, R Ross, T Smith, L Stephenson, G Waller, A West, D Wilby, C Wise and H Zollinger-Ball.

There being 26 votes in favour and no votes against nor any abstentions, the motion was unanimously carried.

RESOLVED

That Council **APPROVED**:

- a) The budget including a Council Tax increase of 4.99% (2.99% general Council Tax and 2.0% Adult Social Care precept), as outlined in section 5.1.2, Appendix F and the Council Tax resolution in Appendix P.
- b) The updated budget assumptions, to be incorporated in the Medium-Term Financial Strategy (MTFS) 2024/25 – 2027/28. These are outlined in sections 5 and 6.
- c) The grant funding receipts estimated across the MTFS as contained in Appendix D.

- d) The Fees and Charges Strategy that details the approach to be adopted by directorates when setting and updating fees and charges as provided in Appendix E.
- e) The revised capital programme and schemes outlined in section 6.5 and referencing Appendix K and M.
- f) The funding of the capital programme as detailed in the treasury management and capital strategies in Appendices L and M
- g) The updated Reserves Strategy and forecast reserve commitments to fund the cost of transformational investment and previously identified departmental commitments as outlined in section 7.4, and Appendices B, C and I.
- h) The Education budget as outlined in section 6.6 and Appendix N.
- i) The budget virement limits as outlined in section 9.
- j) The Medium-Term Financial Strategy 2024/25 – 2027/28 as set out in the body of the report and following appendices:
 - Appendix A – 2024/25 – 2027/28 MTFS detailed budget position
 - Appendix B – Budget proposals tables (pressures / savings / investments)
 - Appendix C – Directorates Overview, Service Ambitions and Budget Variation Statements
 - Appendix D – Grant Register
 - Appendix E – Fees & Charges Strategy / Policy & Schedule
 - Appendix F – Funding strategy
 - Appendix G – Financial Health Indicators
 - Appendix H – Financial Risk Register
 - Appendix I – Reserve Strategy
 - Appendix J – Consultation document & responses
 - Appendix K – Capital Programme Schemes 2024/25 – 2027/28
 - Appendix L – Treasury Management Strategy & Annual Investment Strategy
 - Appendix M – Capital Strategy
 - Appendix N – Dedicated Schools Grant and the Schools budget
 - Appendix O – Carbon Impact Assessment
 - Appendix P – Reconciliation of budget adjustments since Cabinet 11 January and 13 February 2024
 - Appendix Q – Council Tax Resolution (As updated)

That Council **NOTED**:

- k) The changes that had been made since the 11 January and 13 February 2024 Cabinet reports that were shown in Appendix P and included additional grant announcement allocations resulting in a net increase in income for 2024/25 of £0.5m and updating of assumptions applied for estimated expenditure and income.
- l) The statutory advice from the Chief Finance Officer contained in section 7 'The Robustness (Section 25) Statement'

- m) The Council's core funding position following the outcome of the Local Government Settlement outlined in section 5.
- n) The strategic financial approach taken by the Council outlined in section 3 of the report.
- o) The financial health indicators which consider the key financial considerations of revenue and balance sheet performance, and that capital investment is not resulting in undue burden on future funding, section 8.
- p) The feedback on the budget proposals from residents, staff and the community as detailed in Appendix J.

11. REPORTS FROM COMMITTEES OF THE COUNCIL

There were no reports from Committees of the Council.

12. REPORTS FROM SCRUTINY

There were no reports from Scrutiny.

13. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor R Ross presented his report on the Leicester, Leicestershire and Rutland Joint Health Scrutiny Committee, noting that since production of the report the proposed item on Dentistry had been deferred from the upcoming March meeting to a later date.

Councillor K Payne presented her report on the Heidelberg Cement Liaison Meeting attended by herself and Councillor M Farina.

RESOLVED

- a) That the reports be **RECEIVED** and **NOTED**.

14. NOTICES OF MOTION

No notices of motion had been received.

15. ANY URGENT BUSINESS

There were no items of urgent business.

16. DATE OF NEXT MEETING

This was noted to be Tuesday, 25 March 2024.

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The Chairman declared the meeting closed at 8.09 pm.
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Making Care Experience a Protected Characteristic

The Independent Review of Children's Social Care, published in May 2022, had a recommendation that 'Care Experience' should be made a Protected Characteristic in law, sitting beside other protected characteristics such as age, disability, race, and religion under the Equality Act 2010.

Many care-experienced people face discrimination, stigma, and prejudice daily, often finding it challenging to access further support. Public perceptions of care experience can sometimes centre on the idea that children are "irredeemably damaged, " which can lead to discrimination and assumptions being made.

54 councils (and increasing) in England have already passed a motion to consider care experience as a protected characteristic.

Recognising care experience as a protected characteristic integrates support into established mechanisms. This ensures that supporting care experienced individuals is not an add-on, but a fundamental aspect of policy development and decision-making. The approach guarantees that policies are developed with equity in mind, ensuring that care experienced individuals have the support and opportunities they need to thrive.

In making care experience a protected characteristic we can make sure that we lessen the barriers for them to achieve and work with partners to ensure that their needs are met.

By recognising Care Experience as a protected characteristic as a Council we acknowledge Care-experienced people face significant barriers that impact them throughout their lives. Despite the resilience of many care-experienced people, society too often does not take their needs into account or understand them.

The Council is already committed to supporting all children and young people to ensure they have the best possible start in life. Recognising care experience as a protected characteristic further enhances this and supports a wider opportunity to educate others on what it means to be care experienced.

Background Papers

Care Leaver Local Offer: Care Experience as a Protected Characteristic:
<https://www.careleaveroffer.co.uk/documents/2034-protected-characteristics-briefing-report-14th-june-2023-by-terry-galloway.pdf>

Leicestershire Cares: Should "care experience" be a protected characteristic?:
<https://www.leicestershirecares.co.uk/about-charity/news-events-/should-care-experience-be-protected-characteristic/>

Proposed resolution:

That Council:

- a) Agrees to 'support and treat care experience as if it were a Protected Characteristic in Law' to join the many other Local Authorities who have already done so.
- b) Requests that the leader lobby national Government to have this enshrined in law so that there is an equity for all care experienced people.

Rutland Farming

It is proposed that Council:

- a) Recognises and notes the huge contribution made by Rutland farmers, growers, and the wider food and drink industry to the local economy, environment, and rural communities.
- b) Commits where possible to further enhancing our partnerships alongside our arable, livestock, and dairy farmers to enhance the magnificent Rutland countryside.
- c) Commits to supporting local farmers, growers, and the food and drink sector by, where possible, ensuring that all food and drinks provided at council-organised events are sourced from local suppliers, and, when it is appropriate include include meat and dairy, alongside plant-based produce.
- d) As part of tackling the environmental priorities for Rutland County Council, the Council will consider ways to encourage residents, where possible, to shop locally, taking advantage of home-grown, affordable and nutritious produce, including meat, dairy, and plant-based options, thus reducing food miles to our tables and boosting the local economy.

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COUNCIL

25 March 2024

REVIEW OF THE CHARGING FOR CARE AND SUPPORT POLICY

Report of the Portfolio Holder for Adults and Health

Strategic Objectives	Support the most vulnerable Providing good public services	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Diane Ellison, Portfolio Holder for Adults and Health	
Contact Officer(s):	Kim Sorsky, Strategic Director for Adults and Health	Telephone 01572 758352 Email ksorsky@rutland.gov.uk
	Andrea Grinney, Revenues & Benefits Manager	Telephone 01572 758227 Email agrinney@rutland.gov.uk
Ward Councillors	All	

1 SUMMARY AND RECOMMENDATIONS

1.1 Summary

1.1.1 Cabinet approved a review of the Charging for Care and Support Policy (Report 131/2023) with the aim of providing a new transparent and consistent policy for charging adults receiving care and support services in Rutland.

1.1.2 A public consultation was undertaken to inform the content of the final policy. This is detailed at 2.3.

1.2 Recommendations

1.2.1 To approve the revised Charging for Care and Support Policy with effect from 1 April 2024, to be implemented using a phased approach detailed at point 2.1.4.

1.2.2 To approve the proposals 1-6 detailed below:

1.2.2.1 Proposal 1- that an online form and online account are promoted in the first instance

with other methods of support being offered if a person or their family and friends are not able to use the online facility.

- 1.2.2.2 Proposal 2- that light touch financial assessments are offered where appropriate.
- 1.2.2.3 Proposal 3- that self-assessment with banded rates of Disability Related Expenditure (DRE) is used and promoted on the basis that a service user can ask for a full financial assessment at any time.
- 1.2.2.4 Proposal 4- that an additional 10% allowance be applied to people who meet the eligibility criteria detailed in Appendix 4.
- 1.2.2.5 Proposal 5- to adopt Appendix 5 as our DRE methodology and procedures for DRE.
- 1.2.2.6 Proposal 6- charges can be waived in exceptional circumstances as detailed in Section 26.0 of the policy.
- 1.2.3 To authorise the Strategic Director for Adults and Health, in consultation with the Portfolio Holder with responsibility for Adults and Health to apply updates and make minor changes to the policy or appendices because of best practice, updated guidance or legislation.

1.3 Reasons for Recommendations

- 1.3.1 Cabinet approved a review of the policy on 17th October 2023 with the aim of providing a new transparent, and consistent policy for charging adults receiving care and support services in Rutland.
- 1.3.2 A public consultation was undertaken from 1st November 2023 to 24th January 2024. A summary of the responses received is detailed at Appendix B.

2 REPORT

2.1 Introductory Paragraph

- 2.1.1 The Care Act 2014, the Care and Support Statutory (Charging and Assessment of Resources) Regulations 2014 and the detailed Statutory Guidance on Charging and Financial Assessment, provide detailed rules that the Council must follow. Within this framework, the Council has a degree of discretion as to how it operates the charging framework, and this is detailed in the new policy at Appendix A.
- 2.1.2 The Charging for Care and Support Policy for Rutland was amended in 2015 (Report 241/2015) and again in 2016 (Report 117/2016). A full rewrite of the current Policy has not been undertaken, this means that the Policy is now dated and is not providing the clarity and transparency that is expected by service users, officers, and other interested parties.
- 2.1.3 The new policy was drafted based on several aims as follows:
 - To ensure the Council has an up-to-date policy by considering the latest best practice, law, and guidance;
 - To consider any relevant legal developments;

- To make better use of technology;
- To ensure the policy is written in plain language, is transparent, and consistent for service users, officers, and other interested parties;
- To ensure that the policy reflects the council's aims and objectives, detailed in the corporate plans; and
- To consider the cost to the Council in adopting a new policy given that the council's medium term financial position remains challenging.

2.1.4 The policy will be phased in over a period of time. This will ensure that people who are being charged currently are not disadvantaged. The following will apply:

- People who are new to paying for care after 1 April 2024, will be charged under the new policy.
- People with existing financial assessments will be offered the opportunity to change to the new policy upon their annual review. e.g. self- assessment.
- People who have a change to their care and support needs or a change in their circumstances will be charged under the new policy from the date of the change. e.g. a person moves from a commissioned service to a Direct Payment.

2.1.5 The Council can choose not to adopt a new policy at this time. This is not recommended due to the issues and aims raised at points 2.1.2 and 2.1.3.

2.1.6 The Council can choose to progress some proposals and not others. It is important that Council members understand the views of respondents before deciding what proposals to take forward and the financial implications.

2.1.7 An update will be provided to Cabinet next year to report on progress of the approved changes to the policy.

2.2 Background

2.2.1 Whilst the policy has been re-written, the vast majority has not changed. The re-write has provided clarity in certain areas that were missing from the current policy e.g. there is now a section on what happens if a financial assessment is not completed. There are appendices that detail the rates we use and how we work out what Disability Related Expenditure (DRE) a person has.

2.2.2 We consulted on some areas to gain a better understanding of the help people might need and to determine our approach; these are detailed below:

2.2.3 Proposal 1 – applying for a financial assessment

2.2.3.1 We asked if people would be able to complete an online form and if they cannot, what help they might need. Most of the respondents (78%) said that they would be able to complete an online form. Some people said they would need help, using a variety of different methods that most suited their needs e.g. telephone, face to face.

2.2.3.2 It is proposed that an online form and account are promoted in the first instance,

with other methods such as telephone, appointment and home visits being offered if a person, or family and friends are not able to use the online facility. This approach brings benefits for both service users and the Council as detailed in the consultation questionnaire.

2.2.4 Proposal 2 – Light touch financial assessments

2.2.4.1 We asked if a light touch financial assessment would be of benefit. A majority (56%) of the respondents said it would be appropriate for them.

2.2.4.2 It is proposed that light touch financial assessments are offered where appropriate. This meets the requirements set out in the Care Act and benefits service users and the Council as detailed in the consultation questionnaire.

2.2.5 Proposal 3 – Self-assessment

2.2.5.1 We asked if a self-assessment would be of benefit. 50% of the respondents said that it would, with 36% saying they do not know. Some people said they would need a full financial assessment, and this will be retained as an option. If people need help, this will be made available to most suit their needs e.g. telephone, face to face.

2.2.5.2 It is proposed that self-assessment with banded rates of DRE is used and promoted on the basis that a service user can ask for a full financial assessment at any time. This benefits service users and the Council as detailed in the consultation questionnaire.

2.2.6 Proposal 4 – Income for certain groups

2.2.6.1 We asked which group of people, who share common characteristics, should be allowed to retain more of their income, above the Minimum Income Guarantee (MIG) set by Government.

2.2.6.2 The Council is not obliged to apply any other allowances other than the MIG it determines to be appropriate. The Council must consider the cost implications when determining which group, if any, it chooses to provide with any additional support by means of a higher MIG rate. Most of the consultation respondents were in favour of this approach; however, it is not affordable for the Council to apply this as a blanket approach to every service user.

2.2.6.3 Officers have modelled the financial impact based on specific eligibility criteria to allow people with severe disabilities with no capacity to undertake any paid employment to retain a further 10% of their income e.g. the MIG plus 10%. This will affect c10-15 current service users, who would retain an additional amount of c£15-£20 per week, before other factors are considered in the calculation. The financial implications for the Council are set out in 3.1.4.

2.2.6.4 It is proposed that an additional 10% allowance be applied to people who meet the eligibility criteria detailed in Appendix 4.

2.2.7 Proposal 5 – Disability Related Expenditure

2.2.7.1 We outlined our approach to DRE and asked if this was fair. In broad terms responders (64%) were in favour, with only 8% saying it was not fair. Several comments were received that explained people's views. These are detailed in

Appendix B.

2.2.7.2 Applying banded rates of DRE speeds up the financial assessment process and saves administration time and therefore cost. Modelling has been undertaken for all current service users to understand the financial impact. On average they would each pay an extra £3.05 per week, with individual contributions ranging from a reduction of £20.00 to an extra £58.95 per week, due to the vast differences in existing DRE claimed. It should be noted that some people will choose to have a full financial assessment which may result in an increased or reduced DRE. The financial implications for the Council are set out in 3.1.4.

2.2.7.3 It is proposed to adopt Appendix 5 as our methodology and procedures for DRE. This appendix details a fair and consistent approach. The rates used will be updated annually in accordance with guidance issued from the Department of Health and Social Care and other relevant sources.

2.2.8 **Proposal 6 – Waiving Charges**

2.2.9 We outlined our approach to waiving charges and asked if this was fair. Respondents were in favour of this approach (65%).

2.2.10 It is proposed that the policy includes a section on waiving charges, in exceptional circumstances, as detailed in Section 26.0 of the Policy. This ensures the Council has a mechanism to waiver charges although it is envisaged that it will be used very rarely.

2.3 **Consultation**

2.4 The summary of the consultation responses is detailed in Appendix B. This includes a summary of the activities undertaken during the consultation for promotion and an analysis of the responses and the equality impact data.

3 **IMPLICATIONS OF THE RECOMMENDATION**

3.1 **Financial Implications**

3.1.1 This section has been approved by Andrew Merry, Head of Finance (ds151)

3.1.2 The review of the policy is largely cost neutral. There may be some savings if more people accept banded rates for DRE.

3.1.3 Software was purchased for the online form and account as part of the wider care act reform activities in 2021/22, which was later shelved. Should the care reforms be reintroduced the Council will be in a good position to implement care accounts and a cap on care.

3.1.4 The following details the proposals and the cost implications:

Proposal	Potential impact for the Council	Potential impact for service users
Proposal 1	£0	£0
Proposal 2	£0	£0

Proposal 3	£0	£0
Proposal 4	Cost of c£15,000 per annum	c£780-£1,040 per annum retained income
Proposal 5	Saving of c£30,000 per annum; if 100% of people accept banded rates for DRE, the actual % is likely to be less.	£158 per annum average additional charge
Proposal 6*	£0	£0

*It is envisaged that the current bad debt provision would be utilised for any waivers awarded.

The main financial issues arising for this Report are as follows:

Revenue	2023/2024	2024/2025	2025/2026	2026/27
Expenditure	No impact	No impact	No impact	No impact
Income	No impact	c£4,000	c£6,000	C£8,000

3.2 Legal Implications

3.2.1 This section has been approved by Sarah Khawaja, Head of Legal and Democratic Services.

3.2.2 The legal implications are as follows:

3.2.2.1 The Care Act 2014, the Care and Support Statutory (Charging and Assessment of Resources) Regulations 2014 and the detailed Statutory Guidance on Charging and Financial Assessment, provide detailed rules that the Council must follow. Within this framework, the Council has a degree of discretion as to how it operates the charging framework, and this is detailed in the policy.

3.2.2.2 Care charges can be subject to judicial review. Any judicial review challenge to a care charges decision must be issued promptly, and in any event within three months of the decision challenged, unless the court extends time. The policy has been updated at section 24.0 to ensure the Council has sufficient time to consider a request for a review and a subsequent appeal.

3.3 Risk Management Implications

3.3.1 The main risks to this Report and the Council achieving its objectives are as follows:

3.3.1.1 Risk/s: The policy may be subject to a legal challenge if a person disputes the amount they are charged.

3.3.1.2 Assessment of Risk: Medium

3.3.1.3 Mitigation: The proposals go some way to mitigating the risk of a challenge, in particular the proposal to allow severely disabled working age people to retain more of their income. Section 24 that deal with reviews and appeals has also been

updated to provide a fair process and extends the time needed to fully consider requests.

3.3.1.4 Residual Risk: Low

3.3.1.5 Record of Risk: Directorate Risk Register

3.4 Data Protection Implications

3.4.1 A Data Protection Impact Assessment (DPIA) has not been completed because there are no identified risks or issues to the rights and freedoms of individuals.

3.5 Equality Implications

3.5.1 An Equality Impact Assessment (EqIA) questionnaire has been completed. No adverse or other significant issues were identified. A copy of the EqIA questionnaire can be obtained from Andrea Grinney.

3.6 Community Safety Implications

3.6.1 The Council has a duty in accordance with S17 Crime and Disorder Act 1988, when exercising its functions, to have due regard to the likely effect of that exercise of those functions on and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social behaviour).

3.6.2 This duty has been considered and there are no community safety implications relating to the recommendations.

3.7 Health and Wellbeing Implications

3.7.1 Any health or wellbeing implications are noted in the Summary of the consultation at Appendix B.

3.8 Environmental and Climate Change Implications

3.8.1 On 11 January 2021 Rutland County Council acknowledged that it was in a climate emergency. The Council understands that it needs to take urgent action to address it.

3.8.2 There are no environmental and climate change implications of the Recommendations.

3.9 Procurement Implications

3.9.1 There are no procurement implications

3.10 Human Resource Implications

3.10.1 The team have a vacancy for the Assessment and Charging Officer post. Recruitment to the role has been unsuccessful. The day-to-day assessment work is currently being undertaken by a worker supplied by Civica OnDemand. It is likely that the workload will decrease following the implementation of self-service facilities.

3.10.2 The resources needed in the future will be kept under review and are factored into the Resources Directorate's Budget proposals for 2024/25.

4 BACKGROUND PAPERS

4.1 Report 131/2023

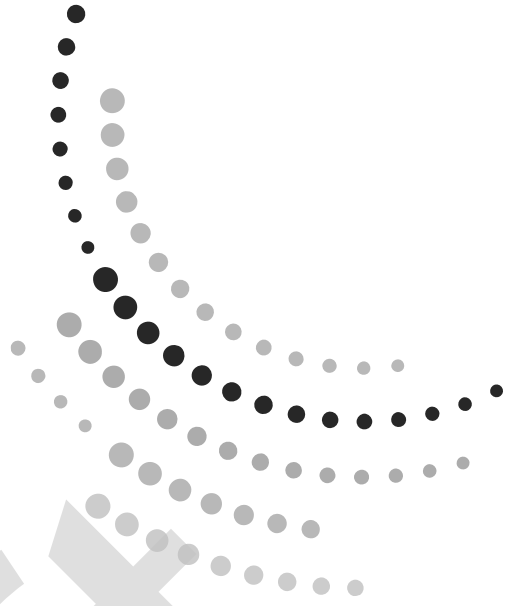
5 APPENDICES

5.1 Appendix A – Charging for Care and Support policy (draft) and appendices

5.2 Appendix B – Summary of the Consultation

5.3 Appendix C – Consultation document

An Accessible Version of this Report is available upon request – Contact 01572 722577.



Charging for Care and Support Policy

Draft

Version & Policy Number	Draft
Guardian	Andrea Grinney Revenues and Benefits Manager
Date Produced	1.1.2024
Next Review Date	Annual update of Appendices

Scrutiny	08/02/2024
Approved by Full Council	25/03/2024 Item xxx

Summary of document

This policy details how the Council will undertake financial assessments for adults receiving care and support.

Draft

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Draft

1.0 INTRODUCTION

- 1.1 Rutland County Council (the Council) charges a contribution for care and support services provided to adults. The Charging for Care and Support Policy (the Policy) sets out a fair and consistent approach to ensure that the Council complies with legislation, regulations, and guidance.
- 1.2 The Policy provides information about how we will undertake financial assessments for people living in the community and sets out how we will administer financial assessments for people living in care homes.
- 1.3 The Policy also explains how specific matters will be dealt with e.g., respite care, delays in completing financial assessments and how to make an appeal.

2.0 KEY PRINCIPLES

- 2.1 The Council's Corporate Strategy, refreshed for 2024-2026, has the following aims:
 - 2.1.1 Supporting the most vulnerable by working collaboratively to improve outcomes for residents, helping those that need additional support to live their best lives.
 - 2.1.2 Providing good public services by delivering modern and cost-effective services which are easy to access and provide good levels of customer care.

3.0 LEGISLATION

- 3.1 The Care Act 2014 provides the legal framework for charging for care and support in Sections 14,17 and 69-70.
- 3.2 The Care and Support Statutory Guidance (the Guidance) issued by the Department of Health sets out how the Council should undertake financial assessments in Chapter 8 and addresses Deferred Payment Agreements in Chapter 9.
- 3.3 The Guidance has several annexes as follows which are relevant to charging:
 - 3.3.1 Annex A – Choice of accommodation and additional payments
 - 3.3.2 Annex B – Treatment of capital
 - 3.3.3 Annex C – Treatment of income
 - 3.3.4 Annex D - Recovery of debts
 - 3.3.5 Annex E – Deprivation of assets
 - 3.3.6 Annex F – Temporary and short-term residents in care homes

- 3.4. The legal framework provides a relatively uniform approach for charging people who live in a care home. The Council has more discretion about charging for other settings which is set out in this Policy.
- 3.5 Any aspect of charging for care which is not explicitly detailed within this policy will be dealt with according to the Care Act 2014 and the Care and Support Statutory Guidance.

4.0 SERVICES WHICH ARE FREE OF CHARGE

- 4.1 The Care Act has several exemptions which means that these services are provided free of charge. They are:
 - 4.1.1 Intermediate care, including reablement for up to six weeks.
 - 4.1.2 Community equipment (aids and minor adaptations) costing less than £1,000 for meeting, preventing, or delaying a need.
 - 4.1.3 People with Creutzfeldt-Jacob Disease.
 - 4.1.4 After care services provided under Section 117 of the Mental Health Act 1983, unless the needs do not arise from, or are not related to their mental disorder, and fall outside the scope of Section 117.
 - 4.1.5 Any service or part service which the NHS is under a duty to provide. This includes Continuing Health Care (CHC) and NHS contribution to Registered Nursing Care.
 - 4.1.6 Assessment of needs and care planning.
 - 4.1.7 Any service which the Council is under a duty to provide through other legislation, cannot be charged under the Care Act 2014.

5.0 SERVICES FOR WHICH A CHARGE IS MADE

- 5.1 The following care and support services are chargeable:
 - 5.1.1 Permanent residential care in a care home or a nursing home.
 - 5.1.2 Respite care in a care home or a nursing home.
 - 5.1.3 Temporary stays and short term stays in a care home or a nursing home.
 - 5.1.3 Home care.
 - 5.1.4 Day care, day activities and day opportunities.
 - 5.1.5 Direct Payments.
 - 5.1.6 Care services delivered to people in prison.
- 5.2 A person over the age of 18 years of age who has been assessed as having eligible care and support needs, either in the community or in a care home, will need a financial assessment to determine how much their contribution will be.

6.0 GENERAL CHARGING PRINCIPLES

- 6.1 The Council's charging principles are as follows:

- 6.1.1 Ensure that people are charged in accordance with legislation, regulations, guidance and in line with the Policy and that the charge is reasonable for a person to pay.
- 6.1.2 Promote wellbeing, social inclusion, supporting person centred care, independence, and choice.
- 6.1.3 Apply charging fairly so those with similar care and support needs and services are treated the same to reduce anomalies.
- 6.1.4 For the administration to be cost effective and sustainable for the Council so it can continue to provide services for people needing care and support in the future.
- 6.1.5 Be clear, transparent, and comprehensive so people know what they need to pay.
- 6.1.6 Support carers to look after their own wellbeing and recognise their valuable contribution.
- 6.1.7 Encourage and enable people to stay in or take up employment, education, or training if they can do so.

