

Choice Policy (2025)

Easy Read



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About this policy

Note: when this policy says 'we' it means Staffordshire County Council.



A **policy** is a set of rules or ways of working that make it clear to everyone what should be done and how.



The **Care Act 2014** is a law, made by the government telling local authorities how care and support should work.



This policy is about how people who can get care and support under the Care Act 2014 can have choice and control over their own care.



This policy is also about how we make sure people get care that is safe, fair and affordable.



To write this policy, we followed the Care Act 2014 and other laws and policies about care and support.



Who this policy is for



This policy is for anyone who can get care and support under the Care Act 2014 or support under **Section 117 of the Mental Health Act 1983**.



Section 117 of the Mental Health Act 1983 is about support for people who have been released from hospitals where they were sent because of their mental health.



This support is all about people not having to go back into hospital because of their mental health.



The right to have choice and control over your own care and support is for people:

- getting care and support for the first time
- already getting care and support from us at the County Council
- who used to pay for their own care but now need more help
- paying for their own care but wanting us to plan and set it up for them.



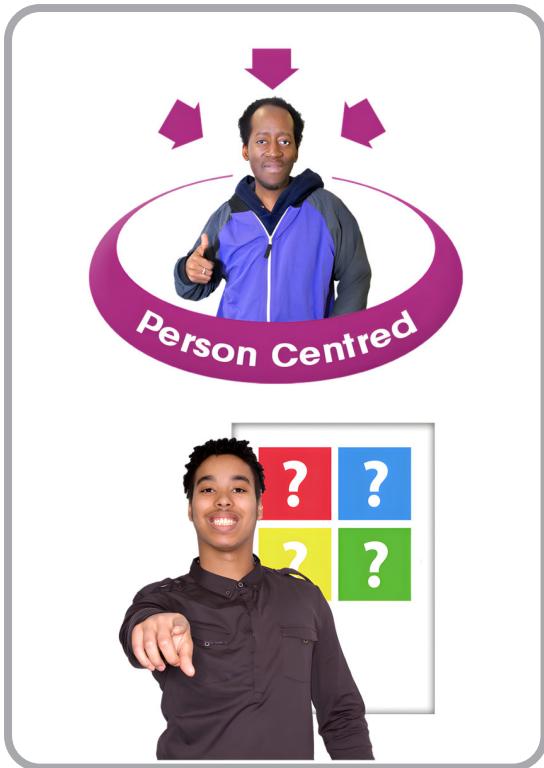
What we (the County Council) must do



The law says we must offer an assessment to anyone in our area (people in Staffordshire, but not in Stoke-on-Trent) who may need some care and support.



This assessment will check how much care and support, if any, a person needs. If they need care and support, we must offer it to them.



When we decide how to meet someone's care and support needs, we must:

- make sure care and support planning is person-centred
- think about the person's wellbeing
- listen to and think about the person's wishes and feelings
- offer the person choice and control over care and support
- help the person with what is important to them.



8 Key Principles (Big Ideas)



There are 8 Key Principles (Big Ideas) we will follow when making any decision for people needing care and support.



1. Being Fair and Consistent

We will make decisions that are fair and will make them in the same way for everyone.



2. Balanced

Decisions will be about making sure there is a balance between a person's choice and them having care and support that is safe, fair and affordable.



3. Value for Money

We will look at different options and choose one that meets a person's needs and is the best value for money.



4. Individual/Exceptional Needs

Everyone's needs will be looked at in an individual way and we will think about any exceptional or special circumstances or needs.



5. Clear and Understandable

All decisions will be clearly recorded and explained to the person, their family/carers or any other person looking after their interests.



6. Involving the Person

The person, family/carers or any other person looking after their interests will be involved in decisions and planning care and support.



Respect for private
and family life

7. Respecting Human Rights

All decisions will include how a person's care and support will affect their human right to respect for their private and family life.



8. The Equality Act 2010

Decisions will take into account **protected characteristics** under this law. These are things about a person they cannot be treated unfairly for. They include age, disability, race and religion.



Care and Support Planning



A person's Care and Support Plan will have information on:

- their care and support needs based on their assessment
- which of their needs we will meet
- how these needs will be met
- how much funding (money) there is for a **Personal Budget**
- what can be done to help the person in future so they don't need as much support.



The Care and Support Plan is about meeting a person's needs, including their feelings and wishes. If someone can't be fully involved in this, we will still follow the 8 Key Principles (Big Ideas).



Personal Budgets

Note: you cannot have Direct Payments for care home services, but you can have a Direct Payment for respite (short breaks).



