

# **Midlothian Council**

## **Children and Families**

### **Eligibility Criteria Guidance for Access to Resources**

## **Guidance to the indicative allocation of resources for children with disabilities**

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### **WHAT ARE THE ELIGIBILITY CRITERIA**

The criteria for allocation of resources are based on guidance to local authorities for adult social care. Midlothian Council has adapted this for use with children and will be piloting the amended criteria for children allocated to the Children with Disabilities Team

Eligibility Criteria will provide a framework for helping to ensure that decision-making is transparent, fair and consistent. The term eligibility refers to whether or not an individual may be entitled to receive services. The decision is not made until after the needs and risks have been assessed and the level of priority identified.

Eligibility for service is based on an assessment process focussing on individual outcomes, needs and seriousness of risk to their independence if their needs are not met.

The Eligibility Criteria supports the principles which underline current legislative and policy initiatives including promoting inclusion and choice, maximising independence, involving individuals in care arrangements, considering the needs of users and carers and focussing on issues of protection and safety.

This eligibility criteria guidance describes four bands of need Critical, Substantial, Moderate and Low. This will be used in conjunction with an outcomes-focussed tool which includes an assessment of risk to determine the level of support / banding.

The Respite Panel will be the determining body for agreeing and allocating resources. In assessing the allocation of resources, the Panel will take into consideration the support the family is receiving from other statutory agencies and non statutory agencies e.g. health, education and therapeutic services.

- The age of a child will be taken into account in allocating resources e.g. all children under 5 require parental supervision and disturbed sleep patterns are not uncommon for children under 5;
- Respite will not be allocated for 7/7 nights;

- Wherever possible, young children should not be separated from their families. For this reason overnight respite away from a family environment should not be considered for children under 10 unless the children are within the critical band and there are extenuating family circumstances;
- Support cannot be allocated to enable a parent to work;
- The allocation of resources for children in the low criteria will depend on the availability of resources;
- Where children are assessed as having continuing health care needs the allocation of resources will be determined jointly with the Lothian Exceptional Needs Service (LENS);
- All packages of care will be subject to regular reviews;
- Families should be made aware of the criteria and how their child's needs have been banded;
- Where parents/carers opt for Self Directed Support they can use the allocation as flexibly as they wish but it must be used to meet the identified and agreed outcomes e.g. if personal care is the identified need, funding should not be used for respite care.

## **1 CRITICAL (early intervention)**

### **Risks relating to neglect or physical or mental health**

- Major health problems which cause life threatening harm or danger to client or others and/or,
- There is, or will be, little or no choice and control over vital aspects of the immediate environment; and/or,
- Serious abuse or Neglect has occurred or will occur.

### **Risks relating to personal care /domestic routines /home environment**

- Major harm or danger to client or others or major risks to independence and/or,
- Vital social support systems and relationships cannot or will not be sustained; and/or,
- Extensive/complete loss of choice and control over vital aspects of home environment.

### **Risks relating to participation in community life**

- Severe loss of independence caused by being unable to sustain involvement;
- Vital aspects of work/ education/ learning,
- Vital family and other social roles and responsibilities cannot or will not be undertaken.

### **Risk relating to carers**

- Parent/carer has major physical/mental health difficulties due to the impact of their role as a carer/parent causing life threatening harm or danger to themselves or others,
- There is a complete breakdown in the relationship between the parent/carer and child leading to an inability to continue caring,
- The parent/carer has difficulty sustaining vital or most aspects of caring role,
- Parent/carer is unable to manage vital or most aspects of their caring/ family/ work/ domestic/ social roles and responsibilities.

## **2. SUBSTANTIAL (early/specialist intervention)**

### **Risks relating to neglect or physical or mental health**

- Significant health problems causing significant risks of harm or danger to children or others,
- Abuse or neglect has occurred or is strongly suspected (includes financial abuse and discrimination).

### **Risks relating to personal care /domestic routines /home environment**

- Significant abuse or risk of harm or abuse or significant risks to independence caused by:
- an inability to carry out the majority of personal care or domestic routines; and/or
- Substantial loss of choice and control managing home environment.
- The children has severe challenging behaviour; and/or
- There is a need to prevent children becoming looked after.

### **Risks relating to participation in community life**

- Unable to sustain involvement in many aspects of family /social roles and responsibilities and social contact causing significant distress and/or risk to independence.
- Involvement in many aspect of education or learning cannot be sustained; and/or
- The majority of social support systems and relationships cannot be sustained; and/or
- The child/ren has severe challenging behaviour; and/or
- There is a need to prevent children becoming looked after

### **Risk relating to carers**

- Parent/carer has significant physical/ mental health difficulties due to the impact of their role as a carer causing significant risk of harm or danger to themselves or others.
- There is a significant risk of breakdown in the relationship between the parent/carer and the child leading to deterioration in many aspects of the caring role.
- Parent/carer is unable to manage many aspects of their caring/ family/ work/ domestic/ social roles and responsibilities

- The children has severe challenging behaviour; and/or
- There is a need to prevent children becoming looked after

### **3. MODERATE (Preventative)**

#### **Risks relating to neglect or physical or mental health**

- Some health problems indicating some risk to independence and/or intermittent distress, potential to maintain health with minimum interventions.
- Risk assessment highlights child is vulnerable and therefore need to raise their awareness to potential risks

#### **Risks relating to personal care /domestic routines /home environment**

- There is, or will be, an inability to carry out several personal care or domestic routines ;indicating some risk to independence
- Unable to manage some aspects of domestic activities indicating some risk to independence.
- Unable to manage some aspects of home environment, leaving some risk to independence.

#### **Risks relating to participation in community life**

- Involvement in several aspects of education or learning cannot or will not be sustained and this will, in the foreseeable future, pose a risk to independence.
- Unable to manage some aspects of family/ social roles and responsibilities and social contact, which can indicate some risk to independence.

#### **Risk relating to carers**

- Parent/carer able to manage some aspects of the caring/ family/ domestic/ social roles. Potential risk to breakdown in own health identified.

- Relationship maintained although at times under strain between parent/carer and child, limiting some aspects of the caring role.
- Some social roles and responsibilities cannot or will not be undertaken;
- To support parent/carer to spend time with other children.

#### **4. LOW (Preventative)**

##### **Risks relating to neglect or physical or mental health**

- Few health problems indicating low risk to independence, potential to maintain health with minimum interventions
- Preventive measures including reminders to minimise potential risk of abuse

##### **Risks relating to personal care /domestic routines /home environment**

- There is, or will be, an inability to carry out one or two personal care or domestic routines indicating little risk to independence.
- Able to manage most aspects of basic domestic activities and home environment

##### **Risks relating to participation in community life**

- Has difficulty undertaking one or two aspects of work/learning/ education/ family and/or social networks indicating little risk to independence.
- Able to manage most of the aspects of family/ social roles and responsibilities and social contact, that pose some risk to independence.

##### **Risk relating to carers**

- Parent/carer able to manage most aspects; has difficulty undertaking one or two aspects of their caring/ domestic role but with low risk.
- Relationship maintained between parent/carer and child limiting aspects of the caring role.
- Parent/carer is able to manage most aspects of their caring/ family/ work/ domestic/ social roles and responsibilities
- Relationship maintained through supporting parent/carer with activities, e.g. some school holidays