

Preparation for Adulthood Team

# Welcome Pack



Support

Choice

Respect

Guidance

Equality

Value

Diversity

Trust



City of  
**BRADFORD**  
METROPOLITAN DISTRICT COUNCIL

Community Team for Learning Disabilities

# Contents

**We want to support you  
to lead the life you want to live.**

**This Welcome Pack contains information about:**

**What to expect from our team**

**An introduction to your social worker**

**Our commitment to your rights**

**Community Inclusion**

**Education, training and Employment**

**Independent Living**

**Health**

**Please read the different sections to learn about some  
of the ways we can help you.**



**Preparation for Adulthood Team**

**Hi**

## **Welcome to The Preparation for Adulthood Team !**

Preparation for Adulthood (PfA) refers to the move from childhood into adult life. The PfA team work with young people aged 16-25 with physical or learning disabilities to help you plan support to meet your needs and aspirations.

We have put together a welcome pack and in this pack you should find the following information :

- What does a social worker do? (including links to video / audio guides)
- A one page profile of your social worker.
- A 'statement of your rights' that social workers will support you with
- A Guide to a Care Act assessment
- A Guide to the Mental Capacity Act
- A Guide to Bradford Council's Charging Policy
- A blank assessment and support plan
- A Guide to the Learning Disabilities Health Support Team

The learning disabilities Health Support Team is made up of different people such as nurses, occupational therapists, physiotherapist, doctors. The team work with adults who have learning disabilities and who need additional health support across the Bradford district. (see the easyread leaflet: A Guide to the Learning Disabilities Health Support Team).

They have specialist dental, feet, eyes and ears clinics for people with learning disabilities. For further information please ring the Duty Team on 01274 497121.

For further information please ring the Duty Team on 01274 497121. Our Head of Service is called Elaine James and if you want to tell Elaine about how happy you are with your social worker, or if you have any worries about your social worker, please contact our Front Door / Duty Team.

Yours sincerely

### **Preparation for Adulthood (PfA), Community Team for Learning Disabilities (CTLTD)**

Department of Adult Social Care  
Britannia House, 5th Floor, Bradford. BD1 1HX  
Tel: 01274 438837  
Email: CTLD.FrontDoorTeam@bradford.gov.uk



# Statement of Rights

- I have the right to be treated with respect
- I have the right to be able to make my own choices and decisions
- I have the right to a social worker who will be supportive of my decisions, and will listen to my dreams, wants and aspirations
- I have the right to be supported when I am being bullied
- I have the right to not be discriminated against or judged
- I have the right to have my voice heard
- I have the right to be treated fairly
- I have the right to be treated equally
- I have the right to take appropriate risks
- I have the right for my disability and feelings to be considered at all times
- I have the right to higher education
- I have the right to get married
- I have the right to be employed
- I have the right to take as much time as I need to make a decision
- I have the right to be seen as a person, not just my disability

Signature:.....





# What does a social worker in adult social care do?



## What does a social worker in adult social care do?



We work with people to help them with any problems and difficulties they might be having. We want to support you to be able to live the life you want to live.

How to  
access  
support



We use laws to help us in our work.  
The main laws we use are:

- [The Human Rights Act](#)
- [The Care Act](#)
- [The Mental Capacity Act](#)
- [The Equality Act](#)
- [The Data Protection Act](#)



We will work with you to look at your care and support needs and try to find ways to help you to meet them.

## How do I get a social worker?



If a person has care and support needs but is not receiving any formal support from Adult Social Care, then they should get in touch.



They can contact the Independence Advice Hub on 01274 435400 or go online at [www.bradford.gov.uk](http://www.bradford.gov.uk) then Adult services. You can then fill in an online form (referral).



You can refer yourself or you can ask someone to help you, such as family, school, carer or GP.



If someone else is referring you they must ask for your permission or consent.

Some people are not able to give consent and if this happens the referral can be made in their best interest.



Once the referral has been sent to the Independence Advice Hub they will then decide the best team to support you.



If you have a learning disability and haven't had support from social care before or if you are still in education, the referral will go to the Preparing For Adulthood (PFA) Front Door Duty Team.

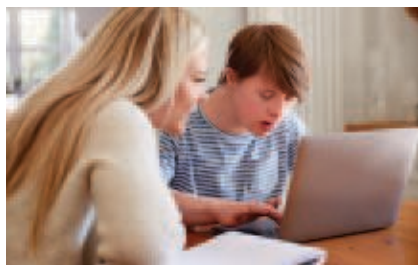


If a person already has a Social Worker, the referral will be sent to that worker and not to the Duty team.

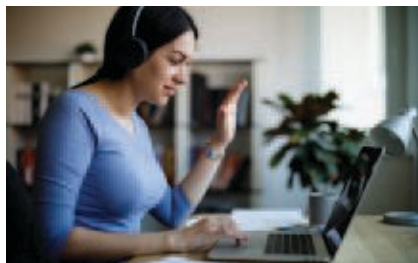
## How does the Community Learning Disabilities Team Work?



