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<b>Report To:</b>	<b>Health &amp; Social Care Committee</b>	<b>Date:</b> 7 January 2010
<b>Report By:</b>	<b>Robert Murphy Acting Director, Social Care</b>	<b>Report No:</b> SW-01-10-YG-AM
<b>Contact Officer:</b>	<b>Barbara Billings Head of Community Care and Strategy</b>	<b>Contact No:</b> 01475 714015
<b>Subject:</b>	<b>Eligibility Criteria for Access to Community Care Services</b>	

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## 1.0 PURPOSE

- 1.1 To seek approval of the Eligibility Criteria for Access to Community Care Services developed in line with national guidance.
- 1.2 To advise members of the implications for the Council in relation to implementing this policy and to seek approval for the proposed implementation.

## 2.0 SUMMARY

- 2.1 Guidance on National Eligibility Criteria and Waiting Times for the Personal and Nursing Care of Older People was issued to local authorities and their partners jointly by the Scottish Government and COSLA on 28 September 2009. These arose following the recommendations made by Lord Sutherland's review of Free Personal Care around the need to enhance transparency and consistency of decision making in relation to allocation of resources. The criteria are generic in nature therefore can be applied across all community care groups.
- 2.2 The introduction of eligibility criteria sits within a range of policy and strategic objectives to address:-
  - The projected growth in the numbers and proportions of older people who may have community care needs.
  - The need to continually improve health and social care outcomes; and
  - The increasing cost of formal care.
- 2.3 The appended document (Appendix 1) sets out Inverclyde Council's Eligibility Criteria for Access to Community Care Services in line with national guidance. Appendix 1
- 2.4 Inverclyde's policy aims to:-
  - Support the implementation of the National Standard Eligibility Criteria and Framework.
  - Support decision making and assist the equitable allocation of resources.
- 2.6 Application of the eligibility criteria will ensure that:-
  - People in greatest need and at most risk receive priority for service.
  - Everyone who requires a service is dealt with fairly using the same criteria.
  - Everyone understands the basis for the decisions made in the allocation of

services.

2.7 In order to comply with national policy there will be implications for the Council in the implementation and, for the future, in consolidating the policy locally. In particular around assessment and review capacity and service remodelling issues. In addition, the service will require to develop business systems in order to meet the monitoring arrangements.

### **3.0 RECOMMENDATION**

3.1 That committee approve the Eligibility Criteria for Access to Older Peoples Community Care Services.

3.2 That committee approve the implementation scheduled proposed in Appendix 2.

Appendix 2

Barbara Billings  
Head of Community Care and Strategy

## 4.0 BACKGROUND

4.1 Section 12 (a) of the Social Work (Scotland) Act 1968 and Section 55 of the National Health Service and Community Care Act 1990, describe the assessment of need as having two stages.

- 1) The local authority is required to provide an assessment of need for people who may have a community care need and then having regard to the results of that assessment.
- 2) The local authority shall decide whether the needs of the person call for the provision of services.

4.2 The national eligibility criteria is based on a framework that priorities risk into four bands:-

- Critical
- Substantial
- Moderate
- Low

4.3 The framework proposes that services will be delivered within the following timescales equating to the level of risk identified through assessment:-

- Critical – immediate, required now or within 1 - 2 weeks.
- Substantial – imminent, required within 6 weeks.
- Moderate – foreseeable future, required within 6 months.
- Low – longer term, required within 12 months or subsequently.

4.4 A risk/priority matrix is provided in the appended policy document, this would be used in determining eligibility for social care for these older people assessed as being at critical or substantial risk. There should be a standard maximum waiting time for personal and nursing care services of 6 weeks from the confirmation of need to delivery of service.

4.5 People who following assessment are determined as having moderate to low needs must still be considered for the provision of services but if resource availability is operating to capacity will have to wait availability as per the timescales described above.

4.6 Inverclyde Council will adopt the terms priority 1, 2, 3 and 4 to identify eligibility priority groupings these will incorporate the above risk bands.

Service for priority group 1 (i.e. at risk of life or limb) will continue to be made available within a maximum of 72 hours.

