

# Carers Group notes 7<sup>th</sup> January 2015

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## **Guest Speaker David Still from Kingston Carers Network (KCN) new Care Act April 2015**

These notes were taken on the evening to highlight some of the main points with particular relevance and important to carers.

The note taker has taken every effort to ensure accuracy but the notes may be subject to errors so please refer to the documents provided by [www.gov.com](http://www.gov.com)

The new Care Act 2014 is the most significant reform of care and support legislation in more than 60 years and comes in this April 2015 but some parts will not begin until April 2016. It will take some time for all then guidance notes and information provided to get embedded as everything is so new and will be a learning curve for all.

The Care Act 2014 brings together pieces of legislation into one place and is beefed up to cover carers and recognises the support carers give, and is mainly for adults. The Children and Families Act cover children and has been amended to come into line.

The Care Act sets out the main framework but there is a set of regulations which give more details with rules and guidance.

The Care Act has been rushed through because of the 2015 election so no training or resources in place and was agreed by all 3 main parties.

An important point to note is that the Care Act does not replace the Mental Health Act and the Disable Facility Grant will remain.

### **DEFINITION OF A CARER**

The definition of a carer (providing care for another adult) has been broadened and does not stipulate the amount of care but triggered on need.

This is for unpaid carers NOT support staff

Carers will need an assessment in their own right and these will probably have to be requested as the local authority will have a duty to provide. These could be done by a social worker but most will be done by trained staff.

There are some additional funds provided to councils for these assessments (hopefully ring fenced) but no extra funds to provide for any new assessed support or needs.

## **WELLBEING & PREVENTION**

The principle of promoting wellbeing and prevention is the driving force behind this new legislation and now includes carers.

*It has been said by Luke Clement that this will be difficult with lack of new funds and just cosmetic but we will have to wait and see.*

## **INFORMATION & ADVICE**

This places a duty on local authorities to establish an information and advice service to also include financial advice.

This could be run by local voluntary groups eg. CAB, KCIL, Staywell or KCN (all or any of)

Also sets out a right to Advocacy if needed

General duty on the local authority to make sure there are suitable homes with good staff paid at least the minimum wage and to put in some safeguard to ensure good competition in the market.

## **ASSESSMENTS**

All carers will have a right to an assessment regardless of their financial resources and this could include a whole family assessment including young carers if agreed.

This will include people living in care homes, self-funders and those living at home with support.

Local authorities could charge for assessments but this is very unlikely.

## **ELIGIBILITY CRITERIA**

There will be a new national eligibility criteria that will now also cover the Carer and replaces FACS system, for services funded by the council, which will improve equal access to services across the country.

*Luke Clement comment:*

*In the first instance the new Care Act, which is good legislation, will not dramatically change things as there is no additional funding or investment, but hopeful in the medium to long term.*

## **CHARGES**

The cap on charges of £72k will not come in until April 2016.

This figure does not include daily living charges which have been set at £12k per year i.e. it will take 5½ years to reach the cap

The £72k for those on state pensions – sliding scale for those who have private pensions.

As of April 2016 individual accounts will be opened by local authority to show build- up of payments – up to the set cap.

*Dilnott Commission – must be fair to all and some will benefit and others will pay more than they expected.*

It is not as straightforward as they are saying and it will be several years down the line before it is fully understood!

Care Act replaces old legislation for learning disable but nothing will change to undermine the support they receive now.

For more information go to:

[www.carersuk.org](http://www.carersuk.org)

[www.carers.org](http://www.carers.org)

[www.gov.uk](http://www.gov.uk)

[www.legislation.co.uk](http://www.legislation.co.uk)

[www.kingston.gov.uk/info/200350/care act 2014](http://www.kingston.gov.uk/info/200350/care_act_2014)

[www.kingstoncarers.org.uk](http://www.kingstoncarers.org.uk)

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