When we receive a referral, we will contact the person or a family member or their carer or support provider so we can get more details.



This will be things about the person such as, what they like and don't like, if there are any issues they are experiencing, the things they are good at and what help and support they might need.



To get this information we can talk over the telephone, a video call or in person if it is needed.



We will then decide if the person is suitable for CTLD/PFA support.

We will look at what their needs are and if a Care Act assessment is needed.



Sometimes there is a waiting list. People will be prioritised based on their needs, so they may get a social worker quicker than others.



If you receive a paid service from Adult Social Care, you will need to have a financial assessment and you may have to pay towards the cost of support.



## What to expect when you have a new social worker



You will be sent a pen picture of your new worker. This is a photograph and some information about them.



They will come and see you at home, or wherever you want to meet them.



which looks at the support you need and ask if you agree with this assessment.

We will also talk about your goals and how you are going to work to complete these goals.

7

What does  
a social  
worker do?



What does a social  
worker in adult  
social care do?





You choose who we talk to, this might be family members or your carers.



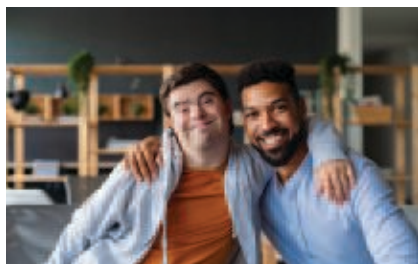
We can work with your family and other people you choose. We will find out more about you and help you to make plans.



Carers are entitled to a Carers Assessment which looks at what support they might need to keep caring for you.



## Your support plan

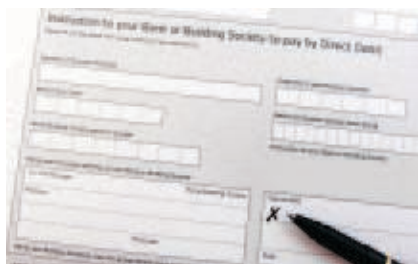


Once we have made the assessment we will make a support plan. This tells us how we are going to support you to meet your outcomes. It will say who is going to help you.



This could be from a range of places such as charities and services.

Some of the services can be care agencies, supported living and places to go during the day to help you develop skills and interests.



You may also use direct payments to help you meet your outcomes.

Here's a link to how [Direct Payments](#) work.



Once your support is in place, we will review your support regularly to make sure that it is working for you and you are able meet your outcomes.

If we need to make changes, we will plan them in the review.

## What is Preparing for Adulthood (PFA)?



Preparing for Adulthood is used to describe how people are helped move from childhood into adult life.



We work with young people with learning or physical disabilities who have an Education, Health and Care plan (EHCP).

[An Education Health and Care Assessments and Plans \(EHCP\)](#)



When the person is aged 16 to 18 we can work with your worker from Childrens social care to help you make plans.

[Employment & training for young people with SEND in Bradford](#)



Preparing For Adulthood looks at 4 main areas:

- Employment
- Independent Living
- Community Inclusion
- Health.



We will work with the young person and if they want we can also include their family, carers and professionals.

This is to make sure young people have the best possible chance of reaching their goals.



We can keep working with young people while they have a Education Health and Care plan, this could be up the age of 25.



Once our work is completed, if the person still needs social care support they can be transferred to a localities social work team.



## **Department of Adult Social Care**

The wording in this publication can be made available in other formats such as large print and Braille. Please call 01274 431352.

# Learning Disabilities Health Support team



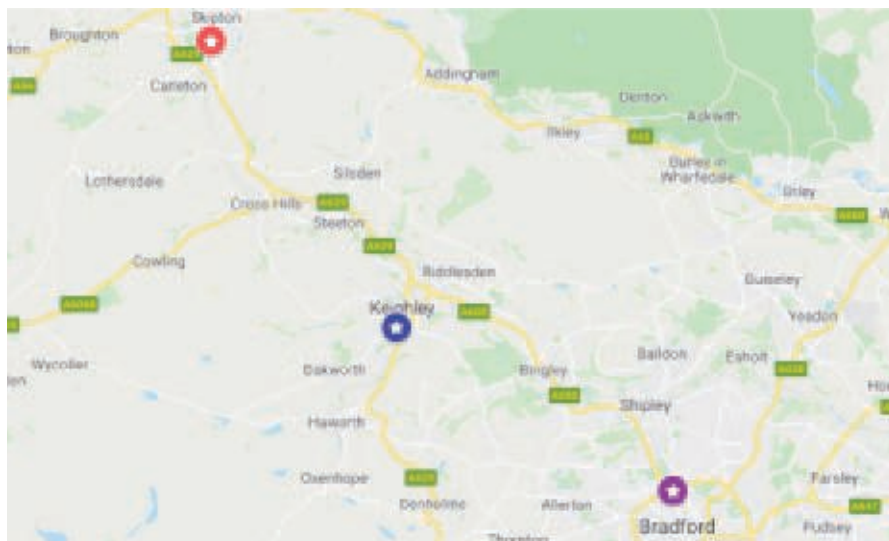
**better lives, together**

W: [www.bdct.nhs.uk](http://www.bdct.nhs.uk)

