

ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL

20 OCTOBER 2016

CARE ACT 2014 - UPDATE

Summary

1. As part of its 2016-17 work programme, the Adult Care and Well Being Overview and Scrutiny Panel is to receive an update on the implications of the Care Act 2014 and the Council's progress to meet the obligations of the Act.
2. The Director and Assistant Director of Adult Services have been invited to the meeting, along with the Cabinet Member with responsibility for Adult Social Care.

Background

3. The Care Act received Royal Assent in May 2014. Regulations and initial statutory guidance were published on 23 October 2014. The Care Act fundamentally reformed Adult Social Care: it repealed almost all previous legislation dating back to 1948, and sets out a series of new duties and powers for local authorities.
4. The changes fall into two categories: 'reform of duties in respect of adult social care and support', which came into force from April 2015; and 'reform of adult social care funding', (changes to the financial threshold for local authority funded care and reforming the way in which people pay for care) which was due to be implemented from April 2016. However the Government decided to defer the introduction of the funding reforms and a date for the introduction has yet to be announced
5. Under the CA 2014 the Council has duties for
 - Prevention and Well-being
 - Information and Advice
 - Market Shaping
 - Needs Assessment and Carer's Assessment
 - New National Eligibility Criteria for Local Authority Funded Care and Support
 - Personal Budgets and Care and Support Plans
 - New Charging Framework
 - National Deferred Payment Agreement
 - Safeguarding
6. The change programme required implement the Care Act has been managed alongside other changes under the Council's Future Lives programme.
7. The Panel will be aware that implementation of the Care Act has been within the context of substantial local change to adult services and an extremely challenging financial environment. The Council aims to keep people healthy and independent for as long as possible and to promote their wellbeing. If people need ongoing care and

support, the aim is that they will have greater choice over the services they use and greater control over their lives. The Council continues to monitor the safety and effectiveness of services and to progress closer working with the NHS to make best use of resources.

8. The Directorate reported to Cabinet in February 2015 and set out the requirements of the Act and the state of readiness for implementation. The report refers to a number of national stocktakes completed, to assess the Council's progress in implementing the Act; this update to the Panel provides a further stocktake.

9. The Adult Care and Well-being Overview and Scrutiny Panel was briefed on the implications of the Care Act in June 2014, as part of discussions about developments taking place with care assessment processes within new models of care for adult social services.

10. At that time, the Panel widely welcomed the aims of the Care Act, whilst expressing some concern about the new duty of care for prisoners, the need for proper funding and the challenge of funding the visions of the Act.

Purpose of the meeting

11. The Panel is asked to consider the update provided on the Council's ability to meet the requirements of the Care Act 2014, and agree:

- whether any further information or scrutiny work is required at this stage
- any comments to highlight to the Cabinet Member with responsibility for Adult Social Care

Supporting Information

Contact Points

County Council Contact Points

Worcestershire County Council; 01905 763763

Worcestershire Hub: 01905 765765

Email: Worcestershirehub@worcestershire.gov.uk

Emma James / Jo Weston, Overview and Scrutiny Officers, Tel: 01905 844964 / 844965

Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agendas and Minutes of Cabinet on 5 February 2015 and the Adult Care and Well Being Overview and Scrutiny Panel on 5 June 2014 – all council agendas and minutes are available on the website [here](#)
- The Care Act 2014 - <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>