

Draft Care Act Policy Framework

Area: Cambridge City, East Cambridgeshire, Fenland, Huntingdonshire, South Cambridgeshire,
Consultation opens: 21 Jan 2015
Consultation closes: 27 Feb 2015
Contact: Andrew Mailer
Service: Adult Social Care
Telephone number: 01223 715699
Email address: andrew.mailer@cambridgeshire.gov.uk
Consultation website: [Care Act Consultation - Survey Link](#)

Description

We are consulting with a number of identified groups including service users, carers, the Cambridgeshire Alliance, the voluntary sector as well as various health partners to seek their views on the Draft Care Act Policy Framework.

The implementation of the Care Act is a mandatory requirement and because of this, there is minimal room for local variation within some sections of the policy framework. We are therefore focusing this consultation on the four key areas where we do have the ability to influence locally. We are keen to consider the views of identified groups on these areas as well as on the usefulness and relevance of the examples included in the "what does it mean for me" sections of the policy document.

We also welcome any further comments that groups may have on the policy framework.

We need to consult and seek views on the draft Care Act Policy Framework so that where possible, these views can be incorporated into the final policy document.

How can people give their views?

People can give their views using the on-line survey. Easy Read and Large font versions of the survey are also attached.

How can people find out the results?

The results of the survey will be available on the County Council website as will a final version of the Care Act Policy Framework. A report will also be taken to the Adult committee in March.

Attached documents

- [Appendix A ASC Policy Framework 7 -Care market shaping and provider failure.doc \(63KB\)](#)
- [Appendix B ASC Policy Framework 17 - Charging and financial assessments.doc \(114.5KB\)](#)
- [Appendix C ASC Policy Framework 18 - Deferred payments.doc \(80.5KB\)](#)
- [Appendix D ASC Policy Framework 11 - Support planning.doc \(85KB\)](#)
- [ASC Policy Framework v0 3 FINAL DRAFT.doc \(729KB\)](#)
- [Care Act consultation questionnaire LARGE FONT.docx \(39.2KB\)](#)
- [Care Act Policy consultation survey easy read.docx \(864.3KB\)](#)

National Care Act 2014: Public Consultation

Cambridgeshire County Council is writing an Adult Social Care Policy Framework which is designed to help staff, partner organisations and the public understand the new statutory duties established under the Care Act 2014 (“the Act”), the first phase of which comes into effect on the 1st April 2015.

The framework consists of a number of statements that cover all the main duties established in the first phase of the Act. In line with the legislation, some of the policy statements apply broadly to the population as a whole, whilst others are more specific and relate solely to people with care and support needs, and / or their carers.

All the policy statements are based on the statutory regulations and guidance which was published by the Department of Health on the 23rd October 2014, following a national consultation that took place between the 6th June and 15th August 2014.

In order to ensure the policy framework is clear, concise and fit for purpose for both staff and the public, the Council is undertaking a comprehensive public consultation, which will focus on;

- The four policy areas that allow local authorities to vary their practice locally;
- The overall usefulness and relevance of the examples included in the “what does it mean for me” section that accompanies each policy statement
- General views on the style and content

You can have your say by completing the following questionnaire and providing us with any comments and opinions. We look forward to hearing from you.

Please take some time to fill in this survey by 20 February 2015. Paper copies must be in by 22 February.

If you would like assistance completing this form, or would like a copy of this document in an alternative format please contact us.

You can also print a paper copy by clicking the "print" button below.

Tel: 01223 715 699

E-Mail: andrew.mailer@cambridgeshire.gov.uk

Address: Children, Families and Adults Services, Cambridgeshire County Council,
2nd Floor Octagon, Shire Hall
Castle Hill, Cambridge CB3 0AP

If you have any technical issues with this survey please contact Louise Meats, Senior Research Officer:
louise.meats@cambridgeshire.gov.uk

All information you provide will be treated in confidence and not shared with any third parties.

About You

Please tell us a little bit more about you. This will help us make sure we have considered the views of a wide range of people. If you are completing this as a family carer, please provide the details of the person you are caring for.