7.0 HOW TO APPLY FOR A FINANCIAL ASSESSMENT

- 7.1 People can complete an online form. This is the preferred option as it enables people to get an idea of how much their charge might be promptly. The application can be undertaken before a care and support plan is put in place, during or afterwards.
- 7.2 A paper form can also be downloaded, completed, and sent back to us. This option will take longer as the data provided will need to be entered into the system by an officer.
- 7.3 Alternatively, appointments can be arranged to see an officer at the Council offices if help is needed.
- 7.4 Home visits can be arranged if a person or their representative is unable to apply by the application methods detailed above.

8.0 LIGHT TOUCH AND SELF-ASSESSMENTS

- 8.1 A 'Light Touch' financial assessment is suitable for people who have the following circumstances:
 - 8.1.1 A person has significant financial resources which are well above the upper capital limit and does not wish to complete a full financial assessment. In this case the person would pay the full cost of any service provided.

- 8.1.2 A person is receiving a small service which they can easily afford to pay for and carrying out a financial assessment would be disproportionate.
- 8.1.3 A person is in receipt of benefits which demonstrates that they would not be able to afford to pay a charge towards their care and support.
- 8.2 The Council reserves the right to undertake a full financial assessment if there is uncertainty about a person's financial circumstances or it is not clear that a light touch or self-assessment is suitable.
- 8.3 A self-assessment can be chosen if a person has disability related expenditure and is willing to accept a set rate for their expenses. The advantage of this is that the person would not need to provide us with as much evidence, and it will be quicker to find out the charge payable.

9.0 DELAYS IN COMPLETING A FINANCIAL ASSESSMENT

- 9.1 A financial assessment form should be completed within 2 weeks of being contacted by the Council. If evidence is requested, this should be provided within 2 weeks of the request.
- 9.2 If a person or their representative is unable to comply with this time the Council should be advised and a short extension of up to a further 2 weeks may be agreed. Extensions will be determined on a case-by-case basis having regard to the cause of the delay and the likely time for final completion.
- 9.3 If there is an unreasonable delay the Council will charge the full cost of the care and support service. Once the financial assessment is completed, if this results in a lower charge, a refund of an overpayment can be requested. A refund will only be made if the account is in credit and regular payments are being maintained, otherwise the credit will be retained to offset future care and support charges.

10.0 CHARGING FOR PEOPLE LIVING IN THE COMMUNITY

- 10.0.1 This refers to care and support received in a person's home and other care services provided in the community. This includes;
- Home care
 - Day opportunities
 - Community support
 - Supported living
 - Shared lives
 - Day care
 - Services purchased directly e.g. Personal Assistant

10.0.2 The Council uses the Minimum Income Guarantee (MIG) to ensure that a person is left with sufficient funds to cover living costs. The amount of MIG a person needs to retain is affected by several factors e.g. age. This is detailed further in Appendix 4.

10.0.3 The Council will apply an additional percentage to the MIG to allow people with a severe physical or mental disability or sensory impairment to retain more of their income to reflect higher expenditure for daily living costs. This is detailed further in Appendix 4.

10.0.4 The value of a person's home that they live in, is not included in financial assessment when people are living in the community.

10.1 PERSONAL BUDGETS

10.1.1 A person will be allocated a Personal Budget if a needs assessment identifies eligible needs for care and support. This is the total amount of the care package for the year. A Personal Budget is made up of money from the Council plus the person's assessed contribution, if any.

10.1.2 A person can use their Personal budget to buy care and support needed by any of the following ways:

- Services commissioned or arranged by the Council
- A Direct Payment
- A combination of commissioned services and a Direct Payment

10.1.3 The Personal Budget amount can change during the year if a person's needs change and the support plan changes or a financial assessment review results in the contribution increasing or decreasing. The person will be notified in writing.

10.2 SELF-FUNDERS

10.2.1 If a person has capital above the upper capital limit, they will be required to pay the full cost of their care. This person is referred to as a self-funder.

10.2.2 A person may be treated as a self-funder if they:

- Choose not to disclose financial information to enable a financial assessment to be undertaken.
- Fail to co-operate or delay in completing a financial assessment
- Are not eligible for financial support as a result of a financial assessment

10.2.3 Self-funders are eligible for a free needs assessment. If a self-funder requires the Council to arrange their care and support services, rather than making their own arrangements, a one-off arrangement fee will be charged. Details of the cost are available in the fees and charges annual report.

10.2.4 Self-funders should monitor their funds regularly. When their funds are falling and nearing the upper capital limit, they should contact the Council to see whether the Council are required to meet their needs. A needs assessment may be undertaken. If the Council determines that a person has eligible needs, a date will be agreed for when the person's funds will or have dropped below the upper capital limit.

10.2.5 If capital increases and exceeds the upper capital limit for longer than 2 months, and this is likely to continue based on projections, then the person will be treated as self-funding again.

10.3 CAPITAL

10.3.1 A person is required to detail all their capital in the financial assessment. This includes:

- Bank accounts
- Savings accounts
- Premium bonds or other bonds
- Stocks and shares
- Life assurance policies or trust funds
- Property or land owned in the UK and abroad
- Capital in business
- Any other assets held or entitlement of an asset or beneficial ownership

10.3.2 The value and treatment of capital is set out in the regulations, statutory guidance, and Annex B.

10.3.3 Where capital is jointly owned, the beneficial owner is treated as owning an equal share of the capital asset unless there is evidence that the person owns a different share.

10.3.4 An asset will be valued at the current market value e.g. the price a willing buyer would pay a willing seller. If there is an expense in selling the asset, the value of the asset will be reduced by 10%.

10.3.5 Property or land is valued in accordance with its current market value less:

- 10% of the value to cover sale expenses and fees
- Any outstanding debts on the property such as a mortgage

10.3.6 The person will be required to obtain a valuation. If this is unrealistic or lower than expected the Council may engage the Valuation Office to undertake an independent valuation. This valuation figure will then be used.

10.3.7 If an asset is sold, the capital amount realised will be taken into account from the date of the sale, less any actual expenses.

10.3.8 In some cases a person may be treated as having capital that they do not have. This is known as notional capital. Notional capital may be money that:

- Would be available if a person had applied for it, e.g. Attendance Allowance has not been claimed;
- Is paid to a third party in respect of the person, e.g. a person has an appointee, and the person's income is paid into the appointee's bank account instead of their own; or
- A person has deprived themselves of capital in order to reduce the amount of their contribution, e.g. a person has given away their life savings to their grandchildren.

10.3.9 The value of notional capital will be reduced over time by the difference between the weekly rate payable and the weekly rate payable if the notional capital did not apply.

10.4 INCOME

10.4.1 A person is required to detail all their income in the financial assessment. This includes:

- Pensions
- State benefits
- Earnings
- Other regular income

10.4.2 The treatment of income is set out in the regulations, statutory guidance, and Annex C.

10.4.3 Some income is disregarded. If this is the case this will be detailed in the financial assessment.

10.4.4 In some cases a person may be treated as having income that they do not have. This is known as notional income. Notional income may be money that:

- Would be available if a person had applied for it
- A person is eligible for via a pension, but they have not arranged to draw down the maximum annuity
- Is due but has not yet been received
- Is paid to a third party in respect of the person
- A person has deprived themselves of in order to reduce the amount of their contribution

10.5 JOINT ACCOUNTS

- 10.5.1 A person must also provide details of all joint bank accounts, savings accounts, assets, and investments held with other people e.g. spouse, partner, sibling, son, daughter, business partner.
- 10.5.2 Joint accounts will be divided equally, unless evidence to the contrary can be provided, in which case a different percentage may be used. This evidence must be compelling and genuine, otherwise an equal division will apply.
- 10.5.3 Consideration will be given to deprivation of assets or income as detailed in Appendix 7.

10.6 DISABILITY RELATED EXPENDITURE

- 10.6.1 Allowances are made for Disability Related Expenditure (DRE) that a person may incur due to their disability, which is not being met within the care and support plan.
- 10.6.2 A person may choose to self-assess the level of their DRE. This uses a banding system to determine a set amount of DRE depending on the disability benefits claimed. Allowances for each band are set annually and are published in Appendix 4. It is a matter of personal choice whether someone wants to proceed this way, rather than by full evidencing and assessment of their claims for DREs. Some people may prefer the banded system as it is quicker and bypasses the need to evidence spending on each individual item.
- 10.6.3 The current bands are:

Band	Benefits claimed
Band 1	Disability Living Allowance: care component-lower rate
Band 2	Disability Living Allowance: care component-middle rate Personal Independence Payment: daily living component-standard rate Attendance Allowance: lower rate
Band 3	Disability Living Allowance: care component-higher rate Personal Independence Payment: daily living component-enhanced rate Attendance Allowance: higher rate

- 10.6.4 If a person considers that they have more DRE than the banded rates, and wishes to have recognition of this, then a full assessment will be needed, and should be requested. If such a full assessment is chosen, the Council may ask for evidence of the necessity of some items, and it will expect to see receipts for the last 3 months for all expenses being claimed.
- 10.6.5 If a full financial assessment is undertaken, then it is possible that this may result in a DRE amount that is lower than the banded rate. If this is the case, the lower amount will be used in place of the banded rate.
- 10.6.6 Please refer to Appendix 5 for DRE procedures and amounts.

10.7 NIGHT CARE SERVICES

10.7.1 The Council does not provide night care services. The night care or enhanced element of Attendance Allowance, Personal Independence Payment or Disability Living Allowance is disregarded except where a person lives in supported accommodation. This enables people to fund their own night care service if needed.

10.8 COUPLES OR JOINT OCCUPIERS

10.8.1 Everyone is treated as an individual for the purposes of undertaking a financial assessment. This means that we will assess only the income and capital of the person who is undergoing the financial assessment even if they are part of a couple.

10.8.2 Jointly owned assets, income and expenses will be divided equally, unless evidence can be provided to the contrary, in which case a different percentage may be used. This evidence must be compelling, genuine and the reason, motivation and background should be explained.

10.8.3 Where there is more than one person living at an address, expenses will be split between the number of adults resident. For example, an individual living at home with their partner and adult son will have Council tax expenses divided 3 ways, to take into account that there are 3 people resident at the address and contributing towards the household. Alternatively, an individual living at home with their partner will have cleaning fees divided 2 ways if the cleaning is for the benefit of both members of a couple and not just the person receiving care.

Where the individual being assessed for care is disregarded for Council tax purposes and other members of the household are still liable, for example, where a person is disregarded because of a severe mental impairment, no allowance for Council tax will be made in the financial assessment.

10.8.4 Consideration will be given to deprivation of assets or income as detailed in Appendix 7.

11.0 CHARGING FOR PEOPLE LIVING IN CARE HOMES

11.0.1 People in care homes are likely to contribute most of their income towards the cost of their care. The regulations allow a person to retain a set amount to spend on personal items called the Personal Expenses Allowance (PEA).

11.0.2 The treatment of capital and income is defined in the statutory guidance set out in Annex B and C.

11.0.3 A person with capital (savings and investments) that is below the upper capital limit will be eligible for Council funded support and the Council will pay the care home directly. The Council will invoice the person for their contribution.

11.0.4 If a person has capital above the upper capital limit, it is unlikely that the Council will exercise its discretion to fund support. Where this is the case, the person will need to pay for their care directly to the care home. This person is referred to as a self-funder.

11.0.5 If a person needs nursing care, the NHS will carry out a nursing care assessment and contribute to some of the cost of the care. This is called Registered Nursing Care.

11.1 CARE HOME COSTS

11.1.1 Weekly care home rates vary from home to home. The Council uses a local authority rate, that it is generally, and in most cases, prepared to pay, for a suitable placement in Rutland. This is referred to as a 'bed rate.' This is reviewed annually. If a care home is chosen which is out of county, then the bed rate set by that local authority will be used.

11.1.2 If a person chooses a care home with a higher weekly rate than the Council's bed rate, the Council retains a discretion to fund above the bed rate. That discretion is exercised taking into account all relevant circumstances, including matters relating to the person's wellbeing. However, given the degree of significant financial pressure on the Council, the reality is that the Council would need to see strong justification for funding care above the level of the bed rate.

11.2.3 Where the Council declines to exercise discretion to fund care above the level of the bed rate, a top-up payment may be required to make up the difference. Please refer to section 11.3 for more details about top-ups.

11.2 CHOICE OF ACCOMMODATION

11.2.1 If the Council is meeting eligible needs by arranging care and support in a care home, at least one suitable option, which meets the person's assessed care needs, will be available and affordable within a person's personal budget.

11.2.2 Details are set out in Annex A – Choice of accommodation and additional payments of the statutory guidance.

11.3 TOP-UPS

11.3.1 There are 2 top-up options. A person can pay their own top up in some circumstances. This is known as a first party top-up. In all other circumstances the top-up must be paid by a third party, known as a third party, top-up.

11.3.2 A first party top up can be paid in the following circumstances only:

- a) During a 12-week property disregard period
- b) As part of a Deferred Payment Agreement, whereby the top-up is also deferred (please see section 11.7 for more details)
- c) If a person is assessed under Section 117 of the Mental Health Act and the Council and responsible ICB have jointly determined that the person's mental health aftercare needs require the provision of a type of accommodation.

11.3.2 A third party top-up can be paid by anyone who is willing to enter into the agreement. This is most commonly a family member. The Council must be made aware of the arrangement and any other additional costs, so they are included in the Council's contract with the care home. The top-up payments must be sustainable, as the Council is highly unlikely to replace the top-up monies if the third party is not able to continue paying them. This could mean that the person needs to move to a less expensive care home which accepts the Council's bed rate.

11.3.3 The third party can make their own arrangements to pay the care home directly, or the Council can pay the care home and invoice the third party for their contribution.

11.4 FINANCIAL ASSESSMENT CALCULATION

11.4.1 Self-funders are required to pay the full cost of their care.

11.4.2 A person with capital below the upper limit will receive a financial assessment to determine their contribution. This is calculated by deducting disregards and allowances from their income and tariff income and retention of their Personal Expenses Allowance. This is to cover incidentals like toiletries, clothing, confectionary, newspapers etc.

11.5 SELF-FUNDERS

11.5.1 A person with capital above the upper capital limit will not be eligible for Council funded support and will need to pay their care home directly. This person is referred to as a self-funder.

11.5.2 A person may be treated as a self-funder if they:

- Choose not to disclose financial information to enable a financial assessment to be undertaken.
- Fail to co-operate or delay in completing a financial assessment
- Are not eligible for financial support because of a financial assessment

11.5.3 Self-funders can ask the Council to arrange their care and support in a care home, rather than making their own arrangements. A one-off arrangement fee will be charged. Details of the cost are available in the fees and charges annual report.

11.5.4 Self-funders should monitor their funds regularly. When their funds are falling and nearing the upper capital limit, they should contact the Council to see whether the Council are required to meet their needs. A needs assessment may be undertaken. If the Council determines that a person has eligible needs, a date will be agreed for when the person's funds will or have dropped below the upper capital limit.

11.5.5 If capital increases and exceeds the upper capital limit for longer than 2 months, and this is likely to continue based on projections, then the person will be treated as self-funding again.

11.6 PROPERTY

11.6.1 The Council will include the value of property owned by the person as capital. This includes property owned outright, partly owned or where a beneficial interest is held.

11.6.2 The Council can disregard a property if one of the following apply:

- It is occupied by their partner
- It is occupied by a relative who is over 60 years of age or is disabled
- It is occupied by a child under 18 for whom they are responsible

and providing the property has been continuously occupied by any of the people listed above before the person moved to the care home.

11.6.3 Annex B of the Statutory Guidance provides further details.

11.6.4 The Council has discretion to exclude the value of a person's home in some other circumstances. Consideration will be given to this on a case-by-case basis. The Council will take a balanced decision given the need to ensure that it does not fund residents with assets at public expense.

11.6.5 The Council will disregard the value of the property for up to 12 weeks when a person first becomes a permanent resident in a care home. The property must have been their main home before moving into a care home. This is called a 12-week property disregard. This will not apply where a person has been permanently resident and self-funding their stay in a care home for more than 12 weeks before they become entitled to local authority assistance with their care funding.

11.6.6 If the Council is meeting eligible needs by arranging care and support in a care home, the Council will pay the weekly care home fees and send an invoice to the person for their contribution.

- 11.6.7 The person may ask the Council for a Deferred Payment Agreement during the 12-week property disregard. This allows a person to delay paying the full care home costs if they do not want to sell their home in their lifetime.
- 11.6.8 When the 12-week property disregard ends, unless a Deferred Payment Agreement has been applied for and agreed, the person will be responsible for paying their own care fees directly to the care home.
- 11.6.9 If the property is sold during the 12-week property disregard period, the person will be responsible for paying their own fees directly to the care home from the date of the sale completion as it is likely that upon sale completion, capital more than the upper capital limit will have been received.

11.7 DEFERRED PAYMENT AGREEMENT

- 11.7.1 A Deferred Payment Agreement (DPA) allows a person who is living in residential care to delay selling their home in their lifetime. Instead, the Council funds their care fees on a loan basis, which must be repaid once the property sells or upon death. The Council can offer a DPA if a person's savings are less than the upper capital limit and they do not have sufficient income to pay all the fees.
- 11.7.2 There are several important considerations to assess before entering into a DPA. People are strongly urged to seek independent legal advice and financial advice before considering this option.
- 11.7.3 The Council will require the person or their representative to complete a DPA form and consent to a legal charge being placed on the property. The Council reserve the right to refuse a DPA if a legal charge cannot be obtained e.g. the property is not listed on the land registry.
- 11.7.4 Appendix 6 sets out more details about DPAs.

11.8 PERSONAL EXPENSES ALLOWANCE

- 11.8.1 The Personal Expenses Allowance (PEA) is set annually by government. This allowance is to cover incidentals like toiletries, clothing, confectionary, newspapers etc. It is up to each person to decide how they spend their PEA.
- 11.8.2 The PEA is set at a higher amount for people who have a DPA to enable them to continue to maintain their home and pay associated household bills.

12.0 ADMINISTRATION FEES

- 12.1 The Council charges a one-off administration fee to cover the costs associated with setting up, managing, and closing a DPA. This is set annually by the Council. The fee is charged up front but can be added to the DPA upon request.

- 12.2 The Council charges a one-off fee for self-funders who ask the Council to help them arrange care and support. This is set annually by the Council.

13.0 RESPITE

- 13.1 Respite is a short stay in a care home to allow a carer to take a break. People in receipt of a respite care package will be assessed so that they are left with sufficient income to pay their share of household bills for the first 4 weeks of their continuous stay.
- 13.2 During the first 4 weeks of a respite stay, we will include allowances for the following household bills: rent/mortgage, service charges, buildings insurance, Council tax, gas/electricity or other fuel and water. We will also include any eligible Disability Related Expenditure which must continue to be paid for whilst the person is receiving respite care e.g. a lifeline.
- 13.3 If any stay exceeds 4 weeks in duration, the charge will be assessed under residential care charges.

14.0 SHORT TERM OR TEMPORARY STAYS IN A CARE HOME

- 14.1 A short term stay, or temporary stay may be arranged if a person has for example been discharged from hospital but is not well enough to return home yet, or a trial stay in a care home has been organised to see if it is suitable but the stay is not permanent yet. People in receipt of a short term or temporary care package will be assessed so that they are left with sufficient income to pay their share of household bills for the first 8 weeks of their continuous stay.
- 14.2 During the first 8 weeks of a short term or temporary stay, we will include allowances for the following household bills: rent/mortgage, service charges, buildings insurance, Council tax, gas/electricity or other fuel and water. We will also include any eligible Disability Related Expenditure which must continue to be paid for whilst the person is receiving short term care e.g. a lifeline.
- 14.3 If a short term or temporary placement becomes permanent the person will be financially assessed as a permanent resident from the date this is confirmed, and the care and support plan is amended.
- 14.4 If any stay exceeds 8 weeks in duration, the charge will be assessed under residential care charges.

15.0 WHERE A PERSON LACKS CAPACITY

- 15.1 The Council will establish if a person has capacity to take part in a needs assessment and a financial assessment.

- 15.2 If a person lacks capacity, the Council will establish if the person has any of the following as the appropriate person/s to be involved in the financial assessment:
- Enduring Power of Attorney (EPA)
 - Lasting Power of Attorney (LPA) for Property and Affairs
 - Deputyship made by the Court of Protection
 - Any other person dealing with the person's affairs e.g. appointee granted by The Department of Work and Pensions (DWP), third party access to bank accounts has been given.
- 15.3 If no formal arrangements are in place, family members should apply for Deputyship without delay.
- 15.4 If the person has no family or they are unsuitable to undertake the role, the Council will consider asking a panel deputy to apply. As a last resort, the Council will apply for deputyship.

16.0 CONTINUING HEALTHCARE

- 16.1 NHS Continuing Healthcare (CHC) is a package of ongoing health, care and support that is arranged and funded by the NHS. The details are set out in the national framework for NHS CHC and NHS-funded Nursing care guidance.
- 16.2 The law states that councils should not generally commission services that are the responsibility of the NHS.
- 16.3 If a person is assessed as eligible for CHC funding by an Integrated Care Board (ICB) they must provide that funding. In some cases, funding is 100% or a lower percentage, in which case the Council and the NHS fund jointly. The person would be subject to a financial assessment on the percentage paid by the Council.
- 16.4 The process of obtaining and retaining CHC funding is complex. An organisation called Beacon gives free advice. Their website is <https://beaconchc.co.uk>

17.0 CHARGING CARERS

- 17.1 The Council does not charge carers for services provided directly to the carer. This is in recognition of the significant contribution carers make to help to maintain the health and wellbeing of the person they care for.

18.0 REVIEWS

- 18.1 A review can be requested at any time.

- 18.2 There is an automatic review of every financial assessment annually when state pensions, benefits and allowances change in April. The new charges will be confirmed in writing.
- 18.3 The Council will undertake a review annually. This will usually occur a year after the initial financial assessment was undertaken.
- 18.4 A review may change the amount a person must pay. This will be confirmed in writing.
- 18.5 The points in section 9.0 regarding delays in completing a financial assessment, also apply to reviews.

19.0 DUTY TO NOTIFY CHANGES IN CIRCUMSTANCES

- 19.1 A change in circumstances must be reported to the Council within 21 days of the change.
- 19.2 This includes, but is not limited to, the following:
- A change to private pensions e.g. an increase in the amount received
 - A change to state benefits e.g. Attendance Allowance is awarded
 - A change to savings e.g. savings have increased or decreased
 - An expense included in the financial assessment has changed e.g. a gardener is no longer needed
- 19.3 Any changes that have not previously been reported to us, will be taken into account from the date of the change. This means that backdated payments will be included. The same will apply to changes in income or capital e.g. private pension increases. This ensures that people who do not tell us about a change when it happens, are not treated more favourably than those who do.
- 19.4 A change to the amount charged will be confirmed in writing.

20.0 CANCELLATION OF SERVICES

- 20.1 If a person's care is arranged or commissioned by the Council and they need to cancel one or more services/visits, they should contact us giving 3 days' notice. This will count as a cancelled visit and the person will not be charged.
- 20.2 If this is not possible, give as much notice as possible in order that the service provider can be notified. This may not be counted as a cancelled visit so a charge may still be applied.
- 20.3 In the event of an emergency, notice is not necessary. e.g. a person is admitted to hospital for urgent medical treatment.
- 20.4 All services will remain chargeable whilst in place. If a person decides to cancel part or all their service, 3 days' notice will be required.

- 20.5 When a person dies their service and charge will end on the date of death. For care home residents, the Council will pay the care home for an additional 3 days to allow for relatives to retrieve personal effects and cleaning.

21.0 INFORMATION AND ADVICE

- 21.1 The Council will provide information to help a person understand paying for care and support services. This will be provided in a way that is most suitable for the person. This can include information on the Council's website, leaflets, verbally, emails or letters.
- 21.2 The Council will also make people aware of independent financial advice that is available and how to access this. This includes regulated advice from an organisation regulated by the Financial Conduct Authority (FCA).
- 21.3 The Council will also signpost to free impartial advice services such as Citizens Advice Bureau, Age UK.

22.0 ERROR AND FRAUD

- 22.1 The financial assessment requires a person to declare their true financial circumstances and all assets, property savings and investments. Failure to do so or giving false details could result in the person or their representative being liable to prosecution.
- 22.2 If a person or their representative fails to disclose any material fact, the Care Act 2014 gives the Council the power to recover a debt or any sums it would have recovered but for the misrepresentation or failure.
- 22.3 This includes:
- Failure to cooperate with undertaking a financial assessment
 - Not complying with reasonable requests for evidence or information
 - Not providing evidence of income, capital or expenditure requested
 - Prolonged delays
- 22.4 If the Council finds an error in a financial assessment, the correction of which results in an increased charge, the change will only apply from the date the error is found (not backdated) and the person will be advised in writing.

23.0 DATA PROTECTION

- 23.1 The Council will use information about people to process their financial assessments. Relevant information may also be obtained from the Department for Work and Pensions and His Majesty's Revenue and Customs.

- 23.2 Information about how the Council complies with the General Data Protection Regulations are on the Council's website.

24.0 COMPLAINTS AND APPEALS

- 24.1 A person can make a complaint if they are not happy with the service they have received. Details of how to make a complaint are on the Council's website.
- 24.2 A person can also appeal any aspect of their financial assessment if they are dissatisfied with the outcome of the financial assessment. The appeal process is detailed below:

Stage 1 - Review

The person, or their representative, should apply in writing for a review of the decision. They should state the reason for the review, providing as much information and evidence as possible and if known, detail their required outcome.

A senior officer, independently of the initial decision, will undertake a review of the initial decision. The Council will undertake this review within 28 working days of the request. The person will be advised in writing of the outcome of the stage 1 review.

The Council is under no obligation to backdate the outcome of the Stage 1 review.

If the person is still aggrieved the person or their representative can request to progress to a Stage 2 - Appeal.

