

## Important Information

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When you're looking for care and support, there are so many considerations.

Whether you need to find an advocate to support you in your assessment or want to make a comment about a service you already have, this page of important care information can help you.

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### Advocacy

Advocates can give advice, support and information to people of any age, helping you to voice your concerns and guiding you through difficult or challenging times. Consider using the services of an advocate if you feel unsure or concerned when you are faced with making an important decision about your care choices.

Advocates are not there to tell you what to do or to make decisions for you, but to help you express your views and make your own decisions.

If you contact the local authority for any reason such as for an assessment, the council has a duty to arrange an advocate to support you if it appears that you need one. They usually work with independent advocacy organisations.

## How solicitors can help

A solicitor can give you impartial advice about wills, making gifts, estate planning and Powers of Attorney. Some can also offer guidance on immediate and long-term care plans, ensuring (if applicable) the NHS has made the correct contribution to your fees.

Lasting Powers of Attorney (LPA) allow you to appoint someone you trust to make decisions about your personal welfare, including healthcare and consent to medical treatment, and/or your property and financial affairs. An LPA is only valid once registered with the Office of the Public Guardian. It allows for a person of your choice to make decisions on your behalf at a time when you may be unable to.

The Court of Protection can issue Orders directing the management of a person's property and financial affairs if they are incapable of managing their own affairs should they not have a LPA. The Court procedure is presently very slow, and the fees are quite expensive so preparing a LPA is always advisable, providing you have somebody sufficiently trustworthy to appoint as your attorney.

An 'advance directive' allows you to communicate your wishes in respect of future medical treatment but it is not legally binding. You may instead wish to make a living will, known as an 'advance decision' setting out treatment that you do not want to receive in specified circumstances, which would legally have to be followed, even if you die as a result.

Any proposed Gift out of your estate needs careful consideration of the benefits, risks and implications, particularly on any future liability for care costs or tax liability.

If you don't have your own solicitor, ask family or friends for their recommendations. Contact several firms, explain your situation and ask for an estimate of cost and an idea of timescales involved. Many firms will make home visits if necessary and will adapt their communications to meet your needs. It's important to find a solicitor who specialises in this area of the law.

The Citizen's Advice Bureau offer an advice service and will be able to recommend solicitors in your area. Alternatively, contact Solicitors for the Elderly [www.solicitorsfortheelderly.com](http://www.solicitorsfortheelderly.com)

## Regulating and inspecting care services

All care providers must be registered under a system which brings adult social care, independent healthcare and the NHS under a single set of essential standards of quality and safety.

The Care Quality Commission (CQC) registers, inspects and reviews all adult social care and healthcare services in England in the public, private and voluntary sectors. This includes care homes, care homes with nursing, home care agencies and NHS services, amongst others.

Inspectors carry out a mixture of announced and unannounced inspections looking at the quality and safety of the care provided. They look at whether the service is: Safe; Effective; Caring; Responsive to people's needs; and Well-led.

Inspection teams are led by an experienced CQC manager and often include experts in their field. The team may also include professional or clinical staff; Experts by Experience; people who use services and carers.

Following an inspection, each care home and home care agency is given a report of how it rates against national essential standards of quality and safety. CQC has also started rating services as 'Outstanding', 'Good', 'Requires Improvement' and 'Inadequate'. By March 2016, CQC expects to have rated every adult social care service in England.

## Healthwatch

This is the consumer champion for health and social care who gather knowledge, information and opinion to influence policy and commissioning decisions, monitoring quality of services and reporting to regulators.

## Comments, compliments and complaints

If you use a home care agency or move into a care home or nursing home, you should feel able to comment on any aspect of your life which affects your happiness or comfort. This might be anything from the way you are treated by staff to the quality of the food you are served. You should also feel free to make comments and suggestions about possible improvements to your surroundings and the services provided.

Making a comment, whether complimentary or a complaint, should not be made difficult for you and should not affect the standard of care that you receive whether in your own home, a care

home or care home with nursing. Care services are required to have a simple and easy to use complaints procedure.

If you are concerned about the care that you, a friend or a relative are receiving, it makes sense to speak to the manager of the service about your concerns before you take any further action. The problem may be resolved quite easily once they are made aware of it. However, if you need to make a formal complaint, you should initially contact the registered owners of the service. They have a duty to respond to any complaints made.

If your complaint is about a breach of regulations, contact your local office of the Care Quality Commission.

If your local authority has arranged or contributed to the cost of your service and support, another option is to raise your complaint with your social worker/care manager or the department's designated complaints manager.

If you have been unable to resolve your complaint you can contact the Local Government Ombudsman to assist you. The Local Government Ombudsman looks at complaints about councils and some other authorities and organisations, including Adult Social Care providers (such as care homes and home care providers). It is a free service and its job is to investigate complaints in a fair and independent way.

