

Westminster Rough Sleeping Pathway

Social care referral tool kit (updated October 2016)

The aims of this document are:

- To promote awareness of the framework for social care in England, including London
- To provide guidance about requesting an assessment by the City of Westminster of the social care needs of an individual or their carer
- To provide guidance about making referrals to the City of Westminster’s social care teams in respect of an individual or their carer

Contents

The current social care framework	Page 1
Eligibility	Page 2
Funding	Page 3
Making a referral	Page 3
Assessments	Page 4
Advocacy	Page 5
Mental capacity	Page 6
City of Westminster Charter for Adult Social Care	Page 7
Appendix – social service contact details	Page 8
Flow chart for social service referral	Page 10
Care assessment tool	Page 11
Letter Template	Page 14

The current social care framework

Social care in England is defined as the provision of:

- social work
- protection
- personal care
- social support services

to

- children who are in need or at risk
- adults who are in need or at risk
- adults with needs arising from illness or accidents, disability, old age or vulnerability

Social care may have one or more of the following aims:

- to protect children or adults from abuse or neglect
- to prevent deterioration of or promote physical or mental health
- to promote independence and social inclusion
- to improve opportunities and life chances
- to strengthen families
- to protect human rights in relation to people's social needs

Delivery of adult social care is now mainly in the hands of the private/independent sector, with local authorities commissioning care and support from a range of organisations including councils, voluntary organisations and the private sector.

Adult social care organisations provide a wide range of services and support including:

- Safeguarding to protect vulnerable adults from harm, abuse and neglect
- Interventions to help people maintain their independence in their homes for longer
- Personal assistance
- Residential care
- Information, advice and support for carers

The Care Act 2014

- introduces a mixture of new social care duties for councils
- is to be implemented from April 2015 and April 2016
- puts into law things that local authorities have been doing in practice for several years
- consolidates or modernises existing law
- represents the most significant change in adult social care since 1948

National eligibility criteria

- introduced by the Care Act 2014
- establish a threshold for adults with care and/or support needs
- determine eligibility for adult social care
- identify how a person's needs affect their ability to achieve relevant outcomes, and how this impacts on their wellbeing

Eligibility

Under the national eligibility criteria, an adult's needs are only eligible where they meet all three of these conditions.

1. **the person's needs arise from or are related to a physical or mental impairment or illness** (note that point 6.102 at <https://www.gov.uk/guidance/care-and-support-statutory-guidance/first-contact-and-identifying-needs> states that a formal diagnosis of condition should not be required).
2. **the person's needs make them unable to achieve two or more specified outcomes** (below).
3. **as a result of being unable to meet these outcomes, there is likely to be a significant impact on the adult's wellbeing**

The specified outcomes measured include:

- managing and maintaining nutrition, such as being able to prepare and eat food and drink
- maintaining personal hygiene, such as being able to wash themselves and their clothes
- managing toilet needs
- being able to dress appropriately, for example during cold weather
- being able to move around the home safely, including accessing the home from outside
- keeping the home sufficiently clean and safe
- being able to develop and maintain family or other personal relationships, in order to avoid loneliness or isolation
- accessing and engaging in work, training, education or volunteering, including physical access
- being able to safely use necessary facilities or services in the local community including public transport and recreational facilities or services
- carrying out any caring responsibilities, such as for a child

If the individual has eligible needs, the council will check that they normally live in their area.

Funding

State support for adult social care in England:

- only available to those with qualifying care needs who meet the threshold following a financial assessment called a means test
- may not cover the full cost of care - individual contributions to the cost of care are decided following the means test
- administered by the local authority

The local authority should not refuse to meet eligible needs on the grounds of cost, although if there is more than one option, it is allowed to choose what it believes is the most cost effective one.

Unmet social care needs

As conditions have become increasingly more challenging for local authorities, the past couple of years **have seen the majority of councils, in London and nationally, offering support only to those with critical or substantial needs.**

Information about the growing number of people who are not entitled to publicly funded care is limited, but it seems inevitable that their unmet needs will be displaced to other places and people, such as unpaid carers and hospitals. This has made the role of the voluntary sector and the private sector increasingly more important as they offer services to people who may not qualify for support from the council.

Making a referral

Before making a referral check the client meets the eligibility criteria on page 2.

