

Paper 1: Matching Needs and Services and Managing Risks in Adult Social Care Guidance

PURPOSE OF THE GUIDANCE

This guidance supports decision-making concerning all social care services and sets out the process steps to follow when assessing an individual and deciding eligibility for social care services. It then describes options to respond to both presenting and eligible needs.

It should be read alongside:

- ◆ Fair Access to Care Services policy and practice guidance
- ◆ The Law in relation to Assessment and Provision of Community Care services
- ◆ Direct Payments Policy and Guidance
- ◆ Care Programme Approach, Valuing People and Care Management (including Single Assessment Process) Guidance
- ◆ NHS Continuing Care

FACS criteria DO NOT govern access to Disabled Facilities Grants, NHS and Housing services.

HOW TO USE THE GUIDANCE

This guidance has one over-riding message:

NEVER MAKE ASSUMPTIONS – ALWAYS ASK IF UNSURE

- We are all different, therefore it is critical to ascertain the needs and wishes of each individual
- *Dignity, Choice, Participation/ Involvement and Respect* are the foundations of good assessment practice
- Incorporate a holistic approach to contact, assessment and care planning
- **Always offer Direct Payments where the person or carer are eligible**
- Use the good practice checklist on the Care Management process
- The role of practitioners is to be creative, flexible and innovative in responding to needs and promoting choice through a range of alternatives

CULTURALLY SENSITIVE PRACTICE

Assessments and any services arranged by Social Services must take account of an individual's age, gender, ethnic group, religion, culture, disabilities, personal relationships or living and caring arrangements.

In undertaking assessments, commissioning services and agreeing care plans that are culturally competent you must consider the following:

- Have you received adequate training to deal with the assessments of people from the culture you are working with? If not, proceed with caution and raise the training need with your manager.

- Be aware of the individual's wishes and beliefs - Always ask, never assume.
- Consider religious needs and requirements for worship - always ask, never assume.
- If the person's first language is not English, use the Interpretation Service, DO NOT expect the family to undertake this task - always ask, never assume.
- Learn from the individual about specific health problems and daily care routines – standards and understanding of hygiene requirements, diet/food, dress, social and religious needs vary widely - always ask, never assume.
- Ensure practical care is delivered in a culturally sensitive way. Direct Payments may be helpful here.

PROCESS STEPS

The contact, assessment and care planning process must be person-centred. In most situations people should decide how far they wish to go in the process in consultation with the practitioner. Within this context practitioners should use the following steps at all levels of assessment and regardless of the possible service outcomes being considered.

Where individuals and carers disagree either with the process or decision making re eligible needs the Complaints process should be followed. (ref. FACS policy)

Stage 1 Identify Needs and Risks

- Involve the person, carer, family, friends (as appropriate) in identifying their own needs
- Listen and endeavour to understand the individual/carer experience of their situation including their values, views, opinions, and preferences
- Promote and encourage a greater degree of individual control and independence
- Involve the person/carer in identifying and analysing risks to independence, autonomy, safety and role (as appropriate)
- Ensure the person/carer is given relevant and timely information
- Look for creative options for meeting needs and managing risks
- With the person/carer explore the range of choices and options available to them

AT THIS STAGE YOU ARE NOT LOOKING FOR SERVICE SOLUTIONS

Stage 2 Identify Solutions

Individuals and/or carers should play an active role in identifying possible ways of meeting needs and managing risks by working in partnership with practitioners to:

- Identify the range of solutions appropriate to the presenting needs and risks
- Explore their aspirations and preferences
- Identify their attitude to identified risks

CONSIDER ALL RELEVANT SOLUTIONS WITH THE INDIVIDUAL

Stage 3 Agree the individual's preferences

The practitioner should set out the range of relevant choices to meet the individual's needs. Examples include:

- Information and advice. For example leaflets, websites, catalogues, details of private/voluntary sector providers, demonstration centres/Help Lines

- Further assessment from Health, Social Services, Housing
- Trials with equipment/adaptations where appropriate
- Individual/family buys the item/services using own resources
- Support from carer, family or close friends
- Services from Social Services – *at this stage the practitioner should explain the FACS process and options to meet eligible needs either through Direct Payment Scheme or via care management*

MAKE NO ASSUMPTIONS ABOUT INDIVIDUAL'S PREFERENCES – ALWAYS ASK

Stage 4 Agree person's preference for meeting presenting needs

Individuals and/or carers should work in partnership with practitioners to agree their preferences for meeting presenting needs. These might include:

- Individual/carer/family buys item/services using own resources
- Referral for Specialist Assessment/to new agency
- Referral to preventive services/other agencies
- Direct Payments
- Services arranged by Social Services

