



Shared Lives Panel Good Practice Guidance

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1. Context

This guidance was originally produced in November 2006 to bring together and expand upon three separate sets of guidelines for approval panels set out in Annex 6 of the National Minimum Standards (NMS) for Adult Placement Schemes 2004, the NAAPS model Policy and Procedure for Approval Panels and Section 6 of Learning the Ropes (The Adult Placement Panel).

The document set out to provide comprehensive guidance on approval panel processes that would enable Shared Lives Schemes in England to meet the NMS and provide Schemes in other countries of the UK with a useful framework for good practice. The Guidance also referenced to the Common Induction Standards for Care which Shared Lives Carers are required to meet in England and Wales.

Understanding about the role and function of panels has developed since the publication of this guidance. This revised version takes into account new learning and gives additional guidance about situations where de-approval is a consideration.

The term 'adult placement' was replaced by the term 'shared lives' in April 2008. The new term has been used throughout this document except where existing legislation is cited in which case the original term of 'adult placement' has been used.

2. Introduction

Shared Lives Panels play a key role in the approval of Shared Lives Carers. They also have an important role in quality assuring the assessment process – monitoring and reviewing the work of assessors; providing feedback; identifying problems; and ensuring that there is consistency of approach across the service, that the approach is fair to all applicants and it has been completed in a thorough and rigorous way.

Each Shared Lives Scheme should have a Panel. The Panel is a group of interested and experienced people, appointed by the Scheme, but operating independently of that Scheme. This panel considers assessments of new Shared Lives Carer applicants and advises on decisions about their approval. The Panel also advises on decisions about the ongoing approval of existing Shared Lives Carers.

Regulators in England, Wales, Northern Ireland and Scotland play a role in ensuring that Shared Lives Schemes are effective and work to an agreed standard, thereby ensuring the quality and safety of individual Shared Lives arrangements. Each of the four regulators works to slightly different regulations and standards but have broadly the same approach to Panels. This Guidance represents NAAPS view of best practice and is compliant with regulation in all four countries of the UK.

3. The role and responsibilities of Panel

The Shared Lives Panel has a key role in advising the Scheme on approval of new Carers and the continuing approval of existing Carers. The Scheme Manager retains accountability for those decisions but is required to seek the advice of the Panel and to take full account of that advice in deciding whether a Carer should be newly or remain approved. This is a complex arrangement and in order for it to work effectively both the Scheme and the Panel must be clear about each other's role and responsibilities. The Panel must have skilled and experienced members able to make recommendations

based on the careful consideration of the evidence put before them. Panel members must understand the importance of their role and have the knowledge and skills to fulfil this. Scheme managers and workers need to ensure that the Panel has all the information and support that it needs to carry out its task effectively. The Panel must be able to make recommendations without interference or undue influence from the Scheme.

The Scheme Manager must have confidence in the Panel and be prepared to act on its advice. At the same time the prospective carers must have the confidence that all the evidence will be considered carefully by the Panel and all recommendations made as a result will be objective and fair.

Scheme decisions about Carer approval are decisions about access (or otherwise) to work. Neither the Panel nor the Scheme is subject to employment law as Shared Lives carers are self employed. Some decisions made following consideration by the Panel could however be subject to appeal or challenge. It is therefore vital that Panel advice is evidence based and legally justifiable if challenged at a later date.

4. Carer Assessment

People who wish to become Shared Lives Carers are taken through an assessment process by an allocated worker from the Shared Lives Scheme. The allocated worker is known as the assessor. This worker spends time with the applicant explaining the process and giving them information about what it is like to work as a Shared Lives Carer. Their approach should be safe, objective and professional, enabling the applicant to share personal information and recognise and develop their knowledge and skills.

The assessment process is lengthy and comprehensive and explores the person's motivation for becoming a Shared Lives Carer and what they can offer a service user. It also includes all the checks and references needed as part of ensuring that the person will provide safe support to service users. Finally the assessment considers the applicant's knowledge and skills and gives the opportunity for them to learn and develop these as they work through the assessment process.

The assessment process results in a written assessment report or pack produced by the assessor. This report is presented to the Panel who advises on whether the potential carers should be approved to work with the Scheme.

5. Counselling out applicants during assessment

On occasions the assessor may recognise at an early stage in the assessment that the applicant is unsuitable or that there are significant concerns about the applicant, their home or circumstances which may prevent their approval.

Schemes should have a clear policy, made available to prospective carers, which outlines the action the Scheme will take in this event. This policy should strike a balance between ensuring that time and resources are not wasted in continuing to assess people who are clearly unsuitable and ensuring that the assessor does not unilaterally make a decision about unsuitability without providing an opportunity for the Panel to consider the applicants fitness to be a Carer.

On occasions a potential Carer and their Scheme assessor may have differing views about lifestyle or values. If this situation is not acknowledged and carefully managed it could lead

to the assessor making a subjective judgement that the potential Carer is not suitable that is not supported by objective evidence. The Scheme policy should ensure that it addresses the potential for personal clashes and where possible offers the carer an alternative person to continue their assessment.

Where the assessor is clear at an early stage in the assessment that the applicant is unlikely to meet approval requirements s/he would usually discuss these concerns with the person, giving clear evidence for the opinion and informing the person that it may not be in their best interests for the assessment to continue. When faced with clear evidence of this, prospective carers will normally decide not to proceed with the assessment. This process is often referred to as “counselling out”.

Unusually, the applicant may decide to proceed with their assessment even after being given evidence of their unsuitability and informed that they are unlikely to gain approval. In this instance the assessor should be clear with the applicant that while the assessment will proceed and the assessment report written, the report is likely to contain evidence supporting a recommendation not to approve. The assessment report should be presented to the Panel as normal who will give their independent view and recommendation about approval of the applicant.

The Shared Lives Scheme must have an assessment process that generates evidence of the Carer’s suitability for the role. This evidence can be used by the Scheme to demonstrate objectively to the prospective carer why the Scheme does not feel the carer is suitable. If Schemes have a more subjective approach to assessment which does not rely on clear evidence they may find it difficult to justify the final decision they make if it is challenged at a later date.

There may be situations where negative references or a positive CRB check give clear documentary evidence that an applicant is not suitable e.g. if a CRB check highlights that a potential carer has a conviction for a serious offence against a vulnerable person. In this instance it should be possible for the Scheme to end the assessment process, informing the carer of the evidence of their unsuitability. Schemes may wish to ask the Panel’s advice about this decision in order to gain an independent view.

