

PREPARATION FOR THE CARE ACT 2014

Adult Social Care & Health Cabinet Committee

11 July 2014

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Policy & Strategic Relationships



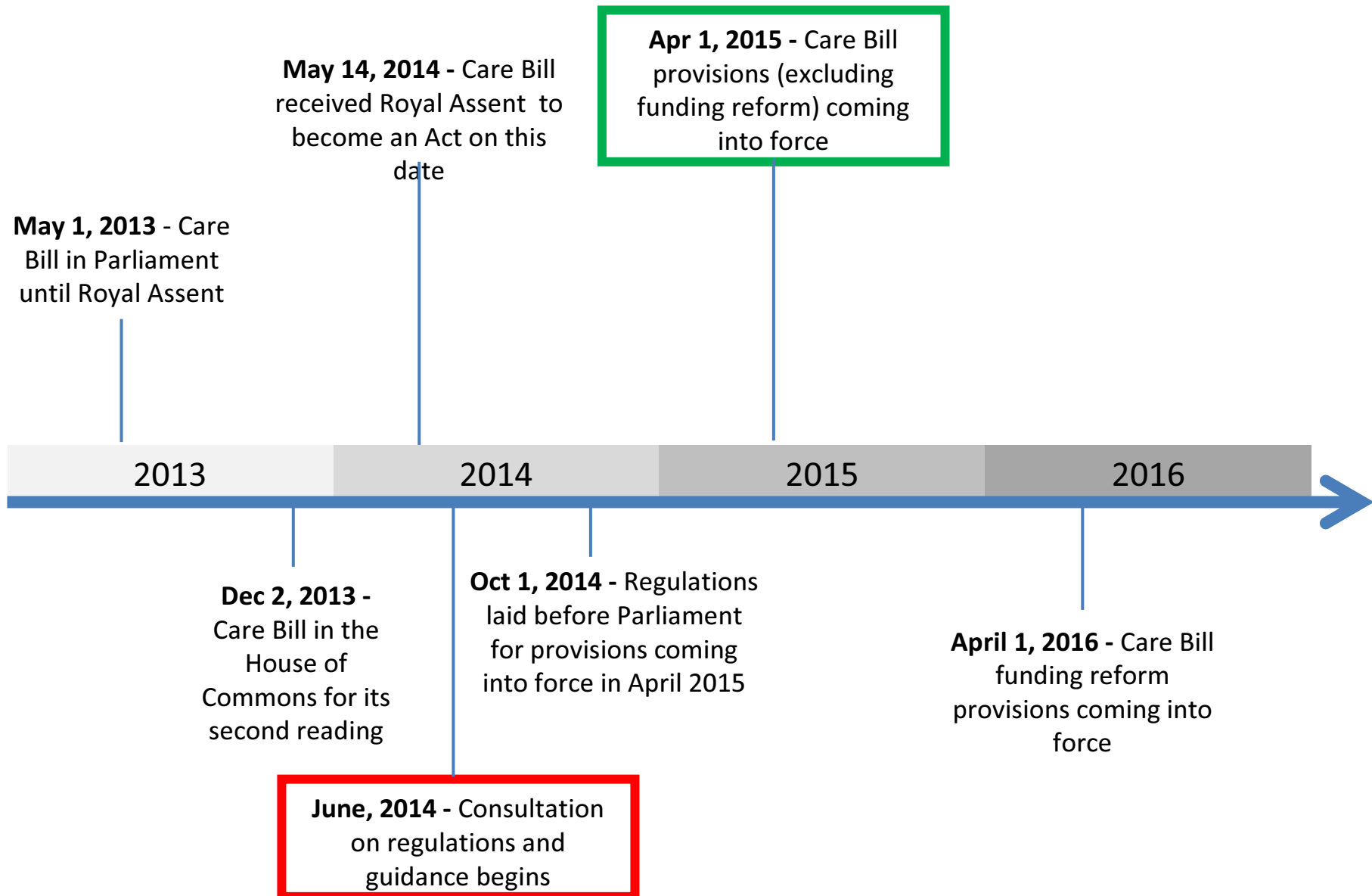
New legal framework April 2015...(2)