To make a referral to the City of Westminster's Adult Social Care team, you can complete [this referral form](#) and fax or email it to the appropriate team listed in the Appendix. You can also request a referral to be made via the GP.

A referral should not be made without being discussed and agreed with the client in advance.

Example 1 – in which it would be **correct** to make a referral to the City of Westminster:

Bill is 55 years old and has been diagnosed as having early-onset dementia and an upper respiratory tract infection. He is not physically mobile or able to wash himself, dress himself and prepare and eat food and drink. Bill also doesn't pay attention to traffic signals when trying to cross the road on his own. When catching the bus, he sometimes gets too close to fast-moving traffic.

Example 2 – in which it would be **incorrect** to make a referral to the City of Westminster:

Sara is 24 years old and has an alcohol dependency. She is able to wash herself, dress herself and take care of her own laundry. Sara studied fashion at college and enjoys putting together outfits that are unique and appropriate. She is able to use public transport and community services safely. Sara has told you that she doesn't know how to prepare a meal from scratch and tends to snack on crisps and biscuits.

Contact details for social care teams (see appendix for numbers)

To make a referral, report safeguarding concerns or for information about an assessment (or a carer's assessment if the individual is a carer) or for other enquiries, contact the relevant team within the City of Westminster.

Feedback to referrers is not routine - ask for feedback as needed. Although there is no specified timeframe, an assessment should be completed within approximately 28 days from the referral date.

Assessments

Normally, an assessment is carried out before a service can be provided by the social services department of a local authority. **There is no time limit for social services to provide an assessment.** They should be able to advise how long the process should take.

If care is needed urgently, the local authority may be able to meet these needs without carrying out the assessment.

The assessment will help the council to decide whether the person does need care and support, and whether they are eligible for funding from the council towards the cost of that care and support.

Under the Care Act 2014, the person has a right to be assessed for free by the local council:

- if they appear to need care and support to complete activities in their day-to-day life
- regardless of their financial situation
- regardless of whether the council thinks they will be eligible for support from them

The council is obliged to carry out a needs assessment:

- when they become aware that someone may be in need of care and support, even if it has not specifically been requested
- if the person has requested it themselves or has been referred by someone they know
- if a professional who is already involved in their care, such as a GP, community nurse, or mental health nurse, has made a referral

The assessment must be carried out with involvement from the client. The following persons may be involved where appropriate:

- someone who looks after them
- someone else nominated by the individual to help get their views and wishes heard
- an independent advocate provided by the council

The assessment will seek to identify:

- what the person's needs are and how these impact on their wellbeing
- how the person wishes to live their life
- whether there are certain aims they would like to achieve but are unable to do so because of their care and support needs

When a person is assessed by the council, as a minimum they may be given information and signposting to other services, and ways that funding might be accessed to pay for them. If their needs meet the national eligibility criteria, the council will have to meet these needs.

The local authority must provide a copy of the needs assessment – the person to receive this should be named when the assessment takes place.

Care and support plans

Once the council has established that a person has needs that meet the national eligibility criteria, it has to make sure that these needs are met. It will do this by:

- drawing up a care and support plan
- drawing up a support plan, in the case of a carer with eligible needs

If the person does not meet the national eligibility criteria, the local authority still has to provide information and advice on what support might be available in the community to support them.

If the person disagrees with their needs assessment or the care and support plan, there are ways that decisions can be challenged or they can make a complaint.

Carers

A carer's assessment:

- can be carried out by the council if the individual has a friend or family member looking after them as an unpaid carer
- must be carried out by the council where a carer appears to need support
- can be offered even if the carer has not asked for one
- will consider the carer's need for support and whether they can continue to care without help
- must be followed up by providing a copy of the assessment

Advocacy

The Care Act 2014 means that, from April 2015, there are certain circumstances where the council has a legal duty to ensure that there is someone to support the client to express their views and wishes if they would otherwise have "substantial difficulty" in doing so themselves. "Substantial difficulty" could mean that the client:

- has difficulty in making decisions about something by themselves, perhaps because they have memory problems or a mental health issue

- has difficulty in expressing their views, wishes or feelings, perhaps because they have a disability which affects their speech

An advocate can help the client get their views or wishes across about the issues which are important to them, such as the care or medical treatment which they receive, or the management of their finances.

If the client does have a legal right to an advocate then the person who acts as their advocate could be a relative or friend whom they are happy to have supporting them to speak- this person is known as an "appropriate individual".

