

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

16 JUNE 2015

REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING

NEW ASSESSMENT FRAMEWORK AND ALL WALES ELIGIBILITY UNDER THE SOCIAL SERVICES AND WELLBEING (WALES) ACT 2014 UPDATE FOLLOWING FURTHER CONSULTATION

1. Purpose of Report

1.1 The purpose of this report is to:

- Update Cabinet on the further consultation and engagement with stakeholders, about the changes that the Social Services and Wellbeing (Wales) Act 2014 will bring and the implications of the new proposed National Eligibility Criteria for managed care and support services;
- Update on the confirmation of the new National Eligibility Criteria announced by the Minister for Health and Social Care on 11th May 2015;
- Seek approval to proceed with the Cabinet decision of 3rd February 2015 to raise the Eligibility Criteria from moderate to that of substantial and critical.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

2.1 The report links to the following improvement priorities in the Corporate Plan:

- Working together to help vulnerable people to stay independent;
- Working together to tackle health issues and encourage healthy lifestyles;
- Working together to make the best use of our resources.

2.2 The Social Services and Wellbeing (Wales) Act 2014 places a duty on local authorities to provide and or arrange, preventative services that will reduce the need for care and support in its areas.

3. Background

3.1 On 3rd February 2015, Cabinet approved the proposal to raise the Council's eligibility criteria from moderate to that of substantial and critical subject to further consultation. As a result, a number of consultation and engagement events have been carried out. These events have focussed on groups representing the interests of older and disabled people, and their families and carers, to ensure that they are aware and understand the changes that the new Act will bring, especially the new Assessment Framework and the implications of the new proposed National Eligibility Criteria for managed care and support services.

3.2 A number of stakeholder groups have received presentations on the new Act, and Eligibility Criteria and they include: The Carers Forum; County SHOUT (the voice of older people in Bridgend) Porthcawl Shout; The Third Sector Health Social Care and Wellbeing Forum; with mental health stakeholders. Events have also been planned with the Coalition of Disabled People and the Parents Federations.

Furthermore a briefing was prepared and sent out in the March 2015 edition of the Health Social Care and Wellbeing Bulletin. In that publication, all 57 third sector recipients were invited to contact the Directorate if they wished to have a presentation on the Act and the new Eligibility Criteria, and the interim proposals to raise the existing Eligibility Criteria. Organisations were asked to feedback and contact the Directorate with their views; to date we have received no requests for further presentation, nor any feedback on the proposals.

- 3.3 On 11th May 2015, the Minister for Health and Social Services announced the new National Eligibility Criteria, details attached as **Appendix 1** for information.
- 3.4 The new eligibility process is made up of two-parts: the first part of the eligibility process is to assess if care and support intervention can address the need, risk or barrier, or enhance the resources that will enable the individual to achieve their personal well-being outcomes. The second part of the process is the determination that the individual's well-being outcomes cannot be met, or cannot be sufficiently met, solely through care and support co-ordinated by themselves, their family or carer, or others. If this is the case, the individual requires support through a care and support plan, to co-ordinate their care and support or to manage it completely. This is similar to the Eligibility Criteria as anticipated in the previous Cabinet report, and therefore the interim arrangements to develop a new approach are still required.
- 3.5 In addition work has continued within the Directorate in preparation for the implementation of the new National Eligibility Criteria. This has included further analysis of existing service users currently in the 'moderate' category for eligibility to services. When work commenced on analysing people within the moderate criteria of eligibility, 267 people were identified; because of changes in circumstances such as cases being closed, people moving out of the County Borough, hospital admissions, deaths, reassessment and reablement, the number of people in the moderate category, as of the 21st May 2015 reduced to 205.
- 3.6 Further analysis has suggested that of these moderate cases, 73 have been incorrectly categorised and the Directorate is currently in the process of reallocating those service users to appropriate eligibility criteria. This leaves 132 cases in the moderate eligibility criteria, and all these people will be reviewed, by the Transformation Team and Review Team, to ensure that they all receive an appropriate strengths-based assessment of their needs, to support them in attaining their wellbeing outcomes.

4. Current Situation/Proposal

- 4.1 The Social Services and Wellbeing (Wales) Act 2014 received Royal Assent in May 2014 and will be fully implemented in April 2016; at this point the new National Eligibility process will be applied to all people requiring managed care and support services
- 4.2 The consultation and engagement process has continued, and since the last Cabinet report, stakeholders have specifically been asked to make the Directorate aware of any concerns about the proposed change in eligibility criteria. No particular concerns have been raised. In addition there have been no contacts for

either further information or concerns raised as a result of Health Social Care and Wellbeing Bulletin being sent to third sector partners.

