

Carer Assessment and Eligibility

Policy Guidance for Carers

Version 1.4



Cover Sheet

Name	Carer Assessment and Eligibility		
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Definitions/Glossary

BCC	Buckinghamshire County Council
Personal Budget	Amount of money agreed to meet identified individual needs
Direct Payment	Amount of money provided directly to the carer to use to meet their identified needs
Ordinarily Resident	Where the cared for is normally considered to be a resident

1. Policy statement

This document describes how Buckinghamshire County Council (BCC) Adult Social Care will fulfil its legislative responsibilities as detailed in the Care Act 2014, to meet the eligible needs of adult carers with support needs.

For the purposes of this document a 'carer' means an adult aged 18 years and over who provides or intends to provide help to another adult. An adult who provides care under a contract or as voluntary work will not be regarded as a carer.

2. Introduction

The Care Act 2014 places a duty on local authorities to assess a carer where it appears to BCC Adult Social Care that the carer may need support, whether currently or in the future. The assessment will identify whether the carer does have support needs (or is likely to do so in the future) and, if so, what those needs are (or are likely to be in the future). This is known as a carer's assessment.

Carer assessments will be person-centred, proportionate to the need and circumstances of the carer, and will involve key individuals as well as the carer concerned. The assessment process will encourage carers to reflect on and understand the needs they have whilst carrying out their caring role and what impact this has on their health and wellbeing. Through the assessment process carers will be able to identify the outcomes they wish to achieve.

The carer's assessment must include an assessment of whether the carer is able and willing to carry on caring, the impact of caring on the carer's wellbeing, the outcomes the carer wishes to achieve in day-to-day life and whether the provision of support could contribute to the achievement of those outcomes. The carer's assessment will have regard to whether the carer works or wants to work and whether they are participating, or want to participate, in education training or recreation.

The assessment will determine whether a carer's needs are eligible for support and whether the provision of this support contributes to achieving the desired outcomes to improve their health and wellbeing. Not all of the needs identified in the assessment will be eligible for support by BCC Adult Social Care. Information and advice about ways of addressing needs and considering what other steps might be taken to help the achievement of the carer's outcomes, or preventing a need for care and support arising, will be provided by BCC Adult Social Care.

3. Purpose

This document is aligned to the local authority's duties under the Care Act 2014 which came into effect in April 2015, and recognises and acknowledges the valuable contribution carers provide. BCC must also adhere to the national assessment framework and the national minimum eligibility threshold for carers as set out in the associated Regulations.

This document outlines the policy framework by which BCC Adult Social Care meets its obligations to carers under the Care Act 2014, Statutory Regulations and Statutory Guidance.

4. Scope

Under the Care Act there is a duty to assess where it appears that an adult carer may have support needs (whether currently or in the future) and all local authorities must advise carers of their right to a carer's assessment. The carer does not need to live with the person for whom they are caring.

5. Legal Framework

5.1 The Care Act 2014

The Care Act provides a legal framework for adult social care and support, as well as introducing new rights, responsibilities and processes.

5.2 Promoting Wellbeing

The general duty of BCC Adult Social Care is to promote an individual's wellbeing when performing its care and support functions. This is known as the wellbeing principle, which underpins all care and support functions and decisions made in relation to an individual under the Act. The concept of wellbeing is defined in section 1(2) of the Act as relating to any of the following nine principles:

- a) Personal dignity (including treatment of the individual with respect);
- b) Physical and mental health and emotional wellbeing;
- c) Protection from abuse and neglect;
- d) Control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);

- e) Participation in work, education, training or recreation;
- f) Social and economic wellbeing;
- g) Domestic, family and personal relationships;
- h) Suitability of living accommodation;
- i) The individual's contribution to society.

