

## Equality Impact Assessment and Action Plan Of Non Residential Fairer Contributions Policy (Preliminary)

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# Full Equality Assessment

## Non Residential Fairer Contributions Policy 2011-15 (Preliminary)

This Equality Impact Assessment (EIA) will investigate the proposals for changes to non residential charging (Fairer Contributions), including Home Meal Service, as well as incorporating the proposed changes to the Taxicard scheme. These proposals are subject to agreement by Members at Cabinet on 15 March 2011. If agreement is forthcoming, the proposals will go out to consultation for eight weeks. Therefore, this EIA is a preliminary version, with the document being updated following feedback from the consultation on the proposals.

### *Background – Fairer Contributions for Non-residential care*

Currently, the London Borough of Barking and Dagenham (LBBD) charge for only home care, home meals and community equipment out of all non-residential social care services. The charging policy for home care was introduced in 1999 with a flat rate of £10 regardless of service levels and income. In a report to Executive on 11 March 2003 Members approved a new banded system for home care. Charges were split into three bands based on level of care. However, the banded system has proved, with time, to be unfair as costs discriminate against people who receive lower levels of service and those on lower incomes.

The Department of Health has issued new guidance on developing a contributions policy which meets the challenges of personalisation. The key themes of the Fairer Contributions guidance are:

- Charges should not be levied for any one service in isolation but for packages of care.
- Councils have discretion not to charge for services at all or to charge for services selectively. This will result in a reduction of the person's personal budget.
- Non personal budget holders should not be treated less favourably than personal budget holders.
- No one should be expected to contribute any more than the financial assessment shows is reasonably practical for them to pay.
- Consideration for charging is not purely budget based, but takes into account service needs.

### *Proposed changes*

The proposed changes to the current system will address:

- The introduction of a £5 waiver
- Changes to levels of disability disregard considered in the income calculations
- Regarding 75% of disposable income as chargeable income rather than 100%
- Building in an additional £10 allowance for people aged 85 and over
- Not levying a charge on savings between £14,250 and £23,250
- Introducing transitional protection over three years.

The following services will be subjected to a new Fairer Contributions policy:

- Home care
- Personal support
- Personal care
- Day care
- Transport
- Services previously funded under Supporting People where they form part of a care package

#### *Background – Home Meal Service*

Alongside the proposed changes to the charging policy for the services above, the contributions towards the Home Meal Service have also been considered. The Home Meal Service is what was previously known as 'Meals on Wheels'. It is a service that delivers meals to individuals at home who are unable to purchase or prepare their own meals.

The Adult Commissioning team currently have a contract with one provider (Fresh Community Meals) to provide this service. The process is, in short:

- A member of the social services team identifies a resident's need for the service ensuring that they meet the eligibility criteria
- Inform and advise the resident on the service
- Arrange with the provider to start the service

The contracted service provides a hot lunch time meal 7 days a week, 52 weeks a year between 11.30am and 2.00pm. This is a very fixed timeframe which does not support a choice agenda. Currently all users of this service contribute £3.45 towards the cost of the meal (including preparation and delivery costs). LBBD subsidise a significant amount of the actual cost of the meal in addition to the service user's contribution.

#### *Proposed changes*

- Between 4 April 2011 and 31 May 2011 the amount service users contribute towards the cost of the meal will rise by £1.50 from £3.45 to £4.95. This decision was agreed by Cabinet in December 2010.
- From 1 June 2011 onwards service users will fund the entire cost of meals from a provider of their choosing.
- LBBD are currently looking at a range of options to ensure customers have increased choice in line with personalisation, but also to ensure that the most vulnerable people are supported to maintain their independence. The plan is for service users to be in a position to make an individual choice about going to the meal provider they want, accessing the food they want at the right price.

#### *Background – Taxicard*

Taxicard is a scheme that provides subsidised door to door transport for people who have serious mobility impairment and difficulty in using public transport. The scheme is growing in popularity but is unsustainable at the current levels of growth and charges (The Taxicard charge for service users has not increased for 15 years).

The current Taxicard scheme has just under 5,000 members. This consists of applicants

who range in age from two years old to 100+ years old.