Stage 2 - Appeal

The person, or their representative should state the reason for the appeal, providing as much information and evidence as possible and if known, detail their required outcome. An appeal must be made in writing and made within two months of the outcome of the Stage 1 Review decision.

A manager or director, independently of the Stage 1 review, will consider the appeal. The Council will consider the appeal within 28 working days of the request. If the appeal is complex, more time may be required to consider the appeal. If this is the case a final response date will be provided to the appellant. The Stage 2 decision will be provided in writing.

25.0 PAYING THE CHARGES

- 25.1 The purpose of the financial assessment is to assess what a person can afford to pay for their care charges. A person will always be left with the guaranteed minimum income level set by government (MIG), and we will consider reasonable disability related expenditure and household expenditure as set out in Appendix 5.

- 25.2 If a person considers that a financial assessment results in a charge that is not affordable, information will be requested to complete a more detailed income and expenditure analysis to further consider affordability of the charge.
- 25.3 Invoices will be issued 4-weekly in arrears. People are encouraged to set up a Direct Debit to ensure the charges are paid efficiently and promptly. Other methods of payment are available if Direct Debit is not suitable.
- 25.4 Recovery action will be taken if payments are not made promptly. Please refer to section 27.

26.0 WAIVERS

- 26.1 A person or their representative can ask the Council to waive the charges if they are experiencing severe financial hardship and cannot afford to pay the charges. The person should have a genuine reason and be taking steps to remedy the situation. A request must be made in writing.
- 26.2 The Council may ask people to complete a form detailing their income and expenditure. The requestor must be willing to provide supporting evidence and information for a waiver to be considered.
- 26.3 A senior officer will consider the request within 28 working days of it being made. The person will be advised in writing of the decision.
- 26.4 Waivers are discretionary and can only be made in exceptional circumstances after careful consideration of the facts. The Council must consider the overall cost to the Council in waiving charges.
- 26.5 If charges are waived, it may be for a set period only and kept under review. There may also be conditions attached, such as seeking advice or support.

27.0 RECOVERY OF DEBT

- 27.1 The law allows recovery action to be taken when charges are not paid in accordance with the terms set out in the invoice.
- 27.2 The Council's Corporate Debt Policy details the steps that can be taken to enforce payment.

28.0 DEFINITIONS OF TERMS USED IN THIS POLICY

Policy	A document that explains how Rutland County Council will make decisions about a particular area. Policies are used to make it clear what people can expect from the Council
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The Care Act 2014	The law that sets out how the Council must deliver care and support services. The charging for care and support policy has been developed to comply with the Care Act 2014, regulations, and statutory guidance
Wellbeing	This concept is central to the Care Act and must inform all a Local Authority's activities. There is no one definition of wellbeing and it is a broad concept. Considerations of wellbeing will take the following into account: <ul style="list-style-type: none"> •Personal dignity •Physical and mental health and emotional well-being •Protection from abuse •Control by the adult over day-to-day life •Participation in work, education, training, or recreation •Social and economic well-being •Domestic, family, and personal •Suitability of living accommodation •The adult's contribution to society
Carer	A carer is someone (aged 18 or over) who helps another person in their daily life, usually a relative or friend, who could not manage without that support. This is not the same as someone who provides care professionally or through a voluntary organisation.
Eligible Needs	Needs that meet the criteria set out in the Care Act and as such must be met by the Council based on a person's financial situation.
Information	Communication of relevant knowledge and facts regarding care and support.
Advice	Helping people to identify choices and/or providing an opinion or recommendation regarding a course of action in relation to care and support.
Duty	What the Council or a person is legally required to do.
Discretionary	Powers the Council can exercise but are not legally required to do so.
Attorney	Enduring Power of Attorney or Lasting Power of Attorney. A legal process that lets a person appoint one or more people (known as attorneys) to help them make decisions or make decisions on their behalf
Deferred Payment Agreement	The formal mechanism where the Council and a person agree to the deferral of the difference between the personal budget amount and the assessed contribution against the value of the person's property
Deputy	A person authorised by the Court of Protection to manage the affairs of someone who lacks the mental capacity to manage their own affairs
Legal Charge	A legal document held by the Land Registry showing that the Council has a claim on a person's property
Personal Budget	Money that is allocated to a Person or Carer by the Council to pay for care or support to meet their eligible needs.
Representative	Person nominated by a person to assist them with the financial assessment process.

Reasonable cost	Are amounts that do not exceed that which would be incurred by a prudent person under the circumstances existing at the time the decision was made to incur the cost
Essential equipment	An item purchased due to disability/condition to support independent living at home (if not supplied free of charge, through Adult Social Care, NHS, or a Disabled Facilities Grant).
People/Person	Person receiving care services provided under the Care Act 2014
Supported Living	An alternative to residential care or living with family that enables adults with disabilities to live in their own home, with the help they need to be independent.
The Council	Rutland County Council District Council
Top-up	The difference between the actual costs of the preferred care home and the amount that the Council has set in a Personal Budget to meet the person's eligible needs.

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APPENDIX 1 FEES AND CHARGES

The Council sets its fees and charges annually. The rates will be updated annually by end of March each year.

All rates apply from 1 April 2023

Standard rates for residential care	Weekly amount
Residential care bed rate	£775.00
Nursing care bed rate	£825.00
Residential with nursing (plus FNC)	£900.00

Self-funders – administration fees

Administration fee- one-off	amount
Deferred Payment Agreement scheme	£610.00

Home care charges

Service provided	Charge
Half hour call	£14.00
1 hour call	£22.00

APPENDIX 2 CAPITAL LIMITS

The current capital limits are:

	From 1 April 2022	From 1 April 2023	From 1 April 2024	Decision maker
Upper capital limit	£23,250	£23,250	£23,250	Department of Health
Lower capital limit	£14,250	£14,250	£14,250	Department of Health

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APPENDIX 3 TARIFF INCOME

These are set by The Department of Health and Social Care annually.

Capital between £14,250 and £23,250 attracts a tariff of £1 for every £250 or part of £250 above £14,250.

Capital under £14,250 is disregarded in the financial assessment.

Example – If a person has capital of £14,750, they are treated as having £2 a week tariff income (2 lots of £250).

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APPENDIX 4 ASSESSMENT ALLOWANCES (MIG)

Care and support in a care home

Type of allowance	Weekly amount
Personal Expenses Allowance (PEA) 2023-2024	£28.25
Savings Disregard – if pension age and qualifies for pension credit savings element- individuals	£6.50
Savings Disregard – if pension age and qualifies for pension credit savings element -couples	£9.75
Disposable Income Allowance (DPA)	Up to a maximum of £144.00

Care and Support in the community e.g. home care

Circumstances where the adult is:	Level of 'minimum income guarantee' (MIG)
Single person	
Responsible for, and a member of, the same household as a child, the amount in respect of each child	£94.90
aged 18 or older but less than 25	£82.15
aged 25 or older but less than pension credit age	£103.65
attained pension credit age	£214.35
a lone parent aged over 18	£103.40
Couples	
One or both are aged over 18	£81.40
One or both have attained pension credit age	£163.65
Disability premiums	
Single disability premium	£45.75
Single enhanced disability premium	£22.35
Couple disability premium	£32.60
Couple enhanced disability premium	£16.05
Carer premium	£49.05

Additional MIG allowance

The Council has set a local variation to allow certain working age people to retain an extra 10% on top of their standard MIG allowance.

This will apply to people who fulfil all the following criteria:

- Working age adults from the age of 18 or older but who are less than pension credit age.

- Who are in receipt of the highest rate of either the daily living component of Personal Independence Payment or care component of Disability Living Allowance.
- Who are unable to undertake any kind of paid employment because of a severe physical and/or mental disability.
- Who are unable to manage their own finances and need support from an attorney, deputy, or appointee.
- Whose care and support plan clearly demonstrates that the person needs help with all day-to-day activities e.g. personal care and hygiene, food preparation, accessing the community.

For example, a severely disabled single person, aged 33, in receipt of the disability and enhanced disability premium would receive a MIG of £171.75 plus 10%: £171.75 + £17.18 = £188.93.

Eligible individuals will be identified and considered by financial assessment officers through consultation with Adult Social Care.

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APPENDIX 5 DISABILITY RELATED EXPENDITURE

Self-assessment rates

Band 1	£10	Disability Living Allowance: care component-lower rate
Band 2	£15	Disability Living Allowance: care component-middle rate Personal Independence Payment: daily living component-standard rate Attendance Allowance: lower rate
Band 3	£20	Disability Living Allowance: care component-higher rate Personal Independence Payment: daily living component-enhanced rate Attendance Allowance: higher rate

People who do not have a light touch financial assessment or self-assessment of their DRE can provide details of their Disability Related Expenditure (DRE) for consideration. If an expense is allowed as DRE, the cost will be deducted from the person's charge.

DRE is directed at spending that is necessary to meet a person's disability needs, but which does not meet the Council's eligibility criteria.

1. The following is taken into account when deciding if an expense is a DRE:

- The person must be in receipt of a disability related benefit e.g. Attendance Allowance, Disability Living Allowance, Personal Independence Payment.
- Only costs incurred by the person will be considered.
- The Council reserves the right not to allow costs that should be met by other agencies, such as the NHS. This applies to therapies such as physiotherapy, chiropody, and incontinence pads.
- The Council will apply rates set by NFAFO (National Association of Financial Assessments Officers) to standard DRE items. These are detailed below.
- The Council expects the person to provide receipts or bills for the expenditure.
- The Council may consider using a lower figure if a suitable alternative is available at a lower cost.
- If more than one person lives in the household and benefits from a DRE, the expense will be divided between the number of adults in the household.
- DRE paid to family members will not be included.
- The Council will use a person's care and support plan as a starting point when considering DRE. However, allowable DRE may include other matters, e.g. above average heating costs will be considered.
- DRE will not be considered if it is included in a person's Personal Budget, to avoid duplication.

2. Costs which are not treated as DRE

Everyday living costs are those costs a person pays for regardless of their disability or illness. Although not exhaustive, the following items are general living costs for which a DRE allowance is unlikely to be made:

- Routine property maintenance
- Routine replacement of household fixtures, fittings, and furniture
- Spectacles, contact lenses, visual aids
- Dental costs
- Privately purchased surgery
- Household appliances and insurance
- Television costs - including license fees, cable, satellite TV or subscription services
- Telephone, including mobile phones
- Food
- Clothing and footwear
- Heating bills (unless they are above the average cost)
- Water charges (unless they are above the average cost)
- Contents insurance
- Board if living with family
- Care provided by a family member
- Travel to hospital which is covered by the Healthcare Travel Costs Scheme
- General items or services required for daily living, which can be used or accessed by the general public such as:
 - Social activities
 - Cost relating to hobbies
 - Leisure activities
 - Entertainment
- Personal loans
- Legal costs such as divorce
- Debt repayment and debt repayment plans
- Items or services provided for by a Grant or funded from another source
- The difference between the actual cost and the lower cost alternative where it is reasonable for a lower cost alternative to be purchased, or the purchase cost of a service or equipment that has no evidence of need in the care and support plan carried out by a social care professional.
- Pets and their associated upkeep

3. Household related costs which the person is liable for in respect of their main or only home.

The following will be allowed for as household related:

- Council Tax – the amount payable
- Rent – the amount payable
- Mortgage repayments
- Ground rent or service charges (unless these are for utilities)
- Buildings insurance

4. DRE Guide for 2024/25

This guide explains what 'reasonable costs' the Council will use when working out a person's DRE.

Some of the items have reasonable amounts, some have standard amounts, and in some cases, the actual amount may be used if the cost is a 'reasonable' cost. The term 'reasonable' is described in the definitions of terms used at section 28.

Some large items of DRE will be averaged out over one or more years, to reflect the expected life span of specialist equipment that is essential to the person.

Examples of DRE for large items:

A wheeled walker for £50. We divide £50 by 52 weeks and arrive at an allowance of £0.96 per week. We would allow this in the financial assessment for 1 year.

A motorised scooter costing £3,600.00. The lifespan of this item is 10 years. We divide £3,600.00 by 520 and arrive at an allowance of £6.92 per week. We would allow this in the financial assessment as a DRE for 10 years.

5. Where we will use discretion

The Council recognises that people are finding and benefiting from modern technologies in assisting them to manage complex health and well-being needs. Where specialist equipment or programs are required to monitor or control a complex condition (e.g. epilepsy and Alzheimer's monitoring systems, challenging behaviour strategies, high internet usage for essential mobile apps or involving various devices and pieces of equipment, IT equipment, sensory support devices, specialist door entry systems etc.) often these incur increased costs to meet the unique needs of the person.

Where a particular item of expenditure combines more than one item or service but only partly meets specific needs due to disability or medical condition, we will consider only those parts of the expense that are meeting the specific needs. For example, a person purchases a computer or tablet and specialist software that will help meet their needs, only the cost of the software will be considered but not the cost of the computer or tablet. In cases of doubt, a social care worker or occupational therapist will be required to confirm the purchase is an essential requirement.

6. Sharing costs

If a person shares a household with other adults, and the additional disability-related expense item relates to a service that supports the household, the amount of that expense item that is allowed for in the person's financial assessment will be on the basis that the costs are shared evenly by the number of adults in residence.

For example, the cost of disability related services that support the whole household (like a cleaner) will be shared equally between all adults in the household.

7. Evidence of expenses

For most items, people will be expected to keep receipts as proof of purchase, or bills for services such as utilities (e.g. water meter, gas, electricity, oil).

Evidence of actual expenditure is needed. Where receipts have not been kept, future receipts must be kept for subsequent /future financial assessment reviews.

If bills or receipts are not produced at the time of the financial assessment, copies will need to be provided within 28 days. If they are not provided within this timescale, the allowance will apply from the date that the evidence is supplied.

The Council will usually allow the actual amount spent up to the reasonable amount indicated. We will only consider a higher allowance in exceptional circumstances.

8. Excessive fuel costs

Fuel includes coal, wood, gas, electric, oil, paraffin, and solar heating. Additional fuel costs are calculated by comparing the person's actual costs over a 12-month period with the average costs for a similar household for the East Midlands area. The difference (calculated in a weekly amount) is taken into account as DRE.

The East Midlands average for the financial year 2022/23 are shown below:

Occupant and property type	Standard weekly cost	Standard annual costs	Guidance/evidence
1 person/ flat or terraced house	£57.57	£2,993.70	Annual heating bills below the amount stated will not receive a DRE.
2 people/ flat or terrace house	£75.87	£3,945.69	
1 person/ semi-detached house	£61.14	£3,179.73	Bills must show <u>actual</u> usage over 12 months period from utilities supplier.
2 people/ semi-detached house	£80.52	£4,187.41	
1 person/detached house	£74.34	£3,865.99	Direct Debit payments will not be used as this often fluctuates and may include payments of arrears.
2 people/ detached house	£98.02	£5,097.22	

Source: National Association of Financial Assessment Officers (NAFAO) guideline figures 2023/2024. NAFAO use the fuel prices index tables each year. The guidance is reasonably calculated and is accepted as nationally recognised guidance.

Example - A person living on their own in a flat, has utility bills that show over the last year they have used £1,950.88 in gas and electricity. Using the table above for 1 person in a flat/terraced property the standard cost is £1,741.69 per annum. We would calculate the excess cost as follows; £1,950.80 - £1,741.69 = £209.11 (£209.11/52 = £4.02) so an allowance for £4.02 per week is treated as DRE.

Winter Fuel and Cold Weather Payments will be taken into account if excessive fuel costs are applied for. Allowable expenditure will be reduced by any concessionary fuel or other allowance.

9. Excessive water and sewerage costs (metered water only)

Item	Standard cost weekly	Standard cost year	Evidence
1 person living in a property	£6.26	£326	Water and sewerage bills I over the last 12-month period
2 people living in a property	£9.17	£477	
Each additional person living in a property	£2.71	£141	

Source: www.anglianwater.co.uk

WaterSure is a national scheme which helps some people with their water bills. To apply for the scheme, a person must be on benefits and need to use a lot of water either for medical reasons or because the household has a certain number of school-age children. The household will need to be on a water meter or be waiting to have one installed. If a household gets help through the WaterSure scheme, the water bill is capped. More details are here [Water - Citizens Advice](#)

The minimum income guarantee (MIG) allows for day-to-day costs such as paying water rates. If a water meter is used and these costs are higher than average because of a disability or medical condition, we can allow for any expenses above the standard costs shown above. We can also consider an allowance where the water provider has been unable to fit a water meter.

10. Household related costs

Item	Guidance	Amount	Evidence required
Domestic Help e.g. cleaning	Where this is essential to health and wellbeing. Privately arranged cleaning only. Cleaning by family members or those who live in the household will not be allowed.	Actual cost of a reasonable amount based on 2 hours per week	Evidence of payments by providing receipts or invoices. Evidence that the provider pays HMRC Tax and National Insurance or is sole trader under HMRC will be required if the provider is not able to provide satisfactory receipts or invoices for the services.
Window cleaning		Actual cost of 1 clean per month	Evidence of payments by providing receipts or invoices. Evidence that the provider pays HMRC

			Tax and National Insurance or is sole trader under HMRC will be required if the provider is not able to provide satisfactory receipts or invoices for the services.
Gardening	Basic lawn cutting pruning and path clearance if the person is unable perform this task due to disability, and no one else in the household can do so. Limited to reasonable costs of basic garden maintenance and if necessitated by the individual's disability e.g. front and back entrance to ensure safe access or unless there is a specific legal requirement setting out responsibilities for garden maintenance in the tenancy agreement.	Actual cost of a reasonable amount based on hours per week, during the growing season (35 weeks)	Evidence of payments by providing receipts or invoices. Evidence that the provider pays HMRC Tax and National Insurance or is sole trader under HMRC will be required if the provider is not able to provide satisfactory receipts or invoices for the services.
Community Alarm System	E.g. Telecare Care line etc. (unless costs are included in Housing Benefit or Universal Credit Housing Allowance). People are eligible for VAT relief on Telecare and personal alarms in the UK.	Actual cost	Invoices from provider. Shown as direct debit on bank statement.
Wear and tear on fixtures and fittings	Discretionary- Requirement identified in care plan and must be caused by the direct consequence of a disability or illness	Actual cost	Receipts or estimates for replacements. Evidence that damage is not covered by any household insurance policy.

11. Personal care

Item	Guidance	Amount	Evidence
Chiropody	If a person has a foot condition that limits movement, they could qualify for free podiatry service through the NHS.	Actual cost up to a reasonable amount for the treatment needed	Receipts, invoices or shown as Direct Debit payments on bank statement. Will need to evidence frequency of treatments
Dietary	Discretionary - special dietary needs may not be more expensive than normal. Special dietary needs should be considered where they are likely to improve/maintain a person's health. I.e. due to specific illness, condition, or food allergy. No allowances will be made for personal preferences for particular foods where those choices do not arise from necessary provision for a person's disability. Advice from Health Authority dieticians suggest that most medical conditions can be dealt with through a healthy diet which does not necessarily involve additional or exceptional costs. These include diabetes, weight reduction or low-fat diets.	Actual additional cost above weekly allowable expenditure on food according to ONS (Office for National Statistics).	The need for a specialist diet must be for the management of a specific medically diagnosed condition giving rise to the disability. This will need to be supported in writing from a suitably qualified professional from a recognised field; usually a medical practitioner. Receipts or proof of purchase of specialist dietary purchases. All dietary costs will need to be fully evidenced
Bedding	The care assessment should be used as a guide to identify individual circumstances. Kylie Sheets, waterproof protector, items related to incontinence not provided by the NHS. An allowance may be considered for reasonable expenditure over and above an expected regular replacement cycle for bedding (twice a year). For example, because of incontinence, skin or other relevant health condition	Actual reasonable costs	Receipts or proof of purchase

	through exceptional disability related wear and tear		
Incontinence pads	The care assessment should be used as a guide to identify individual circumstances. Incontinence items are provided free of charge by the NHS. Any additional expenditure will be considered depending upon individual circumstances and assessed on individual need.	Actual costs- using 1 month's receipts averaged	Receipts or proof of purchase
Laundry & washing powder	Amount covers household washing machine, launderette or if laundry is carried out by a third party or carer, away from the person's home. Amount covers all loads above 4 per week.	5+ loads £4.56	Requirement identified in care plan e.g. incontinence of need of more than 4 loads per week
Other medical items	The care assessment should be used as a guide to identify individual circumstances and if a person must pay for chemist items which are needed due to a disability or the extra cost above 'normal' use due to a disability. This may include gloves (latex for personal care) wet wipes and specialist creams. Allowed when recommended by a GP or medical specialist assessed on individual need and not covered by the NHS.	Actual costs	Receipts or proof of purchase
Privately arranged care	Identified in Care Plan. Any additional support to meet needs that the person pays for (not funded by the Council).	Actual costs apportioned between adults in household to whom care is provided	Evidence of payments by providing receipts or invoices. Evidence that the provider pays HMRC Tax and National Insurance or is sole trader under HMRC will be required if the provider is not able to provide satisfactory receipts or

			invoices for the services.
Clothing & Footwear	The care assessment should be used as a guide to identify the need; where the assessment addresses the issue. The cost of special or additional clothing or shoes may be allowed where this has been shown to be necessary by a health professional such as occupational therapist or district nurse. Where there is eligibility for items available from NHS such as Orthotic shoes these items will not be allowed as DRE. Cost of getting clothes adapted such as Velcro instead of buttons. Reasonable costs to replacing clothing due to medical condition or damage caused by behaviours, if supported as reasonable needs. Reasonable costs could include purchasing practicable replacement items	Actual costs averaged over a 12-month period.	Receipts or proof of purchase.
Telephone Mobile phone Internet access	The care assessment should be used as a guide to identify the need. A person may be unable to leave their home or have sensory or mental health issues which mean that they or their carer must manage a person's affairs by use of a computer. A person may need to have constant contact with family or support workers due to their disability (for example because of OCD or mental health issues) or to access Mobile apps to assist managing day to day tasks (for example, because of OCD or Dementia)	Actual costs	Receipts or proof of purchase
Prescription charges	For people not eligible for free prescriptions. Cost of an annual Prescription Prepayment Certificate (PPC).	£111.60 per annum	Receipt or proof of purchase

<p>Travel and transport costs</p>	<p>The care assessment and care plan should be used as a guide to identify individual circumstances and costs if specialist transport is required. Usual transport costs should be met through Disability Living Allowance/Personal Independence Payment mobility component and through any travel concessions, such as a bus or train pass or where support with lower or subsidised services such as community subsidised schemes, hospital transport are available. If these meet the person's needs but have not been used, this can be taken into account in considering reasonableness of costs included</p>	<p>Actual costs averaged over a 12-month period</p>	<p>Evidence of payments / receipts for purchase</p>
<p>Court of Protection fees</p>	<p>Incurred by the person for submitting a return to the Court for Deputyship or Attorney</p>	<p>Actual costs</p>	<p>Letter requiring payment and proof payment has been made</p>
<p>Holidays</p>	<p>This is allowable if taken with a carer in specialist accommodation or accommodation adapted for disability needs. Only care costs, not hotel costs will be allowed. The holiday should be taken with a carer not a close family member e.g. mother, father etc. Costs can include hiring of equipment and travel costs for carer or if a specially adapted vehicle is required.</p>	<p>Actual costs averaged over a 12-month period for carers costs</p>	<p>Receipt or proof of purchase</p>
<p>Service animals e.g. guide dog</p>	<p>The care assessment and care plan will be used as a guide to identify individual circumstances and a need for a service animal.</p> <p>Discretionary and assessed on individual need. In cases of doubt, a Social Worker or Occupational Therapist will be</p>	<p>Actual costs averaged over a 12-month period for medical and insurance costs</p>	<p>The need for the service animal should be recognised for the support of the specific medically diagnosed condition. This will need to be supported in</p>

	required to confirm the animal is an essential requirement to a person's physical or mental wellbeing.		writing from a suitably qualified medical practitioner. Receipt, invoices or proof of payments.
Therapy	<p>The care assessment and care plan should be used as a guide to identify individual circumstances.</p> <p>Discretionary and assessed on individual need. In cases of doubt, a Social Worker or Occupational Therapist will be required to confirm the therapy or treatment is an essential requirement to a person's physical or mental wellbeing (e.g. sensory pool or room, massage, music therapy, therapeutic activities)</p> <p>The Council is unlikely to recognise as necessary for a person's disability, therapies that do not have proven scientific validity.</p>	Actual costs if reasonable and comparable with other similar service providers averaged over a 12-month period	The need for the specialist treatment should be therapeutically recognised for the management of a specific medically diagnosed condition. This will need to be supported in writing from a suitably qualified professional, usually a medical practitioner. Receipt, invoices, or proof of payments by person detailing frequency of services or treatments required and received.
Respite-arranged privately	Identified in Care Plan	Actual costs	Receipt, invoices or proof of payments by person.
Other disability related expenses	Identified in case assessment or care plan. Discretionary and assessed on individual need. In cases of doubt, social care worker or occupational therapist or suitably qualified medical practitioner will be required to confirm purchase is an essential requirement	Costs up to a reasonable amount	Receipts or proof of purchase and ongoing costs.

12. Special Equipment

Item	Guidance	Amount	Evidence
Wheelchair Motorised scooter	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential requirement to meet needs	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span) Manual – up to £4.75 per week Power- up to £11.55 per week	Receipts or proof of purchase
Powered bed Turning bed	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential requirement to meet needs	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span) Up to £5.25 per week (power bed) Up to £9.19 (turning bed)	Receipts or proof of purchase
Powered reclining chair	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential requirement to meet needs	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span) Up to £4.16 per week	Receipts or proof of purchase
Stair lift	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential requirement to meet needs	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span) Up to £7.42 per week	Receipts or proof of purchase
Hoist	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span) Up to £3.64	Receipts or proof of purchase

	requirement to meet needs		
Rental items (no DRE will be allowed for items provided through a grant or provided free of charge)	A social worker or Occupational Therapist may be required to confirm use of specialist equipment is an essential requirement to meet needs	Purchase cost of a reasonable amount, averaged over 520 weeks (10-year life span)	Receipts or proof of purchase
Insurance, services, and repairs of owned special equipment	Only the insurance relating to the specific item will be allowed if the item is part of another insurance policy	Actual cost, reasonable amount in comparison with other service providers	Evidence of payments/annual policy letter/ service or repairs invoice

Source: National Association of Financial Assessment Officers (NAFAO) guideline figures 2023/2024. NAFAO use the fuel prices index tables each year. The guidance is reasonably calculated and is accepted as nationally recognised guidance.

