

## Did you know you that you are entitled to a needs assessment appropriate to your needs, undertaken by a person knowledgeable in Autism and how it impacts on people?

### THE LAW

If you have autism, there are laws in place to help protect you. They are:

- + The Autism Act 2009
- + The Autism Strategy – ‘Think Autism’
- + The statutory guidance by the Department of Health in supporting the fulfilling of the Autism Strategy
- + The Care Act 2014 – the duty to promote wellbeing
- + The Equality Act 2010 – the duty to make reasonable adjustments
- + The Care and Support (Assessment) Regulations 2014
- + The Human Rights Act 8 – The Right to Family Life, including opportunities for social engagement and a life in the community
- + The Health and Social Care Act 2012 says that the Secretary of State must have regard to the quality of standards prepared by NICE (the National Institute for Health and Care Excellence)

### NEEDS ASSESSMENTS

There are number of duties under the Care Act which MUST be carried out by all local authorities and the NHS: They are:

#### THE DUTY TO ASSESS

- + You have the right to an assessment of need.
- + This duty applies to people with autism and includes people who may not have a formal diagnosis of autism.
- + The assessment should be carried out by trained practitioners.
- + Assessment for eligibility for care services cannot be denied on the grounds of a person’s IQ.
- + An assessment should be carried out without the support you currently receive. It needs to look at how you function without any help at all.

**Have you received an assessment?**

Yes  No

**Is it in an ‘easy-read’ format?**

Yes  No

#### THE DUTY TO INCLUDE

- + An assessment template should be sent in advance to give time to adequately prepare and understand the questions being asked and why they are being asked.

**Have you received a copy of the assessment in advance?**

Yes  No

#### THE DUTY TO INVOLVE

- + Sufficient time and planning should be provided to you to ensure that all the important people to you can be invited.
- + This ensures that those people who important to you are included in their care planning.

**Has enough time been given for you to prepare?**

Yes  No

**Were you able to invite people who are important to you?**

Yes  No

#### THE DUTY TO ADDRESS RELATIONSHIPS AND UNDERSTANDING

- + The assessor has a good knowledge and relationship with you, and adapt any language or communication style.
- + It is not acceptable for an assessor with no working knowledge of you to be able to make judgements and assessments of need based on one meeting.
- + A relationship needs to be developed and maintained over an ongoing period of time to ensure that they understand there is a fluctuation of need over time and there is an open and honest dialogue between you both.

**Do you feel the assessor knows and understands you?**

Yes  No

## NEEDS ASSESSMENTS (continued)

### THE DUTY TO ADDRESS COMMUNICATION NEEDS

+ The assessor should communicate with you in a way that you want

**Is the assessor speaking to you in a way you understand?**    Yes     No

### THE DUTY TO PROVIDE AN INDEPENDENT ADVOCATE

+ An independent advocate should be organised when there is no one else to help support you at meetings.

**Do you need an advocate?**    Yes     No

**Has the council offered you one?**    Yes     No

### THE DUTY TO IDENTIFY OUTCOMES

+ The assessment should identify the outcomes you wish to achieve in your daily life, including help with employment.

**Has the assessor asked about what is important to you?**    Yes     No

### THE DUTY TO BE OPEN AND TRANSPARENT

+ Fee calculations should be clear and easy to understand with a detailed breakdown.

**Have they sent you a clear fee calculation?**    Yes     No

## POST ASSESSMENT

+ The local authority should send you a copy of the assessment for your records with a Care Plan which details what help you need.

+ This Care Plan should be reviewed after eight weeks to ensure that it is suitable for you.

+ Review of the needs assessment should be undertaken each year by the local authority

## THE ASSESSOR

**Does the person assessing you know you for longer than just one meeting? This is really important so they understand your varying needs over time.**

The Autism Strategy, Statutory Guidance and Regulation 5 of the Care and Support (Assessment) Regulations state:

+ that local authorities must ensure those in posts who have a direct impact on and make decisions about the lives of adults with autism (including, for example, psychiatrists and those conducting needs assessment) also have a demonstrable knowledge and skills.

The Care Act states local authorities must:

+ Ensure that any person carrying out a needs assessment under the Care Act 2014 has the skills, knowledge and competence to carry out the assessment in question and is appropriately trained. Where the assessor does not have experience in the condition, the local authority must ensure that a person with that expertise is consulted.

Name

Contact

Assessor

Local Authority

Please tick here to give us consent to use the information you have provided