

## Record of Officer Decision

### Adult Social Care - Charging Policy Review

#### Decision Taker and Date Decision Taken:

Director of Adult and Community Services in consultation with the Cabinet Member for Adult and Community Services, Public Health and Inequalities and Cabinet Member for Housing, Finance and Corporate Services, on 06 October 2023.

#### Summary of Matter or Issue Requiring Decision:

Following the judgment in R(SH) v Norfolk County Council on 18 December 2020 a review of the current Charging Policy has been carried out. The purpose of this review is to consider the current Charging Policy to ensure it is compliant with obligations under the Care Act 2014 and statutory guidance, Article 14 ECHR and the Equality Act 2010 and operates fairly to all service users.

#### Decision Taken:

That the Charging Policy Review be published.

#### Summary of Reason(s) for Decision Taken:

To review the current Charging Policy in light of the judgment in R(SH) v Norfolk County Council on 18 December 2020.

#### Summary of Alternatives or Options considered and rejected and Background Papers:

The ruling of SH v Norfolk County Council did not directly involve Torbay Council and is not binding upon it. However, the judgement considered a number of issues which have led to broader concerns about the equality impacts of social care charging. Following correspondence on these points, the Council (acting through the Trust) agreed to undertake this review. No other option was considered.

#### Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

#### Implementation:

This decision will be implemented immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Director of Adult and Community Services)