

Legal Literacy for Adult Social Care

Maximum number of delegates: 20

Duration: A full day programme

Target Audience: Social workers, social care assessors, OTs, BIAs, AMHPs and Managers

Learning Outcomes:

- Be aware of the main legislation relevant to adult social care and where to find key information
- Understand the role of primary legislation, regulations, statutory guidance and best practice guidance in adult social care practice
- Develop a clear understanding of the differences between duties and powers and between law, guidance and policy.
- Understand the source and limits of the main legal duties and powers relevant to adult social care
- Be able to identify the main legal duties under the Care Act
- Be able to identify other important powers, principles and duties relevant to adult social care
- Be aware of the main legal issues which can arise when working with other agencies and how to navigate them lawfully

Know the key principles to follow to make defensible decisions in adult social care

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Session Plan

09.30-11.00

Housekeeping and Introductions

Session 1a: How the legal framework works

Small group discussion of extracts from relevant statutory guidance

Session 1b: Overview of the main legislation relevant to Adult Social Care: Mental Capacity Act, Mental Health Act, Care Act and Human Rights Act.

11.00-11.15 Comfort break

11.15-12.30

Session 2: The key Care Act duties, including:

- Care Act assessment (including special groups e.g. dual sensory impairment) and eligibility
- Personal Budgets and Care Planning – main duties
- The relevance of Ordinary Residence
- The Safeguarding Enquiry Duty
- The Advocacy Duties

Q&A

12.30-13.15 Lunch break

13.15-14.45

Session 3: Outline of other important powers, principles and duties, including

- Mental Capacity Act basics (and myths)
- Mental Health Act – detention and community options
- Absolute and contingent human rights – particularly right to life (Article 2), right to freedom from inhuman or degrading treatment (Article 3), right to liberty (Article 5), right to due process (Article 6) & right to respect for home, family life and privacy (Article 8)

Quiz

14.45-15.00 Comfort break

15.00-16.30

Session 4: Working with other agencies and making defensible decisions

- Co-operation duties and accountability
- Information sharing and confidentiality
- How to make a defensible decision

Small group application to multi-agency decision-making scenarios

About the Trainer:

Yo Dunn is an experienced and well-reviewed trainer and speaker who develops and runs bespoke training on autism and the legal framework of social care. She is passionate about improving understanding of public law amongst practitioners. She develops and runs lively and comprehensible training on the legal framework governing social care. Topic coverage includes legal updates and general courses on: Mental Capacity Act; DOLS; Care Act Assessment & Eligibility; Person-Centred Care Planning (Care Act); Carers (Care Act); Advocacy, Advice and Information; Ordinary Residence; Charging and Finance; Commissioning; Transition, Children and SEND; and Safeguarding. Her training is always highly evaluated.