

About this guide

This guide tells you what you can do if you do not agree with a decision made about your adult social care and support, by one of the following adult social care panels:

- Extra Care Panel;
- Supported Housing Panel



It tells you about:

- What is an appeal;
- What to do if you want to make an appeal; and
- How we manage appeals.

If there is anything in this guidance that you do not understand, please speak to your health or social care worker using the contact details provided at the end of the guide.

Redcar & Cleveland Borough Council
Adult Social Care

Public Guidance

This is your guide to
Making an appeal about an Adult Social Care Panel Decision

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Helping you through the process

We understand that sometimes it is difficult to make an appeal about a decision you have received. You can have someone to help you through the process - this could be a family member, a friend, or an independent advocate. If you want an independent advocate to support you through the process and you do not want to organise it yourself, you can ask your social care worker to arrange one for you.

1. What is an appeal?

We define an appeal as: “When someone tells us, they do not agree with a decision made about their care and support, by an adult social care panel.”

2. Who can make an appeal?

You can make an appeal if you are not happy with a panel decision we have made about your care and support. Or, you can make an appeal on behalf of another person, but we will need their consent (or a copy of a legal document for example a Power of Attorney) before we can provide a response to your appeal.

If you are making an appeal on behalf of someone who is deemed to ‘not have capacity’ as defined by the Mental Capacity Act 2005, we will need to consider if you are acting in that person’s best interest before the appeal is investigated.

3. Making an appeal

The first thing you should do is speak to your social care worker. They will request the relevant panel reconsider their decision and advise you of the revised panel decision.

If you do not accept the panel’s revised decision, you should contact us in writing to make an appeal. You will need to tell us:

- what it is you are not happy with;
- why you are not happy; and
- what you would like us to change.

You must contact us to make an appeal within 12 months of the panel decision. After 12 months, we may not be able to investigate your appeal.

If you wish to make an appeal in relation to Continuing Health Care (CHC) you can do so by contacting the Tees Valley Clinical Commissioning Group at <https://teesvalleyccg.nhs.uk/our-work/continuing-healthcare/>. Appeals in relation to CHC cannot be considered under the Redcar and Cleveland Borough Council Adult Social Care appeals process.

4. What happens when I make an appeal?

Your appeal will be considered by the panel chairperson to ensure it meets the eligibility criteria before being allocated to an Adult Social Care senior manager. They will contact you discuss your appeal and explain to you what will happen as part of the investigation. We will aim to deal with your appeal within 20 working days.

The manager will keep in touch with you during the investigation and write to you once their investigation is complete to tell you the outcome. Their decision is final and there is no further right of appeal.

Contact Details Adult Social Care

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Relay UK (for deaf, hard-of-hearing, and speech impaired people)

Office hours: Monday to Thursday: 8.30 am - 5.00 pm and Friday: 8.30 am - 4.30 pm.

If you need help in emergency when our offices are closed, you can contact the Emergency Duty Team: 01642 524552.

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