

Unit 16: Understanding Public Funding for Individual Adult Care Needs

Unit reference number: K/616/7403

Level: 4

Unit type: Optional

Credit value: 4

Guided learning hours: 30

Unit summary

The cost of adult care has risen dramatically and continues to do so. Paying for care is an increasingly difficult problem that society has to tackle if we are to maintain the quality of service we would like our family to receive. Recent changes to welfare benefits and funding for care will have an impact on all of us, so it is important to know how the system works for those we support professionally and for ourselves.

In this unit, you will learn about the changes to welfare benefits, the legislation underpinning the welfare benefits system, how an individual's needs for care are assessed and funded differently, and how those individuals who lack mental capacity can have their interests represented. Finally, you will learn how and when to refer individuals for legal and financial advice to achieve the best outcomes for their care.

Learning outcomes and assessment criteria

To pass this unit, the learner needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria outline the requirements the learner is expected to meet to achieve the unit.

Learning outcomes	Assessment criteria
1 Understand the welfare benefit system in relation to individuals with care needs	1.1 Explain current legislation relating to the welfare benefits system 1.2 Explain eligibility criteria of current: <ul style="list-style-type: none"> • means-tested benefits • non-means tested benefits 1.3 Explain how changes of circumstances may affect benefit entitlement
2 Understand processes relating to local authority funding of services for individual adult care needs	2.1 Explain current legislation relating to local authority funding 2.2 Evaluate current eligibility criteria 2.3 Explain local authority financial assessment processes
3 Understand processes relating to National Health Service (NHS) funding of services which meet individual care needs	3.1 Evaluate NHS funding eligibility criteria 3.2 Explain the process for challenging NHS funding decisions
4 Understand ways others manage financial affairs of an individual	4.1 Explain aspects of the Mental Capacity Act (MCA) 2005 that relates to managing the financial affairs of an individual 4.2 Explain applications of: <ul style="list-style-type: none"> • enduring power of attorney (EPA) • lasting power of attorney (LPA) • Court of Protection Deputy • Department of Work and Pensions Appointee
5 Understand how to signpost and refer to professional advice services	5.1 Explain when to refer to: <ul style="list-style-type: none"> • financial advice • legal advice 5.2 Explain how to refer to specialist: <ul style="list-style-type: none"> • financial advice • legal advice

What needs to be learned

Learning outcome 1: Understand the welfare benefit system in relation to individuals with care needs

Current legislation

- Welfare Reform Act 2012.
- Care Act 2014 to include changes from April 2015, including deferred payments; and changes from April 2016, including care accounts.

Types of benefit

- Universal Credit.
- Other benefits for families.
- Death benefits.
- Heating and housing benefits.
- Tax credits.

Benefits system eligibility criteria

- Means-tested benefits.
- Non-means-tested benefits.

Changes in circumstances

- Changes to include:
 - admission to hospital
 - discharge from hospital
 - admission to care home.

Changes in status

- Changes to include:
 - housing
 - marital
 - medical
 - physical
 - immigration
 - death
 - income/capital/savings
 - employment
 - imprisonment.

What needs to be learned

Learning outcome 2: Understand processes relating to local authority funding of services for individual care needs

Section of Care Act 2014 to include the following

- Role of local authorities to ensure that people who live in their areas:
 - receive services that prevent their care needs from becoming more serious, or delay the impact of their needs
 - get comprehensive information and advice about care and support services in their area
 - have a range of provision of high-quality, appropriate services to choose from
 - have an assessment of their needs focused on the individual's desired outcomes
 - are able to access self-assessment
 - have a care and support plan (or a support plan in the case of a carer)
 - receive provision at national standards
 - receive their legal entitlement to personal budgets and direct payments
 - receive independent advocacy services if required
 - receive a copy of their assessment and eligibility determination
 - are aware of local authority duty to review care plans
 - are given information in a range of formats that meet their needs.

Funding of services eligibility criteria

- Ways eligibility criteria are identified through assessment:
 - care and support needs resulting from physical and/or mental condition
 - because of those needs, individuals cannot achieve two or more of the outcomes specified
 - as a result, there is a significant impact on their wellbeing.
- Entitlement to funding services that meet individual care needs depending on whether the person:
 - has 'eligible' needs
 - has residency status
 - meets one of five conditions, including the care and support they need is free, they cannot afford the full cost of care and support, they ask the local authority to meet their need, the person does not have mental capacity, they have no one else to arrange care for them, or their total care and support costs exceed the cap.

