08 March 2019

FREEDOM OF INFORMATION REQUEST – 289/19

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request / Response:

1. Is there an appeals process* in place for when a service user (or their representative) disagrees with an assessment of their care and support needs or changes made to a package of care?

* We are defining an appeals process as including the best practice set out in the Care Act 2014 under section 72: Part 1 appeals:
(a) Who may (and may not) bring an appeal;
(b) Grounds on which an appeal may be brought;
(c) pre-conditions for bringing an appeal;
(d) How an appeal is to be brought and dealt with (including time limits);
(e) Who is to consider an appeal;
(f) Matters to be taken into account (and disregarded) by the person or body considering an appeal;
(g) Powers of the person or body deciding an appeal;
(h) What action is to be taken by a local authority as a result of an appeal decision;
(i) Providing information about the right to bring an appeal, appeal procedures and other sources of information and advice;
(j) Representation and support for an individual bringing or otherwise involved in an appeal;
(k) Investigations into things done or not done by a person or body with power to consider an appeal.

Answer:
Rutland County Council Adult Social Care work in partnership with adults in the completion of their care and support assessments with the aim of ensuring that information recorded within the assessments is accurate. We do not have a formal appeals process however would adhere to the Sec 72: Part 1 appeals guidance within the Care Act should the need arise.

Rutland County Council Adult Social Care work with adults with pre-eligible needs and operate a preventative model of care and support. We are not aware of any formal appeals with regards to assessments or changes to care within the last year. Any disagreements would be addressed directly with the adult/representative in order to
ensure that the support provided remains goal orientated, strengths focussed and meets the needs as identified with the adults assessment.

If the answer to Q1 is Yes then please answer Q2-Q4.

2. What other sources of national guidance or legislation helped inform and define your appeals process? Please provide sources for this information, such as links or copies

Answer:
Not Applicable

3. What time limit do you set to resolve appeals?

Answer:
Not Applicable

Should answering question 4 exceed the ‘appropriate limit’ under the FOI Act please prioritise questions 1 to 3 with regards to a response.

4i. What is the total number of occasions where a service user (or their representative) appealed an assessment of their care and support needs or changes made to their package of care? Please provide information from the most recent complete year of data you have

Answer:
Not Applicable

4ii. What proportion of these disagreements were accepted by your Local Authority? Please provide information from the most recent complete year of data you have

Answer:
Not Applicable

If the answer to Q1 is No then please answer Q5-Q7

5. What is the total number of occasions where a service user (or their representative) disagreed with an assessment of their care and support needs or changes made to their package of care? Please provide information from the most recent complete year of data you have

Answer:
Please see response to Question 1.

6. What proportion of these disagreements were accepted by your Local Authority? Please provide information from the most recent complete year of data you have

Answer:
Please see response to Question 1.

7. How do you respond to disagreements that have been raised by service users (or their representatives) when they have disagreed with an assessment of their needs or changes made to a package of care?

Answer:
Please see response to Question 1.

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Yours faithfully

FOI Administrator
Business Support Team
Rutland County Council