



## **Cost Effective Care Policy for Adult Social Care 2014**

**Adults and Communities Department**

DRAFT

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## Introduction

The Adults and Communities Department's key strategic aims are to understand the needs and aspirations of the people of Leicestershire; develop strong and independent communities; promote health and wellbeing; increase people's choice and control and continually improve the way that we work. Funding and services are targeted to support vulnerable people to lead rewarding, fulfilling and purposeful lives. Where people are eligible for social care support, our aim is to support them to achieve their outcomes in a way that reflects their preferences.

Leicestershire County Council has to use its financial resources wisely to ensure that we can maintain quality and provide effective services within the available budget. This means that we have to balance people's preferences with what can be afforded. This issue has always been present to some degree but has become more prominent in this time of very significant reductions in the Council's budget. It is for this reason that we have decided to produce a policy that will clearly set out how the Council plans to balance our response to meeting people's needs in a way that is cost effective and provides good value for money.

## Background

The Council is facing an increasing level of demand for social care services, largely as a result of demographic change. Leicestershire has an ageing population with the proportion of those aged 65 and over expected to increase from about one-sixth in 2010 to one-fifth in 2020 to one-quarter in 2030. People with learning disabilities are living longer. This is predicted to result in the number of people aged 65 and over with moderate or severe learning disabilities rising from 323 in 2010 to 499 in 2030, an increase of 54%<sup>1</sup>.

At the same time there is less money available to meet this increasing level of need. The Council's Medium Term Financial Strategy for 2014 -2018 sets out efficiency savings and service reductions for the Adult Social Care budget of £4.8m in 2014/15, rising to £20.8m in 2017/18. We therefore have to think carefully about how to use the limited financial resources available so that we can meet people's eligible needs.

The Council has a legal duty to complete assessments of need, which is set out in a number of key pieces of legislation, notably the NHS and Community Care Act 1990; National Assistance Act 1948; Chronically Sick and Disabled Person's Act 1970 and the Carers and Disabled Children Act 2000.

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<sup>1</sup> [http://www.lsr-online.org/reports/leicestershire\\_joint\\_strategic\\_needs\\_assessment\\_jsna\\_2012\\_full\\_length/download/35/2012%20Leicestershire%20JSNA%20Older%20Persons.pdf](http://www.lsr-online.org/reports/leicestershire_joint_strategic_needs_assessment_jsna_2012_full_length/download/35/2012%20Leicestershire%20JSNA%20Older%20Persons.pdf)

The duty to arrange/provide services for people with eligible needs is set out in “Prioritising need in the context of *Putting People First: A whole system approach to eligibility for social care*” Department of Health Guidance on Eligibility Criteria for Adult Social Care, England 2010. This sets out a framework that Councils are required to use for allocating social care resources in a fair, transparent and consistent way. Councils are entitled to take account of their available resources when setting their eligibility criteria and may have regard to their resources when assessing needs and choosing between different ways of meeting those needs.

The Council also needs to look ahead and prepare for the implementation of the Care Bill from April 2015. The Bill introduces the well-being principle, making this the central purpose for adult social care. It also emphasises the importance of preventing or delaying the development of needs for care and support and of reducing needs that already exist. It will create a new national eligibility threshold for adults who need care and support and include eligibility criteria for carers.

The funding reforms that will be introduced in April 2016 will revise the financial thresholds for eligibility for local authority funding and introduce a “cap” on the lifetime care costs paid by individuals. The Council will be expected to create independent personal budgets for self-funders that will set out the amount that can accumulate towards their care cap. Initial estimates suggest that there will be an increase of between 7000 to 8000 people who will approach the Council for an assessment and the creation of an independent personal budget. The Cost Effective Care policy will set out a framework for agreeing a reasonable and cost effective amount for care costs that will accrue towards the care cap.

### **Who the Policy Applies to**

This policy will affect adults aged 18 or over who use social care services arranged by the Council or who may need such services in the future.

This includes older people, adults with learning disabilities, physical disabilities, mental health needs and people with a visual or hearing impairment.

The policy does not include the support that the Department provides to informal carers. However, carers may be affected by decisions made under the policy for the person they care for.

This policy will affect new service users at the time of their assessment and will be applied to existing service users at the time of their next review or reassessment.

## **Purpose**

The Cost Effective Care policy has been created to establish how the limited resources available to the Department are to be targeted at providing care that meets our statutory responsibilities, provides care that is cost effective and provides good value for money.

## **Principles**

We will encourage people to find solutions to their care needs from within their family, local community and themselves. The Department will then look to enhance this informal support or to meet the gap where there is no other source of support.

## **Early Intervention, Prevention and Reablement**

Good quality advice and information will be available to help people to plan for the future and help them maintain their independence at home.

Our early intervention and prevention approach focuses resources on those most likely to need health and social care support in the future. It aims to prevent or delay the development of a need for longer term support.

We provide a wide range of equipment and adaptations to help people to live safely at home.

We promote the use of new types of assistive technology which can support an individual's independence and reduce reliance on paid support.

We provide a short- term reablement service to people who have experienced a period of illness or a stay in hospital. This support helps people to regain their independence and get back to coping with the practical aspects of day to day living.

We prioritise recovery and rehabilitation to enable people to live as independently as possible.

## **Eligibility**

The Council will continue to provide longer term support for people who have a substantial or critical level of need as defined in the eligibility framework.

We will always meet any unmet eligible needs that have been identified during a person's assessment.

## **Meeting Eligible Needs**

Personal budgets will be calculated to meet outcomes in the most cost effective way for the Council.

We will provide sufficient funds in personal budgets for people to purchase care, and their support costs if they are in supported living, which is suitable for their assessed needs but we will place greater emphasis on the achievement of outcomes and value for money over the level of choice available.

We will not normally increase personal budgets above the cost effective amount but people can choose to purchase more care or use a more expensive care option if they or a third party is willing to fund the additional amount needed. This would be in addition to any financial contribution that is required under the Fairer Charging policy.

We will encourage people to receive their personal budget as a cash payment so that they can manage their own money, resources and care wherever they can and as a result have increased choice and control.

When we are making arrangements for people who require a residential or nursing home placement we will always seek to provide accommodation that is available and suitable for the person's assessed needs.

We will expect to provide residential accommodation that does not exceed the usual cost that the Council expects to pay.

If a person chooses a more expensive placement, then the difference in the cost would need to be met by a 'top up' payment from a third party, or in some circumstances from the person themselves. This is in addition to the assessed financial contribution to their care.

This policy applies to funding from the Council for adult social care needs. It does not include other sources of funding, for example from Continuing Healthcare or the Independent Living Fund.

## Reviews

The policy will be applied to existing service users at the time of their next review. If the review identifies that a lower cost support package can meet the unmet assessed needs then we would expect to reduce the provision accordingly.

Our staff will help people to find alternative support options and will give them reasonable time to make the transition to the new support package.

## Equalities

The Council will give due consideration to people's rights as set out in the Human Rights Act 1998, such as those set out in Article 8 which gives a right to respect for private and family life.

We will ensure that the Council complies with our duties as set out in the Equality Act 2010 and with disability discrimination legislation.

We will always give reasonable consideration in circumstances where there is a compelling reason for a higher cost care package to be provided. For example, if there are particular cultural needs that require more specialist provision. This example is illustrative of the way that discretion will be used in the application of the policy.

An exceptions process will be in place, whereby a senior manager will consider the circumstances of individual cases and decide if a higher cost care package can be agreed.

### **Complaints**

People will be informed of their right to request a review of the decision that we make about the amount of their personal budget. They can choose to submit further information that will be considered by the decision-maker.

They will also be informed of their right to complain using the Council's adult social care complaints procedure and that an advocate can be provided to support them with this. The Council funds an Advocacy service in the County which is provided by Leicestershire Community Projects Trust.

People can also contact the Local Government Ombudsman for an independent review of their complaint if they are not satisfied with the Council's response to it.

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