

CARE ACT

Briefing
21 July 2015

Janice Grant Policy and Standards Manager



Care Act 2014

- Biggest change to adult social care in the last 60 years
- The Care Act aims to address previous problems by:
 - Creating one main legal framework that is easy to understand
 - Focusing on outcomes and putting the individual more in control
- The Act is being introduced in TWO stages:
 - New legal framework from April 2015
 - ‘Dilnot’ reforms (cap on care costs and increase to the capital threshold), new rights for self-funders and new appeals system from April 2016 - delayed to 2020

The following slides will focus on some of the key changes only (not every aspect of the Act):

- 2015
 - National minimum eligibility for care and support
 - New rights for carers
 - Deferred Payments for residential care
- 2016
 - Direct Payments for residential care

**NEW NATIONAL
ELIGIBILITY
CRITERIA FROM
APRIL 2015**

The Eligibility Criteria

Eligibility decision process

1. Needs	2. Outcomes	3. Wellbeing
<p>The adult's needs arise from or are related to a physical or mental impairment or illness</p>	<p>As a result of the needs, the adult is unable to achieve two or more of the following:</p> <ul style="list-style-type: none"> a) Managing and maintaining nutrition; b) Maintaining personal hygiene; c) Managing toilet needs d) Being appropriately clothed; e) Maintaining a habitable home environment; f) Being able to make use of the home safely; g) Developing and maintaining family or other personal relationships h) Accessing and engaging in work, training, education or volunteering; i) Making use of necessary facilities or services in the local community including public transport and recreational facilities or services; j) Carrying out any caring responsibilities the adult has for a child 	<p>As a consequence, there is or is likely to be a significant impact on the adult's wellbeing, including the following:</p> <ul style="list-style-type: none"> a) Personal dignity (including treatment of the individual with respect); b) Physical and mental health and emotional wellbeing; c) Protection from abuse and neglect; d) Control by the individual over day-to-day life (including over care and support provided and the way it is provided); e) Participation in work, education, training or recreation f) Social and economic wellbeing; g) Domestic, family and personal relationships; h) Suitability of living accommodation; i) The individual's contribution to society

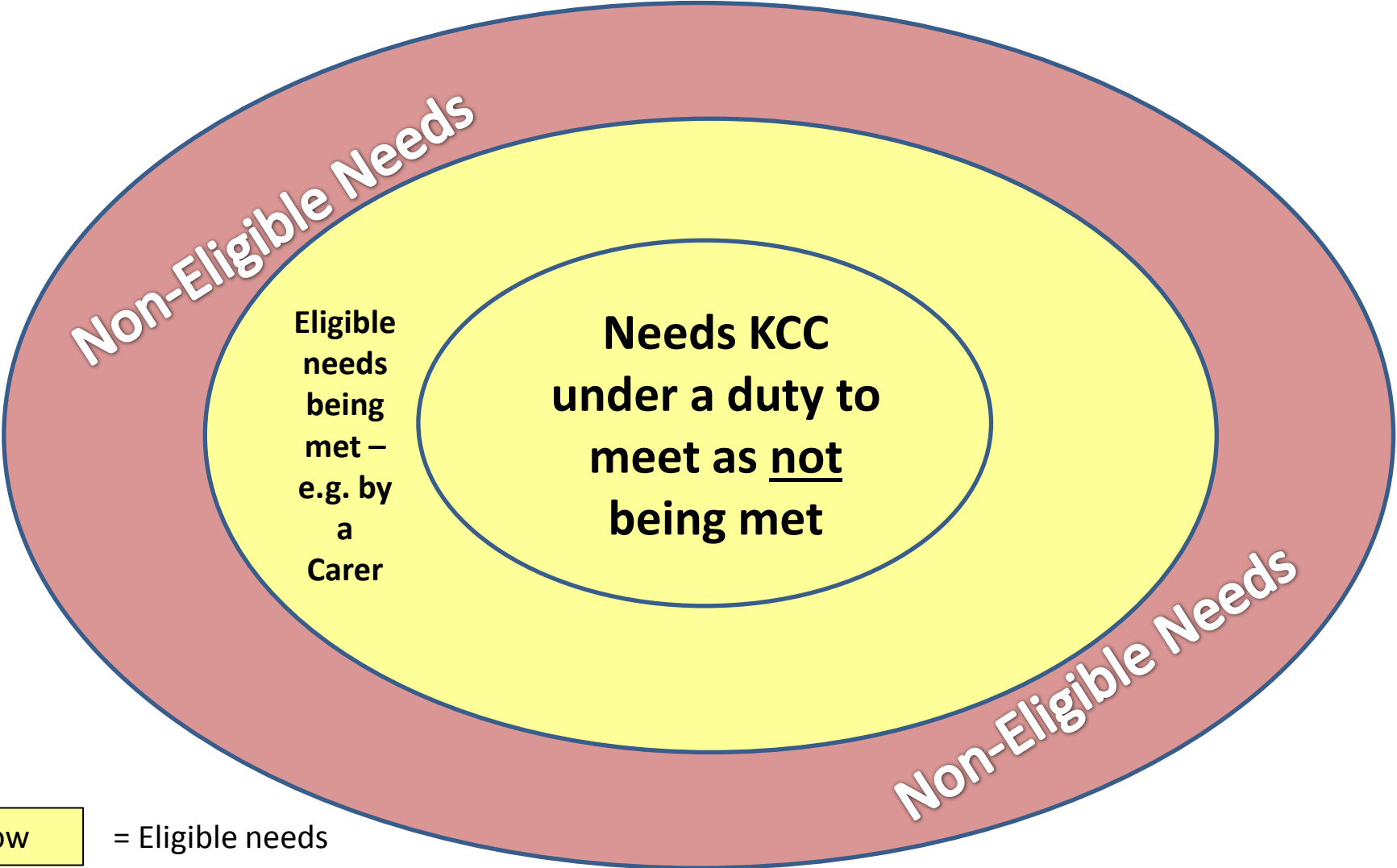
I already get help from KCC. What do the eligibility changes mean for me?



