

Local Government Finance (WALES)

Special Grant Report (No.3)

(Wales) 2000

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 grants are to be paid, the purpose for which the grants are to be paid and the manner in which the amounts of the grants are to be calculated. 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 2000/2001 in respect of services under sections 17, 20, Part III of, and Schedule 2 to, the Children Act 1989 and community care services as defined in section 46 of the National Health Service and Community Care Act 1990, which have the effect of enabling informal carers to take a break from caring.

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 are those specified in Annex A and that the manner in which the amount of grant in respect of each authority is to be calculated is also specified in Annex A.

Main features

5. Pursuant to section 88(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.

Laid before and approved by resolution of the National Assembly for Wales on

Annex A

Calculation of the amounts of grant payable to authorities

Distribution of Carer's Special grant resources of £3,000,000

Distribution on composite indicator for elderly

social service Standing Spending Assessment

formula exemplified

Local Authority	£000	% share
Isle of Anglesey	72,810	2.43
Gwynedd	136,244	4.54
Conwy	147,100	4.90
Denbyshire	110,919	3.70
Flintshire	124,471	4.15
Wrexham	128,147	4.27
Powys	126,888	4.23
Ceredigion	68,029	2.27

Pembrokeshire	114,672	3.82
Carmarthenshire	203,200	6.77
Swansea	242,572	8.09
Neath Port Talbot	161,909	5.40
Bridgend	128,334	4.28
Cardiff	283,138	9.44
The Vale of Glamorgan	109,265	3.64
Rhondda Cynon Taff	253,356	8.45
Merthyr Tydfil	62,983	2.10
Caerphilly	160,771	5.36
Blaenau Gwent	76,938	2.56
Torfaen	86,190	2.87
Monmouthshire	74,859	2.50
Newport	127,195	4.24
Total	3,000,000	100

3. Payment of grants will be subject to the conditions set out in Annex B.

Annex B

Main features of the Carers Special Grant

The "Caring about Carers: A strategy for Carers in Wales: Implementation Plan" will set out the National Assembly's intention to stimulate greater quantity, diversity and flexibility of provision to enable carers to take a break from caring; 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.

Local authorities must use the grant for the purpose of providing children 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 which services will at the same time enable those informal carers to take a break from caring.

It is intended that the service provided should be responsive to the needs of carers for example a sitting service at weekends or the evenings and should support carers in their role and relieve stress and enable them to continue to provide care, promote their social inclusion and maintain their physical, emotional and mental health.

In doing so, local authorities should work in partnership with the NHS and Carers organisations, and should take account of relevant recommendations in the UK wide strategy "Caring for Carers", launched on 2 February 1999, and the actions contained in the "Caring about Carers: A strategy for Carers in Wales: Implementation Plan".

Annex C

Conditions for the payment of the Carers Special Grant

1. The payment of special grant monies to a local authority as specified in Annex A

pursuant to section 88B of the Local Government Finance Act 1988¹ ("grant monies") for local authority expenditure in the financial year 2000/2001 shall be subject to the conditions set out in the following paragraphs.

2. - (1) In this Annex -

"the 1989 Act" means the Children Act 1989²;

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

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

"additional service" means-

(a) in relation to relevant community care services, a service which -

- i. has not been provided by the authority between 1 April 1999 and 31 March 2000;
or
- ii. is provided by the authority to more relevant persons between 1 April 2000 and 31 March 2001 than between 1 April 1999 and 31 March 2000;

(b) in relation to relevant children's services, a service which-

(i) has not been provided by an authority between 1st April 1999 and 31 March 2000;

(ii) is provided in relation to a relevant child more frequently or to a greater extent between 1 April 2000 and 31 March 2001 than between 1 April 1999 and 31 March 2000; or

(iii) is provided by the authority to more relevant children between 1 April 2000 and 31 March 2001 than between 1 April 1999 and 31 March 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,

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

"children's services" means services provided by a local authority under sections 17 and 20 of, and Schedule 2 to, 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 provided 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 service" means a service provided by an authority under Part III of the 1989 Act for a relevant child, following an assessment of their needs for the purposes of that part of that Act or section 2 of the Chronically Sick and Disabled Persons Act 1970⁵ and a carer's assessment carried out under section 1(2)(b) of the 1995 Act, which has the effect of enabling the parent carer to take a short break from caring for that child;

"relevant community care service" means a service 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, following assessment under section 47(1) of the 1990 Act and section 1(1) of the 1995 Act, which services have the effect of enabling the carer to take a break from caring for that 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 service" means a children's service which in the local authority's view will provide the young carer with support in relation to his 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 (4), each local authority shall use the grant monies for expenditure in the financial year 2000-2001 only for the purpose of -

a. providing additional services;

(b) providing young carers' services; and

(c) meeting the costs

(i) of involving carers or carers' organisations in the programme of change and development referred to in paragraph 4(d) , and

(ii) which are directly associated with the administration of the additional services, producing, reviewing and revising the plan referred to in paragraph 4 and monitoring the provision of services under that plan.

(2) The costs of the additional services referred to in sub-paragraph (1)(a) must be at least 90% of the grant monies. With a further 10% (maximum) for meeting each authority's administrative costs.

(3) Notwithstanding sub-paragraph (1), grant monies may be used by local authorities to make payments to voluntary organisations to provide respite care services.

4. Notwithstanding sub-paragraph (1), the National Assembly may at its discretion, and upon application by an authority, allow any unspent grant monies to be rolled forward for use only for the purposes specified in the Special Grant Report for the financial year 2001/ 2002.

Plan

4. Each authority shall by the 31st August 2000 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 1999 and 31 March 2000;
 - (b) describe the kinds of relevant community care services, relevant children's services and young carers' services provided by the authority for the period 1 April 1999 and 31 March 2000;
 - (c) set out their assessment of the need for relevant community care, children's services and young carers' services in their area;
 - d. set out in a programme of change and development how the authority intend in the period from 1 April 2000 to 31 March 2001 to diversify and improve the range of relevant community care, children's services and young carers' services based on the assessment referred to in sub-paragraph (c);
 - a. set out how the authority have involved carers and carers' organisations in drawing up the programme referred to in sub-paragraph (d) and how much of the grant monies is to be used in 2000 - 2001 to facilitate their involvement;
 - b. set out the 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 (e);
 - c. state the amount of grant monies the authority intends to spend on additional services in the period from 1 April 2000 to 31 March 2001; and
 - d. 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 (d) and how it is intended that the values of those indicators should change during the period from 1 April 2000 to 31 March 2001,

and as respects (c) to (f) the authority must agree the plan jointly with each Health Authority in their area.

Report

5. Each local authority shall on or before 31 May 2001 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(d) and the extent to which they have involved carers and carer's organisations in taking forward that programme; and
- b. the amount spent by the authority from the grant monies on additional services from 1 April 2000 to 31 March 2001.
- c. the achievements by the authority in meeting the indicators to monitor the implementation of the programme referred to in paragraph 4(d)

Audited Statement

6. Each local authority which receives grant money shall ensure that information provided to the National Assembly is certified, on an audit form provided by the National Assembly, by the authority's Chief Finance Officer, by 30 September 2001 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 2001.

Further information

7. The 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), the grant monies shall be payable in 4 equal quarterly instalments commencing April 2000. 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 form.

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.