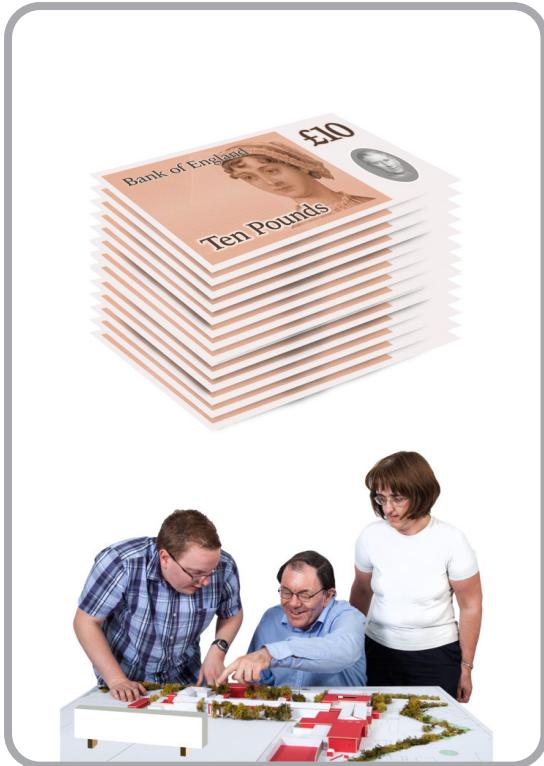
A person's care and support needs have to be paid for. By having a Personal Budget, it is clear what the money is for.



People can choose full control over their Personal Budget by having a Direct Payment where the money is sent to them. Or they can choose for us to run their Personal Budget for them.



Personal Budgets are an important part of care and support planning that can give people more choice and control.



A Personal Budget will clearly explain:

- how much we will pay
- how much (if anything) the person will have to pay
- who decides how the money is spent
- how much choice and control the person will have over their care and support.



We will set an **Indicative Personal Budget** at the start of care and support planning. This is based on their assessment, and what is good value for money.



If someone needs care and support in the community or at home, this Indicative Personal Budget is based on how many hours of care and support they need each day or week.



If someone needs to go into a residential care or nursing home this Indicative Personal Budget will be based on how much money a home would usually cost in that area.



The Indicative Personal Budget is just the starting point and the amount of money may change as we go through the planning with the person.

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When setting a final Personal Budget we will involve the person and think about the 8 Key Principles (see pages 7, 8 and 9 for more information).



Choosing your care



We will look at different options to help people be as independent as they can, for as long as they can.



This could mean a person moving into a care home, or a supported living or extra care placement. It could also mean getting care and support to stay in their own home.



If someone needs to move home to get the right care and support, they have the right to choose where they live and/or who provides their support and care.



This right is theirs as long as:

- their care and support plan says this is the right kind of home for them
- it meets their needs
- there is a place available for them
- the provider/owner of the home agrees to work to our rules
- the person (or someone else) pays the difference if their choice costs more than the Personal Budget.



Personal Budgets and Care Homes

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If a person's assessment says they need to move into a care home, we will use the 8 Key Principles (Big Ideas) to work out the best placement for them.



If someone needs nursing care, they may need the NHS to assess their needs and pay for some of their care.



We will find a care home that meets a person's needs and is value for money (cost-effective).



The care home we find would normally be a reasonable distance (within 20 miles) of where the person lives now.



The most cost-effective care home will do their own assessment of the person's needs.



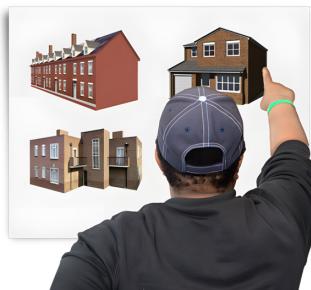
If the care home can give them the right care and support, the cost of the placement will set the Personal Budget.



Other care homes will also do an assessment if the person wants them too. But the Personal Budget will be set at the most cost-effective home that can meet the person's needs.



If the care home cannot meet the person's needs after their assessment, we will look for another care home that can.



This may be one of the person's other choices or a different home.



The person might refuse to have an assessment made by the care home.



If they do, the cost of the most cost-effective placement that can meet the person's needs need will still be used to set their Personal Budget.

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The 8 Key Principles (Big Ideas) will help us work out the best placement and the right Personal Budget for them.



See pages 7, 8 and 9 for more details about the 8 Key Principles (Big Ideas)



The person can find their own care home if they want to but if it costs more than their Personal Budget, they need to pay the extra money. This is called a **Top-up payment**.



If someone finds their own care home, it still has to meet their assessed needs, be good quality and the home must agree to the council's contract.



If someone is paying for their own care home placement and their money runs out, we will find a care home that meets their needs and is value for money.



The person can stay in their care home if they want to but if it costs more than their Personal Budget, they need to pay the extra money as a Top-up payment.



People can find their own respite (short stays) in a care home, or choose to move to a different care home, but if this costs more than their Personal Budget, they have to use a Top-up payment.



