

Financial Fairness?

Adult Social Care

August 2018



'It is all very well telling families they can have this, and they can have that but what's the point when they are giving it to you in one hand and taking it from the other?

My son doesn't understand the concept of all of this and is quite upset at the fact that he is having his money taken away from him and it is very hard to explain it to him.'

We have come together, to understand what local people, with assessed support and care needs experience, following delivery changes to the way peoples' contribution towards the cost of their care is worked out.

This report shows the concerns the organisations have over the fairness within the financial assessment process, identified through personal accounts.

Through Healthwatch statutory powers, the report also details recommendations for improving peoples' lived experiences and access to support.



Registered Charity No.1160319

Summary

This report seeks to highlight the lived experiences of some local people, who having been assessed as needing a package of by a social care worker, but then encounter difficulties in the financial assessment process. These have been categories under the following heading:

- What is the service being described?
- Enabling people to be prepared for a financial assessment?
- Impact of advisers' behaviour or lack of training?
- Is this a fair process?

Each of the organisations involved in this work appreciate the financial challenges Adult Social Care faces and that the County Council must get best value when spending money and spend money in a way it can afford.

Similarly, a lot of local people are aware of the pressures on the provision of Adult Social Care and appreciate the need to see if people can afford to pay towards their care.

Peoples' stories show there are issues with the current process that need to be recognised and improved upon. We have, and continue, to seek to work with both West Sussex County Council and Capita, who are commissioned by the Council to provide the financial assessment service, to achieve some improvement on behalf of local people. To this end, we have made 14 recommendations which are show on pages 4-6.

In addition, Healthwatch West Sussex will be asking West Sussex County Council to share evidence of the improvements made and hope to have early sight of draft revisions to the documents mentioned in this letter.

West Sussex County Council and Capita response to a draft report:

A formal response from both West Sussex County Council (WSSCC) and Capita, who deliver the financial assessments, was received and the responses to the recommendations within the report are included in the next section.

The formal response also highlights the contractual arrangements for the financial assessment service as follows:

The booking of appointments and financial assessment visits are undertaken by the Service Finance team in Capita under an outsourcing partnership contract which, for the appointment service, began in October 2012 and the financial assessments in July 2014.

The Capita contract is managed by a centralised contract management function which is supported by a number of service leads from across the County Council who act as subject matter experts.

Under the governance structure, there is a joint WSSCC Capita Board, known as the Operations Board which meets monthly to review operational planning and performance, prioritisation including oversight of risk and key audit controls, and monitoring service improvement against a joint annual service plan which also ensures contractual adherence ensures the services meet evolving County Council requirements. To support this overarching governance there are monthly Service Review Meetings, for each individual service area, which also monitors performance against a Key Performance Indicator (KPI) and the detail around the status of the annual service plan. Should performance fail to reach the agreed standard, such as evidenced by repeat failures of a KPI, this will instigate a service improvement plan.

Of the 14 recommendations in the report 6 relate to the delivery of financial assessments that Capita team are responsible for.

Recommendations

The following recommendations are using Healthwatch West Sussex's statutory power in reporting and make recommendations with the aim of improving services. In the main report we have detailed the actual response from WSCC and Capita to each recommendation.

- West Sussex County Council considers how it can co-produce future booklets, to reduce the risk of misunderstanding. We also recommend specific changes:
 - Changing the title on the front cover, to encourage more people to read it, for example *Do I need to pay for?*
 - Making it clear on the first page that people may need to pay something towards the cost of their care.
- West Sussex County Council consider including a link or reference to the [Your Life, Your Choice](#) booklet (page 13) so people can understand, or be reminded, of how an eligibility is determined.
- West Sussex County Council carry out an audit of Care and Support Plans to satisfy itself that social care workers are including 'the cost of help or support that have been identified' and can therefore be included as a disability related expense. If this is not the case, to take appropriate action, so adults with genuine disability related expenses are not at risk of paying twice.
- West Sussex County Council carry out a review/audit of the processes the financial assessment service provider has in place for arranging financial assessment visits, to identify any quality issues and to work with the financial assessment service provider to ensure everyone who is required to have assessments:
 - receives a call to arrange a visit, with a detailed explanation of what this visit is for and that adequate time and information is given to enable people to prepare themselves for this, unless the person believes a delay will increase their anxiety
 - is made aware of where they can get help, particularly if they have a 'substantial difficulty' in taking part in the financial assessment process and that the advisers know how to make a referral to the most appropriate advocacy service.
 - receives prompt written confirmation of the appointment, enclosing a copy of the council's booklet.
- The financial assessment service provider works with the organisations detailed in this report (as they support a significant number of individuals and their family/friend carers who go through this process), to review the current customer letters to see how these could be amended to make the purpose of the visit clearer.



