



item 5

Adult Social Care and Commissioning Responsibilities Care Act 2014

Adult Safeguarding, Health and Wellbeing Scrutiny Committee

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Adult Social Care and Commissioning



South Tyneside Council

What are We Here to Do:

- The service plays a central role in enabling people to live healthy, safe, independent and fulfilling lives.
- The service is guided by a co-produced vision: ***helping people live in the place they call home, with the people and things that they love, in communities where people look out for one another, doing things that matter to them.***
- The service works within a clear statutory framework including the Care Act 2014, Mental Capacity Act 2005, Mental Health Act 1983/2025, Human Rights Act 1998, Health and Care Act 2022 and Equality Act 2010.
- Practice is rights-based, strengths-led and person-centred, shaped by people's voices, choices and lived experience.



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What the Service does for Residents and Carers



South Tyneside Council

- The service responds to approximately 23,000 contacts each year, including requests for information and advice, support for carers and requests for assessment.
- It currently provides ongoing care and support to just under 2,900 adults across the borough.
- Total cost of services: £138.5 million
- Total income (grants, NHS funding and charges): £54.9 million
- Council funding needed after income: £83.5 million
- Adult Social Care must provide information and advice, assess adults who appear to have care and support needs, assess carers, determine eligibility, plan support and meet eligible needs within the legal framework.
- Support can include help at home, residential or nursing care, day opportunities, respite and support for carers.
- The service also has safeguarding duties where an adult with care and support needs may be experiencing, or be at risk of, abuse or neglect. It responds to 6000 enquiries per year.



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How is the Service Organised (1)



South Tyneside Council

- The service has 339 Full Time Equivalent staff who work across a range of teams.
- The service starts with the first point of contact team, Let's Talk, working with multi-disciplinary partners.
- From there, support is provided through locality-based Neighbourhood teams.
- A dedicated Home First hospital discharge team works with South Tyneside and Sunderland Foundation Trust to support people to return home.
- The service includes specialist teams for Preparation for Adulthood and Learning Disabilities, Mental Health, Approved Mental Health Practitioners, Deprivation of Liberty Safeguard, Occupational Therapy and Safeguarding Adults.



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How is the Service Organised (2)



South Tyneside Council

Local Area Coordination, the Workforce team, the Care Academy, and the Practice Standards and Improvement team support prevention, workforce development and service quality. Occupational Therapy and Community Equipment are identified as essential to helping people stay safe at home, remain independent and access equipment and adaptations in a timely way.

The service also provides reablement services at Borrowdale House, Extra Care within Hagan Hall and Clasper Court, a Shared Lives Service and an Assistive Technology and Independence Function.

The Commissioning, Assurance and Reform Teams are responsible for the planning, commissioning and oversight of services for people. Ensuring services are responsive to local need and demand, offering people choice and control and quality of services. Leading change and transformation within the service.



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What is the Service About



South Tyneside Council

- Through the Living Better Lives strategy, the service aligns its work around six priorities: Prevention and Early Intervention; Supporting People to Remain in Control; Keeping People Safe; Partnership Working; Working with Our Communities; and Having a Skilled and Sustainable Workforce
- The service is responding to increasing demand, growing complexity, workforce pressures and financial challenge through a programme of transformation.
- Current transformation includes improving first point of contact pathways, strengthening discharge and reablement, developing neighbourhood working, embedding Let's Talk Together, developing new accommodation models, and investing in digital solutions.
- The service is also focused on CQC assurance readiness, a stronger quality assurance framework, and deeper involvement of people with lived experience through the Working Together Group.



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Care Act Key Duties



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Main Duties of Care Act 2014

The Care Act 2014 sets out clear responsibilities to promote wellbeing, protect individuals, and ensure person-centred care.

5. Work in Partnership

Work collaboratively with individuals, families, and other organisations to deliver effective support.

4. Protect from Harm

Protect individuals from abuse and neglect and ensure their safety and dignity.



1. Promote Wellbeing

Promote individual wellbeing and independence, and encourage choice and control.



2. Prevent and Delay

Prevent, reduce, or delay the development of needs for care and support.



3. Provide Person-Centred Care

Provide care and support that is personalised and tailored to the individual's needs and preferences.



These duties ensure high-quality care and support, promote independence, and safeguard the rights and dignity of individuals.



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Section 1 - Wellbeing Principle (2)



South Tyneside Council

Adult Social Care and Commissioning in South Tyneside is a statutory service responsible for supporting adults aged 18+ with care and support needs, and for shaping a sustainable, high-quality local care market.

