

Background and Overview

The [Care Act 2014](#) (the Act) sets out a new legal framework for the delivery of care and support services in England. It creates a clear imperative for action on loneliness and isolation by a range of key local actors including, but not limited to, Adult Social Care, Health and Wellbeing Boards, CCGs and Public Health.

The [Statutory Guidance](#) (the Guidance) which accompanies the Act sets out how it should be interpreted, and elaborates how authorities should meet their new obligations, offering a framework for delivery that chimes with that set out in [Promising Approaches: to reducing loneliness and isolation in later life](#).

The bulk of the Act (excluding the care costs cap) came into force in April 2015. Significant work is therefore currently underway to implement it. Action to address loneliness will be needed to meet the new prevention duties, and to meet care and support needs identified during assessments.

Implications for Commissioners:

1. Action on loneliness is required under the wellbeing principle, and the prevention duty

- The Act establishes the “wellbeing principle”, making promoting wellbeing the core purpose of local authorities’ exercise of their care and support functions.¹ Wellbeing is defined as relating to a range of factors including social wellbeing, contribution to society and personal and family relationships. Given this definition, and the [clear links between loneliness and poor wellbeing](#), the exercise of care and support functions must include action to address loneliness and isolation.

- The Act requires local authorities to take action to prevent the development of needs for care and support.² Given the well-evidenced [impacts on mental and physical health](#), action on loneliness should form an important part of this work. [Guidance](#) reinforces this point, promoting the “primary” prevention of loneliness and social isolation through the provision of services such as befriending and community activities.

2. Loneliness is an eligible need under the Act

- [Regulations](#) accompanying the Act establish new minimum eligibility criteria for care and support. The list of specified outcomes which can trigger eligibility includes “Developing and maintaining family or other personal relationships” which means, in effect, that loneliness is an eligible need. It is therefore likely that services to combat loneliness will be required as part of care and support packages, and local authorities will need to plan to meet these needs with effective approaches, as outlined in [Promising Approaches](#) and on the Campaign to End Loneliness’ [Learning Network](#) pages.

3. Commissioning for outcomes means planning for action on loneliness

- The Act requires a shift towards “outcomes focussed” commissioning and market-shaping⁴ by local authorities which the Guidance states “should emphasise prevention, enablement, ways of reducing loneliness and social isolation and promotion of independence as ways of achieving and exceeding desired outcomes, as well as choice in how people’s needs are met”.⁵

4. Wider assessments mean more opportunities to identify and act on loneliness

- The Act creates more opportunities to identify

¹<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Section 1

²<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Section 2

³https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf, Page 8

⁴<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Section 5

⁵https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Page 44

those whose wellbeing is at risk due to loneliness and social isolation, and to intervene early. One example of this is the provision of information and advice about social opportunities available locally, through the new requirement to offer assessment to any individual who appears to have a need for care and support. All carers are also included, whether eligible for services or not.⁶

Further detail on drivers for action on loneliness

The “Wellbeing Principle”

The Act enshrines the principle that local authorities must promote wellbeing when carrying out any of their care and support functions in respect of an individual. The “wellbeing principle” is intended to place people’s needs and desired outcomes at the heart of the care and support system.

The Act defines wellbeing as including:

- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional wellbeing
- protection from abuse and neglect
- social and economic wellbeing
- participation in work, education, training or recreation
- domestic, family and personal relationships
- suitability of living accommodation
- the individual’s contribution to society

Local authorities should ensure that they have provided a range of services/carried out assessments/developed the local market in such a way as to promote these outcomes. Given that loneliness and social isolation

present substantial barriers to a number of these outcomes, and in particular to people’s social wellbeing, contribution to society, and relationships, action to reduce loneliness and social isolation should follow.

Preventing, reducing and delaying needs

The Act requires local authorities to ensure the provision or arrangement of services, facilities or resources to help prevent, delay or reduce the development of needs for care and support. This duty extends to all adults in a local authority’s area, regardless of whether they have needs for care and support.