5.3 Standards of the Care Act

In addition to the general principles of promoting wellbeing, there are a number of key standards under section 1(3) of the Act, that BCC Adult Social Care must have regard to when carrying out the assessment process:

- a) The importance of beginning with the assumption that the individual is best placed to judge the individual's wellbeing;
- b) The individual's views, wishes, feelings and beliefs;
- c) The importance of preventing or delaying the development of needs for care and support or needs for support and the importance of reducing needs of either kind that already exist;
- d) The need to ensure that decisions about the individual are made having regard to all the individual's circumstances (and are not based only on the individual's age or appearance or any condition of the individual or aspect of the individual's behaviour which might lead others to make unjustified assumptions about the individual's wellbeing);
- e) The importance of the individual participating as fully as possible in decisions and being provided the information and support necessary to enable the individual to participate;
- f) The importance of achieving a balance between the individual's wellbeing and that of any friends or relatives who are involved in caring for the individual;
- g) The need to protect people from abuse and neglect;
- h) The need to ensure that any restriction on the individual's rights or freedom of action that is involved in the exercise of the function is kept to the minimum necessary for achieving the purpose for which the function is being exercised.

There is no hierarchy to these standards. The assessment process will consider how a carer's individual needs impact on these aspects of wellbeing and seek to establish the total extent of the carers' needs both now and in the future. BCC Adult Social Care will seek to form a holistic view of the carer's life and the outcomes they wish to achieve beyond their caring responsibilities. BCC Adult Social Care will consider the impact of the caring role on the ability of the carer to achieve these outcomes to ensure an appropriate response is given at the right time.

5.4 Universal Services and General Responsibilities

The Care Act 2014 also provides that BCC Adult Social Care must:

- a) Provide or arrange services, facilities or resources which contribute towards preventing, delaying or reducing the support needs of carers in Buckinghamshire.
- b) Establish a service to provide people in Buckinghamshire with information and advice relating to care and support for adults and support for carers.

5.4.1 Preventing needs for care and support

When taking steps to prevent, delay or reduce the need for care and support BCC Adult Social Care will have regard to the importance of identifying:

- a) What services, facilities and resources are already available in the area (for example local voluntary and community groups), and how these might help local people;
- b) Adults in the area with needs for care and support which are not being met;
- c) Carers in the local area who might have care and support needs that are not being met.

5.4.2 Providing information and advice

Promoting carers' wellbeing and empowering them to exercise choice and control is a vital component of preventing or delaying people's need for support.

BCC will provide comprehensive information and advice about care and support services in the local area to help carers understand how support services work locally, the options available and how to access care and support services. This includes independent financial information to enable people to plan and prepare for the future.

6. National Assessment Framework

This document is written in accordance with the Care and Support (Assessment) Regulations 2014. The duty to assess is triggered by the appearance of need and support, regardless of the level of those needs or the financial resources of the carer or adult needing care. As such the assessment is the key contact between BCC Adult Social Care and the carer. An assessment can:

- a) Support carers to understand their situation and the needs they have.
- b) Reduce or delay the onset of more substantial needs.
- c) Enable carers' to access support when they require it.

Carers can and may refuse a carer's assessment. If a carer later requests an assessment, one will be undertaken in the normal manner. If the needs or circumstances of a carer or the adult needing care have changed, BCC Adult Social Care must undertake an assessment unless the carer refuses the assessment.

7. Purpose of the Assessment

7.1 Identification of Need

The purpose of an assessment is to identify if the carer has support needs (or is likely to do so in the future) and what these needs may be. The assessment will also consider the impact of caring on the carer, including an assessment of:

- a) Whether the carer is able, and is likely to continue to be able, to provide care;
- b) Whether the carer is willing, and is likely to continue to be willing, to do so;
- c) The impact of the carer's needs for support on their wellbeing;
- d) The outcomes which the carer wishes to achieve in their day-to-day life;
- e) Whether, and if so to what extent, the provision of support could contribute to the achievement of those outcomes.

When carrying out the assessment BCC must have regard to whether the carer works or wishes to do so and whether the carer is participating in or wishes to participate in education, training or recreation.

8. Assessment Process

8.1 Eligibility Framework

The assessment and eligibility process provides a framework to identify the carer's level of need for care or support. The assessment process will take into account relevant information from the carer, family and relevant professionals to establish whether the carer has support needs or is likely to do so in the future and, if so, what those needs are or are likely to be in the future.

The purpose therefore of the assessment process is to:

- a) Gather and record important information about the carer and the person they care for and the wider network of support available and accessible to the carer as well as any risks involved;
- b) Identify and analyse the presenting needs of the carer and how these impact on their wellbeing, independence and/or safety;
- c) Decide if the carer has social care needs which qualify for support within the eligibility framework;
- d) Identify and agree which outcomes the carer wishes to achieve and whether meeting those needs will enable the carer to do so.

