

DETERMINATION UNDER SECTION 31 OF THE LOCAL GOVERNMENT ACT 2003 OF THE CARERS STRATEGY DEMONSTRATOR SITES PROJECT GRANT FOR 2010/11

Introduction

1. This Determination is made by the Secretary of State for Health (“the Secretary of State”) under section 31 of the Local Government Act 2003¹ (“the 2003 Act”). It specifies monetary grants that the Secretary of State proposes to pay to certain local authorities in England.

2. This Determination specifies the local authorities to which the grants are to be paid, the projects on which the grants may be spent, the amount which the Secretary of State proposes to pay each of the authorities concerned and the manner of payment. It also specifies the conditions on which the grants are to be paid.

Treasury Consent

3. Before making this Determination, the Secretary of State obtained the consent of the Treasury in accordance with section 31(6) of the 2003 Act.

Purpose of the grant

4. Pursuant to section 31 of the 2003 Act, the Secretary of State hereby determines that the grants shall be paid towards revenue or capital expenditure incurred or to be incurred by local authorities in the financial year 2010/2011 in respect of Carers Strategy Demonstrator Sites (CSDS) Projects.

Definitions

5. In this determination:

(a) “Capital expenditure” has the same meaning as in section 16(1) of the 2003 Act;

(b) “Carers Strategy Demonstrator Sites Project” means a project which will develop one or more demonstrator sites to test new approaches covering one or more of the following strands as part of the implementation of the National Carers’ Strategy²:

- measuring the quality and effectiveness of breaks (including cost-effectiveness) for carers;
- delivering annual health and/or health and well-being checks for carers; and
- exploring ways in which the NHS can better support carers;

¹ 2003 c.26.

² Carers at the Heart of 21st Century Families and Communities, DH June 2008.

(c) "CSDS Project" means a Carers Strategy Demonstrator Sites Project;

(d) "Financial year" means a period of twelve months ending with 31st March.

Amounts payable to local authorities

6. Pursuant to section 31(1) and (3) of the 2003 Act, the Secretary of State hereby determines that the local authorities to which the monies are to be paid are those authorities listed in column 1 of Annex A, and the amount payable to each local authority is the corresponding amount set out in column 2 of that Annex.

Payment of grant

7. The grants shall be payable to local authorities in one instalment on or before 30 September 2010 for 2010/2011.

Grant conditions

8. Pursuant to section 31(4) and (5) of the 2003 Act, the Secretary of State hereby specifies, as the conditions imposed on the payment of the grant, the conditions set out in Annex B.

Signed by authority of the Secretary of State

4 August 2010

ANNEX A

ALLOCATIONS FOR THE CARERS STRATEGY DEMONSTRATOR SITES PROJECT GRANT FOR 2010/2011

Ref	Local Authority	CSDS allocation £
BRK20	Nottinghamshire CC	£459,059
BRK22	Bristol City Council	£244,766
BRK26	Hertfordshire County Council	£205,134
BRK29	East Sussex CC	£246,687
BRK34	Derby CC	£376,086
BRK35	Warwickshire CC	£340,925
BRK38	Bath & NE Somerset	£347,920
BRK39	Suffolk CC	£400,000
BRK44	Lewisham LA	£262,000
HC34	LB Camden	£345,000
ENGLAND TOTAL		£3,227,577

ANNEX B

CONDITIONS FOR THE PAYMENT OF THE CARERS STRATEGY DEMONSTRATOR SITES PROJECT GRANT FOR 2010/2011

1. The payment of grant monies to local authorities as specified in Annex A pursuant to section 31 of the Local Government Act 2003³ (“the monies”) for local authority expenditure in the financial year 2010/2011 shall be subject to the conditions set out in this Annex.

2. In this Annex –

(a) “Carers grant” means the carers grant paid as part of the Area Based Grant to local authorities from April 2008 under section 31 of the Local Government Act 2003, in recognition of the need for carer support in local authority areas⁴.

“(b) Project plan” refers to the plan for implementing a CSDS Project as agreed with the Secretary of State in the financial year 2009/10”

Use of grant

3. (1) The monies shall only be used by a local authority for expenditure on a CSDS Project and in accordance with its project plan.

(2) Part of the monies may be used by a local authority to procure the services of other organisations to carry out the work of a CSDS Project in line with local authority procedures.

