

EXPLANATORY NOTES

COMMUNITY CARE (DELAYED DISCHARGES) ACT 2003

INTRODUCTION

SUMMARY

TERRITORIAL APPLICATION: WALES

PART 1 – DELAYED DISCHARGE PAYMENTS

PART 2 – LOCAL AUTHORITY COMMUNITY CARE SERVICES

COMMENTARY ON SECTIONS

PART 1 – DELAYED DISCHARGE PAYMENTS

Preliminary

Section 1: Meaning of “NHS body” and “qualifying hospital patient”

Determination of need for community care services on discharge

Section 2: Notice of patient’s likely need for services on discharge

Section 3: Notices under section 2: supplementary

Section 4: Duties of responsible authority when section 2 has been given

Section 5: Duties of responsible NHS body when section 2 has been given

Delayed discharge payments

Section 6: Liability to make delayed discharge payments

Section 7: Delayed discharge payments

Disputes

Section 8: Ordinary residence

Section 9: Dispute resolution

Supplemental

Section 10: Adjustments between social services authorities

Section 11: Regulations

These notes refer to the Community Care (Delayed Discharges) Act 2003 (c.5)

Section 13: Application of Local Authority Social Services Act 1970

Section 14: Power to extend the application of Part 1 to NHS patients in care homes

PART 2 – LOCAL AUTHORITY COMMUNITY CARE AND CARERS’ SERVICES

Section 15: Free provision of certain community care and carers’ services

Section 16: Free provision of services in Wales

Section 17: Consequential amendments

PART 3 – SUPPLEMENTARY COMMENCEMENT

HANSARD REFERENCES