



The Care Act 2014

The [Care Act 2014](#) establishes the legislative ground on which social care will develop in coming years. It introduces new obligations on local authorities and enshrines a statutory principle of individual wellbeing. It also provides a mechanism – the Better Care Fund – by which the Government can mandate the sharing of NHS funding with local authorities.

The Care Act and the Better Care Fund are intended to break down the barriers between health and social care and support local authorities, health, and social care services to work together to provide better support at home and earlier treatment in the community to prevent people needing emergency care in hospital or care homes.

Most of the Care Act's changes took effect from April 2015, with a number of reforms to the way social care is funded coming into operation in April 2016.

What role do local authorities play in care and support?

Under the Care Act, local authorities are required to take on new functions intended to ensure that people who live in their areas:

- receive services that prevent their care needs from becoming more serious
- receive the advice they need to make good decisions about care and support
- have a range of providers offering a choice of high quality, appropriate services

The Act determines that local authorities are required to actively promote wellbeing when carrying out any of their care and support functions – this is the '[principle of wellbeing](#)'.

Promoting wellbeing

Whenever a local authority carries out any care and support functions relating to an individual, it must act to promote their wellbeing, so far as it relates to –

- personal dignity
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by the individual over day-to-day life
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal relationships
- suitability of living accommodation

The Act determines that the principle of wellbeing should be embedded throughout the local authority care and support system, and applies in all cases where a local authority is carrying out a care and support function. The new focus on wellbeing represents a shift from the duty to provide services towards a duty to meet individual needs. Local authorities won't be able to comply with the Act by providing one size fits all services, but by putting the person at the centre of their offer.

How will the Care Act improve the range and quality of services available?

The Care Act requires local authorities to help develop a market that delivers a range of sustainable high-quality care and support services that will be available to their communities. When buying and arranging services, local authorities must consider whether their approaches to buying and arranging services support and promote the wellbeing of people receiving those services.

The Act has a particular focus on preventing or delaying the need for support. This might mean investing in preventative services and fully utilising any existing community resources, facilities and assets to prevent people's needs escalating unnecessarily.

The Act also requires local authorities to promote integration with the NHS and other key partners – this will include working through local Health and Wellbeing Boards.

The new Care Certificate

The [Care Certificate](#) is an identified set of standards that health and social care workers adhere to in their daily working life. It was developed as part of the [Cavendish Review](#), which identified the preparation of health care assistants and social care workers for their roles within care settings as inconsistent. The Care Certificate replaces the National Minimum Training Standards and the Common Induction Standards and is a requirement for all CQC registered health and care employers as of April 2015.

The Better Care Fund

The £3.8 billion [Better Care Fund](#) is intended to support the transformation and integration of the health and social care services. It creates a local single pooled budget to incentivise the NHS and local government to work more closely together around people, placing their well-being as the focus of health and care services.

The Care Act provided the mechanism by which the government could mandate the sharing of NHS funding with local authorities, and the government has used the NHS Mandate 2015/16 to require that NHS England ring-fence £3.46 billion within its allocation to CCGs to establish the Fund.

Metrics & Indicators: What the Fund will be spent on?

Plans for spending from the Fund must detail how Health and Wellbeing Boards will provide:

- protection for social care services
- seven-day services in health and social care to support patients being discharged and prevent unnecessary admissions at weekends
- better data sharing between health and social care
- a joint approach to assessments and care planning and agreement on the consequential impact of changes in the acute sector

The national metrics for how well the Fund is being used to develop integrated care will be:

- admissions to residential and care homes
- effectiveness of re-ablement
- delayed transfers of care
- avoidable emergency admissions
- patient/service user experience

Integrating health and social care

The Better Care Fund is intended to control rising healthcare costs, reduce waiting times for operations, and plug the gaps in social care resulting from cuts to council budgets. The Fund will see integrated investment aimed at keeping patients healthier at home for longer so they don't require hospital care. In combination with the Care Act's focus on prevention, quality of care and community support, the integration of health and social care is intended to reduce growing pressure on the NHS by enhancing individual and community wellbeing.

Implementation of local Better Care Fund plans formally began on 1st April 2015.