Are you replying as:

An individual	
---------------	--

An organisation	
-----------------	--

Are you a.....

Service user	
Carer	
Health and social care professional	
Other please state below:	

Are you responding as a.....

Local Authority	
Care Provider	
Voluntary organisation	
Other please state below:	

Are you...

Male	
Female	
Other	
Prefer not to say	

What is the name of your organisation (*This is optional but will help us better understand your feedback.*)

--

How old are you...

18-24	
25-34	
35-44	
45-54	
55-64	
65-74	
75-84	
85 or older	
Prefer not to say	

What is your home or	
----------------------	--

You do not have to provide us with your postcode - but it is important because it will allow us to identify whether people experience

organisation postcode	
-----------------------	--

particular problems in certain areas. It will not be used to identify you in any way

The Council's responsibility for shaping the care market and provider failure

The Care Act places new responsibilities on local authorities to support and “shape” their market for adult care and support as a whole, so that it meets the needs of all people in their area who need care and support, whoever arranges and funds it.

Provider failure occurs when a provider is unable to exercise its normal day-to-day duties, due to a specific set of circumstances, such as the appointment of an administrator or an application for bankruptcy is filed. The Council's Market Shaping and Provider Failure policy statement emphasises the new duties to shape and influence the local care market, and explains how and under what circumstances, the Council should intervene as a result of provider failure.

Our statement contains a new charging policy that would be applied in two very specific circumstances following provider failure. These are:

- When the Council is arranging alternative services for someone who is receiving care that is funded by another local authority. In this event, the funding authority would be charged the cost of arranging the alternative care.
- When the Council is being asked to arrange alternative services for someone who is funding the costs of their own care. In this event, the individual making the request would be charged the cost of arranging the alternative care.

Our aim for both cases is that there should be no additional cost to the local tax payer when exercising these new duties.

[Click here to view more information on this section, what the policy is, and what it means.](#) It is helpful to read this brief note before answering the questions below.

To what extent do you agree that people who fund 100% of their own care should be able to ask local authorities to help them arrange alternative care in the event of provider failure?

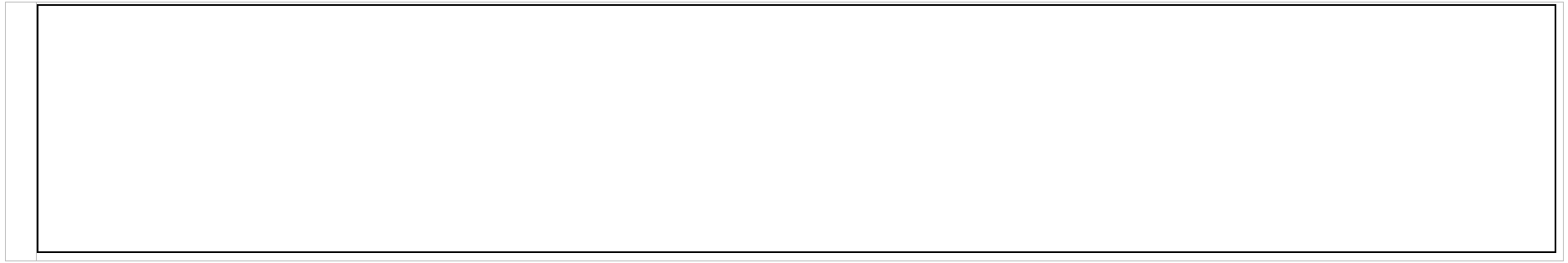
Strongly agree	
Agree	
Disagree	

Strongly disagree	
Don't know / Unsure	

Do you agree with the proposal that the Council should be able to charge for this service to ensure that there is no cost to the local tax payer?

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

If you have any comments on this section of the draft policy, please provide them below:



Financial Assessment and Charging for Service Users

The current legal framework enables local authorities to financially assess people needing care and support. From this we can decide to request a request a contribution towards service costs where they can afford it.

