



*Wiltshire Centre for Independent Living  
Working for Choice, Independence & Lifestyle*

# *The Care Act One Year on in Wiltshire*

*How was it for you?*



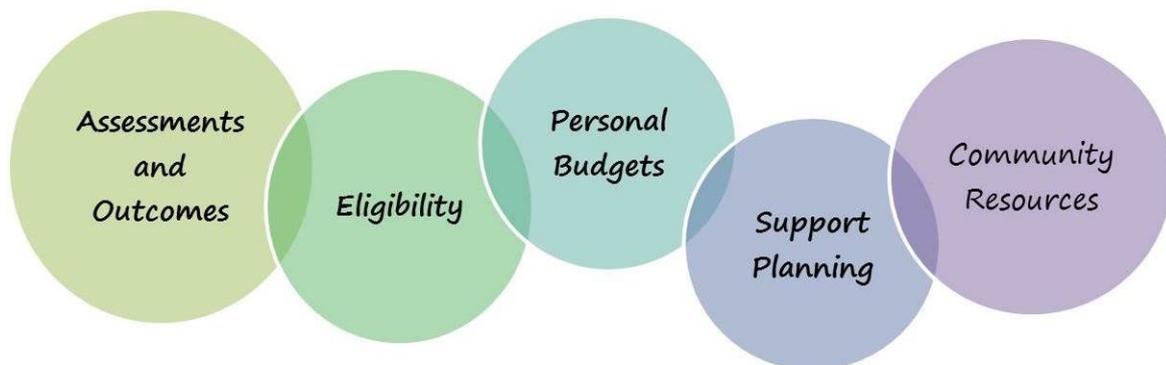
# Introduction

This brief report outlines the discussion held with service users and carers who attended 'The Care Act – One Year On in Wiltshire' event on the 22<sup>nd</sup> March at the Corn Exchange in Devizes.

Wiltshire CIL considered it important to give people the opportunity to voice their views and share their experience of the social care process since the Act was introduced in April 2015.

Invitations to the event were sent to over 500 people who Wilts CIL had been in contact with that received a personal budget in this period. It was also advertised through Wilts CIL Facebook page and Twitter. Nineteen people attended the event.

Wilts CIL gave a power point presentation (attached as Appendix 1) that outlined the significant changes in social care law for over 60 years and the relevant points that were most applicable to people with a personal budget. This included a brief under the headings of:



At the end of the presentation the question posed to people was:

“

*Choice, control, flexibility and innovation lie at the heart of the Care Act. Is this your experience when being assessed and reviewed by Wiltshire Social Care Services?*

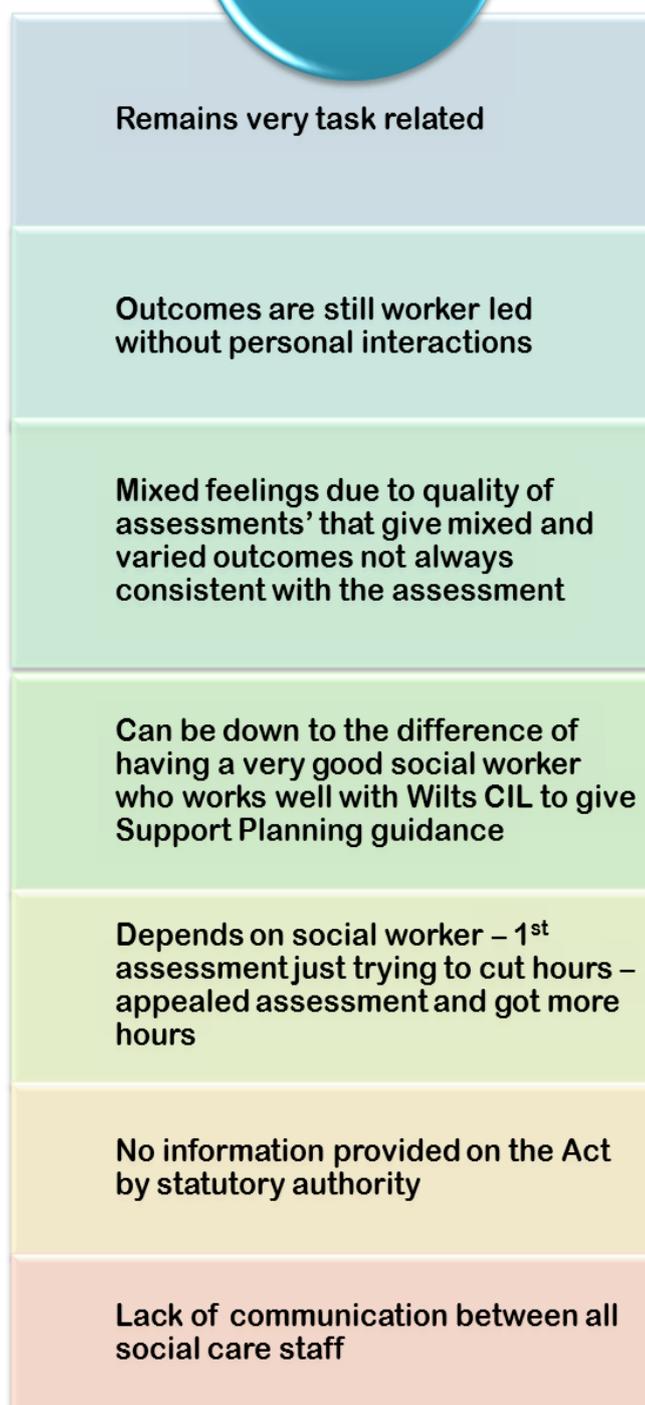
”