APPENDIX 6 DEFERRED PAYMENT AGREEMENT SCHEME

Local authorities operate a Deferred Payment Agreement (DPA) scheme for individuals who own their own home and live in permanent residential care. This document sets out who is eligible to apply to the scheme and the actions that will be taken following acceptance onto the scheme.

The Council will carry out a financial assessment to determine the amount that the person should contribute towards the cost of their care charges. The amount that is then deferred is the difference between their contribution and the full cost of their care fees.

The scheme supports the principle that people should not be forced to sell their home in their lifetime to pay for their care. By taking out a DPA a person can defer or delay paying the cost of their care and support until a later date. Deferring payment can help people to delay the need to sell their home and provide peace of mind during a time that can be challenging for them and their loved ones as they make the transition into residential care.

1.0 Legislation

- 1.1 The Care Act 2014 directs local authorities to offer Deferred Payment agreements under Part 1 Sections 34, 35 and 36 and The Care and Support (Deferred Payment Agreements) Regulations SI 2671/2014.
- 1.2 The Department of Health has issued 'Care and Support Statutory Guidance' to support the Act, Chapter 9 refers to Deferred Payment Agreements.
- 1.3 The Council will have regard to changes in regulation, statutory guidance and best practice when operating the Scheme.

2.0 Eligibility criteria

- 2.1 In order to be eligible to receive a deferred payment the following criteria must be met. This applies to people who have local authority arranged care and people who have arranged their own care:
 - a) anyone whose needs are being met by the provision of residential care. This is determined when someone is assessed as having eligible needs which the local authority decides should be met through residential care.
 - b) has less than the 'upper capital limit,' in assets excluding the value of their home;
 - c) whose home is not occupied by a spouse or dependent relative as defined in regulations;
 - d) the Council may use its discretion to offer deferred payment agreements to people in residential care who do not meet the above criteria. In such cases officers will consider the circumstances of each case on its own merits having regard to the principles of the Act.

2.2 DPAs can take some time to set up and agree. It is important that both the Council and the individual consider any potential issues around loss of capacity. If, at the point a person applies for a DPA, the Council has concerns that a person either lacks or will soon come to lack capacity, the Council may offer to provide the person with information and advice on options for deputyship and advocacy. Officers will confirm what would happen were the person to lose capacity and not have made their own arrangements.

3.0 Refusal of a DPA

3.1 The Council may refuse to enter into a DPA in circumstances set out in regulations. This provides the Council with a reasonable safeguard against default or non-payment of debt. These are detailed as follows:

- a) where the Council is unable to secure a first charge on the property;
- b) where someone wishes to defer a larger amount than they can provide security for (the Council can still defer a lesser amount and offer this to the person who may choose to accept);
- c) where a person's property is uninsurable or poorly maintained or the homeowner is not willing to insure and maintain the property.

3.2 There may be circumstances during the life of an active DPA that the Council is not able to defer any more charges. In such cases the Council will provide 30 days' written notice and will also provide an indication of how their care costs will be met in the future. Circumstances in which this may apply include:

- a) when a person has reached the equity limit that they are allowed to defer and become eligible for local authority support;
- b) the equity limit has been reached sooner than expected;
- c) where a spouse or dependent relative has moved into the property after the deferred payment agreement was made in circumstances which mean that the person is eligible for local authority support and the Council agrees that they no longer require a deferred payment agreement;
- d) where a relative who was living in the property at the time of the agreement becomes a dependent relative;
- e) where the person breaches the predefined terms of the contract.

4.0 Information and advice

4.1 To be able to make well-informed choices, it is essential that people access appropriate information and advice before taking out a DPA. The Council will also keep people

informed about their DPA throughout the course of the agreement and ensure that they (and their estate where appropriate) receive the necessary information upon termination of the agreement.

4.2 The Council will undertake to provide information about the DPA scheme and how it works and will explain as a minimum:

- a) The fees that are to be deferred and must be paid back later;
- b) The types of security that the Council is prepared to accept
- c) That if a home is used as security that it may need to be sold later to repay the amount due;
- d) How the interest rate will be charged on any amount deferred;
- e) The administrative charge they may be liable for;
- f) What happens on termination of the agreement, how the loan becomes due and their options for repayment;
- g) What happens if they do not repay the amount due;
- h) The criteria governing eligibility for a DPA;
- i) The implications that a DPA may have on their income, benefit entitlements and charging;
- j) An overview of the potential advantages and disadvantages of taking out a DPA and explain other options they may wish to consider;
- k) Information about the 12-week disregard;
- l) The expectations and conditions that the Council may require regarding how the person plans to use, maintain, and insure their property;
- m) The expectations and conditions if the person wants to consider renting out the property, prepare it for sale or leave it vacant for a period.

4.3 Officers will signpost people to Independent Financial Advice and other national and local organisations that are able to support people in their decision-making process.

5.0 How much can be deferred?

5.1 In principle, a person eligible for a DPA should be able to defer the entirety of their care home costs; subject to any contribution the Council requires from the person's income. Officers will consider whether a person can provide adequate security for the DPA, and whether the amount or size of the weekly deferral requested is sustainable given the equity obtained from their chosen form of security.

- 5.2 Prior to entering into the agreement, Officers and the person will discuss the amount to be deferred and will consider the security and the sustainability (in terms of how costs, given intended length of deferral, match up to equity available). The care home costs to be deferred will be agreed between the Council and the person and set out clearly in the agreement.
- 5.3 When considering the equity available, the Council will set an 'equity limit' for the total amount that can be deferred and seek to ensure that the amount deferred does not rise above this agreed limit. The equity limit will leave some equity remaining – this will both act as a buffer to cover any subsequent interest payments and will provide a small 'cushion' in case of small variations in value of the security. When calculating progress towards the equity limit, the Council will include interest due and fees to be deferred.
- 5.4 If the person intends to secure their DPA with a property, the Council will require a written independent valuation of the property to be provided.
- 5.5 The equity limit will be set as the value of the property minus 10%, minus the lower capital limit minus any other encumbrance secured on it.
- 5.6 When someone is approaching or reaches their equity limit Officers will review the cost of care with the person and discuss any means tested support they are now receiving, any top-ups due and whether a DPA continues to be the best way for someone to meet these costs.
- 5.7 The Council has the discretion to allow someone to defer more than the equity limit agreed. The Council will exercise this discretion if someone does not have sufficient income or other assets to meet their care costs without having to sell their home. The Council will also consider whether it would be best to allow the deferral to continue if it is likely to be for a short period of time. Where the Council allows someone to defer more, they can allow up to the full sale value of the home minus the lower capital limit.
- 5.8 The Council will require a contribution towards fees from a person's income but will not leave the person with less than the disposable income allowance. A person may choose to keep less of their income than the disposable income allowance, contributing more from their income upfront, should they wish.
- 5.9 When deciding on the amount to be deferred, the Council and the person will need to consider a range of factors to satisfy themselves that the arrangement is sustainable:
- a) likely period the person would want a DPA for (if known);
 - b) equity available;
 - c) the sustainability of a person's contributions from their savings;
 - d) flexibility to meet future care needs; and
 - e) the period of time a person would be able to defer their weekly care costs for.

5.10 To ensure sustainability of the deferral, the Council will have discretion over the amount people are permitted to top-up. The Council will consider any request for top-ups but retain discretion over whether to agree to a given top-up.

5.11 The amount being deferred will be reviewed annually to ensure that the amount deferred does not exceed the upper limit.

6.0 Obtaining security

6.1 The Council will secure a first legal charge against a property on the Land Register. In cases of joint ownership, both owners must consent to a charge being obtained.

6.2 The Council has discretion to decide what else can be used as 'adequate security' for a DPA. This can include:

- a) A third-party guarantor - subject to appropriate security;
- b) A solicitor's undertaking;
- c) A valuable object i.e. painting or artwork;
- d) An agreement to repay the amount from the proceeds of a life assurance policy.

6.3 The Council reserves the right to refuse a DPA if it is not satisfied that adequate security can be put in place.

7.0 Interest rate and administration fee

7.1 The Council will apply interest charges to DPAs. This is to cover the cost of lending and the risk to the council. The Council will charge the nationally set maximum interest rate.

7.2 The national interest rate will change every six months on 1st January and 1st July.

7.3 The DPA will detail that interest will be charged and added to the deferred amount and that it will accrue on a compound basis.

7.4 Interest will continue to accrue even after the equity limit is reached or if someone dies it will continue to accrue until the amount is repaid.

7.5 The Council will charge a non-refundable administration fee to cover the following costs:

- a) Registering a legal charge with the Land Registry, including search charges and identity checks;
- b) Postage, printing, telecommunications;
- c) Officers time spent providing the service;
- d) Cost of valuation and re-valuation of the property;
- e) Cost of removal charges against the property;
- f) Overheads including payroll, audit, management, legal services;
- g) Ongoing monitoring
- h) Closure of the DPA

7.6 The one-off fee should be paid when the agreement is signed and formally submitted. The fees can be added to the DPA; if this is the case interest will be charged on these fees.

8.0 Making the agreement

8.1 The Council will aim to finalise the DPA by the end of the 12-week disregard period, if applicable. This may not be possible in every case due to complexities.

8.2 The DPA will form a legal contract between the Council and the person. The DPA will set out the terms, conditions, information regarding the interest to be charged, termination of the agreement and the equity limit to be used.

9.0 The council's responsibilities whilst the agreement is in place

9.1 The Council will provide a written copy of the agreement to the person and will provide a written statement every 6 months or within 28 days of receiving a request for a written statement. The statement will detail how much a person owes to the Council and the cost to them including interest and fees of them repaying the debt and will detail how much equity it estimates is remaining.

9.2 The Council will provide 30 days written notice of the date on which the person is likely to reach their equity limit.

10.0 The individual's responsibilities whilst the agreement is in place

10.1 The DPA will set out the contractual requirements on the individual. This will include:

- a) Notifying the Council of a change in their income or circumstances;
- b) Notifying the Council of a change in their care and support needs;
- c) Notifying the Council of a change to the property.

10.2 The Council will also require the person to maintain and insure their home. The insurance company must be advised that the Council has an interest in the property.

10.3 A person may not want to sell the property during their lifetime and the property would remain empty. In these circumstances the person or their representative may wish to consider renting out the property.

10.4 The person must contact the Council and obtain approval of the proposal to rent and of the Tenancy Agreement. Upon approval by the Council, the person may make the property available to rent.

10.5 The person must discuss and agree with the Council how the rental income will be used. Rental income can be paid to the Council to reduce the accruing debt.

11.0 Termination of the agreement

11.1 The DPA can be terminated in certain circumstances:

- a) When the property (or other form of security) is sold, and the authority is repaid;
- b) If the service user dies and the amount is repaid.
- c) At any time by the person by repaying the full amount due.

11.2 On termination the full amount due, plus interest accrued must be paid to the Council.

11.3 If a person decides to sell their home, the Council must be notified during the sale process.

11.4 If a person decides to repay the deferred payment at any time, the Council must be notified as the Council must relinquish the charge on the property.

11.5 If the person dies, the amount due to the Council must be paid out of the estate or paid by a third party, the Executor of the will, or the Administrator of the Estate. The Council will wait at least two weeks following the person's death before approaching the Executor with a full breakdown of the total amount due. Interest will accrue on the amount owed after the person's death until the amount due is repaid in full.

11.6 If terminated through a person's death, the amount owed to the Council under a DPA falls due 90 days after the person has died. After this 90-day period, the Council will enter legal proceeding to reclaim the amount due to it, if officers conclude that active steps are not being taken to repay the debt.

11.7 When the DPA is repaid in full, the Council will provide written confirmation that the agreement has been repaid and is concluded and where applicable, that the charge on the property has been removed.

APPENDIX 7 DEPRIVATION OF ASSETS/INCOME

This procedure sets out how the Council will consider Deprivation of Assets and/or Income and the steps that can be taken.

1.0 Legislation and guidance

- 1.1 The Care Act 2014 allows the Council to charge for care and support under Part 1 Sections 14, 17 and 69-70: the Care and Support (Charging and Assessment of Resources) Regulations 2014 SI 2672/2014 and the Care and Support and Aftercare (Choice of Accommodation) Regulations 2014 SI 2670/2014.
- 1.2 The Department of Health has issued 'Care and Support Statutory Guidance' to support the Act. In particular 'Annexe E – Deprivation of Assets' is most relevant to this procedure. This guidance is published and updated online here <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>
- 1.3 The Council will also have regard to changes in regulations, statutory guidance and best practice when considering deliberate deprivation of assets.
- 1.4 People should be signposted to seek legal advice if they are considering making a gift of their assets or disposing of their assets in some way as there may be other consequences as well as the potential effect on paying for care and support.

2.0 What is deliberate deprivation of assets and income?

- 2.1 Deliberate deprivation can be defined as 'a person who has deliberately deprived themselves of assets to avoid or decrease the amount they are asked to pay towards any care and support charges.
- 2.2 This can also be applied to third parties who are acting on behalf of a person either formally under a Power of Attorney/Deputyship or informally as their representative.
- 2.3 Assets can be defined as any capital or income which is referred to in the Care and Support Statutory Guidance' Annexe B –Treatment of Capital and Annexe C – Treatment of Income.
- 2.4 Some examples of deprivation are detailed in the table below; however, this list is not exhaustive and other circumstances may apply:

Item	Description
1	Making a lump sum payment to someone else, for example as a gift (and may also have been made without application of the HM Revenues & Customs rules about the making of such gifts)
2	Giving away or selling the right to an income from an occupational pension

3	Substantial expenditure incurred suddenly which is out of character with previous spending patterns, for example expensive holidays, a new car
4	Purchasing expensive items and giving them away, for example a painting or antique furniture
5	Selling assets for less than their market value, for example selling property or land to a relative or friend for a token amount
6	Transferring the title deeds of one or more properties to someone else; for example, transferring the ownership of their home to their adult children
7	Placing financial assets into an irrevocable trust fund, for example a fund to provide a future lump sum for grandchildren
8	Converting assets into another form that would be disregarded under the financial assessment, for example personal possessions
9	Reducing assets by living extravagantly, for example through gambling or paying for expensive designer clothing which would be out of character usually
10	Using assets to purchase an investment bond with life insurance whereby the recipient of the bond is another person

2.5 Repayment of a debt that would otherwise remain is not considered as deprivation of assets. However, the debt must be a genuine debt incurred by the person themselves and not someone else.

3.0 Has deliberate deprivation of assets occurred?

3.1 Before deciding if deliberate deprivation has occurred officers must determine the reason for the deprivation as there may be valid reasons why someone no longer has an asset.

3.2 In the first instance it is up to the person or their representative to prove to the Council that they no longer have the asset. Officers will ask for supporting evidence in writing and provide a date by which the information must be provided. 10-15 working days should be sufficient. The deadline for provision of information may be extended (at the discretion of officers) if the evidence is difficult to obtain.

3.3 If the person cannot prove that they no longer have the asset then it will be taken into account in the financial assessment.

3.4 If the person provides evidence that the asset has been disposed of then officers may ask further questions about the asset and its disposal, for example:

- the reason for its disposal;
- the sequence of events;
- financial transaction history;
- details of any legal advice that was sought;

- lifestyle and spending patterns;
- health, wellbeing, and medical needs;
- previous care and support needs;
- details of any recipient of the asset/s; and
- other relevant information to support decision making.

3.5 Officers will review the data provided and may also conduct their own investigation using information that is available to them i.e. Council held data, information within the public domain.

3.6 Officers may also investigate using the Regulation of Investigatory Powers Act 2000. Officers will seek legal advice prior to using this option.

3.7 Officers will aim to conclude their investigations within 4-6 weeks of initiation.

3.8 The person or their representative/s will be required to co-operate with officers. Lack of co-operation may result in officers having to decide with little information and possibly inferring that unwillingness to co-operate is evidence of deliberate deprivation.

4.0 Decision making process

4.1 Officers will consider whether avoiding or reducing care and support charges was a significant motivation in the timing of the disposal of the asset. For example, could the person or their representative have a reasonable expectation of the need for care and support? Did the person or their representative have a reasonable expectation of needing to contribute to the cost of their care and support?

4.2 The motivation and timing of the disposal of the asset in relation to the persons anticipated or known care needs is key to determining deliberate deprivation of assets.

4.3 If it is likely that deliberate deprivation has occurred then officers (Community Care Finance) will alert the allocated Social Worker (Adult Social Care) or Prevention and Safeguarding Team if the case is not allocated and discuss the case and any implications for the person. This can occur at any stage of the investigation. Officers will consider what approach to take and who should lead on the investigation if required. For example, if there are concerns and the incident/harm triggers a safeguarding enquiry in accordance with the 'LLR Safeguarding Adults Thresholds Guidance' then Prevention and Safeguarding Team will lead.

4.4 If the decision is complex, officers may seek legal advice before deciding. Advice may be sought at the outset or following initial enquiries. The decision to seek legal advice will be made by the leading officer after reviewing and considering the available information and the person's circumstances.

4.5 The person or their representative will be advised in writing of the outcome by a manager depending on which takes the lead. If deliberate deprivation of assets is established the letter will explain why we have made this decision, the affect this will have on their care and support costs, how to dispute the decision and any other

implications i.e. third-party recovery. The final financial assessment will determine the person's contribution to care and support in line with usual procedures.

- 4.6 A decision may be disputed, however there is an expectation that fresh evidence or other considerations are put forward by the person for the original decision to be reviewed by a senior officer.

5.0 What happens if deliberate deprivation of assets is established?

- 5.1 If deliberate deprivation of assets is established, the person will be treated as having 'notional capital' or 'notional income' to the value of the asset that was disposed of. Notional means that, even though the person may not have the capital or income anymore, the person is treated as though they still possess it.
- 5.2 If the notional amount added to the persons existing capital and income exceeds the upper threshold (£23,250), the person may be deemed to be self-funding.
- 5.3 If the notional amount added to the persons existing capital and income is less than the upper threshold (£23,250), the Council will apply any tariff on the 'notional capital'.
- 5.4 The amount of any notional capital applied will reduce over time in accordance with statutory guidance.

6.0 Debt recovery

- 6.1 Officers will discuss repayment options with the person or their representative in line with the Corporate Debt Policy. Ultimately the Council may take Court action to recover the debt.
- 6.2 If the asset were transferred to another person (a third party) they are liable to pay the debt or the difference between what the person would have been charged or did charge in proportion to the amount they received, as per the example below:

Mrs Richards has £23,250 in her savings account. A few weeks before entering residential care she gives her sons Ben, Charles, and Tony £7,750 each (total of £23,250). Deliberate deprivation was established.

Had Mrs Richards not given her money away, the first £14,250 would have been disregarded and she would have been charged a tariff income of £1 for every £250 on her savings between £14,250 and £23,250. This means that Mrs Richards should have paid £36 per week towards the cost of her care.

After 10 weeks of care, Mrs Richards should have contributed £360. This means that Ben, Charles, and Tony are each liable for £120 towards the cost of their mother's care.

Draft

APPENDIX 8 DIRECT PAYMENTS

- 1.0 Direct payments are cash payments made to people for the purpose of enabling them to arrange their own care. They provide independence, choice, and control by enabling people to commission their own care and support to meet their eligible needs.
- 2.0 The legislative context for direct payments is set out in the Care Act 2014, Section 117(2C) of the Mental Health Act 1983, the Care and Support (Direct Payments) Regulations 2014 and by the Statutory Guidance (Chapter 12).
- 3.0 Direct Payments will be paid net of any assessed social care contribution (i.e. the charges a person has been assessed as being liable to pay towards the cost of care). The person will be expected to top up the Direct Payment account with their assessed contribution. The terms of the Direct Payment arrangement are set out in the Direct Payment Agreement between the Council and the person.
- 4.0 The Council can discontinue direct payments in a number of circumstances as set out in the Statutory Guidance and the Law. The Council will undertake a review before making the decision to discontinue direct payments and provide written notice to the person.
- 5.0 In a case where a condition of the Direct Payment is breached, the Council may terminate the Direct Payment Agreement and require repayment of the whole or part of a direct payment, depending on the nature of the breach.
- 6.0 The costs incurred by the Council in recovering or seeking to recover a sum due to it are recoverable by the Council as a debt due to it.
- 7.0 Following the commencement of a Direct Payment, the Council will conduct a review in the first 6 weeks, and then at least once every 12 months subsequently. The Council reserves the right to review more frequently if it thinks it is necessary or it is notified of a change on circumstances.

APPENDIX 9 RECOVERY OF DEBT PROCESS

The Corporate Debt Policy details steps the Council can take to recover outstanding invoices for care and support fees and the Council's overall approach to debt recovery.

The Care Act 2014 conveys powers to recover money owed for arranging care and support for a person. These powers can be exercised where a person refuses to pay the amount they have been financially assessed as being able to pay.

The powers granted to the Council for the recovery of debt also extends to the person and to their representative, where they have misrepresented or have failed to disclose (whether fraudulently or otherwise), information relevant to the financial assessment of what they can afford to pay.

The Council will approach the recovery of debt reasonably and sensitively and will only take Court action as a last resort.

The initial stage of debt recovery will involve discussing the debt with the person or their representative. Social Workers will be advised of the debt and will become involved as appropriate. In all cases the desired outcome is to prevent debt escalating and for the person to enter into affordable repayments of the debt as well as being able to pay ongoing costs as they arise.

The Council will only proceed with Court action where all alternatives have been exhausted. At this stage, the Council will proceed with action through the County Court.

A large print version of this document is available on request



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Appendix B

Summary of consultation

1. Aim of the consultation

The consultation set out to ask the public's views on several potential changes that the Council is considering making to the Charging for Care and Support Policy. The consultation was approved by Cabinet on 17 October 2023 (Report 131/2023).

2. Consultation activities

The consultation was launched on 1st November 2023 and closed on 24th January 2024. This is a period of 12 weeks.

The consultation was promoted widely and proactively, which is reflected in the response rate. The following activities were undertaken:

- Press releases issues
- Social media posts with links to the online form
- A letter was sent 322 current service users
- Emails were sent to care home managers and care providers
- A letter was sent to 433 carers
- A letter was sent to 225 local council tax support claimants who are in receipt of disability related benefits
- Auto replies from the Community Care Finance Team email included a banner with the consultation details and a link to the online form
- Directly publicity was undertaken at face to face events attended by adult social care officers.

181 responses were received. This is a reasonable number given that there are currently 209 people being charged under the current policy. Of the responses received, 167 were submitted online and 14 on paper.

3. The representation of respondent

Respondents were invited to identify the nature of their interest in the survey. There was a good spread across the interests. Nearly 38% were completed by current service users or their representative who currently use care and support services in the community, and 14% were service users who live in a care home.

In response to Question 1 Which statement best describes you?

Answer choice	Responses	Percentage
I am a person who uses care and support services and I live in the community	22	12%
I am a person who lives in a care home	4	2%
I am a resident of Rutland and not currently receiving any care and support services	53	29%

I am representing a person who uses care and support services who lives in the community	49	27%
I am representing a person who lives in a care home	21	12%
I am representing a resident of Rutland and not currently receiving any care and support services	18	10%
I am representing an organisation	6	3%
Other	8	5%
Total	181	

4. The location of respondents

Most respondents reside in Rutland. Of the responses received 80% live in an area with a postcode starting with LE15 and 12% with a postcode starting with PE9. This demonstrates a good representation across Rutland.

Answer choice	Responses	Percentage
LE15	143	79%
PE9	22	12%
No answer given	16	9%
Total	181	

5. Equality Impact

Respondents were asked to complete an equality and diversity questionnaire, whilst respondents were under no obligation to answer, the section explained that the council is committed to ensuring that our services, policies and practices are free from discrimination and prejudice and that they meet the needs of all section of the community and promote and advance equality of opportunity. Table 3 summarises the responses received.

Question	Summary
Age	57% of the 110 respondents to this question were pension age while 42% were working age
Gender	68% of the 113 respondents were female with 32% being male
Gender same as registered at birth?	All 113 respondents held the same gender as at birth
A parent or carers of a young person	5 respondents were a carer for a young person

The age of the children in their care	1 respondent cared for a child aged under 5, 2 had children aged 5 to 10 years, 2 had children aged 11 to 15 years, and 1 had a child aged 16 to 17 years.
Carer of a person over the age of 18	53 of the respondents cared for a person aged over 18.
Sexual orientation	96% of the 99 respondents to this question identified as heterosexual with the other 4% identifying as bisexual
Ethnicity	97% of the 110 respondents to this question described themselves as White (British, Irish, or other) with the remaining equally Black, Bangladeshi, or White/Black Caribbean
Religion or belief	60% of the 107 respondents were Christians, 1% were Hindi, 2% declared another unspecified religion, and 37% held no religion
Employment activity	50% of the 110 respondents were retired, 18% were disabled, 9% worked full-time, 9% worked part-time, with the remainder self-employed, unemployed, looking after the home, or unspecified
Disability	61% of the 179 respondents stated they had a disability, 35% had no disability, with 4% not specifying
Armed forces or veterans	6 respondents were veterans, 6 were part of the immediate family of current or former armed service personnel, and 1 was a serving member of those forces

6. Consultation response to questions

The following sections provide detailed answers to the questions about the proposed changes to the Charging for Care and Support policy. The full questionnaire can be found in Appendix C.

7. Question – Do you have a disability?

Answer choice	Responses	Percentage
Yes	110	61.45%
No	61	34.08%
Don't know/prefer not to say	8	4.47%
Total	179	

If yes, please choose the statement that best describes you?

