



Department
of Health

Care Bill glossary

For more information on Bills and legislation, see <http://www.parliament.uk/>

Act of Parliament (see also Bill and Draft Bill)

If the House of Commons and the House of Lords agree proposals for a new law (called a Bill), and it then receives Royal Assent from the monarch, it becomes an Act of Parliament.

Assessment

This is how a local authority decides whether a person needs care and support to help them live their day-to-day lives.

Bill (see also Act of Parliament, Draft Bill and Royal Assent)

A Bill is a proposal for a new law, or a proposal to change an existing law, that is presented for debate before Parliament.

Care and support

The mixture of financial, practical and emotional support that helps people to do the everyday things that most of us take for granted, such as getting out of bed, dressed and in to work; choosing what and when to eat; and getting out of the house, being able to see friends and care for our families.

Carer

Somebody who provides unpaid support or who looks after a family member, partner or friend who needs help because of their age, physical or mental illness, or disability.

Clause

A Bill is made up of clauses until it becomes an Act, when it is made up of sections.

Commissioners

The people or organisations that make sure that the right health and care services are provided to meet the needs of the population.

Direct payment

Payments made directly to someone in need of care and support by their local authority to allow the person greater choice and flexibility about how their care is delivered.

Domiciliary care

Also known as home care or non-residential care, it enables people to remain independent and living in their own homes.

Draft Bill (see also Act of Parliament and Bill)

A Draft Bill sets out proposals for a new law so that people and Parliament can comment on them before a Bill is formally introduced to Parliament. The Draft Care and Support Bill was published for consultation in July 2012, and became the Care Bill in May 2013.

Duty

This is something that the law says that someone or an organisation/body must do, and that if they do not follow may result in legal challenge.

Francis Inquiry (see Mid Staffordshire NHS Foundation Trust Public Inquiry)**Local authority**

An administrative unit of local government.

Means test

Investigating a person's financial wellbeing to determine the person's eligibility for financial assistance from the state.

Mid Staffordshire NHS Foundation Trust Public Inquiry

Full public inquiry, led by Robert Francis QC, into the role of the commissioning, supervisory and regulatory bodies in the failures at Mid Staffordshire Foundation NHS Trust. The Inquiry reported in February 2013, and the Government published its initial response, 'Patients First and Foremost' on 26 March 2013.

NHS Foundation Trusts

NHS foundation trusts differ from other existing NHS trusts. They are independent legal entities and have unique governance arrangements. They are accountable to local people, who can become members and governors. Foundation trusts are overseen by Monitor.

NHS Trusts

There are a wide range of NHS health trusts managing NHS hospital care in England, including community care and mental health services. All NHS trusts are expected to become foundation trusts by 2014.

Non Departmental Public Body (NDPB)

A NDPB is defined as a "body which has a role in the processes of national government, but is not a government department or part of one, and which accordingly operates to a greater or lesser extent at arm's length from ministers".

Personal budget

This is a statement that sets out the cost to the local authority of meeting an adult's care needs. It includes the amount that the adult must pay towards that cost themselves (on the basis of their financial assessment), as well as any amount that the local authority must pay.

Pre-legislative scrutiny:

This is when a Bill is examined whilst it is in draft form, before it is introduced to Parliament. Draft Bills are normally scrutinised by a Parliamentary committee. The Draft Care and Support Bill was scrutinised by a Joint Committee of Lords and MPs.

Primary legislation

This is a general term used to describe the main laws passed by Parliament, usually called Acts of Parliament.

Provider

An individual, institution, or agency that provides health, care and/or support services to people.

Provisions

The contents of a legal instrument, like a Bill or Act.

Regulations (see also secondary legislation)

A type of secondary legislation made under an Act of Parliament, setting out extra details that help the Act to be implemented.

Residential care

Residential care refers to nursing homes and residential care homes that provide around-the-clock care for vulnerable adults who can no longer be supported in their own homes. Homes may be run by local councils or independent providers. Admissions to residential care can be made on a temporary or permanent basis.

Royal Assent

This is the process whereby a Bill is presented to the reigning monarch for approval, once both Houses of Parliament have agreed on its contents. Once Royal Assent is given, a Bill becomes an Act of Parliament and is law.

Secondary legislation (see also regulations)

This is additional law that is made by ministers under powers that are given to them in Acts of Parliament.

Special Health Authority (SpHA)

Special health authorities are health authorities that provide a health service to the whole of England, not just to a local community. They are independent, but can be subject to ministerial direction in the same way as other NHS bodies.