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## Annex A

### Care & Support White Paper: “Caring for our Future: reforming care and support”

The Government’s Vision for reform of the care and support system is founded on the core principles of:

- A focus on promoting wellbeing and independence
- Putting people in control of their care and support

Specific actions to deliver this vision are arranged around five high level outcomes (below), under which the key themes are:

- Strengthening support within communities
- Prevention and early intervention
- Better housing options
- Better information and advice
- Reforms to assessment, eligibility and portability of care packages
- Enhanced rights and support for carers
- Defining high quality care and improving quality
- A better local care market
- Keeping people safe
- A skilled workforce
- Personalised care and support
- Integration and joined up care

#### **Key actions**

##### **People are supported to maintain independence for as long as possible**

Strengthening support within communities:

- A statutory duty on local authorities to incorporate prevention and early intervention into care commissioning and planning.
- Measures to address social isolation and connect people to community groups and networks (using evidence from Social Work Practice Pilots)
- Trailblazers to develop new ways (e.g. Social Impact Bonds) of investing in services that help people to stay active and independent
- Communities to be involved in decisions about health and social care commissioning through Healthwatch and Health and Wellbeing Boards
- Promote approaches that encourage people to share time, talents and skills with each other within the community
- A national care and support evidence library to launch in 2013.

##### Housing

- A new care and support housing fund (£200m over 5 years) to support development of specialised housing for older and disabled people.
- New statutory duties to ensure that adult social care and housing departments work together (to improve integration of adaptations and home repair services)
- Extend home improvement services to self funders

## **People understand how care and support works and what their entitlements and responsibilities are**

### Better information and advice

- A new national website to provide a reliable source of information on care and support
- £32.5m funding to support local authorities to develop new online information about care and support options.

### Assessment, eligibility and portability

- A new national minimum eligibility threshold from 2015 (equivalent to “substantial”). Local authorities will be free to set their threshold at a more generous level but will not be able to go below the national minimum.
- Development of a new assessment and eligibility framework
- Measures to extend range of providers who can offer assessment and care management services
- New statutory duties to support portability of care and support packages.
- New framework for provision of care and support in prisons

### Carers’ Support

- New statutory rights to an assessment and an entitlement to public support for all carers.
- A national minimum eligibility threshold for support for carers
- From April 2013, NHS commissioners will be responsible for working with partners to ensure carers are identified and supported

## **People are happy with the quality of their care and support**

### Defining high quality care

- Principles and standards to define what high quality care and support should look like plus a framework setting out roles and responsibilities of different organisations involved in care and support to be published end 2012.
- Age discrimination in health, care and support to be banned from October 2012.

### Improving quality

- Measures to enable people to compare quality of care providers and care options, including comparison and feedback websites; provider quality profiles, independent quality ratings.
- National Institute for Clinical Excellence (NICE) to develop quality standards and guidance for social care. Work on Quality Standard for home care to begin April 2013.
- Pilot a national care audit on dementia care to help care providers test themselves against national standards (2013/14)

### Keeping people safe

- Action to protect people from abuse or neglect to be put on a statutory footing.

### A better local care market

- A duty on local authorities to promote diversity and quality in the provision of services.
- Government will work with commissioners, providers, service users and carers through Think Local, Act Personal partnership to end commissioning practices that undermine dignity and choice (e.g. 15 minute home care appointments).
- Government to consult on steps to ensure service continuity if a provider goes out of business

## **People know that the person giving them care and support will treat them with dignity and respect**

- A new code of conduct and national minimum training standards for care workers
- Greater support and training for personal assistants and their employers
- Social work role to focus on interpersonal support, promote choice and control and to better meet people’s needs and goals.
- Care apprenticeships to be doubled to 100,000 by 2017
- A Chief Social Worker to be appointed by end of 2012.
- New Leadership Forum to develop leadership skills

## **People are in control of their care and support**

### Personalised care and support

- Legislation to give people an entitlement to a personal budget
- Improve access to independent advice to help people eligible for local authority support to develop care and support plan.
- Pilot direct payments for people in residential care
- Change charging system so that the income that people earn in employment is exempt from residential care charges (from April 2013)

### Integration and joined-up care

- Joint funding between NHS and social care to support integrated care and support (£100m in 2013/14; £200m in 2014/15)
- Duty on local authorities to join up care and support with health and housing
- Develop plans to ensure that everyone who has a care plan has a named professional to oversee their case

The role of local authorities will be to:

- Identify the needs of the local population;
- Support communities to keep people active
- Empower people to take control through personal budgets and direct payments
- Provide information and advice
- Ensure a response range of care and support options is available

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## Annex B

### Draft Care and Support Bill

The draft Care and Support Bill takes forward the recommendations from the Law Commission's report on adult social care.

The Bill falls into nine sections, the key clauses of which are outlined below:

1. Embedding the principle of well-being

Clause 1 establishes the Law Commission's recommendation for a 'single unifying purpose around which adult social care is organised'.

2. Reflecting broader local responsibilities

Clauses 2-7 look at local authorities' broad care and support role. In particular, local authorities must:

- Provide an information and advice service to help people understand how the care and support system works, what local services are available, and how to access them.
- Promote the diversity and quality of local services.
- Co-operate with other local organisations in integrating services to promote well-being and improve quality and outcomes.
- Provide services/take action to prevent, delay or reduce people's needs for care and support.

3. Starting the care and support journey: assessments and eligibility

Clauses 8-16 describe how to provide clarity to what people can expect from care and support.

- A single right to an assessment for adults and one for carers (based on having an appearance of needs for care and support).
- Setting out the eligibility framework in legislation.
- Simplifying rules around charging and financial assessment.
- Providing regulations requiring local authorities to offer deferred payment arrangements and be able to charge interest.

4. Clear entitlements to care and support

Clauses 17-22 provide a single route through which consistent entitlements to care and support can be established. They set out a duty to meet an adult's needs for care and support, including a duty for the local authority to help eligible people by brokering their care and support on their behalf.

Carers will also have a legal entitlement to support.

This section clarifies the circumstances in which adult care and support may not meet needs because the responsibility rests with another organisation (for example, NHS).

5. Care planning and personal budgets

Clauses 23-30 set out the process of care and support planning and ongoing reviews of care and support plans. This includes the requirement for a personal budget for both adults needing care and carers. People will also have entitlement to direct payments.

6. Moving between areas

Clauses 31-33 cover 'portability' arrangements in that if a person moves areas, the new local authority must continue to meet the care and support needs set out by the old local authority. The transitional arrangements remain in place until the new local authority has carried out assessments

and implements a new care and support plan.

Where a local authority arranges care within another local authority's area, the original local authority remains responsible for meeting the person's needs.

7. A new framework for adult safeguarding

Clauses 34-38 set out a statutory framework for adult safeguarding, stipulating local authorities' responsibilities. The local authority will be required to carry out enquiries into suspected cases of abuse or neglect and to establish Safeguarding Adults Boards in their area.

As per the Law Commission's recommendations, local authority powers to remove adults from their homes will be repealed. A separate consultation has been published to ask for views on new powers.

**[Link to consultation on safeguarding](#)**

8. Transition from children's care and support services

Clauses 39-44 ensure that any service being provided under children's legislation must continue to be provided until after the person's 18<sup>th</sup> birthday, until the assessments and care planning required under the adult statute has been completed and adult care and support is ready to meet their needs.

9. Other provisions

Clauses 45-53 detail other provisions including:

- Giving local authorities new powers to delegate some of their care and support functions to other local authorities.
- The creation of Health Education England (HEE) who will establish and support the governing bodies of Local Education Training Bodies (LETBs).