

# Equality Analysis (EIA) Form

## A) Description

**Name of service, function, policy (or other) being assessed**

Adult and Communities Self-Funder Policy

**Directorate or organisation responsible (and service, if it is a policy)**

Adult and Communities

**Date of assessment**

October 2018

**Names and job titles of people carrying out the assessment**

Laura Ferguson – Senior Commissioning officer

**Accountable person**

Stephen Vickers, Director Adult and Communities

**What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?**

To provide a policy framework for implementation in regard to the councils responsibilities in relation to people who pay for their own care. The aim of this policy is to reflect national and local priorities as set out in the Care Act 2014 and Herefordshire's Health and Wellbeing Strategy, complementing Herefordshire Council's approach to delivering Adult's and Wellbeing Services within a framework delaying formal support and promoting informed choices..

It will do this by;-

- Ensure that council funding is used appropriately to meet eligible social care needs of Herefordshire citizens.
- Ensure the council meets its responsibilities under a legal framework.
- Set out the protocol in relation to decision making against statutory guidance.
- Provide clear information about the self-funder pathway to inform robust decision making by the self-funder.
- Provide clarity of process to inform operational practices. Ensuring an equal approach to all customers.
- Provide a clear charging structure and rational for decision making
- Link to the current assessment and care management systems.

The corporate plan 2016-2020 states "the council will face increasing demands on the services it provides whilst simultaneously making savings

totalling £87 million. This means that the council needs to significantly change how it operates and the services it runs to focus on greatest need.”

The aim of the policy is to reflect national and local priorities and is based on the following principles:

- Promoting Independence and enablement
- Maximising choice and control
- Compliance with Human Rights Act
- Promoting dignity
- Improving quality of life
- Supporting health and wellbeing
- Accessing local and universal services
- Risk enablement and safety management
- Person-centred and personalised outcomes

**Location or any other relevant information**

Countywide coverage

**List any key policies or procedures to be reviewed as part of this assessment.**

Currently Adult Wellbeing services provides guidance within its finance based AWB policies ( Charging, Top Ups, Deferred payments) but does not provide a specific focus on the self-funder, responsibilities of the council and that of the provider and the individual. This policy brings all these aspects into one place.

It aims to support an earlier intervention by the council which will also provide information about the self-funding market which will inform strategy and market shaping.

There are linkages to the following Herefordshire Council Polices which all remain current:-

- Care and support meeting your needs Policy
- Direct Payments Policy
- Charging and Support Charging Policy
- Deferred Payments
- Top Ups

**Who is intended to benefit from the service, function or policy?**

**Customers in receipt of social care services funded by the local authority to meet their eligible needs.**

- The policy will provide an equitable approach via a fair and transparent

process

- The policy will ensure so promote informed choice and control.
- The policy will ensure the council meets its duty to provide information and advice

**Who are the stakeholders? What is their interest?**

- Customers
- Social Care providers
- Adults and Communities Department

## **B) Partnerships and Procurement**

If you commission services externally or works in partnership with other organisations, Herefordshire Council remains responsible for ensuring that the quality of provision/ delivery meets the requirements of the Equality Act 2010, i.e.

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity between different groups
- Fosters good relations between different groups

What information do you give to the partner/contractor in order to ensure that they meet the requirements of the Act? What information do you monitor from the partner/contractor in order to ensure that they meet the requirements of the Act?

Providers are under contract with the council and are selected using a process to ensure that the council is satisfied the providers adhere to the legislation and promote best practice.

**Are there any concerns at this stage that indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, and outcomes of a scrutiny review. Please describe:**

