

## ADP Reliability criteria

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### Introduction

1. When choosing a descriptor, the case manager must apply the reliability criteria. <sup>1</sup>

*1 ADP regs, Reg 7(2)*

2. Where an individual's ability to carry out an activity is being determined, the case manager should apply the descriptor which they are satisfied applies for the individual to be able to undertake the activity reliably.

3. This chapter explains:

- what the reliability criteria are
- how the reliability criteria should be applied.

### What are the reliability criteria

4. The reliability criteria are used to assist a case manager to test reliability. For a descriptor to apply to an individual, they must be able to reliably complete the activity as described in the descriptor. To complete the activity "reliably" means that they can do so:

- **safely** – in a manner unlikely to cause harm to themselves or to another person, either during or after completion of the activity
- **to an acceptable standard** - to a reasonable standard for the activity, taking account of the impact on the individual of carrying out the activity to that standard
- **repeatedly** – as often as the activity being considered is reasonably required to be completed
- **within a reasonable time period** – no more than twice as long as the maximum period that an individual without a physical or mental health condition would usually take to complete that activity. <sup>1</sup>

## How should the reliability criteria be applied

5. The reliability criteria should be applied by following the four tests that enable a case manager to make a consistent decision. Where an individual does not meet each of the reliability criteria for a specific descriptor then the case manager must consider an alternative descriptor for that activity.
6. The four tests are whether they can carry out the activity:
  - safely;
  - To an acceptable standard;
  - Repeatedly; and
  - Within a reasonable time period;

Each test is explored in more detail below.

### Safely

7. When considering an individual's ability to complete the activity the case manager needs to consider their ability to keep themselves and others safe. If a client is unable to complete an activity safely, consideration should be given to whether an aid or appliance, prompting, supervision or assistance, could overcome the risk. The descriptor which describes a way in which the activity can be safely completed should be chosen.
  8. To carry out an activity "safely" means to carry it out in a manner unlikely to cause harm to the individual or to another person, either during or after completion of the activity, with consideration given to—
    - (i) the likelihood of harm, and
    - (ii) the severity of the consequences of that harm.<sup>1</sup>
- 1 ADP Regs, Reg. 7(2)(b)(i) and (3)(a)*
9. In assessing the likelihood of a particular harm occurring, consideration should be given to whether there is a real possibility of that harm occurring.
  10. For example, a blind person could trip and injure themselves if the pavement they are walking on becomes uneven, and they could also be injured if a cyclist loses control of their bike, mounts the pavement and they are unable to move out of the way. Given the potential for public pavements to be in various states of repair and the ease with which people can trip, there is a real possibility that this harm could occur. The chance of the incident happening with the cyclist on the other hand is far less likely, and so is not a real possibility that should be taken into account when considering safety.

11. The severity of the consequences of the harm being considered also needs to be taken into account, alongside likelihood. Broadly speaking, the more severe the harm that could be caused, the less likely the harm needs to be of occurring – although there must still be a real possibility of it occurring.
12. For example, if a person with epilepsy has seizures which cause them to lose control of their body without any warning, being unattended in the bath could cause them serious injury or death. As the consequences of that situation occurring are so severe, it does not have to be as likely as it would be where less serious harm is being considered. In this instance, if a client has approximately one seizure a month, it would likely be reasonable to determine that the risk of harm is enough that they require supervision while in the bath.
13. The regularity with which any risk occurs is also important, but again must be considered in relation to the severity of the consequence of the harm.
14. For example, if an individual has forgotten to take their medication a few times in the past, but ordinarily manages to remember unaided there is unlikely to be a risk to their safety. However, if the client could become seriously ill if they forget to take their medication even once, then forgetting infrequently could mean they are unable to complete the activity safely.
15. When considering safety, the case manager needs to recognise that everything anybody does has some risk associated with it. For example, someone may cut themselves when chopping vegetables, or could fall when walking. This specific test is focused on any increased risk that may arise due to the individual's condition or disability.
16. The risk of harm to others, as well as the client, must be considered when establishing whether an activity can be completed safely. The reference to others relates to anyone who could reasonably be expected to be harmed as a result of the activity being carried out unsafely.
17. For example, if a client has dementia and regularly leaves their house without switching the cooker off, this would cause a risk to others, even if the client lives alone, in a rural location, with no neighbours.
18. Another example of a risk of harm being caused to others is in relation to a client who has a learning disability and becomes very distressed when there is any change to the route they usually take when out walking. When acutely distressed the individual may lash out at people near them, and therefore there is a risk that others may be harmed if they are unsupervised when carrying out this activity.
19. It is important to note that general risks of harm are relevant – they do not have to be specifically related to the activity in question. It might be a general risk that exists when the individual is undertaking other activities, or even doing nothing at all. For example, if an individual needs constant supervision for all activities, then this will be of relevance.

Examples of risks that may be considered to be linked with a condition or disability are given below:

- An individual with a learning disability who is unable to recognise what clothes to wear for specific weather could be considered at increased risk of harm relating to extremes of temperature.
- An individual with a condition which affects their memory who is likely to forget to attend to food being cooked could be considered at increased risk of causing a fire.

Example of an individual who may be considered to satisfy the safety criteria for Mobility activity 1 descriptor A:

Annaliese reports that she has epileptic seizures. A case manager considers that when she is moving around outside Annaliese is at a high risk of being injured if she loses consciousness. However, Annaliese tells the case manager that she usually only has one seizure every twelve months. The risk is significantly reduced as the chance of her having that one seizure while out (the likelihood of the risk) is likely to be greatly diminished. So, despite the possible severity of the consequences of the risk, this brings the risk in line with any expected day to day risk associated with going out and 1A of the mobility component is likely to be applicable – if the remaining reliability criteria are also met.

### **Within a reasonable time period**

20. This test looks at the length of time it takes an individual to complete an activity. It considers that some individuals are able to complete activities independently, but the length of time taken to do so may impact their day-to-day life.
21. To carry out an activity ‘within a reasonable time period’ means no more than twice as long as would be usual for an individual without a physical or mental health condition or conditions which limits that individual’s ability to carry out the activity in question would normally take to complete that activity.<sup>1</sup>

*1 ADP regs, reg. 7(2)(b)(iv) and (3)(d)*

Examples:

The following situations highlight examples where an individual may be considered unable to complete an activity in a reasonable time period due to their approach or the impact their health condition or disability has on them:

- an individual who needs to take frequent rests when washing and dressing due to fatigue and so needs 2 hours to complete these tasks
- an individual who has Obsessive Compulsive Disorder is able to prepare a meal but whose need to do things repeatedly and in a particular way means they take all morning to prepare breakfast
- an individual who, as a result of their mental health condition, has obsessive ideas around cleanliness and takes prolonged periods of time to complete numerous activities due to repetitive and extended hand washing
- an individual who states that they are able to walk more than 200 metres, but this takes over half an hour due to pain in their legs and hips

Example of an individual who has a spinal cord condition who satisfies daily living component activity 4 descriptor D due to the length of time the activity takes:

Seth reports that he is able to wash himself with the use of aids but due to a spinal cord condition it takes him forty minutes in the shower to be able to wash all over as his movements are painful and slow when washing his lower limbs. Although Seth is washing himself with aids, it is not reasonable to expect him to take so long to do so and therefore descriptor B is not appropriate. Seth reasonably requires assistance to wash his lower limbs and the case manager considers that descriptor D is appropriate for Seth to be able to carry out activity 4 within a reasonable time period. As Seth does not describe difficulty with getting in and out of the shower or washing above the waist, and he is able to independently wash part of his body, descriptors E, F, and G do not apply to him.

### **To an acceptable standard**

22. This test considers the standard to which an individual completes an activity. To carry out an activity 'to a reasonable standard' means to a reasonable standard for the activity, taking account of the impact on the individual of carrying out the activity to that standard. <sup>1</sup>

*1 ADP regs, reg. 7(2)(b)(iii) and (3)(b)*

23. It is not simply enough that a client is able to complete an activity regardless of the standard they can complete it to or the impact carrying it out has on them. This test ensures that the client's actual experience of carrying out activities is taken into account.

