

## **West Dunbartonshire Council**

### **Report by the Interim Executive Director of Social Work and Health**

**Social Work and Health Improvement Committee: 20 January 2010**

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#### **Subject: National Standard Eligibility Criteria and Waiting Times for the Personal and Nursing Care of Older People**

##### **1. Purpose**

- 1.1 This report advises committee of the National Eligibility Criteria guidance and the reporting arrangements which require to be put in place to monitor performance.
- 1.2 It also seeks committee approval to alter the current terminology used to assess and prioritise eligibility in West Dunbartonshire to be in line with the new national guidance.

##### **2. Background**

- 2.1 The need for a national eligibility framework was originally identified in 2008 in reports on Free Personal Care published by Audit Scotland and subsequently by Lord Sutherland's Independent Review of Free Personal and Nursing Care in Scotland.
- 2.2 Lord Sutherland's report acknowledged that it is an accepted principle of social care policy that local authorities will manage their resources to focus first on supporting those people who are in most urgent need. Lord Sutherland concluded that whilst the majority of councils were operating local arrangements in an appropriate way, it was crucial that the factors used by councils to manage access to finite care services - such as waiting lists and eligibility criteria - should be "transparent and should not inappropriately restrict legitimate access to care" to meet needs that call for the provision of a social care service.
- 2.3 The Scottish Government guidance sets out a national framework for eligibility criteria that local authorities should use in setting local eligibility criteria for access to personal and nursing care services for older people. Local eligibility criteria should indicate what level of need councils and their partners recognise as requiring services. In setting such criteria, local authorities should take account of a range of factors including levels of need, the overall level of resources available to meet need, the cost of service provision and ensuring equity in their decision making process.
- 2.4 Eligibility criteria should be clearly defined and are used as a method of deploying limited resources in a way that ensures that resources are targeted to those in greatest need, while also recognising the types of

low level intervention that can be made to halt the deterioration of people in less urgent need of services. Eligibility criteria are intended to apply fairly and not discriminate between people's needs on the basis of age, client-group, geographical location, gender, ethnicity, social class, sexuality, or any other basis. In this context the aim of the guidance is therefore to help achieve better outcomes for older people and to deliver the shared commitments agreed by Scottish Ministers and local authority elected members, following publication of Lord Sutherland's review of free personal and nursing care, to be introduced in 2009-10.

- 2.5 The guidance has been issued by Scottish Ministers under section 5(1) of the Social Work (Scotland) Act 1968. Its terms have been agreed jointly by the Scottish Government and the Convention of Scottish Local Authorities (COSLA).
- 2.6 Whilst promoting consistent and transparent national standards, the guidance also seeks to re-enforce the following key principles:
- the central role of assessment in determining access to social care services;
  - 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 costs of service provision; and
  - that 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.
- 2.7 Key Points within the guidance include:
- a common standard eligibility framework for older people which categorises the needs of individuals and which is to be applied by all local authorities;
  - a common commitment to deliver personal and nursing care services to older people within a maximum period of six weeks following the identification of need, identified as being at critical or substantial risk as regards their independent living or wellbeing;
  - the application of the Single Shared Assessment model (SSA), and associated tools, by local authorities and their partners as a key element in ensuring consistent processes for individual needs assessment;

- appropriate management and review arrangements for responding to the needs of individuals assessed as having less intensive care needs, including preventative services; and
  - the provision of £40m in additional funding from the Scottish Government from 2009-10 to respond to the impact of existing funding pressures, as identified by Lord Sutherland, and deliver measurable improvements in access to services for individuals.
- 2.8 The guidance recognises that some councils might choose to apply the eligibility framework to all community care groups – the framework is generic and need not be confined solely to the management of older people’s care. It has been written in such a way that it can be applied consistently across all adult care groups if individual councils choose to do so. However, it is stated that this should this is a matter solely for individual councils and it is not tied to the agreement between Scottish Government and council Leaders on Free Personal and Nursing Care.
- 2.9 The Scottish Government and COSLA have agreed a draft monitoring and reporting framework which is currently subject to consultation. The framework consists of a detailed data set which will require most councils to make changes to assessment documentation.

### **3. Main Issues**

- 3.1 Within West Dunbartonshire the department’s *Access to Community Care Services* policy is effectively our current eligibility criteria for access to services. Access to services is prioritised on the basis of specific criteria and situations, for example prevention of hospital admission, hospital discharge, the illness of carer and level of risk both to the person and to others.
- 3.2 Compared to the new national eligibility criteria, the current WDC prioritisation framework has different eligibility terminology and described the different types of need in a more generic way. Changing to the standardised terminology will require changes to policies, procedures, staff guidance, and assessment documentation.
- 3.3 In addition to the terminology being different our current service timescales are different to the national guidance – where our policy describes the provision of assessment of need rather than the provision of the service.
- 3.4 The following table illustrates in summary the differences in terminology and timescales used at present in West Dunbartonshire compared to the new Scottish Government guidance.

