
Meeting: Executive
Date: 9 March 2010
Subject: Review of the Eligibility Criteria for Fair Access to Care Services for Adult Social Care
Report of: Cllr Hegley , Portfolio Holder for Social Care and Health
Summary: Central Bedfordshire inherited the existing eligibility criteria from Bedfordshire County Council. The report proposes to Members new eligibility criteria for Fair Access to Care Services (FACS) for Central Bedfordshire.

Advising Officer: Julie Ogle, Director of Social Care, Health & Housing
Contact Officer: Althea Mitcham, Head of Business Infrastructure
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** n/a

CORPORATE IMPLICATIONS

Council Priorities:

The delivery of responsive adult social care services meets with the Council's vision to 'improve the quality of life of all in Central Bedfordshire' and its priority of 'supporting and caring for an ageing population'.

Financial:

The revised eligibility criteria set out in this report have to be affordable in the context of the proposed revenue budget for 2010/11. This does not include additional funding for service users presenting with moderate or low needs who would not currently receive a service. There is national funding available to the third sector to enable them to develop preventative services and it may be that service users with moderate and low needs will have their assessed services provided by the third sector.

It is not possible to quantify the impact on social work teams of potential new users. Currently social workers will have initial contact with and, in some cases, complete initial assessments of service users with moderate and low needs before signposting to non-statutory services. It is critical that at the six-month review stage a full evaluation including financial implications is undertaken so that there is a clear picture of the longer term financial impact including an assessment of the likely savings on intensive care and residential care. Social Care Reform grant of £844k is available for 2010/11 - some of this will be used to develop the information and universal services referred to in this report particularly in respect of service users assessed as having low needs

Legal:

The statutory duty for councils to assess for social care services is found in the NHS and Community Care Act 1990 (NHSCCA) and also in some Disability and Carers legislation.

Section 47 (1) of the NHS and Community Care Act 1990, imposes a duty on local authorities to carry out an assessment of need for community care services with people who appear to them to need such services and then, having regard to that assessment, decide whether those needs call for the provision by them of services.

Risk Management:

Failure to revise the eligibility criteria in line with the Department of Health Guidance would put the Council at risk of enforcement action from the Care Quality Commission and poor judgements by way of service inspections, Annual Performance Appraisal and Comprehensive Area Assessment.

Equalities/Human Rights:

The eligibility criteria will promote independence and social inclusion of vulnerable adults, having regard to Article 8 of the Human Rights Act which states that 'everyone has the right to respect for his private and family life, his home and his correspondence'.

The government envisages that grant funding of the third sector to provide preventative services promoted by the policy, has the potential to offer a wider choice of specific or specialist services, particularly for people from minority groups who have been historically underserved by generic statutory agencies.

An Equalities Impact Assessment of the revised policy has been completed and has concluded that the equalities considerations support the recommendation to adopt the proposed policy.

Sustainability:

The policy supports the Sustainable Community Strategy in ensuring that everyone has access to high quality health and social care services when they need them and to help Central Bedfordshire's population live healthy an independent lives.

Summary of Overview and Scrutiny Comments:

The review of the policy was presented to the Social Care, Health and Housing Overview and Scrutiny Committee on 4 February 2010. The committee considered the report, and were advised of the consultation approach and will receive the final draft policy at the meeting of 2 March 2010.

RECOMMENDATION(S):

Executive is requested to consider the report and if satisfied

- 1. Note the contents of the report.**
- 2. Approve the Eligibility Policy outlined in Appendix A.**

3. Approve the use of the policy with effect from 1 April 2010.

4. Receive an oral update on the public consultation.

Reason for Recommendation(s): So that Central Bedfordshire Council has a policy that is fit for purpose and in accordance with the revised guidance.

Executive Summary

A review has been completed to ensure that the Council can respond to the Government's agenda 'Putting People First' which transforms adult social care with the introduction of personal budgets and a significant emphasis on prevention. The Department of Health has recently consulted nationally on their intended approach and as a consequence all Local Authorities will need to consider their approach.

The proposed eligibility criteria will deliver the Council's vision to 'improve the quality of life of all in Central Bedfordshire' and its priority of 'supporting and caring for an ageing population'.

Background

1. The Fair Access to Care Services (FACS) framework was introduced in 2003 to provide councils with a way of allocating the limited resources available for social care as fairly and consistently as possible.
2. Since its introduction, there has been a shift in social care policy as set out in the cross-government agreement *Putting People First (2007)*. This initiated a cross-sector transformation programme for adult social care which puts a greater emphasis on choice and control as well as the importance of services that ensure that everyone can expect some level of support from their community. There has in addition, been an increasing focus on the promotion of general well-being and to targeted prevention, including investment to support people to prevent or defer the need for more intensive help. This shift in policy has brought about a need to change the Fair Access to Care Services Guidance to include the new approaches to prevention and personalisation.

Eligibility Criteria

3. Fair Access to Care Services guidance introduced four bands of eligibility based on people's needs – critical, substantial, moderate and low. Councils are required to use the eligibility framework to identify eligible needs, according to the risks to an individual's independence, both in the immediate and longer term.
4. Councils have control in deciding where they set the eligibility threshold in relation to the four bands and according to their financial resources. This means that the Council stipulates which band or bands assure a care support service. The policy inherited from the County Council provides services to people seeking support assessed as Critical or Substantial.

Policy

5. The review of the policy has been undertaken so that Central Bedfordshire Council defines the threshold levels for services and can ensure that provision can be made for prevention and early intervention support
6. The proposed policy (Appendix A) considers all bands eligible for appropriate responses, that the Council has the power or duty to provide under legislation or guidance.
7. The proposed policy will allow for the provision of one-off, short term, time limited, or occasional services on a preventative basis to an individual seeking care support, where the provision of that service will prevent them from deteriorating to a higher risk band.

Consultation

- 8 Extensive consultation of Members, the public and the voluntary and statutory sectors as well as staff, has been undertaken, the outcome of which will be reported to committee by way of a verbal report.

Appendices:

Appendix A – (Fair Access to Care Service, Eligibility Criteria for Adult Social Care, Draft Policy)

Background Papers: (open to public inspection)

Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care, *Guidance on Eligibility Criteria for Adult Social Care, England 2009 (consultation stage)*.

Location of papers: Priory House, Chicksands