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**REPORT TO: MORAY INTEGRATION JOINT BOARD ON 24 SEPTEMBER 2020**

**SUBJECT: ELIGIBILITY CRITERIA FOR ACCESS TO ADULT SOCIAL CARE**

**BY: CHIEF SOCIAL WORK OFFICER**

**1. REASON FOR REPORT**

- 1.1. To ask the Board to agree to end the temporary, suspended arrangement of care packages and revert back to substantive eligibility criteria to meet both critical and substantial need.

**2. RECOMMENDATION**

- 2.1. **It is recommended that the Moray Integration Joint Board (MIJB) agree to return to both substantial and critical provision as recommended by the Chief Social Work Officer.**

**3. BACKGROUND**

- 3.1. National eligibility criteria for social care were agreed by the Scottish Government and COSLA in 2009. Although originally developed for older people as part of the response to Lord Sutherland's independent review and report on free personal and nursing care (<http://www.scotland.gov.uk/Publications/2008/04/25105036/0>) the criteria were explicitly designed to apply consistently and transparently across all adult care groups.
- 3.2. The publishing of the criteria was inextricably interlinked with also shifting the focus towards greater emphasis on prevention, wellbeing and personalisation.
- 3.3. Eligibility criteria are a method for deploying limited resources in a way that ensures that those resources are targeted to those in greatest need, while also recognising the types of low level intervention that can be made to prevent, reduce or delay the need for ongoing support for people currently in less urgent need of support.
- 3.4. Eligibility criteria recognise **urgency** and **risk** as factors in the determination of eligibility for community care services. The National Eligibility Framework

employs a four criterion approach, categorising risk as being critical, substantial, moderate or low:

- **Critical Risk:** Indicates that there are major risks to an individual's independent living or health and well-being and likely to call for the immediate\* or imminent\*\* provision of social care services.
- **Substantial Risk:** Indicates that there are significant risks to an individual's independence or health and wellbeing and likely to call for the immediate\* or imminent\*\* provision of social care services.
  - \*Immediate – required now or within approximately 1-2 weeks;
  - \*\*Imminent – required within 6 weeks;
- **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 on-going 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

- 3.5. The application of an assessment tool such as the Supported Self-Assessment Questionnaire is a key to ensuring as much consistency as possible in assessment leading to consistent decision-making. The operation of local eligibility criteria applies to the second stage of the assessment process i.e. in determining whether the individual's needs (or personal outcomes) call for the provision of services/support.
- 3.6. However, it is recognised that the use of eligibility criteria as a means of managing demand for social care is imperfect. The risk factor and urgency level descriptions will not fully describe all the types of support required by every individual.
- 3.7. Eligibility criteria assist local authorities to achieve fairness, consistency and transparency in how decisions are taken. The Social Work (Scotland) Act 1968 recognises the central role of the local authority in determining where there is need that calls for the provision of community care services and how such need should be met.
- 3.8. It is for the Chief Social Work Officer to consider the changes necessary to any existing eligibility criteria in order to meet the requirements of the standard national eligibility framework. Each local authority should ensure that their local eligibility criteria are compatible with the national eligibility framework and definitions set within, as well as ensuring that their arrangements for accessing care services are lawful and have been the subject of an equality impact assessment.

#### **4. KEY MATTERS RELEVANT TO RECOMMENDATION**

- 4.1. During the Covid-19 pandemic substantial care packages were temporarily suspended to create capacity for the sustainability of critical care.
- 4.2. Over time it has become clear that in some cases, where a substantial care package was suspended, the client has since experienced change and is now presenting as being in critical need.
- 4.3. The ability to intervene at a substantial level would potentially avert some such deterioration and crisis, as confirmed by information and feedback from Team Managers.
- 4.4. Therefore the recommendation of the Chief Social Work Officer is now to end the temporary, suspended arrangement of care packages and revert back to our substantive eligibility criteria to meet both critical and substantial need.
- 4.5. Support will also continue to be provided to adults who are not assessed as eligible (at substantial or critical level) for ongoing social care support – with a focus on prevention, wellbeing and personalisation.

#### **5. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) and Moray Integration Joint Board Strategic Plan “Moray Partners in Care 2019 – 2029”**

This report is in line with Theme 3 of the Strategic Plan.

**(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) Financial implications**

Meeting substantive as well as critical needs will require resources are made available to meet these needs.

**(d) Risk Implications and Mitigation**

If not delivered the vulnerable people in Moray are unable to access support and therefore their needs become critical.

**(e) Staffing Implications**

There are no staffing implications directly linked to this report.

**(f) Property**

There are no property implications directly linked to this report.

**(g) Equalities/Socio Economic Impact**

The support provided is to those who are most vulnerable in the community. Not meeting needs at a substantive level may affect those vulnerable groups disproportionately.

**(h) Consultations**

The following members of staff have been consulted and are in agreement with regard to their area of responsibility:

Interim Chief Officer; Chief Financial Officer, Corporate Manager; Head of Children's Services Social Work.

**6. CONCLUSION**

- 6.1.** The recommendation of the Chief Social Work Officer is now to end the temporary, suspended arrangement of care packages and revert back to substantive eligibility criteria to meet both critical and substantial need.

Author of Report: Joyce Lorimer

Background Papers: with author

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