

Equality Impact Assessment



Name of project/proposal

Permission to consult on proposed changes to the Adult Services Paying for Care Policy

Contact name

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Department

Adult Services

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Purpose for project/proposal

This EIA accompanies a report to the Executive Member for Adult Social Care asking for permission to consult on a number of changes to the Adult Services Paying for Care Policy. This policy is the charging framework used to determine what financial contribution service users will make to the cost of their care and support.

The proposals, if implemented, would form part of the Adult Services Department's response to achieve savings of £43.1 million by April 2017, under the Transformation to 2017 programme.

Consultation

Has a consultation been carried out?

Planned

The proposed timeframe for the consultation is: 15 June 2016 to 26 August 2016. All ASD clients who could potentially be affected by the proposals (around 12,000) would be contacted by letter and asked to give their views via a survey, to be completed online or on paper. Clients with a learning disability who could be affected would be contacted via easy read letter and documentation (clients with a learning disability who would not be affected would not be contacted). Easy read, large print and other formats would be made available. Key stakeholders would be consulted via email, with a link to the survey online. Members of the public would also be able to access information about the consultation on Hantsweb.

The proposals do not lend themselves to public consultation events, but officers would attend a number of regular stakeholder meetings to brief partners and service user representatives. Individuals would be given a phone number to contact Adult Services if they have particular questions about how they might be individually affected or if they wish to request alternative formats. Outcomes from the consultation will inform our next steps and provide information to address any mitigating actions we need to take, should the proposals be agreed.

Statutory considerations

Impact

Age	High
Disability	High
Sexual orientation	Low
Race	Low
Religion and belief	Low
Gender reassignment	Low
Sex	Medium
Marriage and civil partnership	Low
Pregnancy and maternity	Low

Other policy considerations

Poverty	Low
Rurality	Low
Other factors	Nothing selected

Geographical impact

All Hampshire

Have you identified any medium or high impact?*

Yes

No

Equality statement

We are proposing to seek permission from the Executive Member for Adult Social Care to consult on a number of changes to the Adult Services *Paying for Care Policy*. The *Paying for Care Policy* explains how Hampshire County Council implements at local level the nationally decided rules set out in the Care Act 2014, and its accompanying regulations and guidance, which councils must follow when calculating how much people are required to contribute towards the cost of their care and support. The changes being proposed in the consultation take account of this legislation.

Social care support is not necessarily provided free of charge. Those people who have a care assessment and are found to be eligible under the Care Act 2014 to receive social care support will then receive a financial assessment (based on a national formula) to calculate how much they are required to contribute towards the cost of their care. No-one is asked to pay towards the cost of their care if they have been assessed as not being able to afford to do so. At present, 44 per cent of people receiving care and support to live independently at home pay nothing towards the cost of their care.

The changes proposed are not targeted at any particular groups of people with protected characteristics. Inevitably, however, they have been assessed as having a high impact on older and disabled people, and would affect more women than men, because people who have their care and support delivered or arranged by Hampshire County Council fall disproportionately into these groups. As at March 2016, 64.6 per cent of long-term clients were aged 65+. Amongst younger adults (aged 18–64), 13.4 per cent had physical disabilities, 19.8 per cent had learning disabilities and 2 per cent were mental health clients. Around 59 per cent of clients are female and 40 per cent are male (data not available for the remaining 1 per cent). The negative impact is mitigated to the extent that people only contribute what they are assessed as able to afford towards their care and support, following the national rules. The options being explored do, however, if implemented, mean that some people would make a greater contribution towards the cost of their care than they currently do.

The four proposed areas for consultation are:

1. Charging people for the cost of both of their carers, if they are new applicants in need of two carers at the same time for their care and support and are assessed as being able to afford to pay for both carers. Currently, those people who require two carers can ask the County Council to meet the cost of the second carer, even if they have been assessed as able to afford it and this subsidy is called a 'second-carer waiver'. The proposal is that this change would apply to new situations where people have a need for a second carer.

2. Taking account of 100 per cent of an individual's disposable income, rather than 95 per cent, when a financial assessment is carried out to establish how much they are required to pay for their care. Disposable income refers to the amount of income left over once standard outgoings are deducted, such as mortgage/ rent, utility bills, council tax and disability related expenses. People are always left with a standard amount set by Government to cover general living expenses which is not taken into account in the financial assessment.