Answer choice	Responses	Percentage
I have a physical disability	0	0%
I have a mental health related disability	10	14%

I have both a physical and a mental health related disability	40	57%
I don't have a physical or a mental health related disability	3	4%
I have a learning disability and/or Autism	17	25%
total	70	

8. Will you (or someone acting on your behalf) be able to complete an online form and access an online account?

Answer choice	Responses	Percentage
Yes	130	78%
No	20	12%
Don't know	16	100%
Total	166	

If you have answered no, or don't know, can you tell us about the help you might need?

Answer choice	Responses	Percentage
I will be able to complete a paper form and send it back to you	18	51%
I will be able to provide the information by telephone	2	6%
I will be able to provide the information by video call such as Skype or facetime	1	3%
I will need someone to help me complete the form at the Council offices	4	11%
I will need someone to help me complete the form in my own home	3	9%
Other	7	20%
total	35	

9. Will a light touch financial assessment be of benefit to you? (or someone acting on your behalf)

Answer choice	Responses	Percentage
Yes	85	56%

No	30	20%
Don't know	36	24%
Total	151	

Can you tell us why you have said yes, no, don't know? (optional)

A prompt response will greatly ease the burden for those of us who are over 80
A relative would be able to do this.
As a Support Worker it would benefit me to signposting residents when they are in need of care/ support. I would be able to assist them with assessment in the convenience of their home and offer advise as to their options
As you say it will be quicker and easier to get a ball park figure.
Either my husband or myself usually complete any kind of forms on behalf of my mum, please note my mum would never get through doing this herself
I am 79 and a full time carer for my 46 year old daughter who has Downs syndrome and is unable to read or write and has poor communication skills. I would welcome an opportunity to have a chance to get some help where the application was quick and easy and I was given an idea of where or what the help would consist of and how much I would be paying. I will be 80 next year and I am on my own and finding the work and care is getting harder each year.
I assume it would be easier
I think for the people I am supporting this will be very useful however there will also be a high percentage of people who cannot manage this and therefore a paper option should remain a option
I think this is a great idea. It will speed up and streamline the service and enable us to see the results online much quicker.
It would be easier to access online and would be of benefit as long as people have access to the internet or someone who can do it on their behalf. This is always more difficult for older people or those with visual problems.
It would provide almost instantaneous information and results.
Less time consuming
online access to any forms is an advantage. most people are computer literate so can access and fill forms. A quicker answer to a request is an advantage. An indicative result will give an indication if a request is likely to succeed.
This is fine in our case, but the majority f applicants are elderly and many will nit be computer literate
WE are able to fund the care needed at present but it would be good to know if there is anything else we could tap into.
We would know exactly what we would pay for support and hopefully what would happen when funds get low
When my sister was running out of money for her care, although she had an income but that would not have covered the cost, it took several months and many exchanges of bank statements etc before I got an answer about the help that RCC were able to give.
Am not currently in need but am 87 so who knows
At this point in time we are only claiming Carers Allowance for our 95 year old mother
Do not have access to an online data system but if we do in future, will be of benefit
I am still able to manage my finances and don't exceed what I can afford - so prefer to carry on controlling my own financial situation. I have my state pension and grants from government and Rutland Council - no extra funds or savings.

I don't have a mobile phone, computer or laptop or any other gadget - I am 90 years old and can't use them
Just had assessment two weeks ago
My mother will require a full financial assessment as she exhausts her personal savings, she is currently self funding in a local care home.
Sounds vague. Not sure how it would work
The statutory guidance states: The main circumstances in which a local authority may consider carrying out a light-touch financial assessment are: a) Where a person has significant financial resources, and does not wish to undergo a full financial assessment for personal reasons, but wishes nonetheless to access local authority support in meeting their needs. In these situations the local authority may accept other evidence in lieu of carrying out the financial assessment and consider the person to have financial resources above the upper limit. b) Where the local authority charges a small or nominal amount for a particular service (for example, for subsidised services) which a person is clearly able to meet and would clearly have the relevant minimum income left, and carrying out a financial assessment would be disproportionate. c) When an individual is in receipt of benefits which demonstrate that they would not be able to contribute towards their care and support costs. This might include income from Jobseeker's Allowance. The consultation only refers to (a) and (b) above so we would request that your updated guidance to refer to (c) as well.
We don't have much money so not significant financial resources
Again. I don't know what my circumstances will be in future. Light touch suggests inadequate to me. Is this just a way of getting names on a list and looking like the service is doing something when it isn't?
All too vague
As I'm answering from an agency perspective I think many people would find it difficult to do online and will require help. If they intend to pay and it is easy to do I don't see any issues.
Financial assessment was completed over ten years ago and is reviewed annually by RCC. This is a straightforward process which asks us to update the individual receiving care's financial circumstances along with copies of bank statements. This works fine for us.
I don't fully understand it
I don't understand what a Light Touch Financial Assessment is.
I really do not understand much of what you are saying about anything
I submit an annual summary of my son's savings and benefits - happy to do this electronically although sending supporting documents likely to be tricky without a scanner.
I'm not sure what care etc we will need in the future. But would be good to know what is available, cost etc
My mother has financial resources but with an imminent diagnosis of dementia/Alzheimer's likely I do not know what extra support may be available to her so this may be of use
We already pay £702.40 from service user's pension
I feel strongly that an exact and full assessment is made of the claimant financial situation to make sure that they are eligible for financial support to ensure that moneys have not been filtered to other members of the family before any moneys are paid out
Same problem with on line. Will all the details be available or is it a time reducing cost cutting exercise

10. Would a Self-assessment be of benefit to you?

Answer choice	Responses	Percentage
Yes	76	50%
No	22	14%
Don't know	54	36%
Total	152	

Can you tell us why you have said yes, no, don't know? (optional)

I would have to complete this but I am not sure which income to provide as I would be seeking the help with the cost of taking care of my daughter.
A financial assessment that is easy to understand and, one which is fair to all will make life easier.
I think it probably would, however my mum would never be able to get through the process without help
I would like to know how I stand in terms of any changes, as I am currently very happy to take care of myself, my home (a flat), my shopping, medication etc and grateful for the Government pension, any grants (like fuel) for over 80s (I am 88) and the financial help I get from Rutland Council - help with rent and I don't pay council tax. On my limited income I manage with this help.
I would need to have someone to do it
My husband and I
Probably simpler than a pile of paper work.
This again would streamline and speed up the service. It would be great to be able to see immediately, what the expected payments by me would likely be.
Whichever way is best for Council staff
you have an indicative result immediately.
Already stated
As stated not ready yet
Currently assessed by DWP
Each person is an individual with unique needs, therefore a blanket sum is not appropriate
I would prefer for someone to complete an assessment
Mothers care in her own home is already paid for. Self assessment sounds like it will be difficult to complete properly..
Over 90 years old and can't understand any modern equipment
Son has been in his residential care home for 11 years and so presume I don't need do an assessment
The current Full Assessment by RCC works perfectly well for us, as we already are in the system.
Already receive attendance allowance
Arguably it is unlawful to apply only apply a fixed amount of DRE. DRE is unique to each individual - we do not believe that a 'one size fits all approach' is either rational or fair. We strongly believe that these guidelines, if adopted would detrimentally impact our daughter in the future. We would request that you make it clear in your policy and guidance that individuals are able to request a full assessment.
I am concerned that a clear and fair outcome may not come about if a generic figure is adopted.

I don't know
I don't know what a DRE is
I think maybe ought to an option - difficult to answer this
It no longer applies to my sister as her financial help has been decided.
Not clear on how the DRE element is dealt with here - if needs change an d expenditure rises than surely proper assessment is required.
Not sure
Not sure what it would entail, I am a full time carer for my husband and I have very little time to my self. Also I do not have a copy of your Charging for Care and support Policy and what criteria you decide what people should pay towards the cost of their care. It would be useful if you could send out the policy as well as the assessment.
Setting fixed DRE might not be suitable for an individual
Taking 90% of pension already
The idea of self assessment is good in theory but I am not sure about the fixed DRE as everyone has different needs and costs and this may have a negative impact on some people if their DRE is high.
The whole process is new to me and will depend on my mothers diagnosis
what was my pension all about if I am now expected to find money for my temporary care. (Broken bones)
Would need a lot more info. Sounds like more work. Hassle to sort out if assessment not completed properly.

11. Which groups of people, who share common characteristics, should be allowed to retain more of their income (above the Minimum Income Guarantee) (MIG)?

Answer choice	Responses	Percentage
People with a *severe disability *a deficit in one or more areas of functioning that significantly limits an individual's performance of major life activities	81	33%
People with a *disability *a physical or mental impairment that has a substantial and long term adverse effect on the person's ability to carry out normal day-to day activities	83	34%
People with a *mild disability *ability to learn practical life skills, blend in socially, attain reading and math skills up to grade level 3-6, be functional in daily life, have no observable physical signs of disability	37	15%

None/don't know	41	18%
total	242	

Please tell us why you have made this choice? (optional)

A difficult question; I would not discount mild disability if the person could not be income earning; it is all a question of definition.
A lot of extra expenditure is incurred caring for someone with a severe disability ie it can cost £1100 for a carer and £900 for disabled accommodation just to enable a holiday plus hire of hoist commode etc just to enable some semblance of a normal life.
Ant one with a level of disability which excludes them from employment should be allowed to retain more of their benefit income.
Arbitrary lines, real problems for those worst off
Because I can't get out of bed and my life is very small
Can hardly walk, nearly blind
Dubious this can always be fair
Everyone should be seen as individuals
Highly complex and individual and may be against legislation already in place. Wants can be perceived as needs and vice versa by people who don't understand the situation well. Some services may in theory be provided by health but in practice are not.
I am not sure why any group should retain more unless the extent of their disability requires additional care/enrichment need/assistance that incurs additional cost is required within their existing care setting?
I am presuming that the groups I have ticked would not have the ability to access extra money and their needs might be complex
I don't know how to answer this as I am only familiar with my son's situation. The personal allowance (currently £28.25 a week) isn't very much to pay for toiletries, clothing, and all activities. I worry that when I am no longer around he may miss out a bit.
I don't know what the current assessment involves
I feel that the general public have little or no understanding of the problems and costs related to helping and caring for someone with disabilities.
I have a Master's Degree in Education (1985-7) from Hull University
I think all people should be treated fairly - no one needs to retain more money than anyone else. This maybe deemed to be unfair in our small community where many people discuss these types of issues and compare charges.
I think it has to depend on their individual circumstances, e.g. I have a relative who is over 50 and has autism, he lives in sheltered accommodation and has a limited income to protect himself. He has very limited mental capacity, however he does have a fetish that if he has sufficient funds to buy certain items lands him in trouble. However my mum who has a serious heart condition needs money to pay for general help and transport that enables her to take part in local social activities and groups, this obviously drastically improves her quality of life.
if a person can not work they should be able to retain sufficient funds to be able to pay their basic bills and food.
My husband has alzheimers!
Not qualified to answer this question.
Obviously I think it's self explanatory

People who have any form or level of disability are at present penalised by the lack of empathy towards them by society. To remove any part of their benefits is tantamount to fining them for being ill.
People with severe disability would require more care and unable to earn any income but other disabilities that are not severe would need to give their DRE.
People with these conditions should ideally be given access and clarity to these needs in whatever way their condition allows them to make access easier.
Person I care for is elderly and disabled. All groups will need support and retained income
The allowance ces are too low
This is tricky because even if people were able to work it is less likely that they will be in work than anyone else because of the nature of the employment environment. Surely people with severe disability should have the highest level of support to match their higher levels of need.
To ensure fairness across the whole spectrum and prevent fraud and exploitation of systems
Unable to top up income through work
Unlikely to use any benefit
<p>We fully support your proposal to raise the MIG for some groups of people. Our daughter is in an analogous position to the Claimant in SH v Norfolk County Council [2020] EWHC 3436 (Admin) (“SH”), where Article 14 discrimination was found to have arisen. We submit that the Council’s current Policy and its impact on our daughter and others with severe disability, high levels of need, and who are unable to work in the future, is discriminatory. It discriminates against our daughter and others like her as someone with a high level of need (evidenced, for example, by her receipt of the Enhanced Rate of the Daily Living Component of PIP and severe disability premium), and as someone who is unable to work or to have limited prospects of working in the near future (evidenced by her inclusion in the Support Group of ESA). The differential impact of the current Charging Policy on the severely disabled is discriminatory as a higher proportion of their earnings is assessed than those without severe disability, and the result is that those with severe disability are charged proportionately more than those without severe disability. We explain below why we think your current policy is discriminatory; this is taken from our appeal to CCF following a financial assessment and is relevant to the issue of whether the increase in MIG should be implemented. ‘X’ is in an analogous position to the Claimant in SH v Norfolk County Council [2020] EWHC 3436 (Admin) (“SH”), where Article 14 discrimination was found to have arisen. We submit that the Council’s Policy and its impact on ‘X’ is discriminatory, pursuant to Article 14 ECHR read with Article 1 Protocol 1 and Article 8. It discriminates against ‘X’ as someone with a high level of need (evidenced, for example, by her receipt of the Enhanced Rate of the Daily Living Component of PIP and severe disability premium), and as someone who is unable to work or to have limited prospects of working in the near future (evidenced by ‘X’s’ inclusion in the Support Group of ESA). We address the four questions prescribed by re McLaughlin [2018] UKSC 48, below. (1) Do the circumstances “fall within the ambit” of one or more of the Convention rights? A social security or welfare benefit can be a claim in relation to possessions within the ambit of A1P1: cf R (RJM) v Secretary of State for Work and Pensions [2009] 1 AC 311, HL and Stec v United Kingdom (2005) 41 EHRR SE 295, ECHR. We submit that ‘X’s’ circumstances also fall within the ambit of Article 8. The notion of “private life” is a broad concept, which encompasses, inter alia, a person’s physical and psychological integrity, the right to personal development and the notion of personal autonomy. Article 8 is also relevant to complaints about public funding to facilitate the mobility and quality of life of disabled individuals. The very essence of Article 8 is respect for human dignity and human freedom: McDonald v UK (2015) 60 EHRR 1 at paras 46-7.</p>

The amount 'X' is required to contribute towards her care and support has a direct impact, in a very practical way, on her right to personal development and the notion of personal autonomy, in terms of the amount of income she retains for her expenditure.

(2) Has there been a difference of treatment between two persons who are in an analogous situation? 'X' has high care needs, which are reflected in higher income from state benefits. In particular, she has been assessed as being so severely disabled that she is entitled (a) to the support group rate of ESA with enhanced disability related premium and (b) to PIP daily living component at the enhanced rate. Because of this, her income from state benefits (which is her only income) is higher, and therefore more likely to exceed the Council's minimum income guarantee, and by a greater amount, than would be the case for a less disabled person. Neither her ESA nor her PIP daily living component are disregarded by the Council when assessing her payments under the Charging Policy. 'X' also has significant barriers to work. This is reflected in the fact that she has been assessed as entitled to ESA without being required to engage in work-related activity. This means that she cannot have earnings from employment or self-employment. A less severely disabled person, who may have access to earnings from employment or self-employment, has those earnings entirely disregarded under the Council's Charging Policy assuming that its Policy is compliant with Regulation 14.

(3) Is that difference of treatment on the ground of one of the characteristics listed or "other status"? 'X' has "other status" by virtue of her "severe disability", given her eligibility for severe disability premium. This status is a personal characteristic protected from unjustified discrimination under Article 14 ECHR. Article 14 embraces a form of discrimination akin to indirect discrimination in domestic law: *Burnip v Birmingham City Council* [2013] PTSR 117; [2012] EWCA Civ 629 at para 11. The two persons, or two groups of people, in the case are, on the one hand, the severely disabled, such as 'X', (with high needs which result in higher assessable benefits and no access to earnings from employment or self-employment) and, on the other hand, everyone else receiving Council services covered by the Charging Policy. In *SH*, the Court held that the situation of the severely disabled (with high needs-based assessable benefits and no earning capacity) and everyone else being charged under the Charging Policy is analogous because they are all receiving Council services covered by the Charging Policy. Their treatment was therefore different because the Charging Policy meant that a higher proportion of *SH*'s earnings (and of other severely disabled people in the same position) was assessed than theirs, and the result was that she was charged proportionately more than they are. 'X' is in precisely the same scenario.

(4) Is there an objective justification for that difference in treatment?" The test to be applied here is whether the difference in treatment is "manifestly without reasonable foundation", as in *SH*. The Council must justify the difference in treatment which its Policy creates: *A v Secretary of State for the Home Department* [2005] 2 AC 68, per Lord Bingham at para 68. We have not seen the Council's justification for its treatment; however we reasonably assume that they are similar to those in *SH*. Those justifications were: (i) to apportion the Council's resources in a fair manner; (ii) to encourage independence; (iii) to have a sustainable charging regime and (iv) to follow the statutory scheme. We reserve our right to amend these grounds of review if the Council discloses different aims. In *SH*, the differential impact of the Charging Policy on the severely disabled was found to be manifestly without reasonable foundation, as there was no relationship between the aims identified and the specific discriminatory impact in issue at all. The discrimination was not proportionate to those aims and it was not reasonably linked to them. The Court found that the Council's evidence of consideration of the disparate impact on *SH*'s cohort was lacking. The Court found that there was no evidence that the Council had considered this differential impact [85] or the alternative approach of setting a "maximum percentage of disposable income" over and above the minimum

income guarantee (as the Guidance required the Council to consider) [86]. The outcome for SH was overlooked and not considered or consciously justified at all [88]. None of the proposed mitigations structurally addressed the discriminatory impact [88]. Assuming that the Council has the same or similar aims, we submit that, for precisely the same reasons, there can be no justification for the difference in treatment in 'X's' case. In particular, we have seen no evidence that the Council has considered setting a “maximum percentage of disposable income” over and above the minimum income guarantee (as the Guidance requires the Council to consider). We therefore submit that the Policy, and its impact on 'X', is discriminatory. Specifically, the Council’s decision not to allow a MIG which is higher than the amount in the LAC, and the Council’s decision to take into account all assessable benefits, gives rise to discrimination in 'X's' case. Although the Policy states that “The Council must carry out a financial assessment of what the person can afford to pay”, which accords with the requirements of the Guidance, there is no evidence that the Council has considered whether 'X's' charge is affordable; it has merely applied the statutory MIG and allowed some items of DRE. There is no analysis of the overall affordability for 'X' and as such the Council is acting contrary to both its own Policy and the Guidance. As set out above, the Council’s charge leaves 'X' with a deficit each week and so the charge is plainly not affordable for her. To that extent, we also submit that the Council’s assessment of 'X's' DRE is irrational, such that it is outside the range of reasonable decisions open to the Council: R (Law Society) v Lord Chancellor [2018] EWHC 2094 (Admin). If the charge remains unchanged the deficit will continue over time and the only option will be for 'X' to cease activities and other expenditure, such as chiropody. This will lead to her eligible needs not being met.

12. We set out what we want to change for assessing Disability Related Expenditure in Question 9. We asked ‘do you think this approach is fair?’

Answer choice	Responses	Percentage
Yes	85	64%
No	11	8%
Don't know	37	28%
Total	133	

Can you tell us why you have said yes, no or don't know? (optional)

I have confidence in the Council to make these decisions
I think it's fair
I think this approach would create less ambiguity within the system so making it easier for people to see exactly what criteria is needed in each circumstance.
It appears to take individual needs into consideration
Obviously
reasonable prices should be applied where possible. Some exceptions may be necessary in particular circumstances.
The 7 points give a fair and wide protection to both the Policy and the individual.
The things that you want to change seem to be logical and fair.
Arguably it is unlawful to apply a fixed amount of DRE o We want to establish if the cost is necessary. e.g. if it's needed instead of personal choice. We are concerned about this as something can be both a need and a personal choice. The Council's position is inconsistent with the decision in RW v Royal Borough of Windsor and Maidenhead [2023] EWHC 1449 (Admin), primarily that “the word “necessary” does not mean that the

<p>solution must be the only way to meet the need or the only logically necessary one. It must instead be closely connected to the need and operate to meet or help alleviate it, viewed fairly and objectively.” o We want to make sure the expense is reasonable e.g. if a suitable item can be purchased at a cheaper price we may limit the expense to a lower amount. Again, this is wrong – see the RW case, above. o We will make sure that the expense is directly linked to the person’s disability, medical condition, or care need. Again, this is wrong; the test is set out in the RW case, above. o We would check to see if the expense can be met by other means e.g. if it’s in their personal budget already or can be provided by the NHS instead. This is only permitted in part - The Care and Support statutory Guidance confirms, at para 40(c)(xiii) (emphasis added), that “in other cases, it may be reasonable for a council not to allow for items where a reasonable alternative is available at lesser cost. For example, a council might adopt a policy not to allow for the private purchase cost of continence pads, where these are available from the NHS.” As you see above from the Care and Support statutory Guidance about incontinence pads, we request that you don’t disallow DRE because you think it ‘should’ be available from the NHS as opposed to where it actually ‘is’ available from the NHS. We strongly believe that your proposed DRE guidelines, if adopted, would detrimentally impact our daughter in the future.</p>
<p>far too complex an algorithm for elderly and stressed pensioners or those affected by circumstances to interpret. where is the humanity?</p>
<p>how can someone determine what is "personal choice"? i dont believe anyone should have to pay for care/disability needs as it should be a human right</p>
<p>If it isn’t necessary then I wouldn’t buy it</p>
<p>Who would decide if for example a wheelchair costing £500 is as good as one costing £300.its obvious to me that the user is going to end up with an inferior product because you will ALWAYS go for the cheaper one regardless of quality</p>
<p>All disabilities are individual</p>
<p>I found that a little confusing</p>
<p>I think it maybe fair but difficult for you to assess - from experience disability related expenses are difficult to be deemed reasonable particularly with people with learning difficulties or mental health issues. Again I would have liked a "possibly" answer choice</p>
<p>Thought benefits already taken into account each year. Sounds risky asking NHS to provide.</p>
<p>To be honest I dont know how this DRE in its curent form works in practise. My daughter who has disabilities and lives with us (her parents) has a PA twice a week and I understand there is a budget for this but I am not sure if this is DRE, how it was calculated and how much it is.</p>
<p>Very complex and individual to each person. Some things may be a need but perceived as a want by people who don't understand the person well.</p>
<p>I had a marvellous doctor who said - When you get to our age bits wear out! Very true! But I want to cope and be responsible for my own life for as long as possible. Now that I am galloping towards 90, I have no fear of death, except hoping it will be quick. But I dread having to go into care, be washed, fed, dressed by someone else. I have lived alone for more than sixty years - have 2 sons who are great and many friends - but essentially I like living by myself.</p>

13. We set out an approach to waivering charges in question 10. We asked ‘do you think this approach is fair?’

Answer choice	Responses	Percentage
Yes	83	65%
No	17	13%
Don't know	27	21%
Total	127	

Can you tell us why you have said yes, no or don't know? (optional)

Again all the points seem logical and fair.
As long as genuine claimants don't slip through the net. Some of these rules sound very like the rules in the workhouses of the 19th century to me
I believe it would speed things up in need
I do agree that education and support in managing debt and addiction is key. I also think that it is unfair for the government to pay for people to have luxury items that they cannot afford, many people that do not have benefits cut down on coffee shops and find ways to budget more effectively because they have no choice
I think in our case, he is already paying all of his pension except £100 per month which isn't a lot for extras
I think is is a very fair idea. It would mean that the person asking for the extra help would really need to be suffering real and not spending their income on non essential items. Financial hardship is very real, so the people most in need are the ones that should receive it. It would also make it more difficult for people to cheat or circumnavigate the process of eligibility.
If someone is abusing system you would know how to fix things
It covers most reasons people could have for not being able to balance their budget
It's fair
people should be supported where they have made every effort to sustain themselves. Some support could be made available for a limited period while the person recovers from self inflicted problems like drugs gambling etc.
all of these points are great except the fourth.
definitely beyond George Orwell
I don't think that people should be assessed through household income but should be the person asking for help. This could be because the people in the household may not pay towards the household bills and are unwilling to help the disabled person financially. Each household is different and assessments should be done depending on household situations.
It's light touch for people with private funds and sounds intrusive and didactory for persons with no money
Some individuals will only eat and drink certain foods. Some of those products can not be brought in cheaper shops. This will then cause them to lose weight and become dehydrated, which can lead to malnutrition.
Sounds very judgmental to me. There will also always be people who refuse to pay and are in such vulnerable circumstances must have their needs met in any case.
This is not appropriate as this amount of intrusion by an Authority, who will be felt to be adding additional stress onto individuals, especially those with mental health needs...these matters should only be assessed by Health Professionals who are experts in the needs of their patients.
A process is a good idea, however there needs to be defined easily checked parameters set and applied. Benefits in the past in general has been seen as an easy claim/ fraud.