6. Carer Review

Every approved Shared Lives Carer should have an allocated Shared Lives Worker who is employed by a Shared Lives Scheme. The Shared Lives Worker is responsible for giving the Shared Lives Carer and other household members the support that they need and also for monitoring their work.

The Shared Lives Worker is also responsible for working with the Carer to review the Carer’s work every year, giving them advice, support, feedback and the opportunity to identify and plan to meet any learning and development needs. The Shared Lives Carer may use the review to request a change in their approval status. The review also gives the Shared Lives Carer the opportunity to comment upon the support and learning offered by the Scheme and make suggestions for any improvement.

Occasionally, in addition to the annual Shared Lives Carer review, a review is held because of a significant change in the Shared Lives Carer’s circumstances, because there are concerns about their knowledge and skills or because an allegation against the Shared Lives Carer has been made and investigated.

In all cases the review process results in a written report giving clear evidence of the Carer's successes and challenges. In most cases the report will be jointly agreed between the Scheme and the Shared Lives Carer. Where the Carer does not agree with the conclusions they will be invited to submit a separate response which will be included in the report.

The review report only needs to be presented to the Panel where the Shared Lives Carer and/or Scheme is seeking a change in approval status or where circumstances, concerns about knowledge and skills or an upheld allegation affect the continuing approval of the Shared Lives Carer,

It is not necessary to present all review reports to the Panel but good practice would suggest that a summary report highlighting good news stories could be submitted on an annual basis.

7. Panel Composition

The Shared Lives Scheme is responsible for establishing the Panel and must ensure that their Panel has a Panel Chair. The Panel Chair should have the necessary skills and experience and should ideally be independent of the organisation or, where this is not possible, should be a senior member of the organisation with no responsibility for managing anyone involved in the line management chain for Shared Lives assessors.

The Scheme should also ensure that the Panel has a Vice Chair or identifies someone who will be willing and able to take on the role of chair if the Chair is unable to do so. The Vice Chair should have the same level of independence as the Chair.

Schemes should ensure that their Panel is made up primarily of people who are independent of the Scheme. Panel members drawn from the Shared Lives Scheme or its parent organisation should not be involved (either as a worker or a manager) in the assessment of prospective Carers. Therefore people who are employed by the Scheme or organisation can only be Panel Members as long as they are remote from anyone involved with the assessment process and are not responsible for the management of anyone who carries out assessments. People employed by the Scheme or organisation should always be in a minority in any Panel meeting.

The Panel composition should, where possible, reflect the community served by the Scheme, offering a balance of interests, skills, backgrounds and an even gender balance of its members.

The Panel should include people with experience as a Shared Lives Carer and people who have used services but not those currently working for or supported by the Scheme. People who have stayed with Shared Lives' Carers in the past or with Shared Lives Carers who live out of the area served by the Scheme would make good Panel members. . If Shared Lives service users are not available the Scheme could choose to invite people who use services other than Shared Lives. Shared Lives Carers selected to be Panel members should have no current connection with the Scheme eg they should be ex Shared Lives Carers or Shared Lives Carers from another Scheme.

In considering the overall composition of the Panel and the identity of the Panel Chair the Scheme Manager should take account of the way in which the Panel and its members will

be seen by prospective Carers and others. Whilst the Scheme Manager may be clear that a Panel Member or Chair is not connected with the Scheme or the assessment process this independence may be less clear to outsiders looking in. This is especially true if Panel members or the Chair work for the organisation or authority in any capacity. Prospective carers and stakeholders should have confidence in the independence and credibility of the Panel and this image (as much as reality) should be given high priority by the Scheme when making decisions about Panel composition.

There are good examples of Schemes or authorities who have joined together in a consortium to set up and manage a shared Panel. This ensures the Panel is independent of any one Scheme, gives more opportunities for service users and carers to become involved and can assure the quality and consistency of panel decisions across an area or whole region.

Schemes should appoint an adviser to the Panel. The advisor should have a full understanding of the way in which the Scheme operates, the legislative framework within which the Scheme works and with the knowledge to answer any questions that Panel members might ask. Their role is to answer questions from Panel members and provide clarification about Scheme policy, procedures and processes but they cannot participate in Panel decision making. In practice the Panel Adviser will usually be the manager of the Shared Lives Scheme or an experienced and senior Scheme Worker.

To summarise:

Panel should include
A Panel Chair who is totally independent of the assessment process
A Vice Chair or someone who is able to undertake the role of chair when the Chair themselves is not available
One or more Shared Lives Carers who are no longer connected to the Scheme or are connected to a different Scheme
Users of care and support services
A balance of skills, interests and backgrounds amongst the Panel Members
A balance of gender amongst the Panel Members
A majority of Panel Members who are not connected with the Scheme in any way
A Panel Adviser who works for the Scheme

Panel could include
People who work for the Scheme or authority who are totally independent of the assessment process
One or more Shared Lives service users who are no longer connected to the Scheme or are connected to a different Scheme
People who have a family member who uses services
People who work for care services who are not connected to the Scheme
People who work for voluntary or other organisations who are not connected with the Scheme
Councillors or elected officials
People with a legitimate interest in care services and Shared Lives, who would have something to offer
Board members or Trustees of the organisation

8. Panel numbers

Schemes must determine in advance the minimum number of people on each Panel that it will accept as being quorate. Good practice suggests that this should be a minimum of four people with many Schemes setting a minimum of five or more panel members. This number should not include the Panel Adviser who is not a member of the Panel. Having more than four Panel members ensures that many different views and experiences can contribute to the discussion and that the responsibility for any advice is shared between a larger group.

If the Panel is inducting new members or has members that are not yet confident in their role it should temporarily increase the number it requires to be quorate until the new member has gained skills and confidence.

If a Panel has too many members discussion becomes protracted, arriving at agreement can become unwieldy and Panel meetings lengthy and potentially unproductive. Schemes should therefore define in advance the maximum number of members on each Panel. Good practice suggests that this would be 6 or 7 people.

A Joint Panel that is working with more than one Scheme is likely to look at approvals and reviews from a larger number of Carers. The minimum number of Panel Members required is likely to be larger than for panels serving a single Scheme.

