

EQUALITY IMPACT ASSESSMENT FORM

October 2018

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

The Council is required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

- Age
- Disability
- Gender Re-assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion, Belief or Non-Belief
- Sex
- Sexual Orientation
- Welsh Language*

* The Welsh language is not identified as a protected characteristic under the Equality Act 2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

Further advice on completing impact assessments can be found on the equalities pages of Corporate Policy Unit Portal.

THE EQUALITY IMPACT ASSESSMENT

NAME OF NEW OR REVISED PROPOSAL *	Non residential charging
DIRECTORATE	Social Services
SERVICE AREA	Adults
CONTACT OFFICER	Mike Jones
DATE FOR NEXT REVIEW OR REVISION	February 2023

***Throughout this Equalities Impact Assessment Form, ‘proposal’ is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council’s work across Equalities, Welsh Language and Human Rights is covered in more detail through the [Equalities and Welsh Language Objectives and Action Plan 2016-2020](#).

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the [Corporate Policy Unit Portal](#) and the Council’s Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve? <i>(Please give a brief description and outline the purpose of the new or updated proposal by way of introduction.)</i></p> <p>Propose changes to the current non-residential charging policy to ensure equity for all service users to include: charging for support element of domiciliary care, charging for day opportunities in a community setting, and charging for day opportunities provided by the independent and third sector.</p>
2	<p>Who are the service users affected by the proposal? <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc. Are there any data gaps?)</i></p> <p>To propose changes to the current non-residential charging model to ensure equity for all service users to include:-</p> <ul style="list-style-type: none">a) charging for the support element of domiciliary care;b) charging for day opportunities provided in a community setting andc) charging for day opportunities provided by independent and third sector providers. <p>Changes that are required to ensure compliance with legislation.</p> <p>There are currently inequities in the system which are not linked to the protected characteristics in terms of not currently financially assessing individuals for the support element of domiciliary care that they receive.</p> <p>Currently buildings based day care is subject to the non-residential charging policy where as community based day opportunities where individuals access their local community often with 1:1 support is not subject to the charging policy.</p> <p>There are inequities in the system in terms of not charging individuals who receive day opportunities through independent and third sector providers.</p> <p>This will impact on all people equitably across all client groups in terms of affording them a benefits maximisation assessment prior to the application of the fairer charging policy</p>

IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals? <i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p> <p>Proposal impacts on service users across all client groups, all individuals have equal access to services as access is determined following an individual assessment which actively promotes equalities</p>
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4 **Is your proposal going to affect any people or groups of people with protected characteristics?**
(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)

Protected Characteristic	Positive, Negative, Neutral	Relevance of the Policy or Practice
Age	Neutral	
Disability	Neutral	
Gender Reassignment	Neutral	
Marriage & Civil Partnership	Neutral	
Pregnancy and Maternity	Neutral	
Race	Neutral	
Religion & Belief	Neutral	
Sex	Neutral	
Sexual Orientation	Neutral	

5 **In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.**
(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Corporate Policy Unit Portal. Although it is important that what is outlined in the proposal is available in Welsh and English, please consider wider impacts on Welsh speakers.)

No effects

INFORMATION COLLECTION

6	<p>Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users. <i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more protected characteristic groups? If so, what has been done to address any difference in take up of the service? Does any savings proposal include an analysis of those affected?)</i></p> <p>Currently, there are 1,099 service users accessing a chargeable domiciliary care service. Following the application of the Non-Residential Charging Policy, 313 of these service users (28.5%) pay nothing towards the services they receive, 276 service users (25.1%) pay the maximum charge of £80 per week and a further 269 (24.5%) service users pay all of their assessed disposable income. This means that these 858 service users would not be expected to contribute any more under the new proposals, even if they are in receipt of domiciliary support or day care services that have previously not been subject to charging. Of the remaining 241 service users (21.9%) many are in receipt of domiciliary care only and as such would not be affected by the proposed changes in policy.</p> <p>There are over 300 service users in receipt of day services that are not currently subject to the non-residential charging policy. However, some of these services users will also be in receipt of chargeable domiciliary services and will be included in the 1,099 service users considered in paragraph 7.2 above. Moreover, of those service users that are in receipt of day care services only, it is likely that around 28.5% of these would be assessed to pay nothing towards their care.</p> <p>The Financial Services Team do not hold information in respect of the number of service users in receipt of domiciliary support services only.</p>

CONSULTATION

7	<p>Please outline the consultation / engagement process and outline any key findings. <i>(Include method of consultation, objectives and target audience. What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i></p>
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	When individuals are assessed or reviewed the charging policy is fully explained to them including the opportunity to maximise their benefits
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MONITORING AND REVIEW

8	<p>How will the proposal be monitored? <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i></p> <p>Budget reports will be reviewed</p> <p>Any comments compliments or complaints received are recorded by equalities categories</p>
9	<p>How will the monitoring be evaluated? <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p> <p>Uptake will be monitored via finance team</p>

10	<p>Have any support / guidance / training requirements been identified? <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p> <p>No</p>
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11	If any adverse impact has been identified, please outline any mitigation action. Should a person be assessed as being eligible to pay for the service they receive and they decline, the service will not be withdrawn as we have a duty to provided against an assessed need
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12	What wider use will you make of this Equality Impact Assessment? <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i> Will be appendix to cabinet and scrutiny reports
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13	If any adverse impact has been identified, please outline any mitigation actions.
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14	<p>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</p> <p style="text-align: right;">Please tick as appropriate:</p> <p>No major change – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p>Adjust the proposal – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p>Continue the proposal – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p>Stop and remove the proposal – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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Completed by:	Jo Williams
Date:	9 th November 2018
Position:	Assistant Director Adult Services
Name of Head of Service:	Jo Williams