

## EIT Review of Fair Access to Care Services (FACS)

### Summary

The Committee are requested to consider the evidence provided by legal services, the representative of Middlesbrough Council, and the documents attached.

### Detail

1. As requested at the previous Committee meeting, Sheila Pearson from SBC Legal Services will be in attendance at the meeting in order to clarify the legal situation in relation to the operation of the FACS bandings, and when councils wish to amend their FACS threshold.
2. Members will recall that as part of the review, comparison is being made with other authorities in terms of how they operate the FACS bandings, and, where appropriate, how they have introduced changes to the number of bands to which they provide care.
3. In attendance at this meeting will be a representative of Middlesbrough Council's Department of Social Care. Middlesbrough's adult services are rated as 3 star ('excellent') by the Commission for Social Care Inspection's (CSCI<sup>1</sup>) performance ratings system. Middlesbrough provide care for those who have been assessed as having needs that fall into the 'Critical' and 'Substantial' bands under the FACS bandings guidance.
4. The Committee has previously seen a copy of the questions that has been circulated to other authorities and it is suggested that these form the basis of discussion at this meeting also. The questions are attached for reference at Appendix 1.
5. Members may be aware of the publication of the Care Green Paper, 'Shaping the Future of Care Together'. This is a consultation document that sets out the Government's views in terms of the long term options for the funding of social care.
6. Copies of the Green Paper have been ordered for the Committee, and in the interim, electronic versions can be viewed and downloaded by visiting:

[http://www.dh.gov.uk/en/SocialCare/DH\\_078755](http://www.dh.gov.uk/en/SocialCare/DH_078755)

An LGA summary/briefing can be found attached at Appendix 2.

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<sup>1</sup> CSCI has been replaced by the Care Quality Commission

7. In addition to its consultation on the Green Paper, the Government is also reviewing the FACS guidance itself, in order to make it more relevant in light of the personalisation agenda, and following on from CSCI's review of FACS, 'Cutting the cake fairly' (this is available on the Intranet for Members). The guidance is aimed at amending the system that exists now, ahead of any longer term changes that may follow as a result of the Green Paper.
8. The amended guidance (consultation draft) is attached, along with the consultation document.

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