- 1. New National Minimum Eligibility Criteria:** Based on needs caused by a physical, mental impairment or illness that have significant impact on specified outcomes and well-being of an adult
- 2. New Rights for Carers:** New duties to provide support to carers additional to existing legal duty to carry out assessment
- 3. Universal Deferred Payments:** Nationally defined universal deferred payments to be administered by local authorities
- 4. Prevention:** Legal duties on local authorities to provide information & advocacy to plan and prevent care needs
- 5. Statutory Safeguarding Adults Board:** Mandated to fulfil specified duties
- 6. Delegation of Social Services Functions:** Power for local authorities to delegate social care functions except safeguarding, decisions on charging, integration and direct payments
- 7. Prisoners:** New duties on local authorities to meet the care and support needs of prisoners and people in approved premises

New legal framework April 2016...(3)

- 1. Lifetime Cap on Care Costs:** first ever cap on care costs of £72,000 for over 65s (excluding living costs); caps for younger people still to be set; free care if needs develop before age 18.
- 2. Residential means-test threshold:** rising from £23,250 to £118,000 for people in care homes where property is taken into account (otherwise £27,000 where the home is not counted)
- 3. Extension of Direct Payments:** Care home residents will be able to use direct payments for some or all of their care and support

Timelines for implementation...(5)



Key national and local challenges...⁽⁶⁾

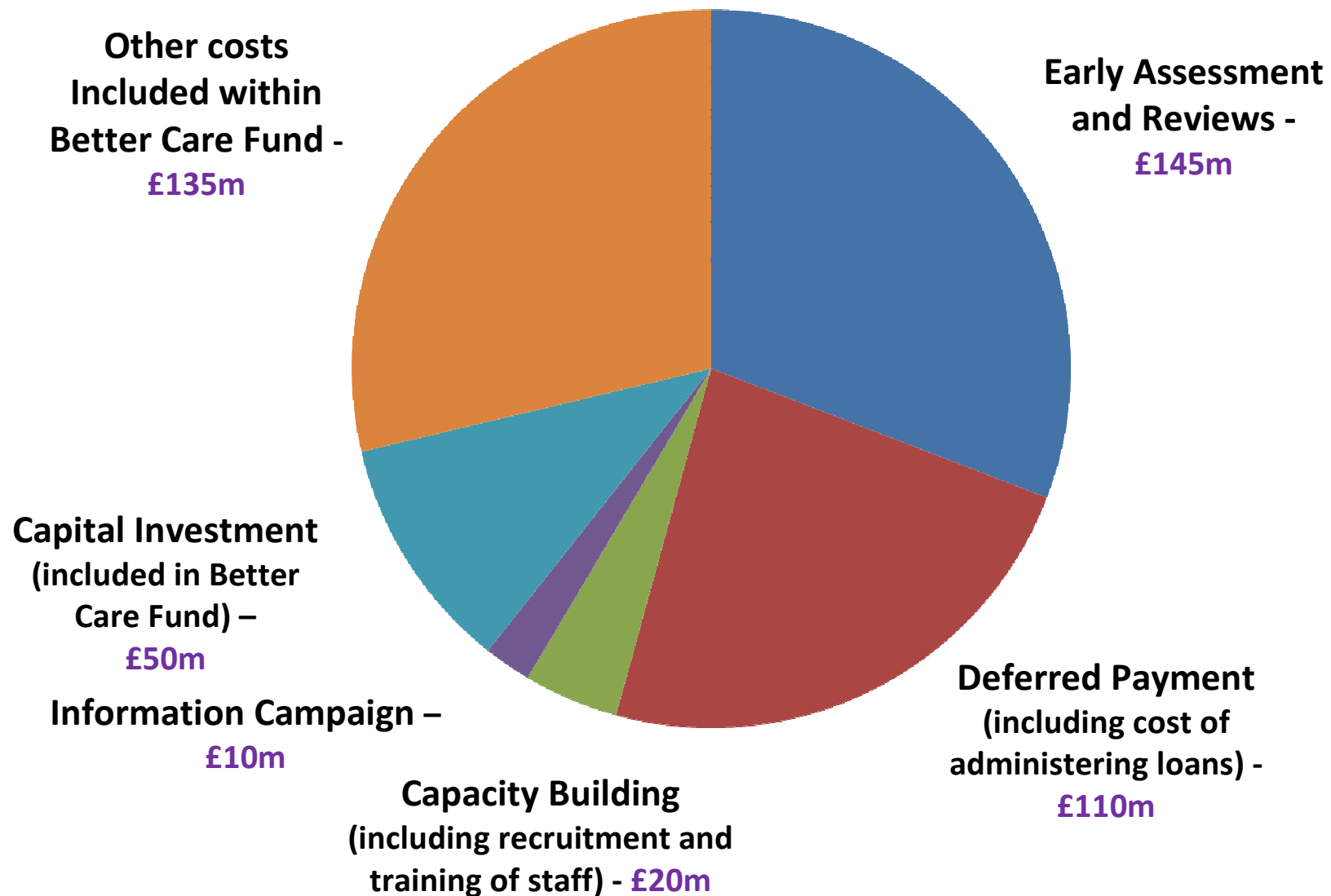
- Affordability of the reforms (cap on care costs, carers and self-funders)
- Working out the true costs of the reforms
- Timeliness of changes to IT & Finance systems
- Clear and accurate communication to inform the public
- Workforce capacity and training implications
- Commissioning and ensuring diverse range of services

