

## CARE BRIEFING APRIL 2015



### SPRING IS IN THE AIR AND SO IS THE CARE ACT

Like it or not the Care Act is here and is most likely to remain regardless of political comment in the run up to the parliamentary elections next month. Frankly, regardless of the colour of the next Government it is doubtful that any major changes will be made. Nevertheless, the elephant in the room that will have the most impact on the success or failure of the implementation of the Care Act rests with Government's willingness to ensure that sufficient funding is in place to support commissioners and providers to deliver good quality sustainable care across the sector in whatever setting is most appropriate to meet the needs of those being cared for. The Local Government Association gave us this cautionary statement in January this year:

“Analysis carried out by the LGA, which represents councils in England, shows that in the next financial year (2015/16) councils will have to find £1.1 billion from other service budgets to continue protecting adult social care spending in cash terms. It follows a £900 million hit taken by other services to help plug adult social care funding last year. The analysis is based on current spending patterns, which show councils have consistently been protecting spending on adult social care at a time when the elderly population continues to rise and local services have faced the biggest and most sustained cuts in funding since the war.

The £1.1 billion which need to be taken from other services in 2015/16 is equivalent to:

- The cost of filling 20 million potholes.
- Running 3,800 libraries. There are currently just over 4,000 libraries in England.
- Employing 80,000 school crossing patrol attendants.

The LGA is warning that if the crisis in adult social care funding is not addressed, councils will have little money left for any other services by the end of the decade.”

This is depressing news and does not imbue confidence in the ability of Local Authorities to meet their obligations and for providers to deliver them. Previous Briefings over the last several months have concentrated on those aspects that will directly affect providers such as care funding reform (Dilnot), market shaping, market oversight, best practice, CQC ratings, health and social care integration and so on, so we won't dwell on them here. Rather, this Briefing will concentrate on providing something of a digest for readers to refer to as guidance as direction develops. By following the links highlighted below, readers will be able to keep pace with key pieces of information and resources that will help you to implement the Care Act with confidence.

## Providing Good Care

This sets out practice guidance and advice to assist care providers in understanding the impact of the Care Act's reforms on their services and advice to help managers and operational staff put the reforms into effect at a local level, across the breadth of the reforms – from Safeguarding to Personal Budgets. [Internet link](#)

## Implementing your Programme

The Care Act and associated reforms are the most wide-ranging set of changes to adult social care law in over 40 years. It is essential that councils and their partners (in provider, health and community and voluntary organisations) are able to make these aspirations a reality by reshaping how social care is provided. Whilst this is not directly focused towards providers, it is helpful to understand what Local Authorities are doing that will directly affect providers. [Internet link](#)

## Responding to the market Shaping Agenda

Market shaping and market position statements: guidance for providers in dialogue with the local authority

- Aims to ensure that maximum benefit is gained from the market shaping provisions of the Act.
- Target audience: provider representatives such as your local Care Association, who participate in the dialogue with local authorities about market shaping.
- This area is relatively new to all providers, as well as local authorities. The subject therefore needs exploring in some detail to determine what additional guidance could usefully be developed.

[Internet link](#)

## Index of Support Products for Providers

This is largely in development but will, over time, help to concentrate guidance in one place so there is a single point of reference. [Internet link](#)

We hope these links are helpful but if anyone has any questions please do not hesitate to get in touch.



### CONTACT

If you would like to arrange an initial no-obligation meeting, at no charge, please contact:

#### **Julie Hopkins, Partner**

Julie Hopkins leads Albert Goodman's Care Providers Team providing advice to care sector start-ups, those growing their business and those looking to exit. The team of more than 10 experts advise on business strategies, cash flow management, business structures, minimising tax, acquisitions and disposals, payroll and financial services.

Julie takes a lead in the firm's membership of the Registered Care Providers Association (RCPA). Her depth of expertise within the Care sector includes care homes, nursing, residential, mental health, domiciliary and supported living. Julie qualified as a Chartered Accountant with international firm KPMG and has specialised in SMEs ever since, with a particular emphasis on care providers.

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