

Full Equality Impact Assessment

Name of project, policy, function, service or proposal being assessed:	Charging for Care and Support
Date assessment completed	09/06/17

At this stage you will need to re-visit your initial screening template to inform your discussions on consultation and refer to [guidance notes on completing a full EIA](#)

1. Introduction

Historically within Bridgend County Borough, the majority of council provided residential and non-residential care services have been chargeable. On 15th March 2016 the Corporate Director of Social Services and Wellbeing's presented a Cabinet report which provided an update and main background to the Social Services & Wellbeing (Wales) Act 2014, as councils are now given discretion to charge for care and support services. Within this report, Cabinet approval was sought to undertake a formal consultation exercise to inform a new charging policy for residential care and update the non-residential care charging policy in line with the regulations that are laid down in the Social Services & Wellbeing (Wales) Act 2014.

The initial EIA screening form, completed on 18th August 2016, prior to the consultation, identified that a full EIA should be completed within 3 years of screening.

2. Consultation Overview

A public consultation, reviewing the current policy on charging for non-residential care services and formalising a charging policy for residential care services, was undertaken over a 12 week period from 1 December 2016 to 23 February 2017. The consultation elicited 274 interactions from a combination of the consultation survey (214) and social media interactions (60).

The survey was available to complete online through a link on the consultations page of the council's website. Paper copies of the consultation were available to be sent directly to residents upon request in either English or Welsh.

Six questions around paying for care requiring replies from respondents were asked; all other questions in the survey were optional and offered the option of anonymity. The council's standard set of equalities monitoring questions were included in the survey and comments regarding the consultation were invited via letter, email and phone.

The consultation focused on six questions, the full details of which including responses can be seen in the consultation report (appendix 1). The six questions were to elicit opinions on:

1. Continuing to charge for the cost of care and support in a care home and apply an inflationary increase each year;
2. Charging administration fees (on a cost neutral basis) for the arranging of a Deferred Payment Agreement for those in residential care. The council is also proposing to charge interest on any debts secured against an interest in land/property from the date of death;
3. Charging for temporary respite stays in a care home that exceed 8 weeks (but not a permanent stay) under the residential rules;
4. Introducing a (cost neutral) annual fee to cover administrative costs of arranging care and support in a care home with a care provider, when asked to do so. This will only affect residents with savings above the relevant capital threshold (currently £30,000);
5. Continuing not to charge for services directly provided to carers that are provided as a result of a carers assessment;
6. Continuing not to charge for preventative services and services provided in prisons

Promotional tools and engagement methods

Details of the consultation were sent to:

- Elected members
- BAVO, for circulation to their Health Social Care and Wellbeing Network

- Bridgend Public Service Board
- All BCBC care managers and related administration staff

In addition, the consultation was:

- Posted to BCBC’s 6,832 Facebook members; and
- Tweeted to the Council’s 8314 followers

3. Using the consultation data to understand the impact on protected characteristics

214 responses were received in total with 97% stating that they live within the County Borough. 31% of respondents identified themselves as family or friend of a service user and 20% of respondents selected carer. 4% identified themselves as service users with the remaining 39% stating that they would prefer not to say. The age breakdown of respondents to the survey was as follows:

Age	Percentage
Under 34	6
35-44	12
45-54	29
55-64	37

65+	13
Prefer not to say	3
Total	100%

3% of the total respondents identified themselves as having care from preventative or prison based services in the past, with only 1% identifying as receiving long term residential care services. When asked how likely or unlikely they were to bring their service to an end if any of the proposals were introduced, 50% selected likely or very likely; 40% stated neither unlikely nor likely to bring services to an end.

2. Consultation

Action Points	
Who do you need to consult with (which equality groups)?	<p>The council was mindful that the full impact of the proposals would potentially be negative. The council was also mindful that in order to maximise its reach in its communities and the family members of people who use its services, it needed to consider further innovative engagement methods such as</p> <p>The approach adopted by the council is described in the paragraphs above</p>

	<p>social media. Hard copies were also sent to various stakeholders and public sector groups.</p>	
<p>How will you ensure your consultation is inclusive?</p>	<p>The council was mindful that different groups have different needs in terms of accessibility. The consultation was therefore carried out in as inclusive a manner as possible.</p>	<p>The consultation methods comprised of hard copy materials sent the organisations listed in the paragraphs above, and online methods for customers who wished to feedback in a digital environment.</p>

<p>What consultation was carried out? Consider any consultation activity already carried out, which may not have been specifically about equality but may have information you can use</p>	<ul style="list-style-type: none"> • Elected members • BAVO for circulation to their Health Social are and Wellbeing Network • Bridgend Public Service Board • All BCBC care managers and related administration staff • Posted to BCBC's 6,832 Facebook members • Council tweeted its' 8314 followers 	<p>Please see consultation report for full details.</p>
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3. Assessment of Impact

Based on the data you have analysed, and the results of consultation or research, consider what the potential impact will be upon people with protected characteristics (negative or positive). If you do identify any adverse impact you must:

- a) Liaise with the Engagement Team who may seek legal advice as to whether, based on the evidence provided, an adverse impact is or is potentially discriminatory, and**
- b) Identify steps to mitigate any adverse impact – these actions will need to be included in your action plan.**

Include any examples of how the policy helps to promote equality.

Impact or potential impact

The Full Equality Impact Assessment reinforces the detail in the initial screening which is that services are provided to the most vulnerable groups such as disabled and older people and, as such, there will be a greater impact on these protected characteristic groups. However, any agreed changes to the policy will apply across all equality groups. The table below provides the numbers of services provided for residential and non-residential services as at 31st March 2017.

Service	Age Band	
	18-64	65+
Intermediate Services	9	112
Domiciliary Care	188	778
Day Care	85	133
Extra Care	8	31
Meals At Home	12	141
Reablement inc Residential Reablement	15	102
Recreational, Lifelong Learning (DAT's, ILC & Localised Day)	130	27
Supported Accommodation	121	29
Assistive Technology	346	1876
Adaptations	61	47
Direct Payments	137	24
Adult Placements	23	3
Respite	8	14
Adult Residential Care	45	283
Nursing Care	8	131

	1196		3731
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Actions to Mitigate

The current maximum charge for non-residential services is set by Welsh Government at £70 per week and so no one receiving these services would pay more than this amount. For both residential services and non-residential services, people are charged in line with the Social Services & Wellbeing (Wales) Act 2014

Any income raised from charges is used to reinvest into Social Services and without this income stream the council would have to close or reduce services.

Currently the income raised for both residential and non-residential services is around £6.8million: The table below provides the breakdown across each service sector and the potential impact of not receiving the income shown in the number of placements or hours provided.

	Income from charging 16/17	Income equates to/supports:
In-house residential	£1.459m	47 residential placements
Private residential	£1.984m	72 placements
Private nursing	£1.245m	45 placements

placements		
Homecare, Dom care and Day Care	£2.079m	120,000 homecare hours

As a council we are also mindful of the Welfare Reform Act which aims to make the benefit system fairer and reduce poverty, worklessness and welfare dependency. We recognise that this has brought about a significant change to the administration and the distribution of benefits and in turn will have an impact on people's income. Within the Act, discretion is applied across all service areas and there are cases where charges are waived because of the financial circumstances and the responsibilities imposed on the families by their wider caring responsibilities. There are also examples of charges being subsidised across all services to support a person being able to return to a stable living situation.

For example, in learning disability services there are 260 people who live at home with their families. In order to support the caring responsibilities of these families the Council provides a range of services including short break/respite services, day services, and domiciliary services. These services help families to care for their loved one, as well as providing stimulating experiences for the person with a learning disability.

If these support services were removed there would be serious consequences for the families and their ability to continue to care and maintain their routine and employment. There would inevitably

be family breakdowns and crises which would result in the Council having to make expensive emergency placements and arrangements which would be highly costly.

We are also mindful of the hidden financial contribution that carers make. Carers in Wales save the economy £8.1 billion a year by providing the care and support that they do. Research conducted by Carers Wales (Circa 2012) demonstrated that a carer providing just 3 hours of care per week would save services £19,997 per annum.

If we put that into context for Bridgend, the 2011 census told us that of the 17,919 identified carers in Bridgend, 9,553 provide between 1-19 hours of care a week. If these carers were only offering one hour of support per week, the cost of replacing this care with an independent domiciliary care agency, would be in the region of £8 million; we are very aware that many carers are offering high levels of care and support to people each week to people in our community.

Also if carers are not able to meet their own wellbeing needs, they are then at risk of becoming unwell and requiring support services of their own, this is in addition to the support that we would need to provide to the person that they care for.

Under the Welsh Language Standards, EIAs must also consider:

- whether the policy would impact on people's opportunity to a) use the Welsh language in a positive or negative way and b) treat both languages equally;

- how the policy could be changed to have a positive effect or increase the positive effect on a) people's opportunity to use the Welsh language and b) treating both languages equally;
- how the policy could be changed to minimise or remove any adverse effects on a) people's opportunity to use the Welsh language and b) treating both languages equally.

Welsh Language	Impact or potential impact	Actions to mitigate
<p>Identify the impact/potential impact on Bridgend County Borough Council, the Welsh Language, Welsh Culture, Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.</p>	<p>There is not expected to be a positive or negative impact on the Welsh language.</p> <p>The application of and compliance with the Welsh Language Standards (other than those currently under appeal) is now business as usual for the council and there is not expected to be an impact on the Welsh language. However, services will continue</p>	

	to be delivered in Welsh where requested / identified via the active offer.	
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The following Section only applies where there is a potential impact (negative, positive or neutral) on children

United Nations Convention on the Rights of the Child (UNCRC)

The UNCRC is an agreement between countries which sets out the basic rights all children should have. The United Kingdom signed the agreement in 1991. The UNCRC includes 42 rights given to all children and young people under the age of 18. The 4 principles are:

- 1. Non-discrimination
- 2. Survival and development
- 3. Best interests
- 4. Participation

This section of the Full EIA contains a summary of all 42 articles and some will be more relevant than others, depending on the policy being considered however, there is no expectation that the entire convention and its relevance to the policy under review is fully understood. The Engagement Team will review the relevant data included as part of its monitoring process. The EIA process already addresses two of the principle articles which are non-discrimination and participation. This section covers “Best interests” and “Survival and development”.

Some policies will have **no direct impact** on children such as a day centre for older people.

Some policies will have a **direct impact** on children where the policy refers to a childrens’ service such as a new playground or a school.

Some policies will have an **indirect impact** on children such as the closure of a library or a cultural venue, major road / infrastructure projects, a new building for community use or change of use and most planning decisions outside individual home applications.

What do we mean by “best interests”?

The “Best interest” principle does not mean that any negative decision would automatically be overridden but it does require BCBC to examine how a decision has been justified and how the Council would mitigate against the impact (in the same way as any other protected group such as disabled people).

- The living wage initiative could be considered to be in the “Best interests”. The initiative could potentially lift families out of poverty. Poverty can seriously limit the life chances of children.
- The closure of a library or cultural building would not be in the “Best interests” of children as it could limit their access to play, culture and heritage (Article 31.)

Please detail below the assessment / judgement of the impact of this policy on children aged 0 –

18. Where there is an impact on “Best interests” and “Survival and development”, please outline mitigation and any further steps to be considered.

Impact or potential impact on children aged 0 - 18	Actions to mitigate

It is essential that you now complete the action plan. Once your action plan is complete, please ensure that the actions are mainstreamed into the relevant Service Development Plan.

4. Action Plan

Action	Lead Person	Target for completion	Resources needed	Service Development plan for this action
Report to cabinet regarding the outcome of the consultation.	Head of Service Older people/Finance with support from the Consultation and Engagement Team	Within the financial year	Staff Time	Each relevant service area
Develop a charging policy	Head of Finance	Within the Financial year	Staff Time	Each relevant service area

Please outline the name of the independent person (someone other than the person undertaking the EIA) countersigning this EIA below:

Please outline how and when this EIA will be monitored in future and when a review will take place:

The EIA will be monitored annually alongside the annual review of charges, a full review will be undertaken during 2020.

Signed: *S O'Connell* **Date:** *25th September 2017*

Head of Adult Social Care