Some Schemes choose to recruit a large number of Panel members eg 10 or more but require each member to attend only a proportion of the Panel meetings each year. This does reduce the burden on individual panel members but may lead to inconsistency in panel advice giving.

9. Appointment of Panel Members

All Panel Members should be recruited and selected using a transparent, fair and equitable process set down by the Scheme. Sample person specifications for chair and members of Approval Panels are attached as Appendix B.

The Scheme should take up checks and references on prospective Panel members, including a minimum of a standard Criminal Records Bureau (CRB) check.

Panel Members should go through an induction process to ensure that they fully understand the sensitive nature of panel information and the importance of Panel in the support and protection of service users. They should also understand the importance of basing decisions on evidence of Shared Lives Carer skills and knowledge and the action they should take if they not satisfied with panel procedures or advice.

This induction need not be delivered through a lengthy training course which can be time consuming for everyone, expensive and difficult to run for small numbers of people. Schemes could produce an induction/information pack for Panel members and this could be followed up with short learning sessions with the Panel Adviser and/or Panel Chair. It is good practice for new Panel members to attend one or two Panel meetings as an observer before engaging as a full member. Acting as an observer will give the new Panel member the opportunity to see and understand the actions of more experienced Panel members and ask questions to enable them to gain a fuller understanding of their Panel role. If new Panel members are acting as observers the Panel Chair or Adviser may need to make

clear to them that they cannot be party to any recommendations made by the Panel.

Panel Members should receive written information about the Scheme, Scheme processes, their role as a Panel member, code of practice and expected conduct.

Panel Members should be appointed for a fixed period (usually 3 years) and should complete a probationary period before they are fully confirmed in post. The Scheme should make the length of their appointment clear to new Panel members.

Smaller Shared Lives Schemes may not have many assessment and review reports to consider and as a result may not convene their Panel very regularly. In this situation it may be appropriate for the recommended 3 year tenure for each Panel member to be extended to meet local need. If the Shared Lives Scheme chooses to extend the tenure of Panel members they should ensure that the Panel's practice is regularly reviewed to make sure it does not become too comfortable and inward looking.

10. Resignation and removal of Panel Members

The Scheme should ensure that Panel Members understand the notice period expected should they decide to resign from their role. This information should be given to new Panel Members as part of their induction.

If concerns are expressed about a Panel Member, these should be discussed in the first instance with the Panel Chair. If the Chair is unable to resolve these concerns, the Chair should discuss them with the Shared Lives Scheme Manager and an action plan to address those concerns agreed. If the concern is about the Panel Chair then the Scheme Manager will need to address this in conjunction with his/her own line manager or a senior member of the organisation.

The ultimate sanction against a Panel Member is removal of their membership of the Panel. A procedure that outlines who can take this decision, how it is communicated to the Panel Member and the appeals process should be agreed by the organisation or Scheme when the panel is established. This procedure should be made clear to new Panel Members at induction.

11. Frequency of meetings

The Panel should meet regularly to consider assessments of prospective carers and where appropriate reviews of existing carers.

Some Schemes schedule Panel meetings for each 12 month period in advance. Planning in advance and publicising the dates to Shared Lives assessors and Panel members allows Panel Members to manage their diary and other commitments and will maximise panel attendance.

The frequency of Panel meetings will be determined by the 'busyness' of the Scheme and the number of reports that the Scheme needs Panel to consider taking into account guidance on the length of panel meetings (see section 13).

12. Before the Panel meeting

Panel Members should receive written reports for each Carer being presented well in

advance of the Panel meeting. This gives Panel Members enough time to consider each report in depth and plan any questions or issues they wish to raise.

These written reports should be accompanied by minutes or notes from the previous Panel meeting and an agenda for the forthcoming Panel meeting.

If Panel notes are sent to Panel members through the post they should be sent by registered or recorded post in order to assure the confidentiality of the carers detailed in the assessments. They should be marked "private and confidential" and addressed to the named person. Some Schemes choose to send out Panel notes, Carer assessments and reviews by email. If Schemes use email they should assure themselves of the security and privacy of their system before doing so.

Where service users are included as Panel members they should be given an appropriate level of support in preparing for the panel meeting.

13. Duration of Panel meetings

Each Panel meeting should have an agreed maximum duration. Excessively long Panel meetings may make it difficult to recruit and retain Panel members and will inevitably lead to a reduction in the quality of Panel advice giving. Panel members are likely to give less attention to each individual assessment or review report if they are asked to consider large numbers at one meeting. Overlong periods of time allocated to the consideration of each report may result in laboured or long-winded discussion which detracts from the quality of advice giving.

For these reasons the maximum duration for a Panel Meeting should normally be no more than 2 or 3 hours. Each Carer assessment or review should be given a notional allocated time for discussion and decision (experience suggests 15 minutes per assessment and 10 minutes per review). The comparatively short period of time allocated for discussion and advice will help to ensure that panel members read the information sent to them in advance. It will also enable the Panel Chair to manage the meeting effectively and to cut short any discussion that is irrelevant. Clearly in complex cases the above timescales will be inappropriate and there may be occasions when a particular situation is the only business of the Panel.

14. Panel meetings

The Panel Chair will manage the panel meetings with administrative support from the Scheme as required and with advice from the Panel Adviser on request.

At the panel meeting the Shared Lives Worker who carried out the assessment or review should be available to present the report, answer questions and clarify issues. In some instances if the assessor is not available it may be possible for a colleague or representative to present the report to Panel in their stead. This can only be effective if the representative has a good understanding of the issues in the report and is able to answer questions.

Schemes should offer prospective or existing Shared Lives Carers the opportunity to be present at the panel meeting for the presentation of their assessment or review and (if they wish) to respond to any questions the Panel might have about the assessment/review report. Schemes should ensure that Shared Lives carers and applicants have time to think

through the advantages and disadvantages of being at the Panel meeting in person. Where Carers choose to attend the Panel meeting, Schemes should provide them with all the information and support that they need to use the opportunity well.

Where the Panel is considering an assessment or review report with a conclusion that is not supported by the applicant or the Shared Lives Carer, they should be offered the opportunity to attend the Panel meeting with a supporter or, in the case of an existing Shared Lives Carer, a representative (including if wished a legal representative). They should be given sufficient notice of the meeting in order to arrange this.