Changes to ways that local authorities assess the funding of individual care needs

- Individual contributions before April 2016.
- Cap on costs from April 2016 excluding daily living costs.
- Extension to means-tested payments.

What needs to be learned

Local authority financial assessment processes to include assessment of the following

- Income.
- Assets to include property, savings, investments.
- Deferred payment schemes.
- Extending choice of accommodation.
- Top-up payments.
- Carried out by a social worker or other appropriately trained person.

Learning outcome 3: Understand processes relating to National Health Service (NHS) funding of services which meet individual care needs

NHS funding

- National framework for determining eligibility for NHS continuing healthcare and for NHS-funded nursing care.
- Eligibility based on:
 - needing care from a registered nurse
 - living in a care home registered to provide nursing care.
- Assessment for NHS continuing healthcare.
- Role of Clinical Commissioning Group (CCG) and multidisciplinary team in assessment.
- Initial screening using Checklist Tool.
- Full assessment using Decision Support Tool.
- Types of need.
- Post-assessment procedures to include:
 - provision of care and support packages
 - personal health budgets
 - review of care needs.
- Alternatives to NHS-funded care to include:
 - joint care package
 - self-funded care
 - local authority-funded services.

Challenging NHS funding decisions

- Role of Clinical Commissioning Group.
- Independent review.
- Role of National Health Service Commissioning Board.
- Role of Independent Complaints Advocacy Service (ICAS).

What needs to be learned

Learning outcome 4: Understand ways others manage financial affairs of an individual

Mental Capacity Act 2005

- Capacity assessment.
- Protection.
- Safeguarding.
- Duty of care.
- Person-centred empowerment.

Duty of adult care workers

- Legal duty to comply with the law.
- Professional duty.
- Duty of care.
- Enable person-centred care.
- Ensure safe practice.

Roles and responsibilities

- Independent Mental Capacity Advocate (IMCA).
- Enduring power of attorney (EPA).
- Lasting power of attorney (LPA).
- Court of Protection Deputy.
- Department of Work and Pensions Appointee.

Learning outcome 5: Understand how to signpost and refer to professional advice services

Reasons to refer individuals to specialist financial and/or legal advice

- Funding.
- Eligibility.
- Issues of mental capacity.

Referral processes

- Conducted by an appropriately qualified specialist such as a social worker, not an adult care worker.
- Formal referral using agreed ways of working.
- Informal referral.

Information for tutors

Suggested resources

Books

Lishman J et al – *Social Work: An Introduction* (Sage, 2014) ISBN 9781446208892

Payne M – *Modern Social Work Theory* (Palgrave MacMillan, 2014)

ISBN 9781137406026

Websites

www.ageuk.org.uk

Age UK – guide to the Care Act 2014.

www.citizensadvice.org.uk

Citizens Advice – changes to welfare benefits and initial advice on legal and funding issues.

www.cqc.org.uk

Care Quality Commission – independent regulator of health and social care in England.

www.gov.uk

Government services and information – Overview of welfare benefits and Care Act 2014 factsheets.

www.jrf.org.uk

Joseph Rowntree Foundation – reports on funding in adult care.

www.nhs.co.uk

The National Health Service – Continuing Healthcare and NHS-funded Nursing Care public information leaflet.

www.scie.org.uk

Social Care Institute of Excellence

Assessment

This guidance should be read in conjunction with the associated qualification specification for this unit.

This unit is internally assessed. To pass this unit, the evidence that the learner presents for assessment must demonstrate that they have met the required standard specified in the learning outcomes and assessment criteria, and the requirements of the assessment strategy.

To ensure that the assessment tasks and activities enable learners to produce valid, sufficient, authentic and appropriate evidence that meets the assessment criteria, centres should follow the guidance given in *Section 8 Assessment* of the associated qualification specification and meet the requirements from the assessment strategy given below.

Wherever possible, centres should adopt an holistic approach to assessing the units in the qualification. This gives the assessment process greater rigour and minimises repetition, time and the burden of assessment on all parties involved in the process.

Unit assessment requirements

This unit must be assessed in accordance with the assessment strategy (principles) in *Annexe A* of the associated qualification specification.

Assessment of all learning outcomes (knowledge) may take place in or outside of a real work environment.