

Care Act Presentation

Background

Carers organisations broadly welcome the Care Act. It has most of what they hoped for in it, however it is very challenging for local authorities to implement and finance/fund.

The Care Act simplifies, consolidates and improves existing legislation putting carers on an equal footing to those they care for and putting their needs at the centre of the legislation.

Related to the Children & Families Act (2015 implementation) which contains sections on Young Carers and Parent Carers.

The Act places new duties and responsibilities on local authorities in terms of Carers and Young Carers.

Key Areas Related to Carers

1. Definitions of a carer
2. Wellbeing and prevention
3. Information, advice, advocacy and availability of services
4. Assessments
5. Eligibility and charging
6. Meeting needs for support
7. Care and support planning
8. Personal budgets and direct payments
9. Safeguarding
10. Translation from children's to adults services

Key Areas Related to Carers

- The principle of promoting wellbeing is the driving force behind the legislation.
- Duty to provide independent advocacy.
- Integration of care and support with health and health related provision.
- Diversity and quality of services.
- Emphasis on prevention.
- Clause's 9&10 – Right for carers to an assessment based on the appearance of need regardless of financial resources. Must support achievement of outcomes, removes previous requirement for Carers to be undertaking regular or substantial care or to request an assessment.

Support of carers is key to the effective delivery of the Act because they underpin statutory services.

- The assessment must consider whether the carer is willing and able to continue to care and have regard to whether the carer is working, in education or wishes to be so. The care can be practical or emotional and must also consider what resources the carer can access from the wider community.
- Support planning is key.
- Whole family assessments.
- Duty and power to meet a carers need for support (Clause 20).
 - Provision of support to the carer (eligibility).
 - Provision of support through care and support to the adult needing care.

Implications

A local authority must need eligible needs of adults and carers which they have financial resources below the financial limit. They can still be placed under a duty to meet the needs of those with financial resources above the limit but the adult or carer must request they do so, however in this instance costs for provision of services may need to be met by adult or carers dependent on services being provided.

Personal Budgets and Direct Payments

- Choice and control for carers, services to them can be offered as either services or as Personal Budgets.
- Carers are also key to assessments around personalisation for the looked after person.

The Way Forward

- Co-produce solutions.
- Involve users and carers.
- Please don't charge carers for services as it's counter productive, cost negative and morally wrong.
- Realise the Voluntary Sector is a unique resource in the delivery of this Act.
- Utilise and build on what exists already.
- Be creative and innovative.