



HEALTH, SOCIAL CARE & WELLBEING SCRUTINY COMMITTEE – 5TH FEBRUARY 2019

SUBJECT: NON RESIDENTIAL SOCIAL SERVICES CHARGING

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES & HOUSING

1. PURPOSE OF REPORT

- 1.1 To propose changes to the current non-residential charging model to ensure equity for all service users to include:-
 - a) charging for the support element of domiciliary care;
 - b) charging for day opportunities provided in a community setting and
 - c) charging for day opportunities provided by independent and third sector providers.
- 1.2 To seek views regarding an annual inflationary uplift in the hourly charge for domiciliary care and the daily charge for day opportunities.
- 1.3 To enable views of the scrutiny committee to be included in the cabinet report.

2. SUMMARY

- 2.1 The report will identify changes that are required to ensure compliance with legislation.
- 2.2 The report will identify inequities in the system in terms of not currently charging individuals for the support element of domiciliary care that they receive.
- 2.3 The report will identify inequities in the system in terms of charging for specific services. Currently buildings based day care is subject to the non-residential charging policy whereas community based day opportunities where individuals access their local community often with 1:1 support is not subject to the charging policy.
- 2.4 The report will identify inequities in the system in terms of not charging individuals who receive day opportunities through independent and third sector providers.

3. LINKS TO STRATEGY

- 3.1 This introduction of a revised charging policy for non-residential services would contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:
 - A prosperous Wales
 - A more equal Wales
- 3.2 The Social Services and Well-Being Act 2014 identifies the requirement to develop a care and support plan for individuals eligible for services.

3.3 The introduction of a revised means tested charging policy for non-residential services could raise additional income to support the medium term financial plan without impacting on those service users facing financial hardship.

4. THE REPORT

4.1 Previously a cross party members task and finish group consisting of scrutiny members was established to examine the requirements and impact of charging for non-residential services, the services that had a charge and the application of charges and disregards.

4.2 The findings of the task and finish group were presented to Scrutiny Committee on 26th March 2013, the following was endorsed and recommended to Cabinet.

- The council increase the hourly rate for home care and supported living to £7.88 followed by a further increase of 10% per annum in subsequent years. To be reviewed after 5 years.
- The council increase the daily rate for day care services to £3.24 followed by a further increase of 20% per annum in subsequent years. To be reviewed in 5 years.
- Service users residing in Extra Care facilities who are receiving domiciliary care services should be financially assessed under the non-residential charging policy, to bring them in line with other non-residential service users.
- A report to be presented to the Health Social Care and Well-Being Scrutiny Committee at a future date that details the support element of home care, level of provision and recommendation on charging.
- The Council should include savings in the financial assessment for the ability to pay a contribution towards non-residential social services.
- The Council include in the policy, a statement to state clearly circumstances when a financial assessment or charge will be waived or deferred. The statement to include a timeline of three months.

4.3 Charging for the support element of domiciliary care now needs to be considered in line with the Social Care and Well-Being (Wales) Act 2014 which requires the production of a care and support plan for individuals eligible for services.

4.4 Previously it was agreed not to charge for support, this is clearly inequitable as individuals are receiving intervention regardless of whether the worker is physically assisting them by, providing care or verbally prompting them to achieve their outcomes.

4.5 As part of the financial assessment process under the non-residential charging policy, service users are supported to maximise their income and benefits. Thus by not charging people for support we are treating them inequitably in terms of not supporting them to maximise their income and benefits.

4.6 Day care was traditionally buildings based however services have developed to be more socially inclusive and tailored to an individual's outcomes. Hence we now provide people with individual day opportunities with support staff to enable them to access their local communities, these services have never been subject to the non-residential charging policy. This has introduced an inequity in the system not just between people who receive building based verses those that receive community support, but in some cases individuals can receive both services and only be financially assessed for one.

4.7 Day opportunities include the Links, Windy Ridge, the Community Support Team for people with a learning disability, Older Persons Community Team and sessional support through the Shared Lives Scheme. The Links and Windy Ridge provide day opportunities in a group setting similar to buildings based day care so it would be appropriate to charge for these services at the same daily rate as we currently charge for buildings based day care. However, the Community Support Team, Older Persons Community Team and sessional support tends to be one to one support for which it would be more appropriate to apply the same hourly rate as domiciliary care.

- 4.8 Charges for buildings based day care provided at bases staffed by Council staff are collected directly from the service users by those staff. However, collecting charges from service users in receipt of services from independent or third sector providers would be more challenging and costly. As a result, a decision was made not to charge for these services. However, this has introduced an inequity which needs to be addressed.
- 4.9 Therefore, it is proposed that where services are provided by independent or third sector providers in a group setting, the services should be charged for at the same daily rate as we currently charge for in-house buildings based day care. Where services are provided by independent or third sector providers on a one to one basis, the services should be charged for at the same hourly rate as domiciliary care.
- 4.10 The task and finish group recommendation to increase the hourly rate for home care by 10% per annum and the daily rate for day care by 20% per annum has meant that the charges applied in 2018/19 have increased to £11.54 per hour for home care and £6.72 per day for day care. The increase applied in 2018/19 was the fifth and final year of the review period recommended by the task and finish group so Members are asked to consider some options for annual increases in charges for 2019/20 and beyond.
- 4.11 The table below illustrates what some of our neighbouring authorities charge:-

Dom/Homecare	Day Care/Centre Attendance	Community Support
£12.50 per hour or part thereof	£12.50 per day	£12.50 per hour or part thereof
£15 per hour or part thereof	£29.00 per day	?
£20.64 per hour or part thereof	£56.31 per session	£20.64 per hour or part thereof (or £14.21 per hour if Direct payments)
£15.58 per hour or part thereof	£35.86 per day	£15.58 per hour or part thereof
£20.50 per hour	£15.00 per day	£20.50 per hour
£11.95 per hour	£11.95 per session (am or pm)	£11.95 per session (am or pm)
£10.80 per hour	£10.55 per session (can attend 2 sessions per day)	£10.80 per hour
£18.64 per hour	Dependant on day centre service but either £33.28 or £62.72	£18.64 per hour
£17.00 per hour or part thereof	£17.00 per day	?

- 4.12 These options could include:-
- 4.13 Continue to increase the hourly rate by 10% per annum and the daily rate by 20% for a further 5 year period. This would result in an hourly rate of £18.59 by 2023/24 which is likely to be approaching, if not exceeding the full cost of providing the service. The daily rate would rise to £16.70 by 2023/24 which is still likely to be much less than the full cost of providing the service.

- 4.14 Increase the rate for all non-residential services by the same percentage as that agreed for the annual change in council tax. It is unlikely that annual increases would be excessive under this option but it is possible that increases could fall behind the inflationary increase in the cost of providing the service. This approach could be considered for a further five year period or longer.
- 4.15 Increase the rate for all non-residential services by the same percentage agreed for non-pay inflation within the corporate budget settlement each year. Again, it is unlikely that annual increases would be excessive under this option. However, recent history would suggest that the cost pressures within social care are likely to exceed the general inflationary pressures on non-pay costs across the Council so the increase in charges could lag behind increases in the cost of providing the service. This approach could be considered for a further five year period or longer.
- 4.16 Continue to increase the daily rate by 20% for a further 5 year period but apply an inflationary increase to the hourly rate in line with either (a) the annual council tax increase or (b) the percentage agreed for non-pay inflation within the corporate budget settlement each year. This would allow the charge for day care in a group setting to continue to catch up with the cost of providing the service but would ensure that charges for domiciliary services and one to one day opportunities do not exceed the cost of providing the service.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This proposal contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that

The five ways of working listed in the Act are:

- Long Term – The importance of ensuring all service users are treated equitably and their incomes maximised will benefit the community in the future.
- Prevention – Acting in this way will ensure we promote peoples independence, choice and control, whilst enabling us to meet our objectives.
- Integration – This will ensure we meet other council objectives of improving prosperity within the borough.
- Collaboration – Acting in collaboration across the directorate will contribute to overall income maximisation and collection of charges raising revenue for the department.
- Involvement – The importance of involving people who have an active interest in achieving their own well-being goals, will lead to sustainable communities in the longer term.

