

Warwickshire County Council

Equality Impact Assessment for Further Charging Proposals (May 2011)

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| Directorate | AHCS |
| Service Area | Adult Social Care |
| Policy/Service being affected | Community Care and Residential Care Charging |
| Is this an investment or proposed saving? | A saving – by increasing income |
| Is this proposed saving or investment directly linked to another i.e that an investment in a new or existing service relates to a saving in another area? If so please name the linked proposal. | No. |
| Who is undertaking this assessment? | Chris Norton |
| Date of this assessment | 17 th May 2011 |
| Signature of completing officer (to be signed after the EIA has been completed) | |
| Name and signature of Head of Service (to be signed after the EIA has been completed) | Ron Williamson |
| Signature of DLT Equalities Champion (to be signed after the EIA is completed and signed by the completing officer) | Chris Lewington |
| Is your proposal likely to result in complaints from existing services users and/or members of the public? <p style="text-align: center;">YES</p> | |
| If yes please flag this with your Head of Service and the Customer Relations Team as soon as possible | |

A copy of the Equality Impact Assessment Report including relevant data and information to be forwarded to the Directorate Equalities Champion and the Corporate Equalities & Diversity Team

Form A1

INITIAL SCREENING FOR BUDGET DECISIONS – DO THEY HAVE ANY RELEVANCE OR POSE ANY RISK TO ANY OF THE EQUALITIES GROUPS?



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

Note:

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

| DEPARTMENT: | Relevance/Risk to Equalities | | | | | | | | | | | | | | | | | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| State the service or proposal being assessed: | Gender inc transgender | | | Race | | | Disability | | | Sexual Orientation | | | Religion/Belief | | | Age | | | Priority status For EIA | | |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Reducing subsidies in charges | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reducing income protection floor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Removing charging limit for new customers | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| Are your proposals likely to impact on social inequalities e.g. child poverty for example or our most geographically disadvantaged communities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

For saving proposals complete form A2a below

For investment proposals complete form A2b below

Form A2a – proposed savings**Equality Impact Assessment****Please Explain**

| <u>Stage 1 – Scoping and Defining</u> | | | |
|--|---|-------------------|-------------------------------|
| (1) What are the aims and objectives of service where savings are to be made? | <ul style="list-style-type: none">• To reduce/ remove subsidies from charges to customers.• To introduce methodologies of charging which are fairest across the board.• To charge different client groups different rates for day care, reflecting the differing costs of delivering day care.• To remove anomalies in charging for respite care between residential and carers sitting services | | |
| (2) How does the service fit with the council's wider objectives? | <ul style="list-style-type: none">• Contribution towards savings targets• Promote a fairer charging policies - current subsidies to customers who have the means to pay higher charges means less resources are available to meet the cost of service provision | | |
| (3) What would have been the expected outcomes of the service? Who would have benefited from the service and in what way? | <ul style="list-style-type: none">• Increases in charging income.• Reduction in demand.• Potentially a change in the shape of demand as perverse financial incentives to choose particular services is reduced. | | |
| (4) Does this proposed saving have the potential to directly or indirectly discriminate against any particular group or to compound issues of social inequality? Please identify all groups that are affected | RACE Yes | AGE Yes | GENDER inc Transgender Yes |
| | RELIGION/BELIEF Yes | DISABILITY Yes | SEXUAL ORIENTATION No |

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| <p>(5) Are there any negative impacts on social inequality issues? This includes impacts on child poverty for example or our most geographically disadvantaged communities</p> | <ul style="list-style-type: none"> • This proposal will impact most on those who have the means to pay more and least on those who have the means to pay less, therefore reducing social inequality in the long term. • Those who are most financially disadvantaged pay no charges now and will pay no charges in the future because they will still be protected by the means testing process which will ensure no-customer's income is reduced below the equivalent of income support plus 25% as a result of charges for personal care services, therefore preventing the creation or aggravation of poverty. There are no other changes to the Fairer Charging & Contributions |
| <p><u>Stage 2 - Information Gathering</u></p> | |
| <p>(1) What type and range of evidence or information have you used to help you make a judgement about the cut to this particular service?</p> | <p>The following type and range of evidence information have been used which includes both local and national information –</p> <ul style="list-style-type: none"> • Department of Health – Fairer Charging policies for home care and other non residential social services, government guidance - 2003 • Department of Health – Fairer Contributions Guidance: Calculating an individual's contribution to their personal budget • S2(1) (a) Chronically Sick and Disabled Persons Act 1970 and/or under s21 National Assistance Act 1948 • Department of Health - Charging for Residential Care Guidance (CRAG) regulations • Warwickshire's Personalisation and Transformation of Adult Social Care programme • Warwickshire's existing charging policies • Data collection and statistical analysis of current and projected service usage, current and future demographics, costs of services and charges to customers, identifying potential financial impact of increased charges on new/existing customers. |

(2) Have you been able to use any consultation data to help make this decision, if so what?

There was an initial three month public consultation on the principles underpinning the Charging Review for community care charges following Cabinet's initial decision on 17th June 2010. This was an extremely comprehensive form of consultation, the details of which are outlined in the previous EIA for that decision. As a result of this consultation, it was decided to undertake a further review of day care and transport charges on the basis that the original proposals could not constitute an equitable application of charging based on the circumstances of the customer base.

The current proposals for day care/transport charging have been designed specifically from the point of view of greater equity and this will be tested through a follow-up six week consultation period mainly through a form of questionnaire made available to all customers and their carers.

The proposals around Carer Sitting services are also designed for greater fairness as they remove an anomaly between existing respite services and are in line with the approach taken by other authorities,. Again, there will be specific consultation with the customer and carer group affected.

There is no consultation proposed in relation to the change around residential care charging as this is aimed at new applicants for service only who will have alternative lesser cost elsewhere.

The results of consultations will be brought back for final decision by the Portfolio Holder and the analysis will bring out elements of the results which relate to potential areas of discrimination in this EIA.

Stage 3 – Making a Judgement

1) From the evidence above is there any adverse or negative impact identified for any particular group?

- Information systems hold information about gender and client type (i.e. disability or need type).
- For younger adults the changes impact on people with disabilities and do not impact on people without disabilities.
- In older people it will impact more on women simply because more customers are women, but it does not appear to impact disproportionately for women.
- It impacts more upon older people with disabilities than it impacts upon younger adults with disabilities. This is because this group has the higher level of resources.
- Those with more severe needs and the means to pay charges will be more impacted upon as their chargeable services will be higher in the first place.
- Those people opting to enter Warwickshire's residential homes on full cost will be adversely impacted compared to those already in the homes who will continue to be charged the reduced rate
- The higher day care charges for customers with learning disabilities will mean that these groups could be more adversely affected than elderly people. However, the financial impact analysis shows that very high percentage (92%) will receive no increase as a result of these proposals although 4% will be affected at the highest levels (£2,000+ p.a)
- There is no evidence of a negative impact by race simply because charging information systems do not hold this information, but there is no feedback from the consultation of any concerns about any adverse impact in this respect.
- People in certain religious/cultural groups are more likely to choose day care as a form of service(as opposed to home care) and may therefore receive an impact. However, these proposals need to be viewed in association with the previous decisions on home care where agreement has already been given to moving to full cost.

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| <p>(2) If there is an adverse impact, can this be justified?</p> | <ul style="list-style-type: none"> ▪ The fact that this impacts on people with disabilities and does not impact on people without disabilities is simply because people with disabilities are the customer base of adult social services and people without disabilities are not. This therefore is a justifiable impact. ▪ The fact more women may be impacted is in accordance with the higher proportions in the customer base. ▪ People with more significant disabilities plus more significant savings and income will be more affected but this is because higher needs equates to higher services which equates to higher cost and therefore higher charges. This is justifiable on the grounds that to not charge the same rates for people with higher needs would be to the detriment of those with lower needs who would then be subsidising higher need customers. However, the assessment process does take account of disability related expenditure which would not be offset for those who cannot justify such costs. ▪ Those new entrants into Warwickshire's residential homes who may be adversely impacted do have alternative choices of externally commissioned homes at, potentially the same overall rates as those current customers in internal homes will continue to pay i.e. the impact is avoidable. ▪ The negative impact on people with moderate incomes is a justifiable effect of the reduction in low income threshold to a level used by other councils and which is in line with Government guidance. |
| <p>(3) if there is an adverse impact on social inequalities can these be justified?</p> | <p>There is a positive impact on social equalities in that the poorest are the least affected and those with the most means are the most affected.</p> |

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| <p>(4) What actions could be taken or have been taken to reduce or eliminate negative or adverse impact?</p> | <ul style="list-style-type: none"> ▪ Maintaining a charging floor that protects customers to the level of income support plus 25% ▪ Increasing the level of charges gradually to full cost, and making this process more gradual than was originally proposed. ▪ The client based approach to day care charging and the banded approach to transport charging means that as far as possible, there would now be an equitable method of charging to full cost in these areas ▪ The introduction of charging for carer sitting services means that those taking up residential options for respite would no longer be adversely affected. |
| <p>(5) Is there any positive impact?</p> <p>Does it promote equality of opportunity between different groups and actively address discrimination?</p> | <p>The main positive impact is meeting savings targets in a way that impacts on the income and wealth of those customers who have the means to pay more charges which is a far better impact than the alternative which would be to raise criteria for services and therefore increase unmet need.</p> |

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| <u>Stage 4 – Action Planning, Review & Monitoring</u> | | | | | |
| If No Further Action is required then go to – Review & Monitoring (1)Action Planning – Specify any action which could be taken to mitigate or eradicate negative or adverse impact on specific groups, including resource implications. | EIA Action Plan | | | | |
| | Action | Lead Officer | Date for completion | Resource requirements | Comments |
| | Further work is needed to assess the impact of charging full cost for Carer Sitting Services | Ron Williamson | May/June 2011 | Financial systems and reporting | |
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| (2) Review and Monitoring State how and when you will monitor the impact of this proposed saving | <ul style="list-style-type: none">▪ Monitoring of the impact across client groups▪ Monitoring of the impact of charges in relation to potential withdrawal from service▪ Monitoring of the impact on carers groups Through annual review to Overview & Scrutiny Committee | | | | |

Please annotate your proposed saving with the following statement:

‘An Equality Impact Assessment on this proposed saving was undertaken on (date of assessment) and will be reviewed on date (one years from the date it was assessed)’.