ONLY COMPLETE THE ELIGIBILITY CRITERIA CHECKLIST WHERE DIRECT PAYMENTS OR FUNDED SOCIAL CARE SERVICES ARE REQUESTED

Stage 5 – Managing Risks and Meeting Eligible Needs for funded social care

In order to identify whether a person/carer has eligible needs for funded social care or not the practitioner must:

- **Complete the eligibility checklist based on assessment information about risks to independence, safety and role if needs are not addressed.**
- Give the person/carer choices and options as set out above regardless of whether the individual has risks above or below the Devon eligibility threshold.
- Consider appropriateness of NHS continuing care
- Ensure that any service responses to meet eligible needs are the minimum required for a cost-efficient and effective solution.
- Ensure that service responses are appropriate to the person's age, gender, ethnic group, religion, disabilities, personal relationships or living and caring arrangements
- Discuss fully with the person/carer the option of Direct Payments to meet eligible needs

Stage 6 - Specialist services from other agencies

Health and Housing authorities have their own policies for determining how resources will be allocated to individuals. These are NOT subject to FACS. These include:

- Continuing NHS Health Care
- Housing Renewal Policies – includes Disabled Facilities Grant (DFG's), Discretionary grants for relocation and repairs
- Housing Corporation policies
- Supporting People Services
- Funded Nursing Care

Presenting and Eligible Needs

The term presenting need defines all the needs that a person has, as described both at the first point of contact and throughout the assessment/review.

'Eligible needs' are needs that fall inside the Council's eligibility criteria. Eligible needs are those that are:

- Above the threshold for services line based on the assessment information
- The individual is unable/does not wish to arrange the care and support for themselves
AND
- Assistance is not available from, or appropriately arranged by others such as family, the community, other agencies.

Principles when meeting needs and managing risks

When meeting needs and managing risks remember the following:

- To give people information at **all** stages so that they can solve their own problems where appropriate, regardless of whether they have needs above or below the threshold for services line.
- Consider ordinary community services.
- To take account and encourage the strengths of the individual to problem solve
- To consider the contributions of family, friends and other agencies such as Supporting People and the Independent Living Fund (ILF)
- To consider whether there is a need for NHS funded Continuing Care
- To actively promote the use of Direct Payments for people with eligible needs – and record the reasons why these are not taken up if this is the outcome
- To plan short term interventions to enable people to become independent without support from Social Services
- To plan interventions to assist people to live independently over the longer term
- To ensure any service response is the minimum required to meet the eligible need, in the most cost efficient manner

Outcomes sought for people with eligible needs

Where eligible needs are identified the outcomes being sought from Social Services intervention will be one or more of the following:

- To have promoted independence and choice for the person/carer
- To have enabled the person to continue living independently
- To have assisted the person to regain/develop/maintain his/her independence
- To have enabled the person to communicate effectively
- To have supported the carer to sustain their caring role
- To have enabled the person/carer to have achieved choice, inclusion, life long learning

- To have enabled the person to have learned orientation/mobility techniques

Direct Payments

Direct Payments must be discussed with all people (individuals/carers) who have eligible needs as a preferred method of meeting their needs. Most service users, even with substantial impairments, are eligible for Direct Payments – there are a few exceptions in law – see Direct Payments policy.

The person must be able to manage the Direct Payments (with substantial support if necessary). Being able to manage means the person being in control of who works for them and how the help is provided. For further guidance - see Direct Payments policy.

When discussing Direct Payments with people ensure the following are addressed:

- A person may have Direct Payments in lieu of **any** services directly arranged and funded by Social Services (refer to service access criteria for relevant service).
- A person or, in certain circumstances their representative, must be willing to receive Direct Payments and must want to be in control of and take responsibility for managing their support services.
- If Direct Payments are not the choice of the user, identify the reasons and record them.

Giving a Statement of Needs And How They Will Be Met.

Whether people have eligible or only presenting needs (or a mixture) they must be given a statement of their needs and how they will be met.

This can be EITHER through providing a copy of the assessment summary for simple needs, or through a copy of the Care Plan for more complex situations. **THERE IS NO CHOICE ABOUT THIS!**

Community Meals

Meals are a particularly sensitive area culturally and any meals solution must accommodate individual's cultural and religious beliefs. Not all people from one faith follow the same dietary rules, so always ask and don't assume.

Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their needs without social care services. This should be achieved by:</p> <ul style="list-style-type: none"> ◆ Actively promote benefit take up ◆ Promote alternative solutions such as private local/national meals providers (hot and frozen), shopping/ transport services/internet 	<p>The person must:</p> <p>Have assessed needs above the threshold for</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health or ◆ Needs Relating to Your Personal Care/Domestic Routines/Home Environment or ◆ Carers. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist. ◆ Be unable to use equipment or adaptations to be independent and meet the need more efficiently. ◆ Not be eligible for support from Supporting People 	<p>Where meals are provided:</p> <ul style="list-style-type: none"> ◆ In the first instance frozen meals will be supplied when the person or carer is able to heat /store/ prepare the frozen meal safely. ◆ Equipment may be provided to store or cook frozen food if needed. ◆ Meals will not normally be provided as a single stand-alone service. <p>However, where a person is eligible for other services or when the service is to support the carer to continue caring, Exceptions may be allowed.</p> <p>Hot meals will only be supplied if the person or carer is at risk of physical harm if frozen meals are supplied and /or are unable to use a microwave, oven or servotherm safely, or culturally appropriate meals are not otherwise available.</p> <p>For the carer:</p> <p>Community meals will only be provided when the carer is carrying out substantial and regular personal care tasks including personal support (ref. Carer Practice Guidance).</p>

Daily Routines and Home Environment		
Creative solutions	Determining Eligible Needs	Meeting Eligible needs
<p>Wherever appropriate staff should assist people to find solutions to their needs without social care services. This should be achieved by:</p> <ul style="list-style-type: none"> ◆ Actively promote benefit take up. ◆ Promote alternative solutions through information about the range of services available privately. These include shopping/ pharmacy delivery services, cleaning services, laundry services, transport services. 	<p>The person must:</p> <p>Have assessed needs above the threshold for</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health or ◆ Needs Relating to Your Personal Care/Domestic Routines/Home Environment or ◆ Carers. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist. ◆ Be unable to use equipment or adaptations to be independent and meet the need more efficiently. ◆ Not be eligible for support from Supporting People 	<p>Where services are provided they include:</p> <p>Direct Payments – see relevant section above</p> <ul style="list-style-type: none"> ◆ Practical assistance with Managing Your Personal Care/Domestic Routines/Home Environment. ◆ Access, Mobility, Safe Transfers, Equipment and Adaptations – see relevant section(s) on following pages. ◆ Shopping, cleaning and laundry services, benefits/ prescription collection <p>For the carer:</p> <p>Domestic support will only be provided when the carer is carrying out substantial and regular personal care tasks including personal support (ref. Carer Practice Guidance). This support may be appropriately provided via Direct Payments.</p>

Personal Assistance / Support / Care		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their needs without social care services.</p> <p>This should be achieved by:</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Promote alternative solutions such as information about the range of services available privately. These include domiciliary care agencies, live in carers, employ staff self (not Direct Payments), informal carer. 	<p>The person must:</p> <p>Have assessed needs above the threshold for</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health or ◆ Carers. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist. ◆ Be unable to use equipment or adaptations to be independent and meet the need more efficiently. ◆ Not be eligible for Continuing NHS health care 	<ul style="list-style-type: none"> ◆ Where services are provided they include: ◆ Direct Payments – see relevant section above ◆ Personal care services – defined as any activity that requires close personal and physical contact or personal support (assistance and enabling). ◆ Equipment and Adaptations to assist with personal hygiene, Mobility and Safe Transfers – see relevant sections on the following pages. ◆ Joint package with the ILF for people under age 60.

Carer Support		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their needs without social care services. This should be achieved by:</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Promote alternative solutions such as information about local and national support services, sitting services, employment, Telephone Help lines, Carers Online/ UK Online, Care Direct, Age Concern. 	<p>The person or carer must:</p> <ul style="list-style-type: none"> ◆ Have needs above one or more of the sections in the Eligibility Criteria Checklist. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately for themselves ◆ Have no other person willing or able to assist. ◆ Be unable to use equipment or adaptations to meet the need more efficiently. ◆ Not be eligible for Continuing NHS health care ◆ Not be eligible for support from Supporting People. ◆ The carer meets the criteria of a substantial and regular carer (ref. Carer Practice Guidance). 	<ul style="list-style-type: none"> ◆ Direct Payments – see relevant section above. ◆ Range of services set out in this document relevant to the eligible need. ◆ Sitting services ◆ Access, Mobility, Equipment and Adaptations to assist with personal hygiene and Safe Transfers – see relevant sections on the following pages. ◆ Training/support in Moving and Handling, managing stress, managing difficult behaviour, and so on.

