



**Down's Syndrome
Association**

A Registered Charity No. 1061474

Social care and support



Getting the carers support plan right

Our resources and Information Team are here to help

Please see our website for up-to-date information: www.downs-syndrome.org.uk
If you have any questions, please get in touch with our helpline by calling 0333 1212 300 or by emailing us on info@downs-syndrome.org.uk.

Helpline Monday - Friday 10am-4pm | Telephone: 0333 1212 300

What happens after the assessment?

The carer has had their assessment and the local authority has gathered all the necessary information about them and their circumstances and the outcomes they would like to achieve, **so what happens next?**

The local authority **must provide a written Eligibility Determination.**

This means they should explain the **outcomes** the carer wishes to achieve that are:

- **Eligible** for care and support provided by the local authority
- **Ineligible** for care and support provided by the local authority

If the carer has needs the local authority have determined are ineligible for care and support, they must give you a **written explanation as to how they have arrived at this decision.**

If a carer is deemed to have ineligible needs (they may have a combination of eligible and ineligible needs), the local authority must provide information and advice about what can be done to:

- Meet or reduce the carer's needs
- Prevent or delay the carer's needs from developing further
(this should include providing information about services available locally that may benefit the carer)

The eligibility determination signals the end of the assessment process itself. If the carer has eligible needs, this is when the Support Planning stage should begin.

If there is a disagreement at this stage over whether your needs as a carer are eligible, take a look at our information below under the *What if things aren't working out?* heading.

What is the Support Planning stage?

The Support Planning stage is where the carer, and anyone they wish to be involved, works with the local authority to decide how their eligible needs will be met.

In contrast to the assessment stage, the Support Planning stage is positive and exciting. It focuses on the things the carer wants to achieve from their life and on the options they have to get there.

Where do I start with Support Planning?

The Support Planning stage is likely to focus on your skills and interests and on the support and services available in your local community.

The Support Planning stage is an opportunity to work with the local authority to identify ways you can be supported to meet your eligible outcomes.

Your eligible outcomes should be the starting point. As everyone will have different outcomes it will be important to think about the things raised in this factsheet in relation to your individual eligible outcomes.

Think about your skills and interests that could help you meet your outcomes. For example, might you be interested in working or volunteering for a local business or charity? If isolation is an issue for you might working or volunteering help you make or maintain friendships whilst also contributing to society? If so, what support would you need in your caring role to be able to achieve this?

Work with the local authority to think about whether there are:

- **Any informal networks you could tap into to achieve your outcomes**
- **Friends or family who are willing and able to support you to achieve any of your outcomes**
- **Community resources such as social groups, community activities, local volunteering or befriending services you could access that would help you achieve any of your outcomes**

It may help to think about whether there is any equipment or assistive technology that would enable the person you support to have greater independence by enabling them to perform tasks that they are otherwise reliant on you to achieve.

The local authority should be able to offer advice on equipment and assistive technology.

It should be possible to see the positive difference any support and services provided make to your life over time.

The positive difference may be enabling you to maintain or make new friendships, maintain a clean and tidy home, access the community and local services or meet other outcomes you have identified.

If as a result of your needs as a carer, it is necessary for the supported person to receive replacement care, such as respite care or other specialist services, it is likely they will need to have their own assessment. This is called a Needs Assessment.

A Needs Assessment looks at the supported person's needs for care and support. It should consider whether assistive technology and support and services available in the local community may help the person meet their needs. A Needs Assessment may also lead to support from specialist services such as:

- Support for the person where they currently live
- Supported Living arrangements (living in the community – this is likely to combine assistive technologies with support from support staff)
- Residential Care
- Shared Lives placements (support provided within the Shared Lives carer's home)
- Intentional Communities (supportive communities where members usually hold common social, religious or spiritual views and share responsibilities and resources)

In addition, depending on the person's needs and wishes day/educational services may also be provided. See our information about Needs Assessments.

