

Getting Active and the Care Act

The Care Act is a piece of legislation which places a number of duties on local authorities to take steps to ensure that people have the right advice, information and choices about how to meet their care and support needs. This means that the care and support system should be built in such a way that the individual can have more control over the way they live their life.

As you can imagine, the Care Act is a long document and can be difficult to make sense of so we are highlighting some of the relevant parts of the Care Act for physical activity and sport...

The wellbeing principle

Local authorities have a duty to consider the effects of any decisions they make about support to an individual on the wellbeing of that individual. This means that you should be able to use your personal budget for physical activity and sport if you are able to demonstrate that this will meet outcomes agreed in your support plan. It is about you having the power to decide how best to meet your own needs and make a judgment on what is best for your wellbeing.

A focus on 'the needs and goals of the person concerned'

Your needs will be assessed and you will be involved in drafting your support plan to meet your own identified outcomes. Your personal budget will then be used to help you meet these outcomes.

Being flexible and innovative

The Care Act states that a 'direct payment is designed to be used flexibly and innovatively and there should be no unreasonable restriction placed on the use of the payments, as long as it is being used to meet eligible care and support needs' – CASS, chapter 12.35

You may also wish to pool your budget and resources by sharing your budget with another friend (or group of friends who are direct payments recipients) with whom you have agreed goals and you all share similar interests and hobbies such as taking part in physical activity and sport. This improves independence, value for money and can close small gaps in service delivery.

Due to pressures on local authority budgets and different interpretations of the Care Act across local authorities it can be hard to speak up for your rights. But remember...

You have the right to challenge the local authority on the way your needs have been assessed and on how your support plan has been put together using the Care Act.

To find out more about the Care Act, other duties contained within it and what it could mean for you, take a look at the [Disability Rights UK Care Act resource pages](#).

Still have questions?

You can also call the Disability Rights UK [personal budgets helpline](#) for advice on your personal budget.

See some examples of how others are using personal budgets to improve wellbeing and meet outcomes in [Personal Experiences](#) section of the Get Yourself Active website.

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