

Equality Impact Assessment For employees and/or communities

This EIA form will assist you to ensure we meet our duties under the Equality Act 2010 to take account of the needs and impacts of the proposal or function in relation to people with protected characteristics. Please note, this is an ongoing duty. This means you must keep this EIA under review and update it as necessary to ensure its continued effectiveness.

Section 1: Proposal details

Directorate / Service Area:		Person undertaking the assessment:	
Adult Social Care		Name:	Mark Gedney
Proposal being assessed: Client contributions:- <ul style="list-style-type: none"> Align Minimum Income Guarantee with statutory levels for those over state pension age Include higher rates of disability benefits as income within the financial assessment Introduce a charge for the Corporate Appointee Service Increase the care arrangement fee for self-funders 		Job Title:	Head of Service, Adult Social Care Financial Operations Adults & Safeguarding - People & Communities Department Peterborough City Council and Cambridgeshire County Council
		Contact details:	Email mark.gedney@peterborough.gov.uk Telephone: (01733) 452335 Mobile 07920 160328
Business Plan Proposal Number: (if relevant)	A/R.7.102	Date commenced:	
		Date completed:	
Key service delivery objectives:			
<p><i>Include a brief summary of the current service or arrangements in this area to meet these objectives, to allow reviewers to understand context.</i></p> <p>The Council recently reviewed its Adult Social Care charging policy to ensure that it fully aligns with the Care Act 2014. It has taken this opportunity to look for ways to fairly and affordably raise revenue from charges to help to sustainably provide and pay for care and support services to people with assessed care needs in the face of severe central government funding reductions and increasing demand pressures.</p> <p>Following the review, four proposals have been recommended to make changes to the Council's Adult Social Care charging policy, which will mean that some groups of people receiving care services may pay more towards these. Care charges are calculated by the completion of a financial assessment for the person receiving care; which considers their income, capital and a range of other financial circumstances to ensure that the charge they are to pay is reasonable and affordable.</p> <p>Increased income from charges will help the council to protect, maintain, and extend the range of care services it offers to those that are in need of them.</p>			

Equality Impact Assessment For employees and/or communities

Following consideration of the proposals by the Adults Committee on 12th September 2019, an extensive consultation exercise has been undertaken from 23rd September 2019 to 15th December 2019.

Key service outcomes:

Describe the outcomes the service is working to achieve

The aim is to update the Council's Fairer Contributions Adult Social Care charging policy to reflect current guidance and consider options available to the Council to generate additional revenue which can help to off-set some of the care costs associated with providing individual tailored care packages. There are four recommendations for adoption, delivering the following desired collective outcomes:-

- To ensure that statutory requirements are fully met
- To continue to charge people for their care services in a fair, consistent, affordable and equitable way
- To align Cambridgeshire's protected income levels used in the financial assessment calculation with those set nationally by Government (Department of Health and Social Care – minimum income guarantee levels)
- Align more closely Cambridgeshire's care charging policy with its neighbouring authorities and those that it shares services and borders with.
- To enhance income from charges, and in so doing generate additional revenue that will assist the Council in setting a balanced budget, and will help to maintain and extend Adult Social Care services against a background of increasing demand and financial constraints.

What is the proposal?

Describe what is changing and why

The Council consulted on five proposed changes to its Adult Social Care charging policy. They are:

- 1) To change the Minimum Income Guarantee figure used to the level set by the Department of Health and Social Care.
- 2) To include all rates (low, middle and high) of the following disability benefits in the financial assessment calculation:
 - a. Attendance Allowance (AA)
 - b. Care component of Disability Living Allowance (DLA Care)
 - c. Daily living component of Personal Independence Payment
- 3) To change the way that the charge for short-term respite care is calculated, using 'residential' care charging rules.
- 4) To introduce a new administration fee to Adult Social Care service users whose social security benefits and finances are managed by the Council acting as their Department for Work and Pensions (DWP) corporate appointee.
- 5) To charge an annual (recurring) care arrangement fee to those people living in the community who are able to afford the full cost of their own care but have chosen to ask the Council to arrange this for them.

Since the introduction of the Care Act 2014 local authorities have been permitted, subject to protected guaranteed minimum income levels set by the Government, to charge for certain non-statutory adult social care services. Councils are also able to take into

Equality Impact Assessment For employees and/or communities

account higher levels of some disability benefits in their charging calculations – and the majority of councils across the country have subsequently introduced such changes.

