



Care, support and you The Care Act 2014 – what does it mean for people in West Sussex?

The Care Act starts coming into effect from April 2015. It places a series of new duties and responsibilities on local authorities (West Sussex County Council) about care and support for adults.

This is to make sure that people:

- are supported to keep as well as possible;
- get the services they need to help prevent or delay their care needs from becoming more serious;
- can achieve the needs and goals that matter to them, and that their wellbeing is the driving force behind their care and support;
- can get the information, advice and guidance they need to make good decisions about care and support; and
- have a good range of providers to choose from.

Information and advice for all

Under the Act, we have to provide comprehensive information and advice about care and support services in their local area to all their residents.

We will do this through our new website www.westsussexconnecttosupport.org; a centralised specialist access point called Adults' CarePoint; the Carewise care funding advice scheme; and our Prevention Assessment Teams.

National eligibility criteria

The Care Act also introduces a national minimum threshold for eligibility. It aims to ensure that people are treated the same wherever they live in England. We continue to have a duty to carry out a needs assessment to determine whether an adult needs care and support. An assessment must be provided to anyone who requests it and who appears to need care and support, regardless of their finances.

This may mean that some people who were not eligible for funded social care before now become eligible. It may also mean that some existing customers may be eligible for more support. This will be addressed during the customer's next review.

Carers

Carers have new rights. They will be entitled to an assessment of their needs and may be eligible for support regardless of whether the person they care for receives support from West Sussex County Council Adults' Services.

Children and transition

We must offer information and advice to children, young carers and adults caring for children nearing 18 years old if they are likely to need care and support beyond that age. An assessment must also be offered if it would clearly help them, regardless of whether they currently receive a service.

If a child is receiving support, it must continue after their 18th birthday until either adult social care support is put in place, or they have been assessed as having no eligible needs as an adult.

Helping people be fully involved in their care

If someone has significant difficulty being fully involved in their assessment, support planning, review, or in understanding safeguarding processes, and



they have no one appropriate to support them, we will have to arrange an independent advocate for them.

Safeguarding – everyone’s business

Adult safeguarding is the process of protecting adults at risk from abuse or neglect. The Care Act requires local authorities to set up a Safeguarding Adults Board in their area, giving these boards a clear basis in law for the first time.

We are also required to make enquiries if we think an adult may be at risk of abuse or neglect, and to find out what, if any, action may be needed. This applies whether or not we provide the adult’s care.

Personalisation

The Act gives people the legal right to a ‘personal budget’. This is the amount of money that we as the local authority have worked out it will cost to provide care and support for a person with eligible social care needs.

This adds to a person’s right to ask for a ‘direct payment’ to meet some or all of their needs. This is where funding is paid directly to the person, or to someone on their behalf, to purchase support to meet their needs.

Financial changes in 2016

From April 2016 the threshold for people paying the full cost of their own care increases from £23,250 to £118,000. People with eligible care needs who have assets between £17,000 and £118,000 will be entitled to some financial support.

There will also be a £72,000 cap on the amount that any adult pays towards the cost of care in their lifetime. This only covers money spent on assessed eligible needs and excludes the cost of accommodation and food for those in residential care. This cap will not be backdated to include costs paid before April 2016.

To keep track of their spending people with assessed eligible care needs can set up a care account, which will record what they spend on care. When they reach the £72,000 cap they can access free social care. Care accounts can be set up from October 2015, in readiness for April 2016.

Assessments

We will need to offer an assessment to anyone who appears to need care and support, regardless of their financial position or whether their needs are likely to be eligible for funded social care.

Based on analysis, we estimate that we will need to carry out up to 10,000 additional carers assessments in the first year from April 2015 although we know that this could vary considerably.

We also anticipate that we will need to carry out approximately 5,000 additional assessments for people needing social care support in the first year (from October 2015-September 2016) as a result of the financial changes which come into effect from April 2016.

Paying for residential care

A person can ‘defer’ or delay paying their care home costs until a later date by having a ‘deferred payment agreement’ with their local authority who pays for the care. This helps people delay the need to sell their home. Interest can be charged on the loan and we can charge for administering the scheme.

The Department of Health has produced a number of factsheets, which are available at www.gov.uk/government/publications/care-act-2014-part-1-factsheets