- 4.3 The process of reviewing the remaining people in the moderate eligibility criteria is progressing. As previously reported it is planned that, all service users will be reviewed using a strengths-based approach proposed within the Act. A full analysis of people who have moderate needs has been completed and it is envisaged that all people within this category will have review assessments completed using the new assessment principles. As part of the continued consultation and engagement, these reviews will be on an individual basis and will include information on the new assessment criteria to ensure that the service users are appropriately informed.

5. Effect upon Policy Framework and Procedure Rules.

- 5.1 The new National Eligibility Criteria will amend the current policy from April 2016.

6. Equality Impact Assessment.

- 6.1 An equality impact screening on the assessment framework was completed in December 2013 and refreshed as a result of the 2014 Act. Indications from the screening suggest that attention will need to be paid to the result of the scoping and findings of the proposed prevention and wellbeing strategy; with particular consideration being given to gaps in universal service provision to groups with protected characteristics. In addition the impact on all service users of the implementation of the determination that the individual's well-being outcomes cannot be met, or cannot be sufficiently met, solely through care and support coordinated by themselves, their family or carer, or others will only be full understood once the process of review assessment is completed.

- 6.2 A full Equality Impact Assessment will need to be completed as part of the programme of change and will assess the relevance of this work to the Authority's public equality duties and potential impact on protected equality characteristics.

7. Financial Implications.

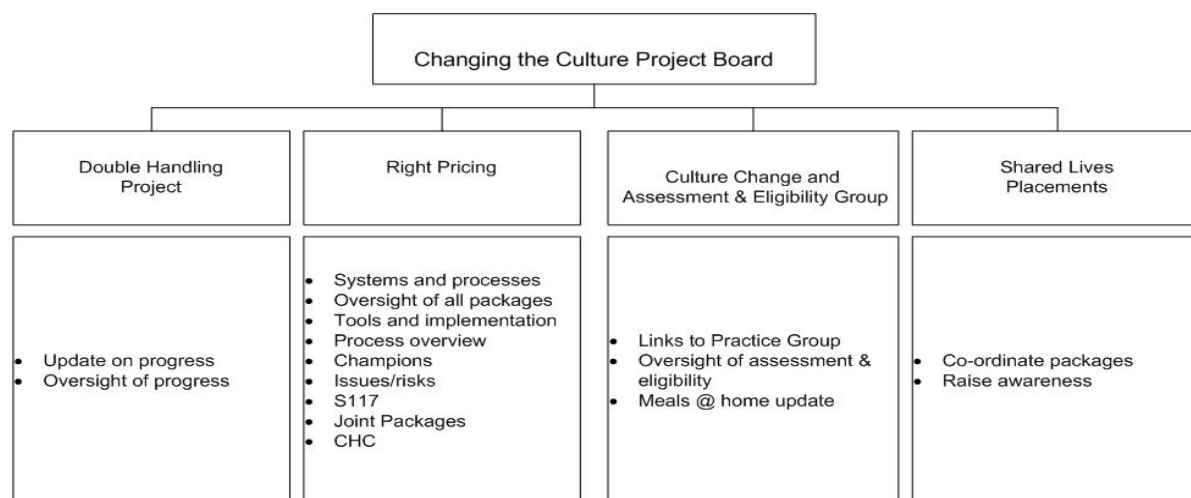
- 7.1 The target savings set in the MTFs against the implementation of the Integrated Assessment Framework for the three years starting 2014-15 are illustrated in the chart below.

| | 2014/15 | 2015/16 | 2016/17 | Total |
|------------------------|---------------|------------------|-------------------|------------------|
| Budget /Savings | 30,000 | 1,399,000 | 1,155, 000 | 2,584,000 |

- 7.2 A Changing the Culture Project Board has been established and is chaired by the Head of Adult Social Care, with a view to delivering a consistent monitoring tool for all changes in ways of working. The Board will monitor progress on the right sizing of high cost packages and complex care packages to achieve the significant cost savings associated with the change of practice; as well as monitoring of the culture change in assessment and care planning; as well as the changes to eligibility criteria, and the coordination of packages for the shared lives scheme.

- 7.3 The management and monitoring of progress in delivering these efficiencies will be monitored through the Changing the Culture Project Board and its associated

projects.. The chart below illustrates the four key projects for the Board and includes the Double Handling project, Right Pricing project, Culture Change, Assessment and Eligibility project, and Shared Lives placement project.



7.4 The impact of changing the criteria is difficult to quantify but it is anticipated some level of savings will be achieved and will contribute towards the MTFs savings requirements set out at paragraph 7.1. It is acknowledged that until the reassessment of all service users is completed, it will not be possible to say with any certainty what the actual impact will be on delivering the savings in the MTFs. It also should be noted that the majority of these individuals are long-standing service users and their numbers have and will continue to reduce over time, and it is therefore likely that the savings contribution will accumulate over a period of time. The outcome of the comprehensive review assessments of all people in this category need to be completed before any changes to eligibility can be discussed; this will give a clear indication of the impact on existing users and the authority's finances. It should be noted, that by the nature of the frail people in services, reassessment may mean some people's risks have increased since they were last reviewed and potentially their needs may be critical or substantial. This assessment of eligibility is crucial in determining the financial impact of no longer providing services to those with a moderate category.