When Cambridgeshire County Council reviewed its charging policy two years ago it made no changes at that time. However, since the issue was last looked at, the financial situation has changed and the pressure on the Council's Adult Social Care budget is increasing. The additional revenue generated through the proposed changes would help the Council to absorb some of these financial pressures and protect existing prevention and short-term services that help people to stay living as independently as possible in their own homes.

What information did you use to assess who would be affected by this proposal?

For example, statistics, consultation documents, studies, research, customer feedback, briefings, comparative policies etc.

- Demographic, financial and care package information held by the council obtained from care assessments and financial assessments.
- Benchmarking comparisons with the charging policies of other councils.
- Financial modelling of the impact of the increased charges.
- Current and historic experience of the application of the Council's Adult Social Care charging policy and its impacts on individuals.
- Current and historic consultation on the Adult Social Care charging policy with individuals and the wider community.
- Feedback from a formal 12 week consultation from 23rd September 2019 – 15th December 2019.

Are there any gaps in the information you used to assess who would be affected by this proposal?

If yes, what steps did you take to resolve them?

N/A – Clients that might be affected by the proposals have been informed and invited to participate in the consultation via letter tailored to their needs.

Who will be affected by this proposal?

A proposal may affect everyone in the local authority area / working for the local authority or alternatively it might affect specific groups or communities. Describe:

- *If the proposal covers all staff/the county, or specific teams/geographical areas;*
- *Which particular employee groups / service user groups would be affected;*
- *If minority/disadvantaged groups would be over/under-represented in affected groups.*

Consider the following:

- *What is the significance of the impact on affected persons?*
- *Does the proposal relate to services that have been identified as being important to people with particular protected characteristics / who are rurally isolated or experiencing poverty?*
- *Does the proposal relate to an area with known inequalities?*

Equality Impact Assessment

For employees and/or communities

- *Does the proposal relate to the equality objectives set by the Council's Single Equality Strategy?*

Those affected by these proposals are:

- 1) People receiving care who:
 - Are over state pension age and receive care and support services in the community.
 - Receive higher rates of Disability Living Allowance – care component, Personal Independence Payment – daily living component, and Attendance Allowance.
 - Have capital above the funding threshold figure (£23,250), and ask the council to arrange their care for them.
- 2) People whose finances are managed by the Council as DWP corporate appointee.
- 3) These changes might also impact on carers and family members of disabled, older, and vulnerable people receiving care services for which charges are made.

Equality Impact Assessment For employees and/or communities

Section 2: Scope of Equality Impact Assessment

Scope of Equality Impact Assessment					
Check the boxes to show which group(s) is/are considered in this assessment. Note: * = protected characteristic under the Equality Act 2010.					
*	Age	<input checked="" type="checkbox"/>	*	Disability	<input checked="" type="checkbox"/>
*	Gender reassignment	<input type="checkbox"/>	*	Marriage and civil partnership	<input type="checkbox"/>
*	Pregnancy and maternity	<input type="checkbox"/>	*	Race	<input type="checkbox"/>
*	Religion or belief (including no belief)	<input type="checkbox"/>	*	Sex	<input type="checkbox"/>
*	Sexual orientation	<input type="checkbox"/>	X		
	Rural isolation	<input type="checkbox"/>		Poverty	<input type="checkbox"/>

Section 3: Equality Impact Assessment

The Equality Act requires us to meet the following duties:

Duty of all employers and service providers:

- *Not to directly discriminate and/or indirectly discriminate against people with protected characteristics.*
- *Not to carry out / allow other specified kinds of discrimination against these groups, including discrimination by association and failing to make reasonable adjustments for disabled people.*
- *Not to allow/support the harassment and/or victimization of people with protected characteristics.*

Duty of public sector organisations:

- *To advance equality of opportunity and foster good relations between people with protected characteristics and others.*
- *To eliminate discrimination*

For full details see the [Equality Act 2010](#).

We will also work to reduce poverty via procurement choices.

