



Department
of Health

Adult Social Care: Choice Framework

May 2013

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Adult Social Care: Choice Framework

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What choices can I make about my care and support?

This guide tells you about your choices about care and support paid for by your council. (It covers people who live in England.)

This support is known as 'adult social care'. Adult social care provides people with personal and practical support to help them live their lives. It supports individuals to maintain their independence and dignity. It makes sure they have as much choice and control as possible over how they live.

This guide explains:

- what choices you can expect your council to offer you about your care and support
- where to get more information and advice to help you decide what to do
- how to make a complaint if you are not offered a choice.

The guide covers:

- Your rights to choose services paid for by your council
- Your rights to choice if you are caring for someone else.
- Your rights to choose a residential care home paid for by your council
- Your rights to information and advice to help you choose
- Where you can get information and support to help you decide what to do
- How to complain about services arranged by your council

Your rights to choose services paid for by your council

What choices do I have?

After your assessment, your local council may decide you are eligible for social care. This may mean that the council agrees to pay for some or all of the care and support you need.

If your council agrees to pay for some or all of your care they will agree a plan for your care and support with you.

As part of this care and support plan, your council may offer you a **personal budget**.

There are different ways you can manage your personal budget:

- cash: this is called a **direct payment**. A direct payment is cash paid to you instead of providing you with a service. A direct payment gives you freedom to choose how best to meet your needs. This must follow the care and support plan you have agreed with your council. For example, many people choose to employ a personal assistant to help with their care and support needs, using the money from their direct payment
- an account held by the council, which they manage in line with your wishes
- you can ask for someone else to manage the budget for you (for example, a family member, a voluntary organisation or an organisation providing care)
- you can use a mixture of these ways of paying.

If you have eligible needs, the council with responsibility for providing your care and support must ensure that you are provided with direct payments if requested, regardless of whether you have a personal budget.

The council should tell you where you can get independent advice to support you through this process.

When is choice not

There are some very limited circumstances where direct

available?	payments are not given. For example, direct payments are not made if you require residential care. Your council will be able to tell you more about this.
Who is responsible for giving me choice?	Your local council.

Your rights to choice if you are caring for someone else.

What choices do I have?

When the council is assessing the needs of someone you care for, they should:

- ask you what you think
- agree how to meet those needs with both you and the person needing care. Your council must take all reasonable steps to do this.

You can ask for a separate assessment of your needs as a carer. You can do this if you provide or plan to provide a substantial amount of care on a regular basis. Your assessment should cover whether you:

- are willing and able to carry on caring or to provide the same amount of care
- work or wish to work
- are taking part in, or wish to take part in education, training or leisure activities
- have any family responsibilities.

Following an assessment of your needs as a carer, your council may offer you a **personal budget**.

Your assessment may show that the best way to support you is to provide care and support for the person you care for. In that case, that person may be offered a personal budget or direct payment to pay for that care. For example, the person you care for may buy respite care to give you a break from caring.

There are different ways you or the person you care for can manage a personal budget:

- cash: this is called a **direct payment**. A direct payment is cash paid to you or the person you care for, depending what kind of support is needed. A direct payment gives you freedom to choose how best to meet your needs. This must follow the support

	<p>plan you have agreed with your council</p> <ul style="list-style-type: none"> • an account held and managed by the council, in line with the wishes of you or the person you care for. This depends who has been offered the personal budget. • the person you care for can ask for someone else to manage the budget for them. They may ask you to do this, or they may ask someone else (for example, a family member, a voluntary organisation or a care provider). • a mixture of the above <p>The council should tell you where you can get independent advice to support you through this process.</p> <p>If you care for someone else and are offered support paid for by the council, you have a right to ask for a direct payment instead of receiving services organised by the council, regardless of whether you have a personal budget.</p>
<p>When is choice not available?</p>	<p>There are some very limited circumstances where direct payments are not given. Your council will be able to tell you about these.</p>
<p>Who is responsible for giving me choice?</p>	<p>Your local council.</p>

