

Email response from Cllr Spence to Cllr Henderson, sent on 22 June 2022

Dear Ivan,

You asked on Tuesday about the reference to provision being made (in the out-turn report) with regard to the Adult Social Care Deputyship. I said I would arrange a written response, which is as follows:

The Deputyship Risk referred to in the Provisional Out-Turn report is a response by Adult Social Care (ASC), following a recent Local Government Ombudsman (LGO) decision and recommendation.

The basis of the LGO decision was that the fee paid to a Court-Appointed professional deputy, could be claimed as a disability-related expense, something which ASC did not allow. This will reduce the amount that some people have to pay towards their social care. Some of these have a private sector deputy and others have ECC appointed as deputy.

We are working to establish what this means in terms of any claim for repayment. The provision made is a worst case scenario. Every case will have to be considered individually by ASC. The Deputyship service is run independently and has a statutory duty to act in the best interests of customers and is clear that it will do so. As such, this risk of further claims was put forward as an appropriation to reserves.

I am copying in Democratic Services to this e-mail and would ask that this answer be included with the minutes for Tuesday's meeting when circulated.

Many thanks,

John

Cllr John Spence CBE
Cabinet Member for Health & Adult Social Care

Essex County Council, County Hall, Chelmsford