**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. 12A(1) OF THE SOCIAL WORK (SCOTLAND) ACT 1968-**

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 12A(1) of the Social Work (Scotland) Act 1968 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 12A(1) of the Social Work (Scotland) Act 1968 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 eligibility criteria.

There is a public law expectation that legal duties to assess be discharged by local authorities within a reasonable timeframe so as not to cause undue delay.

You will also be aware of The Scottish Government’s strategic framework for meeting the needs of people with a sensory impairment in Scotland (2014) which highlights the importance of the:

“*seamless provision of assessment, care and support to adults with a sensory impairment*”. (para. 2.1)

**Steps you are required to take**

Please make contact as soon as possible to arrange a date for the needs assessment to be carried in accordance with s.12A(1) of the Social Work (Scotland) Act 1968.

Please ensure that we are provided with a copy of the community care 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 you acknowledge receipt of this letter.

Yours faithfully

**[insert name]**

**[Insert contact details]**