

Your rights

Factsheet 16: **The Care Act 2014**

The Care Act 2014 refers to the date that the bill was passed in parliament. It actually came in to effect in April 2015. It brings together lots of parts of adult social care law.

In short, the Act gives carers the same rights as the person they care for. It will be important for carers to know that their needs and wishes should now be respected in their own right.

What does the Care Act do?

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

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 their needs will be eligible;
- must be of the adult's needs and how they impact on their wellbeing, and the outcomes they want to achieve, and;
- must be carried out with involvement from the adult and, where appropriate, their carer or someone else they nominate, including an independent advocate provided by the local authority.

Under the Act, carers are also legally entitled to an assessment of their own needs:

Carer's Assessments

- A Carer's Assessment should be offered to you or you can ask for one if you feel that you need support.
- It will assess the impact that caring is having on you and will consider the things that you wish to do in your day-to-day life and even if you are willing to carry on caring.
- If both you and the person you care for agree, a **combined assessment** of both your needs can be carried out. (For more information see Fact Sheet 3, Carer Assessments).
- After the assessment the local authority will decide whether you are eligible for support.

- If you are assessed as needing support, a **support plan** will be agreed with you which sets out how your needs will be met.
- Carers assessments can be carried out for you by Carers Trust Hillingdon. Please contact us to arrange an appointment. However, if you choose to have a joint assessment with the person you care for, this will be carried out by a social worker from the local authority

Charging and financial assessment

- Whether to charge for the services you need is a local decision made by the local authority. In Hillingdon there are currently no charges for providing support to carers in recognition of the contribution you make to the local community.
- However, if supporting you means providing replacement care to the person you care for, then this will be means-tested and could be chargeable. This means that the local authority must carry out a financial assessment.

Personal budgets and direct payments

- As part of your support plan you should receive a **personal budget**, which is a statement showing the cost of meeting your needs. It will include the amount the local authority is going to pay and anything you might be asked to contribute.
- You have the right to request a **direct payment**, which will give you more control over how your support is provided.

For more information about our services please contact us on:

Telephone: 01895 811206

Email: office@carerstrusthillingdon.org

Website: www.carerstrusthillingdon.org

Apart from assessment, what else does the Care Act do?

The Act also requires that the local authority should offer:

Wellbeing and prevention

- The Act is based on the principle of promoting wellbeing and preventing needs from developing or deteriorating.
- The Care Act says that local authorities should take account of carers' wellbeing and look at what can be done locally to prevent the need for them to access support services, for example, a carer might be offered a relaxation class whilst the person they care for is looked after.
- Prevention might include services which help a carer and that their lives easier, preventing them being affected physically and mentally by the demands of caring, for example providing equipment to prevent falls in the home.

Improved information and advice

- The Care Act requires local authorities to provide comprehensive information and advice about care and support services in the local area. This will help people to understand how care and support services work locally, the care and funding options available, and how people can access care and support services.
- The Act clearly sets out that they must provide information on:
 - what types of care and support are available locally
 - details of which local providers offer which types of services
 - How you can access those services
 - how you raise concerns about the safety or wellbeing of the person you care for
 - How to access the independent financial advice on matters relating to care

The London Borough of Hillingdon has a website called Hillingdon Care Directory, which offers a comprehensive and easy-to-use service:

careandsupport.hillingdon.gov.uk/

- The site allows you to view an online marketplace offering services from a range of private and voluntary sector providers. You'll see what each organisation offers, how to access support and buy their products or services.
- For those of you that do not have access to a computer, or who prefer to receive information in different ways, you can either:
 - Call in to your local library, where library staff members have been trained in the use of the Connect to Support website.
 - Visit us here at Carers Trust Hillingdon, our Carer Advice team is always happy to help you. They can also offer you support to access the services that you want.
- If you require more comprehensive information about the Care Act, a series of detailed fact sheets has been produced by the Department of Health. These can be found at:
www.gov.uk/government/publications/care-act-2014-part-1-factsheets

Identification of carers

- The Act states that local authorities and the NHS should work to identify carers who are in need of support.
- That process should involve the development of a plan on how to identify carers, including working with local organisations most likely to come into

contact with carers, such as GP practices, pharmacies, benefits advisers or housing officers.

Advocacy

- Advocacy support should be provided if someone experiences substantial difficulty understanding relevant information, retaining that information and communicating their views or wishes.
- The local authority is only required to provide an advocate if no other appropriate person can be identified. An unpaid carer can be an appropriate person but a health professional or nurse cannot.

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