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**CONSULTATION RE ELIGIBILITY CRITERIA FOR ADULT SOCIAL CARE**

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**Responsible Cabinet Member - Councillor Sue Richmond,  
Adult Social Care Portfolio**

**Responsible Director - Suzanne Joyner, Director of Children and Adults Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To seek Cabinet approval to commence consultation relating to a proposed change in the Adult Social Care's Eligibility criteria. The report aims to inform members of the proposed change:

**Summary**

2. Darlington Borough Council have previously been required to review and amend their eligibility criteria for adult social care due to a reform in the law (The Care Act 2014). Other Councils had also been required to fulfil the same requirements and have amended their own eligibility criteria accordingly. When the Care Act 2014 was implemented Darlington Borough Council adopted the new national eligibility criteria and increased it beyond the minimum threshold to include 'Managing Medication'.
3. Darlington Borough Council now proposes to remove 'Managing Medication' as an outcome set out in its current eligibility criteria. This will bring Darlington Borough Council in line with the Care Act 2014 minimum threshold and with other Local Authorities. It will support the Care Act principle of promoting continuity of care between Local Authority areas. It will also support the Council to implement the core statutory minimum offer.

**Recommendation**

4. It is recommended that Darlington Borough Council commences a period of consultation to consider the removal of 'Managing Medication' as an outcome from the adult social care eligibility criteria.

## Reasons

5. To ensure Darlington Borough Council have an eligibility criteria for adult social care that is reflective of the minimum threshold set out by legislation (Care Act 2014).

**Suzanne Joyner**  
**Director of Children and Adults Services**

### Background Papers

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

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S17 Crime and Disorder	There are no S17 Crime and Disorder issues prior to the end of the Consultation Period.
Health and Well Being	There are no Health and Wellbeing issues prior to the end of the Consultation Period.
Carbon Impact	There are no carbon impact implications in this report.
Diversity	This will be considered within the consultation.
Wards Affected	There are no wards identified as being particularly impacted upon in this report.
Groups Affected	All residents of the Borough will be consulted with specific focus being given to those individuals already receiving adult social care support.
Budget and Policy Framework	<p>The Council will make a potential annual financial saving of £27,846 based on individuals not being provided with a specific medication support.</p> <p>Managing medication is not a statutory function for the local authority. This decision does not represent a change to the budget and policy framework.</p>
Key Decision	This is a key decision
Urgent Decision	An urgent decision is required to enable consultation to commence on 12 July 2017.
One Darlington: Perfectly Placed	The consultation will not have an impact on One Darlington: Perfectly Placed
Efficiency	This decision will not impact on the efficiency of the Council.

## MAIN REPORT

### Information and Analysis

6. 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.
7. The eligibility framework set out within the Care Act 2014 is intended to make applying the eligibility criteria fairer, more transparent and more consistent on a national footprint. The overarching principle is that people should only be provided with a service where they are assessed as meeting the national eligibility criteria.
  - (a) 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':
    - (i) Managing and maintaining nutrition
    - (ii) Maintaining personal hygiene
    - (iii) Managing toilet needs
    - (iv) Being appropriately clothed
    - (v) Being able to make use of the home safely
    - (vi) Maintaining a habitable home environment
    - (vii) Developing and maintaining family or other personal relationships
    - (viii) Accessing and engaging in work, training or volunteering
    - (ix) Making use of necessary facilities or services in the local community
    - (x) Carrying out any caring responsibilities the adult has for a child
8. Darlington Borough Council currently includes 'managing medication' as an outcome within its eligibility criteria. This is not required by the Care Act 2014 and places the criteria above the statutory minimal requirement.
9. The proposed changes will impact on all individuals currently receiving a service from Darlington Borough Council and those who approach us to be assessed in the future. It is proposed that 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 provided with information and advice, but will be deemed ineligible for support from the Council. Alternatives may include carers assessments to support friends or families in providing the medication support or assistive technology could also be considered as a means to support medication.
10. Initial data collection shows that there is a potential of 42 identified individuals who currently receive a service from Darlington Borough Council specifically for medication support. These individuals may become ineligible for service based on their current level of need. This is compared to 1944 individuals currently in receipt of a service in the community from Darlington Borough Council. Where an

individual is deemed not to be eligible for social care support the individual would no longer receive any involvement from adult social care directly.

11. Should a decision be made to amend the eligibility criteria, the needs of those people affected will be reviewed. Alternatives to a specific service to manage an individual's medication will be considered to mitigate any effects of the proposed change. This may include increased use of assistive technology where appropriate alternatively considering carers assessments to support family or friends in completing the tasks required.
12. The plan for the proposed consultation is to include all individuals resident within Darlington. Specific focus will be directed towards individuals currently assessed as being eligible for a service and receiving adult social care support.
13. It is planned that a full equality impact assessment will be completed as part of the proposed consultation process. To ensure all individuals are given a greater opportunity to contribute towards a consultation, a period of 12 weeks consultation is planned.

### **Financial Implications**

14. It is envisaged that 42 individuals will become ineligible for service should 'managing medication' be removed as an outcome when applying the national minimum threshold based on current need. The Council will make a potential annual financial saving of £27,846 based on individuals not being provided with a specific medication support.
15. In addition, there will be a financial benefit to the Council from the implementation of the proposal associated with cost avoidance relating to new service user's i.e. an individual not being considered eligible based on their needs relating to managing medication.

### **Conclusion**

16. There is a clear rationale for Darlington Borough Council to commence consultation with the residents of Darlington to consider the removal of 'Managing Medication' as an outcome when applying adult social care eligibility to an individual. This is based on the Care Act 2014 and the national minimum threshold set out within it. It is therefore recommended that cabinet approve the commencement of the consultation period.