Making Sense of the Care Act 2014
Session outcomes

To get a clearer understanding of:

- The changes the Care Act brings
- What hasn’t changed
- What the guidance says must happen

Help you think about what you want to find out about what is happening in your area.
Background

The Care Act 2014 is the law – it says what has to be done.

The statutory guidance issued under the Care Act is provided by the Department of Health – this states what must happen and provides some examples of how the Act should work.
Background

The Care Act 2014 rewrites most of the law about adult social care.

It and comes in to affect in April 2015

The Care Act relates to all people aged 18 and over, with rights for people who have an appearance of need, including carers.
Why is it happening?

It’s aim is to put people and carer’s in control of their care and support.

Putting people’s wellbeing at the centre of decisions, to embed and extend personalisation.

To increase the quality of care and support across the country.
Why is it happening?

To prevent, reduce or delay needs for care and support

To ensure that the care and support system is clearer and fairer to people in need and carers.

To protect adults from abuse or neglect
Some duties are not completely new.

- Provide information and advice
- Base decisions on people’s wellbeing
- Take steps to prevent people from needing care and support
- Aim to ensure everyone has a choice of good quality care services
- Give people personal budgets
- Consider integration with health
- Arrange advocates where people need them
Filling the gaps – new duties

- Eligibility criteria based on outcomes
- Social care to prisoners
- Carers entitled to support in their own right
- Arrange care home places for self-funders on request (now 2016)
- "deferred payments" so people needn’t sell their homes in a hurry to pay care home fees
Wellbeing

Physical, mental and emotional health

Individual contribution to society

Community Life

Work, education, training & recreation

Suitability of living arrangements

Protection from abuse & neglect

Domestic, family & personal relationships
Who are the partners?

• The NHS
• Other Local authorities
• Housing authorities and providers
• Welfare and employment support
• Providers

Working together is the only way this can work
Care Act needs assessment and carer’s assessment

Person appears to have needs

Assessment

Written explanation
Information and advice

Are needs eligible?

YES
Written information
Information and advice

(Care and) support plan

Financial assessment

Review
Independent Advocacy

- The Care Act gives people the right to advocacy support if they need. This applies if the person has ‘substantial difficulty’ in being involved?

- This means advocacy that is independent of the council

- To help people have their say about their care needs, and a right to have their care reviewed or to challenge decisions about the care they receive
Substantial difficulty – what does that mean?

Someone who has substantial difficulty in:

- Understanding important information
- Remembering important information
- Ability to use the information to make complex decisions
- Communicating their views, wishes and feelings
Independent Advocacy

The role:
• Support and speak on behalf
• Help someone to be involved

When?
• Substantial difficulty
• No-one appropriate is available

Who for?
• Adults
• Carers
• Children in transition
A new model of paying for care

- **Personal Budgets and Direct Payments**: everyone who has needs that are eligible to be met by the local authority will have a legal right to a personal budget.

- **Deferred payments**: Councils will have a legal duty to offer deferred payments to people under certain conditions.
A new model of paying for care

The Care Act introduces a cap on how much people need to pay towards their own care in their lifetime.

- **Cap on care costs:** due to happen in 2016 although currently under consultation

- **Care account:** When care needs reach a level where they would qualify for support from the council, the amount of money required to meet those needs should be tallied up in a ‘care account’
Thinking about the changes in the Care Act

• Is there anything that you might need to do now?

• Is there more information that you need to find out about?
Summary

- The care Act 2014 is a new piece of law to modernise care and support in England
- There are important changes to the way that people access the care and support system
- New rights for local people
- New duties for local authorities
More information about the Care Act 2014

There are different factsheets about all of the different things in the Care Act

You can find these at:

Lots of useful information available from SCIE
More information about the Care Act 2014

http://www.thinklocalactpersonal.org.uk/Browse/careact2014/