

CABINET
14 FEBRUARY 2012

FAIRER CONTRIBUTIONS FOR FAIRER ACCESS TO SERVICES

Portfolio Holder: Councillor David Brake, Adult Services
Report from: Rose Collinson, Director of Children and Adults
Authors: Genette Laws, Social Care Commissioning and Voluntary Sector Manager

Summary

To set out the final outcome of consultation regarding proposed changes to the council's policies on charging contributions for non residential Adult Social Care services and the Major Adaptations Policy relating to the Disabled Facility Grant for adaptations.

1. Budget and Policy Framework

1.1 The Cabinet is asked to accept this as an urgent item to enable its views to be reported to Full Council on 23 February 2012.

1.2 **Fairer contributions for non-residential Adult Social Care services**
Adult Social Care contributions have been set by the council under its charging policy, and fees and charges are a matter for Full Council. This decision is within the council budget and policy framework.

1.3 **Major Adaptations Policy**
There is a statutory duty to provide mandatory Disabled Facilities Grants (DFG) to disabled people under the Housing Act 1989 for essential home adaptations. This provision was revised through The Housing Grants, Construction and Regeneration Act 1996, which provides the current legislative framework.

1.4 The maximum grant available under the DFG is £30,000 in England and subject to a nationally determined means test, which applies to those over 18 to establish their contribution to the cost of the works. Those service users aged under 18 are not means tested for the DFG. This decision is within the council budget and policy framework.

2. Background

Fairer contributions policy for non-residential services

- 2.1 The current charging arrangements for home care and other non-residential services were introduced in 2002. The charges are based on the *type* of care delivered. This form of charging is focused on care services and not on the personalised care and support, which is now offered. With personalisation, the emphasis is outcome based and the personal budget is set to meet the outcomes, i.e. there is no *type* of care defined. Currently Medway Council collects over £9 million of income in client contributions for residential, respite and home care services. The Council does not currently charge for day care or transport services.
- 2.2 On 24 February 2011, Full Council agreed, as part of the budget setting that “The legitimate emphasis that has been placed on personalisation and direct budgets has exposed anomalies in the way in which the Council calculates contributions for social care. These will be addressed to create an equalised and fairer system ...”
- 2.3 In order to create an equalised and fairer system, it is proposed that the contributions policy for Adult Social Care services or a direct payment should have regard to the personal financial circumstances of the individual in receipt of a service or a direct payment to provide such. The current system results in some people not being assessed to make a contribution because of the *type* of service that they receive.

Major Adaptations policy

- 2.4.1 The Disabled Facilities Grant (DFG) and the additional social care funding for adaptations are finite budgets. In order to make it go further and ensure fair access to this limited funding it is important to ensure that where people can repay a contribution after benefiting from the social care contribution to their DFG, that this should be implemented to ensure that more people can benefit from this support.
- 2.4.2 The proposed policy would benefit about ten people per year and provides an affordable option for people to access the DFG and proceed with an expensive schedule of works (where the overall costs of construction are in excess of the £30,000 grant).

3. Advice and analysis – Fairer contributions for personal budgets

- 3.1 A Personal Budget funds a person to achieve outcomes, regardless of the activities undertaken. It is equitable for all support funded by Adult Social Care to all client groups to be assessed for contributions with the exception of services which must be provided free of charge by virtue of statutory provisions, such as services under Section 117 of the Mental Health Act 1983 and minor adaptations. By collecting income from all people in receipt of Adult Social Care support who are means tested as liable for charging it will also enable Medway Council to sustain the funding available to vulnerable adults in Medway.