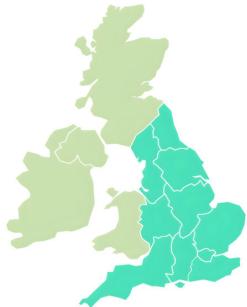
If someone wants a loan from the county council to pay for their care home placement, they need to sign a **Deferred Payment Agreement** with us.



A Deferred Payment Agreement means a person can use the value of their home or property to pay for care and support costs and we can get the money back later.



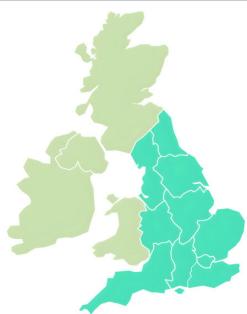
All Top-up payments and Deferred Payment Agreements must be agreed with us before anyone goes to a new care home placement.



Distance and Care



If we are organising a care home placement, it should be a **reasonable distance** from where the person lives now.



A reasonable distance would normally be up to 20 miles from where someone lives but we will look further away if the person's needs can't be met closer to home.



Care in your own home or in the community



If a person is assessed as needing care and support but wants to stay in their own home we will work with them to try and make this happen.



We will look at the person's strengths, help from friends and family and what support there is in their local community.



We have set prices for council-funded care and support at home. These prices are based on how much it costs per hour for us to provide this care and support.



If someone gets care and support at home from us, their Indicative Personal Budget will be based on how many hours they need and how much it costs us.



We will find care and support at home from a care provider if the person's assessments says they need it. The Personal Budget will be based on the number of hours and cost for each hour.



We will think about the 8 Key Principles (Big Ideas) before setting the final Personal Budget for care and support at home.



People can choose for us to find and arrange care and support for them, or they can have a Direct Payment of the Personal Budget and do it for themselves.



If we are arranging care and support, we will look at providers we usually work with first.



The person will be given a choice of all the options that meet their needs.



We will make it clear which options (if any) cost more than the Personal Budget. If someone chooses one of these options, they will have to make a Top-up payment.



If someone is arranging their own care and support and they choose an option or provider that costs more than their Personal Budget, they will have to make a Top-up payment.



If someone wants to stay in their own home when their assessment says they need to be in a care home, they may have to make a Top-up payment.



People who can't make a choice



If someone can't make their own choices, we will listen to the views of people who care for them or support them. These could be an advocate, family or a legal guardian.



We will treat these views the same as if they were from the person unless we think these views aren't in the person's **best interests**.



Best interests are a set of rules on working out what is best for a person. We would have to explain any decision we make using best interests.



What happens if someone refuses their Personal Budget?



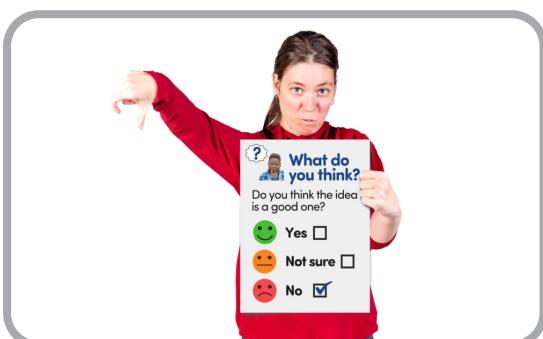
If someone refuses to choose any of the options for care and support that can be afforded with their Personal Budget, they will have to make a complaint.



If the problem is still not sorted after a complaint, we can say we have done everything we can to meet the person's needs.



We will have to write to the person to tell them they will have to find and pay for their own care and support.



In some cases somebody might want to stay in a care home or use a service that costs more than their Personal Budget.



We will pay the home or care provider the amount in the Personal Budget, but the person, or someone else would have to pay the rest of the cost of their placement or care to the provider.



Complaints and reviewing this policy



If someone is unhappy with how they, or someone they know has been treated by us they have the right to make a complaint.



All complaints should be made using Staffordshire County Council's complaints procedure (rules).



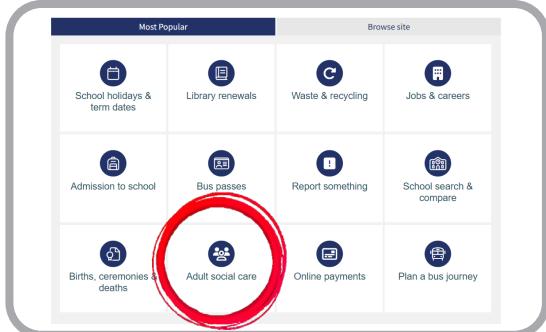
If someone is still unhappy after going through the complaints procedure, they can contact the Local Government and Social Care Ombudsman. Find out more at: www.lgo.org.uk



This policy will be reviewed and checked on, especially if the Government make any changes to the law that might affect it.



Contacts, credits and information



You can find more information about care and support at our website.

Go to www.staffordshire.gov.uk and click on the button for Adult Social Care.



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