4.7 The national guidance advises that Councils should have in place clear arrangements for managing or reviewing the needs of individuals who are not assessed as being at critical or substantial risk including:-

- Provision of preventative or other support services appropriate to the client's needs with formal arrangements for ongoing review.
- An actively managed waiting list for those who are intended to receive service provision.

- A clear timescale for review of needs arising from the care needs assessment.
  - Provision of advice on alternative sources of support and request to contact relevant referring agent if needs change.
- 4.8 The Scottish Government with the Convention of Scottish Local Authorities (COSLA) will monitor timescales between first referral, confirmation of need, and service delivery.
- 4.9 To comply with this monitoring requirement the Council needs to record:
- Information on the numbers of individuals identified within each of the social care eligibility criteria bands.
  - Information on the timescales from initial assessment process starting, including information on the number of clients who have been waiting over 3 weeks from the initial referral or review, to the identification of needs.
  - Information on timescales from the start of the assessment process to the initial delivery of services, including information on the number of clients who have been waiting over 6 weeks from the start of the assessment process to the delivery of services.
- 4.10 The service is currently experiencing pressure within community care services e.g. increases in waiting lists for care home placements, increases in delayed discharges with links to home care waiting lists unallocated occupational therapy referrals and increase demands in respect of learning disability and young physically disabled.

## **5.0 PROPOSALS**

- 5.1 It is proposed that the implementation process begins from date of committee approval.
- 5.2 Implementation would include:-
- Staff training, including introduction of IoRN tool (see below)
  - Raising public awareness.
  - Systems development and monitoring.
- 5.3 Effective implementation will require having clear arrangements for meeting, managing, reviewing and monitoring delivery of services and supporting individuals who are determined not to be eligible for services.
- 5.4 The term eligibility refers to whether or not an individual may be entitled to receive a service or services. Within Inverclyde this will be determined by evaluating the analysis and conclusion of the person centred single shared assessment against the risk/priority template within the National Standard Eligibility Criteria. For older people the Indicator of Relative Need (IoRN) dependency tool will be applied.
- 5.5 In determining a person is not eligible either following assessment or following formal review the Council needs to be satisfied that needs would not significantly worsen or increase in the foreseeable future due to lack of provision by the Council.
- 5.6 The National Standard Eligibility Criteria risk/priority template provides a consistent reference for staff, service users and carers to understand how resources will be targeted to facilitate equity in service provision.

It is also important that members of the public understand the basis of decisions made in the allocation of finite resources. An information leaflet will be produced and be made available on the Council website and distributed at appropriate locations.

## **6.0 IMPLICATIONS**

### **6.1 Legal:**

This report should be considered in accordance with the statutory duties contained under Section 12A of the Social Work (Scotland) Act 1968 and Section 55 of the National Health Service and Community Care Act 1990.

### **6.2 Finance:**

There has been an acknowledgement of financial pressure associated with care provision with £40m identified across Scotland following the Surtherland Review. This funding is only in respect of Older People Services and the eligibility criteria may identify pressures across the community care sector.

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>Budget Year</b>	<b>Proposed Spend this Report</b>	<b>Virement From</b>	<b>Other Comments</b>

### **6.3 Personnel:**

### **6.4 Equalities:**

An Equalities Impact Assessment was undertaken as part of the review of the framework.

## **7.0 CONSULTATION**

### **7.1 National Consultation.**

## **8.0 LIST OF BACKGROUND PAPERS**

### **8.1 Eligibility Criteria and Waiting Times for the Personalisation and Nursing Care of Older People.**

# Eligibility Criteria for Access to Community Care Services

Version 2.0

Produced by:  
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December 2009

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## Inverclyde Council Social Work Services

### Document Control Sheet

Name	Title	Service

Version	Date	Comments
Final		

Distribution		
Name/ Title	Date	Comments
<b>Consultation Equality Assessment</b>	<b>and Impact</b>	Required on the overarching policy and undertaken by services on implementation

Policy Review		
Review Date	Person Responsible	Service

# Inverclyde Council Social Work Services

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## **Inverclyde Council Social Work Services**

### **INTRODUCTION**

This document sets out Inverclyde Council's Eligibility Criteria for access to Community Care Services. These services may be provided directly by the Council, be commissioned by the Council or be provided by the Council as a cash amount in the form of a direct payment.