Trip limits are given according to mobility needs and are allocated on the 1 April each year with no roll over:

- **Band A** - 120 trips for people who need total door to door service
- **Band B** - 60 trips for people who can drive themselves but on some occasions need door to door transport because they are unable or unfit to drive
- **Band C** - 36 trips these are given to people who can on some occasions use public transport but other times need door to door because of their medical condition

Cost of trips at present are £1.50 to the customer, so LBBD subsidise the trip by £10.30. If the journey goes over £11.80 on the meter the customer pays the difference or they have the option of double swiping the card and this journey comes off their trip allocation.

#### *Proposed changes*

- An increase in the minimum customer contribution to £2.50
- A reduction of the maximum trip subsidy by £2.00 per trip
- To end double swiping\*
- Members currently on a trip limit of 120 per year will receive 104 trips per year from 1 April 2011
- There will be no change to the trip limits of those members currently on 36 or 60 trips per year.

\*Double swiping allows for a return journey with another subsidy from the Council.

#### *Intended outcomes from the proposals*

- Develop a new charging policy to enable the continued provision of services to the most vulnerable people in the borough.
- Deliver a fairer, more equitable charging policy inline with current Department of Health guidance
- Take into account level of income and protect the most vulnerable residents in the borough
- Encourage more choice and control for the borough's service users inline with personalisation
- Deliver year on year savings set out in the budget setting process.

#### **Name and job title of people involved in this Equality impact assessment**

Karen Ahmed – Head of Adult Commissioning  
Anne Bristow – Director of Adult and Community Services  
Kevin Jeram – Group Accountant, Adult and Community Services  
Jim Popkin – Performance Manager, Outreach - Elevate  
Paul Hodson – Group Manager, Community Cohesion  
Teresa Coe – System and Policy Manager  
Debbie German - Manager Mobility Services  
Stuart Whitaker- Customer Quality Assurance Advisor

**Equalities profile of users within the service/ function which is being assessed.**

The proposed changes for consultation to non-residential charging will have an impact on approximately 600 service users. The changes to Home Meal Service subsidy will impact on 210 service users. The changes to the Taxicard scheme will affect up to 5,000 current members.

**Give details of any consultation that has already been done which is relevant to this policy/service/function in relation to the groups below**

*Fairer Contributions*

The last consultation process for Fairer Charging was completed prior to the report to Cabinet on 11 March 2009. This included a sample postal survey and user/carer forum discussion.

The main findings from the consultation exercise were:

- The majority of users are happy with current charging levels.
- Users are strongly opposed to an intrusive means test.
- Over 70% of users are not opposed to a banded system.
- Majority of users want a maximum charge.
- Majority of users want a clear and consistent charge across all client groups.

This consultation verified the previous banding policy for another year. New Department of Health guidance has advised against the banding system and recommended new ways to ask service users to contribute in line with personalisation. This guidance, taken alongside LBBB's strides towards personalised social care and the need to meet savings targets means it is essential to update the Contributions policy.

The proposed changes to the Fairer Contributions policy affect approximately 600 people. It is therefore necessary to consult as widely as possible on the proposals if they are agreed in principle by Cabinet on 15 March 2011. Postal questionnaires will be sent to current service users who may be affected. The questionnaire will also be available on LBBB's website. LBBB will also consult directly with the following groups:

- Personalisation Customer Reference Group
- Learning Disability Partnership Board
- Equality Forums
- Carers groups

*Home Meal Service*

There are currently 210 service users accessing the home meals service. When considering making changes to the service in December 2010, the Adult Commissioning team conducted a telephone survey with a sample size of 40 people. Results showed that:

- The vast majority of people would prefer their main meal to remain at lunch time
- Nearly all would still buy the meals if the price went up
- Nearly all would consider paying more from a different provider

- Around 60% did not feel able to prepare a frozen meal without assistance.

Qualitative comments were also noted. An annual survey is sent to all customers each year to gain their feedback on the service. Care Management will ensure that every customer receives a review and reassessment.

#### *Taxicard*

Letter sent to all 5,000 users detailing/explaining changes December 2010.

On 27 January 2011 Debbie German, Manager Mobility Services, and Stuart Whitaker, Customer Quality Assurance Advisor, attended the Forum for the Elderly held at the Civic Centre, giving a briefing on changes to the Taxicard scheme in the borough. Further consultation is planned.

**What does the evidence tell us?** – to what extent does the policy /service/function affect the **promotion of equality** and the **elimination of discrimination** in each of the equality groups below

#### **Age**

##### *Fairer Contributions Policy*

The Fairer Contributions Policy proposals will have an impact on the borough's elderly population. For instance, 78% of home care users are aged over 65. If agreement from Members is reached, the elderly population will be consulted with about the proposals.