But the following people should not be considered by the council as an "appropriate individual":

- someone who the client does not want to support them
- someone who is providing care or treatment to the client on a professional / paid basis
- someone who is unlikely to be able to, or available to, properly support the client to express their views
- someone who has previously been found to have abused or neglected the client, or has previously failed to stop other people abusing or neglecting the client

If there is no appropriate individual to support the client then the council must put them in touch with an organisation who can provide them with an independent advocate.

A professional advocate will know about the client's rights, and about the options which should be made available to them, and will make sure that their views are properly heard.

Mental Capacity

The Mental Capacity Act 2005 is a law that protects and supports people who may have difficulty in making some of their own decisions. It ensures that they are given all necessary support to make every decision they are able to make, and to contribute towards any decisions made about their lives that they are unable to make themselves.

The Mental Capacity Act affects anyone aged 16 or over who may have difficulty making a decision because of a problem with the way their mind is working, whether that problem is temporary or permanent. It also affects anyone who provides support to someone who may have difficulty making a decision, including family, friends, volunteers and professionals.

If a person lacks capacity to make the decision and they have no family or friends whom it is appropriate to consult, the NHS or council must appoint an Independent Mental Capacity Advocate to support the person if a decision is being made about:

- a move to accommodation (for 8 weeks or more)
- a hospital stay (for 4 weeks or more)
- serious medical treatment

Independent Mental Capacity Advocate involvement can also be considered in:

- safeguarding adults
- accommodation reviews

Additional guides for working with mental capacity are available for staff – these include the **Mental Health service interventions for rough sleepers tool kit**, a **Mental Health Act screening tool** and a **Hospital admission plan form**. These can be downloaded at: <http://www.thamesreach.org.uk/publications/research-reports/mental-health-service-interventions-for-rough-sleepers-toolkit/>

City of Westminster Charter for Adult Social Care

The Council's charter for adult social care sets out their promise to deliver services with dignity, compassion and respect: http://transact.westminster.gov.uk/docstores/publications_store/adults/charter.pdf

If you have a problem that has not been addressed you have the right to make a complaint.

How to make a complaint

When you are writing a complaint include the following:

- In your view has the council done something it should not have/ failed to do something it should have/ provided a service where the quality is not good enough?
- You will need to indicate that the person has agreed to you acting on their behalf
- What happened or went wrong – be factual.
- The names of who was involved
- What was said or done
- How you would like it to be resolved

Please note that the usual time limit for making a complaint is 12 months from the date you became aware of the problem.

Contact details:

- Calling 0800 587 0072 (remember to ask for the name of the person you speak with, the date and time and what was said or agreed).
- Emailing: ASCCustomerFeedback@westminster.gov.uk
- Writing to: 4th Floor, Town Hall Extension, King Street, Hammersmith, W6 9JU

What you can expect when making a complaint:

- Within 3 days they should write to you to let you know who is handling the complaint
- Within 10 days they should agree a reasonable date for response (unless the issues are complex)
- Let you know if they need more time and agree an alternative timescale

What to do if your complaint has not been resolved

Ask the Local Government Ombudsman to look into it. They can be contacted by:

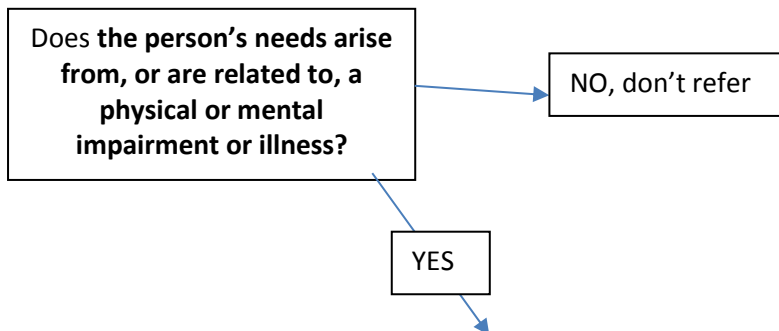
- Calling 0300 061 0614
- Writing to The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH
- Visiting <http://www.lgo.org.uk>

