Assessment and eligibility

Care Act 2014
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Assessment

- Assessment is both a **key process** AND a **critical intervention**

- An assessment should identify:
  - care and support **needs**
  - what outcomes the individual is looking to achieve to maintain or improve their **wellbeing**
  - how care and support might help in achieving those **outcomes**
Carer’s assessment

- A carer’s assessment must explore:
  - the carer’s needs for support AND
  - sustainability of caring role

- It must also consider impact on the carer’s activities beyond their caring responsibilities, including the carer’s:
  - desire and ability to work
  - Ability to partake in education, training or recreational activities
  - opportunities to have time to themselves
Refusal of assessment

- The local authority is not required to carry out assessment where a person with possible care and support needs or a carer:
  - feels that they do not need care
  - may not want local authority support

- This can be overridden where they:
  - lack capacity to take that decision and an assessment would be in their best interests
  - are experiencing, or at risk of experiencing, any abuse or neglect
Appropriate and proportionate assessment

- People should receive an assessment that is appropriate and proportionate.
- The process can be flexible and include e.g. telephone, on-line and combined assessments.
- To be appropriate assessments should meet the person’s communication needs.
- Appropriate assessments can include a pause to check the value of preventative services or interventions, reablement, or aids and adaptations.
Integrated assessments

- All of the agencies involved should work closely together to prevent a person having to undergo a number of assessments at different times.

- To achieve this local authorities should:
  - ensure healthcare professionals’ views and expertise are taken into account
  - work with healthcare professionals to ensure people’s health and care services are aligned and set out in a single care and support plan

- In cases of abuse, the local authority should lead the assessment and ensure that all agencies follow the local multi-agency procedures to ensure coordination of information and possible evidence.
Fluctuating needs

- In establishing the on-going level of need local authorities:
  - must consider the person’s care and support history over a suitable period of time to take account of potential fluctuation of needs
  - may also take into account at this point what fluctuations in need can be reasonably expected based on experience of others with a similar condition
Supported self-assessment

- The local authority **must** offer the individual the choice of a supported self-assessment if they are able and willing.

- The person **should** be asked to complete the same assessment questionnaire that the authority uses in their needs or carer’s assessments.

- The individual **must** have capacity to fully assess and reflect their own needs.

- The local authority **must** assure itself that the person’s supported self-assessment is an accurate and complete reflection of their needs because there may be a difference of opinion.

- Regardless of the format a needs assessment takes, the final decision on eligibility is with the local authority.
Preventing needs

- Assessment is a key element of any prevention strategy
- The assessment must consider whether the person concerned would benefit from the available preventative services, facilities or resources
- The guidance refers to three levels of preventative activity:
  - primary prevention, which involves promoting wellbeing
  - secondary prevention, which involves early intervention
  - tertiary prevention, which involves maximising independence
A strengths-based approach

- The local authority must also consider what - other than the provision of care and support - might help the person in meeting the outcomes they want to achieve: a strengths-based approach

- This strengths-based approach recognises personal, family and community resources or ‘assets’ that individuals can make use of
Whole family approach

- Takes a holistic view of a person’s needs
- Considers the impact of needs on family and wider networks, in particular any children providing care:
  - The impact of the person’s needs on the young carer’s wellbeing, welfare, education and development
  - Whether their caring responsibilities are appropriate
- Sees the family and wider network as a source of support, where they are willing and able
Supporting a person’s involvement

Might this person have difficulty in being involved?

Yes

Do they still have ‘substantial difficulty’ in being involved?

Yes

Can they be better supported to enable their involvement?

Yes

[Reasonable adjustments under the Equality Act 2010]

Is there an ‘appropriate individual’ – a carer, friend or relative – that can facilitate their involvement?

Yes

 ✓ Provide support and make adjustments

 ✓ Agree ‘appropriate individual’

 ✓ Duty to arrange for independent advocate

Might this person have difficulty in being involved?

Yes

Do they still have ‘substantial difficulty’ in being involved?

Yes
Roles, responsibilities and expertise

registered social workers

occupational therapists

rehabilitation officers

expert assessors
National eligibility framework

- After completion of the assessment process, the local authority will determine whether the individual has **eligible needs**

- The Act introduces a national eligibility threshold:
  - whether the person has needs due to a physical or mental impairment or illness
  - whether those needs mean that they are unable to achieve two or more specified outcomes
  - as a consequence there is, or is likely to be, a significant impact on their wellbeing

- Local authorities can also decide to meet needs that are not deemed to be eligible if they chose to do so
Interpreting the eligibility criteria

An adult meets the eligibility criteria if:

- Their needs are caused by physical or mental impairment or illness
- As a result of the adult’s needs they are unable to achieve two or more specified outcomes
- As a consequence there is or is likely to be a significant impact on the person’s well-being

The specified outcomes are:

- Managing and maintaining nutrition
- Maintaining personal hygiene
- Managing toilet needs
- Being appropriately clothed
- Being able to make use of the home safely
- Maintaining a habitable home environment
- Developing and maintaining family or other personal relationships
- Accessing and engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community including public transport and recreational facilities or services
- Carrying out any caring responsibilities the adult has for a child
Interpreting the eligibility criteria

