

CARE ACT 2014

EXPLANATORY NOTES

OVERVIEW OF THE STRUCTURE

Part 1 – Care and Support

10. [Part 1](#) sets out the legal framework for the provision of adult social care in England.
11. [Sections 1 to 7](#) set out the general responsibilities of local authorities. They describe local authorities' broader care and support role towards the local community, including services provided more generally, for instance those with the aim of reducing needs.
12. [Sections 8 to 41](#) provide for a person's journey through the care and support system. These provisions map out the process of assessments, charging, establishing entitlements, care planning, and the provision of care and support. They include provision to create a cap on the costs of care and for local authorities to enter into deferred payment agreements.
13. [Sections 42 to 47](#) outline the responsibilities of local authorities and other partners in relation to the safeguarding of adults, including a new requirement to establish Safeguarding Adults Boards in every area.
14. [Sections 48 to 57](#) set out local authorities' responsibilities for ensuring continuity of care where a provider sustains business failure and ceases to provide a service, and provide for the oversight of registered care and support providers by the Care Quality Commission (CQC).
15. [Sections 58 to 66](#) will support the transition for young people between children's and adult care by giving local authorities powers to assess children, young carers and parent carers.
16. [Sections 67 to 80](#) set out provisions in relation to independent advocacy, recovering charges owed to the local authority, reviews of funding provisions, appeals, and other miscellaneous matters, including making explicit when the provision of care and support is a function of a public nature being exercised for the purposes of the Human Rights Act 1998 and restating the law relating to delayed discharges.