Research, data and/or statistical evidence
<p>List evidence sources, research, statistics etc., used. State when this was gathered / dates from. State which potentially affected groups were considered. Append data, evidence or equivalent.</p> <ul style="list-style-type: none"> • Demographic, financial and care package information held by the council obtained from care assessments and financial assessments. • Benchmarking comparisons with the charging policies of other councils. • Financial modelling of the impact of the increased charges. • Current and historic experience of the application of the Council's Adult Social Care charging policy and its impacts on individuals.

Equality Impact Assessment For employees and/or communities

- Current and historic consultation on the Adult Social Care charging policy with individuals and the wider community.
- Feedback from a formal 12 week consultation from 23rd September 2019 – 15th December 2019.

Consultation evidence

State who was consulted and when (e.g. internal/external people and whether they included members of the affected groups). State which potentially affected groups were considered. Append consultation questions and responses or equivalent.

Consultation responses have been collated, analysed and summarised to be presented to the Council's Adults Committee on 16 January 2020.

Following consideration of the proposals by the Adults Committee on 12th September 2019, an extensive consultation exercise has been undertaken to set out the council's charging proposals, and as part of this, information on the changes has been provided to a number of service users, and a comprehensive range of stakeholders. The consultation exercise undertaken consists of the following:

- Posting of explanatory letters and consultation questionnaires (totaling 3486) to service users (and if applicable their representatives) who might be affected by the proposals (in standard and easy read format).
- Online consultation information and surveys published on the Cambridgeshire County Council website.
- Public meetings at various accessible locations and times - across the county in each district.
- Dedicated email address and telephone number to take feedback/views and respond to/address any pressing concerns from service users about the proposals.
- Engagement with the Council's voluntary and community sector partners and other relevant service user fora.
- Presentations of the proposals to all the Council's Adult Social Care Partnership Boards.

Based on consultation evidence or similar, what positive impacts are anticipated from this proposal?

This includes impacts retained from any previous arrangements. Use the evidence you described above to support your answer.

The Council will align its protected income levels with those set nationally by Government (Department of Health and Social Care – the minimum income guarantee), and the Council's Adult Social Care charging policy will also be more closely aligned and consistent with its neighbour authorities and those that it shares services and borders with.

Additional revenue from care charges will help to ensure that the Council can maintain and extend its adult social care services against a background of increasing demand and significant financial constraints. Additionally it assists the Council in setting a balanced budget which is a legal requirement.

Equality Impact Assessment For employees and/or communities

To continue to charge people in a fair, reasonable, affordable, consistent and equitable way.

The revised charging policy will help to ensure that Adult Social Care services continue to be accessible to all sections of the local population, including those with fewer financial resources and lower incomes, but will reduce variation by treating service users with high incomes / high capital resources consistently and more equitably.

Based on consultation evidence or similar, what negative impacts are anticipated from this proposal?

This includes impacts retained from any previous arrangements. Use the evidence you described above to support your answer.

Concerns raised from the consultation exercise were broadly grouped around the following themes:

- 1) Significant increases in care charges, especially where higher levels of disability benefits are taken into account in the financial assessment, may not be affordable for vulnerable individuals and could have a detrimental effect on their lives and on the lives of their families – potentially placing a greater burden on carers.
- 2) Cambridgeshire's financial assessment service, and in particular the assessment of an individual's disability related expenditure, was regarded as not fit for purpose and needs to be more personalised.

How will the process of change be managed?

Poorly managed change processes can cause stress / distress, even when the outcome is expected to be an improvement. How will you involve people with protected characteristics / at risk of poverty/isolation in the change process to ensure distress / stress is kept to a minimum? This is particularly important where they may need different or extra support, accessible information etc.

Clients have been identified through the Council's adult social care IT system (the database application that holds all care clients benefit and financial assessment data). Clients have received letters tailored to their requirements explaining the charging policy proposals and the consultation process – and included was a paper version of the consultation survey for them to complete with a pre-paid envelope. Throughout the consultation there has been a dedicated phone line and e-mail for clients to make contact and receive support through the process.

If approved, it is proposed that the changes will start to be implemented from April 2020 by the application of a more personalised financial assessment taking proper account of an individual's financial circumstances, particularly their disability related expenditure – by home visit if requested. New clients to the service will be subject to the changed charging policy post April 2020 from when their care provision commences, and existing clients will have their financial assessments reviewed on a phased basis throughout the financial year, and any new charge will be effective only from the date that the financial assessment has been undertaken.

