

Care Act 2014

- The Act passed into law in May 2014
- Part 1 final regulations and statutory guidance published end of October 2014. Part 1 implementation by April 2015
- Part 2 (funding reform/care cap) implementation by April 2016
- Care Act Programme Board in place, with programme leads in key areas



1. General duties and universal provision

Wellbeing:

LAs must promote wellbeing and actively seek improvements when carrying out any of their care and support functions in respect of a person

Prevention:

LAs must also provide or arrange services, facilities or resources that prevent, delay or reduce the development of needs for care and support

Implementation update:

1. Text drafted for inclusion in relevant documents including the service specification template, appropriate JSNA chapters
2. Included in training plan to be rolled out to cross-sector partners
3. Linked into information and advice and communications workstreams



1. General duties and universal provision continued...

Information & advice:

Duty to provide a comprehensive information and advice service, including signposting to independent financial advice

Implementation update:

1. Project team established
2. Draft strategy produced and will be consulted upon
3. Online provision being reviewed
4. Choose My Support - recommissioned for a further year

Marketing shaping & provider failure: The market oversight and managing provider failure role is a joint obligation with Care Quality Commission (CQC) and the Council. The Care Act strengthens role for LAs

Implementation update:

1. Contacts in place with CQC
2. Market position statements being reviewed
3. Current provider failure action plan also being reviewed



2. First contact and identifying needs

Assessment:

All citizens are entitled to receive a care and support assessment and, if relevant, a care plan.

Citizens can also ask the LA to arrange care, irrespective of who is funding care

Eligibility:

Assessments must use the new national framework

Carers:

Duty to complete carers assessments and meet their eligible needs

Implementation update:

1. Policies, forms and processes updated
2. Development of a universal carers plan
3. Current advocacy contracts reviewed and updated
4. Every Colleague Matters Event scheduled for w/c 9 February



3. Charging and financial assessment

Charging and financial assessments: Small amends required and options regarding charging policies, such as financial assessments for couples, self-funders, hospital discharge, carers and prisoners

Implementation update:

1. Scoping exercise underway for charging amends - ensuring no citizens will be worse off and that the Council applies the right criteria
2. Consultation to be undertaken

Deferred payment: People will not have to sell their home to pay for residential care whilst they are still alive

Implementation update:

1. Basic information is being provided to citizens interested to take this up from April
2. Finalising of policies and practices
3. Local interest rate to be set



4. Person Centred Care and Support planning

Care & support planning/personal budgets: LA duty to provide a care and support plan. Development of the plan must involve the citizen and be reviewed. Citizens/carers can have a joint care and support plan

Direct payments: Using the information from the personal budget, the person has a legal entitlement to request a direct payment and LAs must provide them to citizens who meets the conditions in the regulations

Transition: Children (and carers) likely to have needs when they turns 18, must be assessed, regardless of whether they currently receive any services

Implementation update:

1. Review of forms, policies and procedures
2. Included in training plan



5. Integration and partnership working

Integration:

LAs must promote integration with the aim of joining up services particularly between the NHS, care services, and wider determinants of health such as housing

Cooperation: LAs and partners must cooperate in the case of specific individuals

Implementation update:

1. Assistant Director Health and Social Care Integration attends the Programme Board meetings
2. Compliance check to be undertaken



6. Safeguarding: LAs must establish Safeguarding Adults Boards with local partners, with public plans, annual reporting and clear processes for investigating suspected abuse or neglect

Implementation update:

1. Review of operational practice
2. Board Task and Finish Group established

7. Moving between areas :
New process to ensure continuity of care. There are changes to ordinary residence - responsibilities of the placing LA widen to include supported living and shared lives schemes

Implementation update:

1. Review of forms, policies and procedures



9. Prisons:

The Act establishes that the LA in which a prison, approved premises or bail accommodation is based will be responsible for assessing and meeting the care and support needs of the prisoners residing there

Implementation update:

1. Links made with HMP Nottingham and approved premises and bail accommodation providers
2. Contract discussions underway with NHS England



Additional implementation activity:

- IT systems procurement exercise underway
- Delivery of staff training underway
- National awareness campaign has started and will gather in pace in February
- ADASS/LGA Stocktake currently taking place
- Self-assessment compliance checking to begin in February

