

EQUALITY IMPACT ASSESSMENT

The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

In addition, the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protect characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council’s commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision-making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council’s Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Charging for Managed Accounts
Service area	Commissioning
Officer completing assessment	Farzad Fazilat
Equalities/ HR Advisor	Lucy Fisher
Cabinet meeting date (if applicable)	June 2019
Director/Assistant Director	Charlotte Pomery

2. Summary of the proposal

Please outline

- *The proposal which is being assessed*
- *The key stakeholders who may be affected by the policy or proposal*
- *The decision-making route being taken*

Introduce charging administration fees for Self Funders

The MTFs for 2023/24 agreed the proposal to introduce administration fees for the management of accounts including for the Department for Work and Pensions (DWP) **appointeeship clients** and clients who are **self funders**. This proposal is necessary in order to ensure the long term sustainability of this service, for which currently no charges are made and which is expected to grow as the number of self-funders seeking arrangement of their care also increases.

A Self-Funder is someone who have assets and savings over £23,250 and are not eligible for LA support and should pay the full cost of their own care and support.

Self-funder receive help with information and advice on arranging care and support.

Currently some self-funders ask the Council to pay for the full cost of your care and they pay us back. This service is currently free of charge; however there is an administration cost to the council related to fee negotiations, payments, billing and collection of funds.

It is proposed that where clients are self-funders and where they have substantial funds and assets and require care and support are charged for the service they receive.

The proposal seeks to support additional income of £55 per year through raising this charge. It is proposed that the charges would be introduced in Autumn 2019.

This paper seeks Cabinet approval to consult with service users, carers and other stakeholders on this proposal.

As the number of Self funder clients increase, the council recognises the administrative costs of managing self funder payments, negotiations and recovery of payments is increasing and there is a need to off-set this increasing cost.

The proposal is to introduce **annual administration fees** comparable to other charges for appointeeship clients.

The proposed fees applicable from 1 October 2019 for self-funder clients is a flat fee of £650 per annum.

Where the self-funder service ends before the date the annual fees are due to be charged then pro rata fees will be calculated.

The above fees are based on Practice Direction 19B Fixed Costs in the Court of Protection. The fees and charges are subject to change by the Court of Protection.

For existing clients as at 01 October 2019 (proposed implementation date) the fee will be introduced for the remaining duration of the year pro-rot.

What will this mean:

The proposal will impact on current self-funder clients where the council manages is currently managing payments for care fees.

Consultation:

This will be necessary if the proposal is to go ahead. Any consultation will need to involve the clients affected to ensure the introduction of administration charges does not have an adverse effect or impact on their wellbeing.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
Sex	Mosaic data of service users	N/A
Gender Reassignment	Current data on service users does not breakdown by gender reassignment.	N/A
Age	Mosaic data of service users	N/A
Disability	Mosaic data of service users	N/A
Race & Ethnicity	Mosaic data of service users	N/A
Sexual Orientation	Current data on service users does not breakdown by sexual orientation.	N/A
Religion or Belief (or No Belief)	Current data on service users does not breakdown by religion or belief.	N/A
Pregnancy & Maternity	Current data on service users does not breakdown by pregnancy and maternity.	N/A
Marriage and Civil Partnership	Current data on service users does not breakdown by marriage and civil partnership.	N/A

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

See 5.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqIA guidance

Consultation will be developed and involve current service users who are receiving this service free as well as wider group of people who use Adult Services.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision-making process, and any modifications made?

N/A at this stage.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqIA guidance

Those affected will be either current or future service users of Adult Social care and where the council provides a free administration for care provisions.

	African	Any other Asian background	Any other Black / African / Caribbean background	Any other mixed / multiple ethnic background	Any other White background	Arab	Caribbean	English / Welsh / Scottish / Northern Irish / British	Irish	Other	Undeclared / Not known	Grand Totals
F	2	1	2	1	8	1	10	25	1	1	4	56
18-64		1					2					3
65+	2		2	1	8	1	8	25	1	1	4	53
M			1		1		8	15			4	29
18-64							2	1				3
65+			1		1		6	14			4	26
Grand Total	2	1	3	1	9	1	18	40	1	1	8	85

1. Sex

As of 23 April 2019, there are 85 service users who are self-funders whose assets and saving is above £23,500. There were 56 (66%) female and 29 (34%) male users. This proposal will therefore impact a larger proportion of females. This is higher than the wider population receiving adult social care, where females are over-represented. 1881 Adult Social Care Service Users were female (54%) and 1625 were male (46%).

