

# Leigh Day

## Community Care – Am I entitled to support, equipment and services?

If you need help looking after yourself, you may be able to seek support from your Local Authority.

If you need assistance with certain tasks such as personal care, keeping your home clean and safe, or getting out into the community, you are entitled to an **assessment of your needs** by your Local Authority. This is in order to work out what support you need.

The first thing that you should do is request an assessment from the social services department at your Local Authority. Requesting an assessment is an informal process. You can request an assessment by telephone or in writing. You can also request an assessment for yourself or on behalf of someone else who needs help. Sometimes a referral for an assessment will come via your carer, your GP or a hospital trust.

Your Local Authority **must** assess you if it appears that you may be in need of care and support and an assessment must not be refused on the basis that you are unlikely to have significant needs, or for example, you are unlikely to be financially eligible.

### How does the assessment work?

The purpose of the assessment is to establish what your needs are and how these will be met. This usually involves someone from social services coming out to meet you to discuss what help you need. They may also need to get information from others, for example your GP.

You should have the opportunity to be fully involved in the assessment and so you should tell the Local Authority if you need any particular help to be able to participate. You can also ask that friends and family are involved. Your assessment should be carried out in a way to ensure that you can be fully involved (for example in a location you can access and demonstrate your needs).

The assessment will consider whether you have an '**eligible care need**'. Only services, support and equipment to meet eligible care needs are funded by the local authority; however all needs should be recorded as part of the assessment. Eligible care needs could include help with washing, dressing, administering medication and accessing community activities.

### What happens after the assessment?

After the assessment you will be provided with a **Care Plan** that records the outcome of the assessment. What support you are entitled to will depend on what the Local Authority has identified as your **assessed needs**.

If you have an eligible care need, support should be provided by the Local Authority. However, if your needs are health related the support may be provided by the NHS and you might need a further assessment to work out what your health needs are and whether you are eligible for **NHS funded Continuing Care**.

If you are not assessed as having any eligible care needs, the Local Authority should still provide you with information on what support there is in the community that may be available to you.

The types of support/services available could include:

- residential care

- carers coming to your home
- equipment
- day centres

## What support can I get if I am a carer?

If you are a carer you are also entitled to an assessment to look at the support you require when caring for someone. If you are a carer and ask for an assessment, the local authority must carry one out.

## Will I have to pay for my care?

Your care could be funded either by your Local Authority or by the NHS. This will depend on whether your needs are health related or related to social care. Sometimes the funding of care is shared between the Local Authority and NHS Trust.

If your care is funded by the Local Authority, you may need to make a contribution towards your care. How much you have to pay depends on your particular financial circumstances. You should not have to pay more than you can afford and so the Local Authority will do a financial assessment to look at what you can afford to pay towards your care.

If you want more control about choosing who provides your care, you can apply for **direct payments** which gives you some choice over what care is purchased. Sometimes you can use your own funds to pay for additional care that is not funded by the Local Authority.

If you receive NHS continuing healthcare, this is provided free of charge to you and so you will not need to pay a contribution.

## What if I disagree with the assessment?

If you disagree with the assessment, you should seek a review. There will be an internal review process that you should follow and you can ask for details about this from the social services department.

If, after the review process, you are still unhappy with the outcome of the assessment, it may be possible to take legal action although you will need to speak to a solicitor about this.

A solicitor may be able to help you if a Local Authority refuses to assess you, if you disagree with the contents of the assessment or if the support that has been identified in the assessment is not put in place.

## Meet the Team

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## Contact Us

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