



Factsheet

Care Act 2014 Summary

A factsheet for parents/carers of children and young people with Special Educational Needs and Disabilities

The changes brought about by the Care Act 2014 are wide-ranging and cover all adults with care and support needs, and their carers.

Some of the changes strengthen the ways that councils already work and some are new responsibilities.

Prevention, information and advice

Councils have new responsibilities to make sure people:



- Receive services that prevent their care needs from becoming more serious
- Can get the information and advice they need to make good decisions about care and support
- Have a range of providers offering a choice of high quality, appropriate services

The Care Act helps to improve people's independence and wellbeing. It makes clear that local authorities must provide a range of services that help prevent people developing needs for care and support or delay people deteriorating such that they would need ongoing care and support.

Assessment

The Act gives Local Authorities a duty to carry out an assessment in order to determine whether an adult has needs for care and support.

An assessment is how a Local Authority decides whether a person needs care and support to help them live their day-to-day life.



The assessment must be carried out by an appropriately trained assessor who will consider a number of factors, such as:

- The assessment must be provided to all people who appear to need care and support, regardless of their finances or whether the local authority thinks they are eligible
- The assessment must be of the adult's needs and how they impact on their wellbeing, and the outcomes they want to achieve
- The assessment must be carried out with the involvement from the adult and their carer or someone else they nominate. The adult may need an independent advocate provided by the local authority to help them with the assessment process.

National eligibility criteria

The Act introduces new national minimum eligibility criteria for care and support to ensure that people with similar needs have the same eligibility for support, regardless of where they live. A person will be entitled to care and support if all of the following apply:

- The adult's needs arise from or are related to a physical or mental impairment or illness
- As a result of these needs, the adult is unable to achieve two or more specified outcomes
- As a consequence, there is or is likely to be a significant impact on the adult's wellbeing

Care planning

Care and support planning should also focus on outcomes to improve a person's wellbeing and prevent or reduce needs.

It should be developed with the person involved and if they consent, should cover the whole family. Individuals will have a right to a personal budget and direct payment.



Carers

Carers are put on an equal footing to those they care for. Carers have the same entitlement to support to continue in their caring role whilst maintaining their wellbeing. There is a new duty to involve carers in developing a person's support plan.

Safeguarding

The law is strengthened around safeguarding; introducing new requirements for councils to work with partners to safeguard people against harm, abuse or neglect as far as possible through a multi-agency approach and ensuring safeguarding of vulnerable adults is "everyone's businesses".

Independent advocacy

If someone needs support to understand or be involved in assessment, review or care planning and if a family member can't provide this, councils must arrange an independent advocate who is trained to enable them to be part of these processes.

Supporting local services

Councils must work with organisations that provide care and support services to make sure people have a choice of high quality services in their local area. If a care provider fails, the council must make sure people using the service are supported.

Transitions

When assessing a child, younger carer or adult caring for a child, councils must plan for adulthood and ensure services are in place to support this.

Moving between areas

Councils have a new duty to provide continuity of care when a person moves to a new local authority.

Further information on the Care Act

- **Care Act Factsheets**
Web: www.gov.uk/government/publications/care-act-2014-part-1-factsheets
- **Carers UK**
Web: www.carersuk.org

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