*How was it for you?*

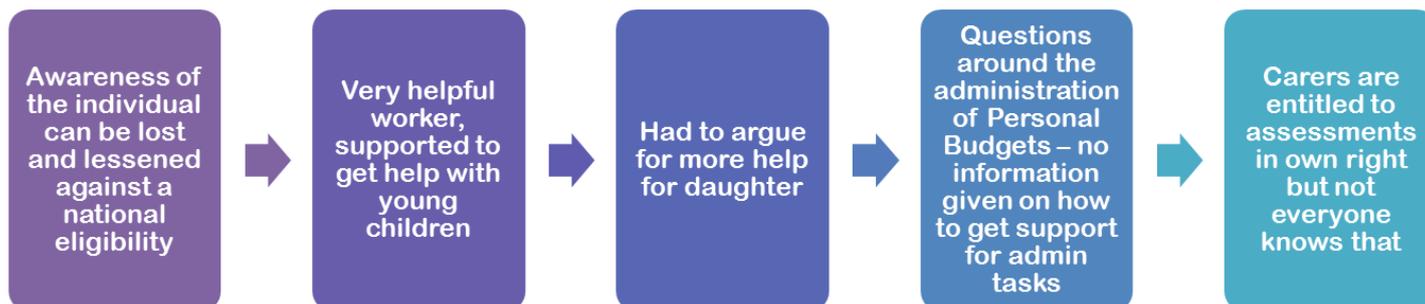
The meeting broke into 3 groups, to discuss the headings posed under this question. The main group reconvened after 45 minutes to report the feedback outlined as follows:

## 1 Assessments & Outcomes

- Remains very task related
- Outcomes are still worker led without personal interactions
- Not good experience with OT's about assessments for equipment
- Manchester are piloting new Plan about joint equipment budget which is a good idea
- Mixed feelings due to quality of assessments' that give mixed and varied outcomes not always consistent with the assessment
- Lack of consistency - make things difficult
- A negative experience 2 years ago – just to cut costs with no account of the individual but felt the 2<sup>nd</sup> was done properly about a year ago but still had to argue substantial and critical needs
- Very useful to have Wilts CIL support and help with assessment. Increased care by 1 hour a week, felt this was down to CIL
- First assessment put on hold due to personal reasons but now completed. It was a very positive experience and went from 24 hour live-in agency care to employing own staff (not live-in)
- Can be down to the difference of having a very good social worker who works well with Wilts CIL to give Support Planning guidance
- Depends on social worker – 1<sup>st</sup> assessment just trying to cut hours – appealed assessment and got more hours
- No information provided on the Act by statutory authority
- No information on mental capacity and no copy of assessment of mental capacity
- No copy of the assessment given as stated under the Care Act
- No continuity of staff so no continuity of understanding
- Lack of consistency in the process
- Cases should not be 'closed' to workers but could be 'dormant'
- Lack of communication between all social care staff

