

Care Act Bulletin

Edition 11

18 February 2015

Welcome to the eleventh edition of the Care Act Bulletin. This is a series of Bulletins which have been produced to provide an outline of the key elements in the Care Act, to prompt thinking about how these changes may impact on your organisation and what opportunities it may bring. Each bulletin will cover a chapter in the Care Act Guidance issued by the Department of Health. Links to the guidance and relevant fact sheets are detailed at the end of the bulletin.

PERSONAL BUDGETS

Personal budgets are a key part of the Government's aspirations for a person-centred care and support system. Although available for many years, the Care Act places personal budgets into law for the first time, making them the norm for people with care and support needs.

Personal budgets are an allocation of funding given or managed on behalf of people after an assessment which should be sufficient to meet their assessed needs. The personal budget is the mechanism that, in conjunction with the care and support plan, enables the person to exercise choice and take control over how their care and support needs are met. It means:

- knowing, before care and support planning begins, an estimate of how much money will be available to meet a person's assessed needs and having clear information about the proportion the local authority will pay;
- being able to choose from a range of options for how the money is managed;
- having a choice over who is involved in developing the care and support plan for how the personal budget will be spent, including from family or friends;
- having greater choice and control over the way the personal budget is used to purchase care and support, and from whom.

Everyone who has eligible needs will have a legal right to a personal budget. There are three main ways in which a personal budget can be deployed:

- As a managed account held by the local authority with support provided in line with the Person's wishes;
- As a managed account held by a third party (often called an individual service fund or ISF) with support provided in line with the person's wishes;

- As a direct payment.

In addition, a person may choose a 'mixed package' that includes elements of some or all three of the approaches above. Local authorities must ensure that whatever way the personal budget is used, the person is given as much flexibility and choice as is reasonably practicable in how their needs are met.

When setting the personal budget, local authorities will follow the principles of transparency, timeliness and sufficiency. Local authorities will work with a person to help them understand how their budget is calculated, giving confidence the amount includes all relevant costs that will be sufficient to meet their identified needs. The local authority is under an on-going duty to keep the person's plan and personal budget under review.

You can view the Department of Health Care Act Guidance by visiting:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_2390277_7_Care_Act_Book.pdf

The factsheet regarding general responsibilities is available on:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366080/Factsheet_1_-_General_responsibilities.pdf