

# Update on Care Bill

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# Provisions for those in need of care and support and carers

Many provisions apply equally to carers as people they support eg

- Promoting individual well-being
- Preventing needs for care and support
- Promoting integration of care and support with health services
- Providing information and advice
- Independent advocacy support
- Promoting diversity and quality in service provision
- Co-operation between LAs and relevant partners
- Personal budgets and direct payments

# Carers' assessments

- Duty to assess on appearance of need for support
- Removal of 'substantial and regular' test
- Focus on outcomes carer wishes to achieve in day to day life, as well as whether willing and able to care and continue to care
- Further provisions in regulations, including whole family approach to assessment and proportionate assessment
- Combined with other assessments, if all parties agree

# Carers' eligibility for support

- Eligibility framework placed in law for the first time
- Regulations will establish a national minimum threshold for 'eligible needs' – for both users and carers

# Duty to meet carers' eligible needs and power to charge

- For first time, duty on LAs to meet carers' eligible needs for support
- Meeting those needs can be met by care and support to the person cared for, if that person agrees, even if that person isn't eligible for support in own right
- If not feasible to meet a carer's need for support by providing care and support to the person cared for, LA must, as far as is feasible, identify another way of supporting the carer
- Carers may be charged for support provided directly to them, but must not be charged for support to the person cared for

# Carers' support plans

- Entitlement to a support plan setting out needs for support and help in deciding how eligible needs are met
- Plan includes the personal budget
- Direct payments to meet some/all needs
- Care and support/support plan can be combined if both parties agree
- Plans must be kept under review

# Preparing for adulthood - transition to adult care and support

- Duty to assess young carers in advance of 18<sup>th</sup> birthday to prepare for transition
- Duty to assess parent carers of disabled young people to identify their support needs as young people move to adult care and support
- Timing of assessment when best for individual, as long as LA is satisfied that it would be of significant benefit
- Power to support needs of parent carers identified through assessment
- Duty to ensure continuity of care and support around transition

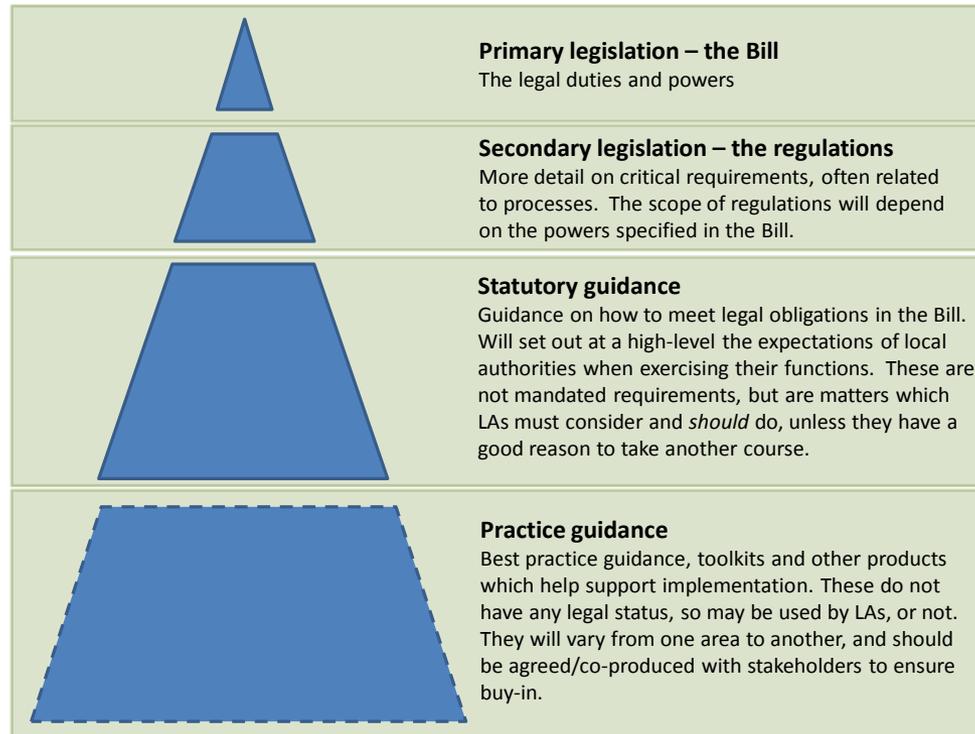
# Care Bill - progress

- Introduced in House of Lords and Second Reading in May 2013
- Lords Committee Stage in June- July 2013
- Report Stage and Third Reading in October 2013
- House of Commons Committee Stage started 9 January 2014

# Next steps

- Commons Report Stage and Third Reading
- Consideration of amendments by both Houses
- Royal Assent
- Draft regulations and draft statutory guidance published for 3 month consultation (May 2014)
- Final regulations and statutory guidance published (October 2014)
- Local implementation of new legal framework for adult care and support commences (from April 2015)

# The policy and legal framework



# Planning for implementation

- Care and Support Transformation Programme Board oversees planning and delivery and facilitates local government engagement and co-production of tools, practice guidance etc
- Supported by joint DH, LGA and ADASS programme implementation team
- Supporting carers is a 'cross cutting' theme of the implementation programme

# Useful links

## **Fact sheets about the Care Bill**

<https://www.gov.uk/government/publications/the-care-bill-factsheets>

## **Care Bill explanatory notes**

<http://www.publications.parliament.uk/pa/bills/lbill/2013-2014/0001/en/14001en.htm>

## **Latest version of Care Bill**

<http://services.parliament.uk/bills/2013-14/care.html>

## **Discussion document and draft regulations on eligibility - views were requested by end November**

<https://www.gov.uk/government/publications/draft-national-eligibility-criteria-for-adult-care-and-support>