

businesscompanion

trading standards law explained

Introduction to 'Key information'

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Potential residents and their representatives should receive key information (for example, about your home and the services you offer) on first contact with you, regardless of whether they will be funding their own care, are funded by their local authority in part or full, or are funded by the NHS.

For example, while information about your indicative weekly fee rates or any upfront payments may only be relevant to a residents paying for their own care, information about the rooms, facilities and services available to residents, staffing arrangements, and the home's latest inspection rating or grade can all help someone decide which home they would like to stay in. This information will also be particularly helpful if a resident has been given a choice of homes to consider by their local authority or other organisation that is helping to fund their care.

Other reasons why information about your home should be given to all residents regardless of their funding situation include:

- not all residents will know how their care will be funded when they first arrive in your home
- some residents may be funded by the State, but go on to pay their own fees at a later date. For example, this might happen where:
 - their place in your home has been arranged by their local authority because of their personal circumstances
 - their financial assessment has been delayed until after they have moved into your home
 - the resident has been discharged from hospital but still requires an assessment
 - there is a 12-week period to determine whether the resident's property can be disregarded as a means of payment - known as a '12 week property disregard'
 - a deferred payment has been agreed between the resident and their local authority

The CMA says...

Where you supply information about your home to a third-party website, such as a care home listings or directory site, you should ensure that the information is:

- truthful and accurate, and contains enough detail to help people make an informed decision
- displayed in a way that is not likely to mislead a potential resident, family member or representative

Where should your key information be available?

There are a number of places that a potential resident and their representatives may look for information about care homes during their initial research period, including:

- an internet search, which may direct them to your website or a third-party website where your home is listed
- by making a telephone call to your home or sending an email to request information and/or to arrange a visit
- by visiting your home to make initial enquiries or to take information away

Key information about your home must be prominently highlighted and easily accessible from all of these places, so that a potential resident and their representatives can make an informed decision about whether to include your home in their shortlist, make further enquiries or arrange a visit.

How should your key information appear?

Your key information should be provided in a clear and simple format, which is easy to understand and process by a potential resident, family member or representative who has never had any dealings with a care home before. It shouldn't feel overwhelming, or be filled with unnecessary information at this initial enquiry stage.

It should also be:

- prominently highlighted on your website or, if appearing as part of a printed information pack, it should be prominently highlighted in the written materials, such as on a single 'key facts' sheet at the front of the pack
- actively brought to the attention of a resident and their representatives at the earliest possible opportunity, even if they are not specifically looking for that information

Where inaccurate information about your home is displayed on a third-party website, you must take steps to correct it when you become aware of it. Where you fail to do this, you may infringe consumer law.

It will not be enough to merely include key information within your terms and conditions, or to supply it when a resident moves into your home.

How should you display key information about your home online?

When you put key information about your home online, it should be:

- prominently highlighted; this means that it should be no more than one click away from the main home page / first page on your website. You could do this by:
 - prominently displaying the key information about your home on the homepage itself ... or
 - using clearly labelled and prominently signposted icons / tabs on the navigation menu at the top of the home page, from which key information is directly accessible. For example, tabs could be labelled 'Key information about our service', or 'Our fees and charges' and so on

These requirements apply whether you are a small or large operator. Larger care home operators who use

a corporate website linking to subsites or profiles for each of their individual care homes should ensure that *their key information about each individual home is no more than one click away from the first page of that specific home's subsite / profile.*

To see visual examples showing how both your key information and important, additional information about your home could appear on your website, see the website layout for care homes booklet on [Business Companion's website](#).

The CMA says...

Remember, potential residents and their representatives may look for online information about your home using other devices, such as tablets or mobiles, not just on a desktop computer or laptop.

When your website is accessed via a small screen device, you must still ensure that your key information is not obscured or hidden. For example, on a mobile phone, people may need to tap on a 'menu' icon to access information. From there, we consider that the key information (such as 'Our fees and charges') should be no more than one 'click', or tap, away.

[**< Information you need to provide**](#)

[**> 'Key information': A detailed guide**](#)

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