6. EQUALITIES IMPLICATIONS

- 6.1 An EqlA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqlA has not been carried out.

7. FINANCIAL IMPLICATIONS

- 7.1 It is anticipated that the proposed changes to the non-residential charging policy would result in additional income for the authority. However, insufficient personal financial information is held to quantify it at this stage.
- 7.2 Currently, there are 1,099 service users accessing a chargeable domiciliary care service. Following the application of the Non-Residential Charging Policy, 313 of these service users (28.5%) pay nothing towards the services they receive, 276 service users (25.1%) pay the

maximum charge of £80 per week and a further 269 (24.5%) service users pay all of their assessed disposable income. This means that these 858 service users would not be expected to contribute any more under the new proposals, even if they are in receipt of domiciliary support or day care services that have previously not been subject to charging. Of the remaining 241 service users (21.9%) many are in receipt of domiciliary care only and as such would not be affected by the proposed changes in policy.

7.3 There are over 300 service users in receipt of day services that are not currently subject to the non-residential charging policy. However, some of these services users will also be in receipt of chargeable domiciliary services and will be included in the 1,099 service users considered in paragraph 7.2 above. Moreover, of those service users that are in receipt of day care services only, it is likely that around 28.5% of these would be assessed to pay nothing towards their care.

7.4 The Financial Services Team do not hold information in respect of the number of service users in receipt of domiciliary support services only.

8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications identified in relation to this report.

9. CONSULTATIONS

9.1 All responses from consultations have been incorporated in the report.

10. RECOMMENDATIONS

10.1 That Members support the proposal of charging for domiciliary support services via application of Caerphilly's Non-Residential Charging Policy which complies with the legislation as set out in the Social Services and Well-being (Wales) Act 2014.

10.2 That Members support the proposal of charging via application of Caerphilly's Non-Residential Charging Policy, at a daily rate for all buildings-based day opportunity services, and at an hourly rate for all community based day opportunities

10.3 That Members consider the level of inflationary uplift in charges for non-residential care that should be recommended for 2019/20 and subsequent financial years.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To ensure that the Health Social Care and Wellbeing Committee views are included in the Cabinet report for charging for non-residential services

11.2 Recommendations are equitable to all service users in receipt of care and support services in a non-residential setting. Ensuring all non-residential service users have the opportunity to have their benefits maximised.

11.3 Recommendations ensure that those non-residential service users with the financial means to do so. contribute towards the costs of all the services that they receive

11.4 Recommendations allow for inflationary increases in charges over the medium term.

12. STATUTORY POWER

12.1 Local Government Act 1972 and 2000.

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Consultees: Adult Services Management Team
Senior Management Team
Cllr Cuss Cabinet Member for Social Care & Wellbeing
Finance team

Appendices:

Appendix 1 Minutes of Health, Social Care Well-Being Scrutiny Committee 26th March 2013

Appendix 2 EIA – Non-Residential Charging



HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 26TH MARCH 2013 AT 5.00 P.M.