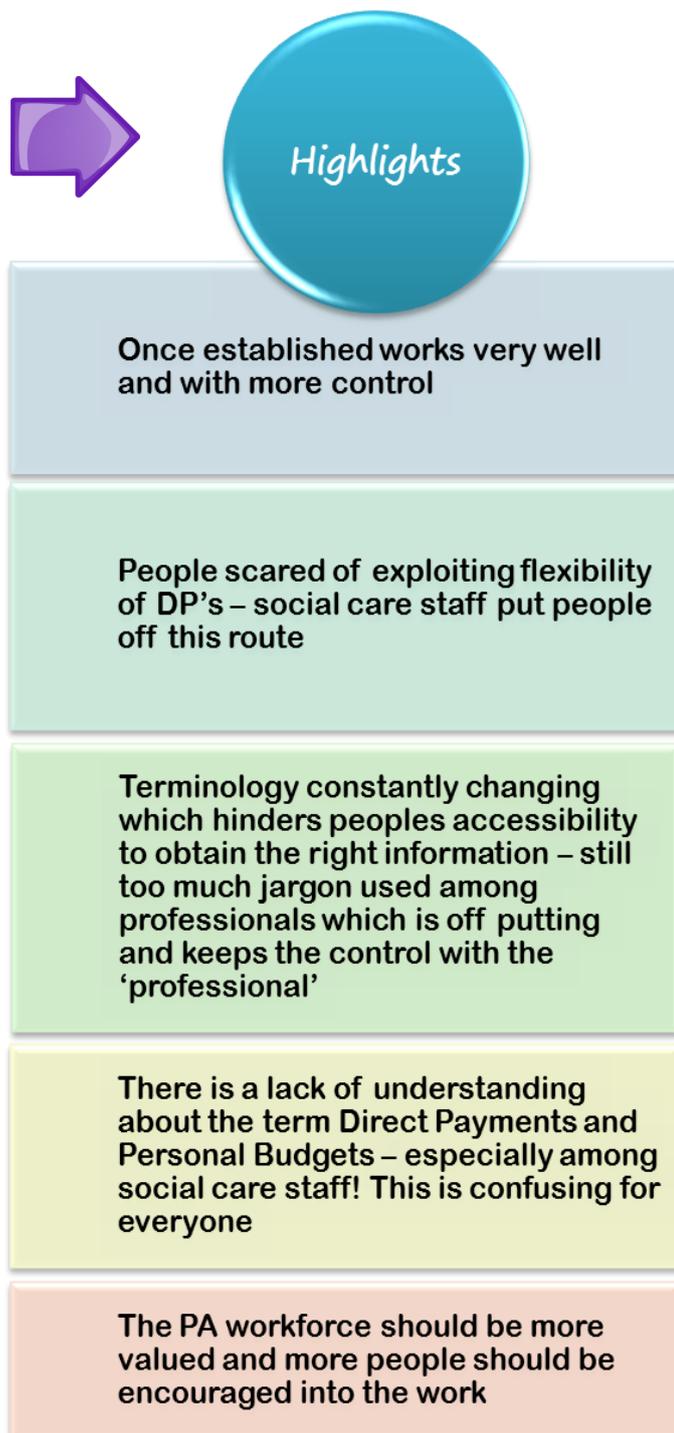


## 2 Eligibility



## 3 Personal Budgets

- Direct payments have given choice but finding the element of choice or a PA can be hard without the right support.
- Extremely positive experience once given correct information and set up.
- Once established works very well and with more control.
- Mixture of agency and employing own staff can offer security.
- People scared of exploiting flexibility of DP's – social care staff put people off this route.
- Need help of experienced person e.g. through Wilts CIL peer support group which should be offered by social care at the outset.
- Opened more opportunities and now more independent.
- Feeling of empowerment – gives more freedom
- Issues of late working rather than sleep-in payment.
- PA's costs are not being met for someone on 24/7 care package by Wiltshire Council.
- Terminology constantly changing which hinders peoples accessibility to obtain the right information – still too much jargon used among professionals which is off putting and keeps the control with the 'professional'.
- There is a lack of understanding about the term Direct Payments and Personal Budgets – especially among social care staff! This is confusing for everyone.
- The PA workforce should be more valued and more people should be encouraged into the work.
- Concern about the sustainability of workforce into the future with the mixture of hours on offer and the changing needs.
- Concern that personal budgets are not always offered to people and people do not know to ask.



## 4 Support Planning

- Works well when all OK but can be difficult if something different happens e.g. emergency planning or crisis – need to allow for ‘fluctuating needs’.
- Went through ‘normal’ week. Not aware of Wilts CIL at the time.
- It worked really well.
- Essential to include Wilts CIL in assessment
- How is someone referred to Wilts CIL? – we slipped through the net with no information on them.
- Support planning works well.
- Change in situation can be difficult – need extra support but at that point really poorly – need to think ahead.
- No budget to cover crisis points – plus recruiting/replacing in certain ‘geographical’ areas of the county can be difficult.