- West Sussex County Council work with the financial assessment service provider to make sure people have the capacity to understand documents relating to finance and care arrangements, before they are asked to sign such documents. Where necessary, this is delayed until an appropriate advocate is available to offer support.
- West Sussex County Council work with the financial assessment service provider to look at appropriateness of current training, and where areas of additional training needs are identified agree a prompt training programme, to ensure individual advisers have the capability to work with disabled and vulnerable adults and their family and friend carers.

It is particularly important the training builds competency and recognises not all disabilities are physical or obvious and the organisations detailed in this report are well placed to comment on or provide co-produced training.

- West Sussex County Council satisfies itself that the financial assessment service provider's procedures and policies, and operating practices, have adequate flexibility within them to adapt to individual circumstances to avoid them being disadvantaged due to their disability. This should include recognising where advocacy is needed.
- West Sussex County Council to review its policy/procedures around when a contribution deduction is made from a personal budget, so that individual can budget for the cost of their care contribution.
- West Sussex County Council work with the financial assessment service provider to amend their assessment criteria:
 - around the requirement to evidence expenses. For example, allowing a period of six months where the disability-related expenses are considered as valid and deducted as an appropriate expense, to give people the time to get receipts for such costs.
 - to make it more transparent why a disability-related expense has not been included and is therefore not reducing the available income figure, to give people a better understanding and ideally a sense of fairness
 - where a person's circumstances mean there has either been a delay in having a financial assessment, or there has not been a service in place, due to factors outside their control, the relevant time will be paid by the council (e.g. without the deduction of a financial contribution)
 - identify a process where the care paid for is not being provided and a re-assessment of costs/or process to manage this.
- West Sussex County Council review the process and guidance for considering Severe Disability Premium, and people on low incomes, to ensure they are in line with the Fairer Charging Policies for Home Care and other non-residential Social Services, to ensure peoples' independence of living is not undermined by charging policies.



- West Sussex County Council review the way people can raise concerns about the financial assessment process, or outcome of the assessment to make this easy and transparent. For example, the council could think about creating an appeal process, with appeals being reviewed by an independent body or trained lay reviewers.
- West Sussex County Council review the advocacy provision and commission extra service provision, to ensure local people who need advocacy support during a financial assessment can access support to prepare for and take part in the assessment.
- West Sussex County Council offers, advocacy and support service providers access to detailed local financial assessment processes and procedures, to enable them to understand and support local people in the most appropriate way.



Context

Each of the organisations involved in this work appreciate the financial challenges Adult Social Care faces and that the County Council must get best value when spending money and spend money in a way it can afford.

Similarly, a lot of local people are aware of the pressures on the provision of Adult Social Care and appreciate the need to see if people can afford to pay towards their care.

Local people seeking support with their social care needs, do not necessarily, understand that their personal financial situation will be looked at, to see if they can contribute towards the cost of their care. This seems particularly the case for people on low income or benefits and the County Council's booklet can be misinterpreted.

West Sussex County Council belief, as stated in their booklet on this subject, is that:

“if you need social care support from us, you should be able to choose the help you need and how you receive it. For example, you can receive help with personal care in your home, or if you prefer, we can give you money to help pay for the support you need.”

Paying for Social Care in Your Home or Local Community, p. 3



Equally, decision-makers should recognise that the organisations involved are working together to raise concerns that stem from hearing first-hand accounts of the impact a change in service delivery is having on families. These personal stories demonstrate inappropriate service delivery, and processes that appear unfair and unrealistic.

