



# Learning from Peter Adult Social Care

June 2023



**SURREY**  
COUNTY COUNCIL

# **Learning for SCC Adult Social Care**

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- We need to improve our skills and knowledge in working with people experiencing homelessness and with ongoing alcohol use issues
- We need to improve our work regarding commissioning of accommodation-based care outside of traditional models
- We need to have our commissioning arrangements better informed about the needs of people with mental health and substance addiction issues

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# Some history

# Adult social care in England – Some history

## Seebohm Report 1968

The Committee reached a “firm conclusion that a family service cannot be fully effective until the social service department and the housing, education and health departments are the undivided responsibility of the same local authority.”

“The existing services which would be brought within the new social service department are:

- The present services provided by children’s departments
- The welfare services provided under the National Assistance Act 1948
- Education welfare services and child guidance services
- The home help services, mental health social work services, adult training centres, other social work services and day nurseries”

# Adult social care in England – Some history

Seebohm Report 1968

“We recommend a new local authority department, providing a community based and family-oriented service, which will be available to all. This new department will, we believe, reach far beyond the discovery and rescue of social casualties; it will enable the greatest possible number of individuals to act reciprocally, giving and receiving services for the well-being of the whole community.”

# Adult social care in England – Some history

Griffiths Report “Community care: agenda for action” 1988

The report said the proper role of local authorities was to assess community care needs, not necessarily as a direct provider.

This “Purchaser / Provider” split concept informed

- The Caring for People White Paper (1989)
- The NHS and Community Care Act 1990



# Adult social care in England – Some history

Care Act 2014 and the Care and Support Statutory Guidance

“The assessment is one of the key interactions between a local authority and an individual, whether an adult needing care or a carer ... **It should not just be seen as a gateway to care and support but should be a critical intervention in its own right which can help people to understand their situation and the needs they have, to reduce or delay the onset of greater needs, and to access support when they require it. It can also help people to understand their strengths and capabilities, and the support available to them in the community and through other networks and services.**”

# **Assessing care and support needs under the Care Act 2014**

# How assessment works in the Care Act 2014

Assessment of  
care and  
support needs

Eligibility  
Determination

Is there any  
reason for the  
local authority  
not to meet  
an eligible  
need?

# Care Act section 8

## “How to meet needs”

### Examples of what to provide

- accommodation in a care home or in premises of some other type
- care and support at home or in the community
- counselling and other types of social work
- goods and facilities
- information, advice and advocacy

### Examples of ways to meet a need

- by arranging for a person other than it to provide a service
- by itself providing a service
- by making direct payments

# Which needs are eligible to be met by the local authority?

Care and Support (Eligibility) Regulations

Needs meet the eligibility criteria if

- the needs arise from, or are related to, a physical or mental impairment or illness
- as a result of the needs the adult is unable to achieve two or more of the specified outcomes
- there is a significant impact on the adult's well-being.

# The eligibility outcomes

- managing and maintaining nutrition
- maintaining personal hygiene
- managing toilet needs
- being appropriately clothed
- being able to make use of the adult's home safely
- maintaining a habitable home environment
- developing and maintaining family or other personal relationships
- accessing and engaging in work, training, education or volunteering
- making use of necessary facilities or services in the local community including public transport, and recreational facilities or services
- carrying out any caring responsibilities the adult has for a child.

# Care Act reasons why a local authority doesn't have to meet an eligible need

- S13(3)(b): The person doesn't want us to
- S18(7): The needs are being met by a carer
- S21: Need arising solely because of destitution as a result of being excluded from receiving benefits due to being under immigration control
- S22: The need should be met by the NHS
- S23: The need should be met by a housing department

# **How is the Care Act 2014 working in practice?**

Extract from “A Gloriously ordinary life”  
Report of the House of Lords  
Adult Social Care Committee  
December 2022



