

**Children's and Families Act** and cap on costs

Act enhances entitlement – **they can't take any service away**

If reassessment they must give the questions in advance

The assessment should be linked to the eligibility criteria

A duty to give copies of assessment and care plan

Transition from childhood in the care act

Duty on adult team to assess and parent carers

If refusal to act from 16 they must give a reason awaiting more guidance

The assessment when saying the future adult is eligible it then becomes a duty to provide

If educational plan in operation (instead of statements) then eligible

When in plan the health provision must be delivered

Merging of agencies disaster, difference in charging – hope no charging in the future

Young carer can get assessments on appearance of need (if providing care for someone)

Duty on LA's to find out how many young carers on their patch

No legal framework to assess children who are disabled!

Light touch assessments can be challenged – the equality act

Skylakes Company doing assessments in Haringey – delegation of non-complex issues

Assessment delegation

Assessment of parent carer of child that has needs – must do it – the wellbeing of the parent

Right to work within assessment of carers

Siblings are young carers – under 18

The council, LA is under the duty to assess under either act – responsibility of the authority

**Cap on costs** – the Dilnot reforms – looking at payment for social care

One in nine pay £100,000 for care – there is a cap at £72,000 for care

Not capping for food and accommodation so £12,000 to be paid continually (real cap £145,000)

Lower cap for younger people being discussed



Cap comes in first April 2018 – get social worked when starting self-funding for assessment and meets criteria – you are on taxi metre – so person wants it to hit the £72,000, LA needs to understand the hypothetical budgets – need to keep records

TEA BREAK

### **NHS funding (Q)**

Continuing care funding – check Luke’s web site

Care act about social services – rules have not changed the relationship

NHS has to provide health and social care but few legal obligations

But there is a public law obligation to act reasonably – could be maladministration – ombudsman

Section 60 – new obligation under advocacy – no family an IMCA advocate, more expansive duty, if cannot take part in assessment the LA must have an appropriate person to act with you.