An adult meets the eligibility criteria if:

- Their needs are caused by physical or mental impairment or illness
- As a result of the adult’s needs, they are unable to achieve two or more specified outcomes
- As a consequence, there is or is likely to be a significant impact on the person’s well-being

An adult is to be regarded as being unable to achieve an outcome if the adult:

- is unable to achieve it without assistance;
- is able to achieve it without assistance but:
  - doing so causes them significant pain, distress or anxiety;
  - doing so endangers or is likely to endanger health or safety;
  - takes significantly longer than would normally be expected.
An adult meets the eligibility criteria:

- Their needs are caused by physical or mental impairment or illness
- As a result of the adults needs they are **unable to achieve** two or more **specified outcomes**
- **As a consequence there is or is likely to be a significant impact on the person’s well-being**

An adult is to be regarded as being **unable to achieve** an outcome if the adult:

- is unable to achieve it without assistance;
- is able to achieve it without assistance but doing so causes the adult significant pain, distress or anxiety;
- is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the adult, or of others; or
- is able to achieve it without assistance but takes significantly longer than would normally be expected.

The **specified outcomes** are:

- Managing and maintaining nutrition
- Maintaining personal hygiene
- Managing toilet needs
- Being appropriately clothed
- Being able to make use of the home safely
- Maintaining a habitable home environment
- Developing and maintaining family or other personal relationships
- Accessing and engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community including public transport and recreational facilities or services
- Carrying out any caring responsibilities the adult has for a child
National carers eligibility framework

- After completion of the assessment process, the local authority will determine whether the carer has **eligible needs**
- Carers can be eligible for support in their own right
- The Act introduces a national carers’ eligibility threshold:
  - whether the carer’s needs are due to providing **necessary** care for an adult
  - whether those needs puts the carer’s health at risk **or** means that they are unable to achieve specified outcomes; **and**
  - as a consequence there is, or is likely to be, a significant impact on their wellbeing
- Local authorities can also decide to meet carers’ needs that are not deemed to be eligible if they chose to do so
Interpreting the carers’ eligibility criteria

A carer meets the eligibility criteria if:
- Their needs are caused by providing necessary care for an adult. As a result:
  - their health is at risk
  - or they are unable to achieve specified outcomes
- As a consequence there is or is likely to be a significant impact on the carer’s well-being

The specified outcomes are:
- Carrying out any caring responsibilities the carer has for a child
- Providing care to other persons for whom the carer provides care
- Maintaining a habitable home environment
- Managing and maintaining nutrition
- Developing and maintaining family or other personal relationships
- Engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community including recreational facilities or services
- Engaging in recreational activities
Interpreting the carers’ eligibility criteria

A carer meets the eligibility criteria if:
- Their needs are caused by providing necessary care for an adult. As a result:
  - **their health is at risk**
  - or they are **unable to achieve specified outcomes**
- As a consequence there is or is likely to be a significant impact on the carer’s well-being

A carer is to be regarded as being **unable to achieve** an outcome if the carer:
- is **unable** to achieve it without assistance;
- is **able** to achieve it without assistance **but**:
  - doing so causes them significant pain, distress or anxiety
  - doing so endangers or is likely to endanger health or safety
A carer meets the eligibility criteria if:
- Their needs are caused by providing necessary care for an adult. As a result:
  - their health is at risk
  - or they are unable to achieve specified outcomes
- As a consequence there is or is likely to be a significant impact on the carer’s well-being

A carer is to be regarded as being unable to achieve an outcome if the carer:
- is unable to achieve it without assistance;
- is able to achieve it without assistance but doing so causes significant pain, distress or anxiety, or is likely to endanger health or safety

The specified outcomes are:
- Carrying out any caring responsibilities the carer has for a child
- Providing care to other persons for whom the carer provides care
- Maintaining a habitable home environment
- Managing and maintaining nutrition
- Developing and maintaining family or other personal relationships
- Engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community including recreational facilities or services
- Engaging in recreational activities
Record-keeping and informing individuals

- The local authority must:
  - produce a written record of whether any of the individual’s needs meet the eligibility criteria, and the reasons for why they do and why they do not

- Informing the individual of their eligibility determination

- Where the individual does not have eligible needs, the local authority must also provide:
  - information and advice on what support might be available in the wider community; or
  - what preventative measures might be taken to prevent or delay the condition progressing
Next steps

Assessment
• What are the needs and outcomes the person wants to achieve?

Eligibility determination
• Are the person’s needs eligible?

Met needs
• What needs can be/are being met through non-service provision?

Unmet needs
• Are included in the personal budget
Summary

- Assessment based on appearance of need for care and support:
  - Consider the person’s needs and the outcomes they want to achieve
  - Be appropriate and proportionate
  - Take a strengths-based approach
  - Involve the person needing care in the assessment, and consider if they would have substantial difficulty being involved
- Throughout the process, also consider if the person lacks capacity or is at risk of abuse
- National eligibility threshold, for people needing carer and carers, based on outcomes and wellbeing