Our purpose is to enable people to live healthy, safe, independent and fulfilling lives in the place they call home, with the people and things that matter most.



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What the Council must do – The golden thread: Section 1 Wellbeing



South Tyneside Council

The Care Act establishes **wellbeing as the core legal principle**. Every decision—assessment, funding, commissioning—must demonstrate regard to:

- Personal dignity and respect
- Physical and mental health
- Autonomy and control over daily life
- Participation in work, education, and community
- Social and economic wellbeing
- Domestic, family, and personal relationships
- Suitability of accommodation

All care, support and commissioning decisions should demonstrate how wellbeing is promoted



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Section 1 - Wellbeing Principle (2)



South Tyneside Council

S.1(3) -a local authority must 'have regard' to the following:

- a) Assumption that the individual is best-placed to judge well-being
- b) Individual's views, wishes, feelings and beliefs
- c) Prevent, reduce delay need for care and support
- d) Take into account all the individual's circumstances
- e) Individual participating as fully as possible in decisions about them
- f) Balance between the individual's well-being and that of friends or relatives involved in their care
- d) Need to protect people from abuse and neglect
- e) Restrictions kept to the minimum necessary



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Section 2 - Duty to Prevent needs



South Tyneside Council

A local authority must provide services or take steps which it considers will:

- Contribute towards preventing or delaying the development of the need for care and support for adults or carers
- Reduce the need for care and support by adults or carers in its area
- It must identify 'unmet need' in order to improve provision of services
- It must share information with local partners (para 2.30)
- Primary, secondary and tertiary prevention



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Section 3 – Partnerships/Integration with NHS



South Tyneside Council

- Duty to ensure integration of care and support services along with health and health-related services
- Duty to liaise and coordinate with the local Integrated Care Boards and NHS bodies
- Establishment of 'Better Care Fund'



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Section 4 – Information and Advice



South Tyneside Council

- Enhanced duty to provide adults in need/carers with information about care and support arrangements in their area
- Wide range of subject matters
- Duty to establish and maintain an information and advice service
- Not simply digital – expected to use ‘face-to-face’ contact also



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Section 5 – Quality of Service Provision



South Tyneside Council

- Duty to promote an efficient and effective local market ‘with a view to ensuring’ that there is a variety of providers and high-quality services to choose from
- Guidance encourages shift to ‘outcomes based’ commissioning
- Need to foster social care workforce which underpins the market
- Ensuring choice – variety of different providers and different types of services
- Carry out collaborative market shaping activity
- Prevent, Reduce and Delay the need for care



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Section 9,10 & 13 – Assessing Needs and Determining Eligibility



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Adult Social Care must assess any adult who appears to have care and support needs, regardless of finances or likely eligibility.

This includes:

- assessing the person's needs and desired outcomes
- considering strengths, family and community support
- identifying whether needs meet national eligibility criteria

Carers also have an equivalent right to assessment.



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Sections 18 -20

Meeting Eligible Needs



South Tyneside Council

Where a person has eligible needs, the local authority has a duty to meet those needs, subject to the legal framework around residence and financial assessment.

Support may include:

- Care at home
- Residential or nursing care
- Day opportunities
- Respite
- Support for carers



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Sections 24-27 - Care and Support Planning



South Tyneside Council

Once needs are assessed as eligible, the council must prepare a **care and support plan** (or support plan for carers).

This includes:

- Agreed outcomes
- How needs will be met
- A personal budget
- Regular review including proportionate 6 weeks and 12 months thereafter.

Plans should be **person-centred** and focused on independence, choice and control.



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Safeguarding (Section 42-47)



South Tyneside Council

The Care Act, 2014 places adult safeguarding obligations on a statutory footing

Section 42 – duty to make enquiries if reasonable cause to suspect that an adult in its area:

- Has needs for care and support;
- Is experiencing, or is at risk of, abuse or neglect, and
- is unable to protect him/herself against the abuse /neglect



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Safeguarding (Section 43)



South Tyneside Council

- Section 43 – Duty to establish a Safeguarding Adults Board (“SAB”) to coordinate safeguarding activity across different bodies and organisations.
- Multi-agency – members of SABs will include local authorities, NHS bodies, and the police
- Required to meet regularly, publishing shared safeguarding plans and publish an annual report
- Safeguarding adults' reviews (s.44) – duty to review:
 - where an adult in need in its area has died from abuse or neglect/been subject to serious abuse and neglect, and
 - where reasonable cause for concern about how the SAB, members of the SAB, or other persons with relevant functions, worked together to safeguard the adult



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Questions



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