What is the service being described

West Sussex County Council sets out in its [Paying for Social Care in Your Home or Local Community](#) booklet, its process for deciding if, and what, a local resident should pay towards the cost of their support and care.

The process of deciding this, is known as a financial assessment, and the booklet states this will be carried out by a trained benefits advisor.



The booklet explains how residents, or their family/friend carers can get help, stating ‘a social care worker will give you free, confidential advice. At this stage we will consider your abilities, disabilities, health and mobility, and talk to you about what help you need. Going on to state, on page 4:

“if you are eligible to receive social care support from us, we will carry out an assessment with you. We will look at what you have told us and work out how much money may be available for your support.”

Since July 2014 the provision of financial assessments has been commissioned and the financial assessment service provider is Capita.

Recommendations:

- **West Sussex County Council considers how it can co-produce future booklets, to reduce the risk of misunderstanding. We also recommend specific changes:**

WSCC response:

Many of our leaflets have been co-produced with customers and family and friends, carers and a number have been Crystal Marked by the Plain English Campaign. In line with our duties under the Accessible Information Standard, key information booklets/leaflets are produced in Easy Read and these are checked by a group of people with learning disabilities for clarity and understanding. The decision about which Easy Read formats we produce before we receive a request is based on what people need to know or understand, to be able to make informed choices about their care and support. This includes the leaflet ‘Paying for social care in your home or local community’. We don’t always go back to people for the regular updates of leaflets for comment but these are sent for Crystal Marking and Easy Read translation as necessary.

- **Changing the title on the front cover, to encourage more people to read it, for example *Do I need to pay for?***

WSCC response:

We are not aware that the titles of the leaflets relating to charges/contributions for residential and non-residential care have discouraged people from reading these. Indeed, these are two of our most popular booklets. However, we are more than happy to consult with our Customer and Carer Group and our Minorities Health and Social Care Group to get their views.



- **Making it clear on the first page that people may need to pay something towards the cost of their care.**

WSCC response:

In the leaflets relating to charges/contributions for residential and non-residential care, reference to people needing to pay towards their care is highlighted early on in the leaflet. We do aim to make the introductions ‘user-friendly’ and give some helpful, but brief, relevant background information first.

In the booklet relating to paying for residential care the reference to making a contribution to the costs is on the second page under ‘Getting advice and support’.

In the leaflet relating to non-residential care, the information is on the third page under the section clearly entitled ‘Working out how much you will need to pay - your contribution’ - the information covers three pages.

There is also clear information about making contributions to the cost of residential and non-residential care on our WSCC website.

We will liaise with our Customer and Carer Group and the Minorities Health and Social Care Group to gather their views on this and to see if further improvements can be made.

- **West Sussex County Council consider including a link or reference to the [Your Life, Your Choice](#) booklet (page 13) so people can understand, or be reminded, of how an eligibility is determined.**

WSCC response:

We will add reference in the leaflets to the information in our ‘Your life your choice’ booklet about how eligibility is determined.

Enabling people to be prepared for a financial assessment

The council’s booklet states: *we will contact you to arrange a benefits advisor to visit you and we will tell you what information you will need to have ready for this visit.*

It is clear from what local people have said that:

- some people receive a letter ahead of the financial assessment visit, but others do not
- those that do receive a letter, often, they do not understand what the assessment is for, with many believing this is part of a benefits assessment



- the booklet is not routinely being sent to people in advance and we have not been able to see any evidence that people are being guided to where they can find this information
- advisers carrying out assessments appear to run through a list of questions to gain an understanding of what ‘*disability related expenses*¹’ the person has. However, without prior information and the opportunity to prepare for and consider this, people are not always able to evidence such expenses when put on the spot.

In addition, disabled people often need certain items - from wheelchairs, through incontinence pads, to bathroom adaptations - which are not provided by statutory services or would take too long or be too difficult to acquire (Large, 1991). As such, despite statutory service provision, disabled people often have to pay for vital equipment and services themselves.

Joseph Rowntree Foundation’s Disabled Peoples’ Cost of Living Report, p.6

- We found people are being asked to make financial decisions at times when they may not be well-enough or supported to make such a decision

The lack of information provision suggests the council may be failing in its duty to ‘*provide information to help people understand what they may have to pay*’, (as detailed in the [Care and Support Statutory Guidance](#), section 3.43).

