

Local Government Finance (WALES)

Special Grant Report (No.10)

(Wales) 2001

Introduction

1. This Report is made by the National Assembly for Wales (" the National Assembly") under section 88B of the Local Government Finance Act 1988 ("the 1988 Act"). This Report specifies a determination of special grants which the National Assembly proposes to pay to county councils and county borough councils in Wales ("authorities").
2. This Report specifies the National Assembly's determination of the authorities to which the special grants are to be paid, the purpose for which the grants are to be paid and the amounts of the grants which the Assembly proposes to pay to each authority. It also sets out such explanation as the National Assembly considers desirable of the main features of the determination and specifies the conditions the Assembly intends to impose on the payment of the grants.

The purpose

3. Pursuant to section 88B(3)(b) of the 1988 Act, the National Assembly hereby determines the following purpose for which special grants are to be paid:

for expenditure by local authorities in the financial year 2001/2002 in respect of services for carers and those cared for under sections 17, 17A, 20 (Part III) of the Children Act 1989, community care services as defined in section 46 of the National Health Service and Community Care Act 1990 for those persons and services for those persons under section 2 of the Carers and Disabled Children Act 2000.

Authorities and amounts payable

4. Pursuant to section 88B(3)(a) and (c) of the 1988 Act, the Assembly hereby determines that the authorities to which special grants are to be paid and the amounts payable are those specified in Annex A.

Main features

5. Pursuant to section 88B(4) of the 1988 Act, Annex B contains such explanation, as the National Assembly considers desirable of the main features of the determination specified in this report.

Conditions for the payment of special grants

6. Pursuant to section 88B(7) of the 1988 Act, the National Assembly hereby specifies as the conditions which the National Assembly intends to impose on the payment of the grants, the conditions set out in Annex C.

Approved by resolution of the National Assembly for Wales on [12 June 2001]

Annex A

Amounts of grant payable to authorities

Carer's Percentage

Special Grant Share

Isle of Anglesey	93,266	2.52%
Gwynedd	182,394	4.93%
Conwy	179,931	4.86%
Denbighshire	137,382	3.71%
Flintshire	151,255	4.09%
Wrexham	168,049	4.54%

Powys	149,410	4.04%
Ceredigion	78,254	2.11%
Pembrokeshire	141,395	3.82%
Carmarthenshire	253,858	6.86%
Swansea	295,052	7.97%
Neath Port Talbot	206,169	5.57%
Bridgend	145,570	3.93%
Cardiff	362,922	9.81%
The Vale of Glamorgan	125,893	3.40%
Rhondda Cynon Taff	325,984	8.81%
Merthyr Tydfil	81,481	2.20%
Caerphilly	197,105	5.33%
Blaenau Gwent	94,359	2.55%
Torfaen	101,378	2.74%
Monmouthshire	78,789	2.13%
Newport	150,104	4.06%
Total	3,700,000	100%

Annex B

Main features of the Carers Special Grant

"Caring about Carers: A strategy about Carers in Wales, Implementation Plan" launched by Jane Hutt, Minister for Health and Social Services in July 2000 set out the National Assembly's intention to stimulate greater quantity, diversity and flexibility of provision for carers; to encourage and support a greater awareness by local authorities of the need for services in their area which are more responsive to the needs of carers and to enable carers and carers' organisations explicitly to be involved in work by authorities on the appropriateness of current provision and the possibility of greater diversity.

The Implementation Plan committed the Assembly to implementation of the Carers and Disabled Children Act 2000, which will provide carers with an enhanced right of assessment and permit local authorities to provide services directly to the carer and provide an enhanced ability to make direct payments.

Local authorities are to use the grant for the purpose of providing or making direct payments in relation to:

1. *Services for the cared for*

Children's services and community care services (including meeting the costs which are directly associated with the administration and planning of such services) for persons who live at home and who receive substantial amounts of care on a regular basis from informal carers; and

2. *Services for carers*

Carers' services for informal carers (aged 16 or over) who provide or intend to provide a substantial amount of care on a regular basis for another individual aged 18 or over, and services for persons with parental responsibility for a disabled child who provide or intend to provide a substantial amount of care on a regular basis for the child.

It is intended that the services provided should be responsive to the needs of carers and enable them to continue to provide care, promote their social inclusion and maintain their physical, emotional and mental health.

The Carers and Disabled Children Act 2000 enables local authorities to offer carer support. Services to carers are not specifically defined. The local authority may provide any services which, in their view, help the carer care for the person cared for and may take the form of physical help or other forms of support. The Act provides for limitations on the type of services which may be provided if they are of an intimate nature.

Local authorities should work in partnership with colleagues in the NHS and carers' voluntary organisations, and should take account of "Caring about Carers: A strategy for Carers in Wales, Implementation Plan" and relevant recommendations in the UK wide strategy "Caring for Carers", launched on 2 February 1999.

Annex C

Conditions for the payment of the Carers Special Grant

1. - (1) In this Annex -

"the 1989 Act" means the Children Act 1989;

"the 1990 Act" means the National Health Service and Community Care Act 1990³;

"the 1995 Act" means the Carers (Recognition and Services) Act 1995⁴;

"the 2000 Act" means the Carers and Disabled Children Act 2000

"carer" means in relation to a relevant person an individual who provides a substantial amount of care on a regular basis for that person but does not include an individual who provides that care -

- a. by virtue of a contract of employment or other contract with any person; or
- b. as a volunteer for a voluntary organisation,

"carers services" means services provided by a local authority under section 2 of the 2000 Act.

"carer's organisation" means any voluntary organisation which appears to the local authority to represent the interests of carers in their area;

"children's services" means services provided by a local authority under sections 17, 17A and 20 (Part III) of the 1989 Act;

"community care services" has the same meaning as in section 46(3) of the 1990 Act;

"disabled child" means a child who is disabled within the meaning of section 17 of the 1989 Act;

"parent carer" means, in relation to a relevant child, the parent of, or other person with parental responsibility for, that child who provides a substantial amount of care on a regular basis for that child at home;

"relevant child" means a disabled child who is receiving a substantial amount of care on a regular basis at home from a parent carer;

"relevant children's services" means services provided by an authority under sections 17, 17A or 20 of the 1989 Act for a relevant child;

"relevant community care services" means services provided by an authority under any of the statutory provisions mentioned in the definition of community care services⁶ in the 1990 Act for a relevant person;

"relevant person" means a person aged 18 or over who is living at home and receiving a substantial amount of care on a regular basis from a carer;

"young carer" means a carer who is a child; and

"young carer's services" means children's services which in the local authority's view will provide the young carer with support in relation to the child's particular needs as a carer.

2. In this annex -

- a. references to services provided by an authority include services which the authority has made arrangements to provide; and
- b. a reference to a numbered paragraph is to the paragraph in this Annex bearing that number.

Use of grant monies

3.- (1) Subject to sub-paragraphs (2) and (3), each local authority shall use the grant monies for the purposes described in the determination in paragraph 3 of this report only, whether that is through the direct provision of services, direct payments by the authority or in the making of arrangements with voluntary organisations for the provision of services.

(2) No more than 10% of the grant monies payable to each authority shall be used to meet their administrative costs.

(3) Local authorities shall not use grant monies for expenditure outside the financial year 2001/2002 without the approval of the National Assembly.

Plan

4. Each authority shall by the 1st August 2001 provide to the National Assembly, for approval, a written plan which shall -
 - a. set out the authority's expenditure on relevant community care services, relevant children's services and young carers' services for the period between 1 April 2000 and 31 March 2001;
 - b. set out their assessment of the need for relevant community care services, children's services and young carers' services in their area;
 - c. set out in a programme of change and development how the authority intend during the financial year to 31 March 2002 to diversify and improve the range of relevant community care services, children's services and young carers' services based on the assessment referred to in sub-paragraph (b) and to provide carers services under the 2000 Act;
 - (d) state how the authority intends to spend the grant monies during the financial year to 31st March 2002 by way of implementation of the programme referred to in sub-paragraph (c);
 - (e) set out how the authority have involved carers and carers' organisations in drawing up the programme referred to in sub-paragraph (c) and how much of the grant monies is to be used in 2001 - 2002 to facilitate their involvement. This will include a detailed list of organisations with whom meetings or written consultation has taken place;
 - f. set out the regular procedures which will be in place to ensure the future involvement of carers and carer's organisations in taking forward the programme referred to in sub-paragraph (c); and
 - g. set out the indicators which the authority intends to apply to monitor their progress in relation to the implementation of the programme referred to in sub-paragraph (c) and how it is intended that the values of those indicators should change during the financial year to 31 March 2002,

and which, as respects sub-paragraphs (b) to (f) shall be agreed with each Health Authority in their area.

Report

5. Each local authority shall on or before 31 May 2002 provide to the National Assembly a written report which shall set out -
 - a. the progress the authority has made in relation to the implementation of the programme of change and development referred to in paragraph 4(c) and the extent to which they have involved carers and carer's organisations in taking forward that programme;
 - b. the amount spent by the authority from the grant monies by way of implementation of the programme referred to in paragraph 4(c) in the financial year to 31 March 2002; and
 - c. the achievements by the authority in meeting the indicators to monitor the implementation of the said programme.

Audited Statement

6. Each local authority which receives grant monies shall ensure that information provided to the National Assembly showing actual expenditure is certified, on an audit form provided by the National Assembly, by the authority's Chief Finance Officer, by 30 September 2002 and by an auditor appointed by the Audit Commission, and that the form is received by the National Assembly, duly certified not later than 31 December 2002.

Further information

7. Each local authority shall provide such further information as may be required by the

National Assembly for the purposes of determining whether they have complied with the conditions set out in this Annex.

Other conditions

8.- (1) Subject to sub-paragraph (2) and to the provision to the National Assembly of a plan in accordance with paragraph 4, the grant monies shall be payable in quarterly instalments commencing April 2001. Any instalments due at the date of approval by the National Assembly of the plan required under paragraph 4, shall become payable at the date of such approval. Payments of remaining instalments will be made to an authority at the beginning of the relevant quarter, subject to the receipt by the National Assembly of a properly completed claim in a form specified by the National Assembly.

2. No payment of any instalment of grant monies shall be made if the local authority fail without reasonable excuse, to provide a plan, which meets the requirements of paragraph 4.

1. If -

- a. a local authority fails to comply with the conditions set out in paragraph 3; or
- b. the National Assembly having regard to any report or information received from a local authority and any other information available to it is satisfied that the authority have without reasonable excuse failed to comply with any other condition set out in this Annex,

the National Assembly may require the repayment of the whole or any part of the grant monies paid to that authority as may be determined by the National Assembly and notified in writing to the authority. Such sum as has been notified shall immediately become repayable to the National Assembly.