24. There will be a range of what constitutes an acceptable standard, from what is not perfect but sufficient, to what is an extremely high standard. Case managers

must determine what is reasonable for the activity – that is an objective consideration of what would generally be thought of as an acceptable standard.

25. For example, it is reasonable that on occasion people may get a bit of food on themselves while eating – completing this activity with a small mark on their clothes would therefore be to an acceptable standard. It would not be expected that an individual has to regularly change their clothes after eating because they spill so much food on themselves. Completing the activity in this way would not be to an acceptable standard.
26. It is important to also consider the impact completing the activity has on the individual. This requires consideration to be given to how a person feels both during and after carrying an activity out. Impact should take into account a range of factors including (but not limited to) pain, discomfort, breathlessness, fatigue, anxiety caused to the client. An activity which may otherwise be completed to an acceptable standard would become unacceptable if a client has to put up with pain, discomfort, etc, while carrying it out. The question to be answered by the case manager is, does the impact of completing the activity mean that it is not being completed to an acceptable standard.
27. For example, an individual may be able to fully dress themselves. But if doing so causes them to become so out of breath that they need to rest afterwards, then they would not be able to dress to an acceptable standard.

Example of an individual with Parkinson's disease who satisfies the threshold to an acceptable standard for daily living activity 2 descriptor F:

Robert reports that he has Parkinson's disease and is able to eat meals himself. However, he goes on to report that while he can get food to his mouth, due to a loss of coordination he spills food every time he eats to the point he has to change his clothing after every meal. While it is reasonable to spill some food it would not be considered an acceptable standard of eating to have to change clothes every time Robert eats.

The case manager begins by considering whether Robert could eat to an acceptable standard with an aid or appliance. They determine that the difficulties that Robert has with his grip, mean that there is not an aid which would help him complete the activity to an acceptable standard. Going on to consider the remaining descriptors, the case manager determines that the only way for the client to complete the activity to an acceptable standard is to be fed by another person.

**Repeatedly**

28. This test looks at an individual's ability to repeat an activity when reasonably required. To carry out an activity 'repeatedly' means to be able to carry it out as often as it is reasonably required to be completed. <sup>1</sup>

29. For some activities it may be reasonable to assume that the individual would be required to carry it out more than once per day (for example, activity 2 taking nutrition and activity 5 managing toilet needs) and where they are not able to do this a high descriptor may be considered to be appropriate for the respective activities.
30. How often the client needs to complete each activity is not specified. Consideration should be given to how often a non-disabled person would usually be expected to complete each activity in a day. For example, it is reasonable to expect an individual to have to prepare food (daily living component activity 1 Preparing food) two or three times a day. But it would not be reasonable for an individual to be required to wash and bathe more than once a day (daily living component activity 4 Washing and bathing).
31. When considering this test, the case manager should be clear that the lack of ability to repeat an activity is linked to the individual's condition and is not a choice. For example, some individuals may choose to only shower once or twice a week, whereas others want to shower daily.
32. It can be difficult to determine whether the way an individual does something is a personal preference or due to their disability, especially if they have been disabled for all, or the majority, of their life. Focussing on whether there is any reason related to their disability or condition why a client undertakes an activity a certain number of times is the appropriate way to understand whether they are able to repeat the activity as often as required.
33. Some individuals may need to complete an activity more frequently as a result of a condition or disability. For example, an individual with a bowel condition may need to go to the toilet frequently throughout the day. Case managers should consider whether it is reasonable for the individual to complete the activity more frequently as a result of their condition or disability, and if so, how often. It should then be considered whether or not the individual is able to complete the activity that number of times.
34. Where the act of completing the activity leads to the individual being unable to repeat the activity (where reasonably expected to do so) they are unlikely to be considered able to complete the task repeatedly and a higher descriptor may be more appropriate.
35. For example, an individual can prepare their breakfast, but the exertion of doing so leaves them exhausted and they're unable to prepare their lunch as a result. It is reasonable to expect someone who has made breakfast to be able to prepare a meal again by lunchtime and so the individual cannot be considered able to complete the activity repeatedly.
36. As well as considering whether tasks can be repeated within a day, consideration should also be given to whether an individual is able to repeat a task on