# “Why has the Care Act 2014 failed?”

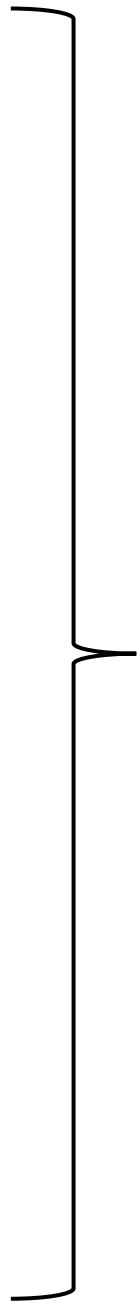
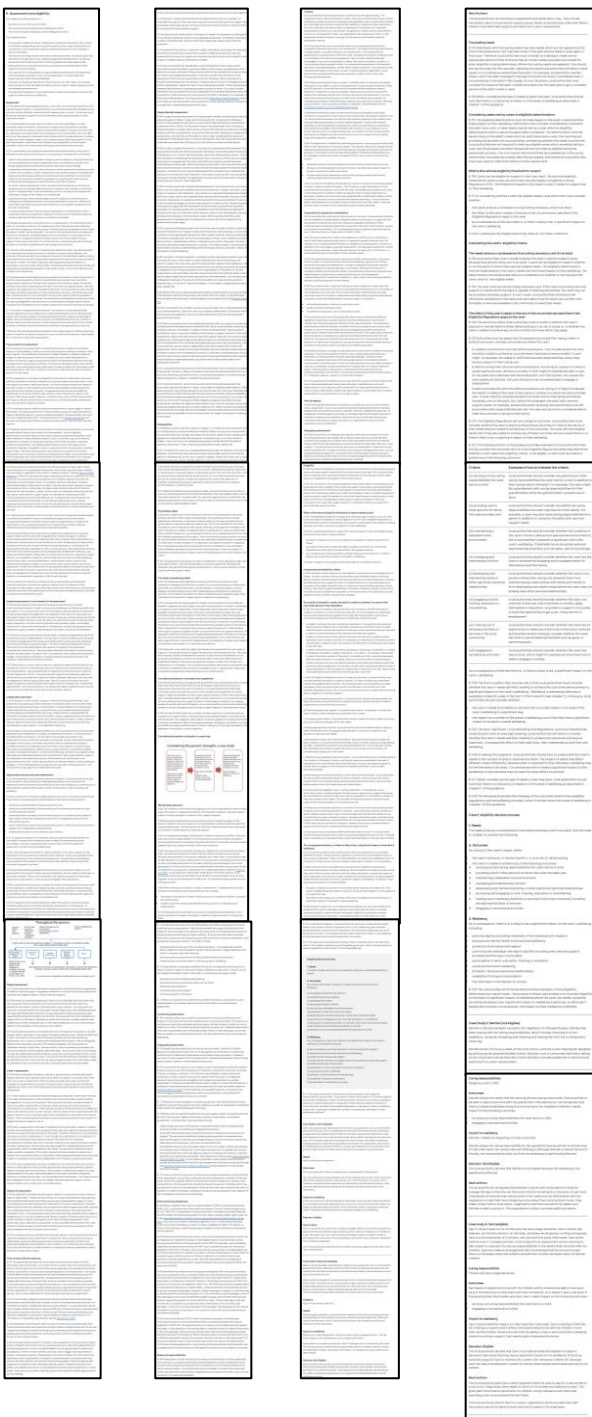
“The shortcomings of the Act are linked to ... cultural issues ... the Act is an example of a policy change implemented without a cultural change.”

“Some statutory guidance was published to provide local authorities with key information about the obligations placed on them by the Act. This guidance, however, was not seen as sufficient to assist local authorities in generating the significant cultural changes that were required”

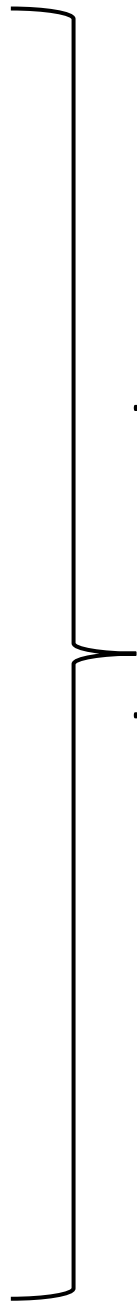
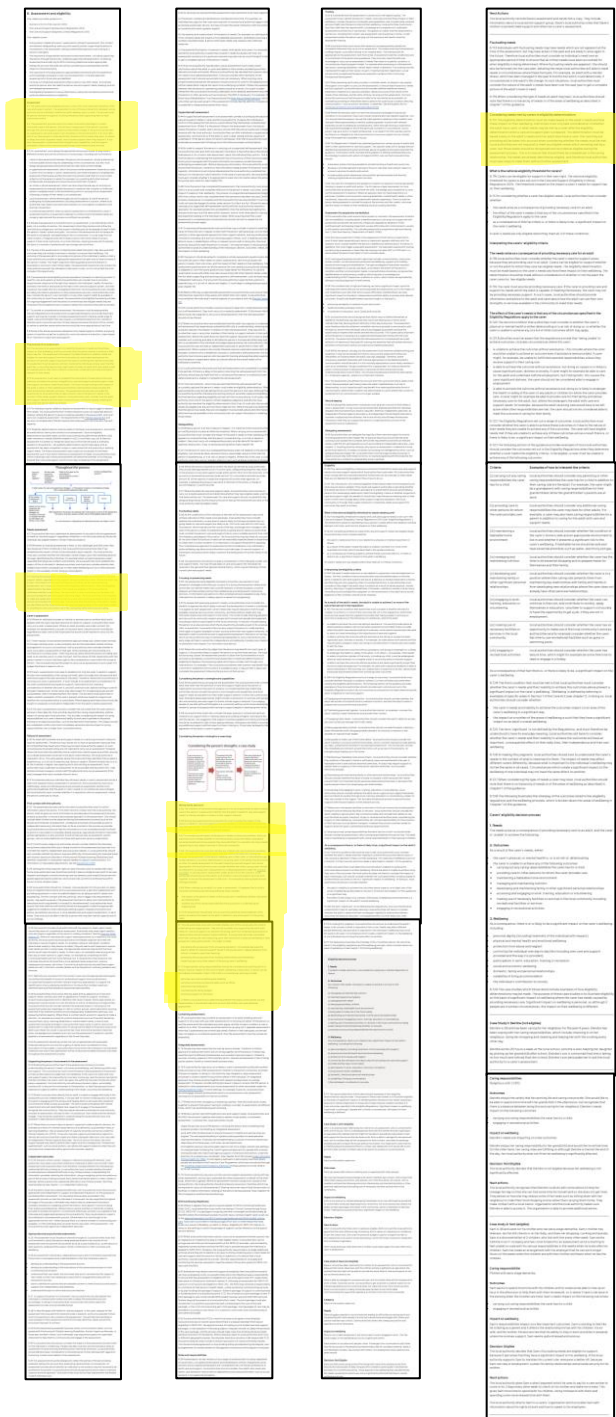
# “Why has the Care Act 2014 failed?”

