

## SUMMARY OF THE CARE ACT 2014

The Care Act 2014 is the single largest change to health and social care policy for a generation. It brings together a number of existing laws and introduces new duties for local authorities with the aim of ensuring that wellbeing, dignity and choice are at the heart of health and social care across the Country.

The Act brings those funding their own care into the care system and local authorities have responsibilities to provide all people living in their area with information and advice to make good decisions about care and support, to provide them with universal services and undertake assessments, which are based on need - regardless of their financial resources.

The Act also sets out a new model of paying for care, putting in place a cap on the care costs for which a person is liable. There is a duty on local authorities to operate a deferred payment system for people going into residential care. These new arrangements are based on the Dilnot Commission on long-term care funding and comes into force from April 2016.

There are also strengthened rights and recognition of carers, including giving carers a clear right to an assessment and also to receive services. In response to lobbying from Carers organisations, the Children and Families Act 2014 has introduced the right an assessment for your carers based on the appearance of need.

Prevention is also a key element of the Act, and local authorities must now consider whether the individual and/or the carer would benefit from preventative services, information and advice or anything which might be available in the community.

The Act also includes the “well-being principle”. Well-being covers a range of outcomes such as physical and mental and emotional well-

being. It also covers participation in work, education and training and social and economic well-being.

Once an assessment has been done, the local authority has a duty to meet needs and must prepare a care and support plan, inform the person which of their needs it will meet and where direct payments may be used to meet needs and then help the person in deciding how to have their needs met.

There is a “continuity” duty, which means when an adult who receiving care and support in one area of England moves home, they will continue to receive care on the day of arrival in the new area. The receiving local authority must maintain these services until it has carried out its own assessment and put in place new care and support based on the new assessment

The Act strengthens and clarifies the situation for children in transition from children’s to adult service by requiring local authorities to continue providing services through the assessment process and up the time when the adult care and support is in place to take over.