During the meeting Panel Members should be given the opportunity to ask questions and clarify issues based on the report they have read and any comments from the person presenting the report. Good practice would indicate that the Panel Chair should ask each Panel member in turn to share any questions that they may have before the assessor and applicant or Shared Lives carer comes into the meeting. The Panel Chair should then ask all of the questions gathered from Panel members directly of the Shared Lives assessor and/or Carer. This approach allows the Chair to filter any questions that may not be appropriate, avoid questions that are repetitious and allow the assessor and/or Carer to provide information without feeling pressured from all sides.

Information provided by referees and the CRB is usually confidential between the third party and the Shared Lives Scheme. It is not usual, or even practical given the amount of paperwork involved, for Shared Lives Schemes to show Panel members copies of references. The Assessment Summary Form in the NAAPS publication *'Learning the Ropes'* allows the Shared Lives assessor to make a note of each referee, when their reference was received and the general tone of the reference. In the majority of situations this should be enough information to enable Panel to give their advice. Some Schemes do choose to share certain references with Panel (for example employment or character references) as they believe this gives useful additional information. There might also be a request from Panel to see a copy of a reference where an issue has been highlighted or a potential difficulty raised. If Schemes do go down the route of sharing references on a routine or occasional basis with Panel they should always ensure that they have the permission of the potential Carer and the referee to do so.

The Panel will not be expected to make a recommendation when the assessment pack is not fully complete or references and checks are not available. In the light of this the Panel Chair should be given a clear mandate by the Shared Lives Scheme to reject any assessment or review report that is felt to contain insufficient evidence or information or to be of a poor standard.

15. Conflicts of interest

If Panel members already have an interest in or knowledge of a Carer they must declare this to the Panel Chair before the start of the Panel meeting.

The Panel member must agree with the Panel Chair and the rest of the Panel members whether their interest or knowledge will affect their objectivity and if necessary they must agree to withdraw from the Panel while the particular carer is discussed.

16. Approval of new Shared Lives Carers: Evidencing knowledge and skills

The primary role of the Panel is to assess the evidence of the Carer’s knowledge and skills and determine if this is sufficient for a new Carer to be approved.

The Knowledge and Skills sections of the carer assessment pack in the NAAPS publication *“Learning the Ropes”* set out in a series of ‘statements’ the NAAPS view of the knowledge and skills required by a Shared Lives Carer in order to carry out their work safely and well. These map to the 25 Knowledge and Skills Statements listed in Annex 5 of the English NMS, the Common Induction Standards (CIS), the Wales Induction Standards and the Learning Disability Qualification (LDQ). They also link to the regulations and standards for Shared Lives (in all four UK countries) that set out what a Shared Lives Carer needs to know and what they need to be able to do to be effective in their role.

Assessment reports will be written by the Shared Lives Worker about the applicant concerned. The evidence provided of the applicant’s knowledge and skills will be specific to the individual and reflect the particular applicant, their circumstances, motivations and experiences. Schemes should ensure that Panel Members understand the knowledge and skills required in order to be an effective carer. They should also ensure that Panel members are aware of different ways that these knowledge and skills can be evidenced. Examples of different types of evidence can be found in the guidance notes of Sections 4, 7 and 8 of the NAAPS publication *“Learning the Ropes”*.

Panel members must ensure that they look objectively at each carer assessment and consider each of the knowledge and skills statements. For each statement they should consider whether the Shared Lives Worker has provided them with sufficient evidence that the Carer has the knowledge and skills required.

The following example illustrates the quality of evidence necessary to enable objective decision making:

Evidence given for a knowledge and skills statement that would appear insufficient

Knowledge and skills statement Communicate effectively	
Assessor’s view of carer’s knowledge and skills in this area	Evidence the worker has to support this view
Mary is a strong communicator who does not find it difficult to express her opinions	During the pre approval training Mary asked lots of questions and made lots of comments
Mary can communicate well with both children and adults	Throughout the assessment Mary engaged with me in a really positive way. I have observed Mary when her grandchildren came to visit. Mary was very good with her youngest grandchild who is 15 months old.

Evidence given for the same knowledge and skills statement that would appear comprehensive (taken from guidance notes section four of *‘Learning the Ropes’*)

Knowledge and skills statement Communicate effectively	
Assessors view of carer's knowledge and skills in this area	Evidence the worker has to support this view
<p>Mary is a strong communicator who does not find it difficult to express her opinions</p>	<p>During the pre approval training Mary asked lots of questions. She worked well within the group and was very supportive of another group member who was nervous. At the end of the session she gave constructive feedback to the trainer by filling in the evaluation form in some depth.</p> <p>During the assessment I found Mary to be very open and willing to participate. She was able to tell me clearly her strengths and weaknesses and engage with me in a really positive way throughout.</p>
<p>Mary can communicate well with both children and adults</p>	<p>I have observed Mary when her grandchildren came to visit. The youngest is 15 months old and has limited speech. When the child became distressed and was unable to explain why, Mary patiently went through all possible problems until she had resolved the concern</p>
<p>Mary is an excellent listener who people come to when they have a problem</p>	<p>I spoke to Mary's friend Kath who told me she had been through a "messy divorce" recently. She said that Mary was very supportive and was a really good listener when she needed someone to talk to.</p> <p>Howard is one of Mary's personal referees. In his reference he stated that Mary got on well with people from all walks of life. He also stated that she was a good listener.</p>
<p>Mary would probably work well with a service user who did not use speech</p>	<p>In her "Day in the life" sheet Mary talks about visiting her elderly mum in a local nursing home. She explained that her mum has had a stroke and is difficult to understand. She talked about how she helped her mum to set up a photo album to help mum "talk" about her family to the staff at the home.</p>
<p>Mary is confident when meeting new people and soon puts them at their ease</p>	<p>Mary attended a carer's meeting to meet other carers in the area. After the meeting an experienced carer told me she thought</p>

	Mary would make an excellent addition to the group as she had contributed her views to the group in a constructive way.
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Evidence can be provided from a variety of sources and can include:

- Things the worker has observed
- Things the worker can evidence from talking to the carer(s)
- Photographs or pictures
- Evidence of relevant hobbies or interests
- Evidence of relevant community or social involvement
- Evidence of voluntary work or other experience
- Community network map
- Comments, feedback or compliments from service users or their representatives – where there is an existing link
- Notes or records of assessment meetings
- Training or learning successfully completed
- Tests or exams passed
- References either in writing or in person
- Day in the life sheet
- Personal profile
- Application form
- Comments, feedback or compliments from friends, family or contacts of the carer
- Comments or feedback from regulators
- Health and safety checklist

