

## **How We Work – Telephone-based Advice**

We provide free, confidential and impartial advice on a range of issues. We are not always able to offer casework, but where we do we will write to individual clients with more detail on the work and terms and conditions relating to that. The information below applies to next steps information and advice rather than to casework.

Our next steps advice and information service includes:

- Information and advice to staff within our member organisations on next steps in relation to community care and welfare benefits issues.
- Information and advice on next steps to people with social care needs (or their potential representative) who are referred in relation to community care and welfare benefits issues. This may include exploring casework options that we can offer.
- Information and advice on next steps and resources on community care and welfare benefits provided by our Hubs.
- Supervising volunteers where they provide information and advice under one of our schemes.
- Signposting our resources including template letters and our Chatbot.
- Signposting or referrals to other specialists where we are unable to assist with casework.

The information and advice that we offer is free to the individuals receiving it. In some cases we may advise that, in order to increase prospects of success, additional advice or evidence should be sought. We do not take responsibility for establishing what further advice or evidence might cost. Those that we advise must do this themselves. We are unfortunately unable to meet any costs incurred.

### **How we process information**

We store personal information on our internal case management system, which can be viewed by all the caseworkers and their managers within the organisation. We take steps to protect the confidentiality of any personal information and case details by only making this information available to the people that need to see it.

The majority of the information that we store relates to the individual with social care needs. Where they are able to consent to data processing or where someone has formal authority to consent then we will seek consent. If there is no one who can consent to data processing, we will consider whether there is a lawful basis for processing data, for example to enable access to our service and relevant advice.

A copy of our privacy policy is [here](#), which explains the lawful basis for processing this information.

We will keep information confidential and will only disclose details to other people with consent or if it is otherwise permitted or required by law. The only exceptions to this are:

- where we feel there are urgent safeguarding concerns that need to be addressed and there is some reason that consent cannot be obtained, or
- if we feel that we must disclose information in order to prevent risk or harm to an individual.

If these situations arise, where possible and appropriate we will advise as soon as possible after the event.

## **Referring Partner**

Member organisations pay an annual membership fee to Access Social Care which means that they can access advice and guidance from us on an anonymous basis relating to individuals they support. They can also refer cases to us for casework support. Whilst members pay money to Access Social Care for a service from us, we will act in the best interests of the person with social care needs and are independent of our membership. Were conflict to arise we would raise this. We have contracts with our members that outline our independence.

Access Social Care is a charity supporting disabled people and other groups that require social care. Our charitable objects require that we always act in the best interests of these people. This means that any steps we take will only be done if they are in the best interests of a person with social care needs.

## **Complaints**

We hope that everyone will be happy with the service they receive. If there are concerns about our service, please tell us so we can try to sort things out and to improve wherever possible. You can read more about making a complaint [here](#).

Some of our staff are practicing solicitors - information about our team is [here](#). If a practicing solicitor delivers information and advice, there are additional avenues of complaint as explained in our complaint process. One additional avenue of complaint is the Legal Services Ombudsman. They may consider complaints about things like:

- not replying to your correspondence or calls,
- losing your documents,
- giving unclear advice, or
- not explaining things in ways you understand.

They are independent but before accepting a complaint for investigation the Ombudsman will check that you have tried to resolve your complaint with us.

The Legal Ombudsman expects complaints to be made to them within one year of the date of the act or omission about which you are concerned or within one year of you realising there was a concern. You must also refer your concerns to the Legal Ombudsman within six months of our final response to you.

If you would like more information on the Legal Services Ombudsman, please see here: [www.legalombudsman.org.uk](http://www.legalombudsman.org.uk). You can contact the Ombudsman on telephone 0300 555 0333 between 9.00 – 17.00 or by email to [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk). The address is Legal Ombudsman PO Box 6806, Wolverhampton, WV1 9WJ

Making a complaint of any kind will not affect how we deal with any matter.

### **Insurance**

We have adequate and appropriate professional indemnity insurance cover for our advice and information services.