Appendix – contact details for City of Westminster’s social care teams

Concern	Contact details
General enquiries	Main switchboard for the Council Tel: 020 7641 6000
Child protection emergencies and other children and family emergencies Emergencies concerning vulnerable adults Statutory Mental Health Assessments	Emergency Duty Team If you need a service in an emergency between 5pm and 9am or 24 hours a day at weekends and bank holidays, you can contact the Emergency Duty Team. Tel: 020 7641 2388
Support for adults under the age of 65 with physical disabilities, and their carers Support for older people with physical disabilities or mental health problems, and their carers	Adult Social Care Team Tel: 020 7641 1444 OR 020 7641 1175 Text messages: 07944 521615 Fax: 020 7641 5426 Email: adultsocialcare@westminster.gov.uk Website: http://www.peoplefirstinfo.org.uk/
Support for adults under the age of 65 with mental health problems and their carers	Mental Health Assessment and Brief Treatment Team this is a joint health and social care team <i>North Westminster Assessment and Brief Treatment Team</i> Address: 7a Woodfield Road, London W9 2NW Telephone: 020 7266 9700 Website: http://www.cnwl.nhs.uk/service/north-westminster-assessment-and-brief-treatment-team/ Email: abtnorth.cnwl@nhs.net OR <i>South Westminster Assessment and Brief Treatment Team</i> Address: 190 Vauxhall Bridge Road, London SW1V 1DX Telephone: 020 7854 4243 Website: http://www.cnwl.nhs.uk/service/south-westminster-assessment-and-brief-treatment-team/ Email: abtsouth.cnwl@nhs.net
Support for adults with learning disabilities and their carers	Westminster Learning Disability Partnership this is a joint health and social care team Address: 2nd Floor, 215 Lisson Grove London, NW8 8LW Tel: 0207 641 7411 Fax: 020 7641 7429 Email: wldp@westminster.gov.uk
Support for adults with early signs of memory problems and their carers	The Westminster Memory Service this is a joint health and social care team Address: Westminster Memory and Dementia Resource Centre, 42 Westbourne Park Road, London, W2 5PH Tel: 0203 219 0910 / 0203 219 0913