The prospective Shared Lives Carer can contribute to the generation of good evidence of their skills and knowledge by participating fully in the assessment process and in any required training and by:

- giving full and comprehensive answers to questions asked
- communicating answers confidently
- compiling an assessment portfolio which is well structured and clearly presented
- demonstrating a good understanding of the issues raised throughout the assessment
- demonstrating critical and analytical skills in relation to the role of the Shared Lives Carer
- demonstrating a critical awareness of how they can apply their knowledge & skills to the role as a direct care provider

17. Panel Recommendations

The Panel should be given a clear mandate by the Scheme setting out the recommendations that they can give when considering carer assessments and reviews and in what circumstances. The panel should ensure any recommendation given is in line with this Scheme mandate.

When considering the assessment of new applicants the Panel may recommend:

Recommended for Approval

This means that the Panel were satisfied that the evidence provided in the assessment pack fully demonstrates that the candidate has the skills, knowledge and experience to work as a Shared Lives Carer.

Recommended for Approval with Conditions

Many Schemes will choose to give their Panel the ability to recommend approval with conditions. Schemes who do this should give their Panel clear guidance so that all the advice they give is fair and equitable.

Conditions of approval could include the following:

- Limited number of people the carer can support
- Gender of service users
- Client group the carer can support eg older people
- Type of service the carer can support eg long term support
- Approval to support a named person or people

All conditions recommended by the Panel should arise from clear evidence submitted as part of the Carer assessment. The Panel and Scheme should be clear that **matching decisions are the role of the Scheme and not the role of the Panel.**

Any recommendation made by the Panel should be clear and specific and should detail exactly what level of approval is being recommended. eg *“approval to provide long term support to one person with a learning disability”*.

Not recommended for approval

This means the Panel Members have agreed that an applicant is not suitable or that checks and references have revealed something unsatisfactory. For new applicants and where the recommendation of the Panel is in line with the recommendation of the assessor then a recommendation not to approve cannot be challenged and the Scheme Manager will make his/her decision on the basis of that recommendation. . In other cases see paragraph 18 below.

Deferral

This means that Panel members were unable to reach a consensus. It may be that the assessment report was incomplete, references were insubstantial or equivocal or that it was felt that the applicant requires further training or experience to develop their knowledge and skills. In this case the situation should be explained fully to the applicant and a date agreed to present them to Panel again in the future. When an applicant is deferred the Scheme should work (where appropriate with the applicant) to meet panel recommendations.

18. Challenging a Panel Recommendation

The Scheme should have an agreed procedure to be followed should applicants wish to challenge a Panel recommendation not to approve. **A challenge is only possible where there is a disagreement between the recommendation of the assessor and the recommendation of the Panel.** This is because where the assessor has recommended in the Panel report that the applicant should not be approved; the Panel will have taken into account the applicant's view and any evidence that they have submitted in support of that view in making their decision.

A request to re-consider should be made in writing by the individual concerned within 10 working days of the Panel meeting. The request should outline the reasons that the applicant thinks that the decision was wrong and should include any additional evidence not submitted at the original Panel meeting.

The process for re-considering the recommendation should involve, wherever possible, the Panel that made the original recommendation. This gives the Panel an opportunity to review its original advice and if appropriate modify its recommendation. The Shared Lives Carer should be given the opportunity to be present at the Panel meeting with representation or support.

The decision of the Scheme following the final Panel recommendation should be given in writing no longer than 5 working days following the Panel meeting. A decision not to approve following a review of the original recommendation by the Panel should not be subject to any further appeal.

This process does not remove the right of the applicant to make a formal complaint about Panel processes using the organisation's complaints procedure or to take action on the ground of alleged discrimination.

19. Referral to Panel following Carer Review

When an existing Shared Lives Carer is referred back to panel as a result of a carer review, recommendations will be tailored to the specific circumstances of the carer and the reason why their review has been presented to panel will need to be given. They could, however, include recommendations to:

- Increase approval
- Decrease approval
- Defer approval because of insufficient information (in which case current approval status will remain until the review report is reconsidered)
- Make other changes in current approval
- Remove approval due to resignation, retirement or Scheme recommendation

20. Removal of Carer Approval

The Scheme is responsible for the approval of new Shared Lives Carers and the continuing approval of existing Carers and is therefore responsible for decisions about removal of Carer approval.

Carers are self employed and are responsible for their own livelihood. However, removing their approval in effect removes their ability to have future placements and denies them an opportunity to work. For this reason Panels and Schemes need to approach de-approval of Carers with fairness and equity.

Schemes should establish a policy and guidance for Carers and Panel that is clear about the circumstances under which Carers might face de approval. See Appendix C: Guidance for schemes where there are concerns about the conduct or standard of work of a shared lives carer.

This guidance should ensure that any decisions are based on clear evidence following an

agreed process, are never subjective, unfair and are never taken lightly. The Shared Lives Carer should always be given the opportunity to submit their own response to the Scheme report, to be present at the panel meeting and to be accompanied by a representative, including if they wish a legal representative. The Shared Lives Carer should have the opportunity to see the Scheme report and submit a written response before the report is sent to Panel members. Any written response by the Shared Lives Carer should be sent to Panel members at the same time as the Scheme report.

Schemes should ensure that Carers have access to a written appeals process should they disagree with the Panel recommendation and the subsequent decision by the Scheme about their approval status.

Finally the guidance should be clear about the advice and support the Scheme will give to carers wishing to reapply to the Scheme if they have been de approved in the past.

21. Appeal against the Scheme decision to remove approval

The Local Authority or parent organisation will have an agreed procedure for dealing with appeals against decisions taken on behalf of the authority or organisation in relation to individuals supported by the authority or organisation. This procedure should already meet standards of independence, transparency and fairness and can be extended to include appeals against decisions taken by the Scheme on Panel recommendation to remove or limit the approval of existing Shared Lives carers.

For appeals by Shared Lives Carers the procedure should automatically exclude Panel members involved in the original recommendation or those in the chain of management of the Shared Lives assessor as they could be considered not to be independent or accused of bias or conflict of interest.

