

CARE ACT UPDATE REPORT

Committee – Health Liaison Board 3 December 2014

Report of Chief Officer Communities & Business

Status: For Consideration

Key Decision: No

Executive Summary: This report summarises the 2014 Care Act in relation to adult health and social care law and details the impacts for this Council.

This report supports the Key Aim of providing the right support at the right time, reducing health inequalities and improving health and wellbeing for all

Portfolio Holder Cllr. Hogarth

Contact Officer(s) Hayley Brooks Ext. 7272

Recommendation to Health Liaison Board:

Members are asked to note the report.

Reason for recommendation: Members are asked to note the report.

Introduction and Background

- 1 The Care Act 2014 received Royal Assent on 14 May 2014 and the accompanying final regulations and statutory guidance were published on 23 October 2014. The majority of the changes to be implemented from April 2015 will overhaul and modernise the existing complex system of care and support that has evolved over the last sixty years.
- 2 The Care Act reforms the law relating to the care and support of adults and their carers by bringing together a number of existing laws and introducing new duties upon local authorities. These changes will affect people who need social care as well as their carers, local authorities and service providers.
- 3 Delivery of the principles of the Care Act are already being developed through integrated working within the Better Care Fund plans including looking at a whole systems approach and support services delivered through effective partnership working.
- 4 The purpose of this report is to provide Members with an overview of the new legislation, and provide a summary of how these changes impact services provided by this Council.

- 5 Kent Cabinet Members presented a report to the Kent Health and Wellbeing Board on 19 November 2014. A copy of this report is set out at Appendix A for information.

Overview of the Changes to the Care Act 2014

- 6 The Care Act 2014 aims to ensure that the wellbeing of individuals is at the heart of health and social care services. The changes will mean:

- Clearer financial arrangements
- Better information and advice
- Improved support for carers
- Greater choice of services.

- 7 The majority of the changes will come into effect from April 2015 and are the responsibility of Kent County Council. These include:

- Introduction of a new national minimum care eligibility criteria so that the same rules apply across the country
- New rights for carers and duties for local authorities to provide support to carers
- Nationally defined universal deferred payments enabling care home residents to defer the amount they should contribute based on the capital value of their former home
- A legal basis for personal budgets and for the integration of health and social care
- Local authorities to provide information and advocacy to help plan and prevent care needs
- Ability for local authorities to delegate social care functions to another organisation, except safeguarding, decisions on charging and integration.

- 8 Some changes relating financial implications relating to care will start from April 2016 including a cap on care costs, changes to residential means-test threshold and an extension to direct payments relating to care home residents.

Implications for Sevenoaks District Council

- 9 Several key provisions of the Care Act have links to key priorities and actions within this Council's strategic documents including the Community Plan, 'Mind the Gap' Health Inequalities Plan and the Housing Strategy. These provisions include:

- Promoting individual wellbeing
- Early intervention and prevention

- Targeted services
 - Integration, co-operation and partnership working
 - Good quality advice, advocacy and information
- 10 Wellbeing – discretionary and support services delivered by this Council such as support for debt advice, community grants, leisure facilities, independent living centres, housing repair grants, health improvement, community engagement and energy efficiency.
- 11 Early intervention and prevention – services to reduce hospital admissions, provide safe, warm and secure homes, falls prevention, ill health prevention and appropriate housing based on needs.
- 12 Direct payments – this Council has a statutory responsibility to administer Disabled Facilities Grant (DFG) funding, which people can purchase as part of their Direct payments. DFG will form part of the Better Care Fund for which the County Council is the accountable body; the working arrangements between the County and District Councils are yet to be agreed.
- 13 Integration and partnership working – reinforces the co-operation of organisations and the integration of services through good working relationships. This may include adult social care and housing services; GP referral schemes and leisure providers, hospital discharge teams and benefit and housing support services.
- 14 Housing – Provide integrated housing support, links with social care, details of local housing needs, accessible and affordable housing which is fit for purpose.
- 15 Safeguarding – Kent to set up a Safeguarding Adults Board. This Council has a duty to have a co-ordinated Safeguarding Policy and links will be put in place with the Kent Safeguarding Board.

Key Implications

Financial

- 16 This report is for information only and does not recommend any financial or use of officer resources at this stage.

Non-Financial

- 17 Further implications of the Care Act will be considered as work with partners progresses through the delivery of the Better Care Fund. Any financial or other implications of the Act will be brought to Members for consideration.

Legal Implications and Risk Assessment Statement

- 18 This report is for information only. There are no legal implications relating to this report. Any future agreed actions would be fully risk assessed.

Risk	Mitigation
This report is for information only.	If any service changes need to be implemented as a result of Care Act changes, a full risk assessment will be carried out at that stage.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	N/A	Report for information only.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	N/A	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

Conclusions

19 Members are asked to note this report.

Appendices

Appendix A – Kent Cabinet Member Health and Wellbeing Report

Background Papers: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/adult-social-care-policies/care-act>

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