Support Planning needs to happen in collaboration with the local authority. Where carers have a good relationship with their local authority, they tend to achieve more creative ways of receiving support. Working in this way enables individuals to tap into the rich local knowledge the local authority has about local services.

It may also help (once the carer has received notification of their Indicative or Personal Budget – explained below), if the carer is planning on arranging their own support through a Direct Payment (explained below), to speak to local support organisations to find out what services and support they can offer.

The local authority should also be able to provide information about local care and support organisations and provide information on local services and activities.

Personal budgets

The Support Plan will include a Personal Budget. This is the amount of money the local authority will pay to meet a person's eligible needs as identified through their assessment. The money in this budget must be enough to meet the person's eligible needs.

Before the Support Plan is finalised the local authority may provide an Indicative Budget before the Personal Budget is set. The purpose of an Indicative Budget is to enable the carer to explore the options they have in meeting their eligible needs before the Personal Budget is set.

In what ways can care and support be arranged?

There are various options regarding how a Personal Budget can be used to arrange the support a carer is eligible to receive. This could be through the local authority:

- Delivering direct services
- Commissioning services to be delivered through another agency
- Providing a Direct Payment to enable the person to arrange their own support and services
- Providing a mixture of the options above

Direct payments

Direct Payments are designed to give carers more choice and freedom about how they meet their eligible needs. Agreeing to a Direct Payment means taking on more responsibility, however, a carer may be able to use a Direct Payment even if they need support to manage it. Most people who wish to have a Direct Payment should be able to have one.

If a Direct Payment is arranged, the carer themselves can choose the services and organisations that meet their eligible needs. The local authority must not restrict choice or stifle innovation by requiring that the adult's needs are met by a particular provider and must not place undue burdens on people to provide information to the local authority (Statutory Guidance, 2017).

Direct Payments must be used to meet only a person's eligible needs as identified through their assessment.

Direct Payments are optional. If a carer does not want the responsibility of a Direct Payment, the local authority cannot insist they accept one. Additionally, a carer who chooses to have a Direct Payment may decide, at a later stage, to stop receiving a Direct Payment. In this instance the local authority must then instead deliver direct services or commission them on the carer's behalf.

The local authority should be able to provide more information on Direct Payments. The local authority should also have options available to help support people to manage the responsibilities of a Direct Payment.

What should be in a Support Plan?

Carer's assessments and Support Plans are legal documents. They define the legal duties a local authority has in meeting an individual carer's needs.

In cases where the local authority is to provide direct services or arrange these on a person's behalf, the Support Plan should detail:

- The Personal Budget
- The eligible and ineligible needs/outcomes the carer has (including needs others will support the person to meet)
- Which of the carer's needs the LA will meet (eligible outcomes)
- How the carer's needs will be met
- The services that will be provided, by whom and how often
- Information and advice on what the carer can do to reduce or delay their needs from further developing

In cases where the carer has a Direct Payment, and is therefore arranging their own care and support services, the Support Plan must detail:

- The Personal Budget
- The eligible and ineligible needs/outcomes the carer has
- Which needs are eligible to be met through the Direct Payment (eligible outcomes)
- The amount of money that will be provided as a Direct Payment (this should match the Personal Budget)
- Information and advice on what the carer can do to reduce or delay their needs from further developing

Detailing the eligible outcomes others are going to support the carer to meet, in the Support Plan temporarily removes the duty on the local authority to meet these eligible outcomes. However, ensuring all the carer's eligible needs are recorded provides the carer security in knowing the local authority have a duty to meet these needs in the event something in their life changes.

Local authorities are required to take all reasonable steps to reach agreement with the carer as to how their needs will be met.

'This agreement should be recorded and a copy placed within the plan'. If agreement cannot be reached the local authority should 'state the reasons for this and the steps which must be taken to ensure the plan is signed off' (Statutory Guidance, 2017).

