


Individual Decision Notice	 TOWER HAMLETS
Decision Maker: Commissioners' Decision Making Meeting, 27 May 2015	Classification: Unrestricted
Independent Living Fund	

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that a Key Decision is required to be taken under General Exception Urgency provisions as it is not possible to provide at least 28 clear days' notice of the decision but it is possible to give at least 5 clear days' notice of the decision.

As required under the above regulations, the Chair of the Overview and Scrutiny Committee will be notified of the above decision being taken under the General Exception Provision.

This notification will be published as soon as possible before the decision is taken, stating why the decision must be taken urgently.

Reason why it is impractical to provide 28 clear days' notice of the decision:

The Independent Living Fund (ILF) was a discretionary trust operated by central government. The ILF provided funding to disabled people to purchase care and support services which help to enable them to live independently in the community rather than in a residential setting. There are currently twenty-eight ILF clients in Tower Hamlets.

The Government has committed to protecting the care packages of existing users until the 30th June 2015 upon which time funding will be devolved to local government. From this point Local Authorities in England, in line with their statutory responsibilities, will have sole responsibility for meeting the eligible care and support needs of current ILF users.

The ESCW DMT have agreed to ring-fence the money transferred from central government (Central government will pay the funds in to the grant allocation. The funds will then be ring-fenced to be paid to transferred ILF service users) to protect the care and support needs of current ILF users for one year during 2015/16 while there care and support needs are reviewed and at which point they will be fully mainstreamed into LBTH Adult Social Care.

Once the current ILF service users have been transferred to the Local Authority on 1st July 2015 the allocation of this money to them during 2015/16 will involve the grant process and as such the ESCW DMT would like it put this before the Government appointed Commissioners to ensure the allocation of this money to the transferred ILF clients in 2015/16 is fit for purpose and to entrust the Corporate director to make these grants

ILF clients will transfer across to the Local Authority from 1st July 2015 .It is important that this decision is confirmed before this date in order to ensure there is no disruption to the care and support needs of those ILF clients who will then be the sole responsibility of the Local Authority. With no meeting of the Commissioners currently scheduled for June, and transitional arrangements needed to be confirmed before the 1st July transfer date this decision will need to be agreed at the May 27th meeting and as such it is not possible to provide 28 clear days' notice and also why the decision cannot be delayed to allow 28 days from the publication of this notice.

Signature:	Date:
Robert McCulloch-Graham	15 May 2015

Further details of the decision to be taken:

Key Decision? No	Ward(s) All Wards
Summary of Decision	<p>The Independent Living Fund is transferring across to the Local Authority from 1st July 2015. This means the Local Authority will now be responsible for administering this additional funding to current ESCW service users. The Education, Social Care and Wellbeing Directorate Management Team have agreed to ring fence this money in 2015/16 to support existing ILF clients who care will be solely transferred to the Local Authority for one year until they are mainstreamed into LBTH Adult Social Care.</p> <p>The Commissioners are asked:</p> <ol style="list-style-type: none"> Note the process by which ILF clients will be transferred to LBTH Adult Social Care and determine whether the allocation of this money to ILF clients in 2015/16 is fit for purpose Entrust the Corporate Director to make these grants

Community Plan Theme	A Healthy and Supportive Community
Who will be consulted before decision is made and how will this consultation take place	None None
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No

Contact details for comments or additional information	Robert McCulloch-Graham (Corporate Director, Education Social Care and Wellbeing) robert.mcculloch-graham@towerhamlets.gov.uk
What supporting documents or other information will be available?	The papers provided to the meeting.
Is there an intention to consider this report in private session and if so why (Paragraph number – see notes section)?	No, Unrestricted

NOTES

Advance notice of Key Decisions

Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Article 13.03 of the [Constitution](#).

Individual notices of new Key Decisions will be published on the website as they are known, whilst a Forward Plan collating these decisions will be published 28 days before each Cabinet meeting. The Forward Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required. [The Committee pages](#) on the Council website include copies of the Forward Plan, Cabinet and other meeting dates and the publication dates of the Forward Plan.

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (including on the website) as early as possible and Urgency Procedures as set out in the Constitution will have to be followed.

The most effective way for the public to make their views known about the issues listed in the Forward Plan is to examine the consultation column of the Forward Plan, and/or contact the report author as soon as possible, and no later than 10 working days before the decision is expected to be taken.

You can also view the Council's [Consultation Calendar](#), which lists all the issues on which the Council and its partners are consulting.

Reports, appendices and background papers will be available on the Council's website 5 clear working days before the Cabinet meeting. For all other information or to submit documents in relation to any issue, please contact the relevant officer.

Notice of Intention to Conduct Business in Private

The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session. Should you wish to make any representations in relation to an item being considered in private please contact Democratic Services on the contact details listed below. Note that this applies to Cabinet but not to Individual Mayoral Decisions outside of Cabinet.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:-
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Democratic Services Contact Details:

Contact Matthew Mannion
Officer: Democratic Services
Email: matthew.mannion@towerhamlets.gov.uk
Telephone: 020 7364 4651
Fax No: 020 7364 3232