

Equality Impact Assessment



Name of project/proposal

Outcome of the Consultation on Proposed Changes to the Paying for Care Policy

Contact name

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Department

Adult Services

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Purpose for project/proposal

On 14 June 2016, the Executive Member for Adult Social Care gave permission for a ten-week consultation to open on 15 June 2016, to seek the views of service users, their families, stakeholders and the public on some proposed changes to the charging framework that the County Council uses to determine what financial contribution people make towards the cost of their care and support. The proposals in the consultation, if implemented, would form part of the County Council's requirement to make savings in adult social care of £43.1 million by April 2017. The aim of the proposals was to bring the County Council more into line with how charging operates in many other council areas. Because of the County Council's current financial position, it needs to look at all avenues for achieving potential savings, in order to continue to meet its statutory obligations within a much reduced budget.

Consultation

Has a consultation been carried out?

Yes

A ten-week public consultation opened on 15 June, and closed on 26 August 2016. All adult social care clients who could potentially be affected by the proposals (around 12,000) were contacted by letter and asked to give their views via a survey which could be completed online or on paper. Easy Read materials were made available for people with a learning disability. Alternative formats were available on request, including large print and audio. Key stakeholders were informed about the consultation via email, the consultation materials were available on the County Council's website, and there was publicity in the local press and via the County Council's usual social media channels. Staff attended ten meetings of local user and carer groups across the County, including older people, learning disability and physical disability groups. A small temporary consultation team was put in place, to deal with enquiries from service users and the public, and they were able to complete the questionnaire over the phone if a caller requested it. Advocacy to assist with understanding the consultation was available, and two of the meetings with users were run in partnership with local advocacy organisations.

Statutory considerations

Impact

Age	High
Disability	High
Sexual orientation	None
Race	Low
Religion and belief	None
Gender reassignment	None
Sex	Medium
Marriage and civil partnership	None
Pregnancy and maternity	None

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

Age and Disability: High Impact

The proposed changes are not targeted at any particular groups of people with protected characteristics, but inevitably they would have a high impact on older and disabled people, because people who have their care delivered or arranged by Hampshire County Council fall disproportionately into these groups. If implemented, some people would make a greater contribution towards the cost of their care than they currently do. The impact on particular groups of each proposed change is set out below.

Consultation proposal 1: the proposed change is that people who currently receive a waiver for the cost of their second paid carer (this means that at the moment the County Council, not them, pays for their second carer) would no longer receive this waiver from April 2017, and would have to pay the full cost or their assessed contribution towards the cost of their second carer themselves, if they could afford to do so (based on their financial assessment). If the recommendation is agreed, the waiver would cease to be offered for people newly assessed as requiring a second paid carer with immediate effect from the day after the decision onwards and for existing clients the waiver would be removed in April 2017.

The change would have an impact on 138 existing clients, of whom 131 are older people, 6 are people with a physical disability and 1 has a learning disability. Although this change would be negative for this group of predominantly older people, the impact is mitigated to the extent that people are only charged what they have been assessed (under the Care Act 2014 legislation) as able to afford to pay towards their care. Each individual would also have a review of their care before April 2017, to explore whether they still need a second carer and to consider any alternative solutions that could meet their needs but in a more cost-effective, strengths-based way. Delaying implementation of this change until April 2017 for existing clients is another mitigating action that has been recommended to assist individuals impacted by the proposed change to plan for a potential increase in their care bill – or to give people an opportunity to make their own private arrangements instead of receiving their care via the County Council.

Consultation proposal 2: the proposed change in the consultation was that the County Council would increase the amount of a person's disposable income it takes into account when carrying out a financial assessment. Currently, 95% is taken into account, and the consultation asked for views about increasing this to 100%.

The recommendation to the Executive Member is that this change should not be implemented. If it were to go ahead, around 56% of those who would be affected are older people, around 30% have a learning disability, and around 13% have a physical disability. The remaining 1% are mental health clients or have other needs. It would have meant a significant number of older and disabled people would experience an increase in their care bill. For example, the average weekly increase to a client's care bill if the change were to have gone ahead would be £2.27. The lowest weekly increase would have been £0.16 and the highest weekly increase would have been £21.29.

Consultation proposal 3: The impact of this proposed change is that people who live in Hampshire County Council-run residential and nursing homes would have to continue paying their client contribution if they were away from their home (whether in hospital or staying away somewhere else). At the moment, people do not have to pay their client contribution in HCC homes if they are away from the home, however no one else can use their room. This would only impact upon people who make a contribution towards their care costs, not people who are wholly funded by the County Council or other organisations, eg the NHS. Residents in HCC homes are predominantly older people (855 people), with small numbers of learning disability clients (22), physical disability clients (14) and mental health clients (3). Not all of these individuals make a contribution to HCC for their care costs and if they do not, this proposed change would not impact on them.

Clients living in non-HCC run homes do not have a break put on their charges if they are away, so in effect clients living in HCC homes are currently being treated more favourably at present because they do have their client contribution suspended if they are away. The proposed change would create greater equity and mean all residential/nursing clients who pay towards their care are treated the same.

Consultation proposal 4:

This proposed change would impact on individuals who choose to rent out their property when they go into a care home and use a Deferred Payment Arrangement to defer paying a proportion of their care costs. People who currently have such an arrangement with the County Council are almost wholly older people (only one is in the under 65 age group). These individuals with an existing arrangement would not be impacted. The change would only apply to individuals if they set up a new Deferred Payment Agreement with the County Council and decided to rent out their home. If they did rent out their home, the proposed change would mean that they would contribute 75% of the gross rent charged towards their care costs. This proposed change is mitigated in that no individual with a Deferred Payment Agreement is under any obligation to rent out their home, it is a purely personal choice. If an individual does decide to rent out their home, they would still retain a proportion of their rental income as well as their Personal Expenses Allowance for day-to-day costs and any additional costs associated with maintaining and renting out their home. The change would not increase the amount people paid for their care, it would mean they would pay more upfront and less when the property was sold.

Gender: Medium Impact

The proposed changes overall affect more women than men, because more Hampshire County Council clients are female (around 59%) than male (40%). [Data are not available on the gender of the remaining 1%.] This is not an area where any mitigating actions can realistically be identified.

Poverty: Low Impact

If it had been implemented, the second consultation proposal in particular (to increase the percentage of disposable income taken into account in the financial assessment to 100%) would have affected individuals on a low income or on benefits, who would have experienced an increase in the costs of their care. Because, as a result of the consultation, it is not recommended to implement this change, the impact has been assessed as 'Low'.

Rurality: Low Impact

The proposals are considered to have a low impact overall in relation to rurality. It should be noted that in the consultation concerns were raised by people living in rural areas or places where transport links are poor. They felt that if 100% of their disposable income might need to be used to pay for their care, they would become more isolated and struggle to pay for transport to access leisure and other activities, as they spend more on taxis/petrol/other forms of transport than people in more urban areas. Because, as a result of the consultation, it is not now recommended to implement this proposal, the impact has been assessed as 'Low'.

Why some characteristics are Low/No Impact

The proposals are considered to have a low/no impact in relation to race, sexual orientation, religion, marriage/civil partnership and gender reassignment because a person-centred, strengths-based approach is taken when considering the outcomes that people want to achieve in their lives and working out the personal budget that is required to support meeting eligible needs.

Date to review actions

01 Apr 2017

Final decision date

Final decision date due
Decision to be made by

21 Oct 2016
Executive Member