

Care Act Advocacy

Listening | Supporting | Enabling | Empowering



What is Care Act Advocacy?

The Care Act says that local councils must involve people in decisions about their care and support needs. If it would be difficult for someone to be involved without support the council must make sure they get the help they need. If the person doesn't have someone who can help them, they have the right to have an independent Care Act advocate.

Who can be supported by a Care Act advocate?

Care Act advocates can support:

- ✓ Adults who need care and support
- ✓ Carers
- ✓ Children who are moving to adult care services

If the council is making decisions about your care and support they must consider whether you would have 'substantial difficulty' being involved. Substantial difficulty would be if you have problems with one or more of these:

- ✓ Understanding information about the decisions
- ✓ Remembering information
- ✓ Using the information to be involved in the decisions
- ✓ Being able to tell people your views, wishes and feelings

The council then needs to consider whether you have an 'appropriate individual' to support you. This is someone who the council agree will be available and able to support you. It can be someone in your family or a friend but won't be someone you don't want to support you. It can't be someone who is paid to look after you.

If the council decide that you would have substantial difficulty being involved and do not have an appropriate individual to support you, then you have the right to a Care Act advocate.

How can a Care Act advocate help me?

An advocate will support you to be involved as much as possible in decisions about your care. Your advocates can help you when the council is:

- ✓ Making a needs assessment
- ✓ Making a carer's assessment
- ✓ Making or reviewing a care and support plan
- ✓ Having a safeguarding enquiry (to check if you might be being abused) or arranging for a Safeguarding Adults Review

Your advocate will work with you to help you understand what is happening and to give your views; they can speak for you if you can't. Your advocate can help you to think about your choices and what is best for you. If you want to challenge the council's decision, your advocate can help you do this too.