There are deserving people these need some help but it needs definition, time frames, reasons for disqualification and end dates not open ended.
I think I would like to have answered "possibly" rather than don't know. As this could be quite subjective - for instance addiction is an illness (often associated with mental health issues) and someone should not be penalised for this. Changing habits for people with particular difficulties is also tricky. I'm unsure how RCC staff would handle this to be honest.
It sounds sensible but I am not sure how you will actually get it to work.
May work but would need more assurances.
no understanding of what waivering charges are
We are not in severe finical hardship, however mothers income just about covers the food, bills and general living expenses. The care received over the 7/8 months was for short intervals during the day and very expensive. Hence why it had to be stopped and I am left to manage it all by myself.
We don't have the understanding or experience to be able to make a judgement on the fairness of this approach.
I think it looks fair but I don't know much about DRE etc

14. Do you have anything else you would like to say about the review of the charging policy?

Change can be good but only if applied to all, fairly and be seen to be so.
Could I please request a copy of Rutland Charging for care and Support Policy .
I am extremely grateful for the grants I receive from both Rutland Council & Government Grants, which help me live a full life.
I appreciate you need to save money but these people are the some of the most vulnerable in our society
I basically think these policy changes make sense, however I think for people who struggle with life, IT etc or people that don't own a computer there will have to be a safety net in the way of hands-on support of some kind
I have read this out to my husband and he answered, but he has dementia so I don't think he understood what I was reading
I like the idea of faster responses but am concerned about how these changes will be applied in practice and worry for people who need a more hands on and understanding approach. Also needs to be in line with national policy.
I think that when someone has worked hard all their life and paid their taxes they shouldn't have to pay for their care
i think the plans are reasonable and cost effective.
I think these are really good ideas and would make for a speedier, updated and streamlined service.
I'm in agreement to any change that would make the process easier
It was a while back but as I recall day to day living expenses were not factored into the initial financial assessment. I was surprised my mother did not receive slightly more finical support.
It was difficult to complete this survey as many client would have difficulty completing this so I have tried to be as general as possible.
It's awfully difficult to have an opinion about how these changes will benefit persons with need of your services. I agree that systems should be reviewed periodically for user

friendliness and consistency.. I help to organise the care of my parent in her home: she has alzheimers, and has care paid for by rcc social services
my wife is exhibiting early signs of dementia. I am increasingly taking over the daily household chores. No longer can she drive a car. I am told i could apply for a blue badge parking permit and also be exempt from council tax?
N/a
Nothing to add. Have husband that it may affect sometime as he is 92 years old.
Our views are fully given in our responses to the questions above.
those experiencing difficult times, either due to injury, pernicious ailments or mental fragility need the human touch - not a labyrinthine inquisition
treat disabled people better. dont put autistic people and people with learning disabilities in the same category.
Why give three choices then ask for why



Public consultation on Charging for Care and Support Policy

From 1st November 2023 to 24th January 2024 Rutland County Council is consulting on proposed changes to the Council's Charging for Care and Support Policy.

What is the Charging for Care and Support policy?

The Charging for Care and Support Policy (the policy) explains how the Council works out what people should pay towards the cost of their council-funded care and support, based on their ability to pay. We carry out a financial assessment to determine this.

Many people who receive social care and support also receive disability benefits which are paid to help people pay for their care and support.

People can either use their benefits to arrange and pay for care and support privately or they can use them to pay for care and support arranged by the Council.

The Care Act 2014 and detailed guidance sets out the rules we must follow. Within this framework, the Council has some discretion as to how it operates, and this is detailed in the policy.

Why does the policy need to be reviewed?

The objectives of the proposed changes are:

- To improve the speed of response so people know what they will need to pay promptly.
- To provide certainty of receipt of an application and any supporting evidence provided.
- To reduce the cost of processing.
- To reduce the environmental impact by reducing paper usage.
- To provide a consistent and fair approach.

What is being reviewed?

We have identified several areas for review, in summary they are:

- Applying for a financial assessment.
- Applying for 'Light Touch' assessment and self-assessments.
- Consider the Income we take into account.
- Clarify Disability Related Expenditure.

- Consider waivering charges for people in severe financial hardship or people with exceptional circumstances.

What will not change or be consulted upon?

- Updates that will not fundamentally change the policy or the amount people are charged.
- Charges for people who live in care homes.

When is the consultation taking place?

The consultation will open from 9am 1st November 2023 and close at 4pm on 24th January 2024.

How can I participate?

You can complete an online form here <https://www.rutland.gov.uk/chargingpolicy>- this is the easiest and quickest way to respond.

Alternatively, you can print a paper version of the form here <https://www.rutland.gov.uk/chargingpolicy> and send this back to us. If you can't print the form, you can call us on 01572 722577 and we can send a paper version to you.

If you can't complete the form yourself, you can ask a relative or friend to help you, alternatively you can call 01572 722577 and we can assist you.

An easy read version is also available upon request.

Who can participate?

We are seeking views from:

- Current service users and their representatives.
- Wider public and residents.
- Carers.
- Care providers.
- The voluntary sector.

Question 1: Data Protection Notice

To comply with the Data Protection Act and the General Data Protection Regulation (GDPR), we must provide you with information about the personal data you give to us.

This information is set out below:

Rutland County Council is the data controller for the personal information you may provide. You can contact us by phone on **01572 722577**, via email to dataprotection@rutland.gov.uk or by writing to us at **Data Protection, Catmose House, Oakham, Rutland. LE15 6HP**

Your responses will be used so that we can consider public opinion for the review of the Charging for Care and Support Policy. You have the right to remain anonymous, however if you provide your name and/or address or contact details the following will apply:

Your personal data may be shared with other teams within the council in order to provide a service to you, to ensure our records are kept up to date or otherwise where we are required to do so under other legislation. We may share the data with third parties if we are required by law to do so which, may include the Police or Government Agencies. We will not sell your data or use it for marketing purposes without your consent.

We will keep your data for seven financial years. This is in accordance with current legislation. You have the following rights under the GDPR. Please note not all of these rights apply to all processing. Further details on each right can be found on our website (<https://www.rutland.gov.uk>)

- *The right to be informed.*
- *The right of access.*
- *The right to rectification*
- *The right to erasure*
- *The right to restrict processing*
- *The right to data portability*
- *The right to object*
- *Rights related to automated decision making, including profiling'*

If you are not happy with the way the council is handling your personal information you have the right to lodge a complaint with the Information Commissioner's Office.

Please confirm that you understand this notice before proceeding by ticking this box.

Question 2: Which statement best describes you?

We would like you to tell us a bit about yourself. We won't ask for your name or full address so you can remain anonymous. Please tick one box:

I am a person who uses care and support services and I live in the community.

I am a person who lives in a care home.

I am a resident of Rutland and not currently receiving any care and support services.

I am representing a person who uses care and support services who lives in the community.

I am representing a person who lives in a care home.

I am representing a resident of Rutland and not currently receiving any care and support services.

I am representing an organisation.

Please provide the name of the organisation, if this applies:

Other. If selected: please describe.

Question 3: Do you have a disability? (If you are representing someone else, please answer on behalf of the person you are completing the questions for)

Yes

No

Don't know/prefer not to say

If yes, please chose the statement that best describes you:

I have a physical disability

I have a mental health related disability

I have both a physical and a mental health related disability

I don't have a physical or a mental health related disability

I have a learning disability and/or Autism

Question 4: Post Code

Please provide the first part of your post code e.g. LE15, PE9

Question 5: Applying for a financial assessment.

What we do now

People can apply for a financial assessment by completing a paper form and sending it back to us with supporting evidence. We enter the data into our system and send out a letter setting out the calculation and the charge.

What we want to change

People will be able to apply for a financial assessment by completing an online form and will be able to see their financial assessment details. We think there are several benefits of doing this:

- People will be able to complete a financial assessment online as soon as they think they might need care and support
- People will be able to see an indicative amount of what they might be expected to pay
- People will be able to make informed choices about their care and support knowing the likely charge
- People will be able to see their financial assessment by logging into their account

We want to know how this change might impact you.

Will you (or someone acting on your behalf) be able to complete an online form and access an online account?

Yes No Don't know

**If you had answered no, or don't know, can you tell us about the help you might need?
Please tick one option:**

I will be able to complete a paper form and send it back to you

I will be able to provide the information by telephone

I will be able to provide the information by video call such as Skype or facetime

I will need someone to help me complete the form at the Council offices

I will need someone to help me complete the form in my own home

Other, please specify:

Question 6: 'Light touch' financial assessments

This is a shorter version of a financial assessment. We can use this when a person has significant financial resources but requires support, has a small service or declines a financial assessment and chooses to pay the full cost of their care.

What we do now

We enter the data provided into our system and send out a letter setting out the calculation and the charge.

What we want to change

People will be able to complete a light touch financial assessment online and view their financial assessment details. We think there are several benefits of doing this:

- It will be quick and easy to do
- People will know what they will be expected to pay immediately
- People can choose to complete a full financial assessment at any time
- People won't be asked to provide evidence

We want to know how this change might impact you.

Will a light touch financial assessment be of benefit to you? (or someone acting on your behalf)

Yes

No

Don't know

Can you tell us why you have said yes, no or don't know? (optional)

Question 7: Self-Assessment

What we do now

We don't currently offer self-assessment. This means that everyone must complete a financial assessment and provide supporting evidence. We work out a person's income and deduct allowable household expenditure e.g. utility bills, and any Disability Related Expenditure (DRE). We then arrive at the charge.

What we want to change

We want to enable people to complete a self-assessment, if the person is in receipt of disability related benefits including Disability Living Allowance (DLA), Personal Independence Payments (PIP), Attendance Allowance (AA) or 'new style' Employment and Support Allowance (ESA).

We will assume that everyone in receipt of a disability benefit also has DRE and will apply a set amount of DRE rather than calculating an individual amount per person. We think there are several benefits of doing this:

- It will be quick and easy to do
- People will know what they will be expected to pay immediately
- People will be able to make informed choices about their care and support knowing the likely charge
- DRE can fluctuate so this gives people more stability about their charge
- People can choose to complete a full financial assessment at any time
- People won't need to provide us with as much evidence

Would a Self-assessment be of benefit to you?

Yes

No

Don't know

Can you tell us why you have said yes, no or don't know? (optional)

Question 8: Income

What we do now

We apply the Care Act 2014 rules and regulations. This means that we use the Minimum Income Guarantee (MIG) to ensure that people keep a level of income which covers living costs. This amount is set by The Department of Health and is reviewed annually.

What we want to change

We appreciate that disabilities affect people differently and people's needs vary. However, we need to make sure that we apply our policy fairly to everyone to make sure that no-one is unfairly disadvantaged or advantaged.

We want to know if we should allow certain groups of people to retain more of their income before we apply any Disability Related Expenditure they may have. For example, adults receiving care who are also able to work can increase their income through earnings, which the Care Act says we must disregard. However, adults with a severe disability who are not able to work, can't increase their income from earnings, so we are asking if they should be allowed to keep more of their benefit income.

Which groups of people, who share common characteristics, should be allowed to retain more of their income (above the Minimum Income Guarantee) (MIG)? (please tick)

People with a *severe disability

*a deficit in one or more areas of functioning that significantly limits an individuals performance of major life activities

People with a *disability

*a physical or mental impairment that has a substantial and long term adverse effect on the person's ability to carry out normal day-to day activities

People with a *mild disability

*ability to learn practical life skills, blend in socially, attain reading and math skills up to grade level 3-6, be functional in daily life, have no observable physical signs of disability

None/don't know

Please tell us why you have made this choice (optional)

Question 9: Disability Related Expenditure

What is Disability Related Expenditure (DRE)?

Disability Related Expenses are extra costs that a person may have to pay because of their disability or need. DRE only relates to non-residential care and to people who have been assessed to contribute towards the cost of their care. DRE is assessed as part of a financial assessment.

What we do now

We ask people to tell us what DRE they have, and we consider if this is a 'reasonable' cost. There are some issues in doing so, this is because what is 'reasonable' to one person might not be for another which can create unfairness and lack of consistency. We used fixed rates for some common items such as extra laundry costs. For larger purchases, e.g. a specialist wheelchair which cost £3,600, we would take the average life span of 10 years so the calculation would be as follows: £3,600/10 years/52 weeks = £6.92 per week.

What we want to change

- We will continue to use some fixed rates and these will be detailed in the Policy Appendix, which will be updated annually.
- We want to make sure our policy is clear on what DRE can be included.
- We want to establish if the cost is necessary. e.g. if it's needed instead of personal choice.
- We want to make sure the expense is reasonable e.g. if a suitable item can be purchased at a cheaper price we may limit the expense to a lower amount.

- We will make sure that the expense is directly linked to the person's disability, medical condition, or care need.
- We would check to see if the expense can be met by other means e.g. if it's in their personal budget already or can be provided by the NHS instead
- We want to explain how we will consider requests for DRE that aren't set out in the Appendix

Do you think this approach is fair?

Yes

No

Don't know

Can you tell us why you have said yes, no or don't know? (optional)

Question 10: Waivering charges

What we do now

We don't have a formal process for waivering charges for individuals that are suffering from severe financial hardship or have exceptional charges. Whilst requests are infrequent, it does mean that they are not easy to manage and administer.

What we want to change

We would like to detail a process for waivering charges for individuals that are suffering from severe financial hardship or have exceptional charges, this may be for a set period, in part, or in full.

We would need to understand how the hardship occurred and what steps the person has taken to remedy the situation. We think we would need to consider:

- the household income
- the household expenses
- any debts being paid and how these occurred
- if any money is being spent on addictions or habits and if help is being sought for those.
- if expenditure can be reduced and if steps have been taken to do so e.g. cancelling non-essential spend on subscriptions or shopping at cheaper shops, changing daily habits e.g. reducing daily visits to cafes
- If budgeting or debt advice has been sought e.g. from citizens advice
- How long the situation is likely to continue for and if it is likely to change

Do you think this approach is fair?

Yes

No

Don't know

Can you tell us why you have said yes, no or don't know? (optional)

Question 11: Comments

Do you have anything else you would like to say about the review of the charging policy?

Question 12: Equality Impact

We are committed to ensuring that our services, policies and practices are free from discrimination and prejudice and that they meet the needs of all sections of the community and promote and advance equality of opportunity. We would therefore be grateful if you would answer the questions below. You are under no obligation to provide the information requested, but it would help us greatly if you did.

A. What is your gender?

Male Female I use another term e.g. pangender

B. Is the gender you identify with the same as your sex registered at birth?

Yes no prefer not to say

C. What was your age on your last birthday (in numbers)?

D. Are you a parent or carer of a young person under the age of 17?

Yes no prefer not to say

E. If yes, what are the ages of the children in your care? (Please tick all that apply)

0-4 5-10 11-15 16-17

F. Are you a carer of a person aged 18 or over?

Yes no prefer not to say

G. What is your ethnic group? (please circle only one)

Indian

Pakistani

Bangladeshi

Chinese

Any other Asian background

Caribbean

African

Any other black, black British or Caribbean background

White and black Caribbean

White and black African

White and Asian

Any other mixed/multiple ethnic background

White English, Welsh, Scottish Northern Irish or British

Irish

Gypsy or Irish traveller

Roma

Any other white background

Arab

Any other ethnic group

H. What is your religion? (please circle only one)

No religion

Bha'i

Buddhist

Christian (all denominations)

Hindu

Jain

Jewish

Muslim

Sikh

Any other religion

I. Which of these activities best describes what you are doing at present?
(please circle only one)

Employee in full time job (30 hours plus per week)

Employee in a part time job (less than 30 hours per week)

Self-employed

On a government supported training programme

Full time education at school, college or university

Unemployed

Permanently sick or disabled

Retired from work

Looking after the home

Doing something else

J. What is your sexual orientation? (please circle only one)

Bi-sexual

Gay

Heterosexual/straight

Lesbian

Other

Prefer not to say

K. Armed Forces and Veterans? (please circle only one)

I am a serving member of the armed forces, including reservists and Territorial army

I am a veteran

I am a member of a current or former serving persons immediate family/household

This doesn't apply to me

END

COUNCIL

25 March 2024

PETERBOROUGH SHARED SERVICE AGREEMENT FOR REGULATORY SERVICES

Report of the Portfolio Holder for Transport, Environment and Communities

Strategic Aim	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Christine Wise, Portfolio Holder for Transport, Environment and Communities	
Contact Officer(s):	Penny Sharp – Strategic Director for Places	07973 854906 psharp@rutland.gov.uk
	Angie Culleton – Head of Environment and Sustainability	aculleton@rutland.gov.uk
Ward Councillors	All	

1 SUMMARY AND RECOMMENDATIONS

1.1 Summary

- 1.1.1 The report considers options for the future provision of regulatory services through a shared service level agreement and makes recommendations for a new agreement with Peterborough City Council with additional resource to meet increased demand in taxi licensing.

1.2 Recommendations

1. Approves the proposal to enter into a service level agreement to deliver Regulatory Services with Peterborough City Council from 1st April 2024 for a 5 year period.
2. Authorises the Strategic Director for Place, in consultation with the Portfolio Holder with responsibility for Transport, Environment and Communities, to enter into the agreement.

1.3 Reasons for Recommendations

- 1.3.1 The existing contractual arrangements with Peterborough and the excellent working relationship will ensure that in a new service level agreement, the continued shared service will provide seamless business continuity at a time of high demand in

environmental services.

2 REPORT

2.1 Introductory Paragraph

2.1.1 The existing shared service agreement with Peterborough City Council for Regulatory services expires on 31st March 2024. The wide range of functions within Regulatory Services include;

- Food Safety & Health and Safety
- Housing Enforcement
- Pollution Control
- Licensing
- Trading Standards

2.1.2 The shared Regulatory Services team at Peterborough provides an efficient and effective way to deliver holistic regulatory solutions to address non-compliance as well as support business growth and the service integrates well with their own legal services team. The shared service has been in operation since 2011 for 5 years. The current agreement was made in 2016 for 5 years and was extended in March 2021.

2.1.3 Rutland and Peterborough's combined service provides greater flexibility and resilience in use of resources, shared Environmental Health management costs and gives improved access to technical expertise and enhanced staff retention and development. Peterborough City Council, a unitary council delivering the full spectrum of regulatory services within the remit of Public Protection, is an ideal partner for Rutland. The existing contractual arrangements with Peterborough and excellent working relationship will ensure that the shared service provides seamless business continuity at a time of high demand in environmental services.

2.2 Options Considered

2.2.1 A number of alternative options for the shared service have been considered as set out in table 1 below;

2.2.2 Table 1

	Options	Consideration	Recommendation
1	Add inflation to the current contract value in line with existing contract	Not financially viable for PCC	Not recommended
2	Add inflation to the full cost recovery contract cost without additional licensing resource	Not deliverable with existing resources	Not recommended
3	Add inflation to the full cost recovery contract cost plus additional licensing resource	Deliverable and costs off-set	Recommended

		through additional licensing income	
4	Add inflation to the full cost recovery contract plus additional licensing resource and reduce resources in the contract to lower full cost recovery price	Potential redundancy costs and increased risk to service delivery	Not recommended
5	Add inflation to full cost recovery of higher level of service	Unaffordable within cash limits	Not recommended

- 2.2.3 Legal costs are not included within the Service Level Agreement (SLA). Environmental Health Officers have experience in regulatory services and work autonomously with minimal reference to internal PCC legal colleagues, however this is available on an informal basis. Whilst there is no charge for informal reference to legal colleagues at Peterborough, this will be explored so it is better understood in the new SLA.
- 2.2.4 At present when PCC's legal team have engaged third party legal support for litigation work such as recent health and safety cases, or potentially a substantial matter such as major policy development, the cost is billed separately. Under the existing SLA, all policy making, and renewal is excluded and remains a function of Rutland County Council.
- 2.2.5 In the new agreement, if legal work is required which would result in an additional cost to RCC, this will now be undertaken by RCC Legal Services. The SLA will reflect that change. RCC's Legal Services has considerable expertise and experience in undertaking regulatory work.

Background

- 2.2.6 The current contract charge is £532,960 per annum. In 2023, Peterborough City Council (PCC) conducted a corporate review of the shared service and found that the current contract value does not reflect full cost recovery for the shared service provision.
- 2.2.7 Based on the resource level agreed within the contract, the contract value required for cost recovery is £601,545, a shortfall of £68,555. When the shared service was set up, costs factored into the agreement related to staffing, the services transport, supply and services costs. No account was taken of corporate overheads or of the associated support costs that enable front line services to operate.
- 2.2.8 The review has also revealed that more resource has been used to deliver the contract than was agreed in the shared service. The full cost including the additional extra resource is estimated to be £781,834. A gap of £248,874 between contract value and cost recovery has been identified following a corporate wide review by PCC using modelling adopted by a number of councils and has been met by Peterborough City Council.
- 2.2.9 Significant additional demand in licensing through increased numbers of applications has continued and has brought in additional revenue to Rutland County

Council. However, the resource required to meet the demand has increased from 2.1 full time equivalents (FTE) to 3.1 FTE in order to meet the council's licensing function, which equates to an additional £60,024 with overheads.

- 2.2.10 A reduction in posts has been considered in order to reduce contract costs, however this would reduce the resources available in both pollution control and food safety resulting in unmet demand, reduced resilience and additional risk.
- 2.2.11 Other options, for example to bring in-house can be explored during the next service level agreement period.
- 2.2.12 There will also be a pay award for 2023/24 and inflation.

2.3 Consultation

- 2.3.1 No further consultation is planned.

3 IMPLICATIONS OF THE RECOMMENDATION

3.1 FINANCIAL IMPLICATIONS

This section has been approved by Andrew Merry, Head of Finance

- 3.1.1 Costed proposals were made by Peterborough City Council as set out in section 2.2. The recommended option is to agree the full cost recovery put forward by PCC based on the service level in the agreement at a cost of £601,545. A pay award for 2023/24 has not yet been added to the figures other than senior management. Inflation will also be applied for 2024/25.
- 3.1.2 The difference of £68,555 can be met within the budget of £632,171 for 2024/25 and this will cover the additional inflationary uplift without the need for reduction in head count.
- 3.1.3 The significant rise in demand for Licensing has brought in additional revenue to RCC. The resourcing required for Licensing in future will need to be 3.1FTE to fulfil the Councils Licensing function, equating to an additional £60,024 with overheads.
- 3.1.4 This additional licensing cost will be partly off-set through additional licensing fees in the first year and an increase to fees and charges is recommended to meet any gap which will be undertaken when the new taxi licensing policy is implemented in the new financial year.

3.2 LEGAL IMPLICATIONS

This section has been approved by Sarah Khawaja, Head of Legal & Democratic Services.

- 3.2.1 In 2011, Council approved the delegation of the delivery of the public protection function and enforcement of the relevant legislation to Peterborough City Council. The current delegation specifically excludes the policy making function.
- 3.2.2 The Legal Services function is no longer delegated to PCC and will not be included in the SLA. Legal support to Regulatory Services will be provided by RCC's Legal Services.

3.3 Risk Management Implications

[Please identify each risk, assessment of risk level, mitigations residual risk and where risk is recorded]

3.3.1 The main risks to this Report and the Council achieving its objectives are as follows:

3.3.2 Risk/s: Without a new service level agreement, there is a risk to continuity of the regulatory function on public health, licensing and pollution control.

3.3.3 Assessment of Risk; Medium

3.3.4 Mitigation: The new service level agreement will ensure continuity of the regulatory function with no additional risks to the provision. Changes to the arrangements are minimal.

3.3.5 Residual Risk Low

3.3.6 Record of Risk (Corporate Risk Register/Directorate Risk Register/Programme Risk Register/Project Risk Register).

3.4 DATA PROTECTION IMPLICATIONS

3.4.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no identified risks or issues to the rights and freedoms of individuals.

3.5 EQUALITY IMPLICATIONS

3.5.1 An Equality Impact Assessment (EqIA) has not been completed as the proposal is for a continuation of the current provision so there is no change to assess.

3.6 COMMUNITY SAFETY IMPLICATIONS

3.6.1 The Council has a duty in accordance with S17 Crime and Disorder Act 1988, when exercising its functions, to have due regard to the likely effect of that exercise of those functions on and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social behaviour).

3.6.2 This duty has been considered and there are no community safety implications relating to the recommendations.

3.7 HEALTH AND WELLBEING IMPLICATIONS

3.7.1 There are no health and wellbeing implications from the report.

3.8 ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS

3.8.1 On 11 January 2021 Rutland County Council acknowledged that it was in a climate emergency. The Council understands that it needs to take urgent action to address it.

3.8.2 There are no environmental and climate change implications of the Recommendations.

3.9 PROCUREMENT IMPLICATIONS

3.9.1 There are no procurement implications.

3.10 HR IMPLICATIONS

3.10.1 There are no HR implications.

4 BACKGROUND PAPERS

4.1 There are no background papers.

5 APPENDICES

5.1 There are no appendices to the report.

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COUNCIL

25 March 2024

PAY POLICY STATEMENT 2024-2025

Report of the Deputy Leader and Portfolio Holder for Governance and Resources

Strategic Aim	Providing good public services	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Andrew Johnson, Deputy Leader and Portfolio Holder for Governance and Resources	
Contact Officer(s):	Kirsty Nutton, Strategic Director of Resources	01572 758159 knutton@rutland.gov.uk
	Fiona Rowntree, Head of Human Resources and Organisational Development	FRowntree@rutland.gov.uk
	Sam Maher, Director HR & Cllr Development East Midlands Councils - Strategic HR Adviser to the Council	01664 502642 sam.maher@emcouncils.gov.uk
Ward Councillors	N/A	

1 SUMMARY AND RECOMMENDATIONS

1.1 Summary

1.1.1 The pay policy is a document that sets out the Council's arrangements for pay and includes information that is required by legislation to support transparency. It is a requirement for all local authorities to have the pay policy statement approved annually by Council.

1.2 Recommendations

1.3 That Council approves the annual pay policy for 2024/2025 at Appendix A.

1.4 That Council notes the updated position regarding national local government pay awards for 2024.

1.5 Reasons for Recommendations

1.5.1 It is a legal requirement for the pay policy to be approved by Council under the Localism Act 2011.

1.5.2 The pay information provided in the policy is subject to nationally negotiated pay awards.

2 REPORT

2.1 Introduction

2.1.1 This report presents the Council's pay policy statement for 2024/25. The "statement" is a document that sets out pay arrangements at the Council and includes specific information that is required by the Localism Act 2011. It is a requirement under that Act, that the pay policy statement is approved by Council on an annual basis.

2.1.2 The Council is part of national pay bargaining arrangements and therefore the pay information provided within the pay policy will be subject to changes arising from any national pay negotiations.

2.1.3 The report also provides an update for Members on national pay negotiations for local government for 2024.

2.2 Pay Policy Statement for 2024/25

2.2.1 The Localism Act of 2011 requires all local authorities to have a pay policy statement approved annually by Council by 31 March. Legislation sets out what information must be included within the pay policy statement.

2.2.2 The pay policy statement is a factual document that provides information on pay arrangements at the Council, with the purpose of providing transparency.

