

Care Act

— 2014 —



EasyRead



The Care Act is a new law about care and support for adults in England.



There are lots of different laws about care and support. In the past this has made it hard to know what care and support you could get in your life.



The Care Act is mainly about people who are 18 and over and who need care and support.



The Care Act will bring all the care and support laws together to make just one new law.



There will be clear simple rules and **guidance** about the law. The rules will say:



- What you should be able to get.



- What a council will have to do.



The guidance will have information to tell councils how to use the Care Act properly.



The Care Act will start in April 2015. Local Councils will have to do what the Care Act says.



The rules and guidance will:



- Tell councils how to work with the Care Act.



- Support people who get care and their families to understand the new law.



- Support other organisations and voluntary groups to understand the new law.



- Support courts and help them to decide if a council kept to the law.

The Rules

Supporting the Community

Local councils must always think about your well-being and have services to meet different people's needs.

They must also think about how to give people the care and support to make their lives better.



Stopping problems before they start

Local councils must think about how to stop problems before they start and deliver services which stop problems from getting worse.



These services should be for everyone, not just people who use care and support services and must know how to find out who needs these services.



These rules will say what happens if you have to pay for these services.



Information and advice



Good information needs to be provided by local councils to help people to make decisions about their care and support.



The guidance says what councils can tell people about paying for care and which people might need information and advice.



It also says how to plan to give local people the type of information they need.

The services people need



Councils must plan services thinking about what is important to the people who use them.



Services must have the right staff and enough money to give good support. Councils must have plans in case a service has to stop giving care and support.



The right services are ones which are planned and which include the people who use services and other organisations.

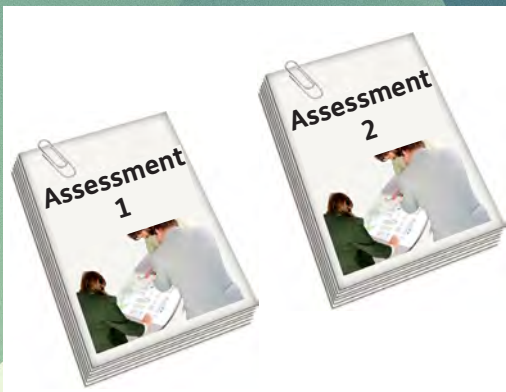
Understanding the care a support people need



An assessment will happen when you first get in touch with the council, they check to see what support you might need.



A carers assessment can happen too. This can still happen if the council thinks they or the person they care for can pay for support.



The Council must tell people what different assessments are for.



The guidance says what training people need to do assessments.



Councils are also told how to do good assessments and involve people and their families.



The guidance and says how to work out what the support needs are.

Care and Support

Can you think of three ways that someone might need care and support?

This can be at home or out in the community.



Please write here



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Deciding if you need a service

The Care Act has rules to make sure people can get the same care and support all over the country.



If you are not happy with a service, you have the right to complain.



The Care Act tells people how to complain if they are not happy with a decision a Council makes or with a service they provide.

A survey form titled 'Questions' is shown. It has two speech bubbles with question marks. Below them is the question '1. What do you think about it?'. There are three options: 'Good' with an unchecked box, 'Bad' with an unchecked box, and 'Not sure' with a checked box. A hand is holding a pen and has just checked the 'Not sure' box.

The Council has to look at any complaints and there are rules to say how they should do this.





There is something called 'The National Eligibility Threshold'.

For people to be able to get support and care, they must be unable to do at least 2 of these things (called outcomes):



- Manage food and eat well
- Keep clean
- Use the toilet properly
- Get dressed in clothes that keep you safe and warm
- Be safe in the home
- Have a safe and warm home
- Be able to make and keep friends and other relationships as well as see family
- Having a job, going to college or volunteering to work somewhere
- Using services like busses/trains, shops, swimming pools, the local pub and cinema
- Look after children if they have them

Independent Advocacy

If being involved in your support plan is hard and there is no-one else to speak for you, the Council must find you an independent **advocate**.

