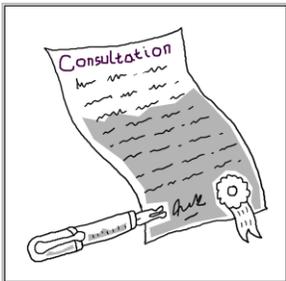


## Changing Adult Social Care. A guide to the consultation paper.



We are the Law Commission. Our job is to think about how to make laws and rules better. We want to make the rules about **adult social care** better.

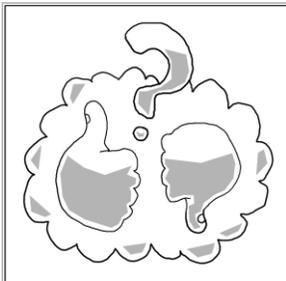


We have written all our ideas in a **consultation paper**.

This leaflet is a short guide to what is in the **consultation paper**.

If you use the internet, you can get the **consultation paper** with this web address:

[www.lawcom.gov.uk/docs/cp192.pdf](http://www.lawcom.gov.uk/docs/cp192.pdf)



The ideas are not finished. We want to know what you think.



Some things are for **politicians and government** to do, not the Law Commission. We are not **politicians or government**.

We have tried not to think about changes that **politicians and government** usually think about.

Idea: All the rules in one place

This is in part 2 of the consultation paper.



Let's write down all the rules about adult social care in one place. This will be a new **statute**. We think this makes it easier to find out what all the rules are.

Idea: Main beliefs about adult social care

This is in part 3 of the consultation paper.

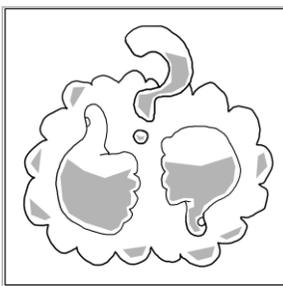


A main belief is about how to do things best. Let's write some main beliefs about how to do adult social care.

This is an example of a main belief.

"It is important to try to give care to a person in their own house."

Let's put the main beliefs with the rules so they are all together in the same place.



What do you think would be a good main belief? What is the most important main belief you can think of?

### Ideas: about assessments

This is in part 4 of the consultation paper.



The council can test if a person has needs. This test is called an **assessment**. We think the assessment must find out a persons **needs** and **aims**.

Let's make it easy for a person to get an **assessment**.

Maybe we should give people an **assessment** if they ask for one.

Maybe some people should be able to do the **assessment** themselves. Or with help from another person

We think **assessments** are very important. So there should be rules that say how it should be done.

Normally, there will be an **assessment** before a person gets social care. But if a person needs care really quickly then the **assessment** can be done later.

### Ideas: about Carers

This is in part 5 of the consultation paper



Some people care for other people. These people are called **carers**. Carers sometimes need help too.

At the moment, not all **carers** can get an **assessment**. Let's make it easier for **carers** to get an **assessment**.

Some carers get some money for the work they do. That should not mean that they definitely cannot get any more help.

Ideas: about who can get care

This is in part 6 of the consultation paper



After a person has had an **assessment**, then the social services decide if the person will get care.

The person should normally get care if they have the right type of needs.

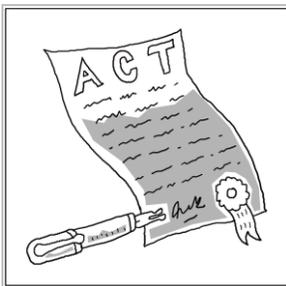
At the moment, the rules about this are hard to understand. They are different in different places.

We think there should be clear rules that are the same for everyone. If a person has the right needs, then the social services must give them care.

There should be clear rules about when a **carer** can get help too.

Ideas: about some old laws we can maybe throw away

This is in part 7 of the consultation paper



The assessment should be the most important thing to find out who needs care. This means lots of the old rules about who can get care would be thrown away.

But, we do not want any people to lose the care they can get now.

One rule we can maybe throw away is **section 2(1)** of the **Chronically Sick and Disabled Persons Act 1970**.