7.5 As well as the cost of reviewing each existing service user, there are also other costs to be considered, such as the continued and extended investment in preventative services, such as welfare rights, third sector brokerage, as well as running existing services in the period of reducing demand.

7.6 The overall saving will be achieved via a range of actions, not just reviewing the eligibility criteria. This will include changes to the assessment process, seeking to signpost individuals to more appropriate services than local authority as well as anticipating additional income from client contributions. The service, through its Changing the Culture Project Board, has in place robust monitoring arrangements to ensure achievement of savings targets.

8. Recommendation.

8.1 It is recommended that Cabinet:-

- Note the new National Eligibility Criteria announced by Welsh Government on 11th May 2015 attached as Appendix 1;
- Note the consultation and engagement that has been undertaken to date; and proceed with Cabinet's original decision of 3rd February 2015 and approve the proposal to raise the Council's eligibility criteria from moderate to that of substantial and critical.

Susan Cooper
Corporate Director, Social Services and Wellbeing
21st May 2015

9. Contact Officers: Carmel Donovan
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10. Background documents:
Welsh Government Ministerial Announcement by the Minister for Health and Social care 11th May 2015

Report to Cabinet - 3rd February 2015

Welsh Government Ministerial Announcement by the Minister for Health and Social care 11th May 2015

New rules to put people in control of their care and support needs unveiled

Major changes to the way people's needs are assessed to decide if they need a package of care and support in Wales have been unveiled by Health and Social Services Minister, Mark Drakeford.

Under the changes to the eligibility criteria for social care, which have been laid before the National Assembly for Wales, the rules will be simplified so that people receive the right care, in the right place, at the right time, that's appropriate to their circumstances and needs.

The current approaches to eligibility and assessment of people across Wales are often inconsistent. The new model is designed to bring these processes under one framework while recognising the different needs of children and adults

The new eligibility model will remove the current cliff-edge decisions where people receive care and support services only when their needs are at or near crisis point. This will be replaced with a more individualised approach that will require local authorities to put in place an appropriate and wherever possible, preventive response for each individual.

The new arrangements will focus on local authorities working with people and their carers and families to identify strengths, capacity and capability to maximise an individual's wellbeing and independence. This approach will ensure that people can stay in control of decisions made about their care and support.

The changes are being introduced as part of the most wide-ranging reforms to social care law in Wales in 60 years, when the Social Services and Well-being (Wales) Act 2014 comes into force in April 2016.

Mark Drakeford said:

“The new Social Services and Well-being (Wales) Act does not just change a few rules here and there. The changes being outlined today will ensure people have much stronger control over the care and support they need to live their lives. This is not simply a case of adjusting what we do now.

“It replaces and rewrites the legislative basis for care and support in Wales. It represents a new social care landscape in Wales. It is a wide-ranging reform of which Wales should be proud.

“At its core is an approach that focusses on people, in a way which strengthens their voice and gives them more control over their lives. It focuses on people's abilities as well as needs – acknowledging that people themselves want to stay in control of what happens to them.

“The proposed changes are crucial to enable current and future generations to live their lives as fully as possible, providing the correct level of support to promote their wellbeing and to help sustain them in their families, networks and communities.”

The new approach will reduce the number of people who require a care and support plan by introducing opportunities to help people retain independence, and access early intervention and prevention services, without the need for a formal plan. Intervening in the right way, at the right time will mean that many people can be supported in their own communities outside the formal social care system, and families can be supported to stay together.

ENDS

NOTES TO EDITORS

Policy detail

How the new eligibility criteria will work

- When someone needs help from social services, local authorities will need to begin by understanding what matters to that person, what their circumstances are and what they are trying to achieve.
- The first part of the eligibility process is to assess if care and support intervention can address the need, risk or barrier, or enhance the resources that will enable the individual to achieve their personal well-being outcomes.
- The second part of the process is the determination that the individual's well-being outcomes cannot be met, or cannot be sufficiently met, solely through care and support co-ordinated by themselves, their family or carer, or others. If this is the case, the individual requires support through a care and support plan, to co-ordinate their care and support or to manage it completely.

Other provisions

- For many people there will be community-based services that can help, often run by voluntary agencies or by people themselves, and the assessment might show that the person can achieve the outcomes they want by accessing services like these. There are many examples in place already.
- People may not know about these services so during the assessment local authorities will be required to provide information, advice and assistance to help people access the support they need.
- People will be able to use **direct payments** to pay for the care and support they consider is right for them. The rules will mean that the use of direct payments will be extended to other forms of care and support (for example for long term residential care) and to individuals who are currently excluded from receiving direct payments (for example people with drug or alcohol problems).