

**1. Do you agree with the substance of the proposal as set out in the consultation document?**

The principle of supporting the most vulnerable in society is supporting locally though our Vision for Adults 2009/14. The only general comments on reviewing the documents were:

- The accuracy of the number of people who would really benefit from the Bill as set out in the consultation document. As a council, we do not have accurate figures of the number receiving services outside a community care assessment;
- The money being offered through the 3 funding options all rely on the council achieving a significant efficiency saving to fund the proposals at a time when efficiencies are already being sought to deliver existing services. Stockton Council has a track record of making continuous efficiencies in delivering its services it is going to be extremely difficult to make the additional efficiencies needed to plug the gap that will begin in October. It will be essential that councils are properly funded to provide this care, so that it is fair, sustainable and there are no perverse incentives (e.g. if the recommendation from social workers / health professionals is that a Care Home is most appropriate place for a person to be cared for, could that decision be perceived as being made on financial grounds, those settled in Care Homes that are paying for care (or their relatives) may push for them to come out of care back into a home setting purely to save their money);
- Although “administration” has been factored into the impact assessment, we anticipate the effective introduction of this Bill would lead to a significant burden on the social care teams, which we feel is not being realistically reflected in the costs and timescales proposed; and
- The timing of the Bill, which in advance of the White Paper on Social Care.

**2. Is the level of detail proposed for the regulation appropriate?**

More detail on the following aspects would help us make a more informed decision on the local impact of the Bill and how it would need to be managed in Stockton:

- More detail of the qualifying criteria;
- Expectations of the Council to re-assess those already meeting ‘substantial’ care criteria;
- The definition of ‘needing significant help’;
- The funding limits of ‘personal care at home’ especially in relation to personal budgets and expectations around the point that costs / safeguarding issues would make admission to a care home a more appropriate option;
- Whether the assessment tool being introduced is a mandatory assessment tool to be used, or whether it is there as an option to support the assessment of needs;
- What, if any, rights an individual should have to refuse re-ablement support even if it has been set as a criterion; and
- Clarity that funding will be linked to assessed needs and that adequate funding will be made available should significant numbers of new claimants emerge.

**3. Is the balance right between regulation and guidance?**

Currently in order to qualify for help from Stockton, people's needs must be assessed as at least "moderate". Usually once the 'moderate' threshold is passed, an individual will qualify services and it makes no difference if their needs are classed in the future as "moderate", 'substantial' or 'critical'.

However in the future, if access to free personal care relies on an assessment of needs as 'critical' it will be vital that an assessment places someone in the right band.

The guidance/regulations needs clarify whether meeting just one of the critical band areas will be enough to meet the criteria for free personal care (as long as the 4 activities of daily living requirements are met).

**4. Has anything been omitted in this document that should be included in the regulations or the guidance?**

Are there any expectations on councils to be reassessed by October 2010 all clients already known to social services and who have met the 'substantial' criteria to establish whether they now have critical needs.

**5. Which of the 3 options do you feel is most appropriate for allocating the amount needed for personal care needs to eligible individuals?**

Suggest option 3, locally determined.

**6. Do you have any comments on the aspects of implementation outlined in the document?**

Timescales for implementation are very tight. The introduction of the assessment tool will be critical. If this is delayed or poorly deployed, then it will both delay the effective introduction and add inconsistencies into the assessment process.

**7. Which if the 3 options do you prefer for the funding formula for the free personal care grant?**

Option 3 would give the greatest income for Stockton.

**8. Are there any potential positive impacts on equalities of this policy? Similarly, are there any potential negative impacts?**