

Freedom of Information – Response – 27616

In 2022, the Appeal Court rejected an appeal by the Council against a decision to support the case of two brothers, KG and BG, who had judicially challenged a decision to end direct payments so them. The Court highlighted errors in interpretation of the Care Act by the Council.

Could you please provide the following information:

1. Did the council amend any of its policies, practices or procedures in the light of the Appeal Court's judgement

Yes

2. If so, what were the amendments

The Council did not create a separate standalone policy in response to the judgment. However, learning from the judgment was incorporated into relevant Adult Social Care practice guidance and supporting materials where appropriate. The learning was also shared through staff webinars and practice development sessions and informed the development of a new Outcomes Focused Support Planning training offer.

The learning reinforced that care and support decisions, including decisions about direct payments, must be based on assessed eligible needs, outcomes, wellbeing and individual circumstances under the Care Act 2014. It also supported strengths-based, person-centred planning and the flexible use of direct payments to meet agreed outcomes.