

UT COMPLIANCE

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POLICY DOCUMENT

Assessment of Need and Eligibility Policy

UT Compliance

DOMICILIARY CARE

DOCUMENT REFERENCE —	EFFECTIVE DATE 26 January 2026
VERSION DC/ANE/002	REVIEW DATE —
STATUS Publish	APPROVED BY

CONFIDENTIAL DOCUMENT

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1. Scope

1.1 Purpose

This Assessment of Need and Eligibility Policy establishes the framework for conducting comprehensive, person-centred assessments and determining eligibility for domiciliary care services at . The policy ensures that every assessment is fair, transparent, and conducted with respect for the individual's rights, autonomy, and wellbeing. This policy aligns with the Care Act 2014 national eligibility criteria, the Care and Support (Eligibility Criteria) Regulations 2015, and CQC Fundamental Standards.

1.2 Application

This policy applies to all individuals involved in conducting, supporting, or overseeing needs assessments at , including:

- All employees, including care staff, assessment officers, coordinators, and management
- Agency staff and temporary workers involved in assessments
- Volunteers who support the assessment process
- Contractors and third-party providers
- Service users, their families, carers, and advocates participating in assessments

1.3 Services Covered

This policy applies to all assessment activities within , including:

- Initial needs assessments for new service users
- Eligibility determination using national eligibility criteria
- Care and support planning following assessment
- Reassessments and care plan reviews
- Carer assessments and support planning
- Environmental and safety assessments
- Risk assessments related to care delivery

1.4 Understanding the National Eligibility Criteria

The Care Act 2014 established a national minimum eligibility threshold. To be eligible for Local Authority support, an adult must meet all three conditions:

1. Their needs arise from or are related to a physical or mental impairment or illness
2. As a result of those needs, they are unable to achieve two or more of the specified outcomes
3. As a consequence, there is or is likely to be a significant impact on their wellbeing

1.5 Policy Ownership and Review

This policy is owned by the Registered Manager () who has overall accountability for ensuring assessments are conducted in accordance with legal, regulatory, and best practice requirements. The policy is reviewed annually or following significant legislative changes, regulatory updates, or organisational learning.

2. Legal and Regulatory Framework

operates within a comprehensive legal framework governing needs assessment and eligibility:

Legislation/Regulation	Requirements
Care Act 2014	Primary legislation governing adult social care. Section 9 requires assessment of adults appearing to have care and support needs. Section 13 establishes the national eligibility criteria. Requires person-centred, outcomes-focused assessment that promotes wellbeing.
Care and Support (Eligibility Criteria) Regulations 2015	Sets out the national eligibility criteria in detail, including the three conditions, specified outcomes for adults and carers, and the definition of 'unable to achieve' an outcome.
Care and Support Statutory Guidance	Detailed guidance on implementing the Care Act. Chapter 6 covers assessment, Chapter 7 covers eligibility determination. Provides examples and clarification of legal requirements.
Health and Social Care Act 2008	Establishes the regulatory framework and CQC registration requirements. Assessments must meet fundamental standards of quality and safety.
CQC Regulation 9 (Person-Centred Care)	Requires care to be designed to meet individual needs and preferences. Assessments must reflect what matters to the person and their desired outcomes.
CQC Regulation 11 (Need for Consent)	Requires consent for assessment and care. People must understand what the assessment involves and agree to participate.
CQC Regulation 17 (Good Governance)	Requires effective systems for assessing, monitoring, and improving quality. Assessment records must be accurate, complete, and accessible.
Mental Capacity Act 2005	Provides framework for assessing capacity and making best interests decisions. Applies when there are concerns about a person's ability to make decisions about their assessment or care.
Equality Act 2010	Protects against discrimination in assessments. Requires reasonable adjustments to enable participation. All individuals must have equal access to assessment regardless of protected characteristics.
Human Rights Act 1998	Article 8 (right to private and family life) supports autonomy in assessment. Assessments must respect dignity and involve people in decisions about their care.
UK GDPR and Data Protection Act 2018	Governs collection, storage, and sharing of assessment information. Requires lawful basis for processing personal data and appropriate security measures.
Accessible Information Standard	Requires providers to identify, record, flag, share, and meet people's communication and information needs during assessment.

