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The Rt Hon Kenneth Clarke QC MP
Secretary of State for Health
Richmond House
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London
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NB

RCG

27/10

27 October 1989

Dear Kenneth,

COMMUNITY CARE WHITE PAPER

You wrote to Geoffrey Howe on 20 October with the draft of the White Paper on Community Care. You ask for specific endorsement of seven points set out in the Annex to your letter.

On the first point I am concerned about how encouraging the National Health Service to charge local authorities for social care services might work out in practice. In developing community care we are encouraging Health Boards and local authorities to work together and prepare plans which are consistent. There are grey areas in community care and an encouragement to the NHS to charge for anything which might be described as a social care service might lead to the NHS trying to pass costs on to local authorities and reduce the amount of co-operation.

My views on "topping up" by local authorities and limiting rights to preserved entitlements are set out in separate correspondence to you on these subjects.

While I agree with your proposals on aligning assessment of ability to pay and on attendance allowances, it will be necessary to take these points into account in the calculation of the transfer of resources to local authorities.

While most local authorities should be able to negotiate good prices in the market for residential and nursing home care without the ceiling imposed by national limits, there may be some areas where the local market has not developed to that extent.

I note that you propose to announce your intention not to bring section 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986 into effect, pending a review. As you say, this may well be controversial especially as section 7 also covers the mentally handicapped who will not benefit from the arrangements proposed for the mentally ill. Would an alternative not be to announce the review without the intention not to bring section 7 into effect?

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I am sending a copy of this letter to the Prime Minister, members of H and E(A) and Sir Robin Butler.

Yours ever,
Malcolm Rifkind

MALCOLM RIFKIND



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