The booklet states the council may take disability-related expenses “*into account any reasonable costs of help or support you need to be able to live independently... The cost must also have been identified as a need in your support plan*”. From what people say, and the support plans that they have shared, there is no evidence that this is followed, even where there are obvious additional expenses, that someone without a disability is unlikely to have.

Advocacy services spend considerable time trying to obtain copies of peoples’ Care and Support Plans, as families have not been given a copy. This suggests that local people would not be aware of whether a cost has been included, or not.

Recommendations:

- **West Sussex County Council carry out an audit of Care and Support Plans to satisfy itself that social care workers are including ‘the cost of help or support that have been identified’ and can therefore be included as a disability related expense. If this is not the case, to take appropriate action, so adults with genuine disability related expenses are not at risk of paying twice.**

WSCC response:

We agree this should be carried out and it will be added to the audit schedule.

¹ As the phrase suggests, *disability related expenses* are costs, or additional costs, a person has because of their disability or medical condition, example of these are given in the council’s booklet (page 13).



- **West Sussex County Council carry out a review/audit of the processes the financial assessment service provider has in place for arranging financial assessment visits, to identify any quality issues and to work with the financial assessment service provider (Capita) to ensure everyone who is required to have assessments:**
 - receives a call to arrange a visit, with a detailed explanation of what this visit is for and that adequate time and information is given to enable people to prepare themselves for this, unless the person believes a delay will increase their anxiety
 - is made aware of where they can get help, particularly if they have a ‘substantial difficulty’ in taking part in the financial assessment process and that the advisers know how to make a referral to the most appropriate advocacy service
 - receives prompt written confirmation of the appointment, enclosing a copy of the council’s booklet.

WSSC response:

As described in the introduction there is a governance structure in place to review and audit the processes in place for delivery of financial assessments. The current booking process includes an initial letter to the customer to explain the financial assessment process and invite them or their representative to call and make an appointment. There is a follow up telephone call and two further letters, which contain contact details, if the customer does not make the initial contact. Prior to this Adult Services will have arranged for their customer or representative to sign an agreement (form AS164) that explains costs and charging. Help should be identified through the initial assessment process by the social care worker. If appropriate a referral is made to the advocacy service. All customers receive an appointment confirmation letter with details of where to access the council’s booklet or if they wish to request a hard copy, a number to ring. A copy of the letter is uploaded to the customer’s record on our care management system Mosaic.

- **The financial assessment service provider works with the organisations detailed in this report (as they support a significant number of individuals and their family/friend carers who go through this process), to review the current customer letters to see how these could be amended to make the purpose of the visit clearer.**

WSSC response:

Customer letters are regularly reviewed jointly between Capita and West Sussex and the current suite (agreed June 2017) are out for review again at the moment. We will work with the voluntary sector and relevant organisations in this report to ensure that their content is clear to the customer.

- West Sussex County Council work with the financial assessment service provider to make sure people have the capacity to understand documents relating to finance and care arrangements, before they are asked to sign such documents. Where necessary, this is delayed until an appropriate advocate is available to offer support.

WSSCC response:

This should be identified at the initial assessment stage and a financial representative identified and details forwarded to the Welfare Benefits Advisor (WBA) Support Team by the referral made.

Impact of advisers' behaviour or lack of training

The council's booklet states: *If your social care worker thinks you need support, they will ask a trained benefits adviser to assess your finances and work out whether you should pay towards your personal budget. (Page 5.)*

It is clear from what local people have said that:

- People have reported advisers swearing and being deeply upset by an advisers' manner and comments

Fiona shared with us, that a few days after her parent's death they received a call from an adviser ahead of a planned visit, but despite being told the person had died, they were told that they would still need to come and do the assessment in case they "owed anything because apparently she had been living in the care home" for weeks beforehand, which was not the case and this person had never managed to use the service.

- Behaviour and manner of some advisers suggest there is a lack of disability awareness. Particularly around understanding most people with disabilities focus on what they can do and advisers appearing to not understand the challenge of switching this focus to having to tell a stranger what they cannot do

For example: someone, living with Autism, may manage their social and sensory triggers by using a specific provider, for instance hairdresser, that they are familiar with, or will make adjustments. This may incur more costs but is not a choice but a coping strategy for their disability.

