

Adult social care appeals procedure

What happens when you appeal a decision made by adult social care.

Appealing a decision

You can appeal a decision by:

- contacting the worker who made, or informed you of, the decision we made, who will continue to work with you to try to resolve the issues

Who can appeal a decision?

Anyone who is affected by the adult social care decision can appeal against it.

If you prefer, you can ask someone to appeal the decision on your behalf. This could be a relative, friend, carer, doctor or someone independent who can speak for you.

What sort of decisions can be appealed?

Any decision that has been made by adult social care can be appealed. Examples include:

- eligibility under the Care Act (2014), including the intensity or type of support offered under the Care Act
- adaptations (including Major Adaptations / Disabled Facilities Grants) provided under the Housing Grants, Construction and Regeneration Act 1996 and / or Equipment provision provided under the Care Act 2014.
- mental capacity and best interest decisions made under the Mental Capacity Act (2005)

Are there decisions that cannot be appealed?

- decisions that have been made, and communicated to you, more than six weeks ago, cannot be appealed
- repeat appeals about the same decision
- Neither can we consider an appeal for a decision we have not made. As we work closely with other parts of the Local Authority and external agencies, it may appear that we have made a decision when the decision has not been

made by us. In these instances, we will advise you of where to address your concerns. Examples include:

- housing eligibility ○ financial assessments / debt waivers / charging appeals ○ deferred payments

How we deal with your appeal

The appeals procedure

- we will tell you within three working days that we have received your appeal. If you have given us your telephone number, we will call you to discuss how you would like us to proceed
- the member of staff who worked with you previously, and their manager, will arrange to meet with you to review the decision made
- Prior to that discussion the worker will contact you to ensure that all of the relevant information, you would like us to consider, is available
- you can provide this information in writing, in person, via telephone / video link or some other medium to the worker and manager
- someone else can accompany you if you would like to present this information in person, or they can present on your behalf
- we will give you a detailed answer in writing that explains how we looked into your appeal, what we found out and what we think should happen next

Making a complaint

If the appeals procedure has not been successful in resolving your issues, you have the right to make a complaint to the Local Government and Social Care Ombudsman.

The Ombudsman is independent from the Council and can investigate complaints about most Council services. You can contact them by:

Calling 0300 061 0614, or
Completing an online form at <https://www.lgo.org.uk/contact-us>.