3. Charging residents in Hampshire County Council in-house residential and nursing homes when they are away from the home (e.g. if they go into hospital or are on holiday/absent for another reason) – since their room is not free to be used for someone else while they are away.

4. Taking into account income a person receives from letting out their own home, if they choose to do so, when assessing how much they should pay towards their care costs in their residential or nursing home under the County Council's **Deferred Payments Scheme**.

It is important to stress that even if changes were to be made to the Paying for Care Policy following consultation, the County Council will always follow the nationally-set regulations on financial assessment, so people who are assessed using the national criteria as being unable to afford to contribute anything towards their care will continue to receive their care for free.

The County Council must meet a funding shortfall of £98 million by April 2017, and of this, £43.1 million has been allocated by the County Council to be met from the Adult Services budget. It is estimated that £1.5 million of savings could be delivered if the changes outlined in this consultation document were to be implemented.

The following options were also considered:

1. Do nothing. This option was rejected as it would not provide the most efficient use of available funding, or enable the County Council to target funding where it is needed the most – i.e. the most vulnerable adults. This approach would also limit ability to deliver the anticipated level of savings.

2. Charge unpaid carers for services that meet their eligible needs as a carer in their own right, which they usually receive as a direct payment. The County Council has rejected this option because it recognises the invaluable contribution made by unpaid carers in supporting people to remain in their own homes, for as long as possible.

3. Charge for early intervention and prevention services such as 'falls prevention' classes. The County Council has rejected this option because these types of services help large numbers of people to live well and independently for longer. In turn, this early intervention drives down the potential cost of more intensive and costly social care support in the future.

We understand that making changes to how much people may have to pay towards their care will never be popular, and people will individually not feel they are 'benefiting' from these proposals. However, the funding for adult social care continues to reduce, and these changes form part of a much wider savings programme (Transformation to 2017) which aims to make the Department's resource base more sustainable over time. This will ensure we can continue to meet our statutory responsibilities to Hampshire service users and carers under the Care Act 2014.

The client base changes all the time, but an indication of the impact of each proposal is outlined below:

1. Charging people for the cost of both of their carers: Currently around 140 people receive a waiver for the cost of their second carer. Most of these individuals pay for the full cost of their care, although a small number are not full cost but pay a substantial client contribution. The County Council's preferred option is that the waiver would not be removed from these existing clients (although the consultation will also ask for views on alternative options). However, the number is provided here to give an indication of potential volume of new clients in the future who might be affected if they were not able to apply for this waiver, as people can now. If the proposal to only remove the waiver for people in new situations, ie retaining the waiver for existing clients who have their second carer paid for, the County Council's proposal would be that the value of the waiver for existing recipients would be frozen. Should the cost of the second carer increase in the future, reassessment would be undertaken to review personal and financial circumstances. This reassessment would allow evaluation of the impact on affected individuals on a case-by-case basis.

2. Taking account of 100% of an individual's disposable income, rather than 95%, when a financial assessment is carried out. This could affect up to 4,000 Adult Services clients. It is estimated that the average increase to an individual's monthly bill would be around £2.22 per week.

3. Charging clients in Hampshire County Council in-house residential and nursing homes when they are away from the home. At the moment, their care charge is suspended if they are absent. This proposed change would affect those clients occupying long-term beds in HCC-run residential and nursing home beds at the moment, and occupying these beds in the future. The reason for proposing this change is that it brings greater fairness, since clients we place in independent sector homes already have to continue paying their client contribution when they are away. The change would therefore mean that the charging rules would be applied in the same way for both sets of clients (in-house and independently placed).

4. Taking into account income a person receives from renting out their own home under the County Council's Deferred Payments Scheme. The Council agrees 3 to 4 new Deferred Payment Agreements per month, so the numbers affected by this change over the course of a year are low.

The proposed changes will not alter the care that is being delivered to meet eligible care needs. People will continue to be assessed in the same way under the Care Act 2014 to work out how much their financial contribution towards their care cost will be. Individuals who are assessed as unable to afford to pay for their care – based on the nationally set rules – will continue to receive their care for free. Those with the least financial means will continue to be protected from having to pay charges, so clients on the very lowest incomes will not be affected.

Date to review actions

01 Sep 2016

Final decision date

Final decision date due
Decision to be made by

14 Jun 2016
Executive Member