Action on loneliness is explicitly recognised as a form of “primary” prevention, with befriending and community activities given as examples of appropriate actions (and LinkAge Bristol included as a case study).⁷ It is therefore clear that in meeting their obligation to offer preventative services in a community, local authorities should consider what actions can most effectively be taken to combat loneliness and social isolation in their communities.

In setting out how preventative activity should be taken forward, the Guidance recognises the importance of co-production and partnership as ways of developing effective services. It also recognises the need for outreach etc.⁸ In its recent report [Promising Approaches](#) the Campaign to End Loneliness sets out a framework for delivering these kinds of services within communities, providing examples of good practices upon which authorities can draw.

Eligibility

The Act provides for a national minimum eligibility threshold for care and support, based on three criteria:

⁶<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Sections 9 and 10

⁷https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Page 8

⁸https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Chapters 2-4

- The adult's needs arise from or are related to a physical or mental impairment or illness.
- As a result of the adult's needs the adult is unable to achieve two or more of the specified [outcomes](#).
- As a consequence of being unable to achieve these outcomes there is, or there is likely to be, a significant impact on the adult's wellbeing.

"Developing and maintaining family or other personal relationships" is included in the list of specified outcomes, and the Guidance explains that in assessing whether achievement of this outcome is impacted, authorities should "consider whether the adult is lonely or isolated, either because their needs prevent them from maintaining the personal relationships they have or because their needs prevent them from developing new relationships".⁹

[By definition](#) loneliness is a negative emotion (i.e. wellbeing impact) associated with a perceived gap between the relationships an individual has and those they desire. In this way it is clear that it can be a trigger for the provision of care and support services, and local authorities will need to ensure that they have taken steps to secure the availability of appropriate loneliness interventions on behalf of those requiring care and support.

The Act and the Guidance set out the wide range of ways in which eligible needs can be met, for example through community-based and universal services, including services which promote social connections.¹⁰ The Guidance also recognises that people may wish to buy club memberships etc or ICT services with their personal budgets.¹¹ The Act also places new duties on local authorities to work together across housing, social care and health in respect of provision of care

and support services,¹² mirroring pre-existing duties on CCGs and NHS England to collaborate and integrate.¹³ It is therefore clear that joined-up approaches, including not just adult social care, but also CCGs and Public Health, as well as the wider local authority, will be required.

The Campaign's publication [Promising Approaches](#) provides a framework for understanding how these services can be brought together to offer a comprehensive response to loneliness within communities.

Needs assessments and carer's assessments

The Act creates a duty for local authorities to carry out a needs assessment or carer's assessment wherever it appears that an adult has needs for care and support, or a carer has needs for support that are impacting their wellbeing.

This is the case wherever it seems that a mental or physical condition, or an individual's caring status, is having a negative impact on the achievement of a key outcome, and affecting the individual's wellbeing.

The assessment should happen regardless of whether these needs are eligible for local authority support, whether they are already being met by a carer, and of the individual's financial resources.¹⁴

This means that people should be offered an assessment even if their needs are low-level, and they may only qualify for information and advice. In effect this provision should see a lot more people receiving assessments than under any previous system, and a greater opportunity to identify loneliness and isolation.

⁹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Page 97

¹⁰https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Chapter 10

¹¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Chapter 11

¹²<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Section 6

¹³<http://www.legislation.gov.uk/ukpga/2012/7/contents>

¹⁴<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Sections 9 and 10

The Act also sets out a requirement for local authorities to arrange the provision of information and advice on care and support to all adults,¹⁵ and particularly those who are assessed, but not eligible, for care and support.¹⁶

Developing and/or maintaining relationships is a specified outcome, and failure to achieve this is seen as generating care and support needs. Given this, alongside the definitions of wellbeing laid out in the Guidance,¹⁷ we should see many more lonely individuals being given a care assessment. Local authorities will need to ensure they have adequate services in place to provide care and support where eligibility criteria are met, and/or appropriate information and advice around support for lonely individuals.

¹⁵<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted> Section 4

¹⁶https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Chapter 3

¹⁷https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf Chapter 1