National key assumptions & risks...(7)

“Many impacts on local authorities cannot be considered until regulations have been made and hence further impact assessments will be required”

Source: Care and Support Legal Reform (Part 1 of the Care Bill) IA No. 6107, DH December 2013

'New burdens' funding 2015/16...(8)



Government funding...(9)

Govt. funding	England £	Kent £
2014/15 Confirmed funding for Kent	£19m	£125k
2015/16 DCLG/DH	£335m	Subject to local govt. settlement
BCF	£135m	
Total Govt. funding	<u>£470m</u>	
2016/17	Subject to CSR	

Potential additional activity...(10)

Activity	Additional Activity			Date Expected to Commence
	Low	Best	High	
Carers Assessment	5,130	6,900	7,500	April 2015
Carers Support	3,150	3,300	3,900	April 2015
Deferred Payments	200	310	1,160	April 2015
Needs Assessments (from Oct 2015) (figure in brackets equals the 70% likely to require financial assessment)	4,600 (3,220)	6,900 (4,830)	9,200 (6,460)	Oct 2015
Needs Assessment/reviews (from April 2016) (figure in brackets equals the 70% likely to require financial assessment)	13,800 (9,660)	20,700 (14,490)	27,600 (19,320)	April 2016

Programme management & governance (11)

Sponsoring Group:

- Adults Transformation Board

Care Act Programme Board:

- Representatives from Operational service, Policy , Finance, Internal Audit
- Strategic Commissioning, HR, ICT , Children’s Services and Newton Europe

Individual Projects:

- | | | |
|---|-----------------------|--------------------|
| • Communication | Workforce Development | Workforce Capacity |
| • Assessment, Eligibility and Cap on Care Costs | | |
| • Financial Assessment and Charging | | Commissioning |
| • Safeguarding | ICT issues | Costs modelling |

Policy choices... (12)

- Whether to meet needs at the national minimum level or at a lower level (by September 2014)
- Extent to which the delegation of social care functions should be exercised (by December 2014)
- Extent to which the power to charge should be exercised (including consideration of adopting a charging policy based on 'net' payment (by December 2014))
- Extent to which technology should be maximised to support the implementation (by August 2014)

The guidance: chapter by chapter...(4)

Ch	Topic	Ch	Topic
1	Promoting wellbeing	12	Direct payments ☆
2	Preventing, reducing or delaying needs ☆	13	Review of care and support plans
3	Information and advice	14	Safeguarding
4	Market shaping and commissioning	15	Integration, cooperation and partnerships ☆
5	Managing provider failure ☆	16	Transition to adult care and support ☆
6	Assessment and eligibility ☆	17	Prisons and approved premises
7	Independent advocacy ☆	18	Delegation of local authority functions
8	Charging and financial assessment ☆	19	Ordinary residence ☆
9	Deferred payment agreements ☆	20	Continuity of care ☆
10	Care and support planning	21	Cross-border placements ☆
11	Personal budgets ☆	22	Sight registers ☆
		23	Transition to the new legal framework

☆ Areas with related draft regulations

Next steps... (13)

- Continue costs modelling work to estimate the full costs of the implementation
- Assess the implications of and respond to the consultation on the draft regulations and policy guidance
- Complete the Programme Implementation Plan
- Commence awareness raising campaign
- Report to the Cabinet Committee on 11 July 2014);
Adults Portfolio Transformation Board on 23 July 2014

... (14)

End