

E. Director of Adult Social Care and Health

1. To exercise all the powers and duties of the County Council in accordance with general policies from time to time laid down by the Cabinet for the administration of any arrangements made under relevant legislation with respect to services for adults including people with disabilities. This power includes specifically:
 - (a) arrangements made under the Care Act 2014, Section 29, National Assistance Act 1948 and Section 2, Chronically Sick and Disabled Persons Act 1970 and the Health and Social Care Act 2001 (expenditure authorised up to a net contribution by the County Council of £50,000 in any one case on alterations/ adaptations to premises);
 - (b) waiving assessed contributions for adaptations to premises/ provision of equipment in exceptional circumstances;
 - (c) authorising the Assistant Director Operations to be appointed as the Council's nominee for obtaining Grants of Probate and dealing with related matters and to seek appointment as Deputy in appropriate cases;
 - (d) under the Mental Health Act 1983 as amended, and the Mental Capacity Act 2005 appointing approved social workers/authorised mental health professionals, Best Interest Assessors and Independent Mental Capacity Advocates, accepting guardianship applications and making orders for the discharge of patients subject to guardianship, acting as the Supervisory Body in relation to the Deprivation of Liberty safeguards and undertaking functions in relation to those safeguards under the Mental Capacity Act 2005;
 - (e) under the Care Act 2014 and NHS and Community Care Act 1990, (i) increasing the limits paid for residential care in line with published DSS rates and, when they are no longer published, in consultation with the Chief **Finance Operating** Officer to take account of inflation; (ii) approving, in special circumstances, packages of home support costing more than net residential care costs; (iii) making payments to providers of individual care quarterly in advance where the provider will not accept any other terms; ~~and (iv) amending the eligibility criteria in respect of community care services as circumstances dictate;~~
 - (f) disregarding the value of a former dwelling in assessing the client's contribution towards the cost of residential accommodation where it is considered reasonable to do so in consultation with the Chief Executive and the Chief **Finance Operating** Officer (and where appropriate the relevant Cabinet member); and

- (g) under Sections 34 – 36 of the Care Act 2014, taking charges against interests in property in consultation with the Assistant Chief Executive and (ii) entering into deferred payments arrangements.
- 2. To make permanent or temporary variations in the approved number of places at any Adult Social Care establishment.
- 3. To purchase groceries, meat and other domestic provisions locally for residential and day care establishments under the control of the Cabinet: (a) if satisfactory tenders are unlikely to be obtained; and (b) where client training is involved.
- 4. To make grants from the allocation for discretionary grants agreed by the Cabinet up to a total, for any one organisation in any period of three years, of £1,000 except where:
 - (a) the organisation has been refused a grant by the Cabinet unless the Cabinet has specifically agreed that a grant from the discretionary allocation may be given;
 - (b) the organisation is at the time in receipt of a grant from the Cabinet; or
 - (c) the organisation has received a grant from the allocation for the past three years.
- 5. To exercise all the powers of the Cabinet, in such matters as the Director considers urgent, following consultation with the relevant Cabinet member relating to the approval of applications under Section 18 of the Care Act 2014 and the Chronically Sick and Disabled Persons Act 1970 involving a net cost to the County Council of more than £20,000 (see delegation G1 (a) so far as these do not relate to children).
- 6. To exercise all of the County Council's powers in relation to the misuse of Blue Badges including (but not limited to) the powers under section 21 of the Chronically Sick and Disabled Persons Act 1970 as amended and in relation to offences under Section 117 of the Road Traffic Regulation Act 1984, the Fraud Act 2006 and the Theft Act 1968.
- 7. To approve the terms of, and enter into, Nominations Agreements and any Nomination Protocols in respect of Extra Care and Learning Disability Housing Schemes. The Leader of the Council and Lead Member of Adult Social Care to be notified of any agreements entered into.

