**PRIVATE AND CONFIDENTIAL**

**[Insert your address**

**and telephone number**

**and email address/]**

For the attention of the Director of Adults Services

**[Insert name and address of local authority]**

**[Insert date]**

-REQUEST FOR NEEDS ASSESSMENT UNDER S.9 CARE ACT 2014-

Dear Sir or Madam,

**[INSERT name and address]**

**Summary of issue**

***[Explain issue - i.e. list disabilities and examples of your care and support needs. If you have a copy of medical evidence supporting this request then you can refer to this and enclose it/attach it with this letter . State that you are*** “writing to request that an assessment of my needs under s.9 Care Act 2014 is carried out as soon as possible”.

***If you have already requested an assessment and have experienced delays beyond 6 weeks, then detail this here, including relevant dates of the request and who you have had contact with. In this circumstance, you can state that this letter also be treated as a complaint.]***

**Legal Framework**

You will be aware that under s.9 of the Care Act, the local authority has an obligation to assess a person’s needs where they “appear to be” in need of care and support. This duty to assess is independent of whether the local authority thinks that the individual may be ineligible for state funded care or whether they will meet the national eligibility criteria.

You will also be aware of the requirement set out at 6.29 of the Department of Health, Care and Support Statutory Guidance that:

*“An assessment should be carried out over an appropriate and reasonable timescale taking into account the urgency of needs and a consideration of any fluctuation in those needs. Local authorities should inform the individual of an indicative timescale over which their assessment will be conducted and keep the person informed throughout the assessment process.”*

The Local Government and Social Care Ombudsman (LGSO) has commented in a *Report complaint no 13 0006 4000 against Cornwall Council February 2015 at para. 29* and in subsequent LGSO guidance that it is reasonable for this to take between four and six weeks from the date of the initial request.

**Steps you are required to take**

Considering the above, please can you make contact as soon as possible to arrange a date for the needs assessment to be carried in accordance with s.9 Care Act.

Please ensure that we are provided with a copy of the needs assessment within a reasonable timeframe, and in any event by no later than 28 days of the date of this letter.

We kindly request that acknowledge receipt of this letter by return.

Yours faithfully

**[insert name]**

**[Insert contact details]**