

**Webinar: Friday 17 April  
2.00pm**



**Covid-19 and the  
Care Act 2014**

**Your questions answered**

**With: SCIE Chair, Paul Burstow, Think Local Act  
Personal Chair Clenton Farquharson MBE and CEO of  
Shared Lives Plus, Alex Fox.**

**Webinar starts at 2pm on Friday 17 April**



# Care Act easements: guidance for local authorities

Updated 1 April 2020

## Dictionary

### **easement**

*/i:zm(ə)nt/*

*noun*

- 1. **LAW**  
a right to cross or otherwise use someone else's land for a specified purpose.
- 2. **LITERARY**  
the state or feeling of comfort or peace.  
"time brings easement"



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## Easement

From Wikipedia, the free encyclopedia

*For spiral easements on railroads, see [Track transition curve](#).*

An **easement** is a **nonpossessory** right to use and/or enter onto the **real property** of another without possessing it. It is "best typified in the right of way which one landowner, A, may enjoy over the land of another, B".<sup>[1]</sup> It is similar to **real covenants** and **equitable servitudes**;<sup>[2]</sup> in the United States, the **Restatement (Third) of Property** takes steps to merge these concepts as servitudes.<sup>[3]</sup>



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Guidance

# Care Act easements: guidance for local authorities

Updated 1 April 2020

Easements BUT:

“Local Authorities should do everything they can to continue meeting their existing duties prior to the Coronavirus Act provisions coming into force”



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# Care Act easements: guidance for local authorities

Updated 1 April 2020

- What local authorities don't have to do
- Protections and safeguards
- Steps Local Authorities should take before exercising the Care Act easements.



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# Ethical framework

"Planning for and responding to COVID-19 as it develops will undoubtedly require making difficult decisions under new and exceptional pressures with limited time, resources or information"



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Guidance

# Responding to COVID-19: the ethical framework for adult social care

Published 19 March 2020

1. Respect
2. Reasonableness
3. Minimising harm
4. Inclusiveness
5. Accountability
6. Flexibility
7. Proportionality
8. Community



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# Coronavirus (COVID-19) advice for adult social care

**Department of Health & Social Care guidance relating to COVID-19 & TLAP best practice support during this time of national crisis.**



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# SCIE support

## COVID-19: Our Action Plan for Adult Social Care

- Bringing partners together virtually to share best practice in real time
- Developing good practice resources and support for social care professionals, including e-learning on safeguarding, infection control, and support to family carers, and guidance on supporting people with learning disabilities,
- Supporting Safeguarding Adults Boards
- Working with the LGA to support good commissioning practice during the pandemic
- Producing resources and information for care providers, family carers, and professionals that work with people with learning disabilities and autism.





# Clenton Farquharson

## MBE



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# TLAP STATEMENT IN THE CARE ACT EASEMENT GUIDANCE

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- I am supported to make decisions by people who see things from my point of view, with concern for what matters to me, my wellbeing and health. ([Making it Real](#))
- We find ourselves in unprecedented times with citizens facing significant uncertainty. This is especially true for those of us who receive social care support and who care for people with support needs. **However, the fundamental principles of personalisation and co-production underpinning the Care Act should not be removed as a result of emergency guidance and key statements set out in the Making it Real framework ought to be viewed as immovable.**
- Working together matters now more now than ever. Genuine co-production will ensure the best possible decision making and the best possible outcomes for both citizens and the workforce. This is critical if we are to save time and prevent costly mistakes. This will require the Local Authority to respond flexibly in spite of pressure to respond - at pace and scale - to increasing demand.
- We expect and trust that Local Authorities will adhere to the principle of co-production and continue to view those of us in receipt of support or carers providing support, as equal partners. We continue to be experts in our own care and support whatever the circumstances.
- Now is the time to reinforce co-production, not dispense with it.

# Making it Real

Built around I and We statements

## **I statements**

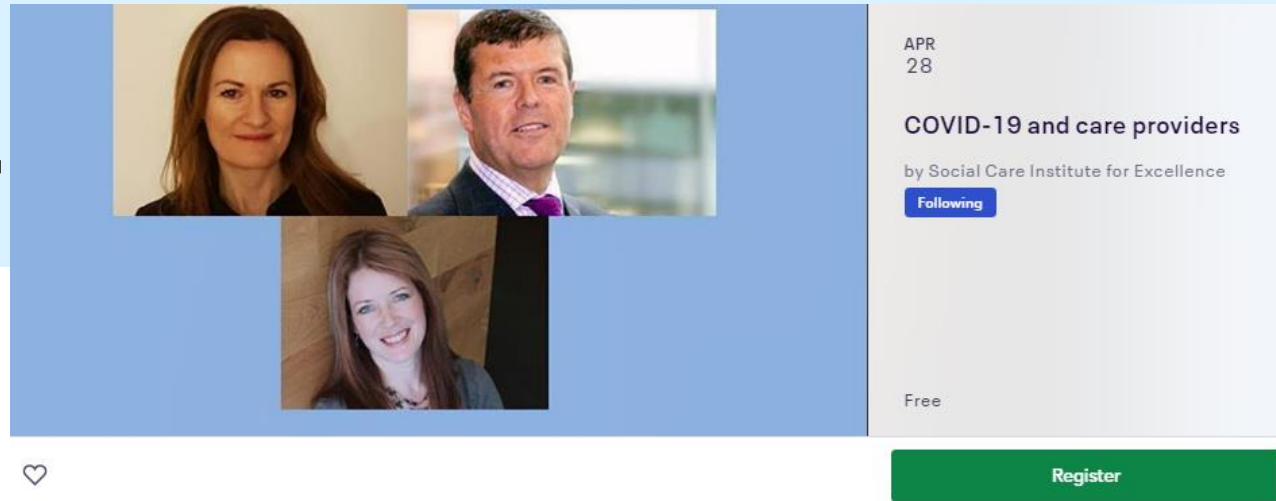
What good personalised care and support looks like if it is working well

## **We statements**

What organisations and their people need to do to make sure actual experience lives up to the 'I statements'



# Coming up ...



- COVID-19 webinar for providers
- Paul Burstow, Chair, SCIE
- Kate Terroni, Chief Inspector Adult Social Care, CQC
- Kathryn Smith, incoming CEO, SCIE and COO Alzheimer's Society – former care worker
- **28 April at Midday – We will email details**
- **<https://www.eventbrite.co.uk/e/covid-19-and-care-providers-tickets-102875577622>**



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