

APPENDIX 1

Stage 1 Equality Impact Assessment – Initial Screening

Assessor(s) Name(s):	Richard Webb, Development Officer, Adult Social Care
Directorate:	Adult Social Care
Date of Completion:	24 April 2017

Name of Policy/Strategy/Service/Function Proposal

The council is seeking to undertake a two month consultation period to determine people's views on changing its non-residential care financial assessment process to include disability benefit income at the higher or enhanced rate.

Following the development of the Isle of Wight Council Medium Term Financial Strategy (MTFS) there is a need for Adult Social Care to review the way it works across all teams and to identify savings and efficiencies that can assist in meeting the £3,084,100 ASC savings target for 17/18 set out in the MTFS.

The Care Act 2014 provides the opportunity for LA's to take into account higher or enhanced rate disability benefits within a non-residential financial assessment.

The Aims, Objectives and Expected Outcomes:

Adult Social Care has been tasked through the Medium Term Financial Strategy to deliver significant savings throughout 2017/18. Savings required during this period equate to approximately £3m.

Income from charging is an important contribution to the Adult Social Care budget.

The aim of the proposal is to increase the amount of income that the council receives in charging people who receive non-residential care services based on the full rate of Higher Rate Attendance Allowance (AA) / Disability Living Allowance (DLA) / Personal Independence Payment (PIP) (excluding mobility component).

Currently the council disregards £27.45 per week, equivalent to the "night time" support element of both higher rate AA and higher rate DLA Care Component when calculating available income for care and support at home. This disregard has also been applied to the "enhanced" rate of PIP daily living component.

It is proposed that the council takes the full rate of AA, DLA and PIP into account. The council allows for all reasonable extra costs of illness or disability (known as Disability Related Expenditure) when calculating the amount of net disposable income available for charging and, therefore, the inclusion of these benefits in full

is appropriate.

The proposal will also ensure everyone who receives a disability related benefit is treated equally by making sure that all benefit income, other than the mobility component of DLA and PIP, is taken into consideration as part of their charge. Currently, people who receive these benefits at the higher or enhanced rate do not have their full care related income taken into account whilst those people who are paid benefits at the lower or standard rate are required to have all their benefit income included in their charging assessment.

There are approximately 1,090 people currently supported by Adult Social Care who live at home and receive services that are chargeable. Approximately 900 people receive disability related benefits at the higher or enhanced rate and would be impacted by this proposal. If the proposal is agreed, this could generate an additional £1.2m per annum in a full year.

This proposal is subject to a recommendation to Cabinet to undertake a two month consultation directly with users of the council's non-residential care services and key stakeholders, as well as potential users of our care services, parish councils and residents on the Isle of Wight in general.

The outcome of the consultation will be taken into account in the equality impact assessment that will be provided to assist members to make a final decision on whether or not the council changes the way it considers disability benefits at the higher or enhanced rate as part of a person's income when making charges for non-residential care and how the decision will impact on those people in the protected characteristics.

- This is a new policy proposal

Key Questions to Consider in Assessing Potential Impact

Will the policy, strategy, service or council function proposal have a negative impact on any of the protected characteristics or other reasons that are relevant issues for the local community and/or staff?

Yes

Has previous consultation identified this issue as important or highlighted negative impact and/or we have created a “legitimate expectation” for consultation to take place? A legitimate expectation may be created when we have consulted on similar issues in the past or if we have ever given an indication that we would consult in such situations

Yes

Do different groups of people within the local community have different needs or experiences in the area this issue relates to?

Yes

Could the aims of these proposals be in conflict with the council's general duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not?

No

Will the proposal have a significant effect on how services or a council function/s is/are delivered?

Yes

Will the proposal have a significant effect on how other organisations operate?

No

Does the proposal involve a significant commitment of resources?

No

Does the proposal relate to an area where there are known inequalities?

Yes

If you answer **Yes** to any of these questions, it will be necessary for you to proceed to a full Equality Impact Assessment after you have completed the rest of this initial screening form.

If you answer **No** to all of these questions, please provide appropriate evidence using the table below and complete the evidence considerations box and obtain sign off from your Head of Service.

Protected Characteristics	Positive	Negative	No impact	Reasons
Age			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Disability		X		The proposal will affect this protected characteristic because care support and, therefore, a requirement to pay a contribution, are only offered to people with a disability that could be considered eligible under the Care Act 2014.
Gender Reassignment			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Marriage & Civil Partnership			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Pregnancy & Maternity			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Race			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.

Religion / Belief			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Sex (male / female)			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.
Sexual Orientation			X	It is possible that people in this protected characteristic may be affected by this proposal but only if they have a disability with needs that are considered eligible under the Care Act 2014. People in this protected characteristic without disability needs that could be considered eligible under the Care Act 2014 will not be affected.