Works well when all OK but can be difficult if something different happens eg emergency planning or crisis – need to allow for ‘fluctuating needs’

No budget to cover crisis points – plus recruiting/replacing in certain ‘geographical’ areas of the county can be difficult

## 5 Using your community

- Different thoughts – lack of opportunities for some – good for others
- Some people feel well supported to interact – but a lot depends on the assessment element to ensure people are still ‘allowed’ the opportunities to take up community support
- Mobility and transport can be a factor for people isolated and not able to access community
- Live-in carers are great but those that do not drive are limited for activities
- No – new to community but would like to be more involved
- Yes, use community but have to make a lot of connections
- Loneliness
- Can be isolated even in a community due to lack of understanding
- More flexibility to use community links and know where to go
- Seen as ‘leisure’ not care so not important but can be just as important to a person’s state of mind



Some people feel well supported to interact – but a lot depends on the assessment element to ensure people are still ‘allowed’ the opportunities to take up community support

Can be isolated even in a community due to lack of understanding

Seen as ‘leisure’ not care so not important but can be just as important to a person’s state of mind

## *In conclusion and to date we suggest that in Wiltshire:*

Information and guidance explaining the key features of the Care Act rarely emphasise choice and control and the universal entitlement to a personal budget.

Wiltshire Council's definitions of personal budgets do not appear to correspond with the definition in the Care Act statutory guidance\*. Whereas the guidance describes personal budgets as a mechanism for choice and control, Wiltshire social care typically describes personal budgets only as the sum of money allocated to meet care and support needs.

Wiltshire Council are generally not yet meeting their duties to ensure the provision of clear, accessible, accurate and locally tailored information regarding accessing a personal budget to have care and support. This means that those seeking or receiving care and support lack access to information regarding their rights and entitlements, sufficient to exercise choice and control.

There is concern about the lack of consistency in both social care staff approach and the assessment process for peoples' personal budgets across the county. Those present did not feel the Care Act had significant effect on the service they received and few had any idea about what the Act had proposed or what it should have meant for them in practice.

Information provided by Wiltshire Council needs to reinforce the central expectations of the Care Act in relation to peoples' rights to a personal budget. Care Act guidance is extensive in the expectations it creates of local authorities in relation to assessment eligibility and control over support. We need to raise both the understanding and expectation of people who need support as they enter into their relationship with the local authority in a more informed and empowered way.

In general local authorities are struggling to adjust to massive cuts in their budgets and it is expected that this will impact on the scope for choice and control of those who require care and support. Government need to ensure that funding to local authorities is sufficient to enable them to meet their statutory obligations as a minimum, otherwise they will fail to meet the broader goals and aspirations of the Care Act in respect of prevention and wellbeing.

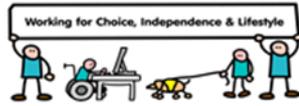
\*A brief outline of the Care Act Statutory Guidance (The Care Act 2014 – The Facts) have been reproduced by Wiltshire CIL (attached as Appendix 2) to ensure a better understanding of the facts and to portray the spirit as well as the letter of the Care Act.

The current group of attendees asked Wiltshire CIL to arrange a meeting with Wiltshire Council in order to discuss this report and the way forward in working with service users to ensure Wiltshire is compliant with its duties to ensure choice, control and flexibility for people to manage their own care and support. It is particularly important to gain a full understanding of how Wiltshire intend to proceed in its' approach to wellbeing and prevention as this is an important factor currently not being addressed under the 'just enough care' slogan that Wiltshire Council appear to have adopted.

Wiltshire CIL undertook to write up the report, distribute it and to arrange a meeting with Wiltshire Council in the near future.

Geraldine Bentley  
Director  
Wiltshire Centre for Independent Living  
March 2016

Wiltshire Centre for Independent Living 11 Couch Lane Devizes Wiltshire SN10 1EB  
Telephone 0300 1233 442 Email [info@wiltshirecil.org.uk](mailto:info@wiltshirecil.org.uk) Charity no. 1120611 Company no. 5480761



## The Care Act: One Year On



### What is the Care Act?

- Most significant change in social care law for 60 years.
- Replaces out-of-date and confusing care laws.
- Sets out how people's care and support needs should be met
- Introduces the right to an assessment for anyone, including carers and self-funders



### 5 Principles underpinning wellbeing

- Connect with others
- Be active
- Take notice of the world around you and of others
- Keep learning/ take risks
- Give (back to the community, reciprocal relationships, usefulness)

J Aked and S Thompson July 2011 NEF (New Economics Foundation)

### The framework of the Act and its statutory guidance

Underpinning principle	General responsibilities and key duties	Key processes
Wellbeing	Prevention	Assessment and eligibility
	Integration, partnerships and transitions	Charging and financial assessment
	Information, advice and advocacy	Care and support planning
	Diversity of provision and market oversight	Personal budgets and direct payments
	Safeguarding	Review

### Person at the centre

Independence

Prevention

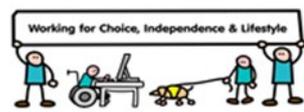
Strengths and Assets

Choice and Control





## How should the Care Act affect you?

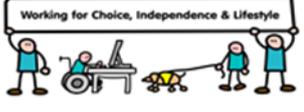


### Assessments

- Person-centred
- Assesses impact of need on day-to-day life and **wellbeing**
- Identifies **what** is needed and this is expressed as **OUTCOMES**

N.B.

