

Bournemouth Borough Council

The Care Act 2014

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“The Care Act places care and support law into a single, clear modern statute for the first time and enshrines the principle of individual wellbeing as the driving force behind it.”

Department of Health

Care Act – Summary

Part 1

April
2015

- Principles of well being and prevention
- National eligibility
- Carers
- Deferred payments
- Market shaping and oversight
- Information and advice
- Portability and joint working

Part 2

~~April
2016~~

- Response to the Dilnot Report
- Capped lifetime care costs (£72,000)
- Care Account
- Appeals

Postponed until 2020

Principles

- Wellbeing, client and outcome focus, integration and prevention

Market Shaping

- A framework for Local Authorities to shape their local provider market should result in benefits for service users

Carers

- Bringing carers onto the same legal footing as those they care for gives carers the recognition that they deserve.

Consolidation

- The consolidation of lots of disparate regulations into one Act

Eligibility

- Creating a consistent national eligibility criteria.

~~April 2016~~

- Introducing the Care Cap & Care Account and appeals process
- We are currently awaiting further information on what this actually means

Wellbeing

Promoting individual well-being

- (1) The general duty of a local authority, in exercising a function under this Part in the case of an individual, is to promote that individual's well-being.
- (2) "Well-being", in relation to an individual, means that individual's well-being so far as relating to any of the following—
 - ▶ (a) personal dignity (including treatment of the individual with respect);
 - ▶ (b) physical and mental health and emotional well-being;
 - ▶ (c) protection from abuse and neglect;
 - ▶ (d) control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
 - ▶ (e) participation in work, education, training or recreation;
 - ▶ (f) social and economic well-being;
 - ▶ (g) domestic, family and personal relationships;
 - ▶ (h) suitability of living accommodation;
 - ▶ (i) the individual's contribution to society.

- ▶ In exercising a function under this Part in the case of an individual, a local authority must have regard to the following matters in particular—
 - ▶(b)the individual's views, wishes, feelings and beliefs;
 - ▶ (c)the importance of preventing or delaying the development of needs for care and support or needs for support and the importance of reducing needs of either kind that already exist;
 - ▶(f)the importance of achieving a balance between the individual's well-being and that of any friends or relatives who are involved in caring for the individual;
 - ▶ (g)the need to protect people from abuse and neglect.....
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Discussion

The wellbeing principle

- ▶ What are the key barriers to people's wellbeing.
 - ▶ How are we currently supporting people with their personal wellbeing?
 - ▶ As a snap shot, is the well-being of your service users improving or deteriorating?
 - ▶ What more can we all do?
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