

4th February 2019**Agenda Item: 5****REPORT OF THE INTERIM SERVICE DIRECTOR, MID NOTTINGHAMSHIRE****CHANGES TO THE PROTECTION OF PROPERTY AND PETS AND FUNERAL
ARRANGEMENTS POLICY****Purpose of the Report**

1. To update Committee on the outcome of the consultation relating to the Protection of Property and Pets and Funeral Arrangements Policy and to invite the Committee to recommend proposed changes to the Policy, attached as **Appendix 1**, to Policy Committee for approval.

Information

2. Under Section 47 of the Care Act 2014, the Council has a duty to arrange for the protection of property for an adult being cared for away from home:
 - a. **either** where the adult has been assessed as eligible for social care support and their needs are met in accommodation, such as a care home, **or** the adult has been admitted to hospital. **And**
 - b. it appears to the Council that there is a danger of loss or damage to the moveable property because the adult is unable to protect or deal with the property, and no suitable arrangements have been or are being made. Moveable property includes pets.
3. The requirement to review the current policy and practice arose from an internal audit recommendation and the need to review the efficiency and effectiveness of all Council services, especially in light of the Council's current budget gap.
4. At the September 2018 meeting, the Adult Social Care and Public Health Committee gave approval to:
 - a) hold a six week consultation on a proposal to revise the current policy to reduce the time the local authority will store property or board pets from 28 days to 7 or 2 days.
 - b) bring a further report to the Committee on the outcome of the consultation process.

Results of Consultation

5. A questionnaire was sent out through the Consultation Hub on 27th September and ended on 8th November 2018. A total of 50 people responded to the consultation.

6. **Question 1** of the consultation asked people which group they belonged to.

Response 76% were Nottinghamshire County residents, 4% were service users and 16% were relatives, carers or friends of a service user. 4% did not answer this question.

7. **Question 2** of the consultation asked people to consider to what extent they agreed or disagreed with 3 options, as described below:

a) **No change to current policy, i.e. for the Council to continue to pay for the storage of property and care of pets for up to 28 days, with a possible 28 day extension**

Response

- 32 respondents strongly agreed or agreed
- 9 respondents strongly disagreed or disagreed
- 7 respondents neither agreed or disagreed
- 2 respondents did not answer this question.

b) **A change to the current policy: reduce number of days to 7 days and an extension of 7 days in exceptional circumstances**

Response

- 17 respondents strongly agreed or agreed
- 32 respondents strongly disagreed or disagreed
- 1 respondent did not answer this question.

c) **A change to the current policy: reduce number of days to 2 days and an extension of 2 days in exceptional circumstances**

Response

- No one strongly agreed or agreed
- 49 respondents strongly disagreed or disagreed
- 1 respondent did not answer this question.

8. **Response to question 2:** a significant proportion of respondents (64%) wanted no changes to be made to the current policy (option A). 64% are not in favour of option B and 98% were not in favour of option C.

9. **Question 3** asked respondents to make comments about the proposals. Half the respondents completed this question:

Response to question 3:

a) all comments referred to the importance of pets to the wellbeing of the service users. *"Pets are really valuable to people and knowing they are safe..... aid recovery, so is more cost effective in the long term".*

- b) two comments were made about the service user paying for the service if they had the finances. *"I do think that IF patients can afford it and family are able to arrange it then this should be paid for by the patient".*
- c) some comments indicated that reducing the number of days may cause more work for other people. *"I appreciate that the current arrangements are costly to the council but they are only used when a service user has no other option for care of a pet and so by reducing the time will simply put more pressure on service users and workers to make alternative arrangements which could impact on her mental health negatively potentially extending hospital stay even longer."*

10. In conclusion, there will be no change to the number of days for the reasons listed below:

- in recognition of the outcome of the consultation exercise
- a reduction of the number of days to 7 or 2 days is insufficient time for service users to make alternative arrangements and could hamper their recovery time. It would also have a significant impact on social care workers' time as they would have to get involved more frequently in making arrangements for property or pets.

11. Savings will be realised through:

- reducing the budget by £30,000 which has been the approximate underspend for the last two years
- the pet care procurement exercise where a set figure will be offered to the potential provider
- the tightening up of the current policy and process. For example, social care workers will work with service users to identify and set in place advance arrangements, as part of any assessment or review, for individuals such as family, relatives, close friends or other representatives who could be called upon to intervene and look after property/pets, where service users are unable to fulfil this responsibility themselves.

Other Options Considered

12. Options B and C to restrict Council funding to 7 or 2 days for storing property and boarding pets are not recommended as they were not supported by the public consultation. They are deemed to be insufficient time for service users to make alternative arrangements. These time limits would also impact on social workers time as they may have to get involved more frequently in making arrangements.

Reason/s for Recommendation/s

13. Amendments to the policy will be made which will ensure more advance planning is completed with pet owners which will help to reduce cost. The tightening up of invoice collection, introduction of repayment plans if costs are incurred, and the future procurement exercise will also make the service more efficient.

14. The report to Committee in September 2018 identified the need for a procurement exercise. This will commence in February 2019 to seek a provider who will manage and coordinate care provision delivering a cost effective service. Equity of service across the County will be required, reducing the costs and stress associated with transporting pets long distances. The quality of care will be paramount so pets will be cared for appropriately and receive veterinary treatments in a timely fashion, if required.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

16. In line with recent changes to legislation introduced by the General Data Protection Regulations (GDPR) Act, a summary data privacy impact assessment (DPIA) has been completed.

Financial Implications

17. No additional implementation costs are envisaged as the associated work outlined in this report would be undertaken by existing staff.
18. The Protection of Property and Pets and Funeral Arrangements budget for 2019/20 will be decreased by the £30,000 underspend.

Human Resource Implications

19. No direct impact on staff posts has been identified in any of the changes described.

Public Sector Equality Duty implications

20. This proposal will impact on adults who have been assessed as eligible for social care support and their needs are met in accommodation, such as a care home, the adult has been admitted to hospital, and it appears to the Council that there is a danger of loss or damage to their moveable property (including pets) because the adult is unable to protect or deal with the property, and no suitable arrangements have been or are being made.

Implications for Service Users

21. The Council will pay for costs up to 28 days (unless extensions are agreed), to allow service users to make alternative arrangements. During this time, Social Workers would be expected to endeavour to resolve such situations at the earliest opportunity, without the need for the Council to incur additional costs.

22. The Council would work with the service user to implement a repayment plan if continuing storage/boarding rather than expect the service user to make arrangements for payment at the time.

RECOMMENDATION/S

- 1) That Committee recommends the proposed changes to the Protection of Property and Pets and Funeral Arrangements Policy, attached as **Appendix 1**, to Policy Committee for approval.

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Constitutional Comments (SLB 23/01/19)

23. The Adult Social Care and Public Health Committee is the appropriate body to consider the contents of the report.

Financial Comments (CT 23/01/19)

24. The financial implications are contained within paragraphs 17 and 18 of this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Protection of Property, Pets and Funeral Arrangements Policy - report to Adult Social Care and Public Health Committee on 10 September 2018.

Equality Impact Assessment

Electoral Division(s) and Member(s) Affected

All.

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