2.2.3 Councils are required to provide specific information within their pay policy statements, including relative pay levels of the highest earners compared to employees on the median and lowest pay levels, starting salaries and termination payments, an explanation of how pay is determined, pay and allowances, and jobs that are paid above £50,000 per year, shown within £5,000 pay brackets, rather than actual salary.

2.2.4 The pay policy statement that is being presented to Council for approval has been drafted in line with these requirements to ensure that the Council is complying with its legal obligations.

2.2.5 The pay policy statement provides an update on the policy that was approved by Council in March 2023.

2.2.6 The changes are a result of nationally negotiated pay awards for employees in local government that were agreed in May 2023 for Chief Officers and in November 2023 for Chief Executives and Local Government Services employees, the group that form the main body of the council workforce, often referred to as "Green Book" employees.

2.2.7 Those pay agreements saw an increase to salaries of 3.5% for Chief Officers and Chief Executives. For the majority of Green Book employees there was a flat rate increase to annual salaries of £1,925, while for those paid above the national pay spine there was a percentage increase of 3.88%. The increases were all effective from 1 April 2023.

2.2.8 The changes to pay that arose from the national pay awards have a knock-on effect on the relative pay levels between the highest, median and lowest pay rates and on jobs that are paid above £50,000 and in some cases, which £5,000 bracket the job falls within.

2.2.9 Apart from the changes highlighted above, all of the main provisions within the pay policy statement remain unchanged from the policy agreed in March 2023.

2.3 National Pay Negotiations for 2024

2.3.1 The Council's pay levels will similarly be affected by this year's national pay negotiations.

2.3.2 On 19 February representatives of Chief Executives submitted a pay claim for 2024 which asked for a pay increase in line with any increase awarded to Green Book employees. If a flat amount was awarded, then an equivalent percentage increase was requested, based on the pay increase at the top of the Green Book national pay spine.

2.3.3 On 29 February, the joint trade unions representing Green Book employees submitted a pay claim for 2024. In summary, this requested:-

2.3.4 An increase of at least £3,000 or 10 per cent (whichever is greater) on all spinal column points

2.3.5 Reviews of the gender, ethnicity and disability pay gaps in local government

2.3.6 A two-hour reduction in the working week, with no detriment

2.3.7 An additional day of annual leave for personal or well-being purposes (with term-time only staff also receiving a full day rather than a pro rata amount, that they can use at any time, including term time)

2.3.8 A phased approach to reaching a minimum pay rate of £15 an hour in a maximum of two years, sooner if possible

2.3.9 A regional pay consultation briefing is being hosted by East Midlands Councils on 26 March 2024 so that leading Councillors and senior officers can meet with national negotiators to discuss the claims and help inform the National Employers' response.

2.3.10 Factors such as affordability, recruitment/retention concerns and the pressure from the National Living Wage likely increases are expected to have a significant impact on any offer by the National Employers.

2.4 Options Considered

2.4.1 Alternative options have not been considered because the approval and publishing of the pay policy is a legal requirement, and the Pay Policy Statement is a factual document.

2.4.2 The Council is contractually required to comply with the outcome of national pay negotiations.

2.5 Background

2.5.1 The Localism Act 2011 includes provisions to support increased openness and transparency in pay arrangements for local government.

2.6 **Consultation**

2.6.1 There are no further consultations arising from this paper.

3 **IMPLICATIONS OF THE RECOMMENDATION**

3.1 **FINANCIAL IMPLICATIONS**

This section has been approved by Kirsty Nutton, Strategic Director for Resources

3.1.1 There are no financial issues arising directly from this Report. The Council makes provision within its budget for a national pay award and will assess any further impact and pressure as and when pay negotiations are concluded for 2024.

3.2 **LEGAL IMPLICATIONS**

This section has been approved by Sarah Khawaja, Head of Legal and Democratic Services

3.2.1 Section 38 of the Localism Act 2011 sets out the requirement for all relevant authorities to prepare a pay policy statement and stipulates the matters to be included. Rutland County Council is a relevant authority for these purposes. Section 39 of the Localism Act states that the pay policy statement must be prepared and approved before the end of the 31 March immediately preceding the year to which it relates.

3.3 **Risk Management Implications**

3.3.1 There are no risks arising from this Report.

3.4 **DATA PROTECTION IMPLICATIONS**

3.4.1 A Data Protection Impact Assessment (DPIA) has not been completed because there are no identified risks or issues to the rights and freedoms of individuals.

3.5 **EQUALITY IMPLICATIONS**

3.5.1 An Equality Impact Assessment (EqIA) has not been completed because there are no changes being proposed to the Council's pay policies and arrangements. The Council reports separately on its Gender Pay Gap to the Employment and Appeals Committee.

3.6 **COMMUNITY SAFETY IMPLICATIONS**

3.6.1 The Council has a duty in accordance with S17 Crime and Disorder Act 1988, when exercising its functions, to have due regard to the likely effect of that exercise of those functions on and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social behaviour).

3.6.2 This duty has been considered and there are no implications arising from this Report.

3.7 HEALTH AND WELLBEING IMPLICATIONS

3.7.1 There are no health and wellbeing implications arising from this Report.

3.8 ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS

3.8.1 On 11 January 2021 Rutland County Council acknowledged that it was in a climate emergency. The Council understands that it needs to take urgent action to address it.

3.8.2 There are no environmental and climate change implications of the Recommendations.

3.9 PROCUREMENT IMPLICATIONS

3.9.1 There are no procurement implications.

3.10 HR IMPLICATIONS

3.10.1 There are the no HR implications arising from the Report or the Pay Policy Statement, as it is a factual document.

4 BACKGROUND PAPERS

4.1 There are no additional background papers to this report.

5 APPENDICES

5.1 Appendix A – Pay Policy Statement 2024-2025.

An Accessible Version of this Report is available upon request – Contact 01572 722577.

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1. Scope of this policy

Appendix A

Pay Policy Statement 2024-2025

1.1 The Pay Policy Statement sets out the Council's approach to pay and remuneration in accordance with the requirements of Section 38 to 43 of the Localism Act and takes account of The Local Government Transparency Code. It does not extend to Schools.

1.2 The Pay Policy must be formally approved by Full Council by the end of March each year and can be amended in year. Once approved by Full Council, this policy statement will come into immediate effect and will be subject to further review on an annual basis.

1.3 The scope of this policy covers:

- Information on the Council's pay and conditions of service for its Chief Officers and wider workforce.
- Other specific aspects of Chief Officer Remuneration such as fees, charges and other discretionary payments.

1.4 A key requirement of the Localism Act is to set senior pay in the context of pay of the wider workforce and specifically the lowest paid staff. The pay of most staff covered by this Policy is determined by the National Joint Council for Local Government officers (Green Book) as the Council remains part of the nationally agreed framework.

1.5 The definition of Chief Officers for the purpose of this pay policy includes the Head of Paid Service, Directors, and Heads of Service.

2. Chief Executive and Chief Officer pay

2.1 The Chief Executive in Rutland discharges the accountability of Head of Paid Service – a statutory role defined by the Local Government and Housing Act. The conditions of service for the Chief Executive are determined by the Joint Negotiating Committee for Local Authority Chief Executives.

2.2 The Chief Executive of Rutland County Council has been appointed as Returning Officer. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Council, the role of Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the Council.

2.3 The fees in respect of Returning Officer duties at Local Government elections are included in the Chief Executive's salary. A separate fee is received for elections such as the Police and Crime Commissioner, Parliamentary elections, and Referendum.

2.4 The grading structure of the Chief Executive and Chief Officer posts is determined by a job evaluation process (supported by the Local Government Association). The Chief Executive post is assigned as Grade CX – this is the only post within this grade. Chief

Officer posts are Director posts (Grades C01, C02 and C03), Heads of Service across all Directorates (Grades HOS1 and HOS2). There is currently no post in the C01 grade.

2.5 The pay value and range are determined locally and reviewed periodically based on salary comparisons against similar posts in other local authorities. Due to Rutland's scale, direct comparators to a similar authority are more complex and the Council therefore reviews a range of salary models across Shires, Unitaries, Counties, District and Boroughs. All other conditions of service are determined by the respective Joint Negotiating Committee. Pay points are uplifted in accordance with the respective Joint Negotiating Committee pay awards on an affordability basis, ie. the Council retains the provision to not apply the full JNC pay award if it is considered cost prohibitive.

2.6 Progression within the pay band takes place on 1 April each year up to the top of the grade. However, annual progression will be withheld if the post holder is subject to formal capability or disciplinary action.

2.7 The Joint Negotiating Committees for Chief Executives and Chief Officers respectively, reached agreement on the April 2023 pay award of an uplift of 3.5% on annual salaries. This was comparatively less than the uplift provided to the majority of the workforce which is covered by the National Joint Council (NJC) for Local Government Services, which was a flat rate increase to annual salaries of £1925 as detailed in paragraph 3.1 below.

2.8 There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments, etc., paid to these senior managers. Senior managers at Rutland County Council do have the benefit of time off in lieu (TOIL) according to the authority's policy.

2.9 In addition to basic salary, senior managers are entitled to:

- Reimbursement of membership fees incurred in relation to membership of professional bodies (essential to the role)
- Business mileage undertaken – based on HMRC mileage rates
- Reimbursement of expenses which may be claimed as applicable to all other employees of the Council
- Payments for election duties.

3. The wider workforce

3.1 The Council remains aligned to national pay negotiations led by the National Employers in consultation with national trade unions (Unison, Unite and GMB). The pay award for April 2023 was agreed in November 2023 with an uplift of £1,925 across all pay points, pro-rata'd for part-time employees. The Council has extended the national pay spine to include pts 44 and 48 on a local agreement basis. This provides a pay range for the P05 grade.

3.4 The Council adopts the provision in the National Joint Council (NJC) Green Book and Statement of Written Particulars that enables the withholding of April increments for 'unsatisfactory service'.

3.5 Terms and Conditions of employment are in the most aligned to the NJC for Local Government Officers (Green Book) accept where locally agreed terms have been agreed.

3.6 Common with other local authorities, the Council employs staff on other terms and conditions of employment as relevant to their professional group, as follows:

- FENJC (Further Education National Joint Council) – applicable to Adult Learning Tutors
- Youth and Community Workers ('Pink Book').

3.7 On appointment, employees are normally appointed to the minimum point of the grade. However, for market and attraction reasons, they may be appointed above the minimum point.

4. Allowances and payments

4.1 Employees who are required to work overtime receive rates outlined in accordance with the National provisions (Green Book). Overtime is not payable to employees paid above scp 22. Appendix 5 outlines where there are supplementary local arrangements.

4.2 The Council recognises that at times it may be difficult to recruit new employees or retain existing staff in key posts. To ensure the Council attracts and maintains a skilled and experienced workforce, market supplements (recruitment and retention payments) may be paid in addition to the post grade subject to a strategic review with substantial evidence and data. Due regard will be given to the Financial Procedure Rules.

4.3 Relocation expenses may be paid to employees to cover additional costs they may incur as a result of relocating. These are in accordance with the Relocation Policy.

4.4 Employees temporarily acting up or covering additional responsibilities for a role which is graded higher than their substantive grade may be paid an appropriate level for the duties they are asked to perform. Such arrangements are provided for in the Council's Acting Up and Additional Responsibility Allowance Policy.

4.5 The Council will pay professional subscription fees on behalf of employees where the subscription or membership is an essential requirement to the duties of the post.

4.6 The Council reimburses subsistence expenditure necessarily incurred by the employees on Council business in line with the Council's Travel and Expenses Policy.

4.7 Employees will be in receipt of salary protection resulting from a change of role, grade and salary as part of a service review or restructure, in accordance with the Council's Restructure Policy.

4.8 The Council provides provision for employees who as part of their role are required to undertake standby duties.

5. Local Government Pension Scheme

5.1 All staff who are members of the Local Government Pension Scheme make individual contributions to the scheme depending on their salary. Contribution rates for 2024/25 range from 5.5% to 12.5%.

5.2 The Council makes employer's contributions into the scheme which are reviewed by the actuary. The rate for 2024/25 is 19.5%.

6. Relationship of Senior Pay to the Pay of the Wider Workforce

6.1 For the purposes of this policy, the Council defines its lowest paid employees as those in the lowest salary grade which is spinal point 3 of the nationally agreed pay spine (NJC Green Book). Based on the April 2023 pay values, this is £22,737 (£11.79 per hour).

6.2 It has been recommended by Will Hutton's 2011 Review of Fair Pay in the Public Sector that local authorities publish their "pay multiple" - the ratio between the highest paid salary and the median salary of the whole of the authority's workforce. This is in order to support the principles of fair pay and transparency.

Based on April 2023 values:

Chief Executive's Salary	£145,191
Median salary	£28,770
Median salary "pay multiple" ratio	1 : 5.05

6.3 Lowest paid staff comparison table:

There are 7 staff who are categorised as the Council's lowest paid staff as per the definition in paragraph 6.1. (excludes casuals and apprentices). Based on 1 April 2023 values:

Chief Exec's Salary	£145,191
Lowest Salary	£22,737
Lowest salary "pay multiple" ratio	1 : 6.39

7. Termination payments

7.1 In relation to the termination of employment, the Council will have due regard to the making of any appropriate payments where it is in the Council's best interests. Any such payments will be in accordance with contractual or statutory requirements and take into account the potential risk and liabilities to the Council, including any legal costs, disruption to services, impact on employee relations and management time. The Council will have specific regard to the legal requirements which apply to the termination of employment of the Head of Paid Service (Chief Executive), the Section 151 Officer (Strategic Director Resources) and the Monitoring Officer (Director of Legal and Governance).

7.2 Redundancy payments made by the Council are in line with regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This provides an overall lump sum of the statutory redundancy payment multiplier based on actual weeks' pay. This is payable to employees made redundant with two or more years' local government service.

7.3 Discretions that are provided by the LGPS are contained within a separate policy.

8. Re-engagement of employees

8.1 Employees who leave the Council on grounds of redundancy are not eligible to receive a redundancy payment if they are offered another post with any organisation covered by the Modification Order Act prior to their employment ending and commence their new role within 4 weeks of leaving.

8.2 Employees who have been made redundant are eligible to apply for vacancies which may arise after they have left the Council's employment. Any such applications will be considered together with those from other candidates and the best person appointed to the post. Any necessary adjustment to pension would be made in accordance with the scheme regulations.

8.3 The Council will not re-engage an ex-employee (who has been made redundant) in the capacity of a consultant, interim or agency worker within 2 years of leaving the Council. A shorter period may be considered in exceptional circumstances only (eg. significant skills shortage) and by approval of the Chief Executive.

9. Gender Pay Gap Reporting

9.1 In accordance with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 which came into force on 31 March 2017, employers with at least 250 employees are required to publish annual information as at 31 March each year. This information is published on the Council's website and on the Government's Gender Pay Gap website. It is also reported to the Employment and Appeals Committee on an annual basis.

10. Appendices

- 1 Glossary of terms
- 2 Chief Officer Pay Scale
3. Salaries above £50,000 in £5,000 bands
4. Rutland Pay Structure (NJC Green Book)
- 5 Allowances and Benefits – local terms

Version & Policy Number	Version 12
Guardian	Human Resources
Date Produced	January 2024
Next Review Date	January 2025

Approved by Full Council	25 March 2024
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Pay Policy 2024-2025 – Glossary of Terms

NJC 'Green Book'	NJC stands for National Joint Council. The Green book is the document that contains the national agreement on pay and conditions of service for 1.4 million local government services. This applies to most staff in Rutland (excludes for example Youth Workers, and Tutors, and senior officer posts on JNC Conditions - see below).
NJC Pay Spine	This relates to the salary levels that are negotiated through the Local Government Association (as the 'National Employer') and the trade unions (ie. Unison, GMB, Unite). Rutland's salary scales for posts on grades 1 through to P04 are determined by this pay scale and we are therefore subject to national pay bargaining which is led by the Local Government Association and negotiated with the trade unions.
Spinal Column Points (SCP)	The pay spine is made up of a number of Spinal Column Points (SCPs) and each has an associated salary value. These national spinal column points are then used to shape pay grades – therefore each grade has a number of spinal column points. SCPs are also sometimes known as incremental steps.
Annual / incremental progression	This is linked to the SCPs and provides for progression to the next SCP within the job holders' grade. This takes place on 1 April each year until the employee reaches the top of their grade – there is then no further SCP/ incremental progression and any pay increase is associated with any annual pay award that is negotiated nationally. Part of the national pay conditions means that an employee joining between October and March receive their first SCP progression/increment, 6 months after joining.
JNC for Chief Executives	This is the Joint Negotiating Committee (JNC) for Chief Executives and is the national negotiating body for the pay and conditions of service of Chief Executives in England and Wales. It is made up of representatives from the Local Government Association as the national employer and also representatives of Chief Executives and the registered independent trade union (ALACE).
JNC for Chief Officers	Similar to the JNC for Chief Executives but this relates to the terms and conditions of posts that are attached to a Chief Officer position. In Rutland this includes Directors and the two Heads of Service grades
Market Supplements	Market supplements are payable where the 'going rate' for a specific job or specialism is higher than that offered by the Council. The enhancement brings the base salary to a comparable market rate that enables the Council to recruit and retain key skills.

Pay Policy 2024-2025 – Grade and Pay Structure for Chief OfficersPay point figures relate to the national pay award effective from 1st April 2023

Job Title	Grade	Pay Points as at 1.4.2023
Chief Executive	CX	£139,463 £141,470 £143,473 £145,192
No posts currently attached to this grade	CO1	£110,825 £112,829 £114,834 £116,552
Strategic Director Resources (s.151 Officer) Strategic Director Places Strategic Director Children & Families Strategic Director Adults & Health Strategic Director of Legal & Governance (Monitoring Officer)	CO2	£93,641 £95,645 £97,650 £99,368
No posts currently attached to this grade	CO3	£84,190 £86,192 £87,913
Head of SEND, Inclusion & Learning Head of Children's Social Care & Family Help Head of Communities & Prevention Head of Adult Social Care Head of Public Realm Head of Quality Assurance & Practice Improvement	HOS1	£74,164 £75,850 £77,429 £78,989 £80,547 £82,184
Head of Commissioning Head of Culture & Regeneration Head of ICT & Digital Transformation Head of Human Resources Head of Finance Head of Property Services Head of Community Care Services Head of Sustainable Economy & Place Head of Corporate Services Head of Prevention & Assurance	HOS2	£66,295 £67,836 £69,412 £70,975 £72,528 £74,113

Head of Legal & Democratic Services		
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Rutland County Council – Salaries over £50,000

In line with Section 12 of the Code of Recommended Practice for Local Authorities on Data Transparency, salaries are shown in £5,000 bands, as at 1st April 2023.

Directorate	Job Title
£145,000 - £149,999	
Chief Executives	Chief Executive
£95,000 - £99,999	
Adults & Health	Strategic Director Adults and Health
Children & Families	Strategic Director Children and Families
Places	Strategic Director Places
£90,000 - £94,999	
Resources	Strategic Director - Resources
Adults & Health	Strategic Director Adults and Health
£85,000 - £89,999	
Law & Governance	Strategic Director of Law & Governance
£80,000 - £84,999	
Children & Families	Head of Early Help, SEND and Inclusion
Children & Families	Head of School Improvement
Children & Families	Head of Children Social Care
Places	Head of Public Realm
£70,000 - £74,999	
Adults & Health	Head of Adult Social Care
Adults & Health	Head of Community Care Services
Law & Governance	Head of Commissioning
Places	Head of Property Services
Places	Head of Sustainable Economy and Place
Places	Head of Culture and Registration
Resources	Head of ICT & Digital
Resources	Head of Human Resources
Law & Governance	Head of Corporate Services
Resources	Head of Finance
£65,000 - £69,999	
Adults & Health	Head of Prevention & Assurance
£55,000 - £59,999	
Children & Families	Learning and Skills Manager
Children & Families	Service Manager – Supporting Families
Law & Governance	Legal Services Manager
Law & Governance	Business Intelligence Manager
Law & Governance	Corporate Projects Programme Manager
Places	Development Manager - Planning
Places	Principal Highways Manager
Adults & Health	Service Manager Community Care Services
Children & Families	Service Manager - Learning and Skills
Children & Families	Service Manager – SEND & Inclusion
Adults & Health	ASC Quality Lead/Principal Social Worker

Children & Families	Service Manager Safeguarding (Children)
Law & Governance	Communications Service Manager
Places	Planning Policy and Housing Manager
Places	Principal Operations Manager (Public Protection & Environment Services)
£50,000 - £54,999	
Adults & Health	Service Manager, Health & Wellbeing Integration Lead
Children & Families	Family Hub Programme Manager
Children & Families	SEND Programme Manager
Resources	Revenues and Benefits Manager
Places	Senior Transport Manager

PAY STRUCTURE - 1 April 2023

NJC Green Book

Notes

Pay points 10,13,15,18 and 21 are excluded from Rutland pay structure.

Grade P05 is a Rutland local grade - pay points are uplifted in line with the National Pay Award.

		April 2023 pay		
Pay Grade		SCP	£ per annum	£ per hour
			Pay point deleted April 2023	
Grade 1		1		
1 - 3				
		2	22366	11.59
		3	22737	11.79
Grade 2				
3 - 4		4	23114	11.98
Grade 3		5	23500	12.18
5 - 6				
		6	23893	12.38
		7	24294	12.59
Grade 4		8	24702	12.80
7 - 11		9	25119	13.02
		10	25545	13.24
		11	25979	13.47
		12	26421	13.69
Grade 5		13	26873	13.93
12 - 17		14	27334	14.17
		15	27803	14.41
		16	28282	14.66
		17	28770	14.91
		18	29269	15.17
Grade 6		19	29777	15.43
19 - 22		20	30296	15.70
		21	30825	15.98

	22	31364	16.26
	23	32076	16.63
Grade S01	24	33024	17.12
23 - 25	25	33945	17.59
	26	34834	18.06
Grade S02	27	35745	18.53
26 - 28	28	36648	19.00
	29	37336	19.35
	30	38223	19.81
Grade P01	31	39186	20.31
29 - 32	32	40221	20.85
	33	41418	21.47
	34	42403	21.98
Grade P02	35	43421	22.51
33 - 36	36	44428	23.03
	37	45441	23.55
Grade P03	38	46464	24.08
37 - 39	39	47420	24.58
	40	48474	25.13
Grade P04	41	49498	25.66
40 - 43	42	50512	26.18
	43	51515	26.70
	44	53635	27.80
Grade P05	45	54622	28.31
44 - 48	46	55590	28.82
	47	56568	29.32
	48	57539	29.83

Rutland County Council – Salaries over £50,000

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£80,000 - £84,999	
Children & Families	Head of Early Help, SEND and Inclusion
Children & Families	Head of School Improvement
Children & Families	Head of Children Social Care
Places	Head of Public Realm
£70,000 - £74,999	
Adults & Health	Head of Adult Social Care
Adults & Health	Head of Community Care Services
Law & Governance	Head of Commissioning
Places	Head of Property Services
Places	Head of Sustainable Economy and Place
Places	Head of Culture and Registration
Resources	Head of ICT & Digital
Resources	Head of Human Resources
Law & Governance	Head of Corporate Services
Resources	Head of Finance
£65,000 - £69,999	
Adults & Health	Head of Prevention & Assurance
£55,000 - £59,999	
Children & Families	Learning and Skills Manager
Children & Families	Service Manager – Supporting Families
Law & Governance	Legal Services Manager
Law & Governance	Business Intelligence Manager
Law & Governance	Corporate Projects Programme Manager
Places	Development Manager - Planning
Places	Principal Highways Manager
Adults & Health	Service Manager Community Care Services
Children & Families	Service Manager - Learning and Skills
Children & Families	Service Manager – SEND & Inclusion
Adults & Health	ASC Quality Lead/Principal Social Worker

Children & Families	Service Manager Safeguarding (Children)
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Places	Planning Policy and Housing Manager
Places	Principal Operations Manager (Public Protection & Environment Services)
£50,000 - £54,999	
Adults & Health	Service Manager, Health & Wellbeing Integration Lead
Children & Families	Family Hub Programme Manager
Children & Families	SEND Programme Manager
Resources	Revenues and Benefits Manager
Places	Senior Transport Manager

Rutland County Council Allowances and Benefits

Monetary Benefits

Mileage rates	Paid in line with current HMRC rates
Acting up/Additional Responsibility Allowance	At levels appropriate to the post acted up to
Expenses	Paid at NJC rates
Market Supplements	Where the need for a supplement has been demonstrated through recruitment practices and benchmarking
Professional fees/ Training subscriptions	Where essential and appropriate to the post
Standby	In accordance with Corporate Policy
Relocation	Where applicable and in accordance with the Relocation Policy
Sleeping In	Paid at NJC rates

Local agreement regarding weekend enhancements:

For work on a Saturday or Sunday as part of the normal working week, payment will be made at time and a half for all hours worked. For employees paid at SCP 4 or below, work on a Sunday will be at double time. Work on a Saturday or Sunday outside the normal working week will be regarded as overtime.

Local agreement – enhancements for weekend working for Registrars

Registrars will be paid enhancements for weekend working - work on a Saturday or Sunday as part of the normal working week, payment will be made at time and a half

Consolidated salaries

Where roles are defined as providing a service over 7 days, such contracts will be considered as all-inclusive with no differentiation of pay rates between Monday to Friday and weekends (unless and accept that such rates are necessary for recruitment and retention purposes).

Shift Allowance

The Council working patterns do not include shift patterns and therefore there are no supplementary payments or allowances other than those provided by overtime or weekend enhancements.

Apprentices rates of pay

The Council pays an hourly rate above the National Minimum Wages rates for Apprentices in order to provide a fair and competitive rate of pay that enables us to recruit and retain quality Apprentices.

Other benefits – where appropriate to the post

Flexi time Time off in lieu (TOIL) Other flexible working arrangements where appropriate for the post Training – professional training and/or internally arranged where appropriate.