“An assessment should denote a collaborative exploration of what a good life would mean to a person and how this might be achieved ... instead of merely establishing a person’s eligibility for services based on narrow criteria.

The current guidance falls far short of reconceptualising care assessments in such a way.”



This is the text of Chapter 6 of  
the Care and Support  
statutory guidance, on  
“Assessment and eligibility”



These are the parts that mention holistic assessment of the person.

The rest of the chapter is about determining what services the local authority might need to arrange to meet the person's needs.

# **Our work with Peter**

# Early contact

<b>2005</b>	Referral from police - had attempted to take his own life
<b>2008</b>	Two referrals from police - had attempted to take his own life
<b>2009</b>	Referral from police - head injury
<b>2010</b>	Two referrals from police - had attempted to take his own life
<b>2011</b>	Referral from police - had attempted to take his own life
<b>2012</b>	Referral from a family member concerned about his homelessness
<b>2014</b>	Referral from police concerned about his homelessness
<b>2015</b>	Referral from a family member concerned about his homelessness
<b>2016</b>	Referral from police concerned about his homelessness
<b>2016</b>	Referral from police concerned about his homelessness
<b>2017</b>	Referral from police concerned about his vulnerability
	Referral from ambulance service concerned about his vulnerability
	Referral from hospital concerned about his vulnerability
<b>2018</b>	Referral from police concerned about his vulnerability
	Referral from a family member concerned about his homelessness
<b>2019</b>	Referral from probation service seeking funding for specialist housing
	Referral from police concerned about cuckooing
	<b>Referral from housing provider concerned about ability to manage finances</b>

# Our assessment of Peter: June 2020

Outcomes Domain	What I feel is causing me a problem or concern	Is this need Eligible?
Managing and maintaining nutrition	Peter reports he does not eat well and relies on others to provide him food even though he should have had enough money to purchase his own. Peter does not budget for food and has limited skills to prepare and cook meals for himself.	Eligible need
Being able to use your home safely	Peter has been taken advantage of by others which has left him vulnerable to exploitation and at risk of losing his home. I have been informed that Peter has lost his home as a result of a number of reasons of not managing his home environment. Peter has an extensive history of rough sleeping/ Homelessness	Eligible need

● **What are the outcomes of this assessment?**

**Outcomes**

Outcome	Outcome	Notes
1	Progressing to Support plan	

# Our assessment of Peter: January 2021

Outcomes Domain	What I feel is causing me a problem or concern	Is this need Eligible?
Managing and maintaining nutrition	Peter reports he does not eat well and relies on others to provide him food even though he should have had enough money to purchase his own. Peter does not budget for food and has limited skills to prepare and cook meals for himself.	Eligible need
Being able to use your home safely	Peter has been taken advantage of by others which has left him vulnerable to exploitation and at risk of losing his home. I have been informed that Peter has lost his home as a result of a number of reasons of not managing his home environment. Peter has an extensive history of rough sleeping/ Homelessness	Eligible need

● **What are the outcomes of this assessment?**

**Outcomes**

Outcome	Outcome	Notes
1	Person not eligible	



# What happened?

## We made our decisions in the wrong order

Assessment of  
care and  
support needs

Is there any  
reason for the  
local authority  
not to meet  
an eligible  
need?

Eligibility  
Determination

Because he was turning down the services we were offering him, we – wrongly – described that as him not having eligible needs

# What were the consequences?

- There was no reason for us to stay involved – local authorities will rarely work long-term with someone who does not have eligible needs
- We missed the opportunity to continue to meet the needs with “counselling and other forms of social work”
- It put a strain on partnership working. Our decision looked rational to us, but irrational to others

# Key learning for us

- This is not a one-off
  - This wasn't about practice by particular individuals. This is an organisation-wide issue for us
- Working with Peter was difficult
  - It created as sense of crisis
  - Were we influenced by an unconscious need to find a resolution to that discomfort?
- Have we done enough to develop the skills and knowledge of our staff for when working with people with chaotic lives, including homelessness and alcohol addiction?