Another rule we can maybe throw away is **section 21** of the **National Assistance Act 1970**.

But we must be careful not to stop some people getting care.

Ideas: about getting care when you move to a different place

This is in part 8 of the consultation paper



The social services where you normally live have the job of giving you care.

We think social services in different places should be able to give you care if you go there.

Social services in different places should talk to each other and help each other. To make sure people get care if they move around different places.

Ideas: about what care is available and who can get care

This is in part 9 of the consultation paper



We think there should be a simple list of what types of care you can get.

This list can be put in the book with all the rules about adult social care.



Some care services are only for some types of people. We think that care services should be for everyone who needs care.

For example, we think we should not try to say how a disabled person is different.

### Ideas: about Giving care

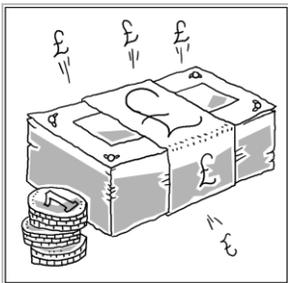
This is in part 10 of the consultation paper



We think **care plans** are very important.

A **care plan** says how the care for one person should be done. Each person should have a **care plan**.

Maybe there should be rules about how a **care plan** must be written.

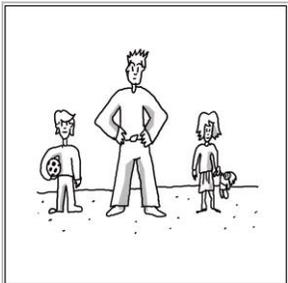


We think that **direct payments** are good. We want them to continue. Maybe they can be used for more things.

We think the rules should say clearly which types of care are free.

### Ideas: about Working Together

This is in part 11 of the consultation paper



Adult social care is usually for people who are 18 years old or older. But maybe when a person is 16 or 17 they can ask for an assessment like an adult.

We must make sure that carers under 18 can get help too.

We think the rules should clearly say if people in prison can get adult social care.



We think different groups that give care must work together more. For example, Social services and the NHS.

### Ideas about: Keeping adults safe

This is in part 12 of the consultation paper

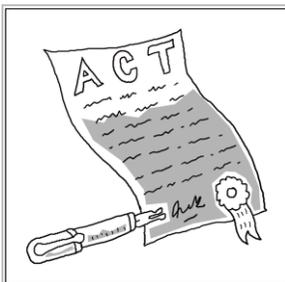


Let's tell the council they must find out if a person is being treated badly.



Maybe there should be a special group of people working on every council to keep adults safe. Let's make sure the special group of people are very important.

Let's say every local council must have a group like this.



The local council have the power to move a person from where they live. The council can move the person somewhere safe, like a hospital.

The law or rule that allows this is called **Section 47 of the National Assistance Act 1948**. We are worried about this rule. We think this rule should be thrown away.

### Ideas: about planning

This is in section 13 of the consultation paper



There is a list of disabled people called the **disabled persons register**. We think the register should be thrown away. But maybe blind people find the register useful.

## Tell us what you think.



We are the Law Commission. Please tell us your thoughts and ideas about social care for adults. Or set up a meeting with us and your group. You can also ask us for more information. These are the ways you can contact us.

This is our address for writing letters:



Law Commission  
Steel House  
11 Tothill Street  
London  
SW1H 9LJ

Our telephone number is: 02033340200

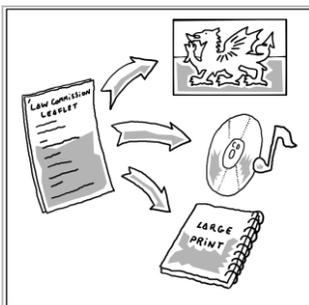
Our Website address is:

[www.lawcom.gov.uk/adult\\_social\\_care.htm](http://www.lawcom.gov.uk/adult_social_care.htm)

Our email address is:

[adultsocialcare@lawcomission.gsi.gov.uk](mailto:adultsocialcare@lawcomission.gsi.gov.uk)

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You can get this leaflet in audio to listen to. Or in Welsh or Large Print. If you want any of these you can ask the Law Commission.