

## **Chapter 12: The legislative framework for the provision of adult social care and support**

These slides provide an introduction to the Care Act 2014. It has become the foundational statute for adult social care, and though this lecture is largely descriptive, it provides a framework for the more detailed understanding of assessment and care planning which come later. It also includes some information on the Care Act easements under the Coronavirus Act 2020.

Slide 2, the lecture outline sets up the approach to understanding the legislation.

Slide 3 looks at why the law needed reforming. There were two things that were required; updating old fashioned and incomplete law with a modern person centred approach which stresses contemporary values of dignity and autonomy, and properly providing for the funding of adult social care.

Slide 4 looks at the architecture informing reform. Its important for students to know that law reform is a political act, even if it appears neutral. And whatever happened to the Dilnot report..... its also a good opportunity to remind them of how the parliamentary system works to enact new legislation.

Slide 5 sets out the principles of the Care Act – these enshrine important contemporary priorities

Slides 6 -8 look at well-being and its broad definition.

Slide 9 looks at prevention. Both prevention and well-being were absent from previous legislative considerations.

Slide 10 looks at other key provisions. Note the importance of developing a market for care services.

Slide 11 looks at assessment – remember its now a national system. Supposedly no postcode lottery!

Slide 12 sets out the perpetually elusive cap on care costs. Perhaps by the time you lecture there will be a green paper. No doubt it will be causing lots of controversy!

Slide 13 outlines the duty and power to meet needs. Don't forget to remind students of the difference between the two.

Slide 14 sets out the next steps – care and support planning

Slide 15 outlines the important development of Safeguarding Adults Boards

Slide 16 notes the role of the CQC in determining the financial viability of providers. You can ask the students why this role was introduced, and whether they think the CQC is the best organisation to do it.

Slide 17 sets out some discussion points. These can be amended to suit local circumstances, or to deal with a green paper, if it is published. They can also feed into the three subsequent slides on the Care Act easements.

Slide 18 explains what the Care Act easements are and the limits on their operation. Slide 19 describes those duties which are eased and Slide 20 the duties that have not been eased. It would be useful to see what the students think. There is information in other chapters of Part 3 of the book about the very limited extent to which the easements were formally used, but the strong suspicion that they were used informally.