

Equality Analysis Screening Stage Blank Form – Online EA System

Department: Adult Social Care

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Created: 29/01/2016

Last Review:

Status:

Next Review (if applicable):

Stage 1 Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The Care Act 2014 gives local authorities discretionary powers to charge adult recipients for services provided. The detail of how to charge varies depending on whether someone is receiving care in a care home or in their own home or in a another setting. However, they share some common elements.

Section 8 of the Care Act 2014 states that a local authority may recover such charges as they consider reasonable in respect of relevant services.

The Charging Guidance relates to a minor change in the current policy related to how people are financially assessed in order to establish their financial contribution towards their care.

The guidance is written to comply with the requirements as set out in the Care Act 2014 Guidance which is issued by the Department of Health.

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

The guidance applies to the following current and future user groups

- Residential Nursing/Short term respite care
- Home and domiciliary care services (including extra care)
- Day services including transport, if provided
- Any care packages through Personal Budgets or Direct Payments
- Telecare/assistive technology
- One-off services: e.g. intensive house cleaning
- Telephone line rental and TV licences. However, this would be charged at cost unless exceptional hardship could be demonstrated.

Where the service user lacks capacity to manage their financial and/or property affairs, as assessed by an officer of the council or somebody duly appointed by them, the local authority will consult with their agent (i.e. a person lawfully authorised to act on their behalf).

Where the service user's only income is from the Department for Works and Pension and the service user has no other financial assets, then the local authority will work with an Appointee authorised by the DWP.

If there is no one willing to undertake the role of representative as described above to support the service use, the local authority will, in the first instance pursue the service users for any unpaid liabilities owed to the council. However, it reserves the right to pursue the agent, either as Litigation Friend for the service user or, where it appears the agent may have acted in breach of their duties, personally.

3.1 Could the proposal impact on people in different ways because of their equality characteristics?

The proposals under this guidance will not impact on people in different ways because of their equality characteristics.

There are five principles that support this guidance namely to make sure the Council:

1. Recovers contributions from service users for care services based on the service user's ability to pay. It is intended that no one would be put in a position of financial hardship as a result of this guidance, since the maximum contribution will be set at either the full cost of the service provided or at a level that affords the service users a basic living allowance, whichever is the lowest.
2. Has a clear and transparent contributions Guidance which is easy to understand and is consistently applied to all service users, taking into account their individual circumstances and needs.
3. Provides an early notification to service users of their contribution to care costs.
4. Ensures that service users have an opportunity to maximise welfare benefits thus maximising their ability to contribute to their care costs. Any reference to Housing Benefit, Council Tax Benefit or DWP welfare benefits includes any successor to those payments (e.g. universal credit)
5. Ensures administrative efficiency and convenience for service users.

3.2 Could the proposal have a disproportionate impact on some equality groups?

If you answered 'Yes' please indicate which equality characteristic(s) are impacted

The application of this Charging Guidance will not have a disproportionate impact on equality groups. See above.

3.3 Would the proposal change or remove services used by vulnerable groups of people?

The proposed changes will not change or remove services used by vulnerable groups of people.

Adult Social Care has previously consulted on the policy for charging for care and support. The proposed changes in this guidance do not change charging for people receiving care and support but it will mean a minor change to how people are financially assessed in the future. The guidance is clear and transparent and will enable people to make advanced decisions about their care and support arrangements.

3.4 Does the proposal relate to an area with known inequalities?

Age, disability

3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

No. It applies equally to everyone irrespective of their protected characteristic.

3.6 Does the proposal relate to one of Brent's equality objectives?

- To ensure that local public services are responsive to different needs and treats users with dignity and respect.
- To involve our communities effectively.

Recommend this EA for Full Analysis?

No

4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.