

The Care Act in a nutshell



What's it all about?

The Care Act 2014 is the most significant change to adult social care in over 60 years. The Act embeds people's rights to choice and taking control of their care and support.

The Act has:

- **Recognised the council's broader care and support role in the community, focussing more on universal services which enable people to remain as independent as possible**
- **Created a consistent, fair and streamlined legal framework which focuses on individual needs and outcomes**
- **Introduced a new approach to assessments and the provision of services**

The majority of the Act took effect from April 2015, however major reforms to the way social care is funded due to take effect from April 2016 have been delayed until 2020.

What happened in April 2015?

- **A new emphasis on wellbeing was introduced**
The Act has placed a duty on the local authority to promote wellbeing when carrying out any care and support function.
- **A comprehensive information and advice service was developed and established**
The Act places a duty on local authorities to ensure that information and advice on care and support is available to everyone when they need it.

Locate is a new website which contains a wide range of care and support products and services which can help people to live as independently as possible. This includes signposting people to independent financial advice.



- **We have new responsibilities for early intervention and prevention**
The council have reviewed preventative services contracts and are targeting our approach towards early intervention and prevention.
- **Eligibility for social care has changed**
A national minimum eligibility threshold is now in place to determine whether the individual has eligible needs.



- **Changes to assessments and who we will assess**

Anyone, including carers, with the appearance of needs for care and support, are now entitled to an assessment, regardless of their financial situation. The assessment focuses on outcomes and wellbeing. There are also new arrangements in place for the assessment of prisoners with care and support needs.

- **Adults with eligible needs will have a legal right to Personal Budgets and requests for Direct Payments**

We have updated our approach on the allocation of Personal Budgets and requests for Direct Payments including introduction of pre-payment cards for Direct Payments.

- **A diverse range of quality care providers is available**

We have engaged with providers through the Market Position Statement and are developing a diverse and high quality range of care and support services for people to choose from.

- **Deferred payment agreements have changed**

Anyone in a care home who cannot meet the full cost of their care and has a property can request a deferred payment if they meet the eligibility criteria and can provide adequate security. This means that a person, if they qualify, can defer paying some of their care costs so that they do not have to sell their home during their lifetime. We have reviewed the council's existing deferred payment scheme to meet Care Act requirements.

- **New legal duties to safeguard adults**

A new statutory framework through the County Durham Safeguarding Adults Inter-Agency Partnership has been established. Safeguarding duties are in respect of adults who:

- Have need for care and support
- Are experiencing, or at risk of abuse or neglect

and

- As a result of their care and support needs are unable to protect themselves from abuse or neglect

- **Better planning of the transition between children's and adults services**

A project steering group has been established to monitor the development of a countywide Transitions Team (14-25 years) to ensure that the experience of children and their carers is positive and seamless.

- **Unpaid carers are formally recognised as having their own needs**

The Care Act reformed the law in relation to carers whereby carers are recognised in the same way as the 'cared for'. We have reviewed and revised our carers assessment procedures and operating processes in relation to carers.