The guidance says:

- Who independent advocates are and what do.
- Who an independent advocate can be and how they should work.
- Who decides if you need an independent advocate.
- Sometimes people must have an independent **advocate**, even if there is someone already who can Speak for them.



Paying for your care and support



If you have enough money you will have to pay for most of care and support. You will be asked to pay what you can afford.



You have the right to choose a care home. Sometimes you will need to pay towards this.



The guidance says how councils can get money that people owe them and the most a council can charge.

Person-centred care and support

Person-centred care is when the person is in the centre of their own care and support and involved in writing and checking their own plan.

The rules say how to involve people and write good plans which support people and include the things important to their lives.

The rules also say how to bring different plans together into one person-centred plan.



Personal budgets



A personal budget is the money you can use to buy the care and support you need.



You can choose what services you want to buy and how the money is spent.



The rules will say how councils should work out your personal budget, about personal budgets for carers and how to complain if you are not happy.

Direct Payments



You can choose to be paid some or all of your personal budget as a direct payment so you can buy services yourself.



You, or someone you trust, is paid money directly to spend on the care and support you choose.



The rules say how people can use the money on the care and support of your choice.



There are also rules about:

- Making Direct Payments to people who cannot make decisions for themselves.
- When Direct Payments stop.
- When Councils do not need to give a Direct Payment.
- How people can use the money.
- How Councils should give a Direct Payment.
- Direct Payments for people who live in Residential Care.
- Checking how people use their Direct Payment.

If you make an arrangement with your local Council, you will not need to sell your home to pay for your care straight away.

Services working together



Services and voluntary groups need to work together better to give good care and support.



They should plan together and work together in the same ways.

Working with NHS services



Councils cannot give healthcare that you should get from the NHS.



The rules talk about how to decide whether the council or NHS should give or pay for healthcare.



There are also rules about what happens if services cannot agree about this.

Care when you leave hospital



If you need care from the council to stay safe when you leave hospital this needs to be ready for when you leave.



It's important to have the right place to live and the rules say how housing services and other services should work together.

Work and having a job



Councils must think about the support you need for:

- Education and training
- Work.



Moving from children's services to adults services



When someone reaches 18 years old, councils need to help them and their families/carers plan together for the future and the support they might need as an adult.



This works well with the Children and Families Act which says that the child should be at the centre of any Education, Health and Care Plans.



The rules will say when councils must do an assessment and how to do assessments with carers and young people who are carers.



Councils should support people who are in Prison or other services where they are sent by the court.



The rules will say how to work with people in Prisons.



The rules will say how to check services and sort out any complaints.



Other organisations can be asked by the council to do this work as well, and there should good agreements with other organisations and the council.

Keeping adults safe



Keeping adults safe

For the first time, the Care Act gives us a law telling councils what to do to help keep adults safe from neglect or Abuse.

The law says what abuse and neglect is and how to stop it.

The rules say how organisations should work together to keep people safe.





How the **adult safeguarding** board, will work, which is there to keep people safe.

Moving to a different area. Which council pays for your care and support?



The council where you live before you move must plan and pay for your care and support if you meet the rules.



The rules say how the Council should decide who pays for your care and support.



The rules also say what to do if councils cannot agree about this.



If you move to another area the new council where you are moving to must meet your needs straight away. You must tell them that you are coming to their area before you move.



The rules say what you should plan and think about before you move.

The rules also say how you can still get care and what you need to plan and think about.



If an assessment has not been done before you move, the rules say what the Council must do.



If your council finds you somewhere new to live



The rules will say what councils have to do if they move you to another area.



The rules also say what should happen if councils cannot agree.



Lists of people who need Care and Support



For people who are blind or cannot see well, a Council should have a list of people in their area so it is easier for them to get services. They will be told how to do this.

Changes to the new law

The rules say what changes this law means to social workers, people who use services and carers.

Also, what happens to assessments which were done before the law changed.



References:

Department of Health. (2014), Care and Support Guidance.

Department of Health. (2014), EasyRead The Care Act.

Inspired Services. (2014).

Community Care. (2014), Care Act 2014: Government tightens national minimum threshold plans.

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