PUBLIC BILL COMMITTEE PROCEEDINGS

CARE BILL [LORDS]
[FIFTH AND SIXTH SITTINGS]

Liz Kendall
Mr Jamie Reed

Clause 17, page 17, line 15, at end add—

‘(14) The regulations in subsection (7) are subject to the affirmative resolution procedure.’.

Clause agreed to.

Paul Burstow

Clause 18, page 17, line 32, after the first ‘adult’, insert ‘(or someone acting on the adult’s behalf if the adult lacks capacity to arrange for the provision of care)’.

Clause agreed to.

Paul Burstow
Sarah Newton

Clause 19, page 18, line 28, leave out ‘may’ and insert ‘should’.

Clause agreed to.

Paul Burstow
Sarah Newton

Clause 19, page 18, line 28, after ‘needs’, insert ‘and their carer’s needs’.

Clause agreed to.
Clauses 20 and 21 agreed to.

Paul Burstow

Clause 22, page 20, line 32, after ‘is’ insert ‘authorised or’.

Clause agreed to.

Grahame M. Morris

Clause 23, page 22, line 2, at end add—

‘(2A) Where a local authority is unable to meet the adult’s needs for care and support without the provision of housing of a specified nature or location, subsection (1) does not apply.’.

Clause agreed to.

Mrs Emma Lewell-Buck

Clause 24, page 22, line 26, at end add—

‘(3A) The Secretary of State after consultation must establish by regulation a specified timeframe for the conclusion of the steps required of local authorities by virtue of this section.’.

Clause agreed to.

Norman Lamb

Clause 25, page 24, line 21, at end insert—

‘(14) The regulations may in particular specify that the paragraphs in question do not apply as regards specified needs or matters.’.

Clause, as amended, agreed to.

Paul Burstow

Clause 26, page 24, line 40, at end insert—
Care Bill [Lords], continued

‘(4) Where the needs are to be met through a direct payment, the costs to the local authority must mean the costs to the adult of meeting those needs.’.

Liz Kendall
Mr Jamie Reed

Clause 26, page 24, line 40, at end insert—

‘(4) A personal budget for an adult must be set at a level that would be sufficient to meet all of that adult’s eligible needs as assessed by regulations referred to in section 13(6).’.

Clause agreed to.

Mrs Emma Lewell-Buck

Withdrawn

Clause 27, page 24, line 4, leave out ‘keep under review generally’ and insert ‘review regularly’. 

Mrs Emma Lewell-Buck

Not called

Clause 27, page 25, line 33, at end add—

‘(5A) The Secretary of State after consultation must establish by regulation appropriate arrangements and timetable for the regular review of care and support plans and of support plans by local authorities provided for in subsection (a).’.

Clause agreed to.

Paul Burstow

Not called

Clause 28, page 25, line 37, at end insert—

‘(1A) The specified costs to the local authority must mean the costs to the adult of the meeting their eligible needs.’.

Clause agreed to.

Clauses 29 to 32 agreed to.

Norman Lamb

Agreed to

Clause 33, page 29, line 22, at end insert—

‘(da) cases or circumstances in which an adult who lacks capacity to request the making of direct payments must or may nonetheless be regarded for the purposes of this Part or the regulations as having capacity to do so;’.
Agreed to 110

Clause 33, page 29, line 24, leave out ‘request the making of direct payments’ and insert ‘make such a request’.

Agreed to 111

Clause 33, page 29, line 25, leave out ‘the purposes of this Part or the regulations’ and insert ‘any of those purposes’.

Clause, as amended, agreed to.

Withdrawn 104

Clause 34, page 30, line 46, at end insert—

‘(9) The Secretary of State shall make available to all local authorities a model deferred payment scheme and all local authorities must follow this model unless they can show due cause not to.’.

Clause agreed to.

Not called 105

Clause 35, page 31, line 15, at end insert—

‘(3A) The regulations must require any interest incurred on an adult’s deferred amount or interest on an amount charged under subsection (1)(b) to count towards the set level above which an adult starts receiving financial assistance with the costs of their care.’.

Not called 106

Clause 35, page 31, line 20, at end insert—

‘(4A) The regulations may not specify any threshold of other assets above which a person is not eligible to receive a deferred payment loan.’.

Not called 107

Clause 35, page 31, line 27, at end insert—

‘(5A) Regulations under this section must provide that—

(a) a local authority shall direct anyone considering a deferred payment arrangement to an appropriately qualified financial adviser or to appropriately qualified financial advisers; and
(b) any loan under this scheme shall be sufficient to pay for advice under paragraph (a) above.’.

Liz Kendall
Mr Jamie Reed

Clause 35, page 32, line 12, at end add—
‘(11) The regulations in subsection (1) are subject to the affirmative resolution procedure.’.

Clause agreed to.

Clauses 36 to 38 agreed to.

[Adjourned until Tuesday 21 January at 8.55 am]