The Care Act - an overview

What is the Care Act?

The Care Act 2014, which came into effect in 2015, represents the most significant reform of care and support in more than 60 years, putting people and their carers in control of their care and support.

The Act combines various existing pieces of legislation which previously shaped how social care was arranged in Britain. The intention is that the Care Act will make it easier for the public to understand why things happen in a particular way.

Importantly the Care Act also changes many aspects of how support is arranged, and aims to give greater control and influence to those in need of support. Among the most significant developments are:-

- A new set of criteria that makes it clearer when local authorities across the country will have to provide support to people, and aims to ensure a fairer national system which reaches those most in need
- A change to the way in which local authorities complete assessments with those in need of support - people in need of support will be encouraged to think about what outcomes they want to achieve in their lives - these outcomes can be anything, big or small, which will enable them to feel a greater sense of physical or emotional well-being
- New rights for carers which put them on the same footing as the people they care for. All carers are be entitled to an assessment. If a carer is eligible for support for particular needs, they have a legal right to receive support for those needs, just like the people they care for
- A greater emphasis on protecting the most vulnerable people in our society from abuse and neglect
- A greater emphasis on prevention - local authorities and other providers of support will encourage and assist people to lead healthy lives which will reduce the chances of them needing more support in the future
- A greater emphasis on local authorities providing clear information and advice which will help the public to make informed choices on their support arrangements, and enable them to stay in control of their lives
- A greater emphasis on existing Personal Budgets which give people the power to spend allocated money on tailored care that suits their individual needs as part of their support plan
- A greater emphasis on those most in need being given access to someone to speak up on their behalf when they are dealing with social care professionals
- Greater regulation for those who provide professional care and support, and tougher penalties for those who do not provide care and support of a high enough standard
- Changes to when and how people will be asked to contribute towards the cost of support which has been arranged in conjunction with their local authority - most of these changes will not come into effect until 2020.

The key principles of the Care Act

The Care Act sets out some ‘key principles’ on how health and social care professionals should work with you. Those principles are:-

- You know best
- Your views, wishes, feelings and beliefs should always be considered
- The main aim of professionals should be on your well-being, on reducing your need for care and support, and on reducing the likelihood that you will need care and support in the future
- Any decisions made should take into account all relevant circumstances
- Any decisions should be made with your involvement
- Your well-being should be balanced with that of any involved family and friends
- Professionals should always work to protect you and other people from abuse and neglect
- Professionals should ensure that any actions taken to support protect you affect your rights and freedom as little as possible

Other information and advice

Hammersmith and Fulham, Kensington and Chelsea, and Westminster councils have each produced a leaflet which explains the main issues covered in the Care Act:-

- Westminster
- Kensington and Chelsea
- Hammersmith & Fulham

One of the biggest changes under the Care Act means that people who look after an adult relative or friend with care needs will have the same right to assessment and support as the people they care for. The councils have also produced a leaflet called Carers and the Care Act to explain more:-

- Westminster
- Kensington and Chelsea
- Hammersmith & Fulham

They have also produced a joint leaflet with answers to some of the most common questions you may have.
The Department of Health has produced information on all the main topics covered by the Care Act:

- A series of fact-sheets
- An easy-read leaflet

The Skills for Care website have produced various resources which explain the main aims of the Care Act; although aimed mainly at care professionals they also serve as a good introduction to the Act for members of the public:

- A factsheet overview
- Various resources on specific areas covered by the Act

The Local Government Association have produced a factsheet called Getting in on the Act with a summary of all the main changes, and also have a page on their website with a brief summary of these changes.

The Which website offers independent advice on all aspects of Elderly Care.

Some video introductions to the Care Act

Video from the Skills for Care website

Video from the Social Care Institute For Excellence