Mobility / Transfers		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their own difficulties without the need for social care services.</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Promote alternative solutions such as information leaflets, websites, catalogues, details of private/voluntary sector providers, demonstration centres, trials with equipment/ adaptations, Falls Prevention services, Home Safety Checks 	<p>The person must:</p> <p>Have assessed needs above the threshold for</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Personal Care / Domestic Routines / Home Environment or ◆ Needs Relating to Your Physical and Mental Health or ◆ Carers. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist. ◆ Be unable to use equipment or adaptations to be independent and meet the need more efficiently. ◆ Not be eligible for Continuing NHS health 	<p>Where services are provided:</p> <ul style="list-style-type: none"> ◆ The Joint Equipment Service Core Equipment List sets out the standard equipment that can be provided. ◆ Mobility orientation training and associated equipment. ◆ Promoting and training manual handling techniques. ◆ Hoists. <p>For more details: Reference equipment catalogue</p> <p>For Direct Payments, consult Direct Payments Advisor.</p>

Equipment and Adaptations		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their own difficulties without the need for social care services.</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Promote alternative solutions such as information leaflets, websites, catalogues, demonstration centres, trials with equipment/ adaptations, Falls prevention services, Home Safety Checks ◆ Such support and services may be available from local and national retailers and service providers, Independent Living Centres. 	<p>The person must:</p> <p>Have assessed needs above the threshold for</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Personal Care/Domestic Routines / Home Environment or ◆ Needs Relating to Physical and Mental Health or ◆ Carers <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need Appropriately self ◆ Have no other person willing or able to assist. ◆ Not be eligible for Continuing NHS health care 	<ul style="list-style-type: none"> ◆ In the first instance equipment should be considered. The Joint Equipment Service Core Equipment List sets out the standard equipment that can be provided. ◆ Where eligible needs cannot appropriately be met by equipment consideration should be given to completion of a Statement of Need or Major Adaptation – housing legislation applies. (refer to the Devon Joint Agency Adaptations Guide 2003). ◆ Minor Adaptations.

<p style="text-align: center;">Alternatives to home: Extra Care Housing</p> <p style="text-align: center;">Adult Placement</p> <p style="text-align: center;">Care Homes</p> <p style="text-align: center;">Short / long stay and respite</p>		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their own difficulties without the need for social care services.</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Promote alternative solutions such as: ◆ Information from leaflets, websites, catalogues, 	<p>The person must:</p> <p>Have needs above the threshold for:</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health or ◆ Needs Relating to Your Personal Care / Domestic Routines / Home Environment. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist ◆ For extra care or adult placement – they meet the specific service criteria ◆ Meet the dependency criteria set out in the Residential and Nursing Home Care Bandings documents. ◆ For nursing care, they must meet the criteria for Free Nursing Care. ◆ Not be eligible for Continuing NHS health care 	<p>Direct Payments – see relevant section above. Direct Payments can be used for short term residential care.</p> <ul style="list-style-type: none"> • Extra Care Housing • Adult Placement • Residential Care. • Nursing Care. <p>Respite Care.</p> <p>Short Stay Care.</p> <p>Carer Support - see relevant section.</p>

Family and Social Responsibilities Includes work, education, learning		
Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Wherever appropriate staff should assist people to find solutions to their own difficulties without the need for social care services.</p> <ul style="list-style-type: none"> ◆ Actively promoting benefit take up. ◆ Ordinary community services, ◆ Promote alternative solutions such as information leaflets about local activities/clubs, websites, catalogues, ◆ Provide details of independent/voluntary sector service providers ◆ Use of national /local businesses ◆ National Help Lines, UK Online etc. 	<p>The person must:</p> <p>Have needs above the threshold for services for:</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health or ◆ Needs Relating to Family and Social Responsibilities or ◆ Carers. <p>AND</p> <ul style="list-style-type: none"> ◆ Be unable to meet the need appropriately self ◆ Have no other person willing or able to assist ◆ Not be eligible for relevant support from Supporting People. ◆ Not be eligible for Continuing NHS health care 	<ul style="list-style-type: none"> ◆ Direct Payments – see relevant section above ◆ Day Services. ◆ Sitting services. ◆ Employment opportunities including employment schemes and sheltered employment. ◆ Access to work/learning/ education. ◆ Carer Support – see relevant section. <p>For the carer:</p> <p>Day services will only be provided as a carer break when the carer is a regular and substantial carer (ref. Carer Practice Guidance).</p>

Intermediate Care and Rehabilitation Services - community and residential¹

Creative Solutions	Determining Eligible Needs	Meeting Eligible Needs
<p>Promote Benefit take-up.</p>	<p>The person must have:</p> <ul style="list-style-type: none"> ◆ Needs Relating to Your Physical and Mental Health <p>OR</p> <ul style="list-style-type: none"> ◆ Needs relating to Your Personal Care/Domestic Routines/Home Environment <p>AND</p> <ul style="list-style-type: none"> ◆ The person is in agreement with the Intermediate Care/rehabilitation plan. <p>OR</p> <ul style="list-style-type: none"> ◆ The person needs further assessment. ◆ Not be eligible for relevant support from Supporting People. ◆ Not be eligible for Continuing NHS health care <p>AND</p> <p>Meets the service criteria for the specific service</p>	

◆ ¹ NB Many short term residential and community reablement services fall within the category of Intermediate Care and are subject to joint funding and separate eligibility.