4. Advice and analysis – Major Adaptations Policy

- 4.1 A DFG is a grant given by the council to a person who needs to make adaptations to their home in order for them to live safely and with dignity and respect, for example a downstairs bedroom or bathroom, where a complex adaptation is essential.
- 4.2 The maximum grant available under the DFG is £30,000 in England is subject to a nationally determined means test, which applies to those over 18 to establish their contribution to the cost of the works – this contribution is known as the ‘notional loan’. Those service users aged under 18 are not means tested for the DFG and therefore do not have a notional loan.
- 4.3 The notional loan does not always reflect the person’s ability to pay, as the fixed allowances within the calculation do not take into account individual housing costs. As a result there are service users unable to afford the assessed contribution for their essential works and who therefore cannot proceed with their adaptations. Should this be the case the proposal is that Adult Social Care would offer an interest free loan.
- 4.4 Where the cost of the adaptations exceeds the DFG limit of £30,000, the proposal is that the Council could offer funding as a maximum loan of up to £25,000, which would enable a bedroom or bathroom extension to be supported for those with a substantial disability requiring adaptations. Loans would be secured by legal charge against the property and would be repayable when the property is sold; or there is significant change in financial circumstances enabling repayment; or the applicant or their carer is not able to maintain their commitment to provide care at home.

5 Advice and analysis - Consultation

- 5.1 The consultation period commenced on 12 December 2011 and concluded on 9 February 2012.
- 5.2 The consultation exercise was undertaken for two purposes. First to inform people about the details of the proposed policy changes and, secondly, to invite the views of service users and carers so that the Council could better understand the direct impact of those changes on them, and take into account those views when reaching its final decision. The consultation programme included writing to existing service users, carers and families, Medway Council Members, Medway Members of Parliament, Medway LINK, NHS partners and Social Care staff. It also included presentations to the Health and Adult Social Care Overview and Scrutiny Committee, on 26 January 2012 (see Appendix 1). In addition a total of five consultation meetings were held as part of the listening exercise.
- 5.3 **In terms of the Fairer contributions policy**, 283 completed questionnaires were returned and one person was referred for independent advocacy support so that they could share their views. Three items of correspondence were received including letters and emails, in addition to the petitions referred to in paragraph 9.6. There were seven consultation meetings held as part of the listening exercise with 104 attendees at the meetings.

- 5.4 **In terms of the Major Adaptations policy**, 298 completed questionnaires were returned and one person was referred for independent advocacy support so that they could share their views. Eleven items of correspondence were received including letters and emails, in addition to the petitions referred to in paragraph 9.6. There were seven consultation meetings held as part of the listening exercise with 104 attendees at the meetings.
- 5.5 The Diversity Impact Assessment presented in the report to Cabinet on 29 November has been updated to reflect the views shared as part of the consultation process, see Appendix 3.

6 Advice and analysis – Fairer contributions policy consultation

- 6.1 The key messages that people told us were:
- 6.1.1 People felt that those who can afford to pay for care should pay.
- 6.1.2 A minority of people felt that charging was a tax on being disabled and questioned the cost/benefit of charging.
- 6.2 In preparing this report, officers identified the need to complete a full impact assessment for this proposal. See Appendices 3 and 5. The full impact assessment will enable Cabinet to give due regard to the issues in determining the changes in policy and also the issues which need to be addressed if the decision was made to adopt the proposed changes. Paragraphs 6.5 to 6.8 set out the mitigations that could be put in place should the decision be made to amend the policies.
- 6.3 In considering the potential impact of this proposal on service users, carers and their families, research was undertaken about the changes of such policies elsewhere and in particular in relation to people with mental health needs.
- 6.4 Cabinet should also consider the potential differential impact of making both a decision to close the Balfour Day Centre and a change the fairer contributions policy at the same time and therefore the DIA in appendix three identifies the need for a full impact assessment for this specific group.
- 6.5 The introduction of charging to a specific group with disabilities, people with mental health needs, means that a full diversity impact assessment was undertaken to assess the potential impact and to identify how any potential impact on this group can be mitigated if the proposal to change the policies is made.
- 6.6 The council collected £9 million in 2010/2011 at a cost of less than £300,000.
- 6.7 Although not raised by people during the consultation period, all the attendees of the Balfour Day Centre from Medway may be affected at the same time by the proposed change in the Fairer Contributions Policy. This will be carefully monitored as part of the individual assessments that take

place as part of the needs assessment, support planning and financial assessment.

