

**Surrey County Council  
Fair Access to Care Services  
Eligibility Policy for Adult Services**

**Effective from 7 April 2003**

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**1. Introduction**

**1.1 People covered by the eligibility policy**

- Adults, aged over 18 who have
  - mental health needs and/or substance misuse needs
  - a learning disability
  - a physical disability
  - cognitive impairment
  - HIV+ or AIDS
  - sensory impairment (including combined sight & hearing loss)
  - complex needs and multiple disabilities
  - any other adults who appear to be in need of community care services
- Carers, who are
  - adult carers
  - young carers
  - parent carers
  - potential carers

**1.2 People not covered by the eligibility policy**

Children and young people under 18 (other than young carers), and those leaving the “looked after” system.

Note: Surrey County Council has separate eligibility policies and criteria for Children’s Services.

The provision of services such as travel concessions and disabled persons parking badges for motor vehicles is covered by regulations and guidance under the Road Traffic Act 2000,

which gives prescribed eligible categories and descriptions of disabled people who may receive such services. As such these services are outside the scope of this document.

### **1.3 Existing Service Users and Carers**

Nobody currently receiving a service will have their services reduced or withdrawn as a result of this policy change, without a full reassessment of their needs and reasonable notice being given of any change.

## **2. Policy Statement**

### **2.1 Aim of Adults & Community Care**

The overall aim of Adults & Community Care is:

‘To protect and support those in need of care and assistance, enabling them and their families to retain or regain their independence and to take responsibility for decisions which affect their lives’

Surrey County Council aims to promote the well being and social functioning of those groups covered by this policy. In doing so, the council’s efforts are directed at enabling users and carers to achieve the following:

- To be independent and live safely
- To have choice and control over their lives and live as independently as possible.
- To continue to live in their own home, if they wish, or other accommodation of their choice.
- To have access to a range of services including health promotion, general and specialist health care, social, leisure, educational and employment opportunities in their local community.
- To be aware of the full range of services and opportunities available and how to access them.
- To receive the support that they need in local and ordinary settings.
- To be safe from abuse.

### **2.2 Targeting of Resources**

The council has insufficient resources to meet all social care needs. As the demand for social care increases, so it becomes more important to allocate financial resources according to priority needs. In setting these eligibility criteria, account has been taken of the resources available to Surrey County Council, local expectations and local costs.

Because of the high cost of providing services, resources need to be targeted to those people in the greatest immediate or longer-term need. The policy of the council is that individual packages of care will, under normal circumstances, be provided for users and carers who are assessed as having needs above the eligibility threshold. The threshold will be reviewed regularly, according to available resources. The eligibility threshold for 2003/04 is set between the Substantial and Moderate risk bands (see appendix 1 (a) & 1 (b)). This means that all people who have needs within the Substantial and Critical Risk Bands will be eligible to receive Community Care Services. In addition, subject to resources, one-off,

short-term, time limited, or occasional services will also be provided to people assessed to be in lower risk bands, where it is also assessed that the provision of that service will prevent the person's needs increasing above the eligibility threshold, within a period of six months.

## **2.3 Prevention**

Surrey County Council has a multi agency approach to prevention that is based on assessments of risk, is cost effective, outcome focused and seeks to prevent deterioration and improve quality of life by increasing independence. The objectives apply equally to both users and carers:

- Enabling people to remain in their own homes or return home from other settings
- Prevent avoidable admission to hospital, nursing or residential care
- Maintain and increase independence by reducing risks in the home environment, or preventing loss of independent living skills
- Prevent social isolation
- Promote equality of access to services
- Support carers to continue their caring role, where this is their wish

In addition to the incorporation of principles of prevention into this eligibility policy, Surrey County Council works closely with its local authority, health, and voluntary sector partners, in collaboration with service user and carer groups, to develop and support a range of schemes and services designed to support a strategy of prevention.

## **3. Policy Framework**

### **3.1 Duty To Assess**

Access to community care services is through an assessment of needs and the local authority has a duty to assess any person for community care services where it appears that they may be in need of those services (NHSCCA 1990 s47 (1)(a)). Before starting a community care assessment it is necessary to ascertain whether a person appears to be in need of community care services. In exercising this judgment, a low threshold will be set, so as to avoid screening out individuals before sufficient information is known about them.

People with a disability are entitled to an assessment under the Disabled Persons Act 1986 and the Chronically Sick and Disabled Persons Act 1970. In addition, carers (including young carers) are entitled to an assessment under the Carers Recognition and Services Act 1995, and Carers and Disabled Children Act, 2000. Fair Access to Care Services advises that all assessments should be proportionate to the presenting needs.

### **3.2 Carers**

The determination of eligibility in individual cases will take account of the support from family members, friends and neighbours that individuals can access to help them meet their needs. Many people with social care needs are supported to a greater or lesser extent by carers and in these circumstances, the views of those carers will be obtained in order to inform the assessment and gain a rounded picture.

Carers are entitled to an assessment in their own right and will be advised of this by the assessor. Assessments of the individual receiving support and their carer will normally be undertaken concurrently. However, a carers assessment is not dependent upon an assessment of the person they are caring for also being assessed. For example, where an individual with mental capacity either refuses or does not co-operate with an assessment, the carer retains her/his entitlement to assessment and this will still be offered.

### 3.3 Young Carers

A young carer is a young person (up to the age of 18) whose life is affected by caring, where the person being cared for has a disability or long term illness. The person being cared for may be a parent, grandparent, sibling or other family member or friend and may not necessarily be living in the same house as the young carer. Young carers have the same entitlement to assessment as adult carers.