3. Definitions of Key Terms

The following terms are used throughout this policy:

Term	Definition
Needs Assessment	A process to identify a person's needs for care and support, their desired outcomes, and how those needs impact on their wellbeing. Required under Section 9 of the Care Act for any adult who appears to have needs.
National Eligibility Criteria	The minimum threshold set by the Care Act 2014 (Section 13) that determines whether an adult's needs are eligible for Local Authority support. Based on three conditions relating to impairment, outcomes, and wellbeing.
Specified Outcomes	The ten outcomes listed in the eligibility regulations against which a person's ability is assessed. Adults must be unable to achieve two or more to meet the eligibility threshold.
Unable to Achieve	A person is 'unable to achieve' an outcome if they: cannot do it without assistance; can do it but it causes significant pain, distress or anxiety; can do it but it endangers health or safety; or can do it but it takes significantly longer than normally expected.
Wellbeing	As defined in Section 1 of the Care Act, includes: personal dignity; physical and mental health; emotional wellbeing; protection from abuse and neglect; control over daily life; participation in work, education, training or recreation; social and economic wellbeing; domestic, family and personal relationships; suitability of living accommodation; and contribution to society.
Significant Impact	The impact on wellbeing that triggers eligibility. Can be a single significant impact, a cumulative effect across areas, or anticipated significant impact in the near future without support.
Personal Outcomes	The outcomes the individual wants to achieve to maintain or improve their wellbeing. These are person-specific and guide care planning.
Carer	Someone who provides unpaid care to an adult. Carers have the right to assessment under Section 10 of the Care Act and may have eligible needs in their own right.
Carer's Assessment	An assessment of a carer's needs for support, focusing on the impact of their caring role on their own wellbeing, health, and ability to achieve their own outcomes.
Proportionate Assessment	An assessment that is appropriate and proportionate to the individual's needs and circumstances. The form and detail of assessment should be adapted accordingly.
Supported Self-Assessment	A type of assessment where the individual completes the assessment themselves with support as needed. Must be combined with an assessor's professional judgement.
Fluctuating Needs	Needs that vary over time. Assessment should consider needs over an appropriate period to establish an accurate picture, not based on best or worst case scenarios.
Mental Capacity	The ability to make a specific decision at a specific time. Where capacity is lacking, assessment and care planning must proceed in the person's best interests.
Person-Centred Assessment	An assessment focused on the individual, their strengths, preferences, and desired outcomes. The person is at the centre of the process and actively involved throughout.

4. Policy Statement

4.1 Commitment

is committed to conducting fair, transparent, and person-centred assessments that respect each individual's autonomy, dignity, and right to participate in decisions about their care. We ensure that assessments identify what matters most to the person and lead to care and support that promotes their wellbeing and achieves their desired outcomes.

4.2 Core Principles

adheres to the following assessment principles aligned with the Care Act:

- Wellbeing Focus: Assessments must promote the individual's wellbeing and consider all areas of wellbeing defined in the Care Act
- Person-Centred: The individual is at the centre of the assessment. Their views, wishes, and desired outcomes guide the process
- Strengths-Based: Assessments consider the person's strengths, capabilities, and resources, not just their deficits
- Involvement: The person, their carers, and others they wish must be involved throughout the assessment
- Independence: Assessments consider how to prevent, reduce, or delay needs and maximise independence
- Proportionality: The form and detail of assessment is appropriate to the individual's circumstances
- Transparency: Eligibility decisions are clearly explained with written reasons provided
- Consistency: The national eligibility criteria are applied consistently and objectively

4.3 The Ten Specified Outcomes (Adults)

The Care and Support (Eligibility Criteria) Regulations 2015 specify ten outcomes against which an adult's ability is assessed:

- 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
- Carrying out any caring responsibilities the adult has for a child

5. Roles and Responsibilities

Clear allocation of responsibilities ensures effective assessment processes:

