

HEALTH AND WELLBEING BOARD

21 JANUARY 2015

CARE ACT UPDATE

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Summary

This report provides the Health and Wellbeing Board with an update on progress on preparation for the delivery of the Care Act 2014 in Medway.

1. Introduction

- 1.1 This report provides a summary of the key priorities for the delivery of the Care Act 2014 within Medway.

2. Summary

- 2.1 The Care Act 2014 received Royal Assent on 14 May 2014 and comes into force in stages during 2015 and 2016. From April 2015, the Care Act 2014 will replace various pieces of existing legislation, which will be dis-applied or repealed, so they will no longer have force in relation to England. The Care Act 2014 and its supporting regulations and guidance will also replace a number of existing regulations, directions and guidance.

- 2.2 The Care Act 2014 timeframes are as follows:

Key requirements

From April 2015

- Duties on prevention and wellbeing
- Duties on information and advice (paying for care)
- Assessments (including carers' assessments)
- National minimum threshold for eligibility
- Personal budgets and care and support plans
- Safeguarding
- Universal deferred payment agreements
- Duties relating to carers
- Duty on market shaping and market failure
- New charging framework

From April 2016

- Extended means test
- Care Accounts
- Capped charging system
- Appeals system

- 2.3 The Care Act 2014 reinforces the personalisation agenda and, for the first time, establishes primary legislation in relation to carers. It also establishes new duties on the Local Authority – most notably in relation to prevention, carers, market sufficiency and establishes Safeguarding Adults on a statutory footing.
- 2.4 Whilst much of the national attention has been focused on financial reforms, the Care Act 2014 will also have significant impact on the council and on the services it provides and commissions. It also continues the drive towards ever closer integration with the NHS.
- 2.5 Medway Council, like all Local Authorities, has received £125,000 under a Memorandum of Understanding with the Department of Health for the employment of a Programme Manager and to resource backfill of operational / practice input into implementation arrangements.
- 2.6 Wayne Haywood has been appointed to the Programme Manager role and took up post on 5 January 2015. He will be taking the lead role in delivering the programme across the Council and will be working with colleagues across the Council to deliver the changes required. He will be reporting directly to the Deputy Director.
- 2.7 Communication and engagement will be essential and discussions have already commenced with Communications colleagues regarding the programme, including the need for impactful visual communications e.g. video, animation and easy read. A series of presentations and briefings, including for Members, will be delivered before April.

3. Financial and Legal Implications

- 3.1 The changes embedded in the Care Act 2014 represent a significant change to the legislative backdrop against which adult social care services are delivered and introduce a number of new duties and responsibilities.
- 3.2 There will be a number of financial implications relating to these changes and it is anticipated that these will be met by the Care Act New Burdens Grant. As yet it is unclear what additional demand will need to be met by the Council as the new duties and responsibilities are delivered and the impact of this will be regularly monitored through the established budget monitoring process.

4. Next Steps

- 4.1 Regular updates will be presented to the Health and Wellbeing Board.

5. Recommendation

- 5.1 Members are asked to note the report.

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Background papers:

None