
**ADULT SOCIAL CARE POLICY REVIEW
ELIGIBILITY CRITERIA POLICY**

**Responsible Cabinet Member - Councillor Veronica Copeland,
Adult Social Care and Housing Portfolio**

Responsible Director - Murray Rose, Director of People

SUMMARY REPORT

Purpose of the Report

1. To advise members of a clerical error contained within the 'matrix' attached to the Eligibility Criteria Policy for Adult Social Care which was approved on 11 September 2012 and to confirm that the matrix has been amended.

Summary

2. On 11 September 2012 Cabinet made a decision, having considered the impact assessment against the need to achieve efficiencies within the context of the current Medium Term Financial plan, to approve the Eligibility Criteria Policy for Adult Social Care ('the policy'), with implementation to take effect on 1 December 2012.
3. As a result of the decision made on 11 September 2012, Darlington Borough Council will only automatically meet eligible needs, i.e. those needs falling within the substantial and critical levels. The Policy states that where a person has both eligible and ineligible needs, there will be no automatic responsibility for the Council to provide services to meet all of those needs, only the eligible ones. However, where there are presenting needs that are a consequence of, or would facilitate eligible needs being met then the Council may also provide support to meet those presenting needs.
4. On the 19 November 2012 Council received a challenge by way of a letter before claim in Judicial Review proceedings which requested further information in relation to the Policy. As a result of this letter the Council have noted that the matrix contained within appendix 2 of the Policy contains clerical errors. The policy itself was attached to the Cabinet report at Appendix 1.
5. The paperwork provided for Cabinet on 11 September 2012 included the Policy at appendix 1. The policy had a matrix attached to be used as a tool to assist in the

determination of eligibility for Adult Social Care following implementation of the policy.

6. When determining eligibility, Supporting Officers will consider the following risks to an individual's independence:-
 - (a) Autonomy and freedom to make choices.
 - (b) Health and safety including freedom from harm, abuse and neglect, and taking wider issues of housing and community safety into account.
 - (c) The ability to manage personal and other daily routines.
 - (d) Involvement in family and wider community life, including leisure, hobbies,
 - (e) unpaid and paid work, learning, and volunteering
7. The correct updated matrix was not included and instead an earlier incorrect draft version of the matrix was attached.
8. For clarity, the incorrect matrix was not used to determine any of the efficiencies identified within the report to Cabinet for the decision made on the 11 September 2012, nor has it been used to make any determinations of eligibility.
9. The Council have now amended the clerical error. The amended matrix does not alter the Policy that Cabinet approved on 11 September 2012 and therefore there is no need for further approval from Cabinet.

Recommendation

10. It is recommended that Cabinet confirm that the 'matrix' at appendix two to the Eligibility Criteria Policy for Adult Social Care (appendix one of the Cabinet Report, Item 7 (b)), has been amended to correct a clerical error.

Reasons

11. The recommendations is supported by the following reason :-
 - (a) To ensure that Cabinet are aware and satisfied that the amendments made to the matrix are correct and in line with the Eligibility Criteria Policy for Adult Social Care which was approved on 11 September 2012.

Murray Rose
Director of People

Background Papers

No Background papers were used in the preparation of this report.

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| S17 Crime and Disorder | This report has no implications for crime and disorder. |
| Health and Well Being | The impacts on Health and Well Being were set out in detail in the report to Cabinet dated 11 September 2012 with its accompanying documentation. A detailed Equalities Impact Assessment was prepared and considered within the text of that report. This report does not alter that position. |
| Carbon Impact | There are no carbon impact implications in this report. |
| Diversity | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |
| Wards Affected | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |
| Groups Affected | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |
| Budget and Policy Framework | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |
| Key Decision | This is not a Key Decision. |
| Urgent Decision | This is not an Urgent Decision. |
| One Darlington: Perfectly Placed | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |
| Efficiency | The report to Cabinet dated 11 September 2012 set out details. This report does not alter that position. |