Twitter: @BDCFT

## An EasyRead Guide to services

The Learning Disabilities Health Support teams are based at:



Waddiloves Health Centre,  
44 Queens Road, Bradford, BD8 7BT

Telephone: 01274 497121 for all referrals.



The Oaks Resource Centre,  
Oakworth Road, Keighley, BD21 1QB



Craven Team, Skipton General Hospital  
Keighley Road, Skipton, BD23 2RJ



The Learning Disabilities Health Support team works with adults with learning disabilities.



We have clinics where we can help look after your teeth, ears, eyes and feet.



To contact us please ring the Duty Team on 01274 497121.



## Audiology Clinic - Ears



The audiologist helps you look after your ears and keep them healthy.



We can test to see if you can hear properly.



We can give you advice about keeping your ears clear of wax.



If you need to go to hospital for treatment for your hearing we can arrange it for you.



## Dental Clinic - Teeth



The dentist helps you to look after your teeth and mouth and keep them healthy.



You can have treatment such as fillings or taking a tooth out.



We can help you learn how to keep your teeth and mouth clean and healthy.



If you need to go to hospital for treatment for your teeth we can arrange it for you.

## Orthoptic Clinic - Eyes



The orthoptist looks at your eyes and checks how well you can see.



We can check that your eyes are healthy.



If you need glasses we can help you find an optician.



If you need to go to hospital for treatment for your eyes we can arrange it for you.

## Podiatry Clinic - Feet



The podiatrist helps you look after your feet and keep them healthy.



We can cut and file your toenails, or get rid of hard skin.



We can make sure you wear the right kind of shoes.



If you have diabetes it is really important to see the podiatrist regularly.

## Dietitian



The dietitian helps you to know about the right foods to be healthy.



We will check how much you weigh and help you be a healthy weight.



We will talk to you about the things you eat and help you to make good food choices.



If you have a tube feed, we will help you to have the best feeding plan to keep you healthy and happy.

## Nurse Team



The nursing team help you get the right health support.



If you need extra support with a health problem like diabetes or constipation we can help.



Or if you have problems like depression or understanding how you feel.



We can help you get the right health support if you are leaving school and need health support in adult services.

## Occupational Therapy



The occupational therapist helps you to find activities that you enjoy doing.



We can help you to be more independent.



We can help you learn new skills like cooking.



We can give you things to make your life easier.



## Physiotherapy



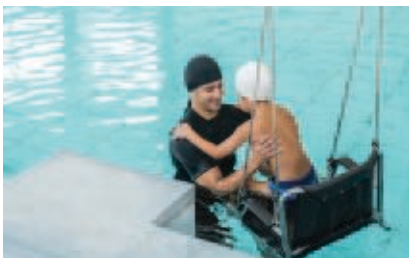
The physiotherapist helps you to move as safely as you can.



We can help you find a comfortable position in a chair or bed.



We can help improve your balance and strength so you can do the things that are important to you.



We can show you and your carers exercises to help keep your lungs healthy.

## Psychiatry



The psychiatrist helps you if you have problems with your feelings, thoughts or how you behave.



Sometimes these problems are because of a mental illness.



The psychiatrist will talk to you about the best way to help you with this.



The psychiatrist might ask your GP to give you medicines to help you feel better.



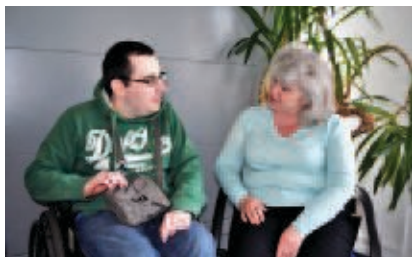
## Psychology



The psychologist helps you if you have problems with your feelings, thoughts or how you behave.



We might ask you questions and ask you to do some puzzles so we can decide how to help you.



We can help you and your carers think about how to support you.

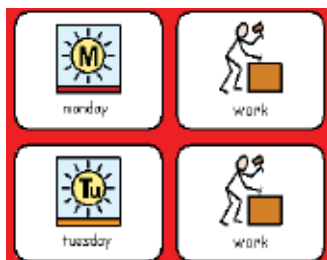


This might be about relationships, choices or how you feel.

## Speech and Language Therapy



Speech and language therapists help you and your carers understand how you communicate.