- Practice of advisers that do not demonstrate a customer-focused approach

Sophie told us: *"As I already had an appointment in the area, with my son, we arranged we would meet at the county hall building. Unfortunately, on the day a young gentleman who booked the room for the appointment didn't know that the public were not allowed on any other floor of the building apart from the ground floor."*



Following a discussion with the adviser, Sophie was left searching for a retail outlet in an area she was unfamiliar with. She went on to tell us: “After eventually finding it we ended up having the meeting in the adviser’s car... As far as I am concerned, it was very unprofessional, and I also feel that the adviser should have come to find me rather than the other way around”.

Recommendations:

- West Sussex County Council work with the financial assessment service provider to look at appropriateness of current training, and where areas of additional training needs are identified agree a prompt training programme, to ensure individual advisers have the capability to work with disabled and vulnerable adults and their family and friend carers.

It is particularly important the training builds competency and recognises not all disabilities are physical or obvious and the organisations detailed in this report are well placed to comment on or provide co-produced training.

WSSC response:

The Welfare Benefit Advisors (WBA) are there to complete a financial assessment of income & savings and to provide assistance with claiming benefits if eligible and not claimed. The social care worker should identify any Care concerns and raise via WBA referral so WBA aware of any issues.

All staff are inducted and trained to fulfil the role. There is 6 months of training for a WBA which includes in the job training

- West Sussex County Council satisfies itself that the financial assessment service provider’s procedures and policies, and operating practices, have adequate flexibility within them to adapt to individual circumstances to avoid them being disadvantaged due to their disability. This should include recognising where advocacy is needed.

WSSC response:

Capita follow WSSC procedures and policies and are guided on the operating practices through service assurance.



Is this a fair process?

Most people appreciate the financial times we are living in, but the financial assessment process does not appear to take account of peoples' current low incomes; capacity to make financial decisions; and family situation.

- Ignoring debts or someone's real available income

Caroline is living in a home which due to her disability, she cannot maintain or keep clean. She is not allowed to use her support help with this. *"I can't bear that a home I was once proud of, I'm now ashamed of"*. She has a small but significant debt, but this was not taken into consideration in her financial assessment, which has resulted in her being charged a contribution which leaves her with just over £130 per week to live on. Caroline now has so little to live on, she cannot afford to do anything socially and is struggling to pay her bills. This is causing her so much stress and she has told us *"there is no point in my existence"*.

Jane lives with Autism and was struggling to cope with getting her Autistic daughter to school, she was supported to have an assessment, which led to her having a support and care plan. This took time, but she eventually received support. Then Jane had a financial assessment and was told she would need to pay a large contribution that she simply could not afford.

It is inconsistent with promoting independent living to assume that all of a user's income above basic levels of Income Support or the Guarantee Credit element of Pension Credit plus 25% is available to be taken in charges. A buffer provides proportionately more help to those on low incomes and the Government sees this is a priority, given the evidence of poorer access to services by low-income groups.

DofH, Fairer Charging Policies for Home Care and other non-residential Social Services
June 2013 (page 11)

- People may not have receipts to evidence a disability related expense. For example: people have been asked to evidence laundrette costs, a service that most people would not normally ask for a receipt and for which a receipt may not be provided by the laundrette owner.

Note: the Government's [Fairer Charging Guidance \(June 2013\)](#) (page 17) states:

The list is not exhaustive; the overall aim should be to allow for reasonable expenditure needed for independent living by the user. Items where the user has little or no choice other than to incur the expenditure, in order to maintain independence or quality of life, should normally be allowed.



- Time delays in arranging the assessment visit, leading to back payments relating to benefits people had already spent and due to their disabilities will never have a means to recovers (as they do not have the capacity to increase their earnings.)

Margaret and her Advocate were advised by a Financial assessor that she should claim a disability premium. They were told she would need to contact social services again once she started receiving the benefit. The advocate supported her to complete the application and Margaret started receiving an additional sum per week in 2017.