Are there aspects of the proposal that contribute to or improve the opportunity for equality?	Yes
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Evidence Considered During Screening
<p>IW Council – Charging Policy for Non-Residential Adult Social Care Services https://www.iwight.com/documentlibrary/view/charging-policy-for-non-residential-asc-services</p> <p>Dept Health – Care Act 2014 Care and Support Statutory Guidance: Chapter 8 – Charging and Financial Assessment Annex C – Treatment of Income https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#Chapter8</p>

Head of Service Sign off:	
Advice sought from Legal Services (Name)	
Date	

A signed version is to be kept by your team and also an electronic version should be published on the council's website (follow the link from the EIA page on the intranet)

Stage 2 Full Equality Impact Assessment

Assessor(s)Name(s):	
Directorate:	
Date of Completion:	

Name of Policy/Strategy/Service/Function Proposal

The Aims, Objectives and Expected Outcomes:

Using the information provided in your initial screening, write a brief description of your policy, strategy, service or council function under assessment. It is important to focus on the reasons for a new or changed approach and what it intends to achieve. Include who the main beneficiaries or users are and the main groups of people with protected characteristics who are affected. State how this proposal fits with the council's corporate priorities.

Please delete as appropriate:

- This is a new policy/strategy/service/council function proposal
- This is a proposed change/review to/removal of an existing policy/strategy/service/council function (*check whether the original decision was equality impact assessed*)

Scope of the Equality Impact Assessment

Include any links to a previous equality impact assessment or work delivered by another Directorate/service or partner organisation. Describe the approach to be taken in data collection, stakeholder involvement and state who the stakeholders are.

Establish your monitoring and review arrangements.

Sources of evidence may include:

- *Service monitoring reports including equality monitoring data*
- *User feedback*
- *Population data – IW Facts and Figures (add link)*

- *Complaints data*
- *Published research, local or national*
- *Feedback from consultations and focus groups*
- *Feedback from individuals or organisations, other council departments, partner organisations etc*

Set out any data gaps that may need to be addressed and how you plan to address them and include in your action plan.

Analysis and assessment

Given the available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups? Is this impact positive or negative or a mixture of both?

In particular set out how the council as a public body has met its duty to pay regard to eliminate unlawful discrimination, harassment and victimisation and advance the equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not.

Detail what concerns were identified during any consultation exercises together with any positive impact that has been identified and how this can be promoted or enhanced. Are there any concerns from consultation and data gathering that have not been taken on board, if so, please justify and explain the reason for this.

Does the proposal have the potential to cause unlawful discrimination (for example is it possible that the proposal may exclude certain groups of people from obtaining services or limit their participation in any aspect of public life?)

Set out in light of the consultation and data gathering what changes, if any you will make to the proposal

What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified and is it lawful?

Recommendations

Please summarise the main recommendations arising from the assessment. If it is not possible to diminish negative impacts to an acceptable or even a lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

Action/Improvement Plan

The table below should be completed using the information from your equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Remove or lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Age				
Disability				
Gender Reassignment				
Marriage & Civil Partnership				
Pregnancy & Maternity				
Race				
Religion / Belief				

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Sex (male or female)				
Sexual Orientation				
HR & workforce issues				
Human Rights implications if relevant				

Please remember - actions should have SMART targets and be reported to the Diversity Board (this should be done via your Directorate representative) and incorporated into your service/team Plans and /or objectives of key staff

Summary	
Date of Assessment:	
Signed off by Head of Service/Director	
Review date	
Date published	

Publishing checklist	Yes	No
<ul style="list-style-type: none"> • <i>Plain English – will your EIA make sense to the public?</i> • <i>Acronyms – check you have explained any specialist names or terminology</i> • <i>Evidence – will your evidence stand up to scrutiny; can you justify your conclusions?</i> • <i>Stakeholders and verification – have you included a range of views and perspectives to back up you analysis?</i> • <i>Gaps and information – have you identified any gaps in services or information that need to be addressed in the action plan?</i> • <i>Success stories – have you included any positive impacts that have resulted in change for the better?</i> • <i>Action plan – is action plan SMART? Have you informed the relevant people to ensure the action plan is carried out?</i> • <i>Review have you included a review date and a named person to carry it out?</i> • <i>Challenge – has your equality impact assessment been taken to Diversity Board/Call Over for challenge?</i> • <i>Signing off – has your Head of Service/Director signed off your EIA?</i> • <i>Basics – have you signed and dated your EIA and named it for publishing?</i> • <i>A signed version to be kept by your team for review and electronic version to be uploaded on to the council's website</i> 		