

As of 30 April 2020 or by the date the council deems it feasible to respond this FOI request, whichever is the sooner, has the Local Authority decided to adopt all or any of part of the easement of the Care Act duties as provided for in the Coronavirus Act schedule 12 and associated Care Act easements: guidance for local authorities (DHSC)?

YES/NO

If NO, please choose one of the following:

- a) We intend to do so by the end of May 2020/June 2020 (please state a date if **a date is planned for adoption** by the time this FOI request is answered)
- b) We are aiming or planning NOT to adopt the easements
- c) A decision not yet been made about adoption but strategic planning is underway

If adoption has already been resolved upon, has the requested notification to the DHSC, referred to in the national Easements Guidance, been made?

YES/NO

Given that schedule 12 has been brought into force and has already formally modified sections 18, 19 and 20, of the Care Act, as a matter of law, is the council operating currently on the basis that these specific modifications are regarded as optional, in accordance with the general discretion described in the easements guidance, or operating on the basis that they constitute the governing law of England, and thus all current council functions relating to care planning and finalising of personal budgets?

OPTIONAL AT OUR DISCRETION / ALREADY in FORCE and BINDING

If the latter, (ie in force, and binding) then what has the council done to change its operating mode or instructions to staff with regard to planning budgets and packages based on avoidance of a breach of human rights, or with regard to exercising the s19 power to meet needs, compliantly with public law and other wider legal principles such as equalities law? PLEASE GIVE BRIEF DETAILS.

Whatever the council's position with respect to the easements and the modification of s18-20, has the position been publicized in any written information **for the public** to the council's network of advice and information channels around the local area? PLEASE GIVE BRIEF DETAILS.

When a member of the public wishes to know whether there has been any change in the position of the council with respect to the optional easements, to whom should she or he direct the enquiry?

Please NAME that officer with an email address and phone number.

What route for challenge to any decision or action with regards to a person's request for assessment, an eligibility decision, a care plan, a review or a revision, does your council wish members of the public to engage with, during this period?

- Request for PSW or other management review
- Monitoring Officer (contravention of enactment consideration duty)
- Safeguarding Lead
- Complaint system
- Director of Adult Social Services
- Councillor/Lead Cabinet Member

Dear Requester,

Thank you for your Freedom of Information Request.

The response from the Adult Social Care and Health Department is as follows:

As of 30 April 2020 or by the date the council deems it feasible to respond this FOI request, whichever is the sooner, has the Local Authority decided to adopt all or any of part of the easement of the Care Act duties as provided for in the Coronavirus Act schedule 12 and associated Care Act easements: guidance for local authorities (DHSC)?

YES/NO - **No**

Unfortunately the department have not been able to respond to the remaining questions due to the current national crisis. The County Council currently have diminished resources and are prioritising its staff and resources on the delivery of critical services.

We apologise that we are not able to respond fully to your request at this time, you may wish to resubmit your request when our capacity to respond has been restored.

In addition to this and for future reference Nottingham County Council regularly publishes previous FOIR,s and answers on its website, under Disclosure logs. (see link)

<http://site.nottinghamshire.gov.uk/thecouncil/democracy/freedom-of-information/disclosure-log/>

You can use the search facility using keywords.

If you wish to raise any concerns about the way your request was dealt with, then please write to the Team Manager, Complaints and Information, County Hall, West Bridgford, Nottingham, NG2 7QP or e-mail foi@nottscc.gov.uk quoting the reference number above.

Kind Regards

Complaints, Information & Mediation Officer.
Complaints and Information Team
Chief Executive's Dept
Nottinghamshire County Council
County Hall, West Bridgford, Nottingham, NG2 7QP