- Everyone has a right to be assessed (**by someone able to do it well**).
- Everyone should have copy of assessment



### It is all about outcomes

'Outcomes' are things that a person wants to achieve to help live their life the way they want to live it.



### Personal budgets

- Along with the support plan the aim is to increase choice and control on how care and support needs are met
- All eligible individuals should have one
- This can be allocated as a 'virtual' budget, held by the council, or a direct payment
- When completing a support plan you should have an indication of budget (indicative budget)
- Local authorities' **cannot** place stringent controls on how money can be spent as long as outcomes are met



### Eligibility

- Needs over time
- Prevention focus
- Take into account
  - Strengths of the person, support available from family and local community
  - Eligible needs can be met by carer (Local Authority does not have to meet them)
- Financial assessment **after** the assessment of needs – not to inform the eligibility decision



## Support Planning

Developed by service users to describe how they will use all the resources available to them to achieve what is important to them.

- Owned by the person
- Identifies **how and when** the **OUTCOMES** will be met, which is up to the person
- Opportunities for innovation by using "non-service" options to meet outcomes e.g. Club membership, Massage
- Person as part of their community



## Outcome: To make sure I have a cooked meal every day

**Before: Time and task** Mrs A has a 15 minute visit by an agency carer who just has time to put a ready meal into the microwave. A different carer attends every day.

**After: Indicative budget** Mrs A has £30 to cover her lunch costs for the week. She uses a range of options to suit her life:

- Village pub
- Next door neighbour as PA
- WI friends buy ingredients and help her cook, then join her for a meal



## In summary

Choice, control, flexibility and innovation lie at the heart of the Care Act

Is this your experience when being assessed and reviewed by Wiltshire Social Care Services?



## Helpful Resources

- [www.wiltshirecil.or.uk](http://www.wiltshirecil.or.uk) or ring 0300 1233 442
- Wiltshire Council Information Portal:  
<http://www.yourcareyoursupportwiltshire.org.uk/home/>
- For information on the Care Act:
  - <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>
  - <http://www.scie.org.uk/care-act-2014/>
  - <http://www.communitycare.co.uk/adults/care-act-2014/>
- For advice on being an employer:  
<http://www.skillsforcare.org.uk/>

### The Care Act 2014 – The Facts

Statutory guidance accompanying the Act acknowledges, local authorities can and sometimes exact a considerable degree of control over people's day-to-day lives. Some fail to promote choice and control or deny people access to information regarding their rights, entitlements or options. Others sometimes actively restrict people's ability to exercise choice and control, employing arbitrary spending limits on particular care and support options, placing undue restrictions on how money can be spent or by imposing burdensome monitoring to restrict choice and impede flexibility. **Ref Department for Health (2015) Care Act 2014 Statutory Guidance**

The statutory guidance on the Care Act 2014 is clear: such practices are wholly at odds with both the spirit and letter of the Care Act 2014. Despite coming into force and the clear direction provided in the statutory guidance concerning the centrality of choice and control to individual wellbeing, people have reported a loss of choice and control and a decline in their quality of life over the past year.

To assist WCIL to meet the Care Act principles and our obligations in supporting those seeking or receiving care and support to understand and secure their rights we produced this basic outline to address misunderstandings and be clear about the facts. It is intended to portray the spirit as well as the letter of the Care Act.

Sections of the guidance are clearly referenced for ease of access to the Department of Health manual – 'Care & Support Statutory Guidance for the Care Act 2014'

### Assessments

The assessment is there to help a person understand his/her needs and the support they may get.

- The aim of the assessment is to identify what needs the person may have and what outcomes they are looking to achieve. (help people to understand their strengths and capabilities, and the support available to them in the community) – **para 6.5**
- The outcome of the assessment is to provide a full picture of the individual's needs so that a local authority can provide an appropriate response.- **para 6.5**
- The local authority should establish the impact of [need] on the individual's day-to-day life.
- ...must also consider whether the individual's needs impact upon their well-being beyond the ways identified by the individual. - **para 6.14**

The person and their family should be at the centre of the assessment (the Local Authority must find an independent person to help if the person wishes this).