7 Advice and analysis – Major Adaptations policy consultation

- 7.1 Some people expressed concern about the length of time that it takes for a DFG funded adaptation to take place – sometimes two to four years - and then in taking the initiative the service user or carer can not claim the money retrospectively.
- 7.2 Some people expressed concern about the assumption that an adaptation adds value and therefore needed to be repaid. There was a view that some adaptations led to a reduction in the property’s value and the owner had to pay to have the adaptations taken out so that they could recover that value for resale. In response to this matter the Disabled Facilities Grant is never reclaimed in these circumstances but only the additional funding from Social Care.
- 7.3 Whilst it is recognised that occasionally adaptations devalue a property usually those costing over the maximum DFG of £30,000 are extensions, which do add value. Service Users do have a choice as to whether to go ahead with the adaptations and may wish to consider other alternative such as moving house.
- 7.4 Comments have been received relating to the difficulties disabled people face financially. There are some concerns that they would be required to repay a loan, which they could not afford.
- 7.5 In most cases Service Users do not need to borrow further funding as the DFG provides all the finances required towards the adaptations. Those on income related benefits would qualify for a full grant. There would be flexibility in terms of the length of the loan repayment period for any Service Users who do receive this additional loan facility.
- 7.6 Some concerns have been raised regarding the ownership of the property and the responsibility to repay the loan. Should funding support be required where an assessed contribution towards the grant is needed the Service User can decide whether to accept an offer of financial support or explore alternatives eg re housing.

8. Risk management

Risk	Description	Action to avoid or mitigate risk
People may be disproportionately and adversely impacted by the proposal	Some groups with protected characteristics may be disadvantaged – either knowingly or unknowingly by the proposed changes to the policies	A full consultation process has informed a diversity impact assessment that may lead to reasonable adjustments being identified.

9. Director's comments

Fairer contributions policy

- 9.1 The income generated from fairer charging for non-residential services, £9 million last year, enables the council to maintain fair access to care at Substantial and Critical.
- 9.2 The proposed changes to this policy will ensure that all people with eligible needs are treated equally but there is a recognition that some groups that will be financially assessed for the first time may be disproportionately and adversely impacted by the changes if reasonable adjustments are not put in place.
- 9.3 The personalisation agenda is such that the current approach to charging in relation to services rather than a personal budget will perpetuate an output-led rather than an outcomes-focused approach to adult social care.
- 9.4 Officers are confident that the implementation of the proposed changes can be successfully implemented if a measured and sensitive approach is taken, as described in the full impact assessment.

Major Adaptations policy

- 9.5 The Disabled Facilities Grant is an important source of funding that enables people to stay in their own homes. The proposed Adaptations Policy means that more people will be able to afford to access this grant, which is means tested and limited at £30,000.
- 9.6 Given that this is a discretionary service, the importance of recycling the money that would be deployed through this policy is an important part of ensuring that this is a sustainable offer.
- 9.7 Given that this policy is about providing people with more options so that they can take advantage of the DFG, this proposal does not require a full diversity impact assessment because it is a service that people can opt into.

10. Financial and Legal implications

10.1 Financial

- 10.1.1 If the fairer contributions changes are implemented there will be an increase in income as all service users means tested as liable for charging would contribute to their Personal Budget and other services. This would bring 1,400 Service Users into the contributions arrangement. This includes 491 Service Users who only receive day care and up to 700 Mental Health Service Users not subject to S.117. The change in policy would also bring transport in scope which would result in contributions for transport or fewer people using council transport. The financial benefit is estimated to be in the region of up to £1m.

10.1.2 The threshold for means testing is proposed to remain the same at £23,500. Fee levels are set by Full Council each year as part of the budget setting process and are not affected by this proposal.

10.1.3 The DFG proposal will result in a greater level of income being collected from the loans. The table below shows the income that would be collected under the current and proposed policies. This is based on a sample of 16 cases over the past three years. The loans are interest free and the increase in income is a direct result of placing legal charges on properties.

Current Policy	14,918
New Policy	146,563

10.2 Legal

10.2.1 When considering making changes to service provision, the decision maker needs to comply with its obligations as to equalities under the Equality Act 2010. In essence this requires decision makers to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Protected characteristics, as defined in the 2010 Act, are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Having due regard to the above needs involves:

- removing or minimising disadvantages suffered 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 from protected groups to participate in public life or in other activities where their participation is disproportionately low.

In order to comply with its equality duties, the Council is required to engage with service users, representative groups, staff and unions and to use the information and views gathered as a result of such engagement (together with other equality information the local authority has) in assessing the equality impact of the proposals.

10.2.2 Where any consultation is undertaken it must be undertaken at a time when proposals are still at a formative stage; it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; adequate time must be given for this purpose;

and the product of consultation must be conscientiously taken into account when the ultimate decision is taken.

11. Recommendation

Fairer Contributions Policy

- 11.1 That Cabinet notes the issues identified in the full Diversity Impact Assessment (as set out in Appendix 5) and agrees to the Fairer Contributions Policy as set out in this report being adopted.
- 11.2 That Cabinet recommends to Full Council that the policy be adopted and the implementation plan as set out in the full DIA for the Fairer Contributions Policy.

Major Adaptations Policy

- 11.3 That Cabinet agrees to the Major Adaptations Policy as set out in this report being adopted in Medway.

12. Suggested Reasons for Decision

Fairer Contributions Policy

- 12.1 The proposed changes to this policy will ensure that all people with eligible needs are treated equally but there is a recognition that some groups that will be financially assessed for the first time may be disproportionately and adversely impacted by the changes if reasonable adjustments are not put in place.
- 12.2 The personalisation agenda is such that the current approach to charging in relation to services rather than a personal budget will perpetuate an output-led rather than an outcomes-focused approach to adult social care.
- 12.3 The completion of a full diversity impact assessment, which takes into account the information gathered from the consultation process as well as intelligence gathering by officers, demonstrates that any disproportionate and adverse impact can be mitigated against.

Major Adaptations Policy

- 12.4 The policy will enable people to proceed with adaptations that are in excess of the £30,000 limit of the DFG so that they can live independently in their own home.

Lead officer contact details

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Background papers

- Fairer Charging for Home Care and Other non-residential services 2002
- Capital and Revenues Budget 2011/12 at <http://democracy.medway.gov.uk/mgConvert2PDF.aspx?ID=7088>

Appendix One

Extract of the record of the meeting from the Health and Adult Social Care Overview and Scrutiny Committee meeting held on 26 January 2012

Discussion:

The Social Care Commissioning and Voluntary Sector Manager gave a presentation illustrating the background to the proposed changes to the council's policies on charging contributions for non-residential Adult Social Care services and Disabled Facility Grant for adaptations.

The Service Manager, Physical Disabilities, then gave a presentation on the proposals with regard to the Disabled Facility Grant. She explained that the review was to ensure that the system is as fair as possible and sustainable in the future. She explained that in a few complex cases the Disabled Facility Grant was not enough to enable people to make the alterations needed to their homes because they are means tested or the adaptations cost more than the grant available. In cases where additional financial support was needed the Council was looking into the possibility of offering an interest free loan in such cases on the understanding it would be repaid when the home was no longer needed by the disabled service user or their family.

Members questioned officers on both reports and sought clarification on a number of issues.

Some Members felt that more should be done in the way of checking the feasibility of making these changes particularly as there were often structural reasons why houses could not be adapted extensively. There was also concern around the ability of some people to be able to repay and, what was perceived to be, a possible unfairness of putting a charge on a property, which would affect other family members.

The view was expressed that widening access to adaptations should not be used as an argument to close establishments such as the Balfour Centre as it was not possible to replicate the social element involved. Officers then explained that the proposals in relation to fairer contributions for fairer access to services were not connected with the proposals under consideration relating to the decommissioning of the Balfour Centre or the outsourcing of Linked Services Centres.

A proposal was made that the Cabinet should be asked to reconsider the proposal and look at how to use the Council's assets more effectively to move quickly to the provision of purpose built accommodation to meet the needs of disabled people using private investors and with affordable rents. On being put to the vote this proposal was lost.

