

18 May 2015**Agenda Item: 12****REPORT OF THE ACTING CORPORATE DIRECTOR, CHILDREN,
FAMILIES AND CULTURAL SERVICES****URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE - CHILDREN'S
COUNTYWIDE OCCUPATIONAL THERAPY SERVICE TOP-UP
PAYMENT REQUEST****Purpose of the Report**

1. The purpose of the report is to note that urgent approval was given by the Chief Executive on 24 April 2015 for a top-up payment of £19,595.50 to be made to support the provision of a new build adaptation, where these costs exceed the mandatory government Disabled Facilities Grant (DFG) of £30,000.

Information and Advice

2. The new build adaptation is required to support the care of a young person who was diagnosed with a Mitochondrial POLG disease on 17 December 2014. This condition is progressive and life limiting, affecting muscles and brain related functions resulting in the development of intractable epileptic seizures. Since the diagnosis in December 2014, progression of the disease has been rapid and has very quickly resulted in the young person becoming a permanent wheelchair user and dependent for all personal and daily living tasks.
3. Due to the nature of the disease and the rapid deterioration, this case has been allocated and managed as a priority case in partnership with Ashfield District Council (ADC) to assess for and progress a major adaptation. At the time the decision was taken, ADC was in a position to approve the DFG and appoint the approved contractor to commence works.
4. In cases where a DFG exceeds the maximum mandatory grant of £30,000, the children's Countywide Occupational Therapy (OT) Service offers a top-up payment to a maximum of £10,000. The build for the young person exceeds the mandatory grant by £19,595.50, and therefore exceeds the maximum top-up payment by £9,595.50.

Other Options Considered

5. To delay the decision until the next meeting of the Children and Young People's Committee on 18 May 2015 would not be in the best interests of the young person.

Reasons for recommendations

6. Cases that require a top-up in excess of £10,000 are normally presented to Children & Young People's Committee for approval.
7. Until additional funds were secured, ADC was not able to appoint the contractor and progress a start date for the works. As it would not be in the best interests of the young person to delay the building works until the next Children & Young People's Committee meeting on 18 May 2015, it was deemed necessary to take an urgent decision.
8. Under the procedure for taking urgent decisions, contained in Part C of the County Council's Constitution, the Chief Executive may take a decision which is normally reserved to Committee where he believes that the decision is urgent, and where failure to take the decision quickly would, or would be likely to, harm the interests of the Council and the public. In this case a service would have been subject to delay for a young person with a progressive and life limiting condition requiring the adaptation to live at home.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

10. The top-up payment will be met from the Occupational Therapy top-up budget.

RECOMMENDATION/S

- 1) That the urgent approval by the Chief Executive on 24 April 2015 for a top-up payment of £19,595.50 to be made to support the provision of a new build adaptation, where these costs exceed the mandatory government Disabled Facilities Grant (DFG) of £30,000, be noted.

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Constitutional Comments

11. As this report is for noting only, no Constitutional Comments are required.

Financial Comments (SS 29/04/15)

12. The financial implications of this report are set out in paragraph 10 above.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

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