The person should have a copy of the assessment questions in advance and a record of the assessment afterwards.

**(Relevant care act requirements- 6.30, 6.34, 6.38, 6.98, 6.44,)**

The assessment will affect what support the person will get.

**(Relevant care act requirements-6.44, 6.12)**

Everyone has a right to be assessed **(by someone able to do it well)**.

**(Relevant care act requirements- 6.7, 6.13, 6.28,)**

The Local Authority must think carefully about the role the persons family Carers

**(Relevant care act requirements- 6.15)**

## Eligibility

The eligibility decision must be based on an assessment; the assessment must consider the person's needs over time.

**(Relevant care act requirements 6.12, 6.117)**

If the person does not have eligible needs they should still receive a full summary of the assessed needs, and a written explanation saying why the council is not meeting those needs.

The person should expect to be given information and advice, and possibly support focused on preventing an increase in needs. If the person has a high level of needs they may be entitled to NHS support, the Local Authority must inform the local NHS.

**(Relevant care act requirements: 6.6, 6.100, 6.80, 10.29)**

When deciding whether a person is eligible the Local Authority will look at his/her strengths (things they can do), support available from family and local community as well needs (things they need help to do). If a carer is meeting needs those needs are still eligible, but if the carer agrees to continue providing support the Local Authority does not have to meet them.

**(Relevant care act requirements: 6.6, 6.10, 6.119)**

The impact of needs on the person's wellbeing is central to the process (wellbeing is defined in law). The person should have a say how his/her needs effect their wellbeing.

**(Relevant care act requirements: 6.10, 6.102, 6.111)**

There will be a financial assessment after the assessment of needs but this must not inform the eligibility decision.

**(Relevant care act requirements: 6.12)**

### **To be eligible a person must pass three tests:**

- Needs are a result of disability or illness
- The needs mean the person is unable to achieve at least two '**outcomes**' related to the daily life in areas listed below. These are set out in law but are not the only possible areas (not an exhaustive list).
- Not achieving these 'outcomes' has a significant impact on the person's wellbeing (Being unable to achieve is very broad and can just mean the person needs reminding or it takes a lot longer for them than is normal, or it is very painful or risky to do so).

### **Daily Outcomes**

- managing and maintaining nutrition
- maintaining personal hygiene
- managing toilet needs
- being appropriately clothed
- being able to make use of the home safely
- maintaining a habitable home environment
- developing and maintaining family or other personal relationships
- accessing and engaging in work, training, education or volunteering
- making use of necessary facilities or services in the local community including public transport and recreational facilities or services
- carrying out any caring responsibilities the adult has for a child

**(Relevant care act requirements: 6.105, 6.106, 6.107, 6.108, 6.109, 6.110, 6.111, 6.112)**

## 'Wellbeing' – Choice & Control

The Care Act 2014 requires that local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person and the concept of wellbeing includes 'control by the individual over day-to-day life (including over care and support provided and the way it is provided).'

The Act further elaborates the principle of control by emphasising the importance of beginning with the assumption that the individual is best placed to judge their own outcomes, goals and wellbeing and of ensuring that the individual's own opinions are paramount in decisions regarding their care and support. Ref: 'Care Act 2014 s1 (3)

Whereas community care law previously placed local authorities under obligations to 'provide services', the obligation contained in the Care Act 2014 is to 'meet needs' sufficient to ensure a person's wellbeing. This marks a critically important shift in emphasis from a one-size-fits-all approach towards flexible, person-centred care and the ability to self-direct support.

The Act requires that local authorities work in partnership with eligible individuals to plan their care and support, to provide everyone with a **personal budget** and to offer individuals a range of options regarding how their care and support is secured, including direct payments through a personal budget. (ref Care Act 2014 s26)

The statutory guidance says that local authorities must not impose unreasonable restrictions on how personal budgets are spent, save to ensure that they are spent on meeting needs identified in the care and support plan.

The Act and statutory guidance place particular emphasis on the provision of information and advice:

- Information and advice is fundamental to enabling people, carers and families to take control of, and make well-informed choices about, their care and support and how they fund it. Not only does information and advice help to promote people's wellbeing by increasing their ability to exercise choice and control, it is also a vital component of preventing or delaying people's need for care and support. **(Para 3.1)** The Care Act places obligations on local authorities to establish and maintain a service to ensure the provision of accessible, accurate, comprehensive, bespoke (and where appropriate, impartial) information and advice.

