

CONSULTATION INFORMATION PAPER

Consultation on Darlington Borough Council's proposal to make a change to the eligibility criteria for Adult Social Care Services under the Care Act 2014

The Council is considering whether to change the eligibility criteria it applies to residents who are being considered for Adult Social Care Services following the introduction of 'The Care Act 2014'.

(Further information on the Care Act 2014 can be found at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>)).

The Care Act 2014 sets out a national minimum eligibility criteria for all Local Authorities. This has been introduced to provide more transparency on what level of need is eligible and create a national standard. The Council currently includes 'managing medication' as one of the outcomes which is considered when making an eligibility decision. The Care Act 2014 does not require Local Authorities to consider this outcome within their eligibility criteria's. The Council's proposal is to remove 'managing medication' as one of the outcomes being considered when determining eligibility for a service from the Council. If this change happened, the Council would come in line with all other local authorities in the North East and the majority of local authorities nationally.

Background

The Care Act 2014 sets a national eligibility criteria, where a minimum threshold for an adult with care and support needs is identified. This enables a social care practitioner, following the assessment of an individual with the appearance of care and support needs, to apply the eligibility criteria to determine if the individual is eligible for support from the Council.

One of the principles of the Care Act 2014 is to provide Local Authorities with a national eligibility criteria. This is intended to provide more transparency and consistency relating to the outcome of the eligibility decision.

The framework set out within the Care Act 2014 is intended to make applying the eligibility criteria fairer and more clearly understood by everyone. The overarching principle is that people should only be provided with a service where they are assessed as meeting the national eligibility criteria and minimum threshold.

The Care Act 2014 states that Local Authorities should consider 'as a result of an individual's needs if the adult is unable to achieve two or more of the specified outcomes':-

1. Managing and maintaining nutrition
2. Maintaining personal hygiene
3. Managing toilet needs
4. Being appropriately clothed
5. Being able to make use of the home safely
6. Maintaining a habitable home environment
7. Developing and maintaining family or other personal relationships
8. Accessing and engaging in work, training or volunteering
9. Making use of necessary facilities or services in the local community
10. Carrying out any caring responsibilities the adult has for a child

In addition to the 10 outcomes specified within the Care Act, the Council currently includes 'managing medication' as an outcome when applying the eligibility criteria. There is no legal requirement for the Council to include Managing medication within its eligibility criteria.

What is the proposed change to the way in which Darlington Borough Council will apply eligibility criteria to an individual following an assessment?

What are we proposing?

The Council is proposing to remove 'managing medication' as an outcome within the eligibility criteria. This will bring the Council in line with the national minimum criteria that is set out within the Care Act 2014. The eligibility criteria will determine whether someone is assessed as being eligible for a service(s) and does not alter the types of service(s) available and which can be provided.

Medication prompts will remain a service available to individuals who have been assessed as having eligible needs in line with the national criteria as set out above and proposed by the Council.

Who will be affected?

The proposal is solely to consider the eligibility criteria. Medication prompts will continue to be provided to individuals where the Council have assessed an individual's needs, the individual is eligible for support and medication prompts are required to maintain the individual's wellbeing.

All individuals that are assessed by adult social care will have an eligibility determination based on the national criteria set out within the Care Act 2014. Those who do not meet the minimum threshold will be referred for information and advice but will be deemed not eligible for support from the Council. This may include current service users following a reassessment of need.

The Council anticipates that most people currently receiving care and support from the Council would not see any significant change to their support plan as a result of the proposed change. This is because the majority of people who receive services will already meet 2 or more of the outcomes set out within the Care Act.

The Council believes that there may be a small number of existing services users who would not meet the national eligibility criteria as set out in the Care Act. If the proposed change was implemented the Council would only make changes to support following a review of a persons needs and would offer the person support to consider alternatives.

Two examples of how individuals might be affected:

Example 1

John has been receiving social care support following previous assessment and eligibility determination. The previous eligibility determination was completed indicating that there were two outcomes John was not able to achieve and they had significant impact on his well- being. The outcome John was not able to achieve included 'maintaining personal hygiene and managing medication'. It was clear that John was unable to achieve two of the specified outcomes within the Council's eligibility criteria. This resulted in John being deemed eligible for social care support and a service being provided to John from the Council.

Under the proposed changes to the eligibility criteria (Removal of 'managing medication' as a specified outcome) John would not be deemed eligible for support provided by the Council. This is because he would no longer have two specified outcomes that he was unable to achieve. In this instance John would be sign posted and provided with information and advice to enable him to achieve his one required outcome (that of maintaining personal hygiene) from alternative means.

Example 2

Peter has been receiving social care support following previous assessment and eligibility determination. The previous eligibility determination was completed indicating that there were four outcomes Peter was not able to achieve and they had a significant impact on his well- being. The outcomes Peter was not able to achieve included 'maintaining personal hygiene', 'managing medication', 'managing toilet needs' and 'maintaining a habitable home environment'. It was clear that Peter was unable to achieve four of the specified outcomes within the Council's eligibility criteria. This resulted in Peter being deemed eligible for social care support and a service being provided to Peter from the Council.

Under the proposed changes to the eligibility criteria (Removal of 'managing medication' as a specified outcome) Peter would continue to be deemed eligible for social care support. This is because Peter would now have three outcomes identified which he is unable to achieve and are causing a significant impact on his well-being. These are 'maintaining personal hygiene, 'managing toilet needs' and 'maintaining a habitable home environment'. Although managing medication has been removed as an eligible outcome, as Peter is still eligible for social care support his support will still include medication prompts.

Different groups of people may be affected by these changes differently

We would like your views on these proposals as a service user, carer or representative.

We would also like your views on what impact the policy may have on you.

You can provide feedback in different ways:

- 1) Complete on-line questionnaire:

<https://www.surveymonkey.co.uk/r/DBCeligibility>

- 2) Complete paper questionnaire and return to: Steven Blows, Central House, Gladstone Street, Darlington, DL3 6JX.

- 3) Alternatively consultation events are to be held on the following dates:

- a) **Tuesday 8th August 2017 from 09:30 – 11:30 in the Seminar Room at the Dolphin Centre – Presentation will start at 09:30**

- b) **Tuesday 29th August 2017 from 13:30 – 15:30 in the Seminar Room at the Dolphin Centre - Presentation will start at 13:30**

- c) **Wednesday 13th September 2017 15:00 – 17:00 in the Seminar Room at the Dolphin Centre - Presentation will start at 15:00**

- d) **Tuesday 3rd October 2017 17:00 – 19:00 in the Seminar Room at the Dolphin Centre - Presentation will start at 17:00**

The events will focus on providing an opportunity to give feedback on the proposed changes and to identify any potential impacts which may arise from the potential change. A presentation will be provided at the beginning of each session to explain the proposed change. It is anticipated that the presentation would be for 15-30 minutes. There will then be an opportunity for questions and answers. The remaining time available during the event will be used to allow one to one discussion with any person wishing to consider their own personal situation. Please feel free to attend any event.

- 4) Feedback via telephone to Steven Blows on 01325 406738.

Equality Impact Assessment

The Council is committed to ensuring involvement of all the people and communities that use our services. We need to do this when we consult too, so we can be sure that the way we consult is fair, transparent and promotes equality of opportunity. You can help us to do this by answering the questions within the questionnaire. We won't share any of the information you give us and you don't have to answer the questions if you don't want to.