Role	Responsibilities
All Staff	Understand assessment principles and their role in the process. Identify when assessments or reassessments may be needed. Support individuals to participate in assessments. Complete mandatory training on assessment procedures.
Registered Manager ()	Overall accountability for assessment policy implementation. Ensure assessors are appropriately trained and competent. Quality assure assessment documentation and decisions. Monitor compliance with national eligibility criteria. Report to CQC as required.
Assessment Officers / Care Coordinators	Conduct comprehensive, person-centred assessments. Apply eligibility criteria consistently and accurately. Document assessments thoroughly and clearly. Communicate eligibility decisions and reasons. Develop care and support plans following assessment. Conduct reassessments when needed.
Duty Manager	Oversee day-to-day assessment activities. Support assessors with complex cases. Review assessment documentation for quality. Escalate concerns about assessment practice.
Safeguarding Lead ()	Advise on assessments involving safeguarding concerns. Ensure safeguarding considerations are integrated into assessment. Support assessments where abuse or neglect is identified.
Health and Safety Officer ()	Conduct environmental and safety assessments. Advise on risk assessment during needs assessment. Identify modifications needed for safe care delivery.
Data Protection Officer ()	Ensure assessment records comply with data protection law. Advise on appropriate information sharing. Oversee secure storage of assessment documentation.

6. Procedures

6.1 Conducting Initial Needs Assessments

The assessment process follows these key steps:

1. Preparation: Review any available information. Contact the person to arrange a convenient time and location. Ask who they would like present. Identify any communication needs or reasonable adjustments required.
2. Consent: Explain what the assessment involves, why it is being conducted, and how information will be used. Obtain consent to proceed. If there are concerns about capacity, assess capacity for this decision.
3. Exploration: Have a meaningful conversation with the person. Explore what matters to them, their strengths and capabilities, their support networks, and their desired outcomes.
4. Identifying Needs: Assess the person's needs in relation to each of the ten specified outcomes. Understand the nature and causes of any difficulties.
5. Considering Fluctuating Needs: If needs fluctuate, gather information over an appropriate period to establish an accurate picture.

6. Environmental Assessment: Assess the home environment for safety, suitability, and any modifications needed.

6.2 Determining Eligibility

Apply the national eligibility criteria by considering the three conditions in sequence:

Condition 1: Impairment or Illness

Do the person's needs arise from or relate to a physical or mental impairment or illness? This includes physical, mental, sensory, learning or cognitive disabilities or illnesses, brain injuries, and substance misuse.

Condition 2: Unable to Achieve Outcomes

Is the person unable to achieve two or more of the ten specified outcomes? A person is 'unable to achieve' if they cannot do it without assistance, can do it but it causes significant pain/distress/anxiety, can do it but it endangers health or safety, or can do it but it takes significantly longer than expected.

Condition 3: Significant Impact on Wellbeing

Is there, or is there likely to be, a significant impact on the person's wellbeing? Consider whether there is a single significant impact, a cumulative effect across wellbeing areas, or whether impact is likely to become significant without support.

6.3 Communicating Eligibility Decisions

Following assessment, communicate the eligibility decision clearly and provide a written record that includes which needs are eligible and which are not, with reasons. Explain any rights to appeal or review. Even if not eligible for Local Authority support, provide information and advice about alternative options and prevention services.

6.4 Care and Support Planning

Where needs are eligible, develop a care and support plan that addresses the person's desired outcomes, considers how to meet eligible needs, builds on strengths and informal support, and promotes independence and wellbeing. The person must be involved in developing their care plan and must agree to it.

6.5 Reassessment and Review

Reassessments are conducted at regular intervals (at least annually), when there is a significant change in needs or circumstances, when requested by the service user or their representative, following hospital admission or other significant health events, and when the current care plan is not meeting the person's needs.

6.6 Carer Assessments

Carers have the right to assessment under Section 10 of the Care Act. Carer assessments focus on the impact of the caring role on the carer's wellbeing, the sustainability of the caring role, and whether the carer is able to achieve their own outcomes. Carers can be eligible for support in their own right, regardless of whether the person they care for has eligible needs.

7. Training and Development

7.1 Initial Training

All staff involved in assessments receive mandatory training covering:

- Care Act 2014 assessment and eligibility requirements
- The national eligibility criteria and how to apply it
- Person-centred, strengths-based assessment approaches
- Communication skills for effective assessments
- Mental Capacity Act and assessing capacity
- Documentation and record-keeping requirements
- Data protection and confidentiality

7.2 Ongoing Training

Staff receive ongoing development including annual refresher training, updates on legislative or guidance changes, reflective practice sessions to share learning, and competency reviews.