## Personal budgets

At the heart of the drive towards more person-centred care and self-directed support are personal budgets. The Care Act statutory guidance says that a personal budget:

- 'is the mechanism that, in conjunction with the care and support plan, enables the person, and their advocate if they have one, to exercise greater choice and take control over how their care and support needs are met.' **(para 11.3)**

**The Care Act 2014 states that all eligible individuals should have one.** The Act's statutory guidance says that a personal budget means:

- knowing, before care and support planning begins, an estimate of how much money will be available to meet a person's assessed needs and, with the final personal budget, having clear information about the total amount of the budget, including proportion the local authority will pay, and what amount (if any) the person will pay;

- being able to choose from a range of options for how the money is managed, including direct payments, the local authority managing the budget and a provider or third party managing the budget on the individual's behalf (an individual service fund), or a combination of these approaches;

- having a choice over who is involved in developing the care and support plan for how the personal budget will be spent, including from family or friends;

- having greater choice and control over the way the personal budget is used to purchase care and support, and from whom. **(Relevant Care Act requirements: 11.3, 11.7 11.24, 11.10, 10.3)**

**It is no longer appropriate for local authorities' to place stringent controls on how money devoted to care and support can be spent. The statutory guidance identifies and provides clear guidance regarding a number of ways that local authorities sometimes deliberately or inadvertently act to constrain choice and control.**

It is the person and their family who decide how the personal budget is used, regardless of where it is held. (Direct payment, ISF or Local Authority)  
**(Relevant Care Act guidance requirements: 11.7, 11.29, 11.3)**

Local authority guidance should describe personal budgets as a mechanism for choice and control and should not suggest a 'sliding scale' of control depending on the option in which a person chose to have their personal budget managed.

There must be enough money in the budget to meet a person's needs, they are free to pay more in if they choose.  
**(Relevant care act requirements: 11.10, 11.14, 11.24)**

## Support Planning

A person should have help to create his/her own care and support plan describing the outcomes they want to achieve and how they want to be supported. These should link back to the outcomes identified in the assessment process and to the wellbeing principle in the Act. The local authority will agree this with the person and give them a copy.  
**(Relevant care act requirements: 10.2, 10.31, 10.87, 13.27)**

How needs are met is up to the person. The guiding principle in the development of the support plan is that this process should be person centred and person led. The intention behind the legislation is to encourage diversity, rather than point to a service or solution that may be neither what is best nor what the person wants.  
**(Relevant care act requirements: 10.47, 10.5, 10.10, 10.21)**

Local authorities should have regard to how universal services and community based and/or unpaid support could contribute to the factors in the plan, including support that promotes mental and emotional wellbeing and builds social connections and capital.  
**(Relevant care act requirements: 10.41)**

A person may have fluctuating needs, in which case the plan should make comprehensive provisions to accommodate for this, as well as indicate what contingencies are in place in the event of a sudden change or emergency and not decided when someone reaches a crisis point.  
**(Relevant care act requirements: 10.44)**

The person's options should be set out simply and clearly to help him/her choose how they are supported, this doesn't mean the person has to choose one of those options but it can give them an idea to help them think for themselves.  
**(Relevant care act requirements: 10.4, 10.33, 10.48)**

The council can't set an upper level cost for different types of support, they must look on a case by case basis at value for money.  
**(Relevant care act requirements: 10.27,10.48)**

### **The Care Act 2014 guidance states that:**

However the person chooses to have their needs met, whether by direct payment, by the provision of local authority-arranged or directly provided care and support, or third party provision, or a mix of these, there should be no constraint on how the needs are met as long as this is reasonable. The local authority should refrain from any action that could be seen to restrict choice and impede flexibility.

#### **(para 10.47)**

It goes on to say that:

‘The person should have the maximum possible range of options for managing the personal budget, including how it is spent and how it is utilised. Directing spend is as important for those choosing the council-managed option or individual service fund as for direct payments.

### **‘Allowable purchases’**

Some local authorities employ lists of ‘allowable purchases’ that determine what personal budgets can and cannot be spent on. **The statutory guidance states that:**

**It is important that people are allowed to be very flexible to choose innovative forms of care and support, from a diverse range of sources, including quality providers but also “non-service” options such as Information and Communication Technologies (ICT) equipment, club membership, and massage.** Lists of allowable purchases should be avoided as the range of possibilities should be very wide and will be beyond what the local authority is able to list at any point in time. While many authorities may choose to operate lists of quality accredited providers to help people choose (for example some authorities include trading standards style “buy with confidence” approaches) the use of such lists should not be mandated as the only choice offer to people. Limited lists of ‘prescribed providers’ that are only offered to the person on a ‘take it or leave it’ basis do not fit with the Government’s vision of personalised care and should be avoided. **(para 10.48)**