Unspent monies

4. If a local authority does not spend the whole of the monies set out in Annex A (allocations for 2010/2011) in the financial year 2010/2011, then the local authority shall –

(a) notify the Secretary of State in writing by 31 March 2011 of the amount of the monies the local authority has not spent in the financial year 2010/2011; and

(b) if requested by the Secretary of State, repay to the Secretary of State an amount equal to such part of the monies as the local authority has not spent in the financial year 2010/2011. Such sum shall become repayable to the Secretary of State on 31 March 2011 or such later date, if any, as the Secretary of State may determine.

Further information

³ 2003 c.26.

⁴ See 2008-09 Grant Determination Notification to CEOs issued 18 March 2008 - number 31/1051.

4. Each local authority shall supply to the Secretary of State such further information in such manner and by such a date as may be required by him for the purposes of determining whether they have complied with the conditions set out in this Annex.

Accounting for the funding

5. Each local authority shall account for expenditure of the monies in their full annual accounts by means of a note to the accounts and shall make these accounts available for inspection by the Secretary of State if requested by him and by such date if any as requested by him.

Repayment of funding

6. (1) If a local authority fails, without the prior written agreement of the Secretary of State, to comply with the conditions set out in this Annex or if any of the events referred to in sub-paragraph (2) occurs, the Secretary of State may require the repayment of the whole or part of the monies paid, as may be determined by the Secretary of State and notified in writing to the authority. Such sum as has been notified shall immediately become repayable by that authority to the Secretary of State.

(2) The events referred to in sub-paragraph (1) are as follows:

- (a) the authority or anyone on its behalf has provided, or provides information that is in any material respect incorrect, incomplete or otherwise misleading;
- (b) an overpayment is made under this grant or any amount is paid in error.

Monitoring funding

7. Each local authority shall provide to the Secretary of State when requested by him a report setting out progress on the CSDS Project against the local authority's project plan and such information as the Secretary of State requires for the purposes of monitoring the project.

Other conditions

8. (1) Each local authority shall ensure that the monies are not used to finance

- (a) fundraising activity; or
- (b) activity which is political in intention, use or presentation.

(2) Each local authority shall note that:

- (a) the amount of the grant will not be adjusted to meet any increases in the cost of the project such as pay and price increases

(b) The Secretary of State makes no commitment to renew financial support at the end of the financial year to which the grant relates;

(c) where work is sub-contracted to an external organisation or 'contractor', the local authority should ensure the organisation or contractor shall assign to the Department of Health any intellectual property rights in any materials of any kind created by the contractor for the purposes of the CSDS project. The Department of Health shall grant the contractor for the period of this contract a non-exclusive free licence to use the intellectual property rights in any materials of any kind that the contractor has assigned to the Department of Health under this contract.

- (3) Each local authority, and anyone acting on its behalf, shall comply with the law for the time being in force in the United Kingdom when carrying out CSDS Projects and using the monies.
- (4) Each local authority shall ensure that a staff member of at least Assistant Director level or equivalent maintains overall responsibility for the CSDS Project and that there is a lead officer with responsibility for the day to day management of the CSDS project. The post of lead officer should be a full time or equivalent post for the duration of the CSDS project.
- (5) Each local authority shall ensure that it involves carers in the planning, monitoring and running of their demonstrator site(s) as demonstrated in their initial bid for the monies in response to the Demonstrator sites prospectus document.
- (6) Each local authority shall take part in networking events and other events or activities designed to ensure that the learning from the CSDS project is shared.
- (7) Each local authority shall comply with the Secretary of State's arrangements to evaluate the impact of its CSDS Project and, if desired, may also conduct a local evaluation for its own use.
- (8) Each local authority shall ensure that its staff are sufficiently trained and supported to implement the CSDS Project.
- (9) Each local authority shall ensure that its internal financial systems are sufficiently developed to support the implementation of the CSDS Project. This will include ensuring that funds from different funding streams, such as the Carers Grant and funds from PCTs, which support aspects of the programme of CSDS projects are correctly identified, used appropriately and accounted for in relation to the CSDS project.

- (10) Local authorities should make links wherever possible with other Carers Strategy Demonstrator Sites Projects undertaken or being undertaken as part of the implementation of the national Carers Strategy as well as other Department of Health funded demonstrator or pilot sites as appropriate for example dementia pilots and NHS life checks.