

Care and Support Bill – Southend workstreams

As part of the implementation process for the Care and Support Bill, it has been decided that 3 work streams will be created to look at specific reforms within the Bill and how Southend will introduce them in its working practice. It is proposed that the membership of each of the groups is revisited throughout the project as focus may vary according to different issues.

Assessment and eligibility Workstream

Initial membership: Paul Mavin, Service Manager East, Lynn Scott, Service Manager West, Helen Whittaker, Solicitor, Senior Representative from SEPT, Senior Representative from Children's – to be decided.

Function: to identify and steer/undertake the work necessary to ensure that SBC will be able to fulfil its duties under the Care and Support Act 2014 as relate to:

- (a) The assessments of adults and their carers – Clauses 9-13 and 18-25; and
- (b) The assessment of children in transition and their carers – Clauses 58-67.

This group will also address duties arising from other clauses of the bill as they affect SBC's assessment duties. These clauses may also fall to be considered by other working groups. These clauses are:

Clause 1 - This imposes a general duty on local authorities to promote the well-being of individuals when it is exercising any of its functions in Part 1 of the Bill which include the assessment duties;

Clause 2 - This places duties on local authorities to take steps to prevent or delay the development by adults of the need for care and support,

Clause 27 - This requires local authorities to review care and support plans;

Clauses 37-41 - These clauses relate to the assessments and care plans of persons who move to/from another local authority;

Clauses 42-47 - These clauses relate to the safeguarding duties of local authorities.

Advice and Information Group (which incorporates commissioning, advocacy, integration)

Initial membership to include: Mike Bennett, Group Manager Strategy, Karen Peters, Contracts Manager, other commissioners, IT, media

Function: to identify and steer/undertake the work necessary to ensure that SBC will be able to fulfil its duties under the Care and Support Act 2014 as relate to:

Clause 3 - This clause places a duty on local authorities to carry out their care and support responsibilities (inc carers and prevention) in an integrated way with health where appropriate.

Clause 4 - This places a duty on local authorities to establish an information and advice service about the types of care and support available (inc financial advice).

Clause 5 - This is a new duty for local authorities to create a service market of diverse and high quality service providers. The duty applies to services for all people with care needs inc Self funders.

Clause 6 - This clause requires local authorities and their "relevant partners" to cooperate with each other in the exercise of their respective care and support functions.

Clause 7 - This clause supplements the general duty to cooperate on clause 6 with a specific duty. The intention is that is used when cooperation is required for a specific individual.

Clause 48 - This is a new clause which makes the provision of care and support a public function under the Human Rights Act 1998.

Clause 49-52 - These clauses are concerned with protecting people who receive care services by taking steps to ensure continuity of care in the event of financial provider failure.

Clause 53- 57 - Market oversight – this refers to a central system which will support the local authority to manage continuity of care in a way which minimises stress and anxiety.

Clause 68 - This is the duty to provide people with an advocate if they would otherwise have difficulty understanding or communicating information and have no one else to represent them.

Finance Group

The purpose of this workgroup is to ensure that all financial aspects of the Care Bill are considered and financial implications identified. In addition to that, it will devise and support the practical delivery of the reforms to care and support funding.

To successfully achieve this will require input from a variety of key stakeholders. Initially the group members will be

Pam Watson: Finance Team Manager (Assessments and Income), Sarah Baker: Group Manager Business Support (on an adhoc basis), Paul Chapman: Finance Team Manager (Payments) Tina Patman :Senior Finance Officer Residential Assessments , Sharon Whitehorn: Senior Finance Officer Direct Payments , Sibongile Banda: Group Accountant Adults and Public Health

The finance group will cover the financial impact of the following clauses, they are not necessarily all duties:

Clauses 14-17 - These clauses provide local authorities with further flexibility to charge, they prevent the local authority making a charge for meeting needs (other than daily living costs) once an adults care costs have reached the care cap (currently £72,000 for a person aged 65 and they replace the existing duty to undertake a financial assessment.

Clause 26 - This clause provides all people with a legal entitlement to a Personal Budget which will be included in their care and support plan.

Clause 28 - This is the requirement to undertake assessments and reviews for self funders (in receipt of an Independent personal budget)

Clause 29 - From 1st April 2016, everyone (both existing and new service users) will require a Care account which will track the amount they spend on their eligible care needs. Systems need to be in place to calculate the increasing personal cap, also to produce the care account annual statement.

Clause 30 - Regulations will describe conditions by which the LA must arrange for an adult's preferred accommodation

Clause 31 - 33 - Direct payments, people have the right to request a direct payment which is no real change to the current situation.

Clauses 34-35 - Deferred payments, the Universal Deferred Payment Scheme will come into effect from April 15, so is a priority area. Once DH regulation and guidance is made known then effect to Southend's existing scheme can be established and any financial risks identified.

Clause 69-70 - Enforcement of debts - This replicates and consolidates existing powers to recover debts.