The policy is based on the Scottish Government's National Standard Eligibility Criteria and Waiting Times for Personal and Nursing Care for Older People issued by Ministers under section 5(1) of the Social Work (Scotland) Act 1968. These arose following the recommendations made by Lord Sutherland's review of Free Personal Care around the need to enhance transparency and consistency of decision making in relation to allocation of resources.

The National Standard Eligibility Criteria aims to bring transparency and consistency on decision making on allocation of resources.

Inverclyde's policy aims to

- Support the implementation of the National Standard Eligibility Criteria and Framework.
- Support decision making and assist the equitable allocation of community care resources across all community care client groups.

Application of the eligibility criteria will ensure that;

- People in greatest need and at most risk receive priority for service
- Everyone who requires a service is dealt with fairly using the same criteria
- Everyone understands the basis for the decisions made in the allocation of services

Section 12(a) of the Social Work (Scotland) Act 1968 and Section 55 of the National Health Service and Community Care Act 1990 describe the assessment of need as having two stages.

1. The local authority is required to provide an assessment of need for people who may have a community care need and then having regard to the results of that assessment.
2. The local authority shall decide whether the needs of the person call for the provision of services.

The operation of eligibility criteria applies to the second stage of the assessment process.

## **Inverclyde Council Social Work Services**

Inverclyde Council supports the aspiration that people should have equal access to services when they need them irrespective of age, gender, disability, ethnic origin, faith or belief, sexual orientation, location, current living or caring arrangements.

A system wide approach to assessing needs, negotiating service user outcomes (statements of purpose of interventions) and available resources, will mean that people will better understand their 'entitlement to service' and staff will be able to provide clarity about the allocation of finite resources. This policy should be read in conjunction with the National Eligibility Criteria Framework and guidance on shared assessment, care planning and reviewing which incorporates 'Talking Points' relationship based assessment and service user outcome focus as part of the wider personalisation agenda.

### **1. POLICY STATEMENT**

1.1 Inverclyde Council Social Work Services are committed to providing care and support consistent with Scottish Government Guidance and Legislation.

1.2 The eligibility criteria will ensure that individuals whose level of risk and need is greatest will be given priority in receiving support.

1.3 Services will be provided to promote independent living, to protect people at risk of harm, assist individual's control their own lives as far as possible and have the freedom to participate fully in the community with appropriate support.

This will include meeting reasonable expectations for

- Health and Safety
- Personal Daily Routines
- Inclusion

The support given to those receiving services will be subject to ongoing review to ensure that the service provided is achieving intended outcomes and/or reflects the changing needs of the individual.

### **2. LEGISLATION**

This policy is informed by a range of legislation and national guidance, which include:

- The Social Work (Scotland) Act 1968
- The NHS and Community Care Act 1990
- Community Care and Health (Scotland) Act 2002
- Chronically Sick and Disabled Persons Act 1970
- Disabled Persons (Service, Consultation and Representation) Act 1986
- Disability Discrimination Act 1995/2005

## **Inverclyde Council Social Work Services**

- Mental Health (Care and Treatment) (Scotland) Act 2003
- National Assistance Act 1948
- Health and Social Services and Social Security Adjudication's Act 1983
- The Housing Act (Scotland) 2001
- Adults with Incapacity (Scotland) Act 2000
- Carers (Recognition and Services) Act 1995

### **Reports and Guidance**

- Independent Review of Free Personal and Nursing Care in Scotland-A Report by Lord Sutherland
- Changing Lives
- Shifting the Balance
- New Strategy for Carers
- Guidance on Single Shared Assessment of Community Care Needs
- National Minimum Information Standards for Assessment and Care Planning for Adults

## **3. BACKGROUND**

3.1 The introduction of eligibility criteria sits within a range of policy and strategic objectives to address:

- the projected growth in the numbers and proportions of older people who may have community care needs;
- the need to continually improve health and social care outcomes; and
- the increasing cost of formal care

3.2 The policy is intended to sit alongside all relevant drivers which apply across community care services recognising that one of the challenges is that these do not all fit easily together. The relevant drivers include

- Protecting those at risk of harm
- Shifting the balance of care
- Improving and sustaining wellbeing,
- Promoting independence,
- Self directed support and personalisation.