### **Support Plans Sign-off**

The local authority must take all reasonable steps to agree with the person the manner in which the plan details how needs will be met, before the authority signs off the plan. It should not introduce measures that place any undue burden on the person. The local authority should avoid developing processes that undermine the preparation of plans, such as excessive quality control. The local authority should trust in the detail as well as removing issues that can cause delay and problems. **(para 10.81)**

Due regard should be taken to the use of approving plans in both the timeliness and bureaucracy of the planning and sign-off process. Those signing off plans should be appropriately skilled and trained, and local authorities should refrain from creating or using panels that seek to amend planning decisions, micro-manage the planning process or are in place purely for financial reasons. **(para 10.85)**

## **Bureaucracy**

**The statutory guidance makes clear that processes developed for the administration and monitoring of direct payments must not be disproportionate, with the effect that choice and control is unduly limited. Processes must not:**

‘...restrict choice or stifle innovation by requiring that the adult’s needs are met by a particular provider, and must not place undue burdens on people to provide information to the local authority’ **(para 2.4)**

The Care and Support (Direct Payments) Regulations 2014 states that local authorities must not require information to be provided more often and in more detail than is reasonably required for the purpose of enabling the authority to know that making direct payment is still an appropriate way of meeting the needs, and that conditions upon which it is made are met. **(para 12.4)**

**The Care Act statutory guidance states that:**

‘Local authorities should not design systems that place a disproportionate reporting burden upon the individual. The reporting system should not clash with the policy intention of direct payments to encourage greater autonomy, flexibility and innovation. For example, people should not be requested to duplicate information or have onerous monitoring requirements placed upon them.’ (para 12.24)

## **Arbitrary cost-ceilings**

The council has to spend public money prudently and meet everyone’s needs, this means they have **some** discretion when deciding exactly how to meet eligible needs but not whether to meet them.

**(Relevant care act requirements: 10.27)**

Where local authorities have adopted blanket policies to impose cost-ceilings in respect of the amount they are prepared to pay for particular care and support options. The statutory guidance clarifies that:

In determining how to meet needs, the local authority may also take into reasonable consideration its own finances and budgetary position, and must comply with its related public law duties. This includes the importance of ensuring that the funding available to the local authority is sufficient to meet the needs of the entire local population. The local authority may reasonably consider how to balance that requirement with the duty to meet the eligible needs of an individual in determining how an individual’s needs should be met (but not whether those needs are met).

**The local authority should not set arbitrary upper limits on the costs it is willing to pay to meet needs through certain routes – doing so would not deliver an approach that is person-centred or compatible with public law principles. (para 10.27)**

Some local authorities benchmark such cost-ceilings in line with the costs of residential care placements. This places individuals for whom the cost of alternative care and support options is higher than that of residential care in the erroneous position of either accepting a residential care placement, or living outside of residential care without support sufficient to meet their needs. Such practices can have the effect of obliging people requiring support to accept a particular living arrangement. The Care Act statutory guidance is unequivocal that such practices are unacceptable:

**Local authorities should not have arbitrary ceilings to personal budgets that result in people being forced to accept to move into care homes against their will. (11.22)**

The message from the Care Act 2014 statutory guidance is clear: while local authorities will always need to meet their obligations in respect of the law and financial accountability, they must always strive to do so in a manner which is consistent with the aims of optimising choice, control, flexibility and innovation that lie at the heart of the Act.

## Wiltshire Centre for Independent Living

# The Care Act 1 Year on in Wiltshire Evaluation Results

22nd March 2016

Number of questionnaires returned:

**10 of 19 (52%)**

QUESTION	YES ✓	NO X
Did you receive the information you needed about the event?	10	
Was the event at a convenient time and location for you?	10	
Were the travel/parking arrangements satisfactory?	9	1
Did you find the workshop:		
• Friendly and welcoming	10	
• Easy to understand	10	
• Informative	10	

## Comments

- Copies of any assessment that have been undertaken by the Council (not received)
- Great—very useful
- I think it would have been more worthwhile to have had more participants and target more information at people who have previously been to things to get a wider spread of things
- Somehow we need to get more people involved, otherwise excellent
- It gave me better understanding of The Care Act, which is what I needed
- Thank You—it highlighted to me that I need to chat more to Wilts CIL
- Very interesting and appreciate Wilts CIL keeping me up to date. Would be good to have in writing after the event and look forward to follow up with Wiltshire Council!
- Thank you for support Wilts CIL gives. It's very important for us to be kept informed. Shame more people don't attend to support your efforts. It's a very good organisation.
- Very informative and I am looking forward to the next meeting.
- Found out about the event informally but not pro-actively as a CIL member or payroll member