At any appeal hearing the Shared Lives Carer should be able to submit written evidence and should have the opportunity to attend and bring someone to support them, including a legal representative.

22. Recording and Reporting

There must be minutes or a record of each Panel meeting usually made by an administrative worker from within the Shared Lives Scheme or parent organisation.

The minutes should record the key elements of each discussion and the advice given by the Panel together with the reasons for that advice. The minutes should include a record of any strong minority views held by Panel members. Many Schemes require that the recommendation on each assessment or review is also written on the assessment or review report and dated and signed by the Panel Chair before the end of the Panel meeting.

For an example of a Panel record see Appendix D.

A letter formally informing the Carer of the Panel recommendation should be sent to each Carer no later than five working days following the Panel meeting. The timescale for lodging any appeal should be clearly stated in the letter and a copy of the Process enclosed. The letter should be signed and sent by the Panel Chair. The Scheme will delay making a decision about approval until the final recommendation of the Panel is known. .

23. Disagreements within the Panel

Schemes should agree with their Panel Chair in advance what will happen if Panel Members do not reach a unanimous decision. This should be formally recorded in the Panel Mandate and other panel documentation.

In most cases Panels will arrive at a unanimous or majority view. Where a majority view exists then any minority views should be recorded and a recommendation may be made on this basis. It should be for the Chair to decide whether to present a recommendation on this basis with agreement of the whole panel. Where there is no clear majority view then one of the following may be considered:

- A recommendation is not made and the report is referred to a later date and to a Panel with a different membership
- Panel requests further information from the assessor or possibly the carer in person and the recommendation is deferred until this is available

24. Support or Link Carers

Shared Lives Carers are not allowed to directly employ staff to provide care for the people that they support. Nevertheless Schemes recognise that many Carers (especially those supporting people with complex needs) will require help (eg a sitting service or specialist support) from time to time from another person in order to carry out their support/care role. Such support must be arranged through the Scheme in order to ensure that the main carer does not compromise their approval. Schemes will recruit, check and approve especially selected people to provide that support. These people are commonly known as Support or Link Carers.

In practice Support/Link Carers tend to be the friends and family of the primary carer. They work alongside the main carer helping them to meet the support needs of an individual and may also take over responsibility for a time in the absence of the main carer. **They should not be confused with respite or short break Carers who can provide short breaks to a range of people and use their own home as a resource.** These should be approved as SL carers in their own right.

Shared Lives Schemes should have written guidelines for the approval of Support/Link Carers. The approval process should include a formal assessment interview with Support/Link Carers which focuses on their suitability to support the individual placed with the main Carer, taking up references and checks including a CRB check and provision of the training and information that the Support/Link Carers need to care safely and competently for the particular individual(s).

The decision to approve the Support/Link Carer can be taken by the Scheme Manager or (where the Scheme Manager is also the assessor) their line manager. **The assessment report for the Support/Link Carer does not have to be presented to Panel for recommendation before the decision to approve/not approve is made by the Scheme Manager.**

NAAPS is issuing separate guidance on the assessment, training and approval of Support/Link Carers.

25. Quality Assurance

Panels have an important quality assurance role in relation to the assessment and approval of carers. As well as providing valuable advice on the approval of Shared Lives Carers their role should extend to include:

- The provision of feedback on the quality of assessment reports
- Providing feedback on the assessment and approval work of the Shared Lives Workers
- Identifying problems with the assessment and approval process and making suggestions for change
- A monitoring role looking in the longer term at the consistency, objectivity and fairness of its advisory role
- Reviewing information on numbers of applicants (whether or not they proceed to assessment) in order to be able to quality assure Shared Lives processes and objectivity and to contribute to future planning.

26. Inspection by the Regulator (England) or Northern Ireland

In England and Northern Ireland as part of the Inspection of a Shared Lives Scheme the work of the Panel may come under scrutiny by the regulator (currently CSCI in England and RQIA in Northern Ireland)

Reference Documents

- Recruitment and Selection of Carers – NAAPS Model Policy No 58
- Training and Development Strategy– NAAPS Model Policy No 56
- Adult Protection and Prevention of Abuse – NAAPS Model Policy No 35
- Matching – NAAPS Model Policy No 3
- Learning the Ropes (NAAPS publication) – Section 6
- Adult Placement Schemes (England) Regulations 2004
- National Minimum Standards for Adult Placement Schemes 2004

Note: The NAAPS model policies and procedures referred to are the 2008 revised editions

Appendix B

Skills and Knowledge for a Chair of the Approval Panel

A panel chair will need to know and understand the following:

Knowledge of the social care sector	Essential
Knowledge of Adult Placement Services	Essential
GSCC code of conduct	Essential
<p>How to facilitate and co-ordinate meetings:</p> <ul style="list-style-type: none"> • Draw together pertinent points from discussions in a timely way in order to reach well-informed decisions that command consensus • Allow sufficient time for important matters to be discussed, able to manage time and maintain good pace • Skilled in active listening, paraphrasing, questioning, and summarising key points • Skilled at achieving consensus and closing discussions • Ability to ask probing questions that challenge own and others' assumptions in a non-threatening manner. • Able to manage meetings in an orderly and effective manner • Able to manage conflict between panel members and remain composed • Knowledge of panel policies and procedures • Able to consolidate large amounts of information and create coherent summaries 	Essential
<p>To be able to positively communicate and establish working relationships with relevant colleagues and stakeholders and had the ability to demonstrate and ability to:</p> <ul style="list-style-type: none"> • Listen dispassionately, intently and carefully • Question when necessary to ensure understanding • Is frank and open when communicating and is willing to admit areas in which they lack the necessary skills or knowledge. • Shows an understanding of the feelings and needs of others and is willing to provide support or to take other actions as appropriate 	Essential
<p>Support colleagues and stakeholders in relation to panel decisions and activities and to take account of their views, opinions and attitudes by having the skills to:</p> <ul style="list-style-type: none"> • Probe the facts • Challenge assumptions • Provide counter view points • Ensure that discussions are penetrating • Insist that sufficient and reliable information is taken account of • Seek all possible relevant information from a variety of sources 	Essential
<p>Maintain proper focus on the panel's key role and tasks and have the ability to ensure that all issues effecting panel decisions are properly addressed by being skilled at:</p> <ul style="list-style-type: none"> • Showing a readiness to take decisions and actions • Being able to make up her/his mind • Being able to make sensible decisions by weighing up evidence, consider reasonable assumptions, and factual information 	Essential

