

**Positive Action London presents**



# **The Easy Read Guide to Getting Social Care Assessments**

**7 steps to help you fight for your assessment under the Care Act 2014**

# Introduction



Why is it important to get an assessment?



Getting the right assessment is the first step towards getting proper support from the local council.



All local councils must follow what the Care Act 2014 says about assessing people properly and supporting them, depending on what they need.



The government has cut the money that local councils get so there is less money for social care in many areas at the moment.



Lots of people are worried that they are not getting a proper assessment or not getting proper support.



Some people are worried about being reassessed and then getting less support or not getting any support at all.



This guide is to help people who want to know how to get a proper assessment under the Care Act 2014.

# About this guide

# 7

This is a guide to help you and anybody who supports you to follow 7 simple steps.



Read each page and tick the box if everything has been done properly. If not go to the last page.

## Who wrote this guide?



This guide was written by members of **Positive Action London**.



Positive Action London is a group of organisations who campaign for better support for people with a learning disability, autism or behaviour that challenges.



We fight to protect services which are getting cut.



We use our shared knowledge to show why proper support is important for individuals and society.



You can find out who our members are on the back page.



# Step 1. Asking for an assessment



An assessment is a meeting with someone from the council about the support you need to live a healthy, fulfilling life.



You can either have your assessment in person or over the phone.



You or someone who supports you can ask for an assessment on your local council's website or by telephoning them.



The council must give you an assessment if you ask for it.



## What does it say in the Care Act 2014?



Local authorities must ensure that any adult with an appearance of care and support needs, and any carer with an appearance of need for support, receives a proportionate assessment which identifies their level of needs.

(Care and Support Statutory Guidance, Chapter 6.28)



## What next?

**Yes.** I have asked for an assessment and the local council has told me I can have one.



Go to Step 2

**No.** I am having problems contacting my council and getting an assessment.



Go to the last page

## Step 2. Getting information about your assessment



The local council should give you information about your assessment in advance and in a way that is easy for you to understand.



They should tell you what they will talk to you about, for example how you cook at home or how you use the shower.



They should also tell you what will happen next and how to make a complaint if you want to.



### What does it say in the Care Act 2014?

“

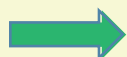
To help the adult with needs for care and support, or the carer, prepare for the assessment the local authority should provide in advance, and in an accessible format, the list of questions to be covered in the assessment.

(Care and Support Statutory Guidance, Chapter 6.38)

”

## What next?

**Yes.** I have received information which is easy to understand.



Go to Step 3

**No.** I have not received information I understand or haven't received information at all.



Go to the last page.

## Step 3. Having a trained assessor



On the day of your assessment the local council must make sure the person who assesses you is well trained.



For example, the assessor might be a social worker or an occupational therapist.



You can ask for the assessor to talk to another specialist if you think they do not understand your specific issues and/or disability.



### What does it say in the Care Act 2014?

“

Local authorities must ensure that assessors are appropriately trained and competent whenever they carry out an assessment [...]. They must also have the skills and knowledge to carry out an assessment of needs that relate to a specific condition or circumstances requiring expert insight, for example when assessing an individual who has autism, learning disabilities, mental health needs or dementia.

(Care and Support Statutory Guidance, Chapter 6.86)

”



## What next?

**Yes.** The person who assessed me was well trained and understood my specific issues and disability.



Go to Step 4

**No.** The assessor was not properly trained and I think they may not have understood my issues fully.



Go to the last page.

## Step 4. Getting support from an advocate



All councils must provide advocacy services for people who find it hard to tell the assessor about their needs by themselves.



An advocate is someone who is trained to support you and represent you.



At the assessment they will help you to tell the assessor what you are able to do and what you need help with.



### What does it say in the Care Act 2014?



All local authorities must ensure that there is sufficient provision of independent advocacy to meet their obligations under the Care Act.

(Care and Support Statutory Guidance, Chapter 7.59)



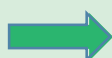
## What next?