The assessment process will look at the carer's life as a whole and consider how the carer, their support network and/or the wider community can contribute towards meeting the desired outcomes of the carer to enable them to have a life of their own outside of caring.

8.2 Assessment Process

BCC Adult Social Care must be confident that the carer is being supported at all times and is at the centre of the process. The needs of the carer are the central focus of the assessment process. As such there is no set approach and BCC Adult Social Care will carry out assessments in a manner which is:

- a) Appropriate and proportionate to the needs and circumstances;
- b) Ensures that the carer is able to participate effectively in the assessment;
- c) Has regard to the choices, wishes and outcomes the carer wants to achieve;
- d) Takes account of the level and severity of the carer's needs.

Assessment Format

The method of assessment could include, but is not limited to:

- a) A face to face assessment between the carer and BCC Adult Social Care.
- b) A supported self-assessment which is completed by the carer but reviewed by the council to ensure an accurate reflection of the carers' needs. If appropriate further information will be gathered from professionals and those that know the carer, with the carers' consent.
- c) An online or phone assessment where the carer feels that they are able to communicate their needs using these methods.
- d) A joint or integrated assessment involving all relevant professionals, agencies and/or organisations to bring together all of the carers' relevant needs, avoiding the need for multiple assessments.
- e) A combined assessment of the person being cared for and the carer to enable all inter-related needs are taken account of.

8.3 Supporting the carer in the process

BCC Adult Social Care will consider if support to help the carer with communication will enable them to be involved in the assessment, understand the process and express their needs and wishes. This might include:

- Interpreting
- Independent advocacy

BCC Adult Social Care will arrange for an independent advocate if the carer experiences substantial difficulty in understanding, retaining, using or weighing relevant information or communicating their views, wishes or feelings. However, an independent advocate will not be arranged if there is another appropriate person to represent and support the carer. BCC Adult Social Care will decide whether a person is appropriate in accordance with the provisions of the Care Act.

8.5 Information about the process

From the first contact with BCC Adult Social Care, carers being assessed will be provided with information about the process to enable them to consider what their needs are and to make choices on the best method of assessment format for them. Information will be provided on:

- a) The format in which the assessment will take place.
- b) Expected timescales.
- c) Complaints procedure.
- d) Independent advocacy

9. Impact on Carers and Family

9.1 Whole Family Approach

BCC Adult Social Care must have regard to the needs of the family of the carer to whom the assessment relates and take an overview of the impact that the caring role has on the whole family. Consideration must be given to the need for care and support of the carer on the family and any other appropriate individuals involved as determined by BCC Adult Social Care. This includes identification of any other adults and children who are providing care or the impact on the adult carer who in turn has parenting or additional caring responsibilities.

10. Eligibility

10.1 National eligibility criteria

The assessment process will enable BCC Adult Social Care to determine whether any identified support needs meet the eligibility criteria as defined in the national eligibility criteria Care and Support (Eligibility Criteria) Regulations 2014. The Council may provide short term services without having completed a full assessment if the carer has urgent needs.

Under the Regulations BCC Adult Social Care must consider whether:

- 1) The carer's needs arise as a consequence of providing *necessary* care for an adult;
- 2) The carer's physical or mental health is deteriorating, or is at risk of doing so or the carer is unable to achieve any of their outcomes;
- 3) As a consequence of being unable to achieve any of their outcomes, establish if there is or there is likely to be, a significant impact on the carer's wellbeing.

10.2 Determining eligibility

BCC Adult Social Care must be satisfied that the following applies in relation to the eligibility conditions:

The carer is providing necessary care:

- a) The carer is providing care needs which the cared for adult is unable to meet themselves, regardless of whether or not the cared for adult is eligible for care and support.

The carer's physical or mental health is, or is at risk of, deteriorating; or that they are unable to achieve any of their specified outcomes:

- a) Carrying out any caring responsibilities the carer has for a child;
- b) Providing care to other persons for whom the carer provides care;
- c) Maintaining a habitable home environment in the carer's home (whether or not this is also the home of the adult needing care);
- d) Managing and maintaining nutrition;
- e) Developing and maintaining family or other personal relationships;
- f) Engaging in work, training, and education or volunteering;
- g) Making use of necessary facilities or services in the local community, including recreational facilities or services, and
- h) Engaging in recreational activities.