PRESENT:

Councillor L. Ackerman - Chairman
Councillor B.A. Jones - Vice Chairman

Councillors:

E.M. Aldworth, A.P. Angel, G. Bevan, L. Binding, P. Cook, E.J. Gale, L. Gardiner, N. George,
C. Gordon, P.A. Griffiths, S. Morgan, J.A. Pritchard

Cabinet Member: Councillor R. Woodyatt, Cabinet Member for Social Services

Together with:

D. Street (Acting Director Social Services), S. Harris (Acting Head of Corporate Finance),
J. Williams (Interim Assistant Director Adult Services), A. Sheehan (Service Manager,
Safeguarding and Review Team - Children's Services), C. Short (Barnardo's Young Carers),
R. Morris (Principal Officer Financial Administration and Assessment), C. Forbes-Thompson
(Scrutiny Research Officer), S.M. Kauczok (Committee Services Officer)

Users & Carers: Mr C. Luke and Mrs M. Veater.

APOLOGIES

Apologies for absence had been received from Councillors K. Dawson and G.J. Hughes and
Mrs J. Morgan (Users & Carers).

1. DECLARATIONS OF INTEREST

Councillors L. Ackerman and C. Gordon declared an interest in agenda items 6(1) and 6(2)
and took no part in the debate or voting thereon. Councillor L. Ackerman left the meeting
during consideration of agenda item 6(2).

2. MINUTES

RESOLVED that the minutes of the Health, Social Care and Wellbeing Scrutiny
Committee held on 12th February 2013 (minute nos. 1-11; page nos. 1-6) be approved
as a correct record and signed by the Chairman.

3. CONSIDERATION OF ANY MATTER REFERRED TO THE SCRUTINY COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

4. REPORT OF THE CABINET MEMBER

The Scrutiny Committee received a verbal report from Councillor R. Woodyatt, Cabinet Member for Social Services. The Scrutiny Committee received details of the following.

The Social Services & Wellbeing (Wales) Bill has been issued by Welsh Government and is now out for formal consultation. The Bill will significantly change the way organisations across the public sector deliver Social Services. When the final bill is received officers will arrange a Members' Seminar to explain and discuss the detail of the bill.

On the 25th February 2013 the Care & Social Services Inspectorate for Wales announced their analysis of Council performance for 2011/12. Although this report will not be published, it sets out to identify good practices that other authorities can learn from. The report concluded that Caerphilly's good practice examples were, Adult Protection, Child Protection and managing the performance of independent providers.

Similarly, on 7th March 2013, CSSIW published their report on the role of the Statutory Director of Social Services in Wales. This followed an inspection they carried out in December 2012. The conclusions of the report were very positive for the Authority and a report on the findings will be brought to Scrutiny in due course.

On the integration front a report will be going to Cabinet with regard to the future direction of our work with Blaenau Gwent. This report will be brought to the next HSC&WB Scrutiny Committee meeting in May.

The Directorate continues to try and recruit an Interim Assistant Director for Children's Services and it is hoped that this process will be completed in the next week. The Cabinet Member thanked the current Service Managers within the Children's Services Division for covering many of the roles over the past few weeks.

Reference was made to the media cuttings concerning a serious case review. The report from Bridgend Local Safeguarding Children Board made 52 recommendations, only one of which named Caerphilly. Caerphilly's involvement was a very small part of the investigations.

Finally, Councillor Woodyatt informed the Scrutiny Committee that two of the Directorate's services have been shortlisted for the Social Care Accolades. The Immediate Response Team and the Children's Rights Officer will now go on for further consideration. Members of the Scrutiny Committee joined Councillor Woodyatt in congratulating the staff involved and wished them well as the process continues.

5. YOUTH FORUM PRESENTATION

The Scrutiny Committee welcomed Joel Price, representing Caerphilly Youth Forum and Clare Jones, Youth Forum Coordinator.

By means of a digital story and PowerPoint presentation, Joel outlined the issues that the Junior and Youth Forum had chosen as their priorities for the year ahead under the four corporate themes of Regeneration, Education, Health Social Care and Well-being and the Environment.

