



Department  
of Health



# The Care Act 2014

Care, support and you



City of Westminster



# The Care Act 2014

**The Care Act 2014 represents the most significant reform of care and support for people in need for more than 60 years.**

## Putting you in control

The Act acknowledges that you are the person who knows what is best for you.

It says that we, your Council, should give you a full range of information and advice and work with you to understand your needs and what you would like to achieve. You will be fully in control of decisions you need to make about your support, whether that support is from the Council or from other sources.

The Act also emphasises the importance of your wellbeing, physically and mentally, and the importance of promoting activities that will help you stay well and active, as much as you are able, in the community.

## This year and the future

This booklet explains each of the main areas of the Care Act and how they may affect you. The majority of the Care Act changes became law on 1st April 2015.

Other financial changes will become law from April 2016, when 'care accounts' will be introduced.

Amongst the most significant changes this year are :

**Eligibility and assessment** (page 4)

**Abuse and neglect** (page 6)

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## Eligibility and assessment

**The Care Act sets out new national criteria to determine your eligibility for support. This makes the Council's responsibilities clearer to all concerned.**

The aim is to ensure a fairer system that reaches those most in need. It means that everyone will be assessed for care and support using the same guidelines wherever they live in England. This will be known as the 'National minimum eligibility threshold'.

### What is the eligibility and assessment process?

An assessment is how we decide what, if any, care and support you need to help live your day-to-day life.

Assessments are carried out by a trained assessor, who will consider:

- your needs and how they impact on your wellbeing;
- the needs of anyone who is caring for you or anyone who supports you.

As part of the assessment, we may offer you a short-term service known as 'reablement' to help you regain some of the day-to-day skills you might have difficulty with, before completing an assessment of your longer-term needs.

## What will happen after your assessment?

We will encourage you to think about what you would like to achieve day-to-day and in the future. This might include small things or more major goals which will enable you to feel a greater sense of physical or emotional wellbeing.

We will also support you to have a healthy lifestyle, which we hope will reduce the possibility of you needing care and support in the future.

We will help you to draw up a care and support plan with details of the support you will receive, your stated goals, and the cost of your support (See information on Personal Budgets and Direct Payments – page 14).

If you currently receive care and support, and your needs meet the new minimum threshold, you will not lose the support you currently receive.

If you want to know more about eligibility and assessment go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**





## Abuse and neglect

The Care Act ensures we protect those people receiving care from abuse and neglect.

### What do abuse and neglect mean?

- Mistreating someone in need of care or support is known as 'abuse'.
- Failing to properly look after a person in need of care or support is known as 'neglect'.
- Protecting someone from abuse and neglect is called 'safeguarding'

Both abuse and neglect towards people with care needs are never acceptable. If this is happening to you, we will talk to you about what you would like to happen next, and how we can help you to feel safer.

If you want to know more about abuse and neglect, go to the Finding Out More section on page 18, or visit [www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)

## Continuity of care

**The Care Act ensures that, if you have been receiving care and support from a council in one area and then move to a new area covered by a different council, you will continue to receive your care and support on the day of your arrival in the new area.**

This means that there should be no gap in your care when you move. This is known as ‘continuity of care’.

As mentioned on page 4, the criteria each council uses to decide whether or not they can help is the same across the country, but the kind of help that is offered to you to meet your care needs may be different once you move from one area to another.

For example, if loneliness is affecting your health and wellbeing, one council may arrange a befriending service or a ‘buddying’ service, while another might help by supporting you to access community events in the local area.

If you want to know more about Continuity of Care go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**



## Information and advice

**The Care Act requires us to provide information and advice to help you make informed choices about your life. This information and advice needs to be provided to you in the way which best suits you and your needs.**

The People First website aims to give you clear, jargon-free information about a whole range of issues.

The website offers information on your rights to support and the kinds of support available, local organisations which can provide support and details of things to do locally.

It's easy to use, bright, cheerful and colourful.

But not everyone can, or wants to, use the internet.

The Council also has a range of leaflets and other materials to help you make informed decisions and choices about your life. These publications are available to people in accessible formats.

We are also committed to talking to you and explaining what's available, and to helping you make any decisions. You can talk to Council staff, or to people working for other local organisations who can share their expert knowledge with you.



If you want to know more about Information and Advice go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**

# Advocates

**The Care Act ensures that you have the support of an advocate where necessary when talking to us.**

An advocate is someone who can speak on your behalf, if you are not able to do so yourself. They can help you get your views or wishes across about issues which are important to you, such as the care or medical treatment you receive, or how your finances are managed.

