

Community Care Festival of Learning CHC UPDATE

Exploring the difference between health and social care:

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CHC Update

- Centrally-funded health discharges
 - no longer available from 3 March 2022
 - funding stopped 1 April 2022
- Situation reverts to pre-Covid – National Framework
- Emphasis on Right Time Right Place Assessments
- If individual is not optimised on leaving hospital consideration should be given to NHS-funded services pending recovery (aftercare) – paragraph 112 National Framework

Health and Social Care – a artificial legal separation

- In reality there is a continuum between health and social care needs
- However...
- NHS Act 2006 (NHS Act 1946)
- Care Act 2014 (NAA 1948)

NHS Act 2006 - sections 1 & 3

- Described as the “dominant” Act
- Chief concern of the NHS Act relates to “illness”
 - Prevention
 - Diagnosis
 - Treatment
 - Care
 - Aftercare
- “Illness” – defined at section 275 NHS Act
- Statutory Guidance – The National Framework, to which CCGs “must have regard”

Care Act 2014 – Promoting Wellbeing

- *“The core purpose of adult care and support is to help people achieve the outcomes that matter to them in life”*
- **Section 18** - LA Duty to meet “eligible needs” for care and support following assessment
- **Eligibility Criteria Regulations** (Regulation 2) needs must arise from
 - Physical or mental impairment or
 - Illness
- Inability to achieve outcomes likely to have a “significant” impact on “well-being”

Eligibility Outcomes

- A) managing and maintaining nutrition;
- B) maintaining personal hygiene;
- C) managing toilet needs
- D) being appropriately clothed
- E) being able to make use of the home safely
- F) maintaining a habitable home environment
- G) developing and maintaining personal relationships;
- H) accessing work, training, education or volunteering;
- I) making use of necessary community facilities;

Promoting Well-being includes:

- Personal dignity
- Physical and mental health and emotional well-being
- Protection from abuse and neglect
- Control by individual over day-to-day life
- Participation in work education training or recreation (outcome H)
- Social and economic well-being
- Domestic, family and personal relationships (outcome G)
- Suitability of living accommodation (outcome F)
- Individual's contribution to society

Physical & mental health and emotional well-being

- How can the local authority promote physical and mental health when it is not permitted to meet health needs?
- Section 2 – prevention of *more remote health risks* within eligibility outcomes
- Distinction to be made between the promotion of good health (the avoidance of illness) and the prevention of an imminent health risk from arising.
- Section 22 creates a general prohibition on local authorities meeting health needs (with permissive exception)

Untangling the knots – The Decision Support Tool (DST)

- DST is a health tool.
- 12 generic areas of need:
 - Health domains - interventions will reflect health needs
 - Hybrid domains – interventions could reflect health or social care

Assessment of Risk

- “In considering ‘risk’ it is important to establish what particular adverse occurrence might happen and to evaluate both the likelihood and the potential impact of this occurrence.”
- Likelihood includes frequency, unpredictability and proximity
imminence of risk in question
- Where a health risk is identified, any immediate preventative action will reflect a health need
- Where a health risk is sufficiently distant, social care may act in a preventative way (eg. personal hygiene v. risk of infection)

Nutrition domain

- Nutrition – Food and Drink:
- Individuals at risk of malnutrition, dehydration and/or aspiration should either have an existing assessment of these needs or have had one carried out as part of the assessment process with any management and risk factors supported by a management plan. Where an individual has significant weight loss or gain, professional judgement should be used to consider what the trajectory of weight loss or gain is telling us about the individual's nutritional status.

Nutrition domain – Health risks

*Prevention * Treatment * Care * Aftercare *

- Malnutrition
- Dehydration
- Obstruction of airways
- Management of eating disorders

Nutrition domain – social care

- Outcome A
- Managing and maintaining nutrition
- This is about the daily activity of eating and drinking.
- Support, assistance, prompting

Question time and thanks for listening!

- Available for training, dispute resolution and general CHC advice
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