We help you to understand what is happening in your life. We can help you find new ways of getting your message across.



We can support you to understand about getting on with people and to make good choices.



We can help you to understand information for an important decision in your life or about your health.

## Eating and drinking



We can help you eat and drink safely. We can help you and your carers understand why eating and drinking is difficult for you.



We help you and the people who support you to understand about foods that are easier to swallow.



We can show you spoons and cups to help you eat and drink more safely and comfortably.



We write eating and drinking guidelines to make sure everybody knows how to help you best.

# 18+

To see someone in the team you must:

have a learning disability  
be 18 or over  
have a GP in the Bradford,  
Keighley or Craven area.



To find out more ring:  
01274 497121 and ask for  
the Duty team.

We are open Monday to  
Friday between 9am and  
5pm.



Or you can email us:  
[LDDuty.team@bdct.nhs.uk](mailto:LDDuty.team@bdct.nhs.uk)

PIN: 00410v2  
Published date: April 2020  
Review date: April 2022

**NHS**  
**Bradford District Care**  
NHS Foundation Trust

# Community Care

Contributions  
from October 2017



This leaflet explains how charging works for non-residential social care in Bradford. This is also known as Community Care.

## Financially Assessed Contributions

How much you pay towards your care will be based on your income and capital, against which deductions will be made for allowable expenditure.

If the information required to carry out the financial assessment is not made available then you will pay the full cost of your care.

The contributions calculation is explained in more detail on the next page.



## Chargeable Services

Examples of services charged for include:

- Day Care (unless provided as part of a package of residential care)
- Personal Care
- Outreach Support
- Supported Living Services
- Sitting Services
- Extra Care Housing

## You will not have to pay a charge if:

- You are suffering from Creutzfeldt Jacob Disease
- You are in receipt of 100% Continuing Healthcare Funding
- You are receiving aftercare under Section 117 of the Mental Health Act

## Financial Assessment

If you have savings or investments (capital) over the current national threshold of £23,250 you will be asked to pay the full Cost of Care. If your capital is below £23,250 we will need to see full details of your income and capital. This includes for example, building society passbooks, bank statements, share certificates and other income or capital documents.

The Financial Assessment also takes account of some property – related household expenses and certain extra expenses you may have because you are disabled. These are called disability-related expenses.

This will help us to calculate your charge and identify any other benefits.

When the Financial Assessment has been completed, you will be sent a statement which explains how your charge has been calculated and you will receive an invoice.

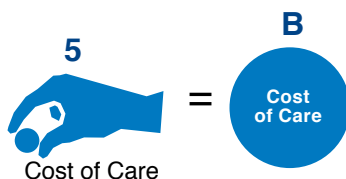
## How Your Charge Is Calculated

- You are suffering from Creutzfeldt Jacob Disease
- You are in receipt of 100% Continuing Healthcare Funding
- You are receiving aftercare under Section 117 of the Mental Health Act



**A – Assessed Income:** Your Assessed Income is the figure calculated through your Financial Assessment. This is what you have been assessed as being able to afford. If this Assessed Income is less than or equal to the Cost of Care, this is what you will pay.

**B - Cost of Care:** The cost of care will vary depending upon the services you receive.



**Your charge per week will be A or B whichever is the least.**

## 1. Income

Income from all sources will be considered in your Financial Assessment.

**Income includes, but is not limited to:**

- State Benefits
- Employments and Support Allowance
- Job Seekers Allowance
- Disability Benefits
- Pension Credit
- Occupational and Private Pensions
- Any other income

**Income does not include:**

- Earnings from employment
- Charitable Income
- Winter fuel and cold weather payments
- Statutory sick pay, statutory adoption pay and statutory maternity pay or allowance
- The mobility component of disability living allowance or personal independence payment
- Tax credit
- Maintenance payments specifically relating to a child
- War pensions

- Guaranteed income payments (GIPs) paid under the armed forces compensation scheme (AFCS)

## 2. Tariff Income from Capital

If you have capital above £14,250 but below £23,250, we will work out an amount for tariff income. This is calculated at a rate of £1 a week for every £250 (or part of £250) of your savings over £14,250.

### Your Home

The value of your home will not be taken into account as capital.

The value of any property or land owed by you other than your main residence (your home) may be regarded as Capital to be used in a Financial Assessment.

There are some circumstances under which certain property or land may be disregarded.

The rules relating to property are complex, but the Financial Assessment Team will discuss this with you according to your individual circumstances.



## Disposal of Assets

If there is evidence to suggest that you and/ or your family have spent, transferred or otherwise deprived yourself of the capital available in order to reduce the payment of charges, this will be taken seriously and we will take this capital into account as if you still own it.

## 3. Personal Allowance

Your Personal Allowance is calculated using rates set centrally by government. This is also known as minimum income guarantee.

## 4. Allowance Expenditure

### Property-related household

**expenditure:** The expenditure we will take into account is in respect of your main home only, and may include the following:

- Council tax (net of Council Tax Reduction)
- Rent (net of Housing Benefits and any ineligible service charges)
- Mortgage payments (unless paid through Income Support or Pension Credit or if you receive payments under a Mortgage Protection Scheme)
- Ground Rent/ Service Charges

### Disability Related Expenditure:

Disability related expenditure will be considered where the expenditure is required to aid independent living and where a service user has little or no choice but to incur the expense specifically due to their disability/ illness.



## Frequently asked questions

### **What if I do not disclose my financial information?**

You will pay the full cost of care.

---

### **Can someone tell me how much my charge might be before I start receiving support?**

Once we have details of your finances we can give you an indication of your Assessed Income (see page 3). This will not take into account the cost of your care at this point but will show us what you can afford to contribute.

---

### **What if my provider fails to deliver my services?**

Please let us know if your provider has failed to deliver your service. We will discuss this with the provider and we will review your

care charges account. Please note that you may not always see a reduction in your weekly charge as this is dependent upon your financial assessment, which determines your weekly charge and the level of services that you receive.

---

### **If I reduce my care package will my charge reduce?**

For most people reducing your package will not reduce the charge you are paying. This is because your charge will be lower than the cost of your care package.

Your care package is based on your care need assessment and the services that are required to achieve your desired outcomes, therefore you would need to discuss with your social care worker any reason for reducing your care package.

### **For queries relating to the Financial Assessment process contact:**

The Financial Assessment Team on 01274 437987 or 01274 434961  
Email: [Specialistfinancialteam@bradford.gov.uk](mailto:Specialistfinancialteam@bradford.gov.uk)

### **For information about your invoice contact:**

The Contributions Team on 01274 437975 or 01535 618109  
Email: [cca.charges@bradford.gov.uk](mailto:cca.charges@bradford.gov.uk)

The wording in this publication can be made available in other formats such as large print and Braille. Please call 01274 431352.

# Mental Capacity Act

**What the law says about  
supporting people to make  
decisions about their lives**



**Easy read booklet**

# What this booklet tells you about



Some people need help to make decisions about their lives or they might **lack capacity** to make decisions.



**Lack capacity** means they are not able to make a decision about their lives at the time when the decision needs to be made.



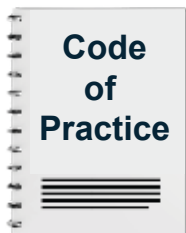
The Mental Capacity Act 2005 is a **law** in England and Wales. It says how people who are 16 years old or more should be

- **assumed** to have capacity to make decisions about their lives. **Assumed** means believe something is true without checking.
- supported to make decisions for themselves whenever possible.
- involved in decisions that other people make for them.
- able to get ready for a time in the future when they might lack capacity to make decisions about their lives.





A **law** is a rule that protects people and makes sure everyone is treated in a good and fair way.



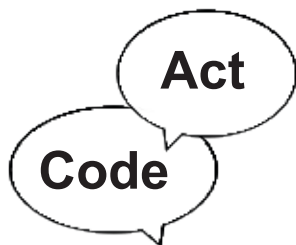
The Mental Capacity Act 2005 says a **Code of Practice** must be written. A **Code of Practice** is a book that has helpful information about a law.



The Mental Capacity Act 2005 Code of Practice is a guide for anyone who works with or cares for people who lack capacity to make decisions about their lives.



This booklet is an Easy Read **summary** of the Mental Capacity Act 2005 Code of Practice. A **summary** means a shorter version.



The Mental Capacity Act 2005 is called the **Act** for short in this booklet. The Code of Practice is called the **Code** for short in this booklet.

# About the Act



The Act says how people who are 16 years old or more can make decisions about their lives, and how decisions can be made for people who lack capacity.



The Act says people must be given the chance to make their own decisions if they can.



The Act wants to **empower** and protect people who might lack capacity.



**Empower** means give people the right help so they can make good decisions about their lives.



Anyone who works with or cares for a person who lacks capacity must follow what the Act says when making decisions about the person's life.



The Act must be followed for small and big decisions.



Small decisions might be things like choosing what to wear or what to buy at the supermarket.



Big decisions might be things like when to move into a care home or whether to have a serious operation.



There are some decisions that can never be made by someone else. You can read about these decisions in sections 27 to 29 and section 62 of the Act.



# About the statutory principles



The **statutory principles** are the 5 main ideas the Act is about.

1. Every person has the right to make decisions about their life if they can.
2. You must support the person to make the decision if they can.
3. If a person makes a bad decision about their life it does not mean they lack capacity.
4. If you make a decision for a person who lacks capacity it must be the best decision for them.
5. If you make a decision for a person who lacks capacity it must not limit them or take away their **rights and freedoms**.



