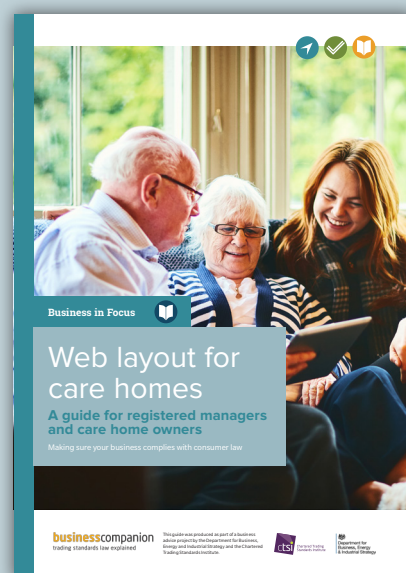




Business in Focus

Care Home Guides

For registered managers and care home owners



Available soon at:

www.businesscompanion.info/carehomes

SUMMARY FACT SHEETS INSIDE

Brought to you by:

businesscompanion
trading standards law explained



Care home communications

Why is this guidance important?

Information for residents and their representatives should be provided in a timely manner and be clear, simple, accurate and easy to find in accordance with recent guidance published by the CMA. Business Companion provides the advice to get this right for the benefit of your residents' and your business, ensuring they can understand and engage with it, enabling them to make informed decisions.

When and how you should give information



1. When people first contact you
You should give them your key information, so they can decide whether or not to shortlist, make further enquiries or arrange a visit to your home.



2. Before you make an offer of a place
You should supply any important, additional information, such as details of any trial period and information about what happens if residents' funding arrangements change.



3. When a potential resident agrees to a care needs assessment
You should arrange for a care needs assessment to take place and confirm what services the resident has chosen.



4. When a new resident receives confirmation of your final offer
You should confirm the final total amount the resident will have to pay, let them know whether any information has changed and give them a copy of the signed contract.

HOW CAN I FIND OUT MORE?
Read the 'Care home communications' booklet for more guidance and information, available from the web address below.



Fair trading for care homes

Why is this guidance important?

Decisions around adult care provisions are often taken under extremely distressing and difficult circumstances. This means people's capacity to understand information about your care home may be limited. Business Companion offers easily digestible advice on the CMA guidance relating to how care home owners and managers should treat residents and their representatives fairly in to comply with their obligations under consumer law.

Need to know: CCRs

The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 apply to contracts between traders and consumers. They set out three types of contract, depending upon how the contract is entered into; which are off-premises, on-premises and distance contracts. The CCRs set out requirements including:



What pre-contract information you are required to give a resident before they enter into an agreement with you. This will depend on the type of contract.



The ban of premium rate helpline usage for consumers contacting you about a contract.



The ban of negative-options, such as the use of pre-ticked boxes, to sell consumers additional products.

NEED TO KNOW: CRA
The Consumer Rights Act 2015 (CRA) sets out rules relating to the supply of goods, services and digital content, as well as the law relating to unfair contract terms and notices. It is important that you understand how it affects your practice, especially with regards to:

- Services you supply to your residents and any goods that you supply as part of this
- Your residents' rights as a consumer
- Actions that a resident or their representative can take if you infringe consumer law

HOW CAN I FIND OUT MORE?
Read the 'Fair trading for care homes' booklet for more guidance and information, available from the web address below.



Need to know: CPRs

The Consumer Protection from Unfair Trading Regulations 2008 (CPRs) prohibit traders from using unfair practices. They apply to all care homes and their dealings with potential and existing residents, their family and other representatives. They prohibit, for example:



MISLEADING ACTIONS
This means giving false information, or providing it in a deceptive way, about a range of things, including your prices and how they are calculated, your services, or your experience and qualifications.



MISLEADING OMISSIONS
These occur when material information that the average resident and their representatives need to take an informed decision is left out or hidden. Material information must be provided to consumers when they need it - whether or not they have asked for it.

Website layout for care homes

Why is this guidance important?

All potential residents and their representatives should receive key information on first contact with you, according to the CMA's recently published guidance. Business Companion offers easily digestible information about care homes including how you should make this information available. When you put key information about your home online, it should be prominently highlighted and clearly labelled. It should be no more than one click away from the main home page on your website.

What is key information?

Easily accessible key information on the website for residents and their representative should include:



Key funding arrangements

It is important to confirm the type of funding arrangements you accept; this could mean the resident funding their own care, receiving funding from their local authority or receiving other state funding.



Key features of your service

You should provide an overview of the main characteristics of your service. These include the specific care needs your home is able to cater for and details of accommodation.



Your latest inspection rating

Where applicable, you should display your current overall inspection rating from your regulator, and a website address or link to your most recent performance assessment inspection report.



Fees, charges and payments

A potential resident who is paying for their own care, or their representatives, must know, upfront, how much they are likely to pay each week for your services.



Terms and conditions

A potential resident and their representatives may find some of your terms and conditions surprising simply because they are unfamiliar. The information you give should be prominent, clear and accurate.

WHAT IS IMPORTANT, ADDITIONAL INFORMATION?

This is information about your home that must be given to a potential resident and their representatives when they want or need it, and before you make them an offer of a place. Include:

- » Any specific requirements you may have following a discussion about finances
- » Any other special conditions they must satisfy before they can be offered a place

This should be easily accessible on your website and could be provided using:

- » A clearly labelled icon/tab on the home page navigation menu
- » Links to the important, additional information identified by the CMA

Developing your website

To comply with the CMA's guidance, your website should be able to present information about your home and its services in a clear and accessible way. Before you get started, you should ask yourself:



- » Where will your website live?
- » Who do you want to design and code your site?
- » What will be your website's address?



It's also important that your website can function across multiple devices. There are two ways to think about designing it for smartphones and tablets:

- » Mobile-first design – this means that your website is designed to be viewed on a mobile first
- » Responsive design – this is where your site can detect a visitor's screen size and change accordingly



HOW CAN I FIND OUT MORE?

Read the 'Website layout for care homes' booklet for more guidance and information, available from the web address below.