The four priorities were voted upon at the Youth Forum Conference in October. The issue that received the largest number of votes (32%) and which had therefore been chosen by the Youth Forum as its priority issues for the year ahead falls within the Environment theme and to their wish for better leisure facilities, more activity choices at a lower cost and improved advertising. The issue for Health Social Care and Well-Being, with 28% of the votes, related to abuse and the need for everyone to be able to recognise all types of abuse, how to report it and to have the confidence to do so. The Youth Forum issue for Education receiving 21% of the votes, concerned better transition information from schools to colleges and higher education. The issue for Regeneration, with 19% of the votes, related to access for disabled people.

In terms of the priority Issue, Joel explained that the Youth Forum were hoping to work with Leisure to develop a smart card reward system to develop fitness sessions for all ages at the outdoor gym at Cefn Fforest, to create a phone application for the smartcard and to explore the feasibility of a free return journey on public transport when using the leisure facilities. In addition, they were hoping for more outdoor gyms to be provided across the county borough. Joel invited the views of Members present on these proposals, which were closely linked with health and wellbeing. In this respect, reference was made to the need to encourage more young people to use the leisure facilities in certain areas and Joel suggested that the Forum could promote this on their website and via social media sites such as Twitter.

Members thanked Joel for his excellent presentation and discussion ensued on the ways in which the Authority could help and support the Youth Forum in terms of raising awareness of abuse, being able to recognise it and having the confidence to report it. Joel welcomed the suggestions put forward and invited the Safeguarding and Review Team - Children's Services to attend one of their conferences.

SCRUTINY REPORTS

Consideration was given to the following reports.

6. NON-RESIDENTIAL SOCIAL SERVICES CHARGING TASK AND FINISH GROUP

Councillors L. Ackerman and C. Gordon had declared an interest in this item and took no part in the discussion or voting thereon.

The Scrutiny Committee received a PowerPoint presentation on the background, findings and recommendations of the Task and Finish Group, which had been set up to review charging for non-residential social services.

The review group's terms of reference were to examine the requirements of the Social Care Charges (Wales) Measure in 2010 and the impact upon non-residential social services charging in respect of services that have a charge; the level and application of charges and allowances and disregards. Whilst conducting their review, members of the group requested data on the level of client contributions towards non-residential services in CCBC compared to neighbouring local authorities. Members were surprised that the charges set by the Council were the lowest of its neighbours, in particular the daily charge for day care attendance of £1.62.

The Chair of the Task and Finish Group, Councillor B. Jones, thanked all Members and Officers who had taken part in the review for their hard work and commitment, whilst acknowledging the difficult decisions that had to be taken in order to ensure the sustainability of social services in the long term.

The Scrutiny Committee gave detailed consideration to the report and the recommendations contained therein and RECOMMENDED to Cabinet that:-

1. The Council increase the hourly rate for home care and supported living to £7.88 followed by a further increase of 10% per annum in subsequent years. To be reviewed after 5 years.
2. The Council increase the daily rate for day care services to £3.24 followed by a further increase of 20% per annum in subsequent years. To be reviewed after 5 years.
3. Service users residing in Extra Care facilities who are receiving domiciliary care services should be financially assessed under the Fairer Charging policy, to bring them in line with other non-residential service users.
4. A report be presented to Health Social Care & Wellbeing Scrutiny Committee at a future date that details the support element of home care, level of provision and recommendations on charging.
5. The Council should include savings in the financial assessment for ability to pay a contribution towards non-residential social services.
6. The Council should include in the policy a statement to state clearly circumstances when a financial assessment or charge will be waived or deferred. The statement to include a time limit of three months.

7. REVIEW OF DAY CARE SERVICES, OLDER PERSONS

Councillors L. Ackerman and C. Gordon had declared an interest in this item at the start of the meeting and took no part in the discussion or voting thereon. Councillor L. Ackerman left the meeting and the Vice Chair, Councillor B. Jones, took the chair until Councillor Ackerman returned.

