

## **Council Meeting: 12 November 2014**

### **Briefing Note**

#### **Subject: Care Act Implementation Progress**

- 1.1 A Care Act Implementation Board is in place to manage compliance of the reforms required within the Care Act legislation. The programme board is chaired by Liz Bruce, Executive Director for Adult Social Care. There are 7 workstreams delivering the programme to achieve compliance of the Phase 1 (April 2015) reforms listed below:
- Implementation of eligibility framework and single set of criteria for carers
  - All service users in receipt of personal budget (includes review of appropriateness of Resource Allocation System)
  - Assessment processes in line with Care Act requirements (includes Carers Assessments, assessment of self-funders, and prevention duty)
  - Implementation of new safeguarding duties
  - Market shaping responsibilities embedded (including Market Position Statement and protocols regarding duty around provider failure)
  - Information & Advice provision (across operations and commissioned services) and provision of preventative services
  - Provision of advocacy service
  - Workforce trained and developed to meet the new operational requirements
- 1.2 Each of the Care Act programme workstreams have scoped and planned delivery of the reforms based on the draft regulations and guidance issued in June. These will be updated where necessary in the light of the final regulations issued in October, which Legal are currently reviewing. The workstreams have made significant progress on the 'design phase' outputs listed below:.
- Modification of the assessment forms to embed Care Act requirements including building in Carers assessments
  - Design outline of the Deferred Payment Agreement process for all three boroughs.
  - Design of the carer's offer to support their wellbeing
  - Support planning to build in an outcomes based approach for planning care and support for service users and carers
  - Revised Adult Social Care policies based on the Care Act.
  - Design of a high-level Quality Assurance framework
  - A gap analysis and review of the Safeguarding Adults approach
  - Scoped the two contract specifications for Information and Advice, and Advocacy with a view to commissioning new services.
  - Initial scoping of the prevention offer that will help prevent, delay, or reduce needs for care and support
  - An audit checklist of the full scope of Information and Advice required on the People First website and in leaflets.
  - Demand and Financial modelling to feed into a review of the Customer Journey and Department of Health's Local Authority Funding Formulae
  - Develop a system to manage resources linked to allocation of Personal budgets

- Market Position Statement to provide commissioners and providers of care and support with information about the 'as is' market and potential gaps
- Training Needs Analysis in preparation for development and delivery of a workforce development programme
- Facilitated Care Act Awareness sessions for all ASC staff which eventually will be extended to relevant departments in the rest of the three Councils, external providers, GPs and CCGs.
- Identification and training of thirty-six Care Act Champions to help support delivery of the reforms as part of the change management process.
- High-level plans for adapting social care arrangements to support prison population on remand in Wormwood Scrubs and following their release if eligible in the London Borough of Hammersmith and Fulham.
- A high-level set of IT requirements to manage informatics from April 2015
- Review of the transition pathway between children's and adult social care and support systems.

1.3 Prior to implementation of the above 'design phase' outputs, they will be checked for compliance against the final regulations and guidance issued by the Department of Health on 23<sup>rd</sup> October. This is because the consultation on the draft regulations and guidance resulted in significant changes to the documentation. Our legal reform workstream will also review the legal implications to highlight any major concerns that might impact on compliance.

1.4 The programme hosted a 'Show and Tell' event on 5th November 2014 with a wide group of stakeholders from various departments e.g. Housing, Public Health, Leisure, Libraries, Arts and Culture, and Corporate Communications across the three boroughs and external organisations) e.g. CCG representatives. The purpose of the event was primarily to promote the work delivered so far and to encourage wider stakeholders to become actively involved in implementation. This will run the event again at WCC in December or January. A peer review of the workstream progress was also carried out on the same day to ensure progress and direction and ensure workstreams had the resources needed to deliver the Care Act.

## **Financial Implications**

2.1 Financial modelling continues to be carried out to capture projected costs and grant funding. It remains a concern that the costs of the Care Act are significantly higher than the Government's current estimation as a result of the recent funding consultation. In addition, conducting accurate financial modelling of the impact of the Care Act remains a challenge, due to a lack of robust data and the many variables and unknowns. Also, the impact upon London local authorities could be significantly different from those in other regions. This needs to be fully understood, and reflected in any funding received to support the implementation of these reforms.