**Rights and freedoms** are the basic human rights every person should have for their whole life, like fairness and equality.

# About helping people to make their own decisions



The Act says people must be given the chance to make their own decisions if they can.



To help someone make their own decision the Act says you must check if

- they have all the information.
- they have information about different choices.
- anyone else like their family could help them understand.
- the information could be given in a different way like in pictures.
- they would be more comfortable in a different place or at a different time.
- you could wait until a later time when it might be easier.



# About capacity



In the Code, having capacity means a person is able to make a decision about their life at the time the decision needs to be made.



You should always think a person has capacity to make a decision about their life, unless it is shown they don't.



If you think a person lacks capacity to make a decision about their life at the time the decision needs to be made you must **assess** their capacity.



**Assess** means do checks.



To assess a person's capacity the Act says

- you must check if they are able to make the decision.
- if they are not able to make the decision, you must find out if there is a problem with how their brain works.
- you must check if they are unable to make the decision because of the problem with how their brain works.



A person is unable to make a decision if

- they cannot **understand** the information about the decision.
- they cannot **remember** the information about the decision.
- they cannot think about the information and **use** it to help them make the decision.
- they cannot tell other people what their decision is.





To assess a person's capacity the Act says

- you must check if they are able to make the decision.
- if they are not able to make the decision, you must find out if there is a problem with how their brain works.
- you must check if they are unable to make the decision because of the problem with how their brain works.



A person is unable to make a decision if

- they cannot **understand** the information about the decision.
- they cannot **remember** the information about the decision.
- they cannot think about the information and **use** it to help them make the decision.
- they cannot tell other people what their decision is.



# About protection for carers, health workers and social care workers



The Act has rules to protect carers, health workers and social care workers when they make decisions for people who lack capacity. The decisions could be about things like personal care, healthcare or treatments.



The rules make sure carers, health workers and social care workers are not **liable** when they have to do things which might normally be against the law if they are following the rules in the Act.



**Liable** means it would be their fault if a bad thing happened because of a decision they made.



For example spending someone else's money would normally be against the law, but can be allowed for someone who lacks capacity if the rules in the Act are followed.



To be protected by the Act carers, health workers and social care workers must

- assess the person's capacity.
- think about their best interests.
- make sure the right person gives the right care or treatment at the right time.
- think about how serious the care or treatment is.
- write a report about the decision if the care or treatment is serious or takes away the person's rights.



- decide if a **Court** should help make the decision if the care or treatment is very serious.

A **Court** is an official place where decisions can be made by a judge for people who lack capacity.



- think about the need to **restrain** the person and decide if this is fair to them.

**Restrain** means stop a person from moving in a free way.



- use money that belongs to a person who lacks capacity for their best interests.



# About the Court of Protection



The **Court of Protection** is an official place where decisions can be made by a judge for people who lack capacity.



The Court of Protection can

- decide if a person has the capacity to make a decision about their life.
- make decisions about money or personal matters for people who lack capacity, or choose someone else to make those decisions.
- make decisions about the rights and freedoms of people who lack capacity.



- decide if an **LPA** or an **EPA** is **valid**. **Valid** means proper and legal.

**LPA** is the short name for a **Lasting Power of Attorney**.

**EPA** is the short name for an **Enduring Power of Attorney**. EPAs are the old version of LPAs.



- stop an attorney being allowed to make decisions for a person who lacks capacity.

# About Lasting Powers of Attorney



**Lasting Powers of Attorney** (called **LPAs** for short) let a person who has capacity choose someone they trust to make decisions about their life.



The person chosen to make the decisions is called the **attorney**.



The Act says attorneys must

- follow the statutory principles.
- check the person's capacity.
- make sure what they do is in the person's best interests.
- follow the Code when making a decision.
- only make decisions about things allowed in the LPA.



LPAs must be **registered** with the **Office of the Public Guardian** before they can be used. **Registered** means put on an official list.

# About court appointed deputies



The Court of Protection can **appoint** people called **deputies** to make decisions for people who might lack capacity. **Appoint** means choose them for the job.



The Court of Protection can remove deputies if they are not doing a good job.



The Act has information for deputies. It tells them what they need to do, how their work should be checked and what will happen if they don't do their job properly.



Deputies must

- follow the statutory principles.
- make sure what they do is in the person's best interests.
- only make decisions the Court says they are allowed to make.
- write a report about what they do.

# About Independent Mental Capacity Advocates



**Independent Mental Capacity Advocates** (called **IMCAs** for short) can be chosen to give **independent** support to people who lack capacity and have no one else to help them.



**Independent** means IMCAs are not connected to any person or organisation involved in the life or care of the person who lacks capacity.



It means they only think about the needs of the person who lacks capacity.



IMCAs make sure the wishes, thoughts and feelings of people who lack capacity are heard when best interests decisions are being made about their lives.