A carer will be regarded as being unable to achieve one of these outcomes if the carer is:

- 1) Is unable to achieve an outcome without assistance;
- 2) Is able to achieve an outcome without assistance but doing so causes significant pain, distress or anxiety to the carer;
- 3) Is able to achieve an outcome without assistance but doing so endangers or is likely to endanger the health and safety of the carer or others.

The carer's needs and inability to achieve one of the outcomes above either impact on one area of the carer's wellbeing in a *significant* way or, the impact is on a number of the areas of wellbeing which have a *significant* impact on the carer's overall wellbeing.

10.3 Needs and eligible needs

A need may present as continuous, sporadic, or fluctuating. Presenting needs are those that are described by the carer at the point of contact and throughout the assessment process or review of their needs. Eligible needs are those determined by BCC Adult Social Care as being eligible for support from the council.

Not all needs are eligible for support from the council. Some needs may instead be met by supporting individual carers' own strengths or by their family and/or friends. This is viewed as a strengths-based approach. Support may be provided indirectly to the carer by providing services to the person being cared for or through

accessing universal support services, community/voluntary services or by accessing information and advice.

10.4 Fluctuating needs

Carers may have fluctuating needs, not all of which are apparent at the time of assessment but which may have arisen in the past and could present again in the future. Individual circumstances may result in variable levels of need presenting at different times for carers such as those who have children and therefore may require more support during school holidays.

Similarly, changes in the needs of the individual being looked after, for example in relation to mental illness, will need to be taken account of within the assessment and any resulting support plan.

In cases of fluctuating need BCC Adult Social Care will take into account the carer's circumstances over such a period of time as is necessary to establish accurately the carer's level of need.

10.5 Assessment outcome

Where carers meet the national eligibility criteria and are found to have eligible needs for support, BCC Adult Social Care will:

- a) Consider how those eligible needs will most appropriately be met in a manner proportionate to the need and what support options are available to deliver the proposed outcomes.
- b) Establish whether the individual being cared for is ordinarily a resident in Buckinghamshire, as BCC Adult Social Care is only required to meet the needs of carers where the adult being looked after is ordinarily resident in Buckinghamshire or present in Buckinghamshire but of no settled residence.
- c) The Care Act gives local authorities the power to charge for carer support services. If there is a charge associated with a proposed service then a financial assessment will be carried out.

BCC has taken the decision not to charge for carer services in the financial year April 2015 – March 2016. This will be reviewed for future financial years.

10.6 Non-eligible needs

Carers who do not meet the national eligibility criteria will still be able to access information and advice relevant to their individual circumstances and local area to meet or reduce existing needs and/or prevent or delay future support needs. Carers will be signposted to BCC's universal support services where they can access a range of services and support to help them in their caring role.

11. Eligible Needs

11.1 Choice and Control

Where eligible needs have been determined, a plan of care and support must be provided. BCC Adult Social Care must involve the carer in the development of their support plan. As such, carers should be in control of their own support plan to promote and enhance their wellbeing and have a pro-active role in the joint planning process should they wish.

BCC Adult Social Care is responsible for the production and sign-off of the support plan to ensure that it meets the needs which have been identified as a result of the assessment process.

The care and support plan will include information about:

- a) The needs identified by the carer's assessment;
- b) Whether and to what extent the needs meet the eligibility criteria;
- c) The needs BCC is going to meet and how it is going to meet them;
- d) Developing new work skills or refreshing existing skills;
- e) The carer's personal budget.

11.2 Meeting Needs

Carers must receive a personal budget as part of their support plan which specifies the money which has been allocated to meet the identified needs from the assessment and how it will be used to meet the identified needs. Carers have a right to request some or all of the personal budget as a direct payment. This will enable carers to look after their own wellbeing by exercising choice and control over how their needs are met, for example;

- a) Leisure centre or gym membership
- b) Adult learning courses
- c) Therapy treatment
- d) Developing new work skills or refreshing existing skills
- e) Pursuit of hobbies
- f) Keeping in touch with family/friends

It may be that the best way to meet carers' needs, however, is to provide care and support directly to the person that they care for. This could take the form of 'replacement care' (another person or agency to deliver the care to the cared for which the carer usually provides) to enable the carer to have a break from their caring role and to enable them to participate in one or more of the wellbeing outcomes.