subsequent days. For example, an individual may be able to fulfil the 'moving around' criteria one day, but the exertion of doing so means they're unable to do so the following day. This individual would therefore not be able to repeatedly complete the activity.

37. When considering repeatability over longer periods of days and weeks, the case manager should consider which descriptor applies on the majority of days in that period.<sup>1</sup>

*1 ADP Regs, Reg 10(1)(a)*

38. The impact on the client of completing the activity should be considered when determining whether an activity can be carried out repeatedly, such as whether it causes them pain, fatigue and breathlessness. While these symptoms may not necessarily stop the client from carrying out the activity in the first instance, they may be an indication that it cannot be done as often as is reasonably required.

Example of an individual with multiple sclerosis who satisfies the repeatability test for daily living activity 3 descriptor D:

Kate has multiple sclerosis (MS). She reports that after completing her morning physiotherapy, which takes around 30 minutes, she experiences significant muscle fatigue in her hands and wrists. When it comes to her afternoon physiotherapy session, she is unable to complete the exercises independently and needs assistance to support her upper body. The case manager considers that Kate is unable to complete the activity as often as is required and determines that daily living component activity 3 descriptor D is likely to be appropriate for Kate to carry out the activity repeatedly. This is the appropriate descriptor because of the length of time Kate needs assistance for – more than 3.5 hours but no more than 7 hours a week – and as it relates to managing therapy as opposed to managing medication or monitoring a health condition.

Example of an individual with regional pain syndrome who satisfies the repeatability test for mobility activity 2 descriptor C:

Felix has regional pain syndrome. He reports that he is able to walk but it causes pain in his lower legs meaning that he has to rest for a couple of hours before being able to walk again. Felix is able to complete the activity, but it is not reasonable that he is unable to do so repeatedly without a break, so the case manager considers that descriptor A is not appropriate.

In order to decide which of the remaining descriptors apply the case manager needs to consider how far Felix can walk without needing to rest due to pain. He describes being able to walk up to 50 metres without pain afterwards so the case manager determines that descriptor B is not appropriate because Felix cannot walk over 50 metres repeatedly. The case manager decides that descriptor C applies to Felix because he can walk more than 20 metres repeatedly, but not more than 50. Neither of the higher descriptors – D and E – apply because Felix does not need to use an aid or appliance to walk, and he can walk between 1 and 20 metres repeatedly. [LINK to mobility component activity 2 descriptor C]



## [End of section]

### Applying all the reliability criteria

39. Above, each of the reliability criteria have been explained and examples provided of how to apply them in isolation. It is important to remember however, that all of the reliability criteria must be applied to every activity under consideration. That means case managers must be able to consider all of the reliability criteria when considering each descriptor. The following examples show how the four criteria are applied to a daily living and a mobility activity.

#### Example of reliability criteria applied to Activity 1 preparing food

Rachael has a learning disability and ADHD. She knows how to prepare and cook a simple meal and has the physical ability to do so. As Rachael finds it difficult to foresee danger she is prone to hurting herself in the kitchen by mishandling knives, not using oven gloves, and touching the cooker top. Rachel also finds it very challenging to wait for the full time it takes to cook food and so she often prepares food that is undercooked. Her sister usually has to be in the kitchen when she is cooking meals to make sure she does so safely and remind her to leave food to cook fully.