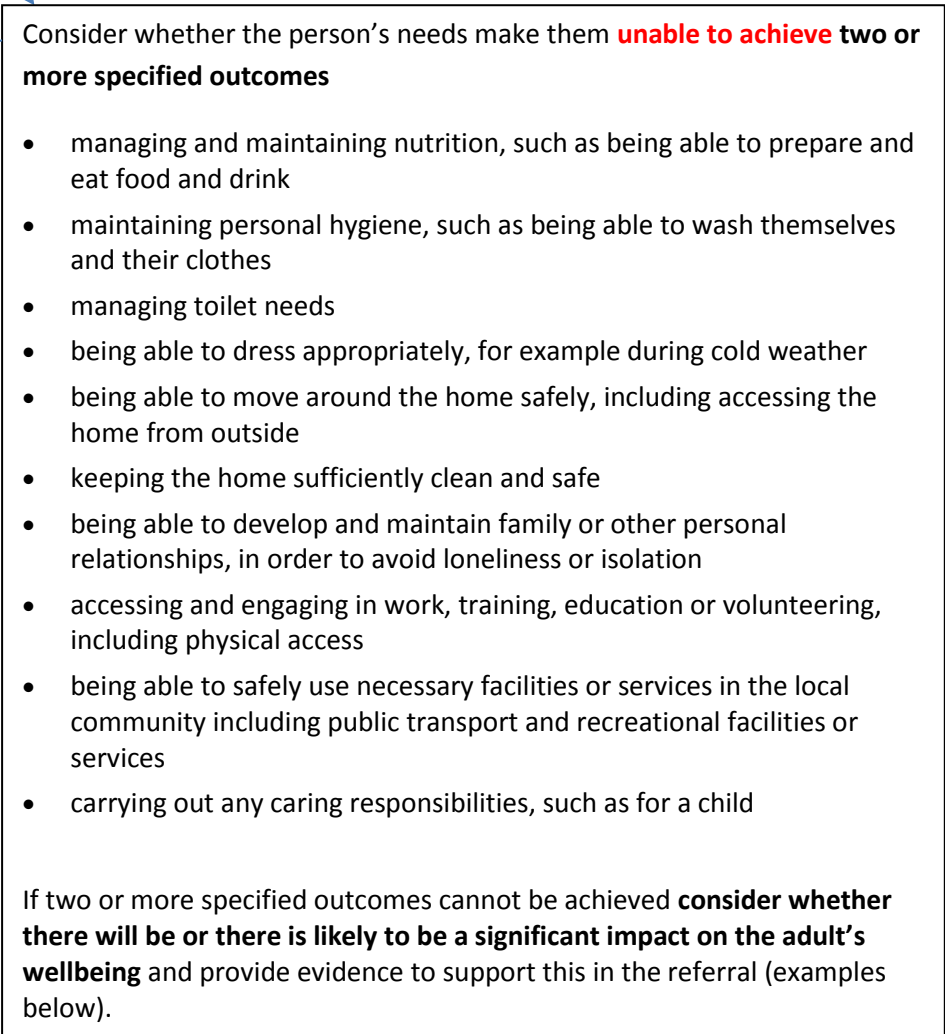
	<p>Email: wmsreferrals.cnwl@nhs.net Website: http://www.cnwl.nhs.uk/service/kensington-chelsea-memory-service/</p>
Support for people over the age of 65 with a confirmed diagnosis of dementia and more advanced symptoms, and people over the age of 65 with other mental health diagnoses	<p>Older People’s Mental Health Team also known as Older People and Health Ageing Service</p> <p>Address: 190 Vauxhall Bridge Road, London, SW1V 1DX Tel: 020 7854 4105 Email: westophaduty.cnwl@nhs.net Website: http://www.cnwl.nhs.uk/service/westminster-older-people-community-mental-health-team/</p>
Support for adults of all ages with physical health problems to work to regain their independence – it can be support for a few days or up to a maximum of six weeks e.g. when discharged from hospital or reduce admissions to hospital	<p>Community Independence Service this is a joint health and social care team</p> <p><i>via Adult Social Care</i> Tel: 020 7641 1175 or 020 7641 1444 Email: adultsocialcare@westminster.gov.uk OR <i>via Central London Community Health</i> Tel 020 7641 4001 Email: clcht.wrehab@nhs.net</p>
If you have concerns that a vulnerable adult is being subjected to abuse or neglect	<p>Safeguarding Adults</p> <p>To tell Westminster about any concerns you have (known as 'raising a Safeguarding Alert') you can phone them on the following numbers or complete and send this alert form to them.</p> <p>Safeguarding helpline: 020 7641 2176 Tel: 020 7641 6000 (out-of-office-hours) Fax: 020 7641 1593 Email: adultsocialcare@westminster.gov.uk</p>
If you have concerns that someone is being kept in a care home or hospital against their will, and/or that they lack the ability to make an informed decision about their care arrangements	<p>Deprivation of Liberty Team</p> <p>Call the main Adult Social Care number to discuss your concerns - as appropriate they will put you in touch with the Deprivation of Liberty Team for further advice: Tel: 020 7641 1444 OR 020 7641 1175 Text messages: 07944 521615 Fax No: 020 7641 5426 Email: adultsocialcare@westminster.gov.uk</p>
Finance and care charges	<p>Charging Team</p> <p>Address: Charging Team, Adult Social Care, Floor 4, Hammersmith Town Hall Extension, King Street, Hammersmith, London, W6 9JU Tel: 0800 840 4502 Email: homecarecharging@lbhf.gov.uk Website: http://www.lbhf.gov.uk/Directory/Health_and_Social_Care/Assistance_at_home/Home_care/15443_Home_care_service.asp</p>

Flowchart for social service referrals



Under the Care Act 2014, no timescale has been specified for social service teams to respond to referrals.

You should chase up the referral after 28 days (via email or phone) and ensure you record the name of the person you spoke to, the date and time of contact, and what was discussed.



An adult is to be regarded as being **unable to achieve** an outcome if the adult:

- is unable to achieve it without assistance;
- is able to achieve it without assistance but doing so causes the adult significant pain, distress or anxiety;
- is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the adult, or of others; or
- is able to achieve it without assistance but takes significantly longer than would normally be expected.

- Impact on adults wellbeing examples**
- personal dignity (including treatment of the individual with respect)
 - physical and mental health and emotional wellbeing
 - protection from abuse and neglect
 - control by the individual over day-to-day life (including over care and support provided and the way it is provided)
 - participation in work, education, training or recreation
 - social and economic wellbeing
 - domestic, family and personal relationships
 - suitability of living accommodation
 - the individual's contribution to society

Care assessment tool

Name of Client	
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1) Do the needs arise from a physical or mental impairment or illness (not necessarily diagnosed)?