Your rights to choose a residential care home paid for by your council

<p>What choices do I have?</p>	<p>After your assessment, your local council may decide you are eligible for social care. This means that the council agrees to pay for some or all of the care and support you need.</p> <p>Following this assessment, if you require a place in a care home or a care home providing nursing care, your council should tell you of your right to:</p> <ul style="list-style-type: none">• choose any accommodation that is likely to meet your needs subject to certain points (see the next section)• choose from the council's list of care homes (if your council has one)• allow your council to make a decision on your behalf. <p>If the best way to meet your needs is to find a place for you in a care home or a care home providing nursing care this might be permanent or only for a short time. In each case, subject to certain points as set out in the section below, you have the right to choose where you live.</p>
<p>When is choice not available?</p>	<p>If you are eligible for social care, the council must arrange for care in the accommodation you choose, provided:</p> <ul style="list-style-type: none">• the accommodation meets your assessed needs• the cost of that accommodation is no more than what the council would usually expect to pay for someone with your assessed needs• the accommodation is available• the accommodation provider agrees to the council's usual terms and conditions.
<p>Who is responsible for giving me choice?</p>	<p>Your local council.</p>

<p>Who can help me find a care home?</p>	<p>Your council will be able to give you information to help you choose. Some councils will ask an independent organisation to advise you.</p> <p>You can find your local registered residential and nursing homes and useful information to help you find a suitable care home in your area at www.nhs.uk/carehomes, or on the Care Quality Commission website at http://www.cqc.org.uk/.</p> <p>Both websites have information to help you find a suitable care home in your area.</p>
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Your rights to information and advice to help you choose

<p>What choices do I have?</p>	<p>You can ask your council to:</p> <ul style="list-style-type: none">• give you information and advice about care and support• assess what support you might need (including what care you might need) or if you are caring for someone else what support you might need in a caring role. <p>Your council must:</p> <ul style="list-style-type: none">• assess your needs and give you advice whatever your financial circumstances• tell you about local services and who to contact locally for advice or to have your needs assessed• know about services and support options available to you in your area• give this information to you if you are caring for someone <p>Councils should currently have information systems to help you understand the choices you have if you require care and support.</p>
<p>Who is responsible for giving me choice?</p>	<p>Your local council.</p> <p>Some councils pay independent groups to provide information and advice on their behalf, for example, local voluntary organisations, carers' centres and community groups.</p>

Where can I get information and support to help me decide what to do?

Your council

Councils must provide you with information. They do this in lots of ways. This includes leaflets, audio tapes, Easy Read versions and information in languages other than English.

Your council may also pay local voluntary organisations to provide independent advice.

If you are in hospital

Your council should work with local NHS services to give you clear information about what the council can do if you need residential care after you leave hospital.

Voluntary organisations

There are a wide range of local and national voluntary organisations offering advice and support. Some organisations support people with particular conditions. You can find details of these organisations through your council and other local services such as your library or local Citizens Advice Bureau. You can also get information through NHS Choices and Carers Direct.

National information

Visit the Care and support pages on **NHS Choices**: www.nhs.uk. This website can give you general information about social care, including direct payments and choosing residential care. It provides tools and resources that help you look at your options and make the right decision. It provides details on all registered care providers including nursing and residential care homes. It includes details of the services and support they offer and how they perform in key areas. It also enables you compare their services, to provide comments and feedback on your experience of their service and see the reviews others leave on the site

Contact the **Care Quality Commission**. They have registered over 18,000 care homes. They publish all of their inspection reports, which check the essential standards of quality and safety.

- visit www.cqc.org.uk
- call the National Customer Service Centre: Tel: 03000 616161 (Mon to Fri, 8.30am - 5:30pm).

If you are a carer

Carers Direct offers information, advice and support for anyone caring for someone else:

- Visit www.nhs.uk/carersdirect

Call Carers Direct on 0808 802 0202. Lines are open 9am to 8pm Monday to Friday (except bank holidays), 11am to 4pm at weekends. Calls are free from UK landlines and mobiles or you can request a free [call back](#) in one of more than [170 languages](#)

What if I want to complain?

Your council must have a clear reason for deciding:

- not to place you in the residential care home you prefer
- not to give you a direct payment or personal budget.

They must tell you what decision they have made and why.

Should you wish to do so, you can complain to your council about their decision. Every council must publish their procedures for dealing with complaints.

If you are unhappy with how your council responds to your complaint, you have the right to refer the complaint to the Local Government Ombudsman (LGO). To contact the Local Government Ombudsman:

- call the LGO Advice Team on 0300 061 0614
- see the website at www.lgo.org.uk
- text 'call back' on 0762 480 3014
- write to The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

This information is correct as of April 2013