

CARE ACT ADVOCACY - CARE REVIEWS

WHAT IS CARE ACT ADVOCACY?





Care Act Advocacy (CAA) is a statutory advocacy role that was introduced in the Care Act 2014. You are legally entitled to advocacy if you meet certain criteria.

A Care Act Advocate can support you if you have difficulties being involved in or making decisions about your care and support needs. The aim of advocacy is to ensure you are able to participate in decisions being made about your care and support, to better enable your wellbeing.

An advocate can support you if you have “substantial difficulty” taking part in assessments and reviews of your care needs. Substantial difficulty is defined in the Care Act.

Advocates do not make decisions themselves about your care review or assessment and they are independent of the decision makers.

Your advocate could support you and be involved in several processes that are undertaken by the local authority such as:-

-  Care Act assessments
-  Care and support planning
-  Care reviews
-  Safeguarding issues

What is a Care Act care review?

The local authority has a duty to review your care plan in Section 27 of the Care Act 2014.




The local authority must keep under a general review the care and support plans that it has prepared for you. If the local authority does not review plans regularly, they may not meet your needs and if a care and support plan does not meet your needs, the local authority is not meeting their duty to you.

If you, or someone on your behalf makes a reasonable request, the local authority must also then review the plans.

Alternatively, if your carer requests a review, the local authority will review your care and support plan as well as the carer’s support plan.

Who is involved in a review?

The local authority may revise your care and support plan. However, before they begin to make changes they must have a discussion involving:

-  You - the adult to whom the plan relates
-  Any carer you have
-  Any person you ask the local authority to involve, or, if you lack capacity to decide, any person who appears to the local authority to be interested in your welfare.



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Changes to care and support plans

Your care and support plans must always be sufficient to meet your needs and your carer's needs. The local authority cannot simply choose to remove items from your care and support plan to cut their costs.

The support provided, or the personal budget, cannot be reduced unless there has been a reduction in your needs or a change in your circumstances.

A change in your needs can only be identified through a reassessment of your needs.

How often should care reviews take place?











The Care Act does not state how often care reviews must take place. The statutory guidance advises local authorities to review a new service or new plans after around 6-8 weeks of them beginning.

Generally, your reviews should take place annually, if the care and support plans are stable and working, or sooner if your circumstances, or your carer's circumstances change.

If your situation is more complex, more frequent reviews should take place.

What is considered in the review?

There are many areas to be considered in your review. The sorts of things considered might be:

-  What is working in your plan? What isn't working and what might need to be altered?
-  Does the plan enable you to meet your outcomes? Do you have new outcomes that you want to achieve?
-  Have your circumstances or care and support needs changed?
-  Have your carer's circumstances or support needs changed?
-  Is your personal budget helping you to meet your needs and outcomes? Is it set at a high enough level?
-  Is the carer's budget sufficient for their needs and outcomes in their support plan?
-  Is the way the plan is managed working for you? Would it work better with a direct payment being made to you perhaps, so you can manage more yourself?
-  Are there any changes in your support networks which might affect the implementation of the plan?
-  Have any changes in your or your carer's circumstances put you at risk of abuse or neglect?
-  Are you, your carer or any other significant people, including your advocate if you have one, happy with your plan?

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What do Care Act Advocates (CAAs) do in their role?

A CAA can support by:

Visiting you in a care home, hospital or other place.




If they have been appointed to support you, you have the option to speak with them in private.

CAAs can help you to access your care records.

CAAs can meet with professionals and other people who are involved in your care or treatment.

CAAs can represent your views and wishes and try to secure your rights, by challenging decisions that appear not to be in line with your own decisions, views, wishes and feelings.

A CAA will:

-  Listen carefully to what you tell them about your views and feelings.
-  Support you to speak up or speak up on your behalf if needed.
-  Make sure you are involved in decisions being made about you.

What is the Care Act?

The Care Act 2014 explains how social care in England should be provided. The aim of the act is to improve people's wellbeing and independence by promoting prevention, integration, information, personalisation and quality of care/support services.

How can I make a referral?

Health and social care professionals have a duty to refer clients to Care Act advocacy services in some circumstances. If you are in any doubt whether a referral should be made, please contact us.

Referrals for advocacy support are usually made by health or social care professionals, n-compass asks the referrer to note which area of the Care Act the client requires support with, together with a brief explanation.

If you are involved in a Care Act process as a client, you can self-refer for advocacy support, if a Social Worker is involved in the process.



**TO LEARN HOW ADVOCACY
CAN HELP PLEASE GET IN TOUCH**

The n-compass Digital Advocacy Hub provides free and impartial information on a range of common advocacy issues. n-compass delivers several advocacy services across the north of England.

To find out if we deliver in your locality:-

Website: <https://www.n-compass.org.uk/our-services/advocacy>

Sign video: <https://ncompass.signvideo.net>