

PRIME MINISTER

COMMUNITY CARE WHITE PAPER

Following the discussions in your group earlier this summer, the Department of Health are now ready to publish the Community Care White Paper. Mr. Clarke's letter of 20 October (Flag A) spells out a number of detailed policy proposals and attaches the draft text of the White Paper.

You do not need to go through the draft in detail. But there are a number of points to note. These are largely brought out in Ian Whitehead's note at Flag B attached.

Policy

The main point is that there is currently a muddle about the arrangements for preserved entitlement to income support for people already in residential homes. You were very keen that they should be given reassurance that their rights would be preserved. The Department of Social Security have been toying with reopening this, as far as I can see largely on grounds of administrative difficulty. They now seem to have abandoned that attempt, but the latest papers reveal that the position is not fully worked out. Indeed there are various different propositions included in different parts of the documentation; the annex immediately below the Flag A letter envisages a five year limit on preserved rights; whereas paragraph 9.2 could be taken as implying no time limit.

A related point is the proposal that those with preserved rights should not be able to receive topping up of their income support from local authorities; the suggestion is that "hard cases" could be dealt with through the DSS system, but quite how is not spelt out.

You may therefore want to press for clarification on these aspects, and to stress:

- it should be made absolutely clear that there are full preserved rights for people in residential homes.

- the position of 'hard cases' who cannot get their Income Support topped up from local authorities should be clarified in the DSS system.

Presentation

Ian Whitehead also raised a number of further presentation points. In particular he argues that Chapter 1 of the White Paper needs to be radically recast. The Appendix to his minute also sets out a number of detailed drafting comments. You will want to consider whether you would like these points passed on.

Conclusion

- i) Do you want to press for clarification on preservation entitlement on the lines set out above?

- ii) Do you want to pass on Ian Whitehead's comments on the presentation of Chapter 1 and his other detailed drafting comments?

Y
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not

Y *is please*
not

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PAUL GRAY
26 OCTOBER 1989