The underpinning principles include protection, re-ablement and rehabilitation, social inclusion and supporting unpaid carers.

3.3 The policy aims to reinforce

- the central role of assessment in determining access to social care services

## Inverclyde Council Social Work Services

- the responsibility of the local authority to determine the provision of care services taking into account financial, other resources and costs of service provision
- that the prioritisation process for resource allocation should target resources towards supporting people at critical or substantial risk as regards health and well being and being able to live as independently as possible. Consideration of the benefits of preventative support therefore is crucial.

3.4 The National Standard Eligibility Criteria is based upon a framework that prioritises areas of risk into four bands;

**Critical** - indicates that there are major risks to an individual's independent living or health and wellbeing likely to call for immediate or imminent provision of social care services

**Substantial** - Indicates that there are significant risks to an individual's independence or health and wellbeing

**Moderate** - indicates that there are some risks to an individual's independence or health and wellbeing. These may call for the provision of social care services managed and prioritised on an ongoing basis or they may be manageable over the foreseeable future without service provision with appropriate arrangements for review.

**Low risk** - indicates that there may be some quality of life issues, but low risks to an individual's independence or health and wellbeing with very limited requirement for the provision of social care services. There may be some need for alternative support or advice and appropriate arrangements for review over the foreseeable future or longer term.

3.5 The framework proposes that services will be delivered within the following timescales

**Critical** - immediate, required now or within 1-2 weeks

**Substantial** - imminent, required within 6 weeks

**Moderate** - foreseeable future, required within 6 months

**Low** - longer term, required within 12 months or subsequently

3.6 For those people who following assessment are determined as being within critical or substantial risk bands there should be a standard maximum waiting time for personal and nursing care services of 6 weeks from confirmation of the need to service delivery.

## **Inverclyde Council Social Work Services**

3.7 People who following assessment are determined as having moderate to low needs must still be considered for the provision of services but if resource availability is operating to capacity will have to wait availability as per the timescales described above.

3.8 The Criteria framework set by the Scottish Government requires the following information to be recorded for older people's community care services

- Provision of preventative or other support services appropriate to client's needs, with formal arrangements for ongoing review
- An actively managed waiting list for those who are intended to receive service provision
- A clear timescale for review of needs arising from care needs assessment
- Provision of advice on alternative sources of support and request to contact relevant referring agent if needs change

3.9 Performance Monitoring also includes the need to record

- Information on the numbers of individuals identified within each of the social care eligibility criteria bands
- Information on the timescales from initial assessment process starting, including information on the numbers of clients who have been waiting over 3 weeks from the initial referral or review to the identification of need;
- Information on timescales from the start of the assessment process to the initial delivery of services, including information on the number of clients who have been waiting over 6 weeks from the start of the assessment process to the delivery of services.

3.10 Inverclyde Council will adopt the terms priority 1,2,3 and 4 to identify eligibility priority groupings these will incorporate the above risk bands.

3.11 Priority 1 – This will generally be reflected by a combination of the individual being at critical risk, having a high dependency score, no or low informal supports i.e. there is a risk to life and limb and there are no other supports available to meet these needs.

Service for priority group 1 will continue to be made available within 72 hours maximum.

3.12 Priority 2 – This will generally be reflected by a combination of critical/substantial risk and moderate risk (where prevention of escalating risk is identified), medium to high dependency score, little informal support or informal support under stress and low to medium personal resources e.g. individuals in Priority 1 who have limited other supports available or where intervention will prevent a sustained loss of functioning.

## **Inverclyde Council Social Work Services**

Services for priority group 2 will continue to be made available within 42 days of needs being assessed.

3.13 Priority 3 – This will generally be reflected by a moderate risk, moderate dependency, need to support informal carers and having/being able to develop personal resources. eg where an individual has had a hospital admission resulting in a lack of confidence in their abilities and/or feels insecure in their home environment.

Services for Priority group 3 will be made available within 6 months of needs being assessed.

3.14 Priority 4 – Individuals will generally be at low risk, have low dependency levels, have a good informal support network or the potential to develop this and have personal resources/capabilities e.g where intervention may enhance or maintain risk and needs it not expected. Individuals within the priority 4 group may not be eligible for services commissioned or delivered directly by Inverclyde Council.