Will current KCC clients have to be reassessed on 1 April in order to continue to receive services?

- NO, everyone who currently receives care and support from KCC will continue to receive this help on 1 April without the need for a reassessment. In other words they will be automatically transferred to the new eligibility criteria.
- They will only be reassessed against the new rules at their next scheduled review, which usually takes place once every year. However, if their needs change before this they can ask for a reassessment and this will be done according to the new eligibility rules.
- Kent County Council believes that the new set of eligibility criteria is broadly on the same level as the current criteria.

TOTAL NEEDS FOR CARE AND SUPPORT



Yellow

= Eligible needs

Pink

= Non-Eligible needs

NEW RIGHTS FOR CARERS FROM APRIL 2015

Key changes in April 2015 – Carers

- From April 2015 Carers will legally entitled to support in their own right
- This applies even if the person they care for is not eligible for help from KCC
- In order to access this support a carer will first have to have a carer's assessment – this can either be a separate assessment or a joint assessment with the person they care for
- The assessment will determine if they meet the new carers eligibility criteria under the Care Act

Key changes in April 2015 – Carers

- Carers meet the eligibility criteria if:
 - the needs arise as a consequence of providing necessary care for an adult
 - the carer’s physical or mental health is, or is at risk of, deteriorating OR they are unable to achieve any of the specified outcomes (see separate list)
 - as a consequence there is, or is likely to be, a significant impact on the carer’s well-being.
- The type of support carers could be given will vary from person to person but might include:
 - A Direct Payment
 - Short break/sitting service
 - Respite care

List of outcomes relevant to carers

- Carrying out any caring responsibilities the carer has for a child
- Providing care to other persons for whom the carer provides care
- Maintaining a habitable home environment in the carer's home (whether or not this is also the home of the adult needing care)
- Managing and maintaining nutrition
- Developing and maintaining family or other personal relationships
- Engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community, including recreational facilities or services
- Engaging in recreational activities

DEFERRED PAYMENTS

(for residential care)

What is a Deferred Payment?

Example of Mrs Fox - aged 90

- She lives alone in her own home worth £200,000
- She goes permanently into a residential care home
- As she has over the capital limit KCC would expect her to pay the full cost
- However all her money (apart from her pension and benefits) is tied up in her property which she cannot sell quickly enough to fund her care
- KCC pays for her care on a temporary basis and are repaid after her death, usually when her home is sold
- To secure our debt we place a charge on her property

How Deferred Payments changed on 1 April

- Existing agreements will remain, under the existing terms
- Potentially the new scheme will be easier to qualify for
- Interest can be charged throughout – based on Government rules and reviewed in January and July each year (currently 2.65% per annum)
- An admin charge of £480 initially and £65 per year thereafter

Key opportunity as a result of the Care Act

- People needing care and support are much more likely to come into contact with KCC at an early stage
- This give more opportunities for prevention work, early intervention and may help to reduce the numbers going into long-term residential care and inappropriate hospital admissions

Indication of Early Activities

Activity	April to May
Total number of carers supported	No. of assessment – 377 No. eligible for services - 325
Total number of adults assessed	No. assessed – 3993 No. eligible for services – 3,348
Safeguarding enquires	1,198
Deferred Payments Agreement	Requested DP – 42 DP Agreement - 13
Prisoners	No. Assessed – 9 No. eligible - 9

How to contact KCC for more information

- Visit: www.kent.gov.uk/careact
- Phone: 03000 41 99 94
- Text relay: 18001 03000 41 99 94
- Email: careact@kent.gov.uk