Seeks and acquires new knowledge and skills from multiple sources.	Desirable
Has the ability to accept risk and is prepared to make decisions that involve calculated risk in order to achieve a desired benefit or advantage.	Essential

Sample person specification for a member of the Approval Panel

An understanding of care/support services	Essential
An understanding of Shared Lives	Essential
Previous experience of Shared Lives	Desirable
Effective interpersonal skills	Essential
Understanding of confidentiality	Essential
An open minded and non judgmental attitude	Essential
An understanding of the support needs of the users of the adult placement service	Essential
Confidence in own opinions and ability to voice these at meetings	Essential
Professional manner	Essential
Understanding of the role of panel	Desirable
Ability to keep to time constraints	Essential

Guidance for Schemes where there are concerns about the conduct or standard of work of a Shared Lives Carer

PURPOSE AND SCOPE

Shared Lives (SL) Schemes are responsible for providing the encouragement and help that SL Carers need to provide a good service to the people that they support. Schemes also have a duty to ensure that SL Carers do their work well and in a way that demonstrates their commitment to the values underpinning Shared Lives.

This guidance is designed to help Schemes ensure that SL Carers maintain good standards of conduct and work. Where there are concerns about the way in which the SL Carer is working, this guidance provides a fair and consistent approach to the alleged failure to maintain standards of conduct or work.

Finally the guidance should be clear about the advice and support the Scheme will give to carers wishing to reapply to the Scheme if they have been de approved in the past. There are common elements to the procedure used where there are concerns about conduct and that used where there are concerns about standards of work. There are however some significant differences between the two processes and these have therefore been dealt with separately in the guidance.

PRINCIPLES

1. Scheme Workers and SL Carers are equally responsible for and committed to upholding standards of work and conduct.
2. The Carer Agreement sets out the roles and responsibilities of the SL Scheme and the SL Carer and is a key tool in ensuring good standards of conduct and work in Shared Lives.
3. Minor breaches of the Carer Agreement by the SL Carer or concerns about standards of work should be dealt with informally in the first instance. The aim should be to understand the reasons for the SL Carer's apparent failure to maintain standards and to identify ways in which the Scheme can support the Carer to do their work well.
4. Where concerns cannot be dealt with informally (because of the seriousness of the continuation of the concern): The Scheme should ensure that the SL Carer understands the nature of the concerns, the procedure that will be followed, timescales for the process and has an opportunity to put their own side of the story. Note that where there has been an allegation of abuse the Scheme may be constrained in their communication with the SL Carer by local adult protection rules.
5. Carers are self employed and are responsible for their own livelihood. However, removing their approval removes their ability to have future placements and in effect denies them an opportunity to work. For this reason Panels and Schemes need to approach de approval of Carers with fairness and equity and any decisions should be based on clear evidence following an agreed process and should never be subjective, unfair or taken lightly. A decision to remove approval can be taken to judicial review and the court will penalise organisations where there is an insufficiently transparent

6. A decision to remove approval is made by the Scheme's Registered Manager on the recommendation of the Shared Lives Panel (made on the basis of evidence presented in a written report). The SL Carer will have had the opportunity to review the report in advance of the Panel meeting and to submit his/her own response. Both reports will have been made available to panel prior to the meeting. The SL Carer will have the opportunity to present their own side of the story at the panel hearing and has the right to be accompanied by a friend or representative (including a legal representative).
7. The SL Carer has the right to appeal against any decision to remove approval using the procedure outlined in the Shared Lives Panel Good Practice Guidance. At any appeal hearing the Shared Lives Carer should be able to submit written evidence and should have the opportunity to attend and bring someone to support them, including a legal representative.

CONCERNS ABOUT BREACHES OF THE CARER AGREEMENT

1. Informal Stage

- 1.1 The Scheme Worker has a responsibility to bring any concerns about breaches of the Carer Agreement to the attention of the SL Carer as quickly as possible, as this can avoid the need for formal action.
- 1.2 The Scheme Worker should meet with the SL Carer to explain the concerns and offer the opportunity to explain. The Scheme Worker should explore with the SL Carer whether there are any underlying reasons for the breach and anything that the Scheme can do through additional training or support.
- 1.3 Where the SL Carer has no, or insufficient, reasons for the breach the worker may decide to take no formal action but simply state and record their concerns.
- 1.4 Where the breach of the carer agreement is serious or is persistent then the worker may decide that they need to take formal action. In that situation the following procedure will apply:

2 Investigation

- 2.1 The Scheme Worker should carefully investigate the alleged breach of the carer agreement, before starting any formal proceedings. The extent of this investigation will depend upon the nature of the breach and may for instance be relatively simple for minor breaches of confidentiality and more complicated where the carer or a member of their household has been subject to criminal prosecution.
- 2.2 The investigation should include an informal meeting with the SL Carer concerned. The reason for the meeting should always be made clear.
- 2.3 Should the SL Carer refuse to attend or co-operate with such a meeting, the Scheme manager will decide whether to arrange a Carer Review on the facts available, without information from the SL Carer.

3 Carer Review Meeting

- 3.1 If, after investigation, the Scheme Manager is satisfied that there is a case to answer, a Carer Review meeting will be held.
- 3.2 The Scheme Manager should contact the Carer to arrange a suitable time for the review meeting. The date, time and place for the meeting should be confirmed in a letter sent or handed to the SL Carer.
- 3.3 The letter will explain the specific allegations against the SL Carer and their right to

be accompanied by a friend or representative. It will also say who will conduct the review meeting.

- 3.4 The SL Carer and/or his/her companion have the right to see copies of all relevant documents or records necessary to prepare their case. They will not however have access to information provided in confidence by or to a third party.
- 3.5 The review meeting will be conducted by the Scheme Manager.