## Who can act as your advocate?

A family member or friend can act for you if you are happy for them to take on this role. If so, they are known as an 'appropriate individual'.

If there is no appropriate individual to support you, then we are required to arrange an independent advocate for you.





## When should you have an advocate?

You should have an advocate if you have ‘substantial difficulty’ in expressing your views and wishes.

‘Substantial difficulty’ could mean you have difficulty with:

- speaking or otherwise getting across what you are thinking
- understanding the information you have been given
- remembering information

If you do have substantial difficulty with any of these things then you should be entitled to an advocate during:

- the assessment of your support needs
- the planning or reviewing of your support arrangements
- a safeguarding enquiry or review
- various other occasions

If you want to know more about advocates and advocacy go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**

# Standards

**The Care Act ensures that a number of standards are enforced if you receive care and support.**

## Regulation

The Act will allow for greater regulation of those who provide professional care and support, with tougher penalties for those who do not provide care and support of a high enough standard.

## Timelines

We will ensure your assessment is completed in a reasonable timescale, and you will be told how long this is likely to be.

If you want to know more about standards and regulations go to the Finding Out More section on page 18, or visit **[www.peoplesfirstinfo.org.uk](http://www.peoplesfirstinfo.org.uk)**





## Support for carers

**All carers are now entitled to an assessment of their own needs, regardless of whether the person they look after has needs.**

You can have a carer's assessment even if the person you care for does not get any help from their council. Ask for a carer's assessment from the council in the area where the person you care for lives.

A carer's assessment will look at the different ways caring affects your life, and how you can carry on doing things that are important to you and your household. Your physical, mental and emotional wellbeing will be at the heart of this assessment.

We will ensure your assessment is completed in a reasonable timescale, and you will be told how long this is likely to be.

## Support for carers - the right help at the right time

There are a range of services available to support carers.

After the assessment, if you are eligible, then you will have the right to support to help you carry on caring, and to look after your own wellbeing. You may ask for this support in the form of a carer's personal budget, or direct payment which will help towards receiving these services.

Even if you are not eligible for a carer's personal budget or direct payment there are other forms of help such as personalised advice and information, or you may just prefer to be put in touch with local support groups, so you have people to talk to who are in the same situation.

If you want to know more about Carers go to the Finding Out More section on page 18, or visit [www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)





## Personal budgets and direct payments

**The Care Act confirms your legal right to a personal budget to help pay for your support when you are assessed as having eligible needs.**

### What is a personal budget?

Following an assessment, if you are eligible for support to meet your needs, then a personal budget is the total amount of money that we calculate is required to support you.

### What is a direct payment?

If you are eligible for a personal budget then, if you prefer, the Council can give your personal budget to you as a cash payment, rather than arranging your care for you. This direct payment must be spent in the way that has been agreed with you in your support plan. It can be paid directly to you, using a bank account or debit card set up especially for this purpose, or into the bank account of someone acting on your behalf.

If you want to know more about Personal Budgets and Direct Payments go to the Finding Out More section on page 18, or visit **[www.peoplesfirstinfo.org.uk](http://www.peoplesfirstinfo.org.uk)**

# Care charges

## Deferred payments

**Deferred payments mean that you should not have to sell your home in your lifetime to pay for your care.**

Deferred payment agreements are now available for people who are home owners and move into in a residential or nursing care home.

If you are eligible, the Council will help to pay your care home bills on your behalf. You can delay repayment to the Council for doing so until you choose to sell your home, or until after your death.

The Council may charge an administration fee to set up and run the scheme. Interest will be charged on the amount owed to the Council. These charges will be set only to cover the Council's costs and risks and not to make a profit.

If you want to know more about Deferred Payments, go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**





## Additional responsibilities

As well as a focus on maintaining residents' wellbeing, the Care Act gives councils some additional responsibilities in other areas such as:

- people leaving prisons
- new rights for young people with support needs who are becoming adults and starting to live independently

If you want to know more about Additional Responsibilities, go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**

## More changes to care charges

Major changes to the way social care is funded are planned to become effective from 2020. These are likely to include:

- an increase in the capital threshold for those individuals in residential care who own their own home and
- a lifetime cap of currently no more than £72,000 for individuals on reasonable care costs to meet their eligible needs.

If you want to know more about Care Charges, go to the Finding Out More section on page 18, or visit **[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**





## Finding out more

There are a number of ways (see below) in which you can find out more about recent changes under the Care Act, about how to access care and support, and about the care and support options which are available to you.

### Online help and leaflets

The Government has produced a series of factsheets which explain the aims of the Care Act and how the changes may affect you. Visit **www.gov.uk** and search 'care act'.

They have also produced a series of leaflets in formats for people with learning disabilities. Search for 'care act easy read' on **www.gov.uk**.

To find out more about the changes to care and support, visit **www.gov.uk/careandsupport**

### The People First website

The People First website is an easy-to-use online resource that puts you in touch with a wealth of information and local services that can help you live the life you want, be independent, and find the help you feel you might need. The website is provided by the Adult Social Care service of Hammersmith & Fulham Council, the Royal Borough of Kensington and Chelsea and Westminster City Council.

## Contact your council

To ask for more information about the Care Act or other care and support issues, or to request an assessment of your support needs contact your council direct:

Telephone: **020 7641 2500**

Email: **adultsocialcare@westminster.gov.uk**

You can also ask questions specifically about the Care Act by emailing **careact@lbhf.gov.uk**

## Leaflets

There are a range of leaflets from your council on issues covered by the Care Act, and on other issues which may be of interest to you. To access leaflets telephone your council using the details above, or go to the Leaflets Library at the top of the home page at **www.peoplefirstinfo.org.uk**

## Independent information and advice

The following organisations offer specialist advice on a wide range of issues including health and disability, care and support options, money, benefits and accommodation. *Those marked with an asterisk offer some level of information and advice about the Care Act.*





## **Action on Disability\***

*A user-led organisation managed and controlled by disabled people, campaigning for the rights of disabled people, delivering accessible activities, information, advice and advocacy services.*

Action on Disability

The Greswell Centre, Greswell Street, London SW6 6PX

Telephone: 020 7471 8510

Website: [www.actionondisability.org.uk](http://www.actionondisability.org.uk)

## **Age UK\***

*The country's largest charity dedicated to helping everyone make the most of later life through providing services and support to inspire, enable and support older people.*

Age UK Westminster

25 Nutford Place, London W1H 5YQ

Telephone: 020 3004 5610

Website: [www.ageuk.org.uk/westminster](http://www.ageuk.org.uk/westminster)

## **Carers Network\***

*Carers Network is the first point of contact for unpaid adult carers living in Westminster who need information, advice or support about being a carer.*

Office 8, Beethoven Centre, Third Avenue, London W10 4JL

Telephone: 020 8960 3033

Website: [www.carers-network.co.uk](http://www.carers-network.co.uk)

## **Citizens Advice Bureau\***

*Helps people resolve their legal, money and other problems by providing free, independent and confidential advice, and by influencing policymakers.*

Westminster Citizens Advice Bureau

21a Conduit Place, London W2 1HS

Telephone: 0844 477 1611 (calls may be charged)

Website: [www.westminstercab.org.uk](http://www.westminstercab.org.uk)

## **Migrant Resource Centre\***

*Offers advice and information on benefits, debt, housing, employment or immigration.*

24 Churton Street, London SW1V 2LP

Telephone: 020 7834 2505

Website: [www.migrantsresourcecentre.org.uk](http://www.migrantsresourcecentre.org.uk)

## **Mind**

*Mind provides advice and support to people with mental health needs and their carers.*

Wandsworth & Westminster Mind,

3rd Floor, Radstock House, 5 Eccleston Street

London SW1W 9LX

Telephone: 020 7259 8100

Website: [www.wwmind.org.uk](http://www.wwmind.org.uk)

## **Westminster Advice Services Partnership (WASP)\***

*WASP offers advice and information for people living in Westminster about benefits, debt, housing, employment or immigration in different languages.*

21a Conduit Place, Paddington, London W2 1HS

Phone: 08444 771 611

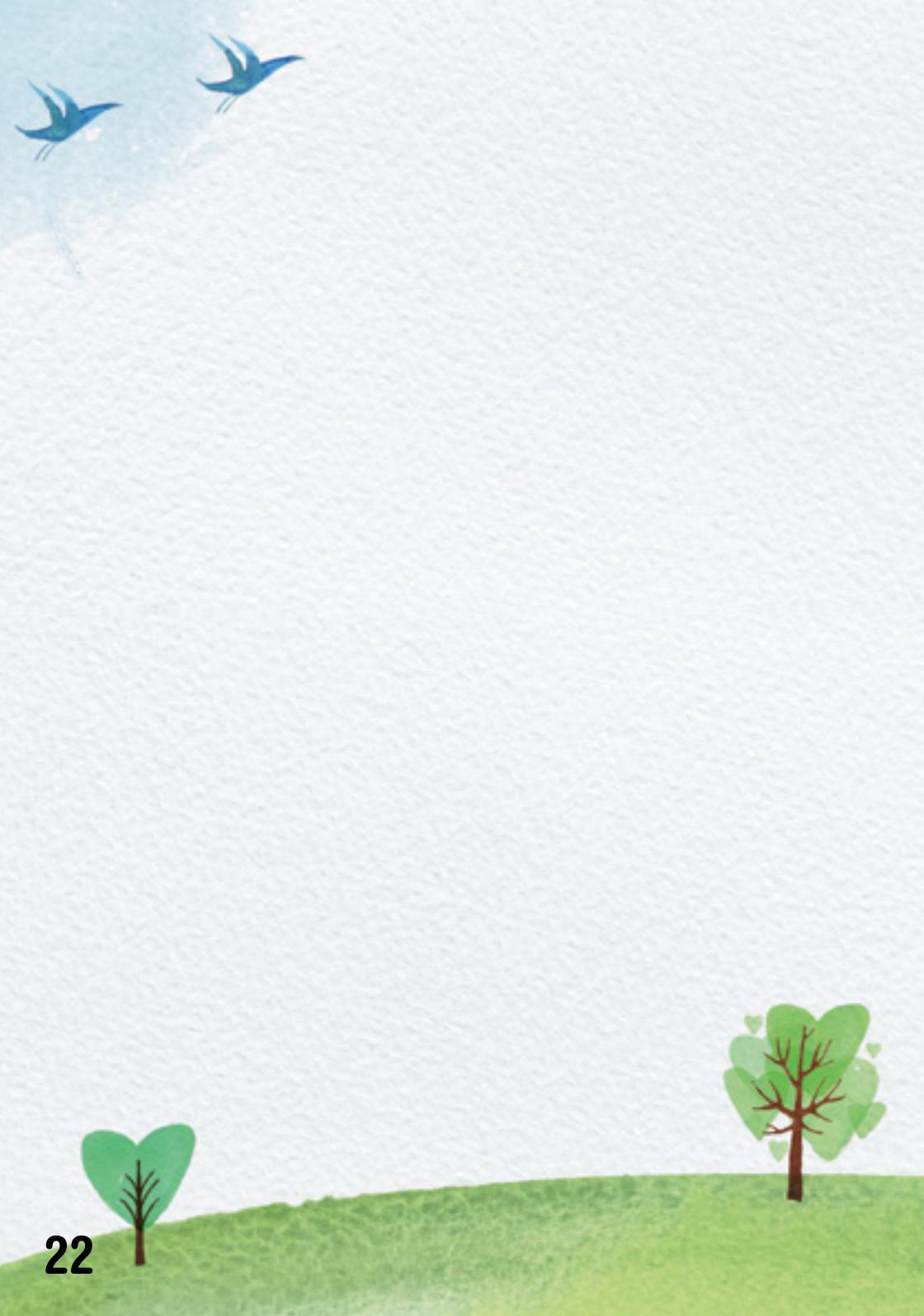
Website: [www.westminsteradvice.org.uk](http://www.westminsteradvice.org.uk)

## **Advice Westminster**

*Online-only advice service.*

Website: [www.advicewestminster.org.uk](http://www.advicewestminster.org.uk)







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**Please return this section to:  
Sensory impairment team**

Westminster City Council  
Communications,  
Floor 18,  
Westminster City Hall,  
64 Victoria Street,  
London SW1 6QP

**Email:**

communications@  
westminster.gov.uk

**Telephone:** 020 7641 1886

## How you can help us

We welcome feedback on how we might improve our services. If you would like to make a comment, compliment or complaint, please contact:

Customer Feedback Team,  
Adult Social Care, Floor 4,  
Hammersmith Town Hall Extension,  
King Street, Hammersmith,  
London W6 9JU

Telephone:

**0800 587 0072**

Email:

**ASCCustomerFeedback@  
westminster.gov.uk**

**To find out more about  
the Care Act contact:**

**Westminster Adult  
Social Care**

T: **020 7641 2500**

E: **adultsocialcare@  
westminster.gov.uk**

For more information about our services and publications view them on

**[www.westminster.gov.uk](http://www.westminster.gov.uk)** or  
**[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**





**[www.peoplefirstinfo.org.uk](http://www.peoplefirstinfo.org.uk)**  
for a wide range of information about what's available  
locally to help you stay independent.