Equality Impact Assessment

For employees and/or communities

How will the impacts during the change process be monitored and improvements made (where required)?

How will you confirm that the process of change is not leading to excessive stress/distress to people with protected characteristics / at risk of isolation/poverty, compared to other people impacted by the change? What will you do if it is discovered such groups are being less well supported than others?

- The impact of any charging policy changes will be monitored through the financial assessment process for individuals, and by the monitoring of care activity and uptake from the information reporting capabilities of Cambridgeshire's Adult Social Care service. It will also be monitored via feedback received from individuals affected by these changes.
- Financial assessments will be available face to face in their home for all service users that want it.
- Individual financial assessments will be closely monitored to ensure all relevant personal and financial circumstances are taken into account in the charging assessment and that the policy is applied correctly and fairly and that exceptional circumstances are taken fully and properly into account.
- Awareness of the new charging rules will be raised across all operational staff – as well as highlighting the implications of this and the available discretion in exceptional circumstances. A fast-track pathway will be created to deal quickly with any specific concerns identified as a result of a charge increase.
- Disability related expenditure operational guidance will be refreshed and updated – with close reference to the National Association of Financial Assessment Officers practice guides.
- Requests for financial assessment review / complaints will be monitored closely.
- Clients declining care services because of charges / charge increases will be monitored in terms of individual impacts (and further support/advice will be given if appropriate) and in terms of numbers.

Equality Impact Assessment For employees and/or communities

Section 4: Equality Impact Assessment - Action plan

See notes at the end of this form for advice on completing this table.

Details of disproportionate negative impact (e.g. worse treatment / outcomes)	Group(s) affected	Severity of impact (L/M/H)	Action to mitigate impact with reasons / evidence to support this or Justification for retaining negative impact	Who by	When by	Date completed
<p>Age</p> <p>A greater proportion of care service users in Cambridgeshire are over pension age (c18% of Cambridgeshire's population is aged 65+) but approximately 60% of people receiving care and support funded by the Council are over pension age.</p> <p>Older people are clearly therefore the largest single group of care and support service users as they are more likely to need help with care and support needs as a result of ill-health, frailty, disability and long term conditions and be at risk of physical injury.</p> <p>Older people are also more likely to have accumulated savings and investments in their lifetimes.</p> <p>The proposed changes that may increase care charges for some individuals are therefore more likely to affect older people to a significant extent. Adults under pension age with a range of disabilities and care needs may also be affected by the charging policy changes that are proposed, although numbers will be proportionally much lower than for people over pension age.</p>		H	<p>Clients will receive a 'face-to-face' financial assessment in their homes with a trained member of the Council's Financial Assessment Team in all cases where this is judged to be helpful in undertaking the assessment or where the client requests this. This approach will also be key in determining individual, personal levels of disability related expenditure in the financial assessment. Additional staffing resources will be deployed in delivering this enhanced form of financial assessment. Individuals will be notified of the assessment outcome and the date from when the new charges will apply – which if not previously notified, will be a current or future date.</p> <p>The increase in revenue from these proposed changes will help the council to sustain the delivery of targeted, personalised and effective Adult Social Care services to those with eligible care needs and to fund and provide low level preventive services that help people return home from hospital more quickly and enable them to continue living independently for as long as possible in their own homes.</p>			

Equality Impact Assessment

For employees and/or communities

Details of disproportionate negative impact (e.g. worse treatment / outcomes)	Group(s) affected	Severity of impact (L/M/H)	Action to mitigate impact with reasons / evidence to support this or Justification for retaining negative impact	Who by	When by	Date completed
			Only those who have the means to pay increased charges at an affordable rate will be affected by these changes.			
<p>Disability</p> <p>All people eligible for Adult Social Care support will have some form of disability or impairment affecting their daily living that has been identified within their care assessment.</p> <p>Some people who are disabled and in receipt of Attendance Allowance, Disability Living Allowance (care component), and Personal Independence Payment (daily living component) at the higher rates could be subject to a substantial charge increase, however their charge will still be affordable against nationally set Government standards as their remaining incomes will not fall below minimum protected income levels (collectively known as the Minimum Income Guarantee), and disability related expenditure levels will also be individually/personally considered to mitigate any charge increases where applicable.</p> <p>Around 23% of people receiving care and support funded by Cambridgeshire County Council have been assessed as having a Learning Disability, and</p>		H	<p>Financial assessments are undertaken on an equitable and consistent basis across all client groups, and compared uniformly against national eligibility criteria.</p> <p>Charges apply to all types of care services, irrespective of an individual's level of need, or type / severity of disability – and the financial assessment takes account of a person's finances and their individual level of additional expenditure that is disability related. Those people with a higher level of disability that impacts on their personal expenditure will not therefore be financially disadvantaged by this in the calculation of their charge.</p> <p>It is proposed that the standard disability related expenditure figure used in the financial assessment be increased from £20 to £28 for this client cohort to mitigate the effects of any charge increase.</p>			

