

**From:** [FOI](#)  
**To:**  
**Subject:** Freedom of Information Request NCC-049678-20  
**Date:** 21 April 2021 10:27:00

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Dear

Thank you for your request for information about Appointeeship.

We are now able to provide the following information in response to your specific questions

**1. How many individuals is the local authority acting as an appointee for, please?**

732

**2. How many of these individuals (in area or out of area) pays adult social care charges to the council for non-residential services?**

220

**3. Which department is responsible for administering appointeeship?**

Adult Social Care & Public Health

**4. Which department is responsible for assessing social care charges?**

Adult Social Care & Public Health

**5. How many officers in either department carry out an overlapping role with regard to appointeeship and care charges?**

None

**6. How many times has the appointeeship team responded to a consultation on behalf of individuals or any group of benefits claimants regarding a change in the council's charging policy, since 2015?**

The council does not consider that this is the responsibility of the appointee but does act in the best interests of the person they are supporting.

**7. How many appeals about care charges has the appointeeship team submitted to the financial assessment team since 2015?**

The team do not submit appeals on care charges. If they considered charges were incorrect, they would advise the team that carried out the financial assessment. This information is not recorded in a reportable format and to identify cases where this had occurred would require a check of all individual appointeeship cases going back over six years of records. This would take one officer more than eighteen hours to complete this, and so would exceed the cost limit for provision of information under the FOI Act. This is therefore exempt in accordance with Section 12 of the FOI Act.

**8. How many complaints has the appointeeship team submitted regarding care charges since 2015?**

The team do not submit complaints about charges. They would contact the team carrying out financial assessments if they do not think they are being charged correctly. This information is not recorded in a reportable format and to identify cases where this had occurred would require a check of all individual appointeeship cases going back over six years of records. This would take one officer more than eighteen hours to complete this, and so would exceed the cost limit for provision of information under the FOI Act. This is therefore exempt in accordance with Section 12 of the FOI Act

**9. How many times has the appointeeship team sought or referred individuals they act for, to independent advice (whether third sector, legal aid or privately funded) about care charges, since 2015?**

None

**10. How many times has the appointeeship team questioned the accuracy, fairness or legal validity of individuals' care charges or the council's charging policy, since 2015?**

The team would contact the team carrying out financial assessments on behalf of individuals if they considered their care charges were not correct. This information is not recorded in a reportable format and to identify cases where this had occurred would require a check of all individual appointeeship cases going back over six years of records. This would take one officer more than eighteen hours to complete this, and so would exceed the cost limit for provision of information under the FOI Act. This is therefore exempt in accordance with Section 12 of the FOI Act.

**11. Does the council treat appointeeship as a Care Act service? If so, does it charge for that as part of the Care Act charging system?**

The Council carried out the appointeeship role long before the implementation of the Care Act and has been charging for this service since 2016.

**12. How much does it charge, if it makes a charge, per month or per week or per year, please?**

£12 per week, payable four weekly

**13. If appointeeship is not provided for through the Care Act, does the council allow for a DRE deduction from Disability Benefits income, for the charge it makes for appointeeship (assuming a person is otherwise chargeable)?**

The council does allow a standard DRE of £20 per week which does cover the cost of appointeeship charging. However, if the person had other disability related expenses that meant their DRE would exceed £20 per week, a higher allowance would be made.

**14. If the council does not operate appointeeships for adult social care clients, does the council permit a full DRE deduction from Disability Benefits income, for any charge levied by any other corporate or private appointee (assuming a person is otherwise chargeable)?**

As Q13 Above

**15. In respect of all council clients who are currently in receipt of adult social care services, regarded as liable to pay a charge for their adult social care services, for whom the appointee role is currently undertaken - how is the relevant department holding the appointeeship responsibility proposing to manage the conflict of interest presented by the judgment in the Norfolk CC v SH case in December 2020, given that the decision means that other similar policies are presumptively unlawful? Please answer with a sentence or a paragraph; it is suggested that it is not a proper response to say that no decisions have been made, as yet, because the problem already exists.**

As appointee, the council ensures that a person is receiving all the benefits they are entitled to. They also make sure that a person is being charged in accordance with the council's charging policy.

I hope that you find this information to be helpful, however if you are unhappy with the way in which your request has been handled, then please email us at [foi@nottscc.gov.uk](mailto:foi@nottscc.gov.uk) quoting the reference NCC-049678-20 and we will be happy to review your request

With kind regards

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