



CARER SUPPORT & SERVICES – THE POLICY CONTEXT

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POLICY CONTEXT

- Implementation of the 2008 Health and Social Care Act
- Implementation of the public spending decisions announced in the November 2010 Spending Review
- The continuing debate about the health and social care system, which can be seen in such reports as the Law Commissions report, which was published in May of this year



THE RECOMMENDATIONS OF THE LAW COMMISSION RELEVANT TO CARER SUPPORT AND SERVICES INCLUDE:

- A *'unified adult social care statute'* setting out *'the core duties and powers of local social services authorities,* and supported by *'regulations'*.
- The statute should establish that *'the overarching purpose of adult social care is to promote or contribute to the well-being of the individual,* with decisions based on individual circumstances and individuals involved in *'assessment, planning, developing and reviewing their care and support'*



LAW COMMISSION RECOMMENDATIONS

- *'Universal' and 'targeted' adult social care services are needed. 'Information, advice and assistance' should be available to all; targeted support should follow a community care assessment 'based on a single clear duty to assess a person' in consultation 'with the individual and their carer'*
- To encourage *'joined up assessments'*, local authorities should be able to *'carry out a community care assessment at the same time as any other assessment'*.



LAW COMMISSION RECOMMENDATIONS

- Undertaking a carer's assessment should involve a *'single and standalone duty'* requiring only that *'the cared for person is someone for whom the local authority has a power to provide services'*.
- Assessment should focus on *' the carer's ability to provide and to continue to provide care and take into account whether the carer wishes to work or undertake education, training and any leisure activity'*



LAW COMMISSION RECOMMENDATIONS

- Provision of services following assessment should be based on an *'eligibility framework for carers' services'*, with local authorities required to meet the eligible needs of carers
- Outcomes should focus on *'health and emotional well-being; protection from harm; education, training and recreation; the contribution made to society; securing rights and entitlements'*.
- *The statute should place a duty on local authorities to produce a written care and support plan (to be regularly reviewed) summarising the needs and outcomes to be achieved, any available personal budget, and a summary of services/direct payments to be provided.*



IN RESPONSE, THE CARE SERVICES MINISTER PAUL BURSTOW SAID:

- “This report provides the foundation for the most significant single reform of social care law in 60 years”.
- “The current law on adult social care lacks coherence, is hard to understand. We now have the opportunity to update the law for the 21st century, placing principles of personal control and independence at the heart of social care law”.
- “The Law Commission’s work provides us with a strong foundation upon which to build, as we develop legislative reforms”.



BETTER OUTCOMES FOR CARERS

- The NHS Outcomes Framework 2011/12;
- Transparency in Outcomes: a framework for Adult Social Care
- Healthy Lives, Healthy People: Transparency in Outcomes



THE TRANSPARENCY IN OUTCOMES: A FRAMEWORK FOR ADULT SOCIAL CARE

These outcomes cover a range of aspects of care, including:

- ensuring people are treated with dignity
- giving people the support they need to get back to work
- giving carers the support they need to balance their caring roles while maintaining a good quality of life
- helping people regain their independence.



CARE SERVICES MINISTER PAUL BURSTOW SAID:

- “Our ambition is to make social care services more personalised, more preventative and more focused on delivering the best outcomes for the people who use them”.
- “By focusing on the outcomes that matter most to people and improving transparency in the system, we will empower individuals to hold their councils to account for the services they provide”.



FOR THE 2011/12 FRAMEWORK THE OUTCOME MEASURES SPAN FOUR DOMAINS

- Enhancing quality of life for people with care and support needs
- Delaying and reducing the need for care and support
- Ensuring that people have a positive experience of care and support
- Safeguarding adults whose circumstances make them vulnerable and protecting them from avoidable harm.



CARER SPECIFIC OUTCOMES WITHIN THE DOMAINS

- Carers can balance their caring roles and maintain their desired quality of life
- People who use social care and their carers are satisfied with their experience of care and support services.
- Carers feel that they are respected as equal partners throughout the care process.
- People who use services and carers find it easy to find information about services.