##### *Taxicard*

The changes to the Taxicard scheme were well received by the members of the Elderly Forum who generally accepted that changes have to be made as a result of the Governments spending cuts. During the briefing, alternative methods of transport that are currently available to elderly people were described and the relevant contact details included, as well as the contact details of the Mobility Services Team.

After the briefing an opportunity was given to the audience to ask any questions they might have regarding the changes or about the scheme in general. A number of questions were asked which focused on;

- Qualification requirements for the Taxicard
- Explanation on how the subsidy works
- Ways in which to utilise the Taxicard

Since the session, the Mobility Team has not experienced an increase in the volume of calls received, the total number remaining constant with previous months. Customers that have contacted the Mobility Team have commented positively on the alternative modes of transport/methods of utilising their Taxicard which were highlighted during the Forum for the Elderly. Customers have been most interested in the Patient Transport Service, an NHS run service which transports patients to and from their hospital appointments, and Dial-A-Ride, both of which are free services.

## Home Meals Service

The majority of our 210 Home Meal service users are aged over 65 (95%). Indeed, over 50% are aged over 85. Therefore, any changes will have a disproportionate impact on the borough's aging population. LBBD will need to ensure that people still receive the meals and other services they require to meet their needs despite price rises.

## Disability

Both the changes to the Taxicard scheme and to non-residential charging will affect people with disabilities in the borough disproportionately. In particular the changes to disability disregard and the inclusion of Severe Disability Premium will impact on people with disabilities despite the levels of protection that will be put in place. If agreement from Cabinet is forthcoming on the Fairer Contributions proposals, we will consult with the Disability Forum, Learning Disability Partnership Board, Carers groups and the Advisory Partners.

The Fairer Contributions consultation document will also be available in 'easy read'.

## Ethnicity

Below is the ethnicity profile of the 1,100 service users who may be affected by the new Fairer Contributions proposals:

Asian or Asian British:	3.6%
Black or Black British:	5.9%
Chinese or other ethnic group:	0.7%
White British:	84.6%
Other White:	3.7%
Mixed or Mixed British:	1.5%

Over 15% of service users are from an ethnic minority. Therefore, LBBD must ensure that the consultation is in an accessible format. It is essential that service users, where English is not their first language, are able to understand the implications of the proposals. Help will be available, to go through the proposals. The proposals will also be presented at a variety of BAME forums.

8% of residents with a Taxicard are listed as being an ethnic minority. LBBD are planning to consult BAME groups in March, April and May 2011.

## Gender (including transgender)

Below is the gender profile compared with age of the 1,100 service users who may be affected by the new Fairer Contributions proposals:

Age	Male	Female
18 - 24	0.4%	0.1%
25 - 39	2.1%	1%
40 - 64	6.8%	7.8%
65 - 74	4.6%	6.7%
75 - 84	6.2%	16.8%
85 - 94	5.9%	27.8%
95+	0.6%	5.5%

The table shows this disproportionate impact on elderly women. Over 50% of service users affected are women aged 75 and over. We will ensure that the consultation reaches elderly women. The responses to the consultation will be sorted by age and gender and the results presented to Members at Cabinet in July.

### **Religion or belief**

Cultural specific and faith appropriate meals are provided by the current provider. Any future proposal will continue to consider faith and cultural dietary requirements.

Consultation documents include faith monitoring.

### **Sexual orientation**

No specific implications

### **Pregnant and Nursing mothers**

No specific implications

### **How could this policy /service/ function reduce socio-economic disadvantage for all groups?**

The proposals will mean more people are paying for their care or paying higher amounts for their Taxicard journeys and Home Meal Service. We will consult widely on the proposals and the levels of protection we are offering and feed the results into this EIA.

Careful modelling has been completed on the proposals for home care users to ensure they still have enough money to live on. Extra protection measures have been built in to protect the borough's most vulnerable such as raising the minimum payment to £5, only taking up to 75% of disposable income and introducing transitional protection.

### **How does the policy/service/function contribute to building Community Cohesion?)**

LBBD are currently working with local providers to introduce a new way of providing community meals. This includes liaising with a social enterprise who has agreed to be included in the list of options for service users. A social enterprise is a business with primarily social objectives whose surpluses are reinvested for that purpose in the business or the community, rather than being driven by the need to maximise profit for shareholders and owners. The promotion of social enterprises should have positive impacts on the community.