The case manager needs to consider the descriptors while taking into account each of the reliability criteria to determine which describes Rachael's ability to reliably prepare food:

Safely – the case manager determines that descriptor A is not appropriate as Rachael is at risk of cutting or burning herself and so she cannot safely prepare and cook a simple meal unaided. Descriptor B, descriptor C and descriptor D are also not suitable as they do not enable Rachael to complete the activity safely. The support she has from her sister in order to ensure she cooks safely is however captured by descriptor E as Rachel reasonably requires the continuous presence of another person to manage the risk of her injuring herself during the activity. She requires this every time she performs the activity. Descriptor F is not applicable because Rachael can undertake this activity with the right support.

To an acceptable standard – as Rachael is unlikely to allow food enough time to cook fully, she is not able to prepare and cook a meal to an acceptable standard. Descriptor A is therefore not applicable to Rachael. Descriptors B and C are also not suitable as they would not enable Rachael to complete the task to an acceptable standard. Rachel has described being reminded by her sister to make sure food is properly cooked. Descriptor D relates to a need for prompting, which is defined as “reminding, encouraging, or explaining”. This best describes how Rachel is able to cook to an acceptable standard. Neither descriptors E or F are appropriate to this criteria as she does not reasonably require supervision or assistance, nor is she unable to cook at all.

Both of the remaining criteria – repeatedly and in a reasonable time period – are satisfied for all descriptors as Rachael has not indicated any difficulties with cooking as often as she needs to, and does not take an unreasonably long time to cook.

Whilst Rachel would perform descriptor D 'to an acceptable standard', within a reasonable time period and repeatedly, the case manager has identified that she can only perform the activity 'safely' in terms of descriptor E. As a result Descriptor E is the one that applies to Rachel to be able to perform the activity in line with all of the reliability criteria.

#### Example of reliability criteria applied to mobility Activity 2 moving around

Tanner has Ehlers-Danlos syndrome and is able to walk using crutches. They walk at a slightly slower pace than average and experience mild discomfort walking up to around 60 metres. After this distance their hips start to become increasingly painful which causes them to walk more slowly. Tanner can continue to walk until around 100 metres, at which point they need to stop and rest. This takes a lot out of them and for a few hours after they can only take a few steps without experiencing severe hip pain. It takes Tanner between 1 and 2 minutes to walk 60 metres the first time.

The case manager needs to consider the descriptors while taking into account each of the reliability criteria to determine which describes Tanner's ability to reliably move around:

Safely – Tanner experiences pain but knows when to stop and rest, and they do not indicate any ongoing harm after having recovered from the exertion. This criteria does not need to be considered further for this activity.

To an acceptable standard – for the first 60 metres Tanner describes being able to walk using an aid with only mild discomfort. However, any further than 60 metres and they start to be in pain which is exacerbated by continuing to walk. Once Tanner is using an aid while experiencing pain which is increasing in severity, they are no longer able to complete the activity to an acceptable standard. The case manager determines that the acceptable standard criteria is not satisfied for descriptor A and goes on to consider the remaining descriptors. Tanner can walk up to 60 metres with an aid to an acceptable standard and so descriptor B is applicable, Descriptor C does not apply to Tanner because they are not able to walk unaided. The remaining descriptors are not applicable to Tanner due to the distance they can walk.

Repeatedly – The case manager has decided that Tanner can walk 60 metres to an acceptable standard and so this is the distance which should be considered in relation to the 'repeatedly' criteria also. Tanner explains that after walking up to 100 metres they need to rest for hours before being able to walk more than a few steps. This means that the furthest Tanner can walk repeatedly, without having to rest, is 50 metres. Although they could walk further after resting for a number of hours, this would not satisfy the 'repeatedly' criteria as it would not enable them to walk that distance as often as is reasonably required. It is reasonable to expect an individual to be required to walk 60 metres twice without having to rest for hours in between.

The case manager decides that descriptor D accurately reflects the distance Tanner can walk repeatedly – between 20 metres but no more than 50 metres.

Reasonable time period – although Tanner describes walking at a slower than average pace, it is still within what is deemed to be reasonable and so the case manager determines they can complete the activity in a reasonable time period.

The descriptor which describes how Tanner moves around when meeting all of the reliability criteria is therefore descriptor D.

**END**