The NHS or a local authority will choose an IMCA to support a person who lacks capacity if a decision needs to be made about

- where they will live.
- serious medical treatment.
- keeping them in hospital for more than 28 days.
- keeping them in a care home or other home for more than 8 weeks.
- changing where they have already lived for more than 12 weeks.



IMCAs are allowed to see health and social care information about a person who lacks capacity.



IMCAs must have the right training and experience needed by law.

# About advance decisions to refuse treatment



An **advance decision to refuse treatment** is when a person with capacity says they want to refuse some types of care or treatment they might need in the future.



They do this because they might lack capacity to make a decision in the future when they need the care or treatment.



Advance decisions to refuse treatment can be made by people who are 18 years old or more.



A valid advance decision to refuse treatment must be followed.

# About children and young people



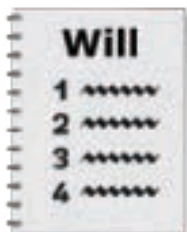
In the Code

- **children** means people who are less than 16 years old.
- **young people** means people who are 16 or 17 years old.



The Act can be used for young people, apart from

- young people cannot make a Lasting Power of Attorney (LPA).
- young people cannot make an advance decision to refuse treatment.
- The Court of Protection cannot make a **will** for a young person.



A **will** is an official plan of what happens to a person's things after they die.





The Act is not always used to make decisions about young people who lack capacity. Sometimes a **person with parental responsibility** is asked to make the decisions.



A **person with parental responsibility** means anyone who is a parent or acts as a parent to a child.



The Act cannot be used for children who lack capacity, apart from

- when a child is treated badly or **wilfully neglected**.

**Wilfully neglected** means not cared for properly.



- the Court of Protection can make decisions about the **property** or **finances** of a child who lacks capacity and is likely to lack capacity when they are 18 years old.



**Property** means the things a person owns, like buildings or cars. **Finances** mean the money a person has.

# About The Mental Health Act 1983



In this booklet we have talked about the **Act** which is the Mental Capacity Act 2005. The Act is a law that says what happens when people lack capacity to make decisions about their lives.



There is another law called the **Mental Health Act 1983** (called **MHA** for short).



The MHA says what happens to people who have mental health problems. It says when they can be **detained** in a place they don't want to be.



**Detained** means kept somewhere like a hospital or police station.



The Act can be used for people who are **subject to the MHA**, apart from

- the Act cannot be used to make decisions about treatment for people who have been detained because of the MHA.
- advance decisions to refuse treatment do not always have to be followed if people have been detained because of the MHA.
- when a person has a guardian because of the MHA, the guardian is allowed to make some decisions for them, like where they will live.
- Independent Mental Capacity Advocates (IMCAs) do not have to help make decisions about medical treatment or where a person will live if those decisions are made using the MHA.



**Subject to the MHA** means the MHA is used to help you with your mental health problems.



Health workers are never allowed to give a treatment called **psychosurgery** to a person who lacks capacity, even if they are subject to the MHA.

# About protection for people who lack capacity



There are **agencies** who protect people who lack capacity to make decisions about their lives.



**Agencies** means businesses or organisations or services.



The agencies make sure people who lack capacity are treated in a good and fair way.



If you think a person who lacks capacity is not being treated in a good or fair way you must tell the right agency straight away.



- If you think a **crime** has been done to a person who lacks capacity tell the police and social care services.

**Crimes** are things that are against the law like stealing or being violent.



- If you think a person who lacks capacity is not being looked after properly tell social care services.



- If you think an attorney or a deputy is not doing their job properly tell the Office of the Public Guardian.



- If you think an **appointee** is not doing their job properly tell the **Department for Work and Pensions**.

An **appointee** is a person who is allowed to collect benefits or pensions for a person who lacks capacity.

They can use the money to buy what the person who lacks capacity needs.



# About disagreements



Sometimes people will disagree about what should happen to a person who lacks capacity and what is the best decision for their life.



- Try to sort out the disagreement as quickly as possible so the problem doesn't get worse.

- Make sure someone speaks up for the person who lacks capacity.

- Use **mediation** if this will help.  
**Mediation** is when an independent person helps to sort out a disagreement.



- If you are worried about the health or social care a person who lacks capacity is getting find out the right way to complain.

- If the disagreement cannot be sorted easily you can ask the Court of Protection to look at it.



There are some decisions the Court of Protection always needs to make.

# About personal information



**Personal information** is anything that tells other people who you are, like your name or email address.

The Code says what personal information you are allowed to see or give out if you work with or care for a person who lacks capacity.



- If you are an attorney or a deputy you can ask to see personal information about the person as long as it will help you make the best decision for their life.



- If you are not an attorney or a deputy you might be able to see or give out personal information about a person but it will depend on what the decision is.



- If you are a health worker or a social care worker you can give out personal information about a person if it is in their best interests.



