



National Audit Office

Local government report

by the Comptroller and Auditor General

Local government

Care Act first-phase reforms – local experience of implementation

Summary

1 Social care is personal care and practical support for people with physical disabilities, learning disabilities, or physical or mental illness. In 2012, the government set out its plan to reform care and support in the white paper *Caring for our future: reforming care and support*.¹ The objectives are to reduce reliance on formal care, to promote people's independence and well-being and give people more control of their own care and support. The Department of Health (the Department) is responsible for achieving these objectives through the Care Act 2014, which it is doing in two phases (**Figure 1**).

2 On Friday 17 July the Department announced the decision to delay the introduction of the cap on care costs system until April 2020 following concerns from stakeholders. This includes the increase to the threshold above which people start to contribute fully to their residential care costs. As part of this decision the Department also confirmed that the proposed appeals system for care and support will now be considered as part of the wider Spending Review.

3 The Care Act puts new legal responsibilities on local authorities in England and requires them to cooperate with local partners to meet them. As we have reported previously, only a small proportion of care is publicly funded. Unpaid family, friends and neighbours provide most care and support. Many adults pay for some or all of their formal care. But for many local authorities, adult social care is one of the biggest areas of spending. Local authorities provide universal and preventative services and usually only pay for individual packages of care for adults assessed as having high needs and limited means.² We estimate local authority net spend on adult social care in 2014-15 at £14.4 billion.

4 Through the Care Act, the Department aims to achieve the government's vision (**Figure 2** on page 6). The Department wants to empower people who use care and support, their families, and carers, to be able to find help, and maintain their independence. Local authority information, advice and assessments become services in their own right, rather than routes to publicly-funded intensive care and support.

1 HM Government, *Caring for our future: reforming care and support*, Cm 8378, July 2012.

2 Comptroller and Auditor General, *Adult social care in England: overview*, Session 2013-14. HC 1102, National Audit Office, March 2014.

Figure 1**The main changes in the Care Act 2014****The Department of Health is implementing the Care Act in two phases**

Phase 1: The main changes introduced from April 2015 include duties on local authorities to:

- provide services that prevent care needs from becoming more serious, or delay the impact of their needs;
- meet a national minimum level of eligibility for a person's care and support needs;
- assess carers, regardless of how much care they provide, and meet carers' needs on a similar basis to those they care for;
- offer deferred payment or loan agreements to more people, avoiding property sales to pay for care and support;
- provide information and advice (including financial advice) on care and support services to all, regardless of care needs;
- provide an independent advocate where such support is needed;
- work with care providers to get a diverse and high-quality range of local services;
- comply with a new legal framework for protection of adults at risk of abuse or neglect;
- give continuity of care to those whose needs are being funded by the local authority who choose to move to another area;
- assess the care and support needs of children and their carers, who may need support after they turn 18, as they move to adult social care; and
- arrange and fund services to meet the eligible care and support needs of adults who are detained in prison.

