

KENT COUNTY COUNCIL
EQUALITY IMPACT ASSESSMENT (FINAL v2)

Please read the EIA GUIDANCE and the EIA flow chart available on KNet.
This form dated 17/12/2010 supersedes all previous EIA/ CIA forms

Directorate:

KASS

Name of policy, procedure, project or service

For example, Flexible Working policy

Non - Residential Charging Policy

Type

What are you impact assessing, a policy procedure or service?

Policy

Responsible Owner/ Senior Officer

Provide the name of the senior officer or manager responsible for the policy, procedure, project or service

Janice Grant, Senior Policy Manager

Date of Initial Screening

Please provide the date of your initial screening

14th February 2011

Screening Grid

Characteristic	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Provide details: a) Is internal action required? If yes, why? b) Is further assessment required? If yes, why? c) Explain how good practice can promote equal opportunities
			Positive	Negative	
Age	Yes	No Whilst the increases in charges will not be welcomed by service user. They are being levied fairly and equitably. The additional income at a time of reduced budgets will enable KCC to maintain preventative services	High	High	However the impact will deliver equality. The current policy for non – residential services provides that people who are under 65yrs and have a Mental Health need are not charged for any support. Those who are over 65yrs and have a MH need are charged for their support. The proposal will provide that all age groups are treated equitably, but in implementing this there will be a greater impact on people under 65yrs.
Disability	Yes	No Whilst the increases in charges will not be welcomed by service user. They are being levied fairly and equitably. The additional income at a time of reduced budgets will enable KCC to maintain preventative services		High	The introduction of charging for Day Centre provision will impact differently for older people who use day centres and people with an LD who use day centres. This is because of the way day centre provisions have been commissioned and are provided. In the main, KASS knows who is in receipt of day care from KASS where the person has a learning disability, but where the person is over 65yrs recording and commissioning practices vary. Some people over 65yrs will access day care directly and others will access it via KASS, some of those accessing directly will be community care eligible, this may result in unequal application of charging for people over 65yrs.

Appendix 2

Gender	No	No			N/A
Gender identity	No	No			N/A
Race	No	No			Any changes to charging will be applied irrespective of the location of provision, so if a person chose to attend day care in a centre which is designed to meet a specific cultural need then the policy would be applied equally. Discretionary disregards will still apply.
Religion or belief	No	No			Any changes to charging will be applied irrespective of the location of provision, so if a person chose to attend day care in a centre which is designed to meet a specific cultural need then the policy would be applied equally. Discretionary disregards will still apply.
Sexual orientation	No	No			N/A
Pregnancy and maternity	No	No			N/A

Part 1: INITIAL SCREENING

Context

Explain how this policy, procedure, project or service relates to a wider strategy

Following an assessment to identify a person's eligibility for social care the person will write a support plan (with help from a Kent Adult Social Services (KASS) worker if required). This will outline any social care support the person might use to help them.

KASS is able to charge for the social care support it provides and so the person will be further assessed to see what, if anything, they may be expected to pay towards their care. KASS is able to do this because of a discretionary power contained within section 17 of the Health and Social Services and Social Security Adjudication Act.

The way Kent works out the contribution a person makes to the cost of their care is described in the Domiciliary Charging Policy. This policy complies with the guidance issued by the Department of Health in 2001, LAC (2001)32: Fairer Charging policies for home care and other non-residential services.

Aims and Objectives

Provide a summary of what the policy, procedure, project or service is trying to achieve and how it will be achieved

In order to continue to provide support to the widest number of people in Kent who are eligible for social care support and to enable KASS to continue to invest in preventative services, we must review all mechanisms open to us to maximise management of the budget.

The current financial situation constraints for local authorities are placed within the national context of savings required by public sector organisations. One of the areas in which KASS is able to influence the budget position is the way it charges for services.

KASS is exploring a range of options which could deliver financial savings, one of those options is to review the non-residential charging policy, and this could potentially increase income by £2.9m (full year effect).

This policy aims to achieve increases in charges in as fair and equitable way as is possible.

Beneficiaries

Set out who the intended beneficiaries?

The review of non –residential charging will enable KASS to continue to provide support to as many people as possible who are eligible for social care. Without making changes to the charging policy it will be necessary for KASS

to make savings in other ways which would include cuts to service provision for some people. It would also mean that KASS would have less money to invest in preventative services and it is through this early intervention that KASS is able to help people to help themselves rather than become more dependant upon more expensive forms of support.

Consultation and data

Please record any data/research and/or consultation you have carried out to inform your screening

An analysis of KASS's client data system SWIFT was undertaken to identify the numbers of people who would be directly affected. This information was supplemented with local intelligence regarding those groups attending KASS funded voluntary sector provision.