4 Conclusions and actions from the Review Meeting

- 4.1 Following the review meeting, the Scheme Manager will decide:
- Whether the SL Carer has breached the terms of the Carer Agreement;
 - The underlying reasons for the breach and any mitigating factors;
 - Whether there is help that the Scheme could provide (e.g.: additional support or training) to enable the SL Carer to avoid further breaches of the Carer Agreement;
 - Whether the breach is so serious and/or persistent as to merit removal of approval.
- 4.2 A copy of the report of the review meeting, including the Scheme Manager's conclusions, will be sent to the SL Carer for their comments.
- 4.3 The review report (including comments from the SL Carer) will be presented to the Approval Panel for consideration. The SL Carer has the right to be present at the Panel meeting and to be supported by a friend or representative (including a legal representative)
- 4.4 The Panel recommendations following consideration of the review report may include:
- Continuing approval (where appropriate with identified help from the Scheme)
 - Decreasing approval (if for example the Panel considers that the breach of the carer agreement was the result of over work)
 - Removal of approval
- 4.5 The Scheme Manager's decision about the approval status of the SL Carer will be made in the light of the recommendation by the Shared Lives Panel.

5 Appeals

- 5.1 The SL Carer has the right to appeal against any decision to remove approval using the procedure outlined in the Shared Lives Panel Good Practice Guidance.

CONCERNS ABOUT STANDARDS OF WORK

6 Informal Discussion

- 6.1 Any concerns about standards of work should ideally be dealt with informally in the first instance.
- 6.2 The Scheme Worker should meet with the SL Carer to explain his/her concerns. This can be done as part of a normal support visit or at a separate meeting.
- 6.3 The Scheme Worker should explain his/her concerns clearly, with concrete examples where possible. The SL Carer should be given ample opportunity to state his/her point of view.
- 6.4 If it becomes clear that the SL Carer's conduct has contributed to their poor standard of work then action may need to be taken under the procedure designed to maintain good standards of conduct.
- 6.5 Where there are no obvious conduct implications, the Scheme Worker should explore and agree with the SL Carer ways to help them to improve their work, including learning and development opportunities. The Scheme Worker should

agree a date for review of progress and explain clearly the possible consequences of any failure to improve their standard or work.

- 6.6 A record of the meeting should be made by the Scheme Worker and agreed with the SL Carer. Copies should be kept by the Scheme and the SL Carer.

7. Formal Procedure

- 7.1 Where the informal approach has not proved successful or standards of work have been so poor that implications for the person supported are serious, a Carer Review meeting should be held.
- 7.2 The Scheme Manager should contact the Carer to arrange a suitable time for the review meeting. The date, time and place for the meeting should be confirmed in a letter sent or handed to the SL Carer.
- 7.3 The letter will explain the specific concerns about the SL Carer's standard of work and their right to be accompanied by a friend or representative. It will also say who will conduct the review meeting.
- 7.4 The review meeting will be conducted by the Scheme Manager.
- 7.5 At the review meeting the Scheme Manager should
- Ensure that the SL Carer understands the standard of work that is expected
 - Explain clearly how the standards have not been achieved, with examples
 - State what improvement is expected
 - Provide an opportunity for the SL Carer to state his/her case
 - Identify and agree any actions to help them to improve their standard of work
 - Agree a date to review progress
- 7.6 A copy of the report of the review meeting, including the expectations of the Carer, the actions that will be undertaken by the Scheme to help the Carer to improve their standard of work and the date to review progress, will be sent to the SL Carer for their comment.
- 7.7 Where there is evidence at the next or subsequent review meetings that there has been little or no improvement in the SL Carer's standard of work and that the Scheme has put all agreed actions in place to help the Carer to improve, the Scheme Manager may recommend removal of approval.
- 7.8 A copy of the Scheme Manager's report, including copies of the reports of the Carer Review meetings, will be sent to the SL Carer for their comments.
- 7.9 The Scheme Manager's report (including comments from the SL Carer) will be presented to the Approval Panel for consideration. The SL Carer has the right to be present at the Panel meeting and to be supported by a friend or representative (including a legal representative)
- 7.10 The Panel recommendations following consideration of the Scheme Manager's report may include:
- Continuing approval (where appropriate with identified help from the Scheme)
 - Decreasing approval (if for example the Panel considers that poor standards of work was the result of over work)
 - Removal of approval
- 7.11 The Scheme Manager's decision about the approval status of the SL Carer will be made in the light of the recommendation by the Shared Lives Panel.
- 7.12 Only in exceptional circumstances will the SL Carer lose approval as a result of a single example of poor work. Where, however, the actual or potential consequences of the single instance of poor work are extremely serious and a warning is not appropriate approval may be immediately suspended, prior to a report to Panel recommending removal of approval.

7.13 The SL Carer has the right to appeal against any loss of approval using the procedure outlined in the Shared Lives Panel Good Practice Guidance.

Appendix D

Example of a Panel Record Form

Name of carer/s	
Reason for presentation to panel	
Person presenting to panel	
Date of panel	
Panel adviser present (if applicable)	
Panel members present	
Record of discussion	

No:	Knowledge and skills considered	Evidence identified and any gaps in knowledge and skills	Evidence is sufficient to meet standard	
			Yes	No
1	Able to find out about any specific physical, social, emotional, or cultural needs of the person you support and be able to meet them.			
2	Enable people to make choices and decisions with support from advocates necessary.			
3	Understand and challenge prejudice, discrimination and oppression.			
4	Understand and balance the needs and lifestyles of all people in the household.			
5	Support people to communicate effectively.			
6	Communicate effectively.			

7	Provide a healthy and safe place to stay.			
8	Support people to be part of their community.			
9	Understand and respect confidentiality and privacy.			
10	Enable people to make and/or maintain friendships and relationships both in and out of the household.			
11	Build positive relationships with other people.			
12	Keep clear and accurate records.			
13	Protect people from abuse and neglect.			
14	Support people to achieve their potential.			
15	Support people to access education, employment and leisure facilities.			
16	Develop own skills and understanding through training and other opportunities.			
17	Understand Adult Placement including roles and responsibilities of carers and schemes.			
18	Understand policies, procedures and legal requirements and work positively with the Adult Placement scheme to put these into practice.			
19	Get involved in person centred assessment, care planning and review where appropriate.			
20	Support service users to assess and take acceptable risks.			
21	Support people to access health services and lead a healthy lifestyle.			

22	Support people to store and take their medication.			
23	Support people to manage their finances.			
24	Support people to manage their behaviour.			
25	Support people to worship and follow their faith.			

Recommendation (please tick ✓)			
Approved	Approved with conditions	Deferred	Not Approved
* see initial assessment for scheme recommendations			

Signature of Panel Chair:
Date:
Decision confirmed (Scheme Manager or Senior Manager):
Date: