

<b>REPORT TO:</b>	<b>ADULT SOCIAL SERVICES REVIEW PANEL</b> 23 April 2014
<b>AGENDA ITEM:</b>	7
<b>SUBJECT:</b>	<b>Care Bill – Croydon’s approach to implementation</b>
<b>LEAD OFFICER:</b>	<b>Hannah Miller, Executive Director of Adult Services, Health &amp; Housing</b>
<b>CABINET MEMBER:</b>	<b>Councillor Margaret Mead, Cabinet Member for Adult Services and Health</b>
<b>WARDS:</b>	<b>ALL</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> This report is for information only	

## **1. RECOMMENDATIONS**

- 1.1 The Adult Social Services Review Panel is asked to note the contents of the report.

## **2. EXECUTIVE SUMMARY**

- 2.1 This report provides a current briefing on the arrangements taking place to implement the Care Bill in Croydon. The Care Bill (previously the Care and Support Bill) will soon become an Act and this will mean that much previous adult social care legislation will be brought together within the new Act. This is the most significant legislative change affecting adult social care since the NHS and Community Care Act 1990.
- 2.2 Implementation is still subject to formal agreement nationally but it is expected that this will occur in two phases, one from 1 April 2015, the second part from 1 April 2016. The report describes the processes that will be undertaken to achieve these outcomes.

## **3. DETAIL**

### **3.1 Introduction**

- 3.1.1 With a piece of legislation as big as the Care Act there is already a significant machine working nationally to ensure implementation occurs effectively and this is well underway. It should be noted that significant parts of the detailed guidelines are still to be published and consulted upon, so whilst it is important to get things underway as quickly as possible, this matter needs to be borne in mind.

## 3.2 Local Position

3.2.1 A number of work streams have started and the Council has already responded to the initial consultation exercises. In addition there has now been the appointment of the Head of Care Bill Implementation for the Borough. A report is scheduled to be presented to the Department for Adult Services, Health and Housing Departmental Management Team (DASHH) in early May. More detail will be produced then but it will describe the work streams that are required for implementation covering the following areas:

- Assessment and Care Planning
- Information and Advice (this stream has already started)
- Financial (covering assessment, charging, deferred payments etc.)
- Communications (a number of events have already taken place)
- Care Markets (work has started here)
- Quality and Safety
- Informatics (work has started here locally and nationally)
- Better Care Fund (submissions of our local plan to NHS England were despatched on 4/4/14)

3.2.2 Locally there will be project groups set up for each of the work streams and there will be a designated lead for each. At the present time appointments, many of whom will be existing staff, have not been made. They will be part of an overall Project Implementation Group that will report to the DASHH Departmental Management Team. Further reporting will feed directly into the Council Leadership Team. Reports to Leadership (consultation responses etc.) as well as updates to this Panel will be provided.

3.2.3 Croydon will be following the national plan and also be working with professional bodies including the Association of Directors of Adult Social Services, London Councils and South West London authorities to ensure that developments and best practice can be shared. A number of meetings have already taken place and there is scheduled to be a Care Act implementation group for London.

3.2.4 Funding is available in 2015/16 but at present no announcements have been made for 2014/15, although it is hoped that this be forthcoming. For 2015/16 the Council have made provision within the Better Care Fund of £1.685m to assist with implementation and also new burdens. In addition there is national implementation funding of £335m, with an illustrative allocation for Croydon of circa £1.9m, including some capital funding for ICT developments.

3.2.5 Specific items completed so far:

- Response to consultation on Paying for Care
- Response to consultation on Eligibility Criteria
- Participation in national data exercise to produce a new formula for the allocation of funding
- Preparation of a draft implementation plan

- Setting up of the Information and Advice group
- Development of a Market Position Statement
- Work with the ICT provider to ensure that system enhancements will be in place prior to implementation
- Presentations on the impact of the Care Act to a number of groups including:
  - Provider association for residential and nursing care
  - Provider association for domiciliary care
  - Talking About Adult Social Care (TAASC) – this organisation covers service users, carers and the voluntary sector
  - Further briefing sessions will be provided throughout the whole process leading up to implementation.

### 3.3 National Position

3.3.1 The Department of Health are working directly with the Association of Directors of Adult Services (ADASS) and the Local Government Association (LGA) to ensure a joined up approach. There are a number of national work streams and Croydon has two people participating in these areas:

- Brenda Scanlan – Care Planning & Personalisation working group
- Paul Heynes – Paying for Care Transformation Group

3.3.2 In addition, Paul has also been seconded part-time to the Department of Health to provide advice and challenge to the funding reform programme from a local authority perspective.

3.3.3 At the present time it is expected that the Department of Health will be imminently providing the regulations and guidance for which there will be a 10 week consultation period; Croydon will respond accordingly.

### 3.4 Timetable

3.4.1 Plans will be made to implement phases 1 and 2 with the expected implantation timescales on 1 April 2015 and 1 April 2016.

3.4.2 The main areas of the Care Act scheduled from **April 2015** are:

- A new duty of prevention and wellbeing to prevent or delay the need for care & support;
- A new duty to provide information and advice, including about paying for care;
- A new duty on local authorities to shape their local care and support market, including producing a Market Position Statement;
- A new duty on authorities to arrange care for self-funders, including for residential care;
- A new duty to provide support plans and personal budgets for people with assessed eligible needs;

- The introduction of national eligibility criteria for adult social care, covering both service users and carers (i.e. the removal of local discretion about setting eligibility). This includes a new duty to meet the eligible support needs of carers and new duties around the portability of assessments where people move to a different local authority;
- A new duty to provide deferred payments (i.e. local authorities currently have discretion about when to offer deferred payments);
- The introduction of statutory Adult Safeguarding Boards and associated responsibilities for adult protection.

3.4.3 The main areas of the Care Act scheduled from **April 2016** are:

- The introduction of care accounts and a cap system where the local authority becomes responsible for the costs of meeting eligible needs once the cap has been reached;
- The extension of the means test (upping capital thresholds for financial assessment) so that more people qualify for state funding towards the cost of their care;
- A new duty to provide direct payments for people in residential care.

### 3.5 Summary

3.5.1 Implementation of the Care Act will provide many challenges throughout the whole process. The knowledge base and the close working relationships established locally with the NHS and the provider associations as well as support from professional bodies should put Croydon in a strong position to make a success of this legislation.

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**BACKGROUND DOCUMENTS** None