<b>1. Intensity of Risk</b>				
Scottish Government	Critical	Substantial	Moderate	Low
Current WDC	Emergency	High	Medium	Low
<b>2. Service delivery timescale</b>				
Scottish Government	Now or within 1 to 2 weeks	Within 6 weeks	Within next 6 months	Within next 12 months or longer
Current WDC	Assess need within 2 to 24 hours	Assess need within 2 to 5 days	Assess need within 5 to 33 days	Assess need after 33 days

As can be seen from the table above though the terminology relating to the intensity of risk differs the Council currently provides a full assessment of need well within the new guidance targets for service provision. Generally speaking once need is assessed the required service is provided within the timescales set in the new guidance.

- 3.5 Currently our prioritisation framework is applied to all Community Care client groups not simply to Older People and Personal Care. We would wish to continue to operate in this way in line with agreed principles of equality.
- 3.6 In terms of reporting would also appear that within the guidance there is an underlying assumption of shared electronic information systems across Social Work and Health. In reality, progress on the e-Care solution is slow, requiring interim solutions to be developed whenever reporting arrangements change. Systems are often therefore unsuited to the level of detail sought.
- 3.7 Within West Dunbartonshire we have an agreed SSA format and process which meets National Standards for Assessment and Review and gives us the capacity to measure performance against the National Outcome Framework. However work is underway across partnerships within the Greater Glasgow & Clyde area to agree a standard West of Scotland format and process and West Dunbartonshire is involved in this area of work.
- 3.8 The Indicator of Relative Need (IoRN) for older people is suggested within the guidance as tool for measuring levels of dependency. We believe that IoRN still requires further refinement if it is to be a meaningful methodology for measuring levels of need in older people with dementia or other mental health difficulties. Locally it has not been implemented across all services and there continue to be concerns regarding its use/interpretation in terms of defining complex and high level care needs.

- 3.9 The Scottish Government will continue to collect quarterly statistical information on the numbers of clients receiving Personal and Nursing Care services. It will also continue to collect specific information on local authority expenditure levels on personal and nursing care and other care services for older people through the annual Local Finance Returns.
- 3.10 In addition, to the above the Scottish Government and COSLA will ask councils to compile, and report on:
- information on the numbers of individuals identified within the eligibility criteria;
  - information on the timescales from initial referral to the confirmation of need, as detailed in the measurement guidance; and
  - information on timescales from the confirmation of need to the initial delivery of services, detailed in the measurement guidance but locally this will require work to be undertaken as detailed in 3.2 of this report.

This information is intended to enable monitoring the application of the national standard.

- 3.11 While our local eligibility criteria are compatible at present with the new guidance, we will now revise our relevant policies, procedures, and documentation to fully adopt the wording and terminology of the guidance on the national eligibility criteria. This work is currently underway and we are confident that we will be able to fully adopt the national criteria and begin reporting no later than April 2010.

#### **4. Personnel Issues**

- 4.1 There are no personnel issues relating to the implementation of the National Eligibility Criteria apart from the necessity to brief staff.

#### **5. Financial Implications**

- 5.1 There are no financial implications relating to the implementation of the National Eligibility Criteria.

#### **6. Risk Analysis**

- 6.1 Failure to implement the guidance would be detrimental to the council in that we would be open to claims of lack of transparency and equity in the allocation of services and resources.

#### **7. Conclusion and Recommendations**

- 7.1 The National Eligibility Criteria Guidance recommends a framework similar to that currently used within West Dunbartonshire to prioritise assessment of need and allocation of resources. The terminology used within the guidance is however different and is also more specific. In order to adopt and report on the National Eligibility Criteria we require to amend relevant policies, procedures, and assessment documentation. As noted above our existing criteria are compatible with the guidance and we are working to update our systems to fully adopt the guidance.
- 7.2 It is recommended that the committee agrees the adoption of the National Eligibility Criteria within West Dunbartonshire and instructs the Joint Interim Executive Directors of Social Work and Health to make the necessary arrangements to do so.
- 7.3 It is further recommended that as is current practice in West Dunbartonshire the criteria is applied to all Community Care Client groups and services.

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<b>Wards Affected:</b>	All wards
<b>Appendix:</b>	None
<b>Background Papers:</b>	Access to Community Care Services in West Dunbartonshire <a href="http://intranet/swandh/socialwork/New%20Setup/strategy/policies/documents/Access%20to%20Com%20Care%20Services.pdf">http://intranet/swandh/socialwork/New%20Setup/strategy/policies/documents/Access%20to%20Com%20Care%20Services.pdf</a>  National Eligibility Criteria (e-mailed to Elected Members)