

# Care Act 2014



## GOOD NEWS

According to the government, the Care Act 2014 brings about “the biggest reforms to the social care system in more than 60 years”. The Act aims to put disabled adults (it does not apply to disabled children or parent carers) and carers in control of their care and support, and for the first time introduces a limit on the amount anyone will have to pay towards the costs of their care.

Carers UK stresses that “the Act strengthens the rights and recognition of carers in the social care system, including, for the first time giving carers a clear right to receive services. These are by far the strongest rights for carers yet.”

The Act will not come into effect until April 2015, and the Care Costs Cap from April 2016.

Below is a brief synopsis of the key points of the Act.

## 1. Wellbeing

Local authorities (LAs) have a general responsibility to promote individual wellbeing; this includes:

- Personal dignity.
- Physical, mental and emotional health.
- Protection from abuse and neglect.
- Control over day to day life, including what care and support is provided and how.
- Participation in work, education, training or recreation.
- Social and economic wellbeing.
- Domestic, family and personal relationships.
- Suitability of living accommodation.
- The individual's contribution to society.

LAs also have to act with the assumption that the individual is best-placed to decide what is best for their own wellbeing, and to recognise the importance of achieving a balance between the individual's wellbeing and that of any friends or relatives who are involved in caring for them.

## 2. New Duties & Responsibilities

LAs will have to make sure people in their area:

- Receive services that prevent care needs worsening, or delay the impact of these needs.
- Can get the information and advice they need to make informed decisions about care and support.
- Have a range of high quality care providers to choose from.

## 3. Eligibility

A new, national minimum eligibility threshold for care and support services for disabled adults and carers will ensure that access to services isn't dependent on where people live.

## 4. Assessments

Disabled adults and carers should be offered an assessment if they appear to have care and support needs, regardless of their finances or whether the local authority thinks their needs will make them eligible for services. This does not mean social services will be proactively seeking carers - carers will still need to make initial contact with the LA. *This is a major change for carers as they no longer have to request a carer's assessment, and they do not have to be providing a regular or substantial amount of care.*

## 5. Care & Support Planning

Following an assessment, if a disabled person or carer is found to have eligible needs, LAs have a legal responsibility to:

- Help the person make decisions on how they want their needs met, and prepare a care and support plan (or a support plan for a carer).
- Inform the person which of their needs they will meet and where direct payments can be used to meet these needs.
- Give details of a person's personal budget (the overall amount of money that is available to someone from their LA to pay for their assessed support or care needs).

The LA does not have a duty to provide services to meet needs that are being met by a carer, so it is essential carers are involved in the assessment and make clear the extent to which (if any) they wish to continue caring.

*This establishes a new legal entitlement for carers to receive support - either via services provided directly to the carer, or services for the disabled adult.*

## 6. Advocacy

The LA has a duty to provide an independent advocate to help someone participate in the assessment, support planning and review process if they would otherwise have substantial difficulty in doing so.

## 7. Self-Funders

If a person is assessed as having eligible needs, but their income is above the limit for financial help from the LA, the LA still has a duty to arrange services on their behalf if the person requests it. The LA may then charge for these services, and for their arrangement and management.

*This should increase the support for self-funders who are often told to make their own arrangements, but then struggle to do so.*

## 8. Continuity & Transition

The continuity duty means that LAs have to work together to ensure a disabled adult or carer moving from one LA to another does not experience any gaps in their support. The second LA has a duty to continue to meet any of the needs that were being met in the first LA until they have conducted their own assessment.

Young carers who are approaching 18, and parent carers of a disabled child who is approaching 18 who ask adult social services for an assessment should continue to receive the same levels of support they were receiving from children's services until the adult assessment is completed.

## 9. Care Costs Cap

A cap on care costs of £72,000 comes into effect from April 2016. LAs will be responsible for keeping a Care Account for any appropriate adult, including self-funders but not including carers, assessed as having eligible needs.

The Care Account will keep track of an individual's contributions towards the cap.

Only the amount of funding agreed by the LA for care needs in the personal budget counts towards the cap, not the overall amount the person is paying. The amount set by the LA will exclude daily living costs (currently set at £230 a week) and any third-party top up fees paid by people who choose a care home that is more expensive than the LA would fund.

Once the cap is reached the LA must pay for all future eligible care costs, this does not include daily living costs or third party top up fees.

## More Information

Carers UK (0808 808 7777, [www.carersuk.org](http://www.carersuk.org)) has produced a briefing on the Care Act 2014, focusing on the key provisions for carers.

The Department of Health ([www.gov.uk/government/publications/care-act-2014-part-1-factsheets](http://www.gov.uk/government/publications/care-act-2014-part-1-factsheets)) has published a series of factsheets on Part 1 of the Care Act, which provide an overview of the duties and powers LAs will have in the future.

Croydon Council is planning to set up a Care Act question email address, and create a specific Care Act section on their website by the end of 2014 - we will bring you more details of these as soon as we have them.

## Get Your Care Account Started

Care Accounts should go live from 1 April 2016, so to make sure none of your contributions are wasted it is a good idea to have your care needs assessed by social services before then. If you meet the national eligibility criteria you will be allocated a personal budget for your care needs. Then, from April 2016 you will start adding to your Care Account and building towards the cap. It is recommended that people wanting to get their Care Account started should approach social services for an assessment from 1 October 2015.

## Grant to Help Carers Keep Going



Crossroads South Thames Carers Support and Advocacy Service has funding from Croydon Council to offer £250 grants to Croydon carers aged over 50 who are caring for someone over 50.

Carers who fit this criteria, and have not received a grant from this fund before, should call Ros Cox (Monday - Wednesday) on 020 8663 5624 or email [ros@souththamescrossroads.org](mailto:ros@souththamescrossroads.org) for an application pack.

This grant is not means-tested, and should be used to help prevent a breakdown in the health or wellbeing of a carer. In the past carers have used the grant for things such as: a spring clean of their house, an exercise bike, a counselling course, massage therapy, a new mattress.

## Ambassador Clubs

Whizz-Kidz Ambassador Clubs are a place for young wheelchair users (up to the age of 25) to meet up, make friends and have fun. The clubs offer everything from music, dance, art, sports, beauty therapy, cooking, trips and a whole lot more. They also run campaigns to help improve the lives of young disabled people by raising awareness of disability issues and campaigning for better facilities. There is no charge to attend and Whizz-Kidz provides qualified healthcare staff to support young people with any personal and medical care needs they have. Volunteers are also on site to help club members take part in activities and increase their independence. There are currently 43 Ambassador Clubs covering the UK and each club meets every six to eight weeks. The South London Ambassador Club covers Croydon and Bromley and meets at St Giles School, Pampisford Road, South Croydon CR2 6DF. For more information or to apply for a place contact Jess Bool, Ambassador Club Manager, on 020 7798 6108 or email [j.bool@whizz-kidz.org.uk](mailto:j.bool@whizz-kidz.org.uk)

## Drug & Alcohol Services

Since 1 October 2014 the Croydon Recovery Network has taken over all of the borough's drug and alcohol services and created one integrated substance misuse service offering support to both adults and young people.

The initial changes are to locations: the main adult hub will remain at Lantern Hall, and the young people's service will remain at the Turnaround Centre, but Katherine Street and Action House are now closed. More satellite locations will be available in community settings across the borough.

Over the next six months the Network will be developing new forms of treatment and recovery support that service users will be able to access, including:

- A new range of group-based opportunities and learning activities.
- Specialist employment training and education service.
- Self-help materials.
- New mutual aid groups.
- Peer mentoring training and volunteering opportunities.
- Fitness and health and wellbeing initiatives.

For more information or to make a referral to the Network call 0300 123 9288 or email [croydonrecoverynetwork@turning-point.co.uk](mailto:croydonrecoverynetwork@turning-point.co.uk).