



Overview & Scrutiny Committee
9th July 2009

**Report from the Director of
Policy & Regeneration**

Wards Affected: None

Care plans for people with learning disabilities and physical disabilities

1.0 Summary

- 1.1 The chair of the Overview and Scrutiny Committee, Cllr Lesley Jones, has asked for a briefing note setting out the council's responsibilities for care plans for people with learning disabilities and physical disabilities.
- 1.2 This has been prepared by officers in the Housing and Community Care Directorate and is attached at appendix 1. The committee should note the briefing paper and discuss whether it wishes to take forward any of the issues raised and revisit them later in the year.

2.0 Recommendations

- 2.1 The Overview and Scrutiny Committee is recommended to note the briefing paper included at appendix 1.

3.0 Financial Implications

- 3.1 None

4.0 Legal Implications

- 4.1 None

5.0 Diversity Implications

- 5.1 None

6.0 Staffing/Accommodation Implications (if appropriate)

6.1 None

Background Papers

Contact Officers

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Appendix 1

Briefing Paper to Overview and Scrutiny Committee 9th July 09

1.0 Care plans for people with learning disabilities and Physical disabilities

1.1 Following a meeting at the Kilburn practice Based Commissioning Cluster clarification has been requested on the Council duty with regard to the provision of care plans for people with physical disabilities and learning disabilities. The duties on the Council are broadly similar for both client groups but the duties with regard to people with Learning disabilities have been formalised through the government guidance Valuing People Now.(an update on the National strategy for people with learning disabilities). The DoH 'Transforming Adults Social Care' requires LA's to move towards implementing self directed support, based on self assessment and support plans with direct payments, or personal and individual budgets.

2.0 For all client groups including those people with physical disability

2.1 The National Health Service and Community Care Act 1990 gives the Council a duty to carry out an assessment of anyone who identifies themselves as in need and who requests such an assessment. The assessment of *presenting* need is carried out to determine if the person meets the Eligibility Criteria for services as outlined under the guidance Fair Access to Care (FACS). Brent Council has set the threshold for service as being those with Critical or Substantial needs and those meeting this threshold which will be assessed as having *eligible* needs. Having assessed someone as having *eligible* needs the Council is obliged to agree with the person what outcomes need to be achieved to meet those needs. The Council is then obliged to provide a care plan which records the identified needs ,the outcomes that are to be achieved to meet these needs and how those outcomes will be achieved (through the provision of services or through the support of informal carers, generally available services etc). The Care plan should be reviewed at least annually to ensure that the care provided is still required and achieving the agreed outcomes. However with a high number of users, reviews cannot always be completed within timescales, but anyone requesting an 'unplanned' review due to a change in need will be provided with a reassessment.

2.2 These assessments are carried out by Social workers and Care assessors in the various teams. As part of the Transformation agenda

the Older Peoples Service and Physical Disabilities are being reorganised so that there is a separation between the Access and Assessment Team and the complex Care management and Review Teams with the aim of improving the customer experience through improving the 28 day performance indicator for completing assessments and the performance indicator for undertaking annual reviews.

3.0 For People with Learning Disabilities

3.1 For People with Learning Disabilities there are in addition duties as set out in the National Strategy document Valuing People (2001). For example each person with Learning Disabilities as they reach adulthood should have a Health Action Plan developed with them. In Brent this is prepared with the individual, in conjunction with their GP, by the health staff within the Brent Community Learning Disabilities Partnership (the joint health and social care team working with people with learning disabilities). During transition from child to adult they are also assessed by Social Care staff and if they meet the FACS Eligibility Criteria are worked with to produce a Support Plan. This is a Care plan developed with the individual and family and carers. In Learning Disabilities, as part of the 'Transforming Adult Social Care' requirement services the social care assessments are now being carried out through the Self directed Support assessment process which enables the service user to have a much fuller participation in the assessment. Independent brokers are being used to help the individual to work out the Support Plan to achieve their agreed outcomes. They should also be reviewed on an annual basis and the comments in 2.1 also apply.

For more information please contact Clive Turner, Head of Service, Physical Disabilities.