The 'replacement care' provided as a service to meet the carer's needs will be chargeable to the cared-for person as they are the recipient of the service, even if the cared-for person is not eligible for support from BCC Adult Social Care. BCC Adult Social Care should take steps to establish that the adult needing the care agrees to the receipt of this care. If the cared for person refuses the care, BCC Adult Social Care must identify, as far as it is possible, an alternative way of supporting the carer.

The Respite Policy is currently under review.

12. Care and Support Plan Reviews

A review date will generally be planned and written into the support plan to give carers an opportunity to reflect on what is working and what is not working and what might need to change. Keeping plans up-to-date and relevant to the carer's needs and aspirations aims to diminish the risk of carers entering into a crisis situation.

The review will help to identify if a carer's needs have changed and may lead to a reassessment of their support needs. If there is new information or evidence which suggests that circumstances have changed in a way which affects the efficacy, content or appropriateness of a carer's support plan, an unplanned review of the support plan may be undertaken.

BCC Adult Social Care has a duty to conduct a review of a support plan on a reasonable request by a carer. As such, information and advice will be provided to carers during the initial planning process about how to request a review.

13. Safeguarding

BCC Adult Social Care has a duty to investigate where it has reasonable cause to suspect that an adult in Buckinghamshire who has needs for care and support, is experiencing or at risk of experiencing abuse or neglect, and as a result of the need for care and support is unable to protect himself or herself.

Such investigations will be undertaken in accordance with the Council's safeguarding policy.

14. Document Review

This document has been approved by the Care Act Board, Carers Partnership Board and BCC Legal Department and will be reviewed on an annual basis unless otherwise dictated by policy or legislative changes.

15. Appendix

Appendix 1: Statutory Duty, National Policy and BCC Policy

Subject Area	Statutory Framework	Regulations	Guidance and related County Council Policy
Wellbeing	The Care Act 2014: Chapter 1	The Care and Support (Promoting wellbeing) Regulation 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 1 – Promoting Wellbeing Buckinghamshire County Council's Assessing and Supporting Your Needs Policy
Assessment for need and support: Carers Assessment and Eligibility	The Care Act 2014: Chapter 6	The Care and Support (Assessment & Eligibility) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 9-13 Assessment & Eligibility Assessing and Supporting Your Needs Policy
Prevention of Need	The Care Act 2014: Chapter 2	The Care and Support (Preventing, reducing or delaying needs) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 2 – Preventing, reducing or delaying needs Assessing and Supporting Your Needs Policy
Ordinary Residence	The Care Act 2014: Chapter 19	The Care and Support (Ordinary residence) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 19 – Ordinary residence BCC Assessing and Supporting Your Needs Policy
Advocacy	The Care Act 2014: Chapter 7	The Care and Support (Independent advocacy) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 7 – Independent advocacy Assessing and Supporting Your Needs Policy
Support Planning	The Care Act 2014: Chapter 10	The Care and Support (Care and support planning) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 24-25 – Care and support planning Assessing and Supporting Your Needs Policy
Information and Advice	The Care Act 2014: Chapter 3	The Care and Support (Information and advice) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Section 4 – Information and advice Assessing and Supporting Your Needs Policy
Charging	The Care Act 2014: Chapter 8	The Care and Support (Charging and financial assessment) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Sections 14, 17, 69-70 – Charging and financial assessment. Buckinghamshire County Council Direct Payment

			Policy and Charging Policy
Safeguarding	The Care Act 2014: Chapter 14	The Care and Support (Safeguarding) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Sections 42-46 – Safeguarding Buckinghamshire County Council Safeguarding Adults at Risk Policy and Procedure and Assessing and Supporting Your Needs Policy
Care and Support Plan Review	The Care Act 2014: Chapter 13	The Care and Support (Review of care and support plans) Regulations 2014	Care and Support Statutory Guidance issued under the Care Act 2014: Sections 27 – Review of care and support plans Assessing and Supporting Your Needs Policy