

**REPORT TO: HEALTH AND SOCIAL CARE SERVICES COMMITTEE ON
18 NOVEMBER 2009**

SUBJECT: NATIONAL ELIGIBILITY CRITERIA

BY: DIRECTOR OF COMMUNITY SERVICES

1. REASON FOR REPORT

1.1 To advise Committee of confirmed guidance from Scottish Government in relation to the National Eligibility Criteria.

1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme in relation to the function of the Council as Social Work Authority under the Social Work (Scotland) Act 1968.

2. RECOMMENDATION

2.1 It is recommended that Committee approves the new Moray Council Eligibility Criteria Policy (APPENDIX 1).

3. BACKGROUND

3.1 A consultation paper on National Standard Eligibility Criteria and Waiting Times Guidance was issued to local authorities on 26 May 2009. Following this period of consultation, new confirmed guidance was issued on 28 September to all local authorities.

3.2 The guidance issued on 28 September states that the National Guidance will apply only to people aged 65 years and over (older people) to reflect the original political agreement between Council Leaders and Scottish Ministers on Lord Sutherland's recommendations about Free Personal and Nursing Care.

3.3 The guidance further states that some councils might choose to apply the eligibility framework to all Community Care groups. The framework is generic and need not only be applied to the management of older people care.

3.4 The new guidance seeks to contextualise the application of eligibility criteria in such a way as to promote the concepts of wellbeing and personalisation, including a strategic shift towards early intervention and prevention.

3.5 The new guidance contains a common commitment on behalf of all local authorities to deliver personal and nursing care services to older people within a maximum period of 6 weeks following identification of need which is identified as critical or substantial in relation to independence or wellbeing.

3.6 Overall, the guidance reinforces the following key principles:

- The responsibility of local authorities to determine the provision of care services in their areas, taking account of their financial and other resources and the cost of service provision.
 - The prioritisation process should target resources towards responding to people at critical or substantial risk as regards independent living or wellbeing, whilst not excluding consideration of the benefits of preventative support and less intensive care services for people at less risk.
- 3.7 The guidance requires Moray Council to ensure that by 1 December 2009 the local eligibility criteria and definitions for older people, and the timescales for accessing personal and nursing care services are compatible with the national definitions and standards set out in that guidance.
- 3.8 By implementing the required revision of eligibility criteria Moray Council will be ensuring the effective deployment of resources, and that decision making in relation to the deployment of these resources is undertaken in a fair, consistent and transparent manner.
- 3.9 In meeting eligible need Moray Council will have to ensure that prioritisation of response is informed by continuing systematic review of needs, including how urgently service provision is called for and what interim measures may be appropriate pending permanent response.
- 3.10 The eligibility framework prioritises risk in four bands:
- Critical
 - Substantial
 - Moderate
 - Low

These are defined as follows:

Critical Risk: Indicates that there are major risks to an individual's independent living or health and well-being likely to call for the immediate or imminent provision of social care services (high priority).

Substantial Risk: Indicates that there are significant risks to an individual's independence or health and wellbeing likely to call for the immediate or imminent provision of social care services (high priority).

Moderate Risk: Indicates that there are some risks to an individual's independence or health and wellbeing. These may call for the provision of some social care services managed and prioritised on an ongoing basis or they may simply 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, if any, 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.

3.11 The timescales for meeting these risks are required as follows:

- (i) Immediate
- (ii) Imminent
- (iii) Foreseeable future
- (iv) Longer term

3.12 This guidance therefore requires local authorities to meet needs arising from identified risks within the following timescales:

- Critical – within 6 weeks;
- Substantial – within 6 weeks;
- Moderate – review within 6 months; and
- Low – review within 12 months.

3.13 Whilst prioritising those in critical and substantial need, the guidance requires that Moray Council has in place clear arrangements for meeting, managing or reviewing the needs of individuals who are not assessed as being at critical or substantial risk, including:

- adopting a strong preventative approach to help avoid rising levels of need;
- embedding preventative strategies at every level of the social care system, informed by assessment of local needs and created in partnership with relevant agencies;
- timely investment in re-ablement services, therapy, intermediate care and assistive technologies to reduce the number of people requiring ongoing social care support;
- 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; and
- provision of advice on alternative sources of support and request to contact relevant referring agent if needs change.

3.14 To meet the requirements contained in the document “National Standard Eligibility Criteria and Waiting Time for the Personal and Nursing Care of Older People”, Moray Council Community Care staff have:

- drafted a policy on eligibility criteria that can be applied across all client groups;
- consulted with service users and carers;
- completed an equality impact assessment;
- arranged staff briefing sessions;
- prepared public information and
- assessed impact upon staffing levels and propose one additional Community Care Officer post is established in Elgin Older People’s team.

- 3.15 Following consultation with representatives of service users and staff, it is recommended that Moray applies the eligibility criteria framework across all client groups. This ensures that the principles of equity, transparency and consistency are applied throughout adult care groups in Moray.
- 3.16 In line with National guidance, compliance and reporting on waiting times will be for older people only.

4. SUMMARY OF IMPLICATIONS

(a) Single Outcome Agreement/Service Improvement Plan

Older people are a priority for Moray Council and this is consistent with Outcome 6, We Live Longer Healthier Lives. A key action to support more older people to live at home.

(b) Policy and Legal

This report should be considered in accordance with the statutory duties contained under section 12A of the Social Work (Scotland) Act 1968.

(c) Resources (Financial, Risks, Staffing and Property)

To implement this guidance, a further Community Care Officer post will be required in Elgin Community Care Team. This will be from within existing resources of the Older People Service. This will be a grade 9 post which will cost £42,000 per annum inclusive of oncosts.

(d) Consultations

Chief Social Work Officer / Director of Community Services
Integrated Learning Disability Services Manager
Integrated Mental Health Services Manager
Service Manager, Older People
Area Operations Manager (Community Care)
Occupational Therapy Manager
Senior Performance and Quality Officer
Rhona Gunn, Legal
Deborah Bosworth, Finance

5. CONCLUSION

- 5.1 **Committee approves the new Moray Council Eligibility Criteria Policy (APPENDIX 1). This policy revises the eligibility criteria for access to social care services for all adults.**

ITEM:

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Background Papers:

Ref: