

Equality Impact Needs Assessment (EINA)

Part 1 EINA (initial assessment with preliminary consultation)

Name of policy, procedure, function, project, etc	
Care Act - Fees, Charging and Deferred Payments Scheme	

Names (list those involved in carrying out assessment)	Job titles	Contact details
Kathryn Downton Rob Price Simon Smith	Care Act Manager Benefit Options Team Senior Assessment Officer	Kathryn.downton@shropshire.gov.uk Rob.price@shropshire.gov.uk Simon.smith@shropshire.gov.uk
Date commenced	9 th February 2015	

Aims of the policy and description
<p>There are a number of discretionary areas in the Care Act (2014) which require a local decision. These include aspects relating to Fees, Charging and the Universal Deferred Payments Scheme as follows:</p> <ul style="list-style-type: none"> • The ability to charge a care arrangement fee to Self Funders. • The requirement to have a single charging framework and the potential to modify elements of existing charging policy • The ability to charge Carers for support provided in line with bringing them onto an equal footing with service users. • The ability to charge interest and a fee for the arrangement of a Deferred Payment (on a cost recovery basis).

Stakeholders, people concerned, interested parties
<p>Shropshire Council Existing service users and carers Potential future service users and carers</p>

People who fund their own care
 Advocacy organisations
 Current providers

Progress summary		Date	Signature
Head of service Ruth Houghton	Part 1		
Head of service	Part 2 (FULL)		

Potential Impact on Target Groups – Preliminary Consultation (see page 2)

Assess each of the following areas separately and consider how the policy may affect people's Human Rights

- Have you considered the relevant Protected Characteristics and/or consulted people with specialist knowledge?
- Will the policy create any problems or barriers to any Community or Group?
- Will any group be excluded because of the policy?
- Will the policy have a negative impact on community relations?

If the answer to any of these is **Yes** to any **High Impact criteria**, you must prepare a **Full (Part 2) EINA**. Preliminary consultation will be required to help identify the impact and evidence of this recorded.

Initial assessment (and preliminary consultation)

Protected Characteristic groups	Significant (High) negative impact <i>Full EINA required</i>	Significant (High) positive impact <i>Full EINA required</i>	Medium or Low impact <i>Part 1 EINA only required</i>
Race (also ethnicity, nationality, culture, language, gypsy, traveller)			Low
Disability (mental & physical impairments, mobility, manual dexterity, speech, hearing, learning, understanding, visual, MS, cancer, HIV)			Low – financial impact but as part of means tested arrangements.
Sex (also associated aspects: safety, single-parenting, caring responsibility, potential for bullying & harassment)			Low
Gender re-assignment (also associated aspects: safety, single-parenting, caring responsibility, potential for bullying & harassment)			Low
Sexual Orientation (heterosexual, lesbian, gay, bi-sexual)			Low
Age (children, young people, working age, elderly)			Low. Legislation

			reduces threshold for 18-24 -local mitigation to reduce negative impact.
Religion & belief (Hinduism, Judaism, Buddhism, Christianity, Islam, Sikhism, Shinto, Non-conformists)			Low – further national research being undertaken into likely demand for Sharia-compliant scheme
Pregnancy & Maternity			Low
Other (other target groups relevant to your service, for example, family carers, marital status, rurality, poverty)			Carers – Low – decision taken not to charge carers for services Replacement care charges would ensure an equitable approach across all groups

High	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available, urgent need for consultation with customers, general public, employees
Medium	Some potential impact, some mitigating measures in place but no evidence available how effective they are, would be beneficial to consult with customers, general public, employees
Low	Almost bordering with non-relevance to the EINA process (heavily legislation led, very little discretion exercised, limited public facing aspect, national policy)

What is your evidence for your answers to the above questions?

Consider quantitative and qualitative data. Customer equality monitoring data, consultation process, research data. Log details in Evidence part of form (page 4)

- Department of Health Impact Assessment of Care Act
- Majority of changes as a result of government legislation
- Planned consultation will inform final decisions
- Shropshire Council is mitigating age related issue with proposed transitional protection
- Proposed interest charge for Deferred Payment Agreement is not compliant with Sharia law – but this is subject to further research by DH
- Existing policies are otherwise unaffected.

Important: Only policy, procedure, function, etc rated as **High Impact** needs a **Full (Part 2) EINA**. Full assessment requires more in-depth consultation with members from the target groups highlighted as being at the receiving end of any potential High Impact.

Part 2 – Full EINA

Sources of evidence

- List the main sources of evidence on each group, both quantitative and qualitative
 - Consider how the policy may affect people's Human Rights
 - Qualitative evidence may include comments and opinions from stakeholders, as well as academic research
- Useful sources of information: complaints monitoring, customer records, census data, focus groups, face to face interviews, surveys, related information produced by other public bodies)

Consider the following when assessing the impact & seeking evidence/during consultation

1. How is the policy likely to affect the **promotion of equality** and the **elimination of discrimination** in **each** of the areas?
 - a) Give a selection of key facts relevant to each area
 - b) If there is little or no evidence, say what you will do to find some evidence and give examples of the types of evidence you might find
2. How will the policy meet the needs of the **different communities** and groups?
3. Give details of any **consultation** that has already been done which is relevant to this policy
4. Give examples of **existing good practice** in this area, for example, measures to make it easier for people in particular groups to influence policy

Challenges and opportunities: questions to consider throughout the assessment

- Consider using a Critical Friend (external to the department or organisation) to challenge the assessment
- What measures does the policy include, or what could it include, to address existing patterns of **discrimination, harassment or inequality?** (Consider the alternatives)
- What impact will the policy have on **helping different groups of people** to get on well together to **improve community relations?**
- If the policy is likely to have a **negative** impact, what are the reasons?
- What **practical changes** will help reduce any adverse impact on particular groups?
- What will be done to **improve access** to **take-up** of services and **understanding the policy?**
- What can you do to **promote equality** and **eliminate discrimination** when you procure goods and services?

Detailed evidence

	Source of evidence & baseline data	Outline of impact
Race		
Disability		

Sex		
Gender Re-assignment		
Sexual Orientation		
Age		
Religion & Belief		
Pregnancy & Maternity		
Other		

EINA decision

Decide whether to adopt the policy based on the aims, evidence collected, consultation results, relative merits of alternative approaches and compliance with legislation. Ensuring that:

- The approach is methodical and logical, records are kept and decisions are justified
- Balanced decisions are made, best accommodating conflicting interests

Summary of findings and analysis - EINA decision

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Signature (Lead Officer)	Signature (Head of Service)
Date:	Date:

Next review date of this EINA

Every 3 years or when policy changes, if earlier Date:

Action Plan guidance notes

<p>Give an outline of your action plan, based on the evidence you find to support your decisions, and the challenges & opportunities you have identified. It could include:</p> <ul style="list-style-type: none"> • Plans that are already under way or that you are already thinking about to address the challenges and priorities you have identified • Arrangements for continued discussion and involvement with stakeholders • Arrangements for monitoring and evaluating the policy for its impact on different groups throughout the policy making process and as the policy is carried out • Arrangements for ensuring that any pilot projects are evaluated and take account of issues described in the assessment, and that they are assessed to make sure they are having intended impact • Arrangements for discussing how far you can take account of the issues in the assessment with other agencies, service providers, Non-Departmental Public Bodies and regulatory bodies • Arrangements for ensuring that your relevant colleagues are made aware of the assessment • Arrangements to make sure the assessment contributes to the Single Equality Scheme (SES) • Arrangements for disseminating information about the assessment to all relevant stakeholders who will be implementing the policy • Arrangements for improving the body of evidence you have <p>Also consider the following:</p> <ul style="list-style-type: none"> • Area of negative impact • Actions/changes proposed • Resource implications
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Action Plan

		Person responsible	Target date
Involvement & consultation			

Data collection & evidence			
Assessment & analysis			
Procurement & partnerships			
Monitoring, evaluating & reviewing (including publishing the results)			

You may wish to change the above categories in the first column to reflect the actions needed, relevant to the policy and assessment