

Report to: **Cabinet**

Date: **4 May 2004**

By: **Director of Social Services**

Title of Report: **Fair Access to Care Services (FACS) - Review of Eligibility Thresholds**

Purpose of Report: **To seek agreement to continue operating with the Fair Access to Care Services thresholds agreed in April 2003.**

## RECOMMENDATIONS

**The Cabinet is recommended to agree that in considering the Fair Access to Services Framework, the eligibility criteria line in East Sussex continues to be drawn under and inclusive of the 'critical' and 'substantial' Bands for the financial year 2004/05.**

### 1. Financial Appraisal

1.1 "Fair Access to Care" was introduced by Local Authority Circular LAC(2002)13 on 28 May 2002. It provides a framework for determining eligibility for all adult social care to be used in all local authorities in England and Wales, with the aim of ensuring greater transparency for service users in understanding the criteria that will be applied to them locally.

1.2 The Government expected in introducing FACS that the translation of existing eligibility criteria into the new FACS framework would be undertaken with reference to demand for and provision of services, taking into account available in year resources.

1.3 The Guidance made explicit the relationship between the setting of eligibility criteria and available resources, and Councils were expected to review criteria on an annual basis in line with budget setting cycles.

1.4 The Final Guidance on FACS was introduced in April 2003, and an analysis of practice was undertaken using the FACS Eligibility Framework to inform the position adopted for 2003/04. As at 6 March 2003 an analysis of the 800 care packages funded since January 2003 indicated that, in line with the recommendation made, 33% of cases fell into the Critical band, 64% into the Substantial band and 2% into the Moderate band. Set out below is an analysis of activity between April 2003 and March 2004.

<b>Bandings</b>	<b>Year 2003/04</b>
Critical	44%
Substantial	54%
Moderate	2%

1.5 In light of the information above it is not anticipated that any critical budgetary issues will arise from a continuation of current arrangements.

### 2. Supporting Information

#### Background

2.1 FACS introduced a Framework that describes four bands of eligibility, (Critical, Substantial, Moderate and Low) which are detailed in Policy and Guidance on Eligibility Criteria (FACS) Appendix 1. The bands are based on the level of risk to the independence of the individual if service provision is not made. When considering the Moderate band, Councils are given the discretion to sub-divide this into Moderate(High) and Moderate(Low)

2.2 The factors to be considered in assessing risk in each band are autonomy, health and safety, the management of daily routines and involvement in family and wider community life.

2.3 Each Council has to determine which of the four bands of eligibility it has sufficient resources to meet, and having undertaken the analysis referred to under Financial Appraisal it is recommended that East Sussex County Council continues to draw the line under 'Substantial' need.

2.4 This determination has been arrived at through considering the current pattern of service delivery, the resources the Council will have available in 2004/5 and the predicted need and trends in demand likely to emerge.

2.5 Continuing to draw the line at this point does not fetter the Council's discretion, should the resources available in 2004/5 allow, for some elements of the 'Moderate' Band to be responded to in addition to those in the critical and substantial band.

2.6 Officers within the Social Services Department have liaised closely with colleagues across the Strategic Health Authority and neighbouring authorities on the implementation of FACS. It is understood that all neighbouring authorities are broadly aligned with the East Sussex position, with recommendations likely to be made to continue to apply the Critical and Substantial threshold (and in Brighton and Hove Moderate (High)).

### **3. Conclusions and Reasons for Recommendation**

3.1 There has been no material impact on operational demand or client throughput as a result of the introduction of FACS. Practice in East Sussex indicates that the Council continues to support a similar population of adults as previously. There is some indication that FACS has proved helpful in supporting good practice in helping users and carers better to understand resource allocation processes, and in promoting preventative approaches. The criteria will determine eligibility across all Adult Services in East Sussex.

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BACKGROUND DOCUMENTS  
Report to Cabinet - 25 March 2003