

Everyone different, everyone matters



Equality & Community Cohesion Impact Assessment (EIA)

Directorate: Adult Services and Wellbeing

Service Area: Adult Social Work

Lead Officer: Sean Cook

Date completed: June 2023

Service / Policy / Function or Procedure to be assessed:

The Overarching Charging Policy

- 1. Charging Policy for Residential Care Services for Adults**
- 2. Charging Policy for Community Based Services for Adults**
- 3. Debt Recovery Policy for Adult Social Care**
- 4. Direct Payments Policy for Adults**

Is this: New / Proposed Existing/Review Changing (Please tick appropriate box)	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Review date:
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Part A - Initial Assessment to determine if a full Impact Assessment is required

What are the aims and objectives/purpose of this service, policy, function or procedure?

Adult Services and Wellbeing (ASW) are reviewing and developing the Adult Social Care Charging Policies. Officers are working with financial analysts, who bring with them appropriate experience and knowledge to facilitate a review of the overarching Charging Policy which will be published and accessible through the Council website.

ASW has a duty to arrange care and support for those with eligible needs and a power to meet both eligible and non-eligible needs. This applies to adults aged 18 years or over who require support to perform some day-to-day activities because of age, illness, disability or any significant change in their life. The Care Act, 2014, provides a single legal framework for charging and enables a Local Authority to charge a person when arranging to support a person's care and support. This is set out in Section 14 and 17 of The Care Act, 2014.

The aim of the overarching Charging Policy is to provide a consistent and equitable framework for charging people who receive care and support, following an assessment of their individual needs and financial circumstances.

The overarching Charging Policy will cover:

1. Charging Policy for Residential Care Services for Adults
2. Charging Policy for Community Based Services for Adults
3. Debt Recovery Policy for Adult Social Care
4. Direct Payments Policy for Adults

The overarching principle is that where a person is required to pay for care and support, they should pay only what they can afford. Some people will be entitled to financial support on a means-tested basis and some people will be entitled to receive free care and support. The overarching Charging Policy will provide information on this. ASW will also make the person, or their representative, aware of the availability of independent financial information when required.

The overarching Charging Policy is based on the following principles:

- Charges are affordable
- be clear and transparent
- promote well-being, social inclusion, support personalization
- be comprehensive and equitable
- support carers
- independence, well-being and choice

- be sustainable for Calderdale Council
- apply the charging rules equitably
- be person-focused
- encourage employment, education or training
- an appropriate assessment of care and support needs has been carried out and The Council has chosen to charge.

The demand for services is set to increase significantly over the coming years due to our ageing population as is the number of people with complex needs. Therefore, we need to ensure that everyone pays an appropriate amount for the care and support they receive – based on their ability to pay and to help ensure the future sustainability of care and support services provided by Calderdale Council. As a result, ASW is reviewing its overarching Charging Policy to ensure that it is:

- relevant
- equitable
- clear and easy to understand
- fit for purpose
- provides necessary guidance and procedures to be followed.

Please indicate its relevance to equality by selecting yes or no

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment	Yes	
Advancing equality of opportunity	Yes	
Fostering good community relations	Yes	

If not relevant and this is agreed by your Head of Service, the Impact Assessment is now complete - please send a copy to your Directorate Equality Champion & to the Cohesion and Equality Team. **If relevant**, a full Impact Assessment needs to be undertaken (PART B below).

PART B: Full Impact Assessment

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

What outcomes are sought and for whom?	ASW will develop a strengthened overarching Charging Policy to ensure clarity, equity and consistency is applied for everyone. The Care Act
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	<p>2014 gives councils a discretionary power to charge adult recipients of residential and community services. The main principle to be applied in this Policy is that charges will be based on the full cost of the service and that individuals will pay 100% of this charge where they can afford to do so.</p> <p>This Policy will ensure that Calderdale's overarching Charging Policy is reasonable and is demonstrably fair between different clients and that the overall objectives of social care, to promote the independence and social inclusion of clients, are not undermined.</p>
Are there any associated policies, functions, services or procedures?	<p>The Care Act 2014 gives local authorities powers to charge for care and support to cover the costs they incur when contracting for care and support. Local authorities have discretion to set their own charging policies subject to national guidance and can charge up to the actual cost to the local authority of care to meet assessed needs.</p> <p>The legislation, regulations and guidance that apply within this policy are;</p> <p>The Care Act 2014 CMBC Community Charges Booklet Equality and Diversity Policy statement</p> <p>The Care and Support (Charging and Assessment of Resources) Regulations 2014</p> <p>Care and Support Statutory Guidance</p>
How will this service be delivered? (e.g. direct service delivery, commissioned/outsourced etc)	<p>Direct Service delivery. Internal Adult Social Work will work with the Charging and Assessment Team to deliver this.</p>

If partners (including external partners) are involved in delivering the service, who are they?	N/A
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Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the ‘equality strands’, i.e. age, disability, gender identity, race, religion or belief, sex, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

The Care Act 2014 gives local authorities powers to charge for care and support to cover the costs they incur when contracting for care and support. Local authorities have discretion to set their own charging policies subject to national guidance and can charge up to the actual cost to the local authority of care to meet assessed needs. The main principle to be applied in this Policy is that charges will be based on the full cost of the service and that individuals will pay 100% of this charge where they can afford to do so.

This Policy will ensure that Calderdale’s overarching Charging Policy is reasonable and is demonstrably fair between different clients and that the overall objectives of social care, to promote the independence and social inclusion of customers, are not undermined.

The overarching Charging Policy is in need of a full review since the Care Act was implemented in 2015.

Has there been any consultation with, or input from, service users, staff or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven’t consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

In line with Calderdale Council's priority to ensure that care in Calderdale is inclusive, compassionate and enables everyone to live the fullest life possible and the publication of the Equal Care 'Buying our Care, Experiences, Grievances and Hurdles Report' 2022 we will strive to ensure that recommendations are followed.

The Equal Care Report, recommendations include the need for:

- more personalised and tailored assessments of the needs of people receiving care, with a recognition of backgrounds, interests, and current and former wishes and aspirations.**
- Greater involvement of individuals and their families in all stages of care, including assessments and forming support plans and a stronger voice in the care provided, ensuring everyone is aware of their rights**
- Effective training and support for social and care workers in to providing culturally appropriate support, with a focus on religious practice, customs and language**

It is essential that the overarching Charging Policy goes to public consultation for people we support, carers and staff to feedback. Consultation on the proposal will take place from the 28/09/23 for a period of 4 weeks. The consultation will take place on the Council's webpages. This is a developing proposal to agree an overarching Charging Policy. The proposed policies will provide a much-needed guide and clear pathway for applying charges in an equitable approach. It is important that people have access to clear information to gain an understanding of overarching Charging Policy. We recognise that people may need information in different languages and formats, and these will be provided upon request within a reasonable timeframe.

Step 3 – Identifying the impact

a. Is there any impact on individuals or groups in the community?

(think about age, disability, gender identity, race, religion or belief, sex, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups)

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimize or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

	Barriers/Impacts identified	Solutions (ways in which you could mitigate the impact)
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<p>Age (including children, young people and older people)</p>	<p>.</p> <p>Delays in undertaking Financial Assessments – impact on debt.</p> <p>Older people may appear disproportionately affected as they make up the majority of individuals likely to access services of ASW and are more likely to be on a fixed income so paying for services may have more of an effect on this group.</p> <p>All age groups could be affected with rises in costs of living.</p>	<p>All residents will have a timely and equitable financial assessment to determine their charge for services.</p>
<p>Disability (including carers)</p>	<p>People with disabilities may be disproportionately affected as they make up a significant percentage of users of ASW</p>	<p>All residents will have a timely and equitable financial assessment to determine their charge for services</p> <p>Further mitigation relating to those severely disabled?</p>

Race (including Gypsies & Travellers and Asylum Seekers)	<ul style="list-style-type: none"> • Possible language barriers between individuals and staff members if English is not the first language. • Minority ethnic communities may experience Members of the barriers due to poor previous experience /confidence • Social isolation – lack of understanding of how services work/operate • Travellers / Gypsies may be transient • community may not have confidence in or want to use the service due to cultural/family values • Uptake may be lower from communities who are from deprived areas with higher levels of poverty And or those that do not wish to disclose their finances and thus become full charge. 	<p>Utilize translation service as appropriate.</p> <p>Use inclusive publicity to market the service.</p> <p>Work with colleagues and community groups to increase public confidence in services and ensure services can meet the changing needs of communities.</p> <p>Ensure that individuals are aware of the consequences of not engaging in the financial assessment and or not disclosing their financial details.</p>
Religion or Belief (including people of no religion or belief)	<p>No adverse impact identified at this time.</p> <p>Impact in relation to future clients:</p> <ul style="list-style-type: none"> • Members of some faith communities may not have confidence in or want to use the service due to faith needs/cultural or family values 	<p>Work with colleagues and community groups to increase public confidence in services and ensure services are able to meet the changing needs of communities.</p>
Gender Re-assignment (those that are going through transition: male to female or female to male)	<p>No adverse impact identified at this time but need to consider</p>	<p>Work with colleagues and community groups to increase public confidence in services and ensure</p>

	<p>Is there sufficient awareness of Gender Reassignment with those completing the assessments</p> <p>No adverse impact identified at this time.</p> <p>Impact in relation to future clients:</p> <ul style="list-style-type: none"> Continued uptake may be lower as there may be a perception that the service may not be able to meet the needs of the trans community and therefore, the individual does not wish to continue. 	<p>services are able to meet the changing needs of communities.</p> <p>To ensure that the market is stimulated to develop organic community services for individual and tailored groups and interests.</p>
Pregnancy and Maternity	<p>No adverse impact identified at this time.</p>	
Sex (either male or female and including impact on men and women)	<p>No adverse impact identified at this time</p>	.
Sexual orientation (including gay, lesbian, bisexual and heterosexual)	<p>No adverse impact identified at this time.</p> <p>Impact in relation to future clients:</p> <p>Continued uptake may be lower as there may be a perception that the service may not be able to meet the needs of the LGBT community.</p>	<p>Work with colleagues and community groups to increase public confidence in services and ensure services are able to meet the changing needs of communities.</p> <p>To ensure that the market is stimulated to develop organic community services for individual and tailored groups and interests.</p>

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b. Is there/will there be any impact on staff?

(think about the diversity of the workforce delivering the service and relevant training and development needs)

Employee Characteristic	Barriers/Impacts identified	Solutions (ways in which you could mitigate the impact)
Age	This is a service driven review of overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Disability	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Gender reassignment	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Pregnancy & Maternity	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.

Marriage and Civil Partnership	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Race	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Religion or Belief	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Sex	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.
Sexual Orientation	This is a service driven review of the overarching Charging Policy - no adverse staffing impact identified at this point in time.	Management to ensure that staff have the appropriate and relevant training to assist them with new developments.

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

A collaborative approach between Adult Social Work and Charging and Assessment Team supports close and effective working and will aid production of an updated guidance regarding the financial assessment process and information packs that can be shared with customers.

The overarching Charging Policy is a lengthy and technical document by nature of its content – a more accessible version can be developed and reviewed to make it easier for people in different ways focusing on an easy read version if required.

Step 5 – Monitoring

How are you going to monitor the existing service, policy, function or procedure?

- Feedback from users and families
- Outcome of Care Charging Assessments and Reviews
- Payment delays

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
New people entering the service	Further update and refresh of information held via Business Intelligence to ensure that the list remains reflective of the circumstances.	Team Manager, Charging Assessment Team	In situ prior to any formal Consultation going Live.
Financial review – To ensure that the information held is correct and this is then updated as part of the regular, annual Review.	Charging Team to conduct Financial Review as part of core function when alerted.	Team Manager, Charging Assessment Team	On-going
Ensure effective and inclusive communication to those affected as part of the Consultation and publicity for future individuals accessing Services.	Ensure reasonable adjustments are considered and put in place as appropriate to address communication barriers or understanding of the proposals	Allocated Social Worker	Throughout consultation and assessment

Proposal is to review monthly for the first 6 months and then quarterly		Principal Social Worker	
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EIA approved by:

Relevant Head of Service: Sean Cook	Date: June 2023
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Please send an electronic copy of the EIA to the Cohesion and Equality Team and unless the EIA contains sensitive or confidential information ensure the document is uploaded to the EIA Register on the Intranet.

A brief summary of the EIA will be placed on the Council's website.

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