The advocate made several calls to advise social services, on Margaret's behalf, that she was now receiving the benefit. This went on for several months before an a further financial assessment took place.

The outcome was that the whole of this extra benefit was deemed as payable towards her care costs. Margaret has since received an invoice for a staggering sum as the contribution increase was backdated to when she started receiving the extra benefit. However, Margaret was never made aware that this could be the outcome and did not save the benefit, so no longer has the money.

Note: the Government's [Fairer Charging Guidance \(June 2013\)](#) (page 12) states:

As a minimum, "basic" levels of Income Support or the Guarantee Credit element of Pension Credit plus 25% should be taken to include the personal allowances and any premium or additional amount appropriate to the user, according to age, level of disability and family status, but need not include the Severe Disability Premium (SDP) or an amount for severe disability....

In Margaret's case, this principle does not appear to have been applied.

- People who are unable to receive care, either because a provider is not providing the support, or they are not able to recruit a personal assistant, are still being asked (invoiced) for a weekly contribution, with no process as to how to redress this.
- Many families do not simply have one disabled adult but multiple disabled people living in the same household. The process is rightly individually-based but without the recognition and allowance made for the cumulative financial impact of having more than one disabled person in the family.

Carers Support are being contacted by highly distressed local people who are in tears, saying things like "I can't afford this money, this is the money I use to be able to feed my family."

- One family are currently challenging the fairness of the data the council uses to determine the average heating costs for single people living in their own home.
- People are being asked to pay a contribution, backdated and not from when they were given a contribution amount, which in some cases is after the financial assessment has taken place and not on the day of the assessment.

Recommendation:

- West Sussex County Council to review its policy/procedures around when a contribution deduction is made from a personal budget, so that an individual can budget for the cost of their care contribution.

WSCC response:

This will be reviewed to ensure it is clear when contributions are made.

- West Sussex County Council work with the financial assessment service provider to amend their assessment criteria:
 - around the requirement to evidence expenses. For example, allowing a period of six months where the disability-related expenses are considered as valid and deducted as an appropriate expense, to give people the time to get receipts for such costs.
 - to make it more transparent why a disability-related expense has not been included and is therefore not reducing the available income figure, to give people a better understanding and ideally a sense of fairness
 - where a person's circumstances mean there has either been a delay in having a financial assessment, or there has not been a service in place, due to factors outside their control, the relevant time will be paid by the council (e.g. without the deduction of a financial contribution)
 - identify a process where the care paid for is not being provided and a re-assessment of costs/or process to manage this.

WSCC response:

The assessment criteria are determined by WSCC and Capita follow them.

The WSCC Disability Related Expenditure (DRE) Policy is that evidence of the expense is provided. We do not need 6 months' worth just sufficient to calculate a weekly average. Discretion and flexibility is used.

WSCC DRE Policy. The Document List explains WSCC DRE Policy in much more detail as to what may and may not be allowed for as a DRE in the financial assessment as does the guide on the website

The Department of Health Adult and Social Care FAQ's provided to Local Authorities states: We would expect a local authority to complete a financial assessment as quickly as possible to avoid people being faced with large and unexpected bills. Where any arrears of charges are due, people should be given a reasonable length of time in which to pay the money and should not be expected to pay it all off in one go. WSCC Policy for Personal Budgets (PB) states that the PB covers a whole year and therefore the customer contribution is payable each week towards that cost whether care is provided or not.



- West Sussex County Council review the process and guidance for considering Severe Disability Premium, and people on low incomes, to ensure they are in line with the Fairer Charging Policies for Home Care and other non-residential Social Services, to ensure peoples' independence of living is not undermined by charging policies.

WSCC response:

WSCC can review the process and guidance for considering Severe Disability Premium and people on low income to ensure they are in line with the Care and Support (Charging and Assessment of Resources) Regulations and the DoH CASS Guidance. It is highly likely that people on low incomes will be nil assessed already.

Lack of a fair and appropriate way of challenging inaccuracies and issues

The council's booklet states (page 8):

If you are not satisfied, you have the right to:

- *ask us to stop providing a service; - why is this the first one?*
- *ask us to take account of exceptional personal or financial circumstances so that we can review our decision; or*
- *make a formal complaint.*

It is clear from what local people have said that:

- Some people are being financially assessed without having had a support and care assessment.
- There is not a trusted process for raising concerns over the process.

