

# Free Personal and Nursing Care Q & A

March 2019

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### Q. What is Free Personal & Nursing Care?

**A.** Free Personal Care has been available in Scotland for adults aged 65 or over since 2002. The Scottish Government has legislated to ensure that by 1 April 2019 adults of any age, no matter their condition, capital or income, who are assessed by their local authority as needing this service, are entitled to receive this without charge. Free Nursing Care is similar and has been available to all who are assessed as requiring nursing care services, regardless of age, without charge.

The Community Care and Health (Scotland) Act 2002 sets out a list of personal care tasks that may not be charged for by a local authority. For example this can be support with:

- personal hygiene,
- at mealtimes,
- immobility problems
- medication and
- general wellbeing.

Nursing care is care that involves the knowledge or skills of a qualified nurse and includes activities such as administering injections and managing pressure sores.

### Q. What care services will not be provided free of charge?

**A.** Help with housework, laundry or shopping or services out with your home, such as the cost of attending day care centres, are **not** defined as personal care services and may be chargeable. These services can be arranged by the local authority and are subject to a financial assessment.

### Q. Who can get Free Personal Care?

**A.** Any adult who has been assessed by their local authority as having personal care needs and who require these services to be put in place.

### Q. Who can get Free Nursing Care?

**A.** Any adult who has been assessed as having needs that require nursing care and who require these services to be put in place.

### Q. How do people get Free Personal Care in their own home?

**A.** Eligibility for Free Personal Care is identified by an assessment of need. The assessment is carried out by a member of staff of the local authority's social work department. Referrals to a social work department can be made by a person themselves, or a member of their family or their carer. This assessment can also take place before leaving or after discharge from hospital.

**Q. How do people get Free Personal and Nursing Care in a care home?**

**A.** When a person is going into a care home, they may wish to contact their local authority to carry out an assessment for free personal and nursing care. The assessment will always be based on the needs of the person and can take place before or after admission to the care home.

However, Free Personal and Nursing Care payments will only begin when an assessment has been carried out and a contract is in place with the care home. It is not possible to have Free Personal and Nursing Care payments backdated to a point before the contract is in place.

**Q. What is an assessment?**

**A.** The local authority's social work department will either undertake or organise an assessment. The assessment will look at what the person's needs are and how they can best be met. A person's needs can change over time and technology that can aid and assist care, can also change, even over relatively short timescales. For example, following discharge from hospital there may be a need for a certain level of service, which could be different after the person recuperates. Alternatively, it may be more beneficial to the supported person to have a reminding service to take medication. The person's overall health and availability of services may prompt a review of the person's needs. Local authorities should always take into consideration the preferences of the supported person. With the implementation of the Carers (Scotland) Act 2016, there is now a duty for local authorities to provide support to carers, based on the carers identified needs, which meet the local eligibility criteria.

**Q. How long will it take to be assessed?**

**A.** There is no set timescale for assessments to be undertaken. The local authority should be able to confirm what the waiting time is for an assessment, at the time of the initial enquiry. If the person's circumstances get worse or become more urgent whilst waiting on an assessment to be carried out, please contact the local authority's social work department to keep them updated of the situation.

**Q. Will everyone get Free Personal and Nursing Care services following assessment?**

**A.** All local authorities have criteria which recognise urgency and risk as factors in determining eligibility for services, such as personal care. Those at the higher risks (critical or substantial), will be more likely to receive Free Personal and Nursing Care services or to receive them sooner, than those who are assessed as moderate or low risk.

**Q. How long will it take to receive services?**

**A.** For those who are assessed as being at critical or substantial risk there is a maximum waiting time of six weeks, from confirmation of need to the delivery of Free Personal and Nursing Care services. Confirmation of need means the point at which

a person's need for personal care is identified, following a care needs assessment or review.

Whilst Free Personal and Nursing Care services should be provided within six weeks for people assessed as being at critical or substantial risk, this may take longer if the local authority is required to put in place provisions that are not normally available.

**Q. What if a person does not appear to be at critical or substantial risk?**

**A.** It is the local authority's responsibility to assess each person and consider whether their needs call for the provision of social care services. People who are not at critical or substantial risk, may still have needs for some personal care or other social care services. Local authorities are expected to have in place clear arrangements for meeting, managing or reviewing these needs. This may involve providing or referring to preventative or other support services, including providing advice about alternative sources of support, or setting a clear timescale for reviewing the person's needs.

**Q. What if Free Personal and Nursing Care is refused?**

**A.** If Free Personal and Nursing Care is refused the reasons for the decision should be provided to the person, their family or carers. If a person wishes to complain about a decision they should use the local authority's social work complaints procedure. Details of this are available from each local authority and available on the local authorities' websites.

**Q. Who provides Free Personal Care to individuals in their own homes?**

**A.** People at home will have choice around how they receive their social care, giving them control over what they receive and how this is paid for. The local authority will ensure the person has access to good quality information, advice and practical assistance in understanding creative support options and how they might work. The person is fully involved in the decisions to determine what level of care requires to be provided. The services a person receives will be detailed in their individual care plan, which should be fully discussed between them and their assessor.

The services a person receives at home will be provided either by the local authority's own staff; by the staff of an external organisation contracted by the local authority or by a personal assistant.

Self-directed Support can be provided to a person using 1 of 4 different options.

#### Option 1

A person may choose to receive a direct payment to purchase support themselves. They will have access to advice and support from their local authority and their local support services, to assist them to do this.

#### Option 2

A person may wish to choose their own support and the local authority arranges the chosen support on the person's behalf, and pays the service provider directly.

#### Option 3

A person may wish for the local authority to select, arrange and pay the service provider directly.

#### Option 4

This option can be mixture of the previous 3 options.

Guidance relating to Self-directed Support can be found here or from your local authority social work department.

#### **Q. Who provides Free Personal Care to individuals residing in a care home?**

Individuals assessed as needing personal and/or nursing care by their local authority, who reside in a care home, will receive this care directly from the care home provider. Payment of personal and/or nursing care will be paid directly by the local authority to the respective care home.

#### **CONTACTS**

- Current payment levels for personal and nursing care can be found at the Scottish Government website <http://www.gov.scot/Topics/Health/Support-Social-Care/Support/Adult-Social-Care/Free-Personal-Nursing-Care>

or

telephone 0131 244 5403

- Care Information Scotland - <https://careinfoscotland.scot/>  
Telephone 0800 011 3200



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