

# HAMPSHIRE COUNTY COUNCIL

## Executive Decision Record

<b>Decision Maker:</b>	Cabinet
<b>Date:</b>	15 May 2020
<b>Title:</b>	Covid-19: temporary changes to the County Council's duties under the Care Act 2014
<b>Report From:</b>	Director of Adults' Health and Care

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### 1. The decision:

- 1.1 That Cabinet approve the use of the amendments to the County Council's duties under the Care Act 2014 if required.
- 1.2 That authority is delegated to the Director of Adults' Health and Care in consultation with the Executive Member for Adult Social Care and Health to implement, in line with Government guidance and as referenced in this report, all or any powers provided under Section 15 and Schedule 12 of the Coronavirus Act 2020 and to decide on timescales and manner of any implementation.

### 2. Reasons for the decision:

- 2.1 As this is important legislation involving one of the County Council's most significant service areas, Members should be briefed at an early stage on the extensive work that Adults' Health and Care is currently doing to manage the Covid-19 situation and the forward planning it is undertaking, should the situation become even more challenging than it currently is. This is in line with the Government's guidance and updated Ethical Framework for adult social care which stresses the ongoing importance of accountability, involvement and transparent, robust decision making.
- 2.2 To seek approval for delegated authority to the Director of Adults' Health and Care in consultation with the Executive Member and Principal Social Worker to implement, if required, the temporary changes to the County Council's Care Act duties.

### 3. Other options considered and rejected:

- 3.1 To not report to Cabinet in advance of any easements being taken. This option was rejected as it is not in line with the County Council's aim for transparency and robust decision making.

3.2 To present to Cabinet the decision to enforce the easements. This was rejected as it is clear that use of the easements should be a last resort and that Care Act 2014 duties should continue to be met for as long as possible.

**4. Conflicts of interest:**

4.1 Conflicts of interest declared by the decision-maker: None

4.2 Conflicts of interest declared by other Executive Members consulted: None

**5. Dispensation granted by the Conduct Advisory Panel:** None

**6. Reason(s) for the matter being dealt with if urgent:** Not applicable

**7. Statement from the decision maker:**

**Approved by:**

**Date:**

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15 May 2020

Chairman of Cabinet  
Councillor Keith Mans