The Fairer Contributions proposals, in general however, have no specific implications for community cohesion. Nevertheless, the proposals are 'fairer'. Currently, service users may pay for their home care but not for their day care. Under the new proposals, service users may contribute for any non-residential service (except for information and advice and reablement). The equitable new proposals should not impact on community cohesion.



**Given all the information that you have gathered in the previous sections how will or how does the Policy/Service /Function meet the needs of individuals from different groups?**

The impact of the changes in Charging Policy for home care users has been analysed extensively. The impact of the proposed changes has been modelled for the 922 home care users financially assessed before 3 November 2010. This includes current home care users who are not currently charged but will be if the proposed changes are implemented following consultation. The impact on other service users such day care users and people funded through Supporting People has been included in the report for Cabinet on 15 March. It is impossible to predict as accurately the impact on these service users and new service users because these people have not been financially assessed. Instead, the trends from the home care user analysis has been used to gather indicative numbers affected by the proposals:

- 48% of people will get free services or pay less
  - 519 (47%) service users will still receive free services
  - 14 (1%) will pay less than they pay now
- 5% (58) of people will pay the same
- 46% of people will pay for the first time or pay more.
  - 356 (32%) service users will start to pay for the first time
  - 156 (14%) existing home care users will be asked to pay more

**Age**

Council Members and Officers are very aware of the impact any proposed changes have on the aging population as they are more likely to be receiving services that will be charged for. For instance, over one third of home care users are aged over 85. As an additional protection measure for this group, it is proposed that we increase the Minimum Income Guarantee for all service users aged 85 and over by £10. This means over 85s will have a Minimum Guaranteed Income of £175.75 giving them higher disposable income. The national guidance ensures that people aged 65 and over have a higher minimum income.

The increase in charge of the Taxicard scheme will also have an impact on 88% of Taxicard holders who are aged over 65. The majority of the Taxicard users above are also in receipt of non-residential services. The built in protection for older people in non-residential charges means that all Taxicard holders should have enough disposable income to fund these changes. It must also be noted that the majority of Taxicard users only use their Taxicard in emergencies – just once or twice a year.

**Disability**

In the proposed Fairer Contributions policy, including Severe Disability Premium in income calculations, will mean that an estimated additional 177 service users will have to pay a contribution towards the cost of their personal budget or care package. This is because their Net Disposable Income, including Severe Disability Premium would then be calculated as being above the income support level + 25%.

The proposal to reduce the level of disability disregard to 25% of disability related benefits means an additional 167 people would become eligible to make a contribution towards the cost of their care package or personal budget. In total 344 people may be affected by changes to the treatment of disability benefits.

Because of this impact on people with disabilities in the borough, several protection measures have been proposed. It is proposed that only 75% of net disposable income can be charged. It is also proposed that people will be protected by large increases in the chargeable amount by introducing transitional protection of a maximum £10 weekly increase from October 2011 and £20 increase in April 2012.

This will in particular protect new payers who visit day centres and currently pay nothing for this service. It is anticipated that 54 current day care users will also be expected to start contributing if the proposals are implemented. The 54 day care users will all be protected by the transitional protection.

Despite the aforementioned protective measures in place, disabled people in the borough are going to be expected to pay more across a range of services. The majority of Taxicard users have mobility problems and are going to be expected to pay more for their journeys. If they have home meals as well it is likely that they will pay more for their meals (though they may find cheaper alternatives). The increase in charge for Blue Badge holders from £2 to £10 owing to the design changing must also be considered. The Blue Badge scheme is for people with severe mobility problems. It allows Blue Badge holders to park close to where they need to go. Though the Blue Badge lasts for three years, the increases in costs for disabled people in the borough add up.

LBBB will continue to consult with disabled people and undertake regular financial assessments to ensure they have enough disposable income despite the increase in charges and costs.

#### **Race/Ethnicity**

LBBB will ensure all service users, including the 15% of ethnic minority service users affected by the Fairer Contributions proposals, clearly understand the benefits they are entitled to when they are financially assessed.

LBBB are currently exploring the option of providing culturally sensitive meals to the local community. Future service options will ensure user's health and cultural meal needs are considered.

#### **Gender (including transgender)**

The impact on elderly women is disproportionate to other genders as discussed above. Cases will be reviewed where there are particular cases of individual hardship.

#### **Pregnant / Nursing Mothers**

The impact on this group has not been analysed.

#### **Religion or Belief**

Again, the future home meals service options will consider dietary requirements owing to religious belief. The current Home Meals provider offers:

- Kosher
- Halal
- Asian

Asian vegetarian  
Afro Caribbean

Any new proposals for Home Meals will offer choice and control for service users.

### **Sexual orientation**

The impact on this group has not been analysed.

### **Socio-economic disadvantage**

Service users will be paying more if the proposals for Fairer Contributions are implemented. However, all the proposals have attempted to ensure that service users are not too economically disadvantaged by the proposals. In particular, the following proposals seek to prevent socio-economic disadvantage by:

- Ensuring only 75% of net disposable income can be touched by any charging policy. This will mean that 14 people will actually pay less for their home care than they currently do under the banded system
- Introducing a minimum payment of £5 meaning that 34 service users on low income do not have to pay towards their home care
- Introducing transitional protection to protect service users from large payment increases.
- Allowing home meal users to find cheaper alternatives rather than giving them no choice about their home meal provider
- Ensuring people are aware of other transport options other than the taxicard scheme, including the sharing of transport with other users.

Cases will be reviewed where there are particular cases of individual hardship with a possible reduction or waiver resulting. The impact of any proposals implemented will be monitored and evaluated annually.

### **What more can be done?**

#### **Challenges and Opportunities**

1) The Revenues and Benefits Team will be conducting a financial assessment on 1,100 service users in the new financial year. This will mean the most up-to-date financial information will be gathered on service users to ensure they pay the correct amount. This Financial Assessment will be updated annually for each service user so any changes in financial circumstances are picked up and people are still paying the right amount. The Financial Assessment will be accompanied by a welfare benefits check to maximise each individual's income.

2) What **practical changes** will help reduce any adverse or potential adverse impact on particular groups?

Extra resources will be acquired by the Revenues and Benefits team to ensure they can manage the extra financial assessments that will be required as more people become eligible to be charged. Extra resources may be also required to ensure people are given welfare benefits checks at the same time as financial assessments. It is anticipated that one extra post will be required in the Revenues and Benefits team for six months. This will be confirmed by the Project Implementation team.

3) What will be done **to improve access** to, and **take-up** of, services and **understanding the policy**?

Frontline workers will be briefed about the changes. Social workers will therefore be in a position to assist with any queries and help with financial assessments if necessary. The new charging policy and Taxicard scheme will be explained on the website.

What impact will the policy have **on helping different groups of people** to get on well together to **improve community relations**

These proposals are likely to have no impact.

### **Equality Impact Assessment**

While these proposals are designed to increase income for the Council to sustain the current levels of service they are also designed to be fair and equitable. Provision to be made to ensure:

- The consultation is as wide as possible. Groups need to be visited, questionnaires need to be posted to relevant people and the consultation document should be put on the Council's website. Assistance will be available to help people complete the questionnaire if necessary.
- The results of the consultation should be presented to Members at Cabinet in July 2011, including the raw data.
- Frontline staff to be aware of proposed changes to charges and understand the rationale behind it.
- The new financial systems (SWIFT Financials) need to be set up and tested.

## Action plan template

Category	Actions	Target date	Person responsible and their Directorate
Improving Involvement and Consultation	Eight week consultation to take place from beginning of April 2011 to ask questions around the proposals concluding on 31 May 2011. The results of this consultation will go to Cabinet in July 2011.	July 2011	Head of Adult Commissioning
Improving data collection and evidence	Financial Assessment of all non-residential service users will be carried out from April 2011.	September 2011	Project Manager Implementation Phase
	Welfare benefits checks will be offered and take up monitored.	September 2011	Project Manager Implementation Phase
Improving assessment and analysis of information	Payment system set up on SWIFT Financials	September 2011	Project Manager Implementation Phase
Developing procurement and partnerships arrangements to include equality objectives and targets within all aspects of the process ( including monitoring of the contract / commission)	Monitor any drop off in service take-up because of the charges and ensure no equality group is adversely affected.	Ongoing	Head of Adult Commissioning
How will you monitor evaluate and review this EIA (including publishing the results)	EIA updated following consultation and included in appendix for July Cabinet report. This will be published on the Council website.	July 2011	Head of Adult Commissioning
	EIA to be reviewed annually, starting a year after implementation.	October 2012	Head of Adult Commissioning