The report informed the Scrutiny Committee of the review of the management structure of day care services that provide support for older people, younger adults with a physical disability and adults with a diagnosis of dementia. The review includes the proposed management structure to ensure effective and robust management arrangements are in place.

Members were advised that there is a need to re-shape services to achieve a more person centred, user led provision. This will support people to live in their own homes longer while adding invaluable support to carers to enable them to continue in their caring role whilst also being able to pursue their own interests. It is about supplementing the model and transforming day services to take account of demographic pressures.

A Member asked whether it was envisaged that the new structure would enable more service users to access the service and requested a report on progress six months after its implementation. Officers advised that it was intended that the service could be accessed more appropriately. It is about creating a range of different day services that meet the needs of different people. Feedback from staff has revealed that a full day at a centre is often too long for a service user with dementia and shorter sessions would best meet their needs. Options will therefore be considered for providing shorter sessional support and making links with current respite provisions to develop flexible services that also address the needs of carers. In terms of the request for a report, the Vice Chair requested that any requests for reports be emailed to the Acting Director Social Services and the Democratic Services Manager in view of the significant backlog of outstanding reports at the present time.

Members queried the proposed management re-structure staffing costs and were advised that the figures do allow for incremental increases. Clarification was also sought that consultation

had taken place with all service users and reservations were expressed about the impact of the proposals on some service users. Officers gave assurances that service users would have been made aware of the proposals from their service reviews and that the proposed changes were about supplementing the existing model not replacing it i.e. it was about creating a range of different day services that meets the needs of different people.

Following a detailed discussion, Members were asked to consider the recommendation contained in the report and the majority present voted in favour of the recommendation and endorsed the changes to the management structure within Day Services prior to a report going to Cabinet for formal agreement in April 2013.

Councillor Gordon abstained from voting having declared an interest in this matter. Councillor L. Ackerman had left the meeting during consideration of this item.

8. YOUNG CARERS SERVICE

Councillor L. Ackerman returned to the meeting and took the chair.

The report, which had been requested by the Cabinet Member for Social Services, provided information about the services offered for young carers within Caerphilly County Borough.

Caerphilly Children's Services and the Substance Misuse Action Team (SMAT) jointly commission Barnardo's to provide a Young Carers Service within Caerphilly County Borough. Children's Services contribute £76,317.00 per annum and SMAT £36,223.00. The service is targeted at children and young people between the ages of 7 and 25 years who have a substantive responsibility for caring for a sick or disabled parent or sibling. The service provides a range of activities to support young carers including: support to access community based activities; group work activities; individual support packages and signposting to other services. A collection of case studies, anonymised and collated for form 'A typical day in the life of a young carer' is attached as an appendix to the report.

Members welcomed the report and sought further information on how young carers are identified and supported. Officers outlined the steps they are taking to support young carers, helping them to link with others in a similar situation and get their voices heard. There are various support systems in place and the Barnardo's service is available 24 hours.

The Scrutiny Committee noted the report.

9. BRIEFING ON LOCAL EMERGENCY CENTRE AT YSBYTY YSTRAD FAWR (YYF)

It was noted that no one from the Aneurin Bevan Health Board (ABHB) was in attendance for this item.

The report had been prepared by the Chief Operating Officer/Deputy Chief Executive of the Aneurin Bevan Health Board following a request received from the Scrutiny Committee. The report sets out the background to the opening of Ysbyty Ystrad Fawr (YYF), the services provided out of the hospital and activity data from the date of opening to 28th February 2013.

The Cabinet Member for Social Services informed the Scrutiny Committee that the Leader and Deputy Leader of the Council had met with Health Board officials the previous day. The Health Board had proposed that arrangements be made for members of the Cabinet/Scrutiny Committee to meet representatives of their Management Committee at YYF, which would include a tour of the hospital.

Members were extremely disappointed that no one from the ABHB was in attendance to present and respond to questions on the report and they requested that the matter be

deferred for a full discussion with members of ABHB at the earliest opportunity.

