



Care Act training - information and advice

Legal duties and impact on individuals

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This theme explores what are the Local Authority duties in relation to provision of information and advice, when the duties apply and how these duties can support individuals in the community.

This document supports learning from a wider set of resources about the Care Act duties around information and advice and impacts on individuals, the training videos can be accessed here: <https://www.scie.org.uk/care-act-2014/legal-impact/information-advice>

Key messages

What is the duty?

- The duty is to establish and maintain a service for providing people in the Local Authority area with information and advice relating to care and support for adults and support for carers.

What is information and advice?

- Information is the communication of facts and fact-based knowledge around care and support which people can use independently, or with assistance from another such as CAB, information hubs, but requires no or limited interaction from an individual.
- The information that must be provided is:
 - The way ASC operates within the Local Authority's area.

- The choice of types of care and support, and the choice of providers, available to those who are in the Local Authority's area.
- How to access the care and support that is available.
- How to access independent financial advice on matters relevant to the meeting of needs for care and support.
- How to raise concerns about the safety or wellbeing of an adult who has needs for care and support.
- Advice means helping a person to identify choices and or/providing an opinion or recommendation which is personal to the individual based on the conversation between the individual and those providing the service.

Why this duty?

- It enables;
 - individuals to be aware of all the options and their pros and cons.
 - individuals to lead the process as much as possible.
 - choice and control through the ability to make informed choices.
- It seeks to prevent, reduce and delay the need for care and support and empower individuals.

When does it apply?

- It is applicable to all individuals, with and without the need for care and/or support.
- It is applicable to all interactions and interventions with individuals. From the first point of contact with the local authority through to the review of care and support plans and beyond. And to all staff who exercises a care and support function.

Accessibility

- Provision of information and advice has to be accessible to the individual at the time that they need it.
- It has to be provided using different means to ensure that the information and advice is relayed and that it can be understood by and acted upon by the individual.

Reflective questions

Find below a set of reflective questions that will help you embed the above key messages in your social care practice.

1. Do I know where to look for relevant information which may be useful for individuals that I support?
2. Did I ask the individual what is the best way for them to be provided with information, so that it is accessible and useful to them?
3. Have I provided appropriate and proportionate information to an individual to enable them to understand the processes, the opportunities, and to make an informed choice?
4. Has my information and advice been sufficient to enable the individual to lead as much as possible in any process?
5. Have I checked that the individual is able to take action on the information provided without any further support from me?
6. Have I listened to what the individual has said to me and provided advice based on their circumstances, with a view to enabling them to achieve the purpose of their contact with me?
7. Even though an individual's enquiry may not relate to an area of practice for which I am responsible, have I shared information and given advice, and checked that the individual is able to progress the information and advice without any further support from me?

Further resources

- Care Act Statutory Guidance - <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>
- Care Act 2014 - <https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>