Choosing Who To Help

By Peter Bates, Senior Consultant, National Development Team

A year ago, the Government published *Fair Access to Care Services in England*, following the earlier publication of similar guidance in Wales. Over the next few years, these documents might have a major impact on services for people with learning disabilities. But what do these documents say?

Firstly, social services and health have to ensure that the way that they choose who gets help fits together sensibly. Anyone who is entitled to help should get all the things they need, rather than one agency offering to help them, while the other turns them away. Local authorities in Wales have been told that it might take several years to achieve this and so they have been encouraged to persevere.

Secondly, there must be just one big decision about whether people are eligible for help from social services. If they are, then it is up to the council to arrange that help. Individual services (such as the learning disability team, or a particular unit) must write a 'statement of purpose' that explains who they are aiming to serve. Each statement of purpose must fit together like a jigsaw piece with all the neighbouring services, so that no-one is left out. This means that individual units cannot just make up their own 'statement of purpose', but they must agree them with their neighbours and the council so that there are no gaps in the pattern of provision.

This is very important. It means that the people who don't seem to fit will get a better service. People with mild learning disabilities alongside other problems that, when added all together, mean that they do need help, will no longer be excluded on the grounds that the learning disability team only caters for people with a more severe disability. People who have been shunted to and fro between the learning disability service and other agencies will be entitled to proper help.

Thirdly, local authorities must start to use a different way of deciding who gets a service and what kind of service they get. Until now, many teams have worked on the basis of diagnosis, so that anyone with the right label can receive help. Some councils have fixed limits to the kind of help that they will offer, such as refusing all requests for help with shopping, or setting a maximum cost for community support. These ways must stop. Instead, local authorities must think about the 'risks to independence'. If a person might end up in residential care or have to give up a job unless they receive help now, then the council should consider their needs.

But local authorities still have to choose who to help. There is simply not enough money to help everyone who wants it, and so the council must develop a fair and transparent approach to making that decision. This means that people who use social services should be involved in setting the

threshold, and the council's approach must be written down and available to the public. When an individual asks for help, they should be fully involved in the assessment and given full information about the decision and the reason for it.

Since April 2003, everyone who asks for help should be dealt with using this guidance. In addition, people who are already receiving social services should have their situation reviewed at least once a year, and the new criteria might mean that they no longer are given priority. The English guidance emphasises that 'marked changes in the type, level and location of support are usually not in service users' best interests.'

So here is our checklist to help you think about what has happened in your local area:

1. Have people with learning disabilities and family carers been involved in deciding the policy on who should receive help?

2. Do staff in the learning disability service use the eligibility criteria frequently and say that they help in selecting clients?

3. Are the criteria written in clear and respectful language that can be shared with the general public and have they been presented in accessible formats for people with learning disabilities?

4. Does application of the criteria lead to decisions that workers and self-advocates feel are reasonable - neither including nor excluding the 'wrong' people?

5. Are boundaries set in negotiation with neighbouring services? This means that no unilateral changes are made and ineligible people are signposted to neighbouring provision rather than simply turned away.

6. Does the process by which people are selected, its effect upon them, their families and staff, and the outcomes leave people feeling valued, listened to and treated fairly?

7. Is the eligibility process proportionate? In other words are straightforward requests dealt with through a brief eligibility process while more complex situations receive a more detailed assessment?

8. Are the new arrangements leading to big changes in the number of people receiving a service?

9. Are eligible people who 'don't fit' traditional service categories receiving a good service designed around their needs?

10. Has the introduction of the new eligibility guidance been linked with the adoption of high quality Person Centred Planning?

Example box 1

" I am a single parent with three children under 12 years of age. My daughter Becky has a learning disability and I was struggling to cope and give all the

children the attention they need. I waited 5 months for an assessment visit from the social worker but thought that would mean I would get some respite care very soon after the visit. I was told that I was not eligible for residential respite services and offered 3 hours a week support in the home. It's not that I am not grateful for any help but I did not understand why more support was not available. I know other parents who get regular help from residential respite services and I do not understand why I am any different."

Example box 2

"As a social worker I am not clear about the eligibility for services. It usually feels that it is more about controlling the money spent on services rather than anything else. It seems that all the services just want to 'pass the buck' to someone else."