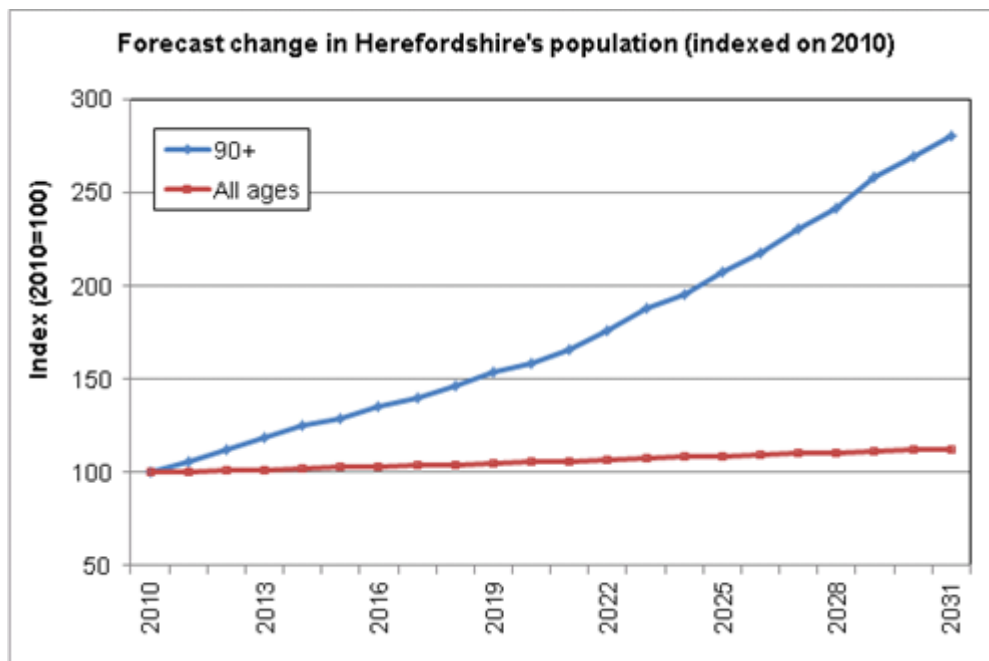
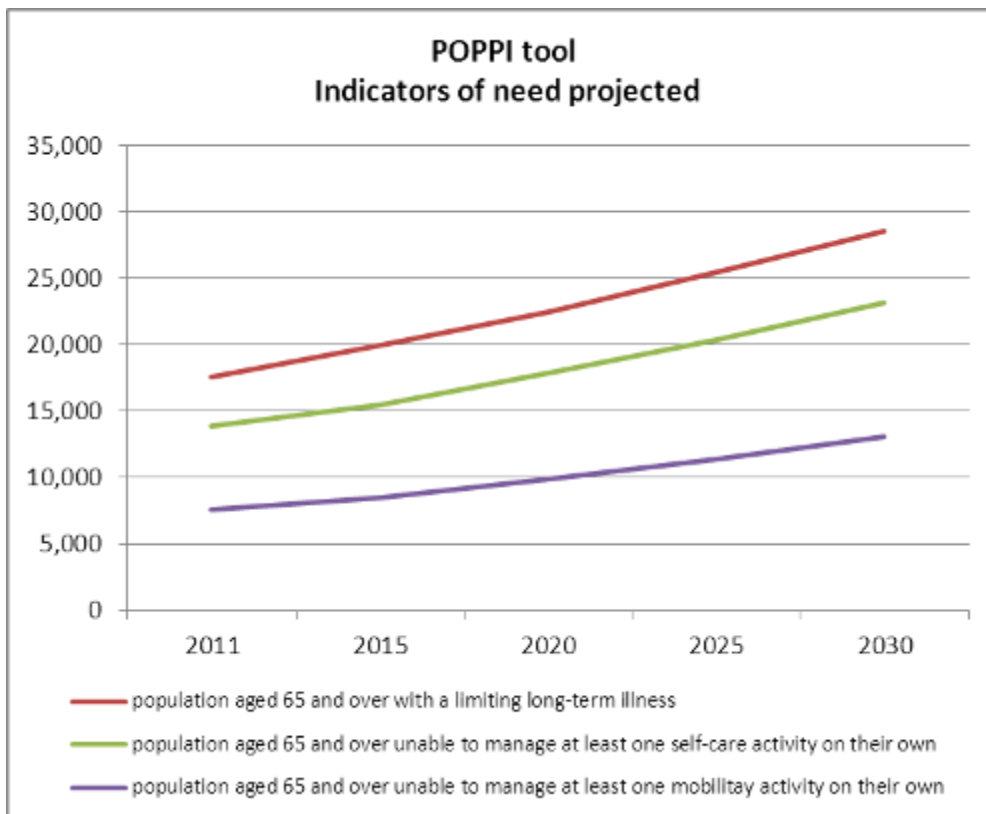
The policy will ensure an equitable approach across Herefordshire.

## **C) Information**

**What information (monitoring or consultation data) have you got and what is it telling you?**

The charts below demonstrate the demographics in Herefordshire. There is a rising increase in the number of people with social care needs, long term illness or mobility issues in the 65 plus age group. Also we can see that the 90 plus age group has increased by 50% in the last 8 years, and is set to further double in the next 10 years, placing increased demand on social care

services, due to populations living longer.



**D) With regard to the stakeholders identified and the diversity groups set out below;**

	<i>Is there any potential for (positive or negative) differential impact?</i>	<i>Could this lead to adverse impact and if so what?</i>	<i>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason?</i>	<i>Please detail what measures or changes you will put in place to remedy any identified adversely impact.</i>
<b>Disability</b>	Yes, the potential for impact lies within the understanding of the choices and options available and so for those with impaired mental capacity this may not reach this cohort directly, but will reach indirectly through professional support.	Implementation of the mental health act to ensure capacity is always a consideration in daily practice, which ensures that capacity assessments are carried out and best interest's assessments are used.	N/A	Already built into daily Practices.
<b>Age</b>	Yes there will be greater impact. On this group as Herefordshire has an older age structure than England & Wales as a whole, with 24 % of the population aged 65 years or above (44,800 people), compared to 18 % nationally. We expect this trend will be duplicated in the self-funder cohort.	No, this policy is aimed at supporting self-funders to give them the information and advice to make informed decisions	N/A	
<b>Gender</b>	The data tells us that overall, there are more females than males in Herefordshire (51 percent to 49 percent). Females outnumber males at almost all ages over 40, slightly older than this happens nationally (early thirties). However, the differences aren't really evident until the late seventies – a	No the policy will not have any negative impact as a result of gender as the policy does not negatively impact.		

	result of the longer life expectancy of women.			
<b>Race</b>	Almost all service users are White British.	No. The composition of service users according to this equality strand is broadly reflective of local demographics in Herefordshire generally (6% of the population describe themselves as not White British)		
<b>Sexual Orientation</b>	<i>No data available to allow analysis</i>			
<b>Religion-belief/none belief</b>	<i>No data available to allow analysis</i>			
<b>Pregnancy/maternity</b>	<i>No data available to allow analysis</i>			
<b>Gender reassignment</b>	<i>No data available to allow analysis</i>			

## E) Consultation

**Did you carry out any consultation?**

**Yes X No**

**Who was consulted?**

Providers  
 Making it Real Board  
 Adult and Communities operational teams  
 Welfare and Financial Assessment team  
 Finance Board  
 Contracts and Commissioning Board  
 Directorate Leadership Team

**Describe other research, studies or information used to assist with the assessment and your key findings.**

- Department of Health 2014, Care and statutory guidance: issued under the care act 2014
- Department of health 2014, Impact assessment- The Care Act (2014) regulations and guidance for implementation of Part 1 of the care act in 2015/16
- Think local act personal 2014, Information, Advice and Brokerage, Part 1: Shaping the future- planning, commissioning and delivering information, advice and brokerage in the context of the Care Act.

- Adult and Wellbeing Care and Support and Meeting Your Needs Policy 2015
- Adult Social Care - Developing a New Relationship with Citizens November 2014
- Herefordshire Health and Wellbeing Strategy
- Human Rights Act 1998

**Do you use diversity monitoring categories? Yes  No**

*(if No you should use this as an action as we are required by law to monitor diversity categories)*

**If yes, which categories?**

- X Age
- X Disability
- X Gender Reassignment
- X Marriage & Civil Partnership
- X Pregnancy & Maternity
- X Race
- X Religion & Belief
- X Sex
- X Sexual Orientation

**What do you do with the diversity monitoring data you gather? Is this information published? And if so, where?**

<https://factsandfigures.herefordshire.gov.uk/>

## F) Conclusions

	<b>Action/objective/target OR justification</b>	<b>Resources required</b>	<b>Timescale</b>	<b>I/R/S/J</b>
a)	Commissioning activity to launch the policy	Staff time	Jan - February 2019	I
b)	Operational care management staff through assessment and support planning	business as usual	In year- at point of review	I
c)	WFAT though financial assessments	Business as usual	In year- at point of outcome of review	I

- (I)** *Taking immediate effect.*
- (R)** *Recommended to Council/Directors through a Committee or other Report\*.*
- (S)** *Added to the Service Plan.*
- (J)** *To be brought to the attention of the Equality Manager.*

\*Summarise your findings in the report. Make the full assessment available for further information.

NB: Make sure your final document is suitable for publishing in the public domain.