

*These notes refer to the Personal Social Services (Preserved Rights) Act (Northern Ireland) 2002 (c.5) which received Royal Assent on 26 March 2002*

# Personal Social Services (Preserved Rights) Act (Northern Ireland) 2002

---

## **EXPLANATORY NOTES**

### **OPTIONS CONSIDERED**

7. In relation to 'preserved rights', the options for change were: (i) a targeted increase in the 'preserved rights' rates; (ii) extension of powers for HSS Boards to top up the fees of 'preserved rights' cases; and (iii) transfer of responsibility for funding and care management of 'preserved rights' cases to HSS Boards. It was considered that the first and second options could simply lead to increases in home fees that would not be matched by improvements in services to residents. The third option was consistent with the approach of giving Boards lead responsibility for arranging community care; it would bring the people with 'preserved rights' under the care management and contract negotiation currently enjoyed by people without 'preserved rights'; and, it might also enable some people to move into more supported accommodation if that is what they wanted to do. There was a 26% response rate, and the overall opinion was supportive of the proposed changes in the third option (this is also the option agreed in Great Britain). Doing nothing was not seen as a defensible option.