

## CARE ACT ADVOCACY - ELIGIBILITY FOR SUPPORT UNDER THE CARE ACT

### 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




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### What is a Care Act assessment?

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A Care Act assessment is the way a local authority decides if you need care and support to help you with your day to day life. The assessor is usually someone from the local authority, such as a social worker. The purpose is to understand you and what your needs and goals are.

The assessor considers:

-  your needs and how they impact on your wellbeing – for instance, do you need support to prepare a meal?
-  the outcomes that matter to you, for example, do you want more friends?
-  your wider circumstances - for example, are you living on your own?




Because not all needs are met by the local authority, they use an eligibility framework to decide which needs will be met with public care and support.

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### Who is eligible for an assessment?

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The local authority has a duty to carry out a needs assessment in certain circumstances. An assessment must be carried out:

-  if you appear to need care and support, regardless of your finances, or whether the local authority thinks your needs are eligible.
-  with your involvement and someone else you nominate. You may need an independent advocate, provided by the local authority, to help you with the assessment process.
-  to identify your needs, how they impact on your wellbeing, and the outcomes you want.

The authority must consider things other than services to contribute to your desired outcomes and whether preventative services might help you stay well for longer. The local authority may offer a period of reablement to reduce your needs and help you regain skills, before completing the assessment.




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### Can I write my own assessment?

If you agree, and you have mental capacity to do so, you can carry out a self-assessment and identify your own needs and outcomes. The local authority will still be involved to support that process and they have to be satisfied that you have identified all of your needs, but you can take more control in the process.

### What needs are eligible for support?

Your needs are eligible for support if:

-  your care and support needs are a result of a physical or a mental condition.
-  because of your needs, you cannot achieve two or more of the specified outcomes.
-  there is a significant impact on your wellbeing because the outcomes are not met.

The local authority must give you advice and information about the support available in the community for you and they must give you a copy of their assessment and determination of eligibility.











### What is care and support planning?

Everyone's needs for care and support are different, and needs can be met in many different ways.

The care and support planning process helps identify the best way to meet your needs. The plan considers what needs you have, what you want to achieve, what you can do yourself and what other care and support might be available to help you in the local area.

### What are the specified outcomes?

There are several outcome areas, to be eligible for support your wellbeing has to be significantly impacted in two or more of the following areas:

-  managing and maintaining your nutrition
-  maintaining your personal hygiene
-  managing your toilet needs
-  being appropriately clothed
-  using your home safely
-  keeping your home habitable
-  developing and maintaining family or other personal relationships
-  accessing and engaging in volunteering, education, training, or work
-  making use of local facilities, including public transport, recreation facilities or other services
-  carrying out any caring responsibilities you have for a child.



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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?

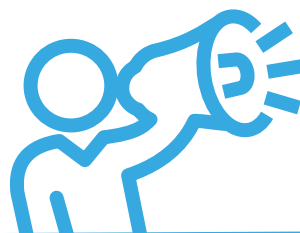
The Care Act 2014 explains how social care in England should be provided. The aim of the act is to improve people's wellbeing and independence by promoting prevention, integration, information, personalisation and quality of care/support services.

### 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>