

**From:** FOI Responses  
**Sent:** 10 June 2025 13:21  
**To:** [REDACTED]  
**Subject:** [REDACTED]

[REDACTED]

Thank you for your Freedom of Information request dated 12 May 2025, for information about the cost of residential or where needed, nursing care home services into consideration at the point of care planning for the person owed a duty.

Please find below City of Doncaster Council's responses to the questions you have raised.

**Request:**

1. In the context of your adults' social care (or if you are an ICB, your Continuing NHS Healthcare) service, does your council/ICB take the cost of residential or where needed, nursing care home services into consideration at the point of care planning for the person owed a duty i.e. after any eligibility decision has been made but before a budget for the duty owed to the client (or patient) is finalised (as it is lawful to do)?

**Response:**

No. At City of Doncaster Council, when considering requests for care, the outcomes of individuals, appropriateness of provisions and restrictions on liberty are balanced. Community provisions are not balanced against residential/nursing care costs, Social Care community provisions are not considered against an upper cost limit and individual outcomes and Commissioned rates of care are applied to home care and residential care for framework contracts. However, if a specialist provision is required, these are considered on a case specific basis, applying commissioning principles.

City of Doncaster Council do not hold information relating to the ICB, therefore you may wish to contact them directly at: <https://southyorkshire.icb.nhs.uk/our-information/freedom-information-foi>

**Request:**

2. If the answer to Question 1 is yes, how do you ensure that the care planning staff do not apply those theoretically lawfully relevant costs to the care planning exercise without also balancing them with the person's wishes and feelings, their state of cognitive functioning, their Choice of Accommodation rights anywhere in the country under the Regulations, their human rights to respect for their homes and family life, under article 8 and the UK's Human Rights Act, and the fact that the wellbeing duty under the Care Act requires consideration of the emotional wellbeing of not just the client but also people's carers (the definition of which is broad enough to include people who will be visiting the individual)? Please give a narrative answer.

**Response:**

Not applicable, see response to question 1.

**Request:**

3. If the answer to Question 1 is yes, but the person or their family says that a care home would not be acceptable to them, does your decision-making body or level of officer with delegated decision-making authority for the organisation (i.e. a panel, a forum, a meeting, a huddle)

a) follow para 10.86 of the Care Act Guidance (or the National Framework practice guidance if the person is entitled to CHC funding) and reconsider whether in fact the offer of a care home that has been aired may be unlawful in the first place, with regard to the pros and cons of a move at this time, the impact of the difficulties being faced by the person and the possibility that the person's or support circle's stance being conveyed may be an indication that appropriateness and suitability has not been properly considered, as yet? (...since only the cost of suitable and appropriate proposals can be of any lawful relevance to the ultimate offer from the Council or ICB?)

b) if the organisation is sure that the proposal being aired is at least lawful, consider the possibility that the person could also potentially be cared for in their own home or a non-registered setting, and that therefore the Best Value aspect of the two alternative suitable proposals for meeting the needs must in fact be engaged with and considered?

c) offer a direct payment capped to the cost of the care home you have been bearing in mind, regardless of any other consideration, on the basis that it is the person's choice to refuse a care home, or if lacking in capacity, their relative's choice?

d) offer a sum capped to the amount of the care home, but via a direct payment to enable the person to stay in their own home, IF the person and family are able to request a direct payment and your staff are satisfied that the shortfall will be secured through assets, strengths, voluntary contribution of labour or money from the person's circle of support, or the payment by the individual from disregarded assets (for instance, savings below £14250)?

e) identify the actual lowest practicable minimum cost of either council or ICB commissioned or direct payment or PHB funded home care that would be regarded as professionally defensibly sufficient were the person to be supported in their own home, in order to meet whatever the actual extent of eligible unmet need will then be, after all assets and strengths as mentioned in d) are drawn in to meet what would otherwise have been the full extent of the eligible needs identified on assessment?

The Contracts team have no involvement with cost setting or financial negotiations.

e) offer to fund whatever the person or their family is prepared to accept, so that the budget can be finalised and signed off in a timely fashion, for at least the short term future?

**Response:**

Not applicable, see response to question 1.

**Request:**

4. If the answer to Question 1 is yes, is the fee level taken into consideration either one or other of the two options below:

a) the local fees agreed with either the care homes on your list of approved providers (after some sort of commissioning exercise for admission to a Dynamic Purchasing System or pre-approved providers), or

b) the standard rates of all the locally registered care homes who have formally agreed to do business with you at a range of rates representing their core fees for the placement (that is, allowing for the addition of one to one hours or services required for a person with the particular level of needs or band?).

c) the lowest spot rate that can be secured by commissioning officers or brokerage staff looking at a capacity tracking tool and communicating with suitable care homes as to what they would take to admit the person to whom your organisation owes a duty?

d) the level of any third party top-up that will also need to be agreed (or any privately arranged additional payment for wants and not needs) for particular aspects of the care home's offered facilities before the person is admitted or allowed to stay on council or ICB terms? (independently set by providers and are various amounts this would mean phoning 44 providers to find out this amount )

**Response:**

Not applicable, see response to question 1.

I hope that this information is useful to you.

City of Doncaster Council estimates that it has cost £49.00 to respond to this request for information.

**Reviewing any decisions made:**

If you are not happy with this reply you can ask us to review our response. To do this write to us within 40 working days of receiving your response at the address below or email [FOIAppeals@doncaster.gov.uk](mailto:FOIAppeals@doncaster.gov.uk)

If you do not agree with the review decision you can apply to the Information Commissioner's Office (ICO) for a decision about our compliance or otherwise with the Freedom of Information legislation. Contact details for the ICO are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. [www.ico.org.uk](http://www.ico.org.uk) Telephone 0303 123 1113.

Yours sincerely,

**Lucy McMahon**

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