It was agreed that the matter be deferred to a special meeting of the Scrutiny Committee to be convened at the earliest opportunity with senior representatives of the Aneurin Bevan Health Board in attendance.

10. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

The Chair advised Members that in view of the backlog of outstanding reports that had been requested at previous meetings of the Scrutiny Committee, the Assistant Director Social Services had requested that Members email any requests for reports to him (with a copy to the Democratic Services Manager) in order that can be categorised into items for discussion or items for noting.

INFORMATION ITEMS

Councillor J.A. Pritchard had requested that the following Information item be brought forward for discussion at the meeting.

11. ROTA VISITS BY MEMBERS TO SOCIAL SERVICES ESTABLISHMENTS: 1ST JULY 2012 - 31ST DECEMBER 2012

The report provided details of the number of rota visits undertaken by Members during the period 1st July 2012 to 31st December 2012.

Councillor J.A. Pritchard had requested that the report be brought forward for discussion at the meeting in view of the number of rota visits that had not been undertaken and the social services establishments that had not therefore been visited by Members during this period. Discussion ensued on whether the visits should continue in the future. Members were of the opinion that they served a very useful purpose but that perhaps some form of training, particularly for the newer Members, could be arranged to clarify the purpose of the visits.

The Acting Director Social Services advised that there are guidance notes for Members on undertaking these visits and suggested that he organise a seminar for all Members on the subject at the earliest opportunity.

The meeting closed at 7.00 p.m.

Approved as a correct record subject to any amendments agreed and recorded in the minutes of the meeting held on 14th May 2013.

CHAIRMAN

EQUALITY IMPACT ASSESSMENT FORM

October 2018

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

The Council is required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

- | | |
|----------------------------------|----------------------------------|
| • Age | • Race |
| • Disability | • Religion, Belief or Non-Belief |
| • Gender Re-assignment | • Sex |
| • Marriage and Civil Partnership | • Sexual Orientation |
| • Pregnancy and Maternity | • Welsh Language* |

* The Welsh language is not identified as a protected characteristic under the Equality Act 2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

Further advice on completing impact assessments can be found on the equalities pages of Corporate Policy Unit Portal.

THE EQUALITY IMPACT ASSESSMENT

NAME OF NEW OR REVISED PROPOSAL *	Non residential charging
DIRECTORATE	Social Services
SERVICE AREA	Adults
CONTACT OFFICER	Mike Jones
DATE FOR NEXT REVIEW OR REVISION	February 2023

***Throughout this Equalities Impact Assessment Form, 'proposal' is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council's work across Equalities, Welsh Language and Human Rights is covered in more detail through the [Equalities and Welsh Language Objectives and Action Plan 2016-2020](#).

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the [Corporate Policy Unit Portal](#) and the Council's Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve? <i>(Please give a brief description and outline the purpose of the new or updated proposal by way of introduction.)</i></p> <p>Propose changes to the current non-residential charging policy to ensure equity for all service users to include: charging for support element of domiciliary care, charging for day opportunities in a community setting, and charging for day opportunities provided by the independent and third sector.</p>
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2	<p>Who are the service users affected by the proposal? <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc. Are there any data gaps?)</i></p> <p>To propose changes to the current non-residential charging model to ensure equity for all service users to include:-</p> <ul style="list-style-type: none">a) charging for the support element of domiciliary care;b) charging for day opportunities provided in a community setting andc) charging for day opportunities provided by independent and third sector providers. <p>Changes that are required to ensure compliance with legislation.</p> <p>There are currently inequities in the system which are not linked to the protected characteristics in terms of not currently financially assessing individuals for the support element of domiciliary care that they receive.</p> <p>Currently buildings based day care is subject to the non-residential charging policy where as community based day opportunities where individuals access their local community often with 1:1 support is not subject to the charging policy.</p> <p>There are inequities in the system in terms of not charging individuals who receive day opportunities through independent and third sector providers.</p> <p>This will impact on all people equitably across all client groups in terms of affording them a benefits maximisation assessment prior to the application of the fairer charging policy</p>
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IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals? <i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p> <p>Proposal impacts on service users across all client groups, all individuals have equal access to services as access is determined following an individual assessment which actively promotes equalities</p>
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4	<p>Is your proposal going to affect any people or groups of people with protected characteristics? <i>(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)</i></p>	
	Protected Characteristic	Positive, Negative, Neutral
	Relevance of the Policy or Practice	
	Age	Neutral
	Disability	Neutral
	Gender Reassignment	Neutral
	Marriage & Civil Partnership	Neutral
	Pregnancy and Maternity	Neutral
	Race	Neutral
	Religion & Belief	Neutral
	Sex	Neutral
	Sexual Orientation	Neutral