8. Monitoring and Review

8.1 Monitoring Framework

monitors assessment practice through:

- Audits of assessment documentation for quality and compliance
- Review of eligibility determinations for consistency
- Feedback from service users and families about their assessment experience
- Analysis of complaints and appeals related to assessments
- Staff competency assessments

8.2 Quality Indicators

Key performance indicators include timeliness of assessments, completeness of documentation, evidence of person-centred approach, accuracy of eligibility determinations, service user satisfaction with assessment process, and staff training completion rates.

8.3 Policy Review

This policy is reviewed annually by the Registered Manager, considering audit findings, feedback from service users, staff feedback, legislative and guidance changes, and any complaints or appeals. Lessons learned are incorporated into policy updates and training.

9. Reporting Concerns

9.1 Appeals and Review Requests

Service users who disagree with an eligibility determination have the right to request a review. The appeals process is transparent and accessible. Service users are informed of their right to complain to the Local Government and Social Care Ombudsman if not satisfied with the outcome.

9.2 Reporting Channels

Concerns about assessment practice should be reported to the Duty Manager or Registered Manager (). Anonymous reporting is available for those who prefer it. External reporting to CQC is available if internal concerns are not addressed.

9.3 Whistleblowing Protection

Staff who raise concerns about assessment practices in good faith are protected under the Public Interest Disclosure Act 1998. No staff member will suffer detriment for raising genuine concerns.

10. Related Policies

This policy should be read in conjunction with:

- Care Planning Policy
- Mental Capacity and Best Interests Policy
- Consent Policy
- Person-Centred Care Policy
- Safeguarding Adults Policy
- Risk Assessment Policy
- Complaints Policy
- Data Protection and Privacy Policy
- Accessible Information and Communication Policy

Document Control

Policy Title	Assessment of Need and Eligibility Policy
Version	2.0
Policy Owner	Registered Manager ()
Approved By	

Appendix A: Needs Assessment Summary Form

NEEDS ASSESSMENT SUMMARY

SECTION 1: SERVICE USER DETAILS

Name:	
Date of Birth:	
Address:	
Assessment Date:	
Assessor:	

SECTION 2: CONDITION 1 – IMPAIRMENT OR ILLNESS

Do the person's needs arise from a physical or mental impairment or illness?

? Yes ? No

If Yes, describe the impairment(s) or illness(es):

SECTION 3: CONDITION 2 – SPECIFIED OUTCOMES

For each outcome, indicate whether the person is ABLE or UNABLE to achieve it:

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Outcome	Able	Unable
1. Managing and maintaining nutrition	?	?
2. Maintaining personal hygiene	?	?
3. Managing toilet needs	?	?
4. Being appropriately clothed	?	?
5. Being able to make use of home safely	?	?
6. Maintaining a habitable home environment	?	?
7. Developing/maintaining family or personal relationships	?	?
8. Accessing work, training, education or volunteering	?	?
9. Making use of local community facilities/services	?	?
10. Carrying out caring responsibilities for a child	?	?
Total outcomes UNABLE to achieve: _____ (2 or more required for eligibility)		

SECTION 4: CONDITION 3 – IMPACT ON WELLBEING

Is there, or is there likely to be, a SIGNIFICANT impact on the person’s wellbeing?

? Yes ? No

If Yes, describe the impact on wellbeing:

SECTION 5: ELIGIBILITY DETERMINATION

Does the person meet the national eligibility criteria (all 3 conditions met)? ? Yes ? No

Summary of eligibility decision and reasons:

SECTION 6: ASSESSMENT SIGN-OFF

Assessor Name:		Job Title:	
Date:		Signature:	
Reviewed By:		Date:	

Decision communicated to service user? ? Yes Date: _____
Written record provided? ? Yes Date: _____

Policy Approval & Review

APPROVED BY	SIGNATURE <i>No signature on file</i>
REVIEW DATE 1 January 1970	NEXT REVIEW DATE 17 February 2027