Potential Impact

Provide a summary of the results from your initial screening, highlighting where there is any potential positive or adverse impact. If there is no impact on any group or the impact is unknown please state that here.

Adverse Impact:

(1) Increase % of net disposable income taken into account: The charging process basically compares the cost of an individuals care to their net disposable income (ndi) and charges them the lower of the two figures. The ndi is derived from the financial assessment and is the amount of money each week that it is calculated an individual can afford to contribute to the cost of their care. Currently only 85% of the ndi is taken into account when charging. It is proposed that this should be increase to 100% which will deliver additional income in the region of £1.350m per annum. This will not impact on those people who are already paying the full cost of their service (900). However, it will impact on those people who are making a contribution to their service (3300), but will not affect those people who do not contribute to their care (3400)

(2) Reduce the standard allowance for the Disability Related Expenditure Assessment (DREA): Councils are required to offer a Disability Related Expenditure Assessment to anyone who is in receipt of disability related benefits. The intention is to ensure that the additional costs incurred as the result of an individuals disability or illness are allowed for when calculating their charges. KASS has introduced a standard allowance which currently stands at £21 per week, but if anyone feels that their costs exceed this figure they are entitled to an individual DREA. It is proposed that the standard allowance is reduced to £17 per week and it is anticipated that this will deliver additional income of approximately £0.744m per annum after making an allowance for the cost of additional DREA's. This will not impact on those people who are already paying the full cost of their service. However, it will impact on those people who are making a contribution to their service and it is estimated that it will affect approximately 250 people who are not currently contributing to their care and will face charges of up to £4 per week.

(3) Charging Mental Health Service Users: Currently 560 service users in this client group are in receipt of non residential services and whilst it is not permissible to charge people who are in receipt of Section 117 aftercare, it is proposed that the remainder should be charged. It is estimated that additional income in the region of £0.160m per annum could be gained.

(4) Charging for day care and transport to day care: Approximately 2900 people are in receipt of day care. However, 1800 of these are also receiving a domiciliary package and most of these people will already be making the maximum contribution to their care although some will be paying full cost and therefore could make an additional contribution to their day care. It is proposed that the cost of day care and the cost of transport to day care are included as part of the cost of service in the charging process and therefore become chargeable services. This will impact mainly on the 1100 people who only appear to be receiving day care services and it is estimated that additional income of approximately £0.700m per annum will be achieved.

Day care is provided in a range of ways:

- KCC provided within residential care homes (older persons)
- KCC provided within integrated care centres (older persons)
- KCC provided within stand alone day centres (older persons)
- KCC provided with Learning Disability 'day centres'
- KCC commissioned private sector day care
- Voluntary sector day care
- Purchased using a Direct payment

KASS will be able to identify those people who have a learning disability and use day care provisions; for older people the position holds less clarity as some people have been sign posted to access the provision directly and are community care eligible; there are others who access day care directly who are not community care eligible and some who access day care via KASS. It may take a period of time to identify which people over 65years may be required to contribute to the cost of their day care, it will therefore be essential to ensure that any changes to the charging policy for day care are applied equitably for all service groups.

Positive Impact:

The increase in charges will not have a positive impact on the individuals concerned but will enable KASS to maintain preventative services.

JUDGEMENT

Option 1 – Screening Sufficient **No**

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Justification:

Option 2 – Internal Action Required **YES**

There is potential for adverse impact on particular groups and we have found scope to improve the proposal.

In order to gain a better understanding of the impact that this may have on people a 12 week period of consultation will be undertaken with the public as a whole as well as with those individuals who currently receive a non residential service before any changes are made..

This will be undertaken by holding a number of Public meetings as well as writing to those individuals who are currently in receipt of a service funded by KASS.

Voluntary sector providers such as Age Concern will also be provided with letters to send out to those individuals who have been referred by KASS but may not be recorded on SWIFT.

Loop systems will be available at public meetings to assist those with hearing difficulties and letters in easy read versions or large print will also be available if required.

KASS staff will ensure that benefits for individuals are maximised and will also retain the responsibility to assess if there has been an adverse impact on an individual case by case basis and to apply an exceptional disregard if this is assessed as appropriate.

Option 3 – Full Impact Assessment **NO**

Only go to full impact assessment if an adverse impact has been identified that will need to undertake further analysis, consultation and action

Sign Off

I have noted the content of the equality impact assessment and agree the actions to mitigate the adverse impact(s) that have been identified.

Senior Officer

Signed: Janice Grant

Date: 18th Feb 11

Name: Janice Grant

Job Title:

Directorate Equality Lead

Signed: Keith Wyncoll

Date: 18th Feb 11

Name: Keith Wyncoll

