

Fact sheet: Overview of the Care Act 2014

Introduction

The Care Act 2014 replaces numerous previous laws, to provide a coherent approach to adult social care in England. Part one of the Act (and its Statutory Guidance) consolidates and modernises the framework of care and support law; it set out new duties for local authorities and partners, and new rights for service users and carers. The changes are coming in two phases, April 2015 and April 2016. April 2016's draft Regulations are currently open for Public Consultation, but the 2015 changes include the following:

A new emphasis on 'wellbeing'

The new statutory principle of individual **wellbeing** underpins the Act, and is the driving force behind care and support.

Prevention

Local authorities (and their partners in health, housing, welfare and employment services) must now take steps to:

- ✓ **prevent,**
- ✓ **reduce**
- ✓ **or delay**
- ✓

the need for care and support for all local people.

Integration

The Act includes a statutory requirement for local authorities to **collaborate, cooperate and integrate** with other public authorities e.g. health and housing. It also requires seamless transitions for young people moving to adult social care services.

Information, advice and advocacy

The Act places a duty on local authorities to ensure that information and advice on care and support is **available to all** and **when they need it**. Independent **advocacy** must also be arranged if a person would otherwise be unable to participate in, or understand, the care and support system.

Diverse care markets

There must be **diversity and quality in the market** of care providers so that there are enough high-quality services for people to choose from. Local authorities must also step in to ensure that no vulnerable person is left without the care they need if their service closes due to *business failure*.

Assessment and eligibility

Anybody, including a carer, who appears to need care or support is **entitled to an assessment**, it must focus on **outcomes** important to the individual. The local authority must apply a **national eligibility threshold** to determine whether the individual has eligible needs.

Charging and financial assessment

If the type of care being considered is chargeable, then the local authority must carry out a **financial assessment**. From April 2015, all councils must offer deferred payments.

Personal budgets and direct payments

A **personal budget** will form part of the care and support plan.

Summary

For people who need care and support, and their carers, there will be:

- ✓ better access to information and advice, preventative services, and assessment of need
- ✓ an entitlement to care and support
- ✓ a common system across the country (national eligibility threshold).