



Report to Healthier Communities & Adult Social Care Scrutiny & Policy Development Committee

Report of: Moira Wilson, Interim Director of Care and Support

Subject: Progress on the implementation of the Care Act

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Summary:

The information presented has been requested by the Committee to enable it to understand the implications of the Care Act and scrutinise the progress of its implementation. The report highlights why the Care Act has been introduced, identifies the actions that have taken place to support its implementation in Sheffield and describes the implications of the Act for the people of Sheffield.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	✓
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	
Other	

The Scrutiny Committee is being asked to:

The Committee is asked to consider the proposals and provide' views, comments and recommendations

Background Papers:

Not applicable

Category of Report: OPEN/

Report of the Director of Care and Support **Care Act Implementation**

1. Introduction/Context

- 1.1 The Healthier Communities and Adult Social Care Scrutiny Committee have requested a report on the implications of the Care Act for Sheffield, and how things are progressing.
- 1.2 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.
- 1.3 The Care Act is intended to put into effect the policies that were set out in the White Paper Caring for our future: reforming care and support (July 2012), to implement the changes put forward by the Commission on the Funding of Care and Support, (Dilnot Report), and to meet the recommendations of the Law Commission in its report on Adult Social Care (May 2011) to consolidate and modernise existing care and support law.
- 1.4 The Act also establishes a fund for the integration of care and support with health services, to be known as the Better Care Fund and makes provision for additional safeguards around the general dissemination of health and care information

2. Progress to date

- 2.1 The Care Act sets out a series of reforms to care and support services in law and places a range of new duties on local authorities. These new duties include ones around the provision of information and advice, the prevention of people's needs becoming more serious and ensuring people can have a range of high-quality care providers to choose from.
- 2.2 The Care Act introduces a cap on care costs of £72,000 after which the local authority will be responsible for meeting the persons care and support costs. In addition there will be an increase in the capital allowance (from £23,250 to £118,000) that is used to calculate the amount that someone contributes towards the cost of their care and support.
- 2.3 The Care Act also sets out new requirements to consider the needs of carers and ensure that they have the right information, advice and support. It identifies best practice in the safeguarding of adults and describes the support that local authorities are required to provide to self funders.
- 2.4 The majority of the reforms are due to be implemented by April 2015 with the reforms to the funding of care and support to be implemented by April 2016.
- 2.5 Following enactment of the Care Act in May of this year Department of Health published draft guidance and regulations and the Council has provided a range of feedback on that guidance. The Department of

Health are currently considering the feedback that they have received and will publish the final regulations and guidance in October of this year.

- 2.6 A local implementation project has been established to make the changes that are needed happen. The project is being led by Moira Wilson, Director of Care and Support and has its own project board with engagement of key stakeholders from across the council and health. The project reports to Communities PLT and there are dedicated staff working on it. Regular updates are provided to the Cabinet Member for Health, Care and Independent Living.
- 2.7 The project has been working through the guidance that has been published and identifying what needs to be done to make sure that the Council does what it needs to do to implement the Act. Plans are being put in place to make the changes needed and with some immediate changes being made for April 2015 and others during the year 15/16.
- 2.8 Work is underway to make sure that the public, service users, staff and colleagues know what is happening in relation to the Care Act with more formal communications taking place in the New Year.
- 2.9 Work is also underway to identify what the expected costs of implementing the changes that the Act requires and to understand the implications of those costs will be for Sheffield. Those costs will increase over time as more people become eligible for support from the Local Authority.
- 2.10 The introduction of the Care Act will require the development of new guidance and practice for health and social staff both internal and external to the Council. A plan is being developed to ensure that this revised practice and guidance is communicated effectively to all these staff.

3 What does this mean for the people of Sheffield?

- 3.1 It will be easier for you to find relevant information and advice about care and support – there is a requirement in the Act to provide a comprehensive information and advice service that offers people information and advice that promotes people’s wellbeing and is personal and specific.
- 3.2 When talking to you about your care and support we will focus on your wellbeing and the outcomes you want to achieve – this represents a significant shift with the “wellbeing principle” running as a golden thread through the whole of the Act.
- 3.3 You will be in control of how your care and support is provided – the emphasis in the Act is that people are given as much control of their care and support as they want or are able manage and people will have a legal entitlement to a personal budget and the right to ask for a direct payment
- 3.4 We will help you maintain your independence – the local authority will work to actively promote wellbeing and independence and not just respond when people are in crisis.

- 3.5 We will make it easy for you to understand how we work including how much it will cost you for your care and support – the processes we follow and how we make decisions need to be clear to people
 - 3.6 There will be a range of provision that meets people's needs – we have a responsibility to make sure that the services and support people want are available through our market shaping work and commissioning decisions
 - 3.7 If you are a carer we will support you in your caring role – there is a real emphasis that we should have a comprehensive offer to carers whatever their caring responsibilities are and where their caring role is having a significant impact offer them a personal budget
 - 3.8 Health, social care and other services will have to work better together to support you – we will reduce the level of duplication and improve how we share information
- 4. Recommendation**
- 4.1 The Committee is asked to consider the proposals and provide views and comments.