

Fair Access to Care Services (*ref 43*)

1. The Government has given guidelines to local councils about the way that an individual's need for social care should be assessed, and the way in which decisions should be reached about whether people are eligible for help. Although every council has to use the same framework to do this, it does not mean that every council has to offer the same services.
2. The process for accessing care services starts with an assessment of the needs an individual tells the council about. How intensive this assessment has to be will depend on how complicated or difficult the individual's circumstances are.
3. Councils should assess the needs that people tell them about, and then decide about which needs are eligible for help and how important the council think these are. The general yardstick councils have to work by is the risk to that individual's independence if help is not provided.
4. Councils do not have to offer help to all the social care needs that individuals tell them about. Every council has to draw up 'eligibility criteria', and will take their own resources into account when doing this. In deciding what eligibility criteria they will use when being asked to help people, councils have to use an 'eligibility framework'.
5. This 'eligibility framework' is graded in four bands, which describe the levels of risk to someone's independence if their needs are not met. These four levels are:
 - **Critical**, i.e. problems that are life-threatening, serious abuse, inability to carry out vital personal tasks etc;
 - **Substantial**, i.e. an inability to carry out most personal care tasks, being unable to sustain relationships or support, only partial control over the immediate environment; after these come
 - **Moderate**; and then
 - **Low**
6. Councils have to use this framework to define the severity of needs. For example, individuals with 'critical' or 'substantial' needs will take precedence over those whose needs are defined as 'moderate' or 'low'. In deciding where on this scale it has actually got to provide help, councils can take into account their own resources, local costs, local expectations etc. Other groups and local people should be consulted as part of the process when the council makes these policy decisions, and the criteria for eligibility has to be made public.
7. Councils have to ensure that there are services available to meet eligible needs. In making decisions about this, councils can take into account support people get from carers, family, friends, etc. Councils also have to ensure that direct payments are made available.
8. Individuals should not be 'screened out' of the system before they get to the assessment stage. Where people with learning disability are concerned, the assessment process should take into account the principles and guidance outlined in *Valuing People*.
For more information see the *Factsheet Valuing People - The Housing Agenda (ref 05)*.
9. The Department of Health have issued guidance to local councils about how they should operate the 'eligibility criteria'. This can be accessed at their website: www.dh.gov.uk, or copies can be obtained from:
Department of Health
PO Box 777
London SE1 6XH
Tel: 08701 555455
Fax: 01623 724524

If you require further information or have other queries contact Housing Options.

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