The Four Key Characteristics – the correct approach

Morag Duff

CHC Consultant

National Statistics

- 2019/20 – Quarter 1 – 55,872 people eligible

- 4 years ago – 63,000 people eligible

- Reduction of 7128 (11%)

Regional Variations

- "For the most extreme comparison, just 13 patients per 50,000 in Berkshire West received it, while 209 had it in Salford. That's around 16 times as many people."

- Some of these discrepancies may be explained by subjective approach to what should be an objective test

Use and abuse of the characteristics

- The characteristics are not "indicators"
- The characteristics cannot be considered in a vacuum
- Consideration of the characteristics must be in order to answer the question "does the individual have a primary health need?"

What is a primary health need?

- An individual has a primary health need if, having taken account of all their needs (following completion of the Decision Support Tool), it can be said that *the main aspects or majority part of the care they require is focused on addressing and/or preventing health needs*. Having a primary health need is not about the reason why an individual requires care or support, nor is it based on their diagnosis; *it is about the level and type of their overall actual day-to-day care needs taken in their totality.*

Introducing the characteristics

- Certain characteristics of need – and their impact on the care required to manage them – may help determine whether the 'quality' or 'quantity' of care required is more than the limits of a local authority's responsibilities, as set out in section 22(1) of the Care Act 2014

Local Authority limits under the Care Act 2014 – section 22(1)

- **Exception for the provision of health services:**

- LA may not meet needs…by providing or arranging a service or facility (see section 8) that is required to be provided under the NHS Act **<u>unless</u>**

    - (a) doing so would be *merely* incidental or ancillary to doing something else to meet needs under those sections, **and**
    - (b) the service or facility in question would be of a nature that the local authority could be expected to provide.

Applying the characteristics

- **Nature** – what is the nature of the individual's needs in any given domain?
  - Is the nature of the need identified in any given domain health or social care?

- **Intensity** – in relation to the totality of needs
  - where does the balance of care lie?

Hybrid domains and the remaining characteristics

- For **hybrid** domains any weighting between "low" and "high" could indicate needs that are health in nature. The presence of any one of the key characteristics of **intensity, complexity or unpredictability** within a hybrid domain will increase the tendency of the need to be of a nature that is health rather than social care (as this will generally illustrate an increased level of "risk")

Domains

1. Breathing
2. Nutrition
3. Continence
4. Skin Integrity
5. Mobility
6. Communication
7. Psychological & Emotional needs
8. Cognition
9. Behaviour
10. Drug therapies and medication
11. Altered states of consciousness
12. Other significant care needs.

Eligibility Criteria – Specified Outcomes – Regulation 2

a) Managing and maintaining nutrition

b) Maintaining personal hygiene

c) Managing toilet needs

d) Being appropriately clothed

e) Being able to make safe use of the adult's home

f) Maintaining a habitable home environment

g) Developing and maintaining family or other personal relationships

h) Accessing and engaging in work, training education or volunteering

i) Making use of necessary community facilities or services in the local community (public transport, recreational facilities)

j) Carrying out caring responsibilities for a child

Multi-dimensional risk assessments

- An identified need in a hybrid domain will require a 2-stage, multi-dimensional analysis of the risk

- *Stage 1*: risk assessment (unmanaged need)
  - severity of consequences
  - immediacy of consequences, and
  - likelihood of occurrence and/or unpredictability,

- *Stage 2:* control measures required
  - prevent and/or reduce the risk *and also*
  - to deal with the consequences.

- This comes down to how the risk (or need) is managed.

- *Across* the domains:
  - **intensity** – number of health needs in the context of the totality of needs – *where does the balance of care lie?*
  - **complexity** – interaction of domains
  - **nature** – eg. overall deterioration

NATURE

- *This is about the **characteristics** of both the individual's needs and the interventions required to meet those needs*

- Ask yourself things like…

➤ How would you describe the needs? What adjectives would you use?

➤ What is the impact of the need on overall health and well being?

➤ What type of interventions are required?

➤ Is there particular knowledge/skill required to anticipate and address the need? Could anyone do it without specific training?

➤ Is the individual's condition deteriorating/improving?

➤ What would happen if these needs were not met in a timely way?

INTENSITY

- *This is about the quantity, severity and continuity of needs*

- Ask yourself things like...

➢ how severe is this need?

➢ How problematic is it to alleviate the needs and symptoms?

➢ How often and for how long is each intervention required?

➢ How many carers are required?

➢ Does the care relate to needs over several domains?

COMPLEXITY

- *Is about the level of* *skill/knowledge* *required to address an individual need or a range of needs and the interface between two or more needs.*
- *How the needs present and interact to increase the skill needed to monitor the symptoms, treat the condition(s) and/or manage the care.*

Ask yourself things like…

➢ How difficult is it to manage the need(s)?

➢ Are the needs interrelated?

➢ Do they impact on each other to make the needs even more difficult to address?

➢ How much knowledge is required to address the need(s)?

➢ How much skill is required to address the need(s)?

➢ How does the individual's response to their condition make it more difficult to provide appropriate support?

UNPREDICTABILITY

- *Is about the degree to which needs fluctuate, and thereby create challenges in managing them.*

Ask yourself things like…

➢ Are you able to anticipate when the need(s) might arise?

➢ Does the level of need often change?

➢ Is the condition unstable?

➢ What happens if you don't address the need when it arises? How significant are the consequences?

➢ To what extent is professional knowledge/skill required to respond spontaneously and appropriately?

➢ What level of monitoring/review is required?

Misuse of the characteristics

- To support a presumption of ineligibility
- Emphasis on characteristics which do not apply to the individual
- Reliance on prohibited grounds disguised as consideration of the characteristics