

Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

About the service or policy development

Name of service or policy	Appointeeship and Deputyship Policy
Lead Officer	Donna Radley (Head of Welfare) & Lee Powell (Service Manager)
Contact Details	lee.powell@lbbd.gov.uk donna.radley@lbbd.gov.uk

Why is this service or policy development/review needed?
<p>The Welfare Service, commissioned by Adult Social Care, are proposing to implement a new Appointeeship and Deputyship Policy to formally outline how Barking and Dagenham Council charges for the service provided.</p> <p>LBBB offers an Appointee & Deputy Service to support residents who lack capacity to manage their finances. The service was introduced for those who, through lack of capacity & support, have no means to appoint their own independent provider. Those managed by this service have been determined to lack capacity in accordance with Mental Capacity Act 2005 & the Care Act 2014.</p> <p>The Appointee & Deputy Service are engaged, through relevant court orders, to undertake the financial management of a person's assets including tenancy management. The services provided are chargeable and claimable from the appointee, deputy, or in rare cases the Litigant Friend.</p> <p>There are two ways in which LBBB may take these activities on; through the role of an Appointee or Deputy, depending on whether the individual meets the eligible criteria outlined in the policy.</p> <p>Appointee</p> <p>An appointee is either an individual or organisation assigned by the Department for Work and Pensions (DWP) to handle someone else's state benefits and pay any costs of living. In most cases this will involve making claims and receiving benefit payments for individuals who lack the mental capacity to do so, the appointee will then use these benefits in the best interests of the individual, such as paying for necessary goods or necessary domestic or personal care services.</p> <p>Deputyship</p> <p>A deputy is an individual or organisation appointed by the Court of Protection to make decisions for people who lack the mental capacity to do so for themselves. Deputies are regulated by the Office of the Public Guardian (OPG) and unlike appointee's who manage the expenses and living costs of a mentally impaired individual, deputies can be responsible for the individual's entire estate; known as a property and affairs deputy. A deputy can also be responsible for making decisions regarding someone's care and treatment; known as a personal welfare deputy. This policy does not pertain or apply to personal welfare deputyships.</p> <p>Historically, within Barking & Dagenham it became apparent that there was a large demographic of residents who not only lacked capacity, but also any support structure to be able to manage their finances or have someone do it for them. Due to this, the service grew at a considerable rate and as such the decision was made in 2017 that a charge would be implemented. This charge was set at £8 per week, per individual, effected from 1st May 2017 and contributed to the costs of providing the service.</p>

Why is this service or policy development/review needed?

Currently there are 77 individuals who are under the appointeeship service and receive support in their day to day lives, for which they pay a fee of £8 per week.

At present there are no active cases under deputyship within LBBB. However, should responsibility fall to LBBB to undertake this role, without the new policy in place, the service would have to be carried out free of charge.

Within the 77 Appointees under LBBB, there are currently 52 clients that meet the criteria for deputyship and thus should incur higher charges for the level of service provided.

The new proposed appointee charges will be an annual charge based on whether the care is residential or domiciliary (homecare). The charge differs between residential and domiciliary as residential placements have less financial requirements, this is because their needs are met within the residential placement and not charged separately. Someone who receives care at home requires financial management for rent, shopping, gas, electric, water whereas residential placements include all these in the fees.

The charges to be introduced will now include a set up administration fee as well as a discharge fee due to level of administrative work required on the on/off boarding. All bank charges will be passed to the appointee and dictated by the bank. All appointees and deputies will be managed using a Lloyds banking platform and have their own bank accounts held by LBBB Appointee Deputy Service.

For comparison purposes an existing appointee now will pay £416 per annum and under the new policy an appointee in residential care will pay £500 per annum and those in domiciliary care will be charged £650. New appointees will incur a £150 set up fee and a £75 discharge fee, should they leave our services.

If LBBB were not to provide this service, the clients would either be left alone without the necessary support or be forced to find this service in the private market. Comparative checks on private organisations who offer these services ranged from £15 to £25 per week, £780 to £1,300 per annum. It was also noted that some packages were offered at basic, premium and enhanced/elite rates and the level of service was dedicated by how much the individual paid. Our service provides all options on all packages offered up to and at enhanced or elite and are substantially cheaper.

Deputyship fees are set nationally and before any appointee is moved to this service, a full review and updated mental capacity assessment will be undertaken to ensure appropriate action and controls are in place.

Deputyship	Year 1	Year 2
Application Fee	£745.00	
Annual Management	£775.00	£650.00
Annual Report Fee	£216.00	£216.00
Total	£1,736.00	£866.00

Both appointeeship and deputy services are non-statutory functions, the service was created to support those who did not have the capability, family or friends to find an alternative, the burden would then fall to the support worker to enable this activity.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?
Look at what you know. What does your research tell you?

Please state which data sources you have used for your research in your answer below

Consider:

- National & local data sets
- Complaints
- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.
- It is Council policy to consider the impact services and policy developments could have on residents who are socio-economically disadvantaged. There is space to consider the impact below.

- **Age**

Of this population currently 57,150 are aged under 16. This is the highest proportion in England and Wales.

Of this population currently 142,700 are aged 16 – 64, and 19,050 aged over 65.

The largest age group bracket is age 35 – 39 with 8.5% (18,606) of the borough.

The average age in the borough is 33. This is lower than the London average of 35.

Barking & Dagenham has a significantly higher age profile between 0-19 than the London average.

The age profile has seen a decrease of 1.7% in people aged 65 and over, with an increase of 20.8% of people aged 15-64. The age profile for children under 15 has also increased by 17.3%.

57,100 (26.1%) of residents were aged under 16 on Census day, the highest proportion in England & Wales.

This demonstrates the changing profiles of the age of the population in Barking & Dagenham.

- **Disability**

Currently 13.2% of the population is registered as disabled under the Equality Act.

Barking & Dagenham currently has 4,790 people of working age (16-64) claiming Disability Living Allowance & 9,687 claiming Personal Independence Payment.

29.8% of households have at least one person who identifies as disabled, the highest proportion in London.

(Census 2021)

- **Gender reassignment**

9 in 10 Barking & Dagenham residents' gender identity was the same as sex registered at birth (90.4%)

Of all English & Welsh local authorities, Barking & Dagenham had the:

- highest proportion of trans women (0.25%)
- 3rd highest proportion of trans men (0.24%)
- 5th highest proportion of people whose gender identity was different but no specific identity given (0.64%)
- 17th highest who did not answer the gender identity question (8.4%)

Nearly 9 in 10 Barking & Dagenham residents described their sexual orientation as Straight or Heterosexual (88.6%)

Of all English & Welsh local authorities, Barking & Dagenham had the:

- 4th highest proportion who described their sexual orientation as all other sexual orientations (0.07%)
- 23rd highest proportion who described their sexual orientation as Pansexual (0.38%)

- **Marriage & civil partnership**

Barking & Dagenham currently has 42.8% of the population married or in a civil partnership, up from 42.1% in 2011. The number of people who were married increased and fell across England.

41.8% of the population were never married or registered in a civil partnership.

8.1% are divorced or in a dissolved civil partnership.

(Census 2021)

- **Pregnancy & maternity**

There are currently 64.2 births per 1000 women of childbearing age the highest in London.

Barking & Dagenham saw England's joint second largest % rise in the proportion of households including a couple with dependant children from 20.9% in 2011 to 24.1% in 2021.

There are 9,4000 (12.8%) lone parent households with dependent children, the highest proportion in England & Wales.

Teenage pregnancy rates? Query

(Census 2021)

- **Race and ethnicity**

The proportion of the borough population identifying as coming from black and minority ethnic backgrounds has increased from 19.1% to 50.5% between the 2001 and 2011 censuses, and is now at 69.1%, the 10th highest in the country.

In 2021 25.9% of residents identified their ethnic group as Asian, Asian British or Asian Welsh, up from 15.9% in 2011. This 9.9% increase was the largest increase among high level ethnic groups in this area.

44.9% of residents identified as white compared with 58.3% in 2011.

21.4% of residents identified as Black, Black British, Black Welsh, Caribbean of African compared to 20% in 2011.

Ethnic diversity has increased between 2011 and 2021 with the percentage of non-white British residents rising by 18.6% over the decade.

The most common language of residents whose main language is not English is Romanian (4.8%) followed by Bengali (3.1%).

2 in 5 residents were born outside of the UK.

Barking & Dagenham has become increasingly ethnically diverse in the last 10 years.

(Census 2021)

- **Religion**

45.4% of the population identify as Christian, down from 56% in 2011.

18.8% identify with no religion.

24.4% of residents identify as Muslim, up from 13.7% in 2011. This rise of 10.7% was the largest increase in religious groups in Barking & Dagenham.

These groups are the predominant religion in the borough with the next highest identifying as Hindu at 3%.

(Census 2021)

- **Sex/Gender**

Currently 51.3% of the borough's residents are female, and 48.7% are male. This is broken down by population:

- Male – 106,548
- Female – 112,202

(Census 2021)

➤ **Sexual orientation**

Query on current data

➤ **Socio-economic disadvantage (deprivation in the borough)**

In April 2023 the updated poverty indicator tracker for Barking & Dagenham held the:

- 34th (worst) average rank (combining the 10 indicators of poverty) against all 309 English Local Authorities
- 32nd highest unemployment rate
- 5th highest rate of Universal Credit claimants in employment (previously 5th in the 2021 census)
- 7th highest proportion of households claiming Housing Benefits
- 70th highest proportion of households living in fuel poverty
- 63rd highest proportion of children under 16 living in relative low income families.

This compared to April 2022:

- 18th (worst) average rank (combining the 10 indicators of poverty) against all 309 English Local Authorities
- 2nd highest unemployment rate
- 2nd highest rate of Universal Credit claimants in employment (previously 5th in the 2021 census)
- 5th highest proportion of households claiming Housing Benefits
- 17th highest proportion of households living in fuel poverty
- 34th highest proportion of children under 16 living in relative low income families.

This showed a:

- Falling unemployment rate
- Reduction in fuel poverty (data remains pre cost of living crisis)
- Reduction in children living in relative low-income families

Within London the borough has the highest rates of:

- Universal Credit claimants in employment

The 3rd highest rate of

- Children aged under 16 living in relative low income families.

The 4th highest rate of:

- Households living in fuel poverty
- Income Support claimants

Barking & Dagenham has dropped from the 18th lowest (worst) to 34th lowest (worst) combining the 10 indicators of poverty. This is the first time Barking & Dagenham has:

- Featured outside of the top 20 (worst) Local Authorities since February 2020
- Not been the most impoverished borough (3rd)

Although these poverty indicators have improved Barking & Dagenham remains a very impoverished borough.

The 2021 census also provided data on poverty indicators:

- 46,100 (62.4%) of households have at least one measure of deprivation.
- 46% of children are estimated to live in poverty the 3rd highest in England & Wales.
- The borough also had an economically inactive rate of 35.9%, higher than the London average of 33.8%.
- 7% of the population were providing unpaid care.
- 58.5% of residents are economically active in employment, lower than the London average of 61.4%.
- 16.1% were employed in professional occupations with 15.9% employed in elementary occupations.
- The largest socio-economic classification was lower managerial, administrative and professional occupations at 15.3%, lower than the London average of 20.6%.
- 11.4% of the population were engaged in part time work of 15 hours a week or less, higher than the London average of 10.7%.
- 22.7% of the population hold no formal qualifications, higher than the London average of 16.2%.
- The number of residents renting privately has increased by 412% since 2001.
- 18,100 (24.5%) of households rent from the Council, the 3rd highest in England & Wales.
- 17.8% of households are living in a property without enough bedrooms, the 2nd highest proportion in England & Wales.

The socio-economic indicators in the borough highlight high levels of deprivation, poverty and issues with housing and present a challenging outlook for the Council.

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?																
Local communities in general																					
Age		X		<p>Within the existing client base the age groups are:</p> <table border="0"> <thead> <tr> <th>Band</th> <th>Number of SU</th> </tr> </thead> <tbody> <tr> <td>18 – 29</td> <td>= 5</td> </tr> <tr> <td>40 – 49</td> <td>= 11</td> </tr> <tr> <td>50 – 59</td> <td>= 20</td> </tr> <tr> <td>60 – 69</td> <td>= 14</td> </tr> <tr> <td>70 – 79</td> <td>= 7</td> </tr> <tr> <td>80 – 89</td> <td>= 10</td> </tr> <tr> <td>90 – 99</td> <td>= 3</td> </tr> </tbody> </table>	Band	Number of SU	18 – 29	= 5	40 – 49	= 11	50 – 59	= 20	60 – 69	= 14	70 – 79	= 7	80 – 89	= 10	90 – 99	= 3	<p>There are no perceived negative impacts on these protected characteristics.</p> <p>Officers are aware of the sensitive nature surrounding age and understand how to work with people of all ages. Tailoring approach based on the nature of disability and age.</p> <p>Awareness around all thoughts and feeling of the individuals are sought and upheld through the course of them being under our service.</p> <p>Working closely with next of kin, support workers and adult social services we can understand the individuals needs better.</p>
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Disability	x		x	<p>All existing clients will be affected by the increase in proposed fees.</p> <p>By the nature of the service, all service users fall under the protected characteristic of disability. All thoughts and feelings of the individuals are sought and upheld where possible through the course of them being under the service.</p>	<p>The proposed fees have been kept significantly below market value and a greater level of service is offered than by private organisations at a reduced cost.</p> <p>Despite clients requiring the service due to lack of capacity, we work closely with next of kin and support workers to ensure that they are assisted to maintain their independence in accordance with their mental capacity assessment, whilst ensuring their needs are safeguarded.</p>																
Gender reassignment		X		<p>There is no service data held for this specific category.</p> <p>The policy will not treat people of different genders any differently.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p>																

			<p>The policy will not have a differential impact on people who are proposing to undergo, is undergoing, or has undergone a process (or part of a process) to re-assign their gender.</p>	
Marriage and civil partnership		X	<p>There is no service data held for this specific category.</p> <p>The policy will not treat people either married or in a civil partnership any differently.</p> <p>The new policy will not have a differential impact on people who are married or in a civil partnership.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p>
Pregnancy and maternity		X	<p>There is no service data held for this specific category.</p> <p>Pregnancy will not affect how we charge against the policy.</p> <p>The new policy will not have a differential impact on people who are pregnant or on maternity leave.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p>
Race (including Gypsies, Roma and Travellers)		X	<p>There is service data held for this specific category.</p> <p>Race will not affect how we charge against the policy.</p> <p>The proposed new policy will not have a differential impact on people because of their race or ethnicity.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p> <p>Officers are acutely aware of the sensitive nature surrounding race and understand how to work with people from diverse backgrounds. All staff members carry out the mandatory E&D training.</p> <p>Awareness around all thoughts and feeling of the individuals are sought and upheld through the course of them being under our service.</p> <p>Working closely with next of kin, support workers and adult social services we can understand the individuals needs better.</p>

Religion or belief		X	<p>There is service data held for this specific category.</p> <p>Religion or belief will not affect how we charge against the policy.</p> <p>The proposed new policy will not have a differential impact on people because of their religion or belief.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p> <p>Officers are acutely aware of the sensitive nature surrounding religion and individual beliefs and understand how to work with people from diverse backgrounds.</p> <p>Awareness around all thoughts and feeling of the individuals are sought and upheld through the course of them being under our service.</p> <p>Working closely with next of kin, support workers and adult social services we can understand the individuals needs better.</p>
Sex		X	<p>Within the existing client base we have a 26 female service users and 42 male (no individual has expressed any preference over gender / sex used)</p>	<p>There are no perceived negative impacts on these protected characteristics.</p> <p>Service users who have concerns surrounding preference of interactions with a specific Sex, can be mitigated by use of their preferred care coordinator or Support Worker currently in place.</p> <p>Designated request would be made with Adults Social Care when care and support put in place.</p>
Sexual orientation		X	<p>There is no service data held for this specific category.</p> <p>The proposed new policy will not have a differential impact on people because of their sexual orientation.</p>	<p>There are no perceived negative impacts on these protected characteristics.</p>
Socio-economic Disadvantage	x		x	<p>At the point of entry into the service some users will be recognised as being at a socio-economic disadvantage and will be affected by the proposed charges. Existing users of the service and</p> <p>The proposed fees have been kept significantly below market value and a greater level of service is offered than by private organisations at a reduced cost.</p>

			<p>those effected, at this time, by the proposed introduction of increased charges are no longer considered as being socio economically disadvantaged.</p> <p>Due to the historic actions of the service, the service users are no longer considered to be at an economic disadvantage.</p> <p>Budget planning, debt management has helped provide financial resilience to the service users.</p>	<p>The service reserves the right to waiver charges where appropriate or apply to the Courts to have the charges waived. These charges can be waived in their entirety or postponed for recovery until a later date.</p>
Any community issues identified for this location?				

2. Consultation.

<p>Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups.</p> <p>If you have already undertaken some consultation, please include:</p> <ul style="list-style-type: none"> • Any potential problems or issues raised by the consultation • What actions will be taken to mitigate these concerns
<p>Plan to consult existing clients within the service.</p> <p>Issue</p> <p>By nature of the service and our clients' lack of capacity, it is important that we consider that a problem may occur when trying to consult on the proposed changes. There is a risk that they do not understand what they are being consulted on. Therefore, for them to make financial decisions it is necessary for ethical consultancy to instruct an advocate to speak on the service users' behalf.</p> <p>Mitigation</p> <p>Throughout the consultation process we will be using Disablement Association of Barking and Dagenham (DABD), as advocates for all clients. They will be contacting clients and meeting with them in person to get to know them. This will allow them to identify what our clients understand, and what elements of the decision-making process they can partake in.</p> <p>Where clients lack the capacity to fully engage, DABD will act as advocates on their behalf to ensure that their voices are heard throughout the consultation process.</p>

3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented? <i>These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.</i>		
Action	By when?	By who?
Annual Review of policy	End of each financial year	Client Affairs Team / Service Manager
Annual checking of Deputyship Fees	End of each financial year	Client Affairs Team / Service Manager

4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or appropriate committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the wider community.

Take some time to summarise your findings below. This can then be added to your report template for sign off by the Strategy Team at the consultation stage of the report cycle.

Implications/ Customer Impact
<p>By nature of the service, all clients fall under the protected characteristic of disability. All clients in need of appointee or deputyship are identified by social care and as a result of the Council providing this service, we are able to support these vulnerable residents, and prevent these clients from having to pay for this service in the private market, often at a greater cost.</p> <p>Both appointeeship and deputy services are non-statutory functions, but the removal of which would put both existing and future appointees at significant risk. The service was created to support those who did not have the capability, family or friends to find an alternative, the burden would then fall to the support worker to enable this activity.</p> <p>Offering financial support ensures that those who lack capacity are safe, protected, and supported at their most vulnerable, they are supported to live healthier, happier, independent lives for longer and live in good housing and avoid becoming homeless. As Appointee's or Deputies, the Service can manage an individual's financial assets to ensure stability, avoid debts and put in place support mechanisms that allow the resident to live a fulfilled & supported life. This will further support more residents by introducing a deputyship service.</p> <p>By implement new charges, it would allow for the provisions of both services to provide greater financial stability with the service and the ability to support more residents who need this service.</p>

5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Donna Radley	Head of Welfare	18/08/2023