The assessment process is one of the most important elements of the care and support system. The process focuses on the individual and their needs throughout - involving and supporting them to have choice and control over their future.

Building on the Care Act guidance issued in late October 2014, our Policy Statement contains two minor amendments to the existing contributions policy. These are:

- To apply charges from the start of a service, rather than the date the financial assessment is completed.
- To apply an administration fee when arranging care for people who have been financially assessed to pay 100% of their care costs.

[Click here to view more information on this section, what the policy is, and what it means.](#) It is helpful to read this brief note before answering the questions below.

Firstly, we would like you to consider those who have been assessed as being able to pay for some or all of their care costs: To what extent do you agree that charges for these people should begin at the same time that their care begins?

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

**Now we would like you to consider those who have been assessed as being able to pay for all of their care costs:
How far do you agree that the Council should apply an administration fee when arranging care to ensure that there is no cost to the local taxpayer?**

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

If you have any comments on this section of the draft policy, please provide them below:

--	--

Deferred Payments

A "deferred payment" is a type of financial arrangement between the Council and someone who required permanent residential or nursing care who has been assessed as being able to pay for all of their care costs.

It means that the Council will pay for care and support initially, but places a charge against an individual's home - to be repaid when the property is sold. The government's goal here is to ensure that no one should be forced to sell their home in their lifetime to pay for their care.

Our "deferred payment" Policy has been updated to make sure it matches the new Care Act. The aim is to provide clear guidance to the public and staff explaining how the scheme works and under what circumstances a deferred payment might be available, and the charges that would be incurred by the recipient - we could need to agree on:

- An independent property / asset valuation.
- An interest rate charge.

[Click here to view more information on this section, what the policy is, and what it means.](#) It is helpful to read this brief note before answering the questions below.

To what extent do you agree that the Council's deferred payment scheme should be at no cost to the local taxpayer?

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

If you have any comments on this section of the draft policy, please provide them below:

The Council's Support Planning process

Following the new Care Act, our Support Planning policy statement focuses on the Council's legal duty to meet a person's eligible needs rather than provide specific services. This is a subtle but important change in emphasis, which will enable the Council to develop and review flexible support plans for each person.

We now emphasise that the way people are supported could vary over time - for example when their needs change, when new technology becomes more available, or when new approaches are developed. For example:

- Assessing night time care - identifying where we can use assistive technology equipment to reduce someone's dependence on night staff.
- Looking at issues such as rural isolation - clarifying when it is appropriate for the Council resources to pay for leisure activities rather than the person using their own money
- Clarifying when a single housing and support arrangement would be supported by the Council rather than a more cost effective shared housing arrangement.

[Click here to view more information on this section, what the policy is, and what it means.](#) It is helpful to read this brief note before answering the questions below.

To what extent do you agree that the Council should maximise the use of assistive technology - particularly for support and care overnight?

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

To what extent do you agree that the Council should make the distinction between 'reducing and preventing social isolation' and 'leisure activities that the person pays for themselves'? (For example, attending a day care centre can reduce isolation, in which case we wouldn't need to fund an evening swimming class)

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

To what extent do you agree that the Council should *only* consider single housing and support arrangements where shared housing would not meet the person's specific needs?

Strongly agree	
Agree	
Disagree	
Strongly disagree	
Don't know / Unsure	

If you have any comments on this section of the draft policy, please provide them below:

--	--

The Adult Social Care Policy Framework

Our Adult Social Care Policy Framework consists of a number of rules that cover all the main duties established in the first phase of the national Care Act. In line with the legislation, some of the policy statements apply broadly to the population as a whole, whilst others are more specific and relate solely to people with care and support needs, and / or their carers.

[Click here to view the full Adult Social Care Policy Framework](#)

Did you find the "what does it mean for me" sections contained within each policy statement useful?

Yes	
No	
Don't know	
I have not read it	

Please use the space below to explain your answer:

--	--

Further Comments
If you have any further comments on the policy framework as a whole, please provide them below:

