



EQUALITY IMPACT ASSESSMENT

Proposals considered in July 2012

EIA No:
AS10 – Overarching

The public sector Equality Duty (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The City Council’s Equality Impact Assessments (EIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

Portfolio Reference No. AS10 - Overarching	Proposal: Increase in income arising from proposed changes to the Non Residential Charging Policy
Volumes (number of customers) and profile	In August 2012 2109 individuals were being charged for non residential care. This includes people with disabilities and illnesses, those with mental health issues, people with learning disabilities and people with substance misuse problems. There are a range of proposed changes to the NRC Charging Policy which affect individuals in different ways. The impact of each proposal has been assessed in more detail as part of the consultation process. These are attached to this overarching assessment
Staffing and budget	Not applicable
Summary of impact and Issues	The proposal would increase contributions towards the cost of social care services for those who are assessed as being able to contribute more.
Potential Positive Impact	Supports the development of personalised approach to the delivery of social care Ensures the policy meets revised Dept of Health guidance Ensures equitable treatment of those receiving social care

Responsible Service Manager : Carol Valentine

Approval by Senior Manager: Carol Valentine

Name:	Carol Valentine
Signature:	
Date:	10.1.13

POTENTIAL IMPACT		
Group	Details of impact	Possible Solutions/ Mitigating Actions
Age	<p>The majority of social care users are over 65.</p> <p>Some individuals may be required to contribute more.</p> <p>Consultation responses suggested that this could result in some individuals' only accessing care when they are at crisis point leading to higher use of residential care. The proposals were therefore felt to be counter intuitive to the prevention and health and well being agenda of the Council.</p> <p>Consultation responses indicated that to increase the level of disposable income taken into account from 95% to 100% would negatively impact on the quality of life of some service users. Whilst it was recognised this left service users with income 25% higher than nationally set minimum income figures it was felt this was used to meet expenditure most people would think of as essential.</p> <p>Consultation responses suggested that paying full cost of day services would result in individuals not accessing the services, destabilising care arrangements, reducing carer support and destabilising day service provision.</p> <p>Consultation responses indicated that asking individuals with over £23,250 to commission their own services would place an inappropriate pressure on family carers.</p> <p>Consultation responses highlighted a concern that asking individuals who could afford to do so to meet the costs of 2 carer domiciliary care packages would increase the burden of family carers, who would try to cope without a second carer.</p>	<p>No one will ever be asked to pay more than they are assessed as being able to afford. Contributions are based on the individual's income and expenditure.</p> <p>Specific disability related expenses can be taken account of in financial assessment.</p> <p>Individual circumstances can be taken into account and a decision made to reduce or waive contributions in exceptional circumstances where there are welfare reasons for doing so.</p> <p>No one will be left with an income of less than 25% above government set minimum income levels (the level of income which is required meet all day to day and occasional living expenses). This is in recognition that social care service users are likely to have higher expenditure than other citizen groups.</p> <p>The Council as a whole is committed to addressing prevention and health and well being agendas through all of its services</p> <p>It was recognised during the consultation that to ask those who can afford to do so to pay the full economic cost of day service would represent a significant increase in</p>

	<p>There was also a concern that this was inequitable.</p> <p>Consultation responses highlighted that the proposals could result in family carers taking more responsibility in the longer term impacting on their own well being and leading to the collapse of family care arrangements</p> <p>Consultation responses suggested that it was inequitable to take disability related benefits onto account when deciding on an individuals contribution</p> <p>Consultation responses highlighted that these could a cumulative impact for some individuals if they are affected by Housing Benefit, Council tax and general benefit changes.</p> <p>Customers in Extra Care highlighted that they had not understood they would be liable for these costs and that this would have a detrimental impact on their income and that they should therefore only be charged when they used the service.</p>	<p>contributions which could lead to reduce use of the service, impacting on the stability of care plans and increasing strain on carers. In addition the Council is reviewing the provision of day services to allow personalised approaches. This is likely to change the model of provision and reduce the costs. For these reason the proposal has been amended to suggest increasing costs over 2 years with the cost for 2013/2014 to be £22 which is a 50% increase in the current maximum change.</p> <p>Should the proposal to ask those with over £23,250 to commission their own services be agreed the Council will continue to have a duty to assess of all those who appear to have social care needs and to offer advice and support in setting up arrangements.</p> <p>Individuals with over the proposed capital threshold who do not have the capacity to make their own arrangements and who do not have family carers will continue to have their care arrangement made by the Council.</p> <p>As more people make their own care arrangement through the use of individual budgets the Council is developing services such as Care with Confidence to support this and these can also be accessed by those who are funding their own care should the proposal that those with over £23,250 should commission their own</p>
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		<p>services be accepted.</p> <p>Work will be undertaken in 2013/2014 to help those who currently have services arranged by the Council and who meet the capital thresholds to set up their own arrangements.</p> <p>Since the policy is based on ability to contribute and individual circumstances legal advice is that there is unlikely to be an issue of equity in the proposal to ask those who can afford it to contribute towards the costs of 2 carer packages</p> <p>Carers needs can be assessed at any time and service arranged directly for the carer. It is proposed that service which are directly provided to the carer should be free of charge.</p> <p>National guidance allows disability related benefits to be taken into account when financially assessing an individuals contribution since these benefits are given to meet care needs.</p> <p>Financial assessment for social care takes account of actual housing costs and income that the individual receives. A revised financial assessment can be undertaken at any time if income or expenditure changes.</p> <p>An assessment has been undertaken on the numbers who may be impacted by both Council tax changes and NRC contribution changes. In the</p>
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		<p>case of younger adults a scheme is proposed to be run by the Council Tax service to deal with cases of hardship. In relation to older people the effect of the proposal to remove the Pensioner Discount could be taken into account in the social care financial assessment if this was required for welfare reasons.</p> <p>Individuals make the decision to move to Extra Care to ensure help is therefore at hand in case of emergency. It would be inequitable to charge those who have a need for hands on care when all tenants are benefitting from the service.</p> <p>If the Council does not take forward the proposals to increase income other service reductions which would impact on residents would require to be considered such as the restriction of social care support to those with critical needs.</p>
Disability	<p>Social care users have critical or substantial needs generally associated with their disability.</p> <p>Some individuals may be required to contribute more.</p> <p>Consultation responses suggested that this could lead to individuals not accessing care until they are at crisis point leading to higher use of residential care. This was felt to be counter intuitive to the prevention and health and well being agenda of the Council.</p> <p>Consultation responses indicated that to increase the level of disposable income taken into account from 95% to 100%</p>	<p>No one will ever be asked to pay more than they are assessed as being able to afford. Contributions are based on the individual's income and expenditure.</p> <p>Specific disability related expenses can be taken account of in financial assessment.</p> <p>Individual circumstances can be taken into account and a decision made to reduce or waive contributions in exceptional circumstances where there are welfare</p>

	<p>would negatively impact on the quality of life of some service users. Whilst it was recognised this left service users with income 25% higher than nationally set minimum income figures it was felt this was used to meet expenditure most people would think of as essential.</p> <p>Consultation responses indicated that paying full cost of day services would result in individuals not accessing the services, destabilising care arrangements, reducing carer support and destabilising day service provision.</p> <p>Consultation responses suggested that asking individuals with over £23,250 to commission their own services would place an inappropriate pressure on family carers</p> <p>Consultation responses highlighted the concern that asking individuals who could afford to do so to meet the costs of 2 carer domiciliary care packages would increase the burden of family carers who would try to cope without a second carer. There was also a concern that this was inequitable.</p> <p>Consultation responses highlighted that the proposals could result in family carers taking more responsibility in the longer term impacting on their own well being and leading to the collapse of family care arrangements.</p> <p>Consultation responses suggested that it was inequitable to take disability related benefits onto account when deciding on an individuals contribution.</p> <p>Consultation responses highlighted that these could a cumulative impact for some individuals if they are affected by Housing Benefit Council tax and general benefit changes.</p> <p>Consultation responses indicated that the removal of the rent allowance for a small</p>	<p>reasons for doing so.</p> <p>No one will be left with an income of less than 25% above government set minimum income levels (the level of income which is required meet all day to day and occasional living expenses). This is in recognition that social care service users are likely to have higher expenditure than other citizen groups.</p> <p>The Council as a whole is committed to addressing prevention and health and well being agendas through all of its services.</p> <p>It was recognised during the consultation that to ask those who can afford to do so to pay the full economic cost of day service would represent a significant increase in contributions which could lead to reduce use of the service, impacting on the stability of care plans and increasing strain on carers. In addition the Council is reviewing the provision of day services to allow personalised approaches. This is likely to change the model of provision and reduce the costs. For these reason the proposal has been amended to suggest increasing costs over 2 years with the cost for 2013/2014 to be £22 which is a 50% increase in the current maximum change.</p> <p>Should the proposal to ask those with over £23,250 to commission their own services be agreed the Council will</p>
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	<p>group of younger disabled people living in family homes would have a significant impact on the quality of life of this group.</p>	<p>continue to have a duty to assess of all those who appear to have social care needs and to offer advice and support in setting up arrangements.</p> <p>Individuals with over the proposed capital threshold who do not have the capacity to make their own arrangements and who do not have family carers will continue to have their care arrangement made by the Council.</p> <p>As more people make their own care arrangement through the use of individual budgets the Council is developing services such as Care with Confidence to support this and these can also be accessed by those who are funding their own care should the proposal that those with over £23,250 should commission their own services be accepted.</p> <p>Work will be undertaken in 2013/2014 to help those who currently have services arranged by the Council and who meet the capital thresholds to set up their own arrangements.</p> <p>Since the policy is based on ability to contribute and individual circumstances legal advice is that there is unlikely to be an issue of equity in the proposal to ask those who can afford it to contribute towards the costs of 2 carer packages.</p> <p>Carers needs can be assessed at any time and service arranged directly for the carer. It is proposed that service which are directly provided to</p>
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	<p>the carer should be free of charge.</p> <p>National guidance allows disability related benefits to be taken into account when financially assessing an individuals contribution since these benefits are given to meet care needs.</p> <p>Financial assessment for social care takes account of actual housing costs and income that the individual receives. A revised financial assessment can be undertaken at any time if income or expenditure changes.</p> <p>An assessment has been undertaken on the numbers who may be impacted by both Council tax changes and NRC contribution changes. In the case of younger adults a scheme is proposed to be run by the Council Tax service to deal with cases of hardship. In relation to older people the effect of the proposal to remove the Pensioner Discount could be taken into account in the social care financial assessment if this was required for welfare reasons.</p> <p>In relation to the removal of the rent allowance there is an allowance in the financial assessment which is designed to meet board and lodgings costs and in addition any rent costs which are incurred are allowed for.</p> <p>To treat the group of users receiving rent allowance</p>
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		<p>differently would be inequitable to other service user groups and could lead to judicial review since the policy would not comply with national guidance.</p> <p>If the Council were to offer this allowance to all its service users this would significantly reduce income and would result in social care support only being able to be offered to those with critical needs.</p> <p>If the Council does not take forward the proposals to increase income other service reductions which would impact on residents would require to be considered such as the restriction of social care support to those with critical needs.</p>
Sex	<p>More users of social care are female.</p> <p>Some individuals may be required to contribute more.</p> <p>Consultation responses suggested that this could lead to individuals not accessing care until they are at crisis point leading to higher use of residential care. This was felt to be counter intuitive to the prevention and health and well being agenda of the Council.</p> <p>Consultation responses indicated that to increase the level of disposable income taken into account from 95% to 100% would negatively impact on the quality of life of some service users. Whilst it was recognised this left service users with income 25% higher than nationally set minimum income figures it was felt this was used to meet expenditure most people would think of as essential.</p>	<p>No one will ever be asked to pay more than they are assessed as being able to afford. Contributions are based on the individual's income and expenditure.</p> <p>Specific disability related expenses can be taken account of in financial assessment.</p> <p>Individual circumstances can be taken into account and a decision made to reduce or waive contributions in exceptional circumstances where there are welfare reasons for doing so.</p> <p>No one will be left with an income of less than 25% above government set minimum income levels (the</p>

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Race	No specific impact	
Religion/ Belief	No specific impact	
Marriage and	No specific impact	

Civil Partnership		
Pregnancy and maternity	No impact	
Gender reassignment	No impact	
Community Safety	No impact	
Sexual Orientation	No impact	
Poverty	<p>Many users of social care services are on fixed incomes such as pensions and disability benefits.</p> <p>Consultation responses suggested that this could lead to individuals not accessing care until they are at crisis point leading to higher use of residential care. This was felt to be counter intuitive to the prevention and health and well being agenda of the Council.</p> <p>Consultation responses indicated that to increase the level of disposable income taken into account from 95% to 100% would negatively impact on the quality of life of some service users. Whilst it was recognised this left service users with income 25% higher than nationally set minimum income figures it was felt this was used to meet expenditure most people would think of as essential.</p> <p>Consultation responses indicated that paying full cost of day services would result in individuals not accessing the services, destabilising care arrangements, reducing carer support and destabilising day service provision.</p> <p>Consultation responses indicated that asking individuals with over £23,250 to commission their own services would place an inappropriate pressure on family carers.</p> <p>Consultation responses highlighted the concern that asking individuals who could afford to do so to meet the costs of 2 carer domiciliary care packages would</p>	<p>Whilst the changes are being proposed at the same time as potential impacts of changes to benefits and housing benefit are being proposed the way contributions are calculated will take these changes into account.</p> <p>No one will ever be asked to pay more than they are assessed as being able to afford. Contributions are based on the individual's income and expenditure.</p> <p>Specific disability related expenses can be taken account of in financial assessment.</p> <p>Individual circumstances can be taken into account and a decision made to reduce or waive contributions in exceptional circumstances where there are welfare reasons for doing so.</p> <p>No one will be left with an income of less than 25% above government set minimum income levels (the level of income which is required meet all day to day and occasional living expenses). This is in recognition that social care service users are likely to have higher expenditure than other</p>

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Staff	No impact	