Planning for emergencies

Ensuring the local authority has accurately captured information about the informal support the carer receives that enables them to meet their eligible needs will make certain the local authority have the information they would need in the event of an emergency. For example, should the carer's situation change, the local authority would

have the relevant information about the arrangements that need to be made to adequately meet their needs.

Reviews

Support Plans should be initially reviewed within 4–6 weeks of the initial plan being put into place. Thereafter, there is a general duty to keep the plan under review. In principle this means if a carer's needs or situation change, the local authority must hold a review. This means there may not be an annual review if the carer is happy with their support and it is felt their needs have not changed.

It is possible to request a review at any time if the carer is not happy with how their Support Plan is working out or if something has changed.

It is also possible to request a re-assessment at any time if the carer's needs or circumstances have changed and the level of support they are receiving under their current Support Plan is no longer at the right level.

Can my services be changed?

We hope the carer gets a Support Plan that works for them without any problems. However, sometimes there can be problems. If a carer has been assessed as having eligible needs then, by law, the local authority must provide for these needs.

The local authority, however, does have professional discretion in assessing and meeting needs. Whilst they must consider evidence of a carer's needs and circumstances when carrying out their social care functions, provided they can demonstrate how a carer's eligible needs can be met, it is likely they may legitimately provide a different level of support or service to that the carer themselves may be hoping for.

Without a re-assessment there must not be a cut or reduction in the level of support a carer receives.

However, services can be changed if they still meet the eligible needs stated in the Support Plan. This may mean a carer's budget can be readjusted in the event there is a change in cost of meeting their eligible needs. This may happen without the need for a re-assessment taking place. If this were to happen, the level of support the carer receives should not change and their wellbeing must not be substantially affected by the change.

Only following a re-assessment, that has found a carer's needs have changed, can there be a cut or reduction in services or support provided to them. Services may be stopped if the carer is deemed to no longer have eligible needs.

If the local authority proposes a cut or reduction in the level of support a carer receives, they must provide evidence of how the carer's needs have changed. They must demonstrate using evidence (from a suitably qualified person) that the carer no longer needs the level of support they have previously been assessed as needing.

What if things aren't working out?

If there is a disagreement with the local authority over the carer's assessment or Support Plan, make sure you have written copies of the paperwork. If you disagree with the content of the assessment, discuss this with the worker that has undertaken the assessment or with their manager to see if you can reach an agreement. If you are still unhappy with the outcome following this you can follow these steps:

- Write to the local authority and ask them to explain how they reached their decision. You have a legal right to a written explanation
- Get a copy of the local authority's complaints procedure – this should be on their website or you can contact the local authority to request a copy
- Following the local authority's complaints procedure write to the local authority (you may like to copy in the Monitoring Officer) stating clearly that you are making a formal complaint. Explain what you feel the local authority has not taken into consideration about your circumstances. Remember to explain your needs and how your wellbeing is affected
- If you are not happy with the local authority's response, write to them to request a review of your case copying in the Monitoring Officer

If having followed the complaints procedure, you are not happy with the local authority's response you can take your complaint to the [Local Government Ombudsman \(England\)](#).

If the problem is not with the Support Plan but is to do with the support you are receiving – the first step is to talk to the provider of the service. If this does not resolve the issue you could follow the provider's formal complaints process, or you might wish to contact the local authority and ask them to become involved.

We can help

If you have any questions about social care, please contact us using Tel: 0333 1212 300 or Email: Info@downs-syndrome.org.uk . If our information officers are unable to help, they will refer you to our social care adviser. We can help you ask for a carers assessment and, where appropriate, to make a complaint.

Our Benefits Adviser can answer any questions you have about benefits for carers. They can be contacted using the email address and telephone number above.

The Down's Syndrome Association provides information and support on all aspects of living with Down's syndrome.

We also work to champion the rights of people with Down's syndrome, by campaigning for change and challenging discrimination.

A wide range of Down's Syndrome Association publications can be downloaded free of charge from our website.

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