### **4. GENERAL APPLICATION**

4.1 Eligibility for service is determined following the assessment and formal review stages of the single shared assessment process (appendix 1). Assessments must be person centred taking account of individual needs, risk of harm, risk to independence if needs are not met, identifying the options that are available to people for managing their own lives and negotiating and agreeing the outcomes intended from intervention, monitoring and reviewing achievement of intended outcomes from services. This requires assessors to gain an understanding of the person being assessed within the context of their own unique situation, the strengths, weakness, opportunities/potential and threats (SWOPT analysis) within it.

4.2 The term eligibility refers to whether or not an individual may be entitled to receive a service or services. Within Inverclyde this will be determined by evaluating the analysis and conclusion of the person centred single shared assessment against the risk/priority template within the National Standard Eligibility Criteria (appendix 2). For older people the Indicator of Relative Need (IoRN) dependency tool will be applied. The aggregate will inform eligibility for services within Inverclyde.

4.3 Each service provision area will update eligibility criteria to fit with this and determine local eligibility.

## **5. SUPPORTING INDIVIDUALS WHO ARE NOT ELIGIBLE FOR SERVICES**

5.1 In reaching a conclusion someone is not eligible for services from the Council that person should be provided with useful information and advice about other sources of support to address outstanding issues or problems and should be given a written record of the decision and reasons. This record should tell individuals who are not eligible that if their circumstances change they should make contact to have their needs re-assessed.

5.2 In determining a person is not eligible either following assessment or following formal review the Council needs to be satisfied that needs would not significantly worsen or increase in the foreseeable future due to the lack of provision by the Council and thereby compromise key aspects of independence.

## **6 INFORMATION AND PUBLICITY**

6.1 It is recognised that information for the public and partner organisations is important. An information leaflet will be produced and made available on the Inverclyde Council website, confirming the eligibility criteria and the assessment process for accessing services. This will be further disseminated to ensure full public access.

## **7 IMPACT ON SERVICE USERS**

71 The National Standard Eligibility Criteria's risk/priority template provides a consistent reference for staff, service users and carers to understand how resources will be targeted in future to facilitate equity in service provision. It is also important that members of the public understand the basis of decisions made in the allocation of finite resources.

72 The implementation of eligibility criteria is pivotal to the challenges of balancing need and risks in assessment and care management through to best value management and delivery of services achieving the best possible outcomes for service users.