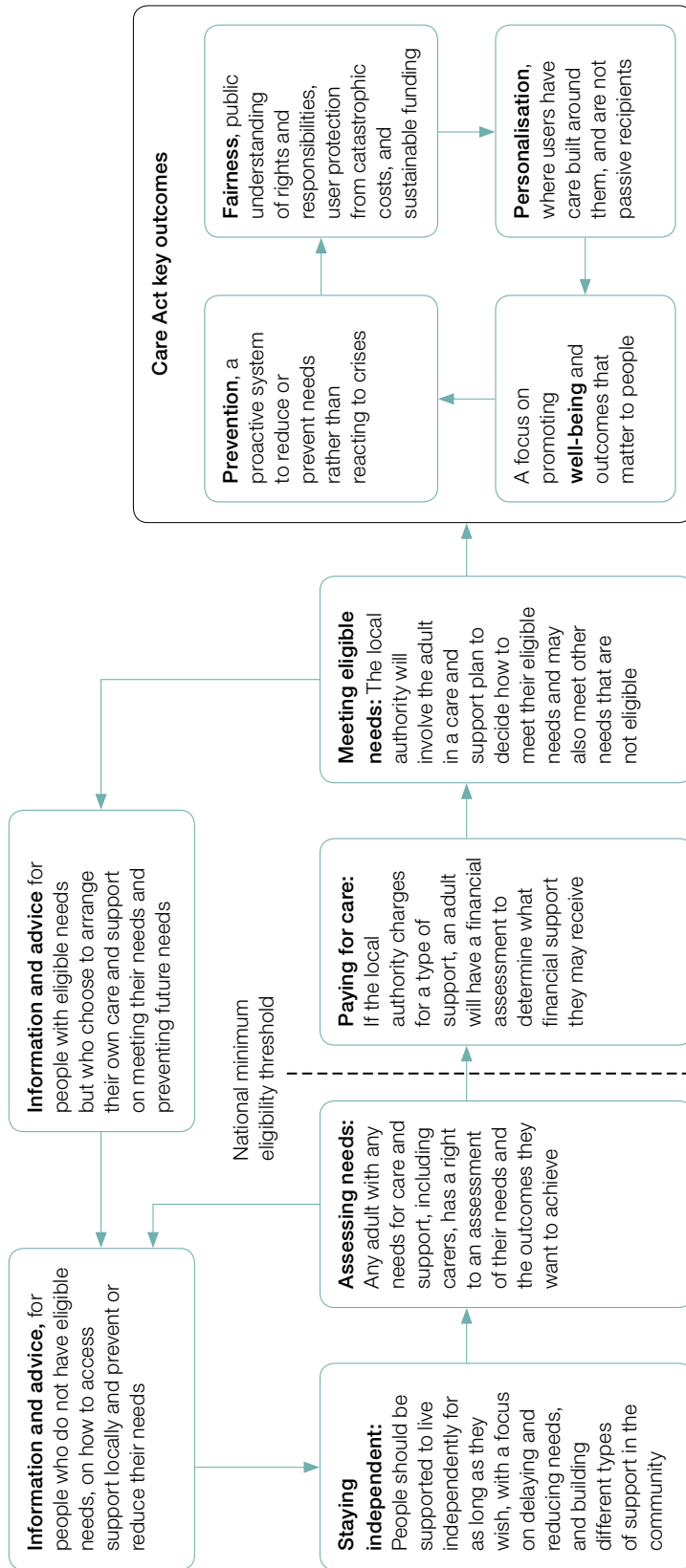
Phase 2: At the time of publication the main changes planned under phase 2:

- A cap on the amount someone will pay towards eligible care and support due to be implemented in April 2020.
- An increase in the threshold above which people start to contribute fully to their residential care costs due to be implemented in April 2020.
- The introduction of a right for people to appeal against specific local authority decisions about their care and support.

Source: Department of Health

Figure 2
Care Act policy objectives

Care Act marks a culture change



Source: Department of Health

Scope of our report

5 This is a local government report published under the Comptroller and Auditor General's powers under the Local Audit and Accountability Act 2014. These allow the Comptroller and Auditor General to examine the economy, efficiency and effectiveness with which local authorities use their resources in discharging their functions. The purpose is to provide evaluation, commentary and advice of a general nature to local authorities.

6 This report highlights the issues our case study areas told us were important to them in carrying out the Care Act. Local authorities may find their experience informative as they continue to develop their own approaches to carrying out the Care Act. The report does not judge the performance of individual local authorities.

7 This report complements our value-for-money report on central government's approach to the *Care Act first-phase reforms*.³ In this report we have focused on:

- the issues around estimating demand and how some of our case study areas have approached these issues (Part One); and
- how our case study areas are using information technology, building on existing initiatives or bringing in new ones to support those who use care and support, their families and carers (Part Two).

8 The funding issues for the first-phase reforms are covered in detail in the report mentioned above.

9 This report draws on detailed analysis of the information gathered from nine case study local authorities. We visited them to help us understand the challenges they face and approaches they use to manage them. We selected these places to cover a range of local authority types, in different regions, and experiencing different pressures from Care Act implementation.

³ Comptroller and Auditor General, *Care Act first-phase reforms*, Session 2015-16, HC 82, National Audit Office, June 2015.

10 We spoke to directors of adult social services, Cabinet members for social care and other senior officers responsible for Care Act implementation at:

- Bracknell Forest Council;
- Devon County Council;
- Durham County Council;
- Lincolnshire County Council;
- London Borough of Lambeth;
- Redcar and Cleveland Borough Council;
- Staffordshire County Council;
- Suffolk County Council; and
- Wakefield Council.