**Yes.** I need an advocate so I have asked for one and the local council has given me one.



Go to Step 5

**No.** I need an advocate but the council has not responded to my request and has not given me one.



Go to the last page.

## Step 5. Getting a written copy of the assessment



After the assessment you must be sent a written document which says what the council thinks your needs are.



The council will either tell you that they will provide support or they will give you information about other services in your area's 'Local Offer'.



It is important that you agree with the local council about what your needs are.



If you do not agree you should tell them why and explain what they have missed.



### What does it say in the Care Act 2014?



Following their assessment, individuals must be given a record of their needs or carer's assessment. A copy must also be shared with anybody else that the individual requests the local authority to share a copy with.

(Care and Support Statutory Guidance, Chapter 6.98).



## What next?

**Yes.** I have been sent a written copy of my assessment and I agree with how my needs have been assessed.



Go to Step 6

**No.** I do not agree with how my needs have been assessed or I have not been sent a written assessment at all.



Go to the last page.



## Step 6. Agreeing on your care plan



When you have agreed on what your needs are, the local council should involve you in writing your care plan.



The care plan is the document which says what your needs are and how they will be met by the local council.



It should include information about how much money it will cost and how much the council will pay.



This money is called your Personal Budget.



### What does it say in the Care Act 2014?

“

The plan should be person-centred, with an emphasis on the individual having every reasonable opportunity to be involved in the planning to the extent that they choose and are able.

(Care and Support Statutory Guidance, Chapter 10.33).

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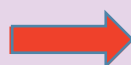
## What next?

**Yes.** I have agreed my care plan with my local council and I am happy to continue with this level of care from now on.



Go to Step 7

**No.** I do not agree with the care plan which has been written by the council or I have not even been asked to agree it.



Go to the last page.

## Step 7. Getting a review



Sometimes your needs change or your carer's needs change.



You can request to have a review of your assessment if you think you need more support or different kinds of support from the local council.



### What does it say in the Care Act 2014?

“

Ensuring all people with a care and support plan, or support plan have the opportunity to reflect on what is working, what is not working and what might need to change is an important part of the planning process. It ensures that plans are kept up to date and relevant to the person's needs and aspirations, provides confidence in the system and mitigates the risks of people entering a crisis situation.

(Care Act 2014, Care and Support Statutory Guidance, Chapter 13.1).

”

## What next?

**Yes.** I have asked for review and the local council has reviewed my needs and given me the support I need.



Great! You have had a good assessment process under the Care Act 2014.

**No.** I am having problems contacting my council and getting a review.



Go to the next page.

# How to challenge your local council to get a proper assessment



Here are some things you can do if you have put a cross under any of the 7 steps above.



**1.** Talk to your social worker if you have one and tell them what has gone wrong.

Website

**2.** Complain to the council on their website or by telephone using their complaints process.



**3.** Call the Mencap Helpline on 0808 808 1111 for advice and support on how to challenge your council.



**4.** Talk to a solicitor about taking the council to court. You may be able to get Legal Aid to pay for this. Some organisations offer free legal advice.





**It is your right to get a proper  
assessment under the Care  
Act 2014.**



To find out more visit [www.mencap.org.uk](http://www.mencap.org.uk) or contact us using the details below.



Call Mencap Direct for free on **0808 808 1111**



Email [help@mencap.org.uk](mailto:help@mencap.org.uk)

[www.mencap.org.uk](http://www.mencap.org.uk)



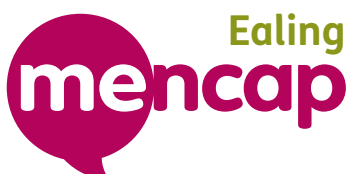
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**SAVE AUTISM SERVICES  
HARINGEY** // **PEOPLE WITH AUTISM AND  
LEARNING DISABILITIES MATTER** //

Thanks to Photosymbols for the pictures.