

APPEALS PANEL

Meeting: 22 October 2007
At: 6.00pm

PRESENT

Councillor Mike Wilson (Chair) in the chair; Councillors John Abrams, Helen Foster-Grime, Stella Humphries, Les Jones and Maureen Rowles.

1. MINUTES

The minutes (copies of which had been circulated) of the meeting held on 11 July 2006 were approved as a correct record and signed by the Chair.

2. EXCLUSION OF THE PUBLIC

RESOLVED – That the public be excluded from the meeting during consideration of agenda item 4 to prevent the disclosure of information relating to an individual. It would not, on balance, be in the public interest to disclose this information because disclosure of the personal information would be unfair to the applicant and breach his data protection rights.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

Item not for publication

4. APPEAL AGAINST AN ASSESSED CONTRIBUTION TOWARDS THE COST OF A DIRECT PAYMENT

A representative of the Service Director (Finance) attended the meeting and submitted a report (copies of which had been circulated) explaining the reasons for his decision to the Panel. He also answered councillors' questions and questions from the appellant's daughter and son in law.

The appellant's daughter and her husband attended the meeting, presented their case and answered councillors' questions.

Having considered the evidence presented both in writing and at the meeting, the Panel:-

RESOLVED - That determination of the appeal be adjourned, pending the receipt of an explanation from the Adults & Communities Directorate of how the appellant's care package has been assessed and that the Panel reconvene at 6.00pm on Tuesday 6 November in the Town Hall.

5. ADJOURNMENT

At 7.35pm, it was:-

RESOLVED – That the meeting be adjourned.

At 6.00 pm on 12 November 2007, the meeting reconvened. (The appellant was unable to attend on 6 November 2007)

PRESENT

Councillor Mike Wilson (Chair) in the chair; Councillors John Abrams, Helen Foster-Grime, Stella Humphries and Maureen Rowles.

6. APPEAL AGAINST AN ASSESSED CONTRIBUTION TOWARDS THE COST OF A DIRECT PAYMENT (Continued)

A representative of the Service Director (Adults) attended the meeting and provided the Panel with an explanation of how the appellant's care package had been assessed. He also updated the Panel on the appellant's change in circumstances.

RESOLVED – (4 for, 1 against) That the appeal against the assessed contribution towards the cost of a Direct Payment be dismissed and the appellant be charged £20.51 per week from the time that this amount was assessed until the time that this payment was suspended following the appellant's change in circumstances.

The Panel acknowledged that the appellant had a very high level of care needs and accepted that it did not have the remit to consider if that assessment was appropriate. The remit of the Panel was to consider the application of the Council's charging policy and the way in which any financial assessment had been made.

The Panel accepted that the appropriate approach to the assessment of income and costs had been made by the Finance team, and that the financial assessment had been reconsidered and reduced. The Panel could not, therefore, allow the appeal.

The meeting closed at 6.50pm.