2. Gender reassignment

Data on gender reassignment among self-funders is not available, so it is therefore not possible to say whether this group is more likely to be self-funders or not. While there is not data to suggest that transgender people are more likely to be recipients of adult social care, according to the charity Stonewall this group is more likely to lack support from their families, and therefore could be self-funders

During the consultation we will try to capture information from people who identify as transgender, to minimise any disproportionate impact the proposed changes could have on this group.

3. Age

As of 23 April 2019, there are 85 service users who are self funders whose assets and saving is above £23,500. Age group of 65+ are 99% of this group. It should be noted that this age group is also over-represented in the wider cohort of Adult Social Care users: of the 3514 Adult Social Care Users, 2038 are 61+ (58%).

4. Disability

Care and support is provided to vulnerable adults all of whom have a disability. Adults who receive this service and where they have asked the council to make payments to providers of care on their behalf will be affected by this proposal.

During the consultation we will try to capture information from people with a disability, to minimise any disproportionate impact the proposed changes could have on this group.

5. Race and ethnicity

As of 23 April 2019, there are 85 service users who are self funders whose assets and saving is above £23,500.

	African	Any other Asian background	Any other Black / African / Caribbean background	Any other mixed / multiple ethnic background	Any other White background	Arab	Caribbean	English / Welsh / Scottish / Northern Irish / British	Irish	Other	Undeclared / Not known	Grand Total
Grand Total	2	1	3	1	9	1	18	40	1	1	8	85
	2%	1%	4%	1%	11%	1%	21%	47%	1%	1%	9%	100%

The impact of this proposed change will impact across all ethnicity groups, however, there is likely to be a greater impact for the following groups: **English / Welsh / Scottish / Northern Irish / British** (47%) and any other white (11%) and Caribbean (21%) This is expected as these groups

are predominant in the people being provided Adult Social Care.

During the consultation we will try to capture information from people from different ethnic groups, to minimise any disproportionate impact the proposed changes could have on this group.

6. Sexual orientation

Data on sexual orientation among self-funders is not available, so it is therefore not possible to say whether this group is more likely to be self-funders or not. There is not data to suggest that LGBT people are more likely to be self-funders, and therefore this group is not expected to be disproportionately impacted by the proposal.

During the consultation we will try to capture information from LGBT residents, to minimise any disproportionate impact the proposed changes could have on this group.

7. Religion or belief (or no belief)

Data on religion or belief among self-funders is not available, so it is therefore not possible to say whether this group is more likely to be self-funders or not. There is not data to suggest that people of certain faiths are more likely to be self-funders, and therefore the proposal is not expected to have a disproportionate impact on this area.

During the consultation we will try to capture information from people of different religions, to minimise any disproportionate impact the proposed changes could have on this group.

8. Pregnancy and maternity

Data on pregnancy and maternity among self-funders is not available, so it is therefore not possible to say whether this group is more likely to be self-funders or not. However, given that the majority of Self Funders are aged 61+, there is not an expectation that this group is more likely to be self-funders, and therefore the proposal is not expected to have a disproportionate impact on this area.

9. Marriage and Civil Partnership

Data on marriage and civil partnership status among self-funders is not available, so it is therefore not possible to say whether one group is more or less likely to be self funders. There is not data to suggest that those in a marriage or civil partnership are more likely to be self funders, and therefore this group is not expected to be disproportionately impacted by the proposal.

10. Groups that cross two or more equality strands e.g. young black women

Older people with a disability are more likely to be impacted by the proposed changes, therefore during the consultation we will try to capture information from people from this group, to minimise any disproportionate impact the proposed changes could have on them.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- **Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?**
- **Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?**

This includes:

- a) Remove or minimise disadvantage suffered by persons protected under the**

Equality Act

- b) Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups
 - c) Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low
- Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?

Implementation of this proposal would affect current and future adult social care service users aged 18 and over, where the council is asked to pay for care fees and bill the clients accordingly.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EqIA guidance

Outcome	Y/N
No major change to the proposal: the EqIA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>	N
Adjust the proposal: the EqIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly <u>set out below</u> the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below	N
Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.	N

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which relevant protected characteristics are impacted?	Action	Lead officer	Timescale
Potential impact on income for any resident affected.	All subject to individual assessment and engagement with individual on any potential impact.	Raj Darbhanga	From date of implementation and ongoing.

Please outline any areas you have identified where negative impacts will happen as a result of the proposal, but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

N/A

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

We will keep details of all individuals assessed for charging and monitor any impact.

7. Authorisation

EqlA approved by

Christine Kavanagh
(Assistant Director/ Director)

Date 18th January 2019.

8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EqlA process.