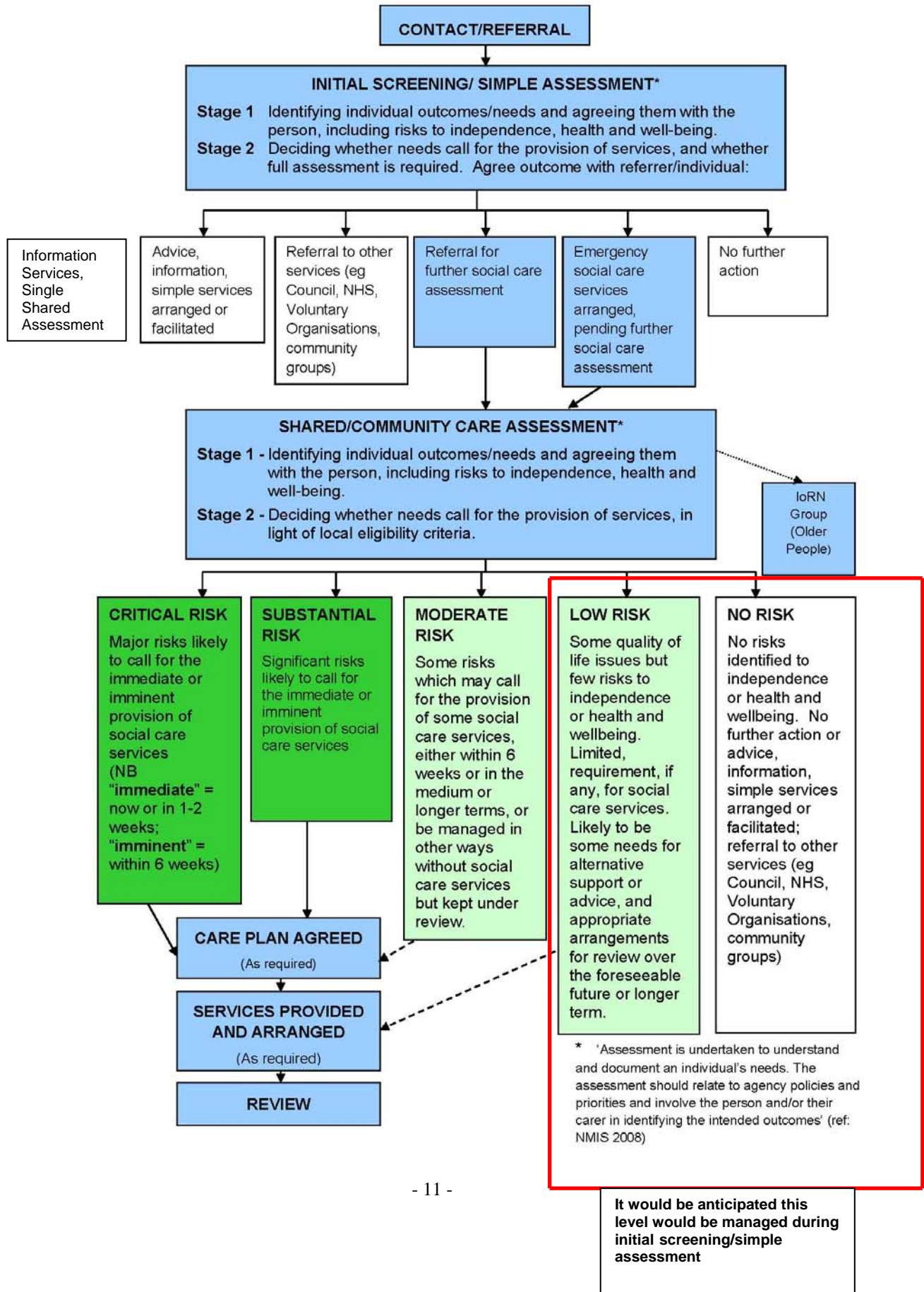
73 Arrangements will be made to monitor and review, including equality impact assessment the implementation of this criteria.

## **8 IMPLEMENTATION**

8.1 Effective implementation will require having clear arrangements for meeting, managing, reviewing and monitoring delivery of service and supporting individuals who are determined not to be eligible for services.

## Inverclyde Council Social Work Services

8.2 The timescale for the implementation of eligibility criteria for older people in Inverclyde will be from January 2010.





**Inverclyde Council Social Work Services**

**APPENDIX 2**

<b>CRITICAL</b>	<b>SUBSTANTIAL</b>	<b>MODERATE</b>	<b>LOW</b>
<b>(High)</b>		<b>(Medium / Preventative)</b>	<b>(Low/ Preventative)</b>
<b>Risks relating to neglect or physical or mental health</b>			
Major health problems which cause life threatening harm or danger to client or others.	Significant health problems which cause significant risks of harm or danger to client or others.	Some health problems indicating some risk to independence and/or intermittent distress, potential to maintain health with minimum interventions.	Few health problems indicating low risk to independence, potential to maintain health with minimum interventions
Serious abuse or neglect has occurred or is strongly suspected and client needs protective intervention by social care services (includes financial abuse and discrimination).	Abuse or neglect has occurred or is strongly suspected (includes financial abuse and discrimination).	Vulnerable person need to raise their awareness to potential risks of abuse	Preventive measures including reminders to minimise potential risk of abuse
<b>Risks relating to personal care /domestic routines /home environment</b>			
Unable to do vital or most aspects of personal care causing a major harm or danger to client or others or major risks to independence.	Unable to do many aspects of personal care causing significant risk of danger or harm to client or others or there are significant risks to independence.	Unable to do some aspects of personal care indicating some risk to independence.	Difficulty with one or two aspects of personal care, domestic routines and/or home environment indicating little risk to independence.
Unable to manage the most vital or most aspects of domestic routines causing major harm or danger to client or others or major risks to independence.	Unable to manage many aspects of domestic routines causing significant risk of harm or danger to client or others or significant risk to independence.	Able to manage some aspects of domestic activities indicating some risk to independence.	Able to manage most aspects of basic domestic activities
Extensive/complete loss of choice and control over vital aspects of home environment causing major harm or	Substantial loss of choice and control managing home environment causing a significant risk of harm or danger to	Able to manage some aspects of home environment, leaving some risk to independence.	Able to manage most basic aspects of home environment