5	<p>In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.</p> <p><i>(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Corporate Policy Unit Portal. Although it is important that what is outlined in the proposal is available in Welsh and English, please consider wider impacts on Welsh speakers.)</i></p> <p>No effects</p>
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INFORMATION COLLECTION

6	<p>Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users.</p> <p><i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more protected characteristic groups? If so, what has been done to address any difference in take up of the service? Does any savings proposal include an analysis of those affected?)</i></p> <p>Currently, there are 1,099 service users accessing a chargeable domiciliary care service. Following the application of the Non-Residential Charging Policy, 313 of these service users (28.5%) pay nothing towards the services they receive, 276 service users (25.1%) pay the maximum charge of £80 per week and a further 269 (24.5%) service users pay all of their assessed disposable income. This means that these 858 service users would not be expected to contribute any more under the new proposals, even if they are in receipt of domiciliary support or day care services that have previously not been subject to charging. Of the remaining 241 service users (21.9%) many are in receipt of domiciliary care only and as such would not be affected by the proposed changes in policy.</p> <p>There are over 300 service users in receipt of day services that are not currently subject to the non-residential charging policy. However, some of these services users will also be in receipt of chargeable domiciliary services and will be included in the 1,099 service users considered in paragraph 7.2 above. Moreover, of those service users that are in receipt of day care services only, it is likely that around 28.5% of these would be assessed to pay nothing towards their care.</p> <p>The Financial Services Team do not hold information in respect of the number of service users in receipt of domiciliary support services only.</p>

CONSULTATION

7	<p>Please outline the consultation / engagement process and outline any key findings. <i>(Include method of consultation, objectives and target audience. What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i></p> <p>When individuals are assessed or reviewed the charging policy is fully explained to them including the opportunity to maximise their benefits</p>
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MONITORING AND REVIEW

8	<p>How will the proposal be monitored? <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i></p> <p>Budget reports will be reviewed</p> <p>Any comments compliments or complaints received are recorded by equalities categories</p>
9	<p>How will the monitoring be evaluated? <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p> <p>Uptake will be monitored via finance team</p>

10	<p>Have any support / guidance / training requirements been identified? <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p> <p>No</p>
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11	<p>If any adverse impact has been identified, please outline any mitigation action.</p> <p>Should a person be assessed as being eligible to pay for the service they receive and they decline, the service will not be withdrawn as we have a duty to provided against an assessed need</p>
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12	<p>What wider use will you make of this Equality Impact Assessment? <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i></p> <p>Will be appendix to cabinet and scrutiny reports</p>
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13	<p>If any adverse impact has been identified, please outline any mitigation actions.</p>
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14	<p>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</p> <p style="text-align: right;">Please tick as appropriate:</p> <p>No major change – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p>Adjust the proposal – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p>Continue the proposal – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p>Stop and remove the proposal – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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Completed by:	Jo Williams
Date:	9 th November 2018
Position:	Assistant Director Adult Services
Name of Head of Service:	Jo Williams