# About research projects and capacity



**Research** is work done to find out new information about a subject. **Researchers** are the people who do the work.



It is important to do research with people who lack capacity.



It teaches us important information and helps us understand their lives better.



Researchers must have **consent** from people they work with. **Consent** is when you officially agree to do something.



The Act has information for researchers who want to work with people who cannot give consent because they lack capacity.



The Act has rules to protect people who lack capacity or might lack capacity to consent to take part in research.



To be protected by the Act researchers must

- have official approval.
- know when the research will be done.
- do good research.
- think about the feelings of people who lack capacity.
- think about other ways to protect people who lack capacity.
- learn how to **communicate** with people who lack capacity.
- Learn how to **communicate** with carers and other people who are important to people who lack capacity.



**Communicate** means talk to in a good and clear way.



# Assessment forms and support plans

Worksheets for planning ahead





## My Care and Support Plan

This Support Plan has been completed following my Adult Social Care Assessment. The purpose of this plan is to set out any eligible needs and how I'm going to be supported within the agreed budget

### For my provider (s).

This support plan provides you with clarity in relation to the funding agreement and the outcomes you are expected to help me achieve.

### Basic Information

Name:	Tel:
Address:	NHS Number:
Assessors name:	Tel.
Assessment date:	Date support plan completed:
Who has helped you complete this plan?	
What is their relationship to you?	Advocate Do they have Enduring/Lasting Power of Attorney (E/LPA)

**Eligible Needs - Assessed as having a **significant** impact on Wellbeing**

### **What I want to be different (my Outcomes) / What will make me happier (my Wellbeing & Liberty)**

*This plan must promote my "Well-being" as referenced in [Sec 1(2) CA 2014], with a particular focus on Sec 1(2)(b):-*

#### **Control over my day-to-day life (including over care and support provided and the way they are provided).**

*And reference as necessary:-*

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society

*As you develop the SMART Outcomes within this Plan. You must focus on delivering the four things that, like the rest of us our service users have told us they want:-*

1. **Relationships** - maintaining existing ones and support to develop new ones.
2. **Work** - or meaningful activity particularly that provides financial/personal status.
3. **A Home** - security, comfort and my own front door.
4. **Hope** – support/permission to dream and aspire.
5. **& Health**

*For young people with **SEND** these key messages complement the **PfA Outcomes**.*



referencing MCA 2005 'Code of Practice 2007'.	
Is a DoLS application necessary?	
Details of DoLS	
<b>Risk Enablement</b>	
<b>Does this need a referral to the risk enablement panel?</b>	

## 5 - Final cost / contingency plan and review

<b>Indicative budget</b> (This is how much money your assessment suggests you need to meet your eligible needs)	Weekly: £
<b>The Total Cost of services:</b>	Weekly: £
<b>My Contribution: To be established by a Financial Assessment</b> (in line with the Authority's Contribution policy)	Weekly: £

<b>Contingency Plan</b>
Is there a contingency plan ?
if Yes, What are the details / how is it triggered ?

<b>Planned Review(s) @ 6 weeks / 4 Months / 8 Months /12 Months</b>
Please write here how and when your plan will be checked to make sure it is working. Include any special requirements that need to be considered by the reviewer, who you'd like to be contacted and present, and where you'd want this to be held.

My signature:



SIGNED \_\_\_\_\_ NAME \_\_\_\_\_ DATE \_\_\_\_\_

Signature of the person who supported me to complete this:

SIGNED \_\_\_\_\_ NAME \_\_\_\_\_ DATE \_\_\_\_\_

Signature(s) of Provider (s) Delivering Paid Support :

SIGNED: \_\_\_\_\_ NAME: \_\_\_\_\_ ROLE: \_\_\_\_\_ DATE: \_\_\_\_\_

Comments: AN OPPORTUNITY TO CLARIFY\EXPLAIN YOUR DECISION REASONING FOR EXAMPLE WHERE THERE IS A CARER SITUATION WHICH REQUIRES A FEW LINES OF EXPLANATION

### What needs to happen now and who will do it?

#### Care Act eligibility criteria – if required

Please tick the Eligibility that has been met (if any):

**As a consequence of being unable to meet these outcomes, there is, or there is likely to be, a significant impact on the adult's wellbeing ?**

### Declaration

In signing this form I agree that it is an honest view of my current situation

Signature

Print

Date

Please indicate if appropriate if the person is unable to sign and specify why below:

### Worker recording the conversation

Name

Job role

Date

Thanks to everyone who have contributed to get this welcome pack produced.

- BTM
- People First – Keighley & Craven
- Snoop
- Into Employment
- PFA Team
- Hazelbeck School
- Southfield – Co-op Academy
- High Park School
- Beechcliffe School



The wording in this publication can be made available in other formats such as large print. Please call 01274 431352.