Equality Impact Assessment

For employees and/or communities

Details of disproportionate negative impact (e.g. worse treatment / outcomes)	Group(s) affected	Severity of impact (L/M/H)	Action to mitigate impact with reasons / evidence to support this or Justification for retaining negative impact	Who by	When by	Date completed
<p>approximately 8% have been assessed as having a physical disability.</p> <p>Around 40% of the cohort that receive the higher rates of these disability benefits are adults with a learning disability - living with family or with a tenancy in a community setting. Service users with a learning disability are recognised as a socially excluded group with low incomes, and the proposed changes will have an adverse impact on levels of disposable income and potentially their ability to access the community – which could undermine the current strategy of deregistration of residential homes into supported living.</p> <p>Increased care charges could also impact on carers and family members where the service user's income is included in the family budget.</p>			<p>The increase in revenue from these proposed changes will help the council to sustain the delivery of targeted, personalised and effective Adult Social Care services to those with eligible care needs and to fund and provide low level preventive services that help people return home from hospital more quickly and enable them to continue living independently for as long as possible in their own homes.</p> <p>Clients will receive a 'face-to-face' financial assessment in their homes with a trained member of the Council's Financial Assessment Team in all cases where this is judged to be helpful in undertaking the assessment or where the client requests this. Plans for the provision of additional financial assessment staffing resources are being drawn up to provide a more personalised assessment, particularly to undertake more detailed disability related expenditure assessments. Clients will be notified of the assessment outcome and the date from when the new charges will apply – which if not previously notified, will be a current or future date.</p>			

Equality Impact Assessment For employees and/or communities

Section 5: Approval

Name of person who completed this EIA:		Name of person who approves this EIA:	
Signature:		Signature:	
Job title:		Job title: <i>Must be Head of Service (or equivalent) or higher, and at least one level higher than officer completing EIA.</i>	
Date:		Date:	

Guidance on completing the Action Plan

If our EIA shows that people with protected characteristics and/or those at risk of isolation/poverty will be negatively affected more than other people by this proposal, complete this action plan to identify what we will do to prevent/mitigate this.

Severity of impact

To rate severity of impact, follow the column from the top and row from the side and the impact level is where they meet.

		Severity of impact				Priority and response based on impact rating		
		Minor	Moderate	Serious	Major	High	Medium	Low
	Inevitable	M	H	H	H	Amend design, methodology etc.	Introduce measures to	Impact may be acceptable

Equality Impact Assessment For employees and/or communities

Likelihood of impact	More than likely	M	M	H	H	<i>and do not start or continue work until relevant control measures are in place. Or justify retaining high impact</i>	<i>control/reduce impact. Ensure control measures are in use and working. Or justify retaining medium impact</i>	<i>without changes or lower priority action required. Or justify retaining low impact</i>
	Less than likely	L	M	M	H			
	Unlikely	L	L	M	M			

Actions to mitigate impact will meet the following standards:

- Where the Equality Act applies: achieve legal compliance or better, unless justifiable.
- Where the Equality Act does not apply: remove / reduce impact to an acceptably low level.

Justification of retaining negative impact to groups with protected characteristics:

There will be some situations where it is justifiable to treat protected groups less favourably. Where retaining a negative impact to a protected group is justifiable, give details of the justification for this. For example, if employees have to be clean shaven to safely use safety face masks, this will have a negative impact on people who have a beard for religious reason e.g. Sikhism. The impact is justifiable because a beard makes the mask less effective, impacting the person's safety. You should still reduce impact from a higher to a lower level if possible, e.g. allocating work tasks to avoid Sikhs doing tasks requiring face masks if this is possible instead of not employing Sikhs.