When Sonya asked about appealing the decision, the adviser simply said, "I've got forms in the car but it's not worth it".

- People have a real fear about complaining against a financial assessment because they have been told the outcome of complaining 'would lead to another assessment' or 'you could end up paying more'.

Jenny wanted to know how the adviser had received the figure. "I kept emailing asking for a breakdown but kept getting the same reply... In the end, I asked her for a number where I could make a formal complaint. I ended up being sent to so many different departments, as she gave me the wrong number... I requested a reassessment with somebody else and the gentleman that saw me was really understanding. He listened to what I was saying and gave me the breakdown."



Defaulting to a complaint system to address inaccuracies is very time consuming for both individuals and the council and does not consider that challenging a financial assessment is not the only thing a family/friend carer is doing.

This seems a particularly punitive requirement when someone simply wishes to challenge an inaccuracy/error.

It is hard to see why the council leads the list of options available to local people, who are not satisfied with the financial assessment process, with the option of 'asking to stop providing a service'. This is particularly of concern, when people have been through what can be lengthy and personally challenging eligibility assessments, resulting in identified needs.

A lack of advocacy services within West Sussex (either through demand on existing services or commissioning criteria) has meant that people, who should be able to access advocacy support, are being financially assessed without this support. This in turn is having a significant impact on their wellbeing.

There does not appear to be an advocacy provision for people over 65, that is issue-based (excluding people with a learning disability) and for family/friend carers.

The provision of more non-statutory advocacy services would provide a greater safety net for vulnerable people and help to prevent those people from further and continued reliance on social care, health and welfare services.

Where people have been able to access local support, this has not been as robust as it should be, due to a lack of transparency around the financial assessment criteria in West Sussex. For example:

- support organisations cannot find out if the financial assessment considers higher than average housing charges some residents, in support housing have for laundry facilities and other services?
- The council's policy refers to 'discretionary' decision-making by the team manager, but it is unclear which agency is accountable, e.g. the financial assessment service provider or the council. This is an important issue, as this should be an accountable person who has an in-depth understanding of disability and independent living.



Recommendations:

- **West Sussex County Council review the way people can raise concerns about the financial assessment process, or outcome of the assessment to make this easy and transparent. For example, the council could think about creating an appeal process, with appeals being reviewed by an independent body or trained lay reviewers.**

WSCC response:

We have an Appeals Process which covers a range of issues including ‘financial assessment - the amount of Disability-Related Expenses we take into account when assessing a contribution. This process was co-produced with our customers and family and friends carers and in liaison with the office of the Local Government Ombudsman to ensure that a robust and fair process with clear timescales was implemented. Customers and family and friends carers were closely involved in developing the process for reviewing decisions and their recommendations were acted upon. In view of the Healthwatch comments, the Appeals process should be made clear in the leaflets relating to residential and non-residential care and this will be addressed at the next update.



WS529 Appeals
relating to adult socia

The leaflet is attached. An Easy Read version is available. .

- **West Sussex County Council review the advocacy provision and commission extra service provision, to ensure local people who need advocacy support during a financial assessment can access support to prepare for and take part in the assessment.**

WSCC response:

We will review our commissioned service for Independent Care Act Advocates and how it can be adapted to include support for financial assessments. WSCC already has a Financial Assessment Safeguarding Team to support people lacking capacity and the Welfare Benefits Advisers support people when completing their information.

- **West Sussex County Council offers, advocacy and support service providers access to detailed local financial assessment processes and procedures, to enable them to understand and support local people in the most appropriate way.**

WSCC response:

Policies and procedures are available on the WSCC website but these will be reviewed again in line with the above recommendation.



Contact Details



0300 012 0122

helpdesk@healthwatchwestsussex.co.uk

Our Advice and Information team can help you to take the next step on your health and care journey, wherever this is taking you.

We're here to listen to your lived experience, views and concerns and use anonymised stories to influence for the improvement of local services.



Carers Support West Sussex
for family and friend carers



Registered Charity No.1160319