<p>Substance misuse issues Type of substance? Amount of substance? Engaging with any services? History of overdose?</p>	
Evidence?	

<p>Brain Injury Recently attended hospital? Blackouts or blurred vision?</p>	
Evidence?	

<p>Cognitive impairment or disability Diagnosed health condition? Attended special needs school? Difficulty reading or writing?</p>	
Evidence?	

<p>Physical impairment or disability Diagnosed health condition? Recent hospital admissions? In receipt of DLA/PIP? Medication?</p>	
Evidence?	

<p>Mental impairment or disability Diagnosed health condition? History of Mental Health Act sections? Self-harm or suicide attempts? Delusions or paranoia? Assessed by EASL? Medication?</p>	
Evidence?	

Sensory impairment or disability Hearing aid? Guide dog? Registered blind?	
Evidence?	

2) Is the adult unable to achieve two or more specified outcomes as a result of the impairment?

An adult will be “unable to achieve” an outcome where she/he:

- a) Is unable to achieve it without assistance
- b) Is able to achieve it with assistance but doing so causes the adult significant pain, distress or anxiety and safety of themselves or others
- c) Is able to achieve it without assistance but takes significantly longer than would normally be expected

2a) Managing and maintaining nutrition You have £5.00 to go to the shops – how will you spend it? How does the client appear physically?	
2b) Maintaining personal hygiene Are you able to clean all of your body without assistance? What is your daily hygiene routine?	
2c) Developing and maintaining family or other personal relationships How is your relationship with your family? Other support networks?	
2d) Accessing and engaging in work, training, education or volunteering What activities are you interested in doing? What activities did you used to do?	
2e) Being able to make use of the home safely How do you cope in your own tenancy? How do you manage getting about on a daily basis?	
2f) Maintaining a habitable home environment How do you manage with cleaning?	

<p>2g) Managing toilet needs</p> <p>Any issues with incontinence? Use of incontinence pads?</p>	
<p>2h) Being appropriately clothed</p> <p>Clothing appearance? Issues with over or under exposure?</p>	
<p>2i) Making use of necessary facilities or services in the local community</p> <p>What does engaging in the local community mean to you?</p>	
<p>2j) Carrying out caring responsibilities the adult has for a child</p> <p>How is your relationship with your children? How would you like your relationship with them in the future?</p>	

3) Does the adult not being able to achieve the specified outcomes have a significant impact on their wellbeing?

<p>Tell me more about how you feel about your situation</p> <p>Personal dignity, physical mental, social and economic wellbeing, control over day to day life, participation in work, education, training or recreation, relationships, suitability of accommodation, contribution to society</p>	
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Template Letter

Request for needs assessment under The Care Act 2014 (INSERT NAME AND DOB)

Dear Sir/Madam,

My name is and I am a project worker for _____. I work at _____ supporting clients who are either vulnerably housed, homeless and/or rough sleeping.

I am writing on behalf of who I have recently started working with, and who I believe has eligible needs under the Care Act due to the following physical/mental health impairment (provide detail of impairment).

I have seen evidence that leads me to believe that this physical/mental health impairment causes to be unable to achieve at least two or more of the specified outcomes, and that as a result of this, a significant impact on his/her well-being is likely to occur.

DELETE AND PROVIDE DETAILS AS APPROPRIATE:

- Managing or maintaining nutrition
- Managing personal hygiene
- Managing toilet needs
- Being appropriately clothed
- Making use of the home safely
- Maintaining a habitable environment
- Developing or maintaining family or personal relationships
- Accessing and engaging in work, training, education, volunteering
- Using facilities or community services
- Caring for a child

Section 9 (1) of the Care Act states that the local authority must carry out a full needs assessment where it appears to the authority that an adult may have needs for care and support. This assessment must establish firstly “whether the adult does have needs for care and support”, and secondly, “if the adult does, what those needs are”.

Due to the level of vulnerability that exists and in order for the most comprehensive determination to take place, I would like to request a face to face assessment take place as a matter of urgency. Due to his/her current homelessness situation, should be considered destitute and I would therefore like to request that you fulfil your duties under the Care Act to secure immediate interim accommodation until a needs assessment has been concluded.

Please contact me on the details below should you require any further information.

Yours sincerely,

Project Worker

Email:

Telephone: