

Stage 1 Equality Impact Assessment – Initial Screening

Assessor(s) Name(s):	Catherine Smith-Ivory Helen Babington
Directorate:	Community Wellbeing and Social Care Directorate
Date of Completion:	23 rd August 2016

Name of Policy/Strategy/Service/Function Proposal

Charging Policy for Residential and Nursing Care Adult Social Care Services

This Policy has been updated to reflect the current changes in the Care Act 2014. The requirements of the Care Act state that the Local Authority must have a separate charging policy for residential and nursing care services and also one for those services provided *not* in a care home setting, i.e. non-residential services. This policy has been updated to comply with this requirement and the policy has been written in accordance with the Care and Support Statutory Guidance and Regulations.

The previous April 2015 policy was refreshed during an annual review in May-August 2016 and it was agreed to update with the August 2016 version.

The Aims, Objectives and Expected Outcomes:

Many individuals currently supported by the council receive services in a residential or nursing care setting. Their needs have been agreed with them as a result of an assessment of need for eligible care and support.

The council will require the client to make a financial contribution subject to their ability to pay and this policy covers these circumstances.

This policy has been written in accordance with the Care Act 2014 and subsequent issue of the Care and Support Statutory Guidance and Regulations.


Please delete as appropriate:

- This policy has been updated to reflect the current changes in the Care Act 2014.

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?	No
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	No
Do different groups of people within the local community have different needs or experiences in the area this issue relates to? Whilst it is acknowledged that different groups of people may have different needs/experiences in this area, the Policy confirms that the Deputyship office will deal with any person lacking capacity to manage their finances in the same way across all equality groups.	No
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? No the Policy sets out in detail the way in which we already work and so therefore there will be no significant changes on how we deliver the service. The Deputyship function is self-funded from fees charged to each client. These fees are set out and authorised by the Court of Protection.	No
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? The service applies to all residents of the Isle of Wight, regardless of their equality group, where any individual is identified to lack capacity to manage their finances.	No

Protected Characteristics	Positive	Negative	No impact	Reasons
Age			✓	
Disability			✓	
Gender Reassignment			✓	
Marriage & Civil Partnership			✓	
Pregnancy & Maternity			✓	
Race			✓	
Religion / Belief			✓	
Sex (male / female)			✓	
Sexual Orientation			✓	

Are there aspects of the proposal that contribute to or improve the opportunity for equality?	No
<i>If answered Yes, describe what these are and how they may be promoted or enhanced</i>	

Evidence Considered During Screening	
<p>The Care Act 2014 (sections 14, 17 and 69-70), the Care and Support (Charging and Assessment of Resources) Regulations 2014 and the Care and Support Statutory Guidance (chapter 8) give local authorities a discretionary power to charge adult recipients of residential or nursing care services such amounts as they consider reasonable. However in assessing a service user, local authorities must ensure that a person's income is not reduced below a specified level after charges. This is the set Personal Expense Allowance (PEA) amount as defined by the regulations. However, this is only a minimum and local authorities have discretion to set a higher level if they wish.</p> <p>The Isle of Wight Council Community Wellbeing and Social Care Directorate have developed this charging policy on the basis of equity, need and a duty to provide care.</p> <p>This policy aims to be fair and implementation should not lead to anyone being unfairly disadvantaged. If a client feels that this policy does not treat them fairly, they can ask for a review of their assessment.</p>	
Head of Service Sign off:	Claire Foreman (Interim DASS) 
Advice sought from Legal Services (Name)	Helen Miles
Date	23rd August 2016

Charging Policy for Residential and Nursing Care Adult Social Care Services can be located on the Adult Social Care Intranet site and/or can be accessed under the documents tab, 'C' and named Charging Policy for Residential and Nursing Care.

An Officer Decision Record (ODR) has also been completed and is filed within Adult Social Care's ICT system.