



The Care Act 2014

Updated 27/07/16

The Care Act 2014 represents the most comprehensive overhaul of the social care system since 1948. It is enacting some of the biggest changes to the framework of social care in over a generation.

The Care Act 2014 contains over one hundred amendments to social care legislation, which aim to put people first by building the system around their personal needs. It also will help people make better informed choices about the kind of social care they need and receive.

Below, we outline the most significant changes brought in by the Care Act 2014 from April 2015, which will have a profound impact on how local authorities and care-providers provide social care in the future.

The right to information and advice

Local authorities must provide an Information and Advice service that is accessible to everyone in the local population and not just service users. The information and advice provided must be "...accessible to, and proportionate to the needs of, those for whom it is being provided" and must include types of care and support and how to access them. Independent financial advice is also of particular importance, so local authorities must ensure that they enable people to access independent financial advisors to help them get to grips with the complexities of financing social care.

Harrow Council fund the **Support & Wellbeing Information Service Harrow (SWiSH)** to provide information and advice to anyone in Harrow. This service is run by a group of five charities: Mind in Harrow, Age UK Harrow, Harrow Mencap, Harrow Association of Disabled People (HAD) and Harrow Carers. You can make a general enquiry via the following details:

Tel: 020 8426 0929 | Email: info@mindinharrow.org.uk

Opening hours: Monday-Friday 9.30am-5pm

The right to Independent Advocacy

Under the Care Act, local authorities must arrange an independent advocate for anyone meeting the following two main criteria:

1. They have substantial difficulty in being involved in their care and support assessment, care planning or review or safeguarding enquiry / review; and
2. There is no appropriate person (no family member, or friend) to support their involvement and represent them.

The Care Act defines four areas, any one of which may result in substantial difficulty in being involved:

- ✿ understanding relevant information
- ✿ retaining information
- ✿ using or weighing up the information
- ✿ communicating views, wishes and feelings

Advocacy under the Care Act has a focus on supporting the person to be involved in the care and support 'process'. It means supporting a person to understand information, express their needs and wishes, secure their rights, represent their interests, and obtain the care and support they need, regardless of the setting. All local authorities must ensure that there is sufficient provision of independent advocacy to meet their duties under the Care Act.

In Harrow, to access Care Act Advocacy for mental health service users, you must first be assessed by CNWL NHS Foundation Trust, who will refer you to the Harrow Independent Care Act Advocacy Service. Harrow Council fund **Harrow Mencap** with other local charities to offer this service.

Tel: 020 8423 7382 | **Email:** iag@harrowmencap.org.uk

Address: 3 Jardine House, Harrovian Business Village, Bessborough Road,
Harrow HA1 3EX

Opening hours: Monday-Friday 9am-5pm

You can also find out more via our "Guide to Advocacy" factsheet.

Carers' rights

Wellbeing is now included in the law. For the first time, carers will be recognized in the law in the same way as those they care for. A carer is someone (non-professional) who helps another person - usually a friend or relative - in their day to day life. The Care Act now gives carers a legal right to be assessed for local support, something which they previously did not have.

In Harrow, **CNWL NHS Foundation Trust** has the responsibility for assessing carers of people experiencing mental health problems for their eligibility to funded support services. To request an assessment, call their **Single Point of Access** number:

0800 0234 650

Available 24 hours a day, 7 days per week

Once assessed, similar eligibility criteria as used for people receiving care will be applied to decide whether the carer is entitled to support. Usually, if eligible, this support is provided for free, in recognition of the valuable contribution made by carers. But sometimes, a financial assessment may be carried out to see if the carer should be charged for any support provided. If supporting the carer means providing care to the person they look after, then the person they look after would need to have a financial assessment. Whether to charge carers for support provided to them personally is at the local authority's discretion.

Harrow Council funds **Harrow Carers** to provide preventative support services to carers under the Care Act.

Tel: 020 8868 5224 | Email: admin@harrowcarers.org

Address: 376-378 Pinner Road, North Harrow HA2 6DZ

Opening hours: Monday-Friday 9am-5pm

Personal Budgets and Support Plans

For the first time, local authorities have a legal duty to provide a personalised care and support plan (or a support plan for carers) - something which was previously only set out in guidance, not in law.

People will also have a legal right to receive a personal budget (unless they are in receipt of a reablement service to get them back to self-management after a crisis). This personal budget can be used by service users or carers to request a direct

payment, giving them the money they need to arrange their own care, if they should want to do this. However, personal budgets paid by Councils to people considered 'eligible' under the Act will only cover the cost that the Council would pay if they were sourcing the care themselves. People may have to pay top-up fees themselves, to redress the balance if necessary and are required to undergo a financial assessment of their ability to contribute.

In Harrow, **CNWL NHS Foundation Trust** has the responsibility for assessing if you are eligible for a personal budget and administering personal budgets for mental health service users. To request an assessment, call their **Single Point of Access** number:

0800 0234 650

Available 24 hours a day, 7 days per week

Please call Mind in Harrow on 020 8426 0929
for a large print version of this factsheet or a summary translation.



Mind in Harrow's Mental Health Information Service is a part of SWiSH, a consortium of five local charities, offering the local Care Act Information & Advice Service for Harrow residents, funded by the Council. www.harrowca.org.uk

This factsheet was produced by Mind in Harrow

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