## Inverclyde Council Social Work Services

CRITICAL	SUBSTANTIAL	MODERATE	LOW
(High)		(Medium / Preventative)	(Low/ Preventative)
danger to client or others or there are major risks to independence.	client or others or a significant risk to independence.		
<b>Risks relating to participation in community life</b>			
Unable to sustain involvement in vital aspects of work/ education/ learning causing severe loss of independence.	Unable to sustain involvement in many aspects of work/ education/ learning causing a significant risk to losing independence.	Unable to manage several aspects of involvement in work/ learning /education and this will, in the foreseeable future, pose a risk to independence.	Has difficulty undertaking one or two aspects of work/learning / education / family and/or social networks indicating little risk to independence.
Unable to sustain involvement in vital or most aspects of family /social roles and responsibilities and social contact causing severe loss of independence.	Unable to sustain involvement in many aspects of family /social roles and responsibilities and social contact causing significant distress and/or risk to independence.	Able to manage some of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.	Able to manage most of the aspects of family / social roles and responsibilities and social contact, that pose some risk to independence.
<b>Risk relating to carers</b>			
Carer has major physical/mental health difficulties due to the impact of their role as a carer causing life threatening harm or danger to themselves or others.	Carer has significant physical / mental health difficulties due to the impact of their role as a carer causing significant risk of harm or danger to themselves or others.	Carer able to manage some aspects of the caring / family / domestic / social roles. Potential risk to breakdown of their own health identified.	Carer able to manage most aspects; has difficulty undertaking one or two aspects of their caring / domestic role but with low risk.
There is a complete breakdown in the relationship between client and carer and carer is unable to continue caring or has difficulty sustaining vital or most aspects of their caring role.	There is a significant risk of breakdown in the relationship between client and carer and carer is unable to sustain many aspects of their caring role.	Relationship maintained although at times under strain between client and carer/ limiting some aspects of the caring role.	Relationship maintained between client and carer by limiting aspects of the caring role.
Carer is unable to manage vital or most	Carer is unable to manage many	Carer is able to manage some	Carer is able to manage most

## Inverclyde Council Social Work Services

<b>CRITICAL</b>	<b>SUBSTANTIAL</b>	<b>MODERATE</b>	<b>LOW</b>
<b>(High)</b>		<b>(Medium / Preventative)</b>	<b>(Low/ Preventative)</b>
aspects of their caring / family / work / domestic / social roles and responsibilities.	aspects of their caring / family / work / domestic / social roles and responsibilities.	aspects of their caring / family / work / domestic / social roles and responsibilities	aspects of their caring / family / work / domestic / social roles and responsibilities

## National Eligibility Criteria for Adult Social Care and Waiting Times for Personal and Nursing Care

### Action Plan

Issue	Action	Timescale
<ul style="list-style-type: none"> <li>Eligibility Criteria for Access to Community Care Services</li> </ul>	<ul style="list-style-type: none"> <li>Committee Approval</li> </ul>	January 2010
<ul style="list-style-type: none"> <li>Staff Training</li> </ul>	<ul style="list-style-type: none"> <li>Staff Guidance Paper</li> <li>Training roll out (including partners)</li> </ul>	January 2010 January-March 2010
<ul style="list-style-type: none"> <li>Roll out – Care Plan ,Review, IoRN tool</li> </ul>	<ul style="list-style-type: none"> <li>Develop SWIFT to incorporate new business processes and reporting requirements</li> <li>Staff SWIFT Training</li> </ul>	January-March 2010  April 2010
<ul style="list-style-type: none"> <li>Reporting Requirements</li> </ul>	<ul style="list-style-type: none"> <li>Develop suite of reports from SWIFT</li> </ul>	April 2010 onwards
<ul style="list-style-type: none"> <li>Public Information</li> </ul>	<ul style="list-style-type: none"> <li>Production of appropriate route of communication to public</li> </ul>	January 2010