COUNCIL

25 March 2024

CATMOSE SPORTS CONTRACT

Report of the Leader of the Council

Strategic Aim	Provide good public services	
Exempt Information	Yes, Exempt Appendix B contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A: Information relating to the financial or business affairs of any particular person (including the authority holding that information).	
Exemption authorised by Chief Executive:	Yes	
Cabinet Member(s) Responsible:	Cllr Gale Waller, Leader of the Council	
	Cllr Christine Wise, Portfolio Holder for Environment, Transport and Communities	
Contact Officer(s):	Penny Sharp Strategic Director for Places	01572 758160 psharp@rutland.gov.uk
Ward Councillors	All	

1 SUMMARY AND RECOMMENDATIONS

1.1 Summary

1.1.1 This report informs Council of the outcome of the second procurement exercise for the operation of the Catmose Sports Centre in Oakham and outlines the options available to Council.

1.2 Recommendations

1.2.1 That Council considers the information contained within this report and approves the recommendations outlined in the exempt appendix.

1.3 Reasons for Recommendations

1.3.1 At the end of the contract period for the current provider, Stevenage Leisure Limited, the Council was unable to procure an operator to run the Catmose Sports facility on a net-nil revenue basis.

1.3.2 On Tuesday 14 February Cabinet decided to extend the Stevenage Leisure Limited contract for the operation of the Catmose Sports Centre for up to 24 months, to 31 March 2025, to enable a second procurement exercise. It is now proposed that Council approve the recommendation regarding the contract to operate the Catmose Sports facility as outlined in the exempt appendix.

2 REPORT

2.1 Introductory Paragraph

2.1.1 Provision of leisure facilities at Catmose College was designed to be run at a net nil revenue cost to the Council since the original inception of the provision in 2009.

2.1.2 An earlier procurement exercise in 2022 was unsuccessful in securing an operator for the Catmose Sports Centre at nil cost to the Council. Following the decision of Cabinet on 14 February 2023 a new procurement exercise was conducted with support from Welland Procurement.

2.1.3 The new tender exercise again sought to find an operator who can run Catmose Sports Centre at a net-nil revenue cost to Rutland County Council. However, the process did not discount bids that carry some degree of financial risk, so they could be evaluated.

2.2 Options Considered

2.2.1 There are two main options in relation to the provision of Catmose Sports Centre following this procurement exercise:

2.2.2 Award a new contract for the operation of Catmose Sports Centre based on the outcome of the new procurement process outlined above.

2.2.3 Not award a new contract for the operation of Catmose Sports Centre and seek to surrender the lease for the sports facilities with Catmose College.

2.3 Background

2.3.1 Appendix A provides a chronology of the Catmose Sports Centre.

2.3.2 As outlined above the leisure facilities at Catmose College were designed to be run at a net-nil revenue cost to the Council. The Council commissioned an operator (Stevenage Leisure Ltd, SLL) to provide leisure facilities at Catmose College under a 10-year contract from 2011 to 2021 on a net-nil revenue basis.

2.3.3 Alongside the academisation of Catmose College in 2011, Rutland County Council entered into a 40-year lease with the College to ensure continued public access to the new sports facilities, which is scheduled to end in February 2051.

2.3.4 The original contract has been extended twice in order to undertake procurement of a successor provision but has required financial support as a result of the impact of the pandemic.

2.3.5 Following the Covid-19 pandemic membership numbers (monthly and annual Direct Debit payers) have significantly declined.

2.3.6 18 community clubs currently also use the Catmose Sports Centre, including

badminton (4 groups) trampolining, football, cricket, skating and others. Other schools and colleges within the County provide access to facilities for community groups for which the Council does not provide financial support, although there is limited capacity available. Further detail is provided in appendix C.

- 2.3.7 The current site operators run a holiday club “Wild Camp”. This provision is not part of the existing or proposed contracts and would not necessarily be provided if a contract were to be awarded. The Council has no obligation to provide this type of provision. Alternative holiday provision is provided in other settings in the County, including at Brooke Hill Academy, Oakham School, Uppingham School, Whissendine Holiday Club, Casterton Nursery and other venues.
- 2.3.8 Rutland’s Public Health team have reviewed the health and wellbeing implications of the provision and have provided comments in section 2.7 below.
- 2.3.9 There is no statutory requirement for councils to provide sports and leisure services and facilities. Councils receive no dedicated funding from government to provide sports and leisure services and facilities. The Council’s approved budget has been set based on the Catmose Sports Centre being at a net-nil revenue cost to the Council. If the Council approves any proposal that requires ongoing financial support for the provision, it will need to agree additional savings or service reductions beyond the £4.5m already approved in the budget.

2.4 Consultation

- 2.4.1 There is no statutory requirement for councils to provide leisure centres or to consult on their operation. As the procurement involves commercially sensitive information it has not been possible to publish or consult on financial aspects of the contract.
- 2.4.2 Officers have kept Sport England and Catmose College informed during the procurement process.

3 IMPLICATIONS OF THE RECOMMENDATION

3.1 FINANCIAL IMPLICATIONS

- 3.1.1 This section has been approved by Kirsty Nutton, Strategic Director for Resources
- 3.1.2 The exempt appendix details the financial implications arising from the outcome of the procurement.
- 3.1.3 The Council has already provided substantial financial support for the Catmose Sports provision in recent years totalling £801,807. Details are provided in the exempt appendix.

3.2 LEGAL IMPLICATIONS

- 3.2.1 This section has been approved by Angela Wakefield, Strategic Director for Law and Governance.
- 3.2.2 All procurement processes have been conducted in partnership with the Welland Procurement Unit, in line with the requirements of the Public Contracts Regulations 2015 and the Council’s Contract Procedure Rules.

3.2.3 The procurement process will not be concluded until bidders have been formally notified of the award decision and in the meantime the contents of the tender submissions, Council's deliberations and its decision must remain confidential. Following notification of the award decision, Council will give consideration to what further information may be made public.

3.3 RISK MANAGEMENT IMPLICATIONS

3.3.1 The main risks to this Report and the Council achieving its objectives are outlined in the Exempt Appendix.

3.4 DATA PROTECTION IMPLICATIONS

3.4.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no identified risks or issues to the rights and freedoms of individuals.

3.4.2 EQUALITY IMPLICATIONS

3.4.3 An Equality Impact Assessment (EqIA) has been completed. A copy of the EqIA can be obtained from the report author (see report front page).

3.5 COMMUNITY SAFETY IMPLICATIONS

3.5.1 The Council has a duty in accordance with S17 Crime and Disorder Act 1988, when exercising its functions, to have due regard to the likely effect of that exercise of those functions on and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social behaviour).

3.5.2 This duty has been considered and there are no community safety implications relating to the recommendations.

3.6 HEALTH AND WELLBEING IMPLICATIONS

3.6.1 In Rutland, 20.8% of adults are physically inactive (2021/22). This is similar to the East Midlands (22.9%) and England (22.3%) averages. For children and young people aged 5 to 18 years, 45.6% meet the recommended 60 minutes of physical activity a day in Rutland, compared to 49% for the East Midlands average and 47% for the England average.

3.6.2 Evidence suggests ([Office for Health Improvement and Disparities](#)) that physical inactivity is associated with 1 in 6 deaths in the UK. The health benefits of being physically active are significant, helping to prevent over 20 chronic conditions including some cancers, heart disease, type 2 diabetes and depression. The reduced risk can be up to 30% for some conditions.

3.6.3 Provision of accessible facilities to enable individuals and groups to participate in sports and recreation can be of significant benefit to the health and wellbeing of the community. A vibrant sports community that already exists in Rutland is likely to be a significant contribution to the generally high levels of health and wellbeing recorded in the County. A positive attitude to physical fitness and personal health has also been shown to improve the mental wellbeing of individuals. The range of facilities and pursuits available in Rutland is also a strong draw for persons considering relocating to the area.

- 3.6.4 If the Catmose Sports facility closes there could be an impact on the wellbeing of residents both young and old. The loss of public access to the Catmose fitness facilities could result in a reduction in levels of physical activity within the County. However, there is a network of alternative provision within the County, which may be able to absorb some of the displaced users from the Catmose Sports facility.
- 3.6.5 Individualised physical activity support via the council for people with long term conditions through the 'Active Referral' programme is not within scope of the Catmose Sports decision. This follows a redesign of the service in 2023 to incorporate internal delivery in partnership with community providers.

3.7 ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS

- 3.7.1 On 11 January 2021 Rutland County Council acknowledged that it was in a climate crisis. The Council understands that it needs to take urgent action to address it.
- 3.7.2 There are no environmental and climate change implications arising from the Recommendations.

3.8 PROCUREMENT IMPLICATIONS

- 3.8.1 The procurement implications are set out in the body of this report.

3.8.2 HR IMPLICATIONS

- 3.8.3 There are no HR implications arising from this report.

4 BACKGROUND PAPERS

- 4.1 There are no background papers to the report.

5 APPENDICES

- 5.1 Appendix A: Catmose Sports Chronology
- 5.2 Exempt Appendix B: Commercially Sensitive Information
- 5.3 Appendix C: County Sports Hall Provision

An Accessible Version of this Report is available upon request – Contact 01572 722577.

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Appendix A: Catmose Sports Chronology

- 11/2004 Government announced all local authorities should have capital funding allocated to rebuild at least one secondary school by 2011.
- 2005 Council agreed to plan a new centre for sports and leisure in Oakham to expand the provision of community facilities at the Vale of Catmose College (report 91/05).
- 10/07/2006 Council agreed to accept Building Schools for the Future (BSF) finance to rebuild Catmose College as part of the One School Pathfinder programme.
<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=145&MeetingId=703&DF=10%2f07%2f2006&Ver=2>
- 05/09/2006 Cabinet agreed to the establishment of a Project Board to take forward the College Rebuild, combined with new sports facilities and a public art gallery, and a Disabilities Resource Centre.
<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=133&MeetingId=464&DF=05%2f09%2f2006&Ver=2>
- 02/07/2007 Council agreed the preferred option for developing a Master Plan for the project now termed "The Big Build".
<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=145&MeetingId=719&DF=02%2f07%2f2007&Ver=2>

15/10/2007 Council agreed the Master Plan for the Big Build. Rutland County Council directly undertook the rebuild of the College, receiving and expending the funding for the project.

<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=145&MeetingId=723&DF=15%2f10%2f2007&Ver=2>

01/09/2008 RCC accepted a £500,000 grant from Sport England to assist with funding the construction of the Catmose Sports facilities. The agreement is directly between Rutland County Council and Sport England. The College was not a party to the funding arrangement as this took place prior to academisation, at a time when the Vale of Catmose College was a Foundation Comprehensive School.

02/03/2009 Details of the £29.86m Big Build project approved by Council. Key assumptions for the project were that the Campus would become a multi-functional shared use community space, incorporating learning, arts, sport, culture, disability resources, and that the College would remain a Foundation School.

<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=145&MeetingId=743&DF=02%2f03%2f2009&Ver=2>

12/10/2009 Stevenage Leisure Ltd (SLL) appointed to operate the Catmose Sports Centre under a 10-year contract which commenced 1st April 2011, running to 31st March 2021.

<https://rutlandcounty.moderngov.co.uk/CeListDocuments.aspx?Committeed=145&MeetingId=751&DF=12%2f10%2f2009&Ver=2>

01/04/2011 Catmose College academised, becoming independent of local authority control and focusing on academic and curriculum excellence. Over subsequent years as pressure of numbers on roll have increased, community hub elements of the campus have ceased or relocated off site, with the exception of the sports facilities. The public art gallery was closed in 2011, the Adult Learning suite in 2014, the café in 2015, the Sure Start Children's Centre in 2017, and the Brightways disability provision in 2021.

21/01/2020 Cabinet agreed to extend SLL's contract by one year to 31st March 2022, to allow time to procure a new contract.

<https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?Committeed=133&MId=2055&Ver=4>

23/03/2020 First Covid Lockdown as part of the pandemic response, including the mandatory closure of sports facilities.

- 15/09/2020 Cabinet agreed financial support for SLL, in common with most local authorities across the country. Details of the potential financial impact of the operator failing were included in the exempt appendix to the report.
- <https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=133&MId=2263>
- 12/01/2021 Cabinet agreed to the commissioning of a Leisure Needs Analysis and Options Appraisal to define what leisure provision would be needed for the county in the future. Cabinet also agreed to extend SLL's contract to 31st March 2023 to allow this work to be completed and if necessary a procurement process to be undertaken.
- <https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=133&MId=2267&Ver=4>
- 07/10/2021 The Growth, Infrastructure and Resources Scrutiny Committee received a presentation outlining the results of the Leisure Review. Scrutiny's views were sought on the future of the Catmose Sports facility, and whether there should be capital investment in leisure provision.
- <https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=346&MId=2518&Ver=4>
- 16/11/2021 Cabinet received the Leisure Needs Analysis and Options Appraisal and Report No. 156/2021 from the Scrutiny Committee, which included recommendations that the pool at Catmose should not be re-opened; and that the dry side operation should be maintained with zero cost to RCC and with public access where possible. Cabinet agreed these recommendations and directed the Strategic Director for Places to explore whether procurement of a dry side nil-cost contract was achievable.
- <https://rutlandcounty.moderngov.co.uk/documents/g2357/Printed%20minutes%2016th-Nov-2021%2010.00%20Cabinet.pdf?T=1>
- 05/04/2022 Cabinet approved a procurement exercise for a Catmose Sports contract to be undertaken with Welland Procurement, on the basis of nil net cost to the Council and the College, with the award of any contract being subject to Cabinet approval.
- <https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=133&MId=2516>
- 29/07/2022 Invitation to Tender for the Catmose Sports Contract issued.
- 04/11/2022 Bidding closed.

12/01/2023 Cabinet considered the outcome of the bidding process under which no nil cost tenders had been submitted and decided to terminate the lease with Catmose College and consequently cease public access to the facility.

<https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?Clid=133&Mid=2612>

14/02/2023 Cabinet rescinded their January decision and authorised an extension of the SLL contract for up to 24 months, and the undertaking of a new procurement exercise which would not discount bids with some financial risk.

<https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?Clid=133&Mid=2613>

03/11/2023 Bidding process for the second procurement closed; evaluation of tenders undertaken.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Appendix C - County Sports Hall provision

As part of the Leisure Needs Analysis work reported to Cabinet on 16th November 2021 an assessment was provided by Sport England of the County's sport hall provision. The report can be found in full at:

<https://rutlandcounty.moderngov.co.uk/documents/s21311/Report%20No.%201612021%20-%20Appendix%20A.pdf>

There are 7 individual sports halls located on 5 sites within Rutland. The total supply of sports halls in terms of badminton courts, is 32 courts, of which 25 were available in the weekly peak period for community use (known as the effective supply). The peak period is weekday evenings (up to 5 hours per day) and weekend days (up to 7 hours per weekend day). The difference between the total supply of badminton courts and the effective supply is because of the variable hours of access for community use at the sports halls located on education sites.

Sports Hall Supply in Rutland:

Name of Site	Type	Dimensi ons	Area	No of Courts	Site Year Built	Site Year Refurb	% of Capacity Used
CASTERTON BUSINESS AND ENTERPRISE COLLEGE	Main	41 x 21	867	5	1970	2009	40%
CATMOSE SPORTS CENTRE (new)	Main	40 x 35	1380	8	2011		37%
CATMOSE SPORTS CENTRE (old)	Main	27 x 18	486	3	1980		-
OAKHAM SCHOOL SPORTS CENTRE	Main	33 x 18	594	4	1972	2015	41%
UPPINGHAM COMMUNITY COLLEGE	Main	35 x 20	690	4	1977	1998	16%
UPPINGHAM SCHOOL SPORTS CENTRE	Main	51 x 18	918	6	2010		36%
UPPINGHAM SCHOOL SPORTS CENTRE	Activity Hall	17 x 9	153	N/A			-

Capacity data was calculated in 2021, during the recovery from the pandemic.

The Active Rutland Hub is not included in the listing as the two sports halls are leased to private clubs and are not available for hire.

Closure of the Catmose Sports Centre would remove the two sports halls (11 badminton courts) from the available supply in the County.

The key findings of the report for the Catmose Sports Centre were as follows (section 9.21 onwards):

“The Catmose Sports Centre is a very extensive centre and provides the best all-round offer for the playing of hall sports in the County. It is the only public leisure centre in the County and therefore the most important to retain to ensure the fullest access and availability for all types of use.

In simple quantitative terms, there is enough supply to meet demand, should the centre not be retained – based on this one-year assessment. However, the County Council does not own or determine the access for community use at the other sports hall sites. Should education providers reduce access, then the supply and demand balance changes significantly, without the Catmose centre in the supply.”

Although there is some capacity in the other sports halls in the County, with the exception of the 4 badminton courts at Oakham School, all would require relocation of a significant distance for the clubs. There is no guarantee that the other sites would have availability at suitable times for the displaced clubs.

Current club use at Catmose is as follows:

Club	Sessions	Number of Attendees
Charnwood Rutland Netball Club	1 per week	40
Rutland Kickboxing club	2 per week	10
Ilona Baker Badminton	1 per week	12
Professional Martial arts school	1 per week	20
Rutland Dance Academy	2 per week	10-15 per age group
Paul Taylor Badminton	1 per week	4
Nelsons Butchers 5 aside football	1 per week	11
Rutland Trampoline Club	1 per week	20 per age group
Rutland Athletics club	1 per week	10
Rutland swords	1 per week	5
Rutland u3a	2 per week	10
Oakham Badminton club	1 per week	12
Catmose skaters club	1 per week	150/200 in total

Club	Sessions	Number of Attendees
Oakham Walking football	3 per month currently (not all year round)	15
Royce Rangers	1 per week (not all year round)	10
Rutland Running and Triathlon club	1 per month (not all year round)	10
Market Overton Cricket Club	2 per week (not all year round)	20
Badminton England	3 per year	100

Other indoor venues

In addition to the formal sports halls in the county, there is an extensive network of other indoor venues. The table below has been compiled with support from the county's Local Sports Alliance. Not all of the spaces will be suitable for formal sports activities (marked-out courts etc.) and not all will have availability / community access.

Name	Facility Type	Town / Village	Description
ACTIVE RUTLAND HUB	Community Venue	Ashwell	Sports Halls (3 court + 2 court)
ASHWELL VILLAGE HALL	Village Hall	Ashwell	Multi purpose hall
BARLEYTHORPE LODGE	School/College	Oakham	Pavillion Lounge area
BARROWDEN VILLAGE HALL	Village Hall	Barrowden	Multi purpose hall
BEFIT GYMNASIUM	Private Club	Oakham	Health and Fitness Suite
BELTON-IN-RUTLAND VILLAGE HALL	Village Hall	Belton-in-Rutland	Multi purpose hall
BODY POWER FITNESS OAKHAM	Private Club	Oakham	Health and Fitness Suite
BODY POWER FITNESS OAKHAM	Private Club	Oakham	Studio
BRAUNSTON & BROOKE VILLAGE HALL	Village Hall	Braunston-in-Rutland	Multi purpose hall
BROOKE HILL ACADEMY	School/College	Oakham	Multi purpose hall
BROOKE PRIORY SCHOOL	School/College	Oakham	Multi purpose hall
CALDECOTT VILLAGE HALL	Village Hall	Caldecott	Multi purpose hall
CATMOSE SPORTS CENTRE	School/College	Oakham	Health and Fitness Suite
CATMOSE SPORTS CENTRE	School/College	Oakham	Studio

Name	Facility Type	Town / Village	Description
CATMOSE SPORTS CENTRE	School/College	Oakham	Studio
CATMOSE PRIMARY SCHOOL	School/College	Oakham	Multi purpose hall
COTTESMORE COMMUNITY CENTRE	Community Centre	Cottesmore	Multi purpose hall
COTTESMORE PRIMARY SCHOOL	School/College	Cottesmore	Multi purpose hall
COTTESMORE SCOUT/GUIDE HUT	Community Centre	Cottesmore	Multi purpose hall
CROSSFIT OAKHAM	Private Club	Ashwell	Cross fit gym
EDITH WESTON PRIMARY SCHOOL	School/College	Edith Weston	Multi purpose hall
EDITH WESTON PRIMARY SCHOOL	School/College	Edith Weston	Hydro pool
EDITH WESTON VILLAGE HALL	Village Hall	Edith Weston	Multi purpose hall
EGLETON INSTITUTE	Community Centre	Egleton	Multi purpose hall
EMPINGHAM, AUDIT HALL	Village Hall	Empingham	Multi purpose hall
ENERGIE FITNESS FOR WOMEN	Private Club	Oakham	Health and Fitness Suite
ENGLISH MARTYRS' CATHOLIC PRIMARY SCHOOL	School/College	Oakham	Multi purpose hall
ESSENDINE VILLAGE HALL	Village Hall	Essendine	Multi purpose hall
EXTON & GREETHAM COFE PRIMARY SCHOOL	School/College	Exton	Multi purpose hall
EXTON VILLAGE HALL	Village Hall	Exton	Multi purpose hall
GREAT CASTERTON COFE PRIMARY SCHOOL	School/College	Great Casterton	Multi purpose hall
GREETHAM COMMUNITY CENTRE	Community Centre	Greetham	Sports Hall
GREETHAM VALLEY HOTEL GOLF AND CONFERENCE CENTRE	Private Club	Greetham	Health and Fitness Suite
HAMBLETON VILLAGE HALL	Village Hall	Hambleton	Multi purpose hall
INSPIRE2TRI	Private Club	Manton	Gym, fitness studio, endless pool, classes
KENDREW BARRACKS	MOD	Cottesmore	Health and Fitness Suite
KENDREW BARRACKS	MOD	Cottesmore	Sports Hall

Name	Facility Type	Town / Village	Description
LANGHAM ST JOHN THE BAPTIST CHURCH HALL	Church Hall	Langham	Multi purpose hall
LANGHAM VILLAGE HALL	Village Hall	Langham	Multi purpose hall
LEIGHFIELD PRIMARY SCHOOL	School/College	Uppingham	Multi purpose hall
LYDDINGTON VILLAGE HALL	Village Hall	Lyddington	Multi purpose hall
LYDDINGTON, ST JOHN THE BAPTIST CHURCH HALL	Church Hall	Lyddington	Multi purpose hall
LYNDON VILLAGE HALL	Village Hall	Lyndon	Multi purpose hall
MANTON VILLAGE HALL	Village Hall	Manton	Multi purpose hall
MARKET OVERTON VILLAGE HALL	Village Hall	Market Overton	Multi purpose hall
MORCOTT VILLAGE HALL	Village Hall	Morcott	Multi purpose hall
NORTH LUFFENHAM COMMUNITY CENTRE	Community Centre	North Luffenham	Multi purpose hall
OAKHAM COFE PRIMARY SCHOOL	School/College	Oakham	Multi purpose hall
OAKHAM COFE PRIMARY SCHOOL	School/College	Oakham	Multi purpose hall
OAKHAM SCHOOL Enterprises	School/College	Oakham	Health and Fitness Suite
OAKHAM SCHOOL Enterprises	School/College	Oakham	Swimming Pool
OAKHAM SCHOOL Enterprises	School/College	Oakham	Squash Courts
PRESTON VILLAGE HALL	Village Hall	Preston	Multi purpose hall
RIDLINGTON VILLAGE HALL	Village Hall	Ridlington	Multi purpose hall
RUTLAND HALL HOTEL & SPA LEISURE CLUB	Private Club	Oakham	Health and Fitness Suite
RUTLAND HALL HOTEL & SPA LEISURE CLUB	Private Club	Oakham	Studio
RUTLAND HALL HOTEL & SPA LEISURE CLUB	Private Club	Oakham	Glass backed squash courts
RUTLAND HALL HOTEL & SPA LEISURE CLUB	Private Club	Oakham	Swimming Pool
RYHALL CHURCH OF ENGLAND PRIMARY SCHOOL	School/College	Ryhall	Multi purpose hall
RYHALL VILLAGE HALL	Village Hall	Ryhall	Multi purpose hall
SCOUT AND GUIDE HUT	Community Centre	Oakham	Multi purpose hall

Name	Facility Type	Town / Village	Description
SEATON VILLAGE HALL	Village Hall	Seaton	Multi purpose hall
SOUTH LUFFENHAM VILLAGE HALL	Village Hall	South Luffenham	Multi purpose hall
ST GEORGES BARRACKS	MOD	Edith Weston	Gymnasium
ST GEORGES BARRACKS	MOD	Edith Weston	Swimming Pool
ST MARY AND ST JOHN COFE VA PRIMARY SCHOOL	School/College	North Luffenham	Multi purpose hall
ST MARY'S CHURCH HALL	Church Hall	Ketton	Multi purpose hall
ST NICHOLAS COFE VA PRIMARY SCHOOL	School/College	Cottesmore	Multi purpose hall
THE VICTORIA HALL OAKHAM	Community Centre	Oakham	Multi purpose hall
TINWELL VILLAGE HALL	Village Hall	Tinwell	Multi purpose hall
UPPINGHAM BOWLS CLUB	Sports Club	Uppingham	Indoor Bowls
UPPINGHAM COFE PRIMARY SCHOOL	School/College	Uppingham	Multi purpose hall
UPPINGHAM COMMUNITY COLLEGE	School/College	Uppingham	Dinning hall (fixed furniture on other half of hall)
UPPINGHAM COMMUNITY COLLEGE	School/College	Uppingham	Studio (drama)
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Health and Fitness Suite
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Gymnasium
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Swimming Pool
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Glass backed squash courts
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Squash courts (Theatre Site)
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Studio
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Studio
UPPINGHAM SCHOOL SPORTS CENTRE	School/College	Uppingham	Archery Corridor
WHISSENDINE VILLAGE HALL	Village Hall	Whissendine	Multi purpose hall
WILDS LODGE SCHOOL	School/College	Empingham	Sports Hall

Name	Facility Type	Town / Village	Description
WING VILLAGE HALL	Village Hall	Wing	Multi purpose hall

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