

Care Bill Update Carers Task Group

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Consolidates and rewrites statutory basis for Adult Social Care.

(Also covers CQC powers / Market Regulation, Health Education England, Health Research Authority)

Amended version issued 5th February after completion of committee stage

Final report & third reading expected around 10th March Assent April

Affirms much of what we already do or are planning to do- but some “new “elements:

- Legal duties around co-operation and Integration with Health
- Access to financial advice and other Information, Advice & Guidance
- Duty to assess carers & prepare a Care & Support plan “where it appears” may have needs
- National Eligibility Criteria - will include carers (further consultation underway)
- Clarifies duties for care and support to people in Prison
- Financial “Dilnot” Reforms - CAP , Care Accounts, transferability ,revised financial thresholds

National Support Programme – Emerging but detail still sketchy

Clauses relevant to carers

Clause 4 -Access to financial advice amongst other information advice & guidance

Clause 10- Assessment of carers needs for support must assess-“ where it appears that a carer may have needs for support

Clause 13 -Eligibility criteria –Once satisfied that needs exist must determine eligibility

Clause 20 -Duty & power to meet carers needs for support- if eligible & must meet needs for support but

Clause 14 & 17-Empowers the authority to conduct financial assessment & make a charge
(subject to regulations and financial thresholds)

Clause 24 /*25 Next steps and support planning Subs 4 must involve carer & anyone else they request- subs 5 –All reasonable steps to reach agreement about how needs should be met.

Clause 26 Personal Budget

Clause 27 Review of Support plans

Clause 31- Direct Payments- envisages request for Direct Payments other clauses make clear that authority can still be requested to arrange support.

Clause 60- Child's (Parent) Carer's assessment "where it appears that a carer of a child is likely to continue to have needs after child becomes 18" - must assess if satisfied it would be of significant benefit

Clause 63 Young Carer's assessment- "Where it appears" a young carer likely to have needs after 18, must assess if satisfied it would be of significant benefit and consent is given

Additions following committee stage.

Clause 72- Appeals- wide ranging provision to introduce appeal system through Regulation
Probably -independent panel similar to school appeals, considering eligibility and financial decisions?

Clause 120 Integration of care and support with health services etc.: integration fund
(Amendment to section 223B of the National Health Service Act 2006)

Pooled budget for every area- ***empowers NHS England to Direct Clinical Commissioning Groups to allocate funds, and control release*** : conditions objectives etc.

April 2014 Care Bill -Assent

May/-July 14 Consultation Draft Regulations and Guidance (excluding cap and funding reforms)
Need to establish suitable arrangements to: A. respond to consultation & B. Inform planning.

October 14 Final Guidance and Regulations issued

Check assumptions and plans!

November 14- Consultation on Regs and guidance for cap (twin track approach)

March 15- National Modelling update & Cost Assurance for CAP etc.

April 15- Majority of Care Bill takes effect

May 15 -General Election

October 15 -Anticipated phased early assessment of self funders for CAP/Care account

April 16 CAP/Care Accounts, Extended Means Test, Dir. Payments in Res Care take effect

Care Bill

http://www.publications.parliament.uk/pa/bills/cbill/2013-2014/0168/cbill_2013-20140168_en_1.htm

Fact Sheets www.gov.uk/government/publications/the-care-bill-factsheets

Caring for our Future Funding reform (consultation document)

www.gov.uk/government/publications/caring-for-our-future-reforming-care-and-support

Cap on lifetime costs funded by individuals:

- Nil if care needs start under 25 years (free services for life)
- Sliding scale of contribution if care needs start under 65 years
- £72k if care needs start over 65 years;
- Individuals in care homes will still pay “hotel costs” (circa £12k pa)
- Based on “total of the costs accrued in meeting an adult’s eligible needs”, “amount attributable to the daily living costs is to be disregarded”

Individual Care Account- Tracks “Eligible Costs” paid by service user towards cap

Annual Statement tracking progress toward cap

“Independent Personal Budget” for self funders

(or Personal Budget where Council arranges/ part funds care) defines eligible costs for CAP

Revised financial thresholds for eligibility for local authority funding. 2016 £27k where house not included £118k where included.

Transfer of service users & their account between authority areas .

Top ups no longer restricted to third parties.

Direct Payments Extended to Residential Care 2016