A young carer may wish to have a separate assessment undertaken by a different worker or the same worker as their parent or sibling, and their wishes should be respected<sup>1</sup>. Where services are to be provided to a young carer under the Children Act, a referral will be made to the appropriate Children's Services team.

### 3.4 Determining Eligibility: Evaluating Needs and Risks

After the assessment is completed, the assessor will make a judgment whether the needs and risks identified are already present or are likely to occur within the following timescales:

Critical:	In the present, or within 7 days
Substantial:	7 days to 12 weeks
Moderate:	In the present, or likely to occur within 6 months
Low:	In the present, or likely to occur more than 6 months on.

The persons needs will be assessed against the following four domains and a judgement made as to the risk to the persons independence if community care services were not provided. Specifically a judgement will be made as to how likely it is that a persons care of living arrangements will breakdown or become unsafe within the given timescales, without the provision of community care services.

- Autonomy and freedom to make choices
- Health and Safety, including freedom from harm abuse and neglect and taking the wider issues of housing and community safety into account
- The ability to manage personal and other daily routines
- Involvement in family and Wider Community Life, including leisure, hobbies, paid and unpaid work, learning and volunteering

See appendix 1(a) and 1(b)

### 3.5 Exceptions

Situations may arise where a comprehensive S47 (NHSCCA 1990) assessment will be indicated or community care services may be provided even though presenting needs appear not to meet the eligibility criteria. Exceptions can apply in any situation where a manager considers that it would be unsafe or unreasonable not to provide an assessment or services.

Where the council does not agree to make an exception, in circumstances where an individual believes there are grounds to do so, she/he will be advised how to make an appeal against this decision.

### 3.6 Charging for Services

Any service provided by the department will be charged for according to the current charging policy for non-residential services, and the government’s statutory guidance for charging for residential services.

### 3.7 Complaints, Appeals and Further Help

The normal complaints and appeals procedures apply to this policy. A leaflet giving information about the complaints and appeals process is available from social care teams or from the Designated Complaints Officer, Surrey Adults & Community Care Department, AC Court, High Street, Thames Ditton, Surrey, KT7 OQA. Tel. 0208-541-8515, or 8737, fax 0208-541-8552, email [socialservices.complaints@surreycc.gov.uk](mailto:socialservices.complaints@surreycc.gov.uk).

Further help can be obtained from AMIIS (Advocacy, Mediation, & Independent Investigation Service), an independent advocacy and mediation service for service users and carers.

AMIIS can provide help in resolving complaints for service users and carers who receive a service from Surrey Social Services. They can be contacted at ‘Astolat’, Coniers Way, New Inn Lane, Burpham, Guildford, Surrey. Tel. 01483 531308; Fax. 01483 301072, [mediation@amiis.com](mailto:mediation@amiis.com).

## 4 Definitions and Glossary of Terms

<b>Critical</b>	Those needs that are assessed to be already present, or likely to occur within 7 days, as defined within the critical risk band of the Eligibility Framework in Annex 1.
<b>Substantial</b>	Those needs that are assessed to be already present, or likely to occur within 7 days to 12 weeks, as defined within the substantial risk band of the Eligibility Framework in Annex 1.
<b>Moderate</b>	Those needs that are assessed to be already present, or likely to occur within 6 months, as defined within the moderate risk band of the Eligibility Framework in Annex 1.
<b>Low</b>	Those needs that are assessed to be already present or likely to occur more than 6 months in the future as defined within the low risk band of the Eligibility Framework in Annex 1.

<b>Assessment</b>	An assessment is an interactive process that may involve a number of individuals/agencies. It is designed to gather relevant information in order that a professional judgment about eligibility for community care services can be made. The depth and breadth of an assessment will be proportionate to the presenting needs and circumstances of the individual being assessed.
<b>Domestic &amp; daily routines</b>	Essential activities of daily living which do not involve personal or intimate care
<b>Eligible needs</b>	Those needs, which the county council has a power or duty to provide services to meet under community care legislation or statutory guidance, <i>and</i> fall within the county eligibility criteria.
<b>Carer</b>	A person who provides unpaid care or support to a person who has eligible needs for community care services
<b>Foreseeable future</b>	Foreseeable future describes those events or circumstances that can reasonably be foreseen happening within a predictable time frame. The time bands described in paragraph 3.4, above, are used to help determine eligibility.
<b>Individual</b>	The term “individual” is used throughout the document to identify the person who is being assessed for social care support. In every case this will include both people with direct social care needs and carers.
<b>Personal care</b>	Any activity that requires close personal and physical contact or personal support from another person and which does not fulfill a medical function
<b>Presenting needs</b>	Issues and problems that are identified when individuals contact the council or are referred, seeking social care support.
<b>Services</b>	The term “services” is used to describe the full range of community care provisions, including equipment. However, as no eligibility threshold exists for information, advice and assessment, these are excluded from the definition for the purposes of this document.
<b>Service user</b>	For the purposes of this document, the term “service user” may describe a person who has been referred to the council, or contacts the council to enquire about community care services (ie., a potential user) as well as those already in receipt of services.
<b>Threshold</b>	The threshold is a line drawn within the eligibility framework (see Annex 1), which accords with the total resources available to the council to spend on community care services. The line will be subject to review according to the county council budget cycle and may change according to the level of resources available and the cost of providing services. Only those needs that are assessed to fall above the threshold line will be eligible for the provision of community care services.
<b>Vital</b>	A vital need is one that is judged by the assessor to be of essential, fundamental or crucial importance to the individual concerned. If a vital need is not met within a given time frame the implication is that the person would be at a high risk of abuse or other serious harm or that their care or living arrangements would break down, resulting in a need for hospital/institutional care.