

This resource explains when, in the assessment and care planning process, an advocate should be used

Local authorities must involve people in decisions being made about their care and support. At every stage of the care and support process, from first contact and assessment all the way through to the implementation of the care plan, and any subsequent reviews or investigations, your views and wishes should be sought from all the professionals involved. It is important that your feelings, wishes, decisions and preferences are listened to and taken into account.

If you have substantial difficulty being involved in any element of the assessment or care planning process, you should have an appropriate person appointed to support you. If there is no appropriate person involved, an Independent Advocate should be appointed.

You should have support from an appointed appropriate person or Independent Advocate if you have substantial difficulty being involved in one or more of the following processes (Substantial difficulty means that you would experience substantial difficulty in understanding, retaining or using information given, or in communicating your views, wishes or feelings):

- A needs assessment
- A carer's assessment
- The preparation of a care and support or support plan
- A review of a care and support or support plan
- A transition assessment
- A safeguarding enquiry
- A safeguarding adult review

The duties of a local authority to make sure that an independent advocate is appointed apply to adults, children about to transition to adulthood, and carers assessments (Statutory Guidance 7.5).

The need for an advocate may be raised by you, the person at the heart of the care and support planning, by a carer, family member or the local authority themselves.

For more information about this resource, please contact the Learning Disability Helpline.

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[Contact the Helpline](#)

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