

INITIAL EQUALITY IMPACT ASSESSMENT AND ANALYSIS **(EqIAA)**

REVIEW OF ADULT SOCIAL CARE CHARGING POLICY **JANUARY 2020**

Section 1: Introduction

The Council is reviewing the adult social care charging policy for 2020 onwards and as part of this has identified a way to clarify provision with day care service provision and a need to charge fully funding clients (self-funders) of community-based services in order to fund the administration of the arrangement of these services and provision. Community-based services includes domiciliary care (home care), attendance at day care services and Choices4U and Breakthrough mentoring. These community-based service charges do not apply for people in nursing or residential homes.

The council has a statutory duty to consider the impact of its actions in relation to the following protected characteristic groups: -

1. Age
2. Disability
3. Gender Reassignment
4. Marriage and Civil Partnership
5. Pregnancy and Maternity
6. Race
7. Religion or Belief
8. Sex
9. Sexual Orientation

This document forms part of consultation information and the council wishes to hear and proactively consider any comments in relation to how any aspect of the options presented may impact on any sections of the community as listed above.

Any feedback in relation to equalities and/or any point raised within this document will inform a full Equality Impact Assessment and Analysis (EqIAA) relating to the review of the adult social care charging policy for the provision of support services in the community.

Local Authorities have the discretionary power under the Care Act 2014 to charge for the care services they provide. The overarching principle is that people should only be required to pay what they can afford.

South Gloucestershire Council (the Council) would not be able to provide services to the number of people it does without raising income by charging those clients who can afford to pay.

The Council sets out its charges for adult social care services in the Fees and Charges Policy and annually reviews this to ensure compliance with regulations and to ensure the process of charging is fair and effective.

This latest review takes into consideration the Care Act 2014 and updates the Council's Fees and Charges Policy accordingly.

The primary objective of this review and policy change is to ensure that the policy and processes behind it are Care Act 2014 compliant. Other objectives include the need to simplify and clarify processes for clients and staff, to align these processes and charges with neighbouring authorities where possible and to improve provider/council payment efficiency.

Section 2: Proposed Changes

This document describes an initial assessment of equalities impacts in relation to the following proposals:

1. **Day care** is currently split between Dementia, Learning Difficulties and 'Other' with three different rates. 'Other' day care provision includes services that cater for multiple disabilities.

The change proposed is to have **one rate** at the current Dementia cost of £96.30 per day. This would mean a reduction for clients accessing and funding their Learning Difficulties provision of £81 per day. It would mean an increase for 'Other' service self-funding recipients of £30.10 per day.

2. Arrangement and maintenance of **Community Based Support Services** as listed above are proposed from 1st June 2020 to have the **following charges** applied for new 'self-funders' (those clients who are able to fully fund their care from non-property means):
 - A £295 arrangement fee
 - A £75 annual administration charge
 - A £295 mid-year provision change arrangement fee when a change is 'instigated' by the client (and not due to a social care decision or a provider led change).

Please note: all of these charges **would not be** retrospectively applied; current self-funders would not be charged these fees for current service provision in place or for any new service added to their current provision.

The changes would only be applicable for 'new' clients to the council (those clients who in the last 3 months has not received a social care service for which they are charged by the Council).

Section 3: Consultation

A period of formal consultation will begin on 21 January 2020 and is proposed to end on the 17 March 2020; this will include targeted and whole populace consultation. We want to make sure that all relevant clients of current services, future clients, family and dependents are aware of the proposed changes; as well as staff and partner organisations as required.

This initial Equality Impact Assessment will be published for comment and sit alongside proposals. After the consultation, this will be reviewed and updated into a full Equality Impact Assessment if required.

Relating data collated to ascertain the likely equality impact of these proposals is shown below.

Proposal 1: Merging the day care service rate into 1 charge of £96.30 instead of the current 3 different prices.

All the community-based services were reviewed to determine whether the price charged was correct and as can be seen from the schedule of prices below, only day care service provision is proposed to change, see below.

Charges to clients for services commissioned on their behalf*			
Area	Level / Type	2019-20*	Proposed 2020 onwards for new clients only*
Day Care (per day)	Dementia	£96.30	£96.30
(Also known as Building based support)	Learning Difficulties	£177.30	£96.30 (a reduction)
	Other (Specialist physical/social/memory cognition/sensory services)	£66.20	£96.30 (an increase)
	All types		£96.30
Domiciliary Care (per hour)	Community Based Support	£19.92	No change
Extra Care Housing (per week)			
Users before 5 Sep 2016	Low	£45.30	No change
	Medium	£132.00	No change
	High	£258.60	No change
Users from 5 Sep 2016	Entry	£32.80	No change

	Low 1	£103.30	No change
	Low 2	£169.20	No change
	Medium 1	£235.10	No change
	Medium 2	£296.20	No change
	High 1	£389.20	No change
	High 2	£521.70	No change
Charges for services purchased from Adult Social Care			
			Proposed 2020 onwards for new clients only
Area	Level	2019-20	
Residential Care	Alexandra Way	£707.30	No change
Choices 4 You	Full day – no support worker	£46.60	No Change
	Half day – no support worker	£23.20	No change
	Full day – brings own support worker	£34.90	No change
	Half day – brings own support worker	£17.40	No change
Breakthrough	Hourly	£26.60	No change

**all these 2019/20 & 2020 charges will be subject to annual inflationary increases*

As of 31st October 2019, there was a cohort of 351 clients who were in receipt of day services. The number of self-funders within that total was 11 which constitutes 3% of the total, so had they been 'new' to the Council at a time when the above charges were in place; they would be applicable for the new rate.

In a year, around 120 clients start day care services; consequently, with the 3% estimation for self-funders this would equate to around 4 potential clients who would be subject to the new day rate charges.

The below gives an indication of the Protected Characteristics of the 351 clients.

Group	%
Total number of services users in scope = 351	100%
Gender	
No of female clients	51%
No of male clients	49%

Age	
No. of clients aged 65 or over	43%
No. of clients 18-64 years of age	57%
Disability	
No of clients with a declared disability	
- Access and Mobility	6%
- Physical support Personal Care support	23%
- Visual impairment	Less than 1%
- Hearing impairment	Less than 1%
- Dual impairment	Less than 1%
- Memory and Cognition	12%
- Learning Disability	44%
- Mental Health	4%
Ethnicity	
No of clients (White British)	85%
No of clients (White Other)	Less than 1%
No of clients (Black, Asian and Minority Ethnic – ‘BAME’)	7%
No of clients (Ethnicity not disclosed)	2%
No of clients (Not known, refused)	3%
No of clients (Traveller of Irish heritage)	Less than 1%

Proposal 2: Charging for ‘new’ self-funding clients of community-based provision the following charges:

- an initial administrative fee of £295
- an annual administrative fee of £75
- an ad-hoc £295 ‘mid-year provision’ charge should clients choose themselves to change provider

As previously stated, these changes would only be applicable for ‘new’ clients to the council (those clients who in the last 3 months has not received a social care service for which they are charged by the Council).

As of the 30th November 2019 there were 1,081 clients who receive community-based services.

The figures below show the ‘whole’ cohort of 1,081 clients who receive community-based support. The number of self-funders is 200 which constitutes 19% of the total. The below gives an indication of the Protected Characteristics of the clients.

In a year around 500 clients start community-based support services; with the 19% estimation for self-funders this would equate to around 100 potential new clients who would be subject to the charges.

Group	%
Total number of services users receiving community-based support	1081
Gender	
No of female clients	54%
No of male clients	46%
Age	
No. of clients aged 65 or over	61%
No. of clients 18-64 years of age	39%
Disability	
No of clients with a declared disability	

- Access and Mobility	11%
- Physical support Personal Care support	50%
- Visual impairment	1%
- Hearing impairment	Less than 1%
- Dual impairment	Less than 1%
- Memory and Cognition	5%
- Learning Disability	20%
- Mental Health	10%
Ethnicity	
No of clients (White British)	90%
No of clients (White Other)	Less than 1%
No of clients (BAME)	3%
No of clients (Ethnicity not disclosed)	3%
No of clients (Not known, refused)	1%
No of clients (Traveller of Irish heritage)	1%
Other	Less than 1%

Section 4: Analysis of Equalities Data

4.1 Gender

The data shows that an even split between male and female clients and as such this means that any impact would be proportionate across both sexes.

4.2 Disability and Age

4.2.1 Day services

Regarding Dementia support the proposal maintains current cost and therefore this results in no change. Regarding day care services for Learning Difficulties the proposal reduces the day rate cost significantly and therefore is a positive change particularly considering that 44% of the current cohort have declared a 'learning disability'. Regarding 'Other' services the proposals increase cost. This results in a negative impact in particular for those clients who have multiple impairments.

It is also noted that most clients in receipt of day care services are under 65 and therefore these people would be impacted proportionately more than in comparison with other age groups.

It is noted that as stated previously only new and self-funding clients will be subject to this increase; estimated to be around 4 persons per year which is 3% of the total cohort.

4.2.2 Community-based services

Clients who would experience an impact in regard to proposal 2 are disabled people and are more significantly more likely to be over the age of 65. As proposal 2 would see an introduction of new charges; this would equate to a negative impact in particular for older and disabled people who are statistically likely to be amongst the poorest in society.

In relation to this, these proposed charges would only be applicable to self-funders who have been assessed as able to afford their own care. Our data shows that of the 500 new clients per year for these services, 100 are likely to be self-funders and could be liable for these charges; however it would be on the basis of a proactive discussion and decision by the client enabling an informed choice to pay these charges.

4.3 Ethnicity

Regarding day care services, it is noted that clients from BAME backgrounds are slightly over-represented when compared to the South Gloucestershire population and in regard to the community-based services the proportion is slightly less than the South Gloucestershire population overall percentages.

These differences are slight and do not represent a statistically significant difference. As such it is likely that the proposals would not result in a disproportionately negative impact in regard to any ethnic group.

4.4 Other Protected Characteristics

This initial EQIAA had not identified any potential for negative or positive impact in relation to the Protected Characteristics of Gender Reassignment, Sexual Orientation, Marriage & Civil partnership or Pregnancy or Maternity. All feedback in regard to this is welcome as part of the consultation process.

Section 5: Outcome

There is no outcome at present as this initial EQIAA is part of consultation and any feedback received will be included in a final version.

Section 6: Actions to be taken as a result of this Equality impact Assessment

Leading up to and during the formal consultation period the project team will ensure all relevant current clients are informed of the possible changes and support to provide feedback for consideration during the consultation. Staff who work in hospitals and the community who have front line experience with these clients will also be actively targeted for their views on impact and equality issues. Forums including the Over 50s and Disability Equality Network will also be approached for feedback.

Any changes will be reviewed on an annual basis for impact both on individuals and equality groups to seek to minimise any disproportionately negative consequences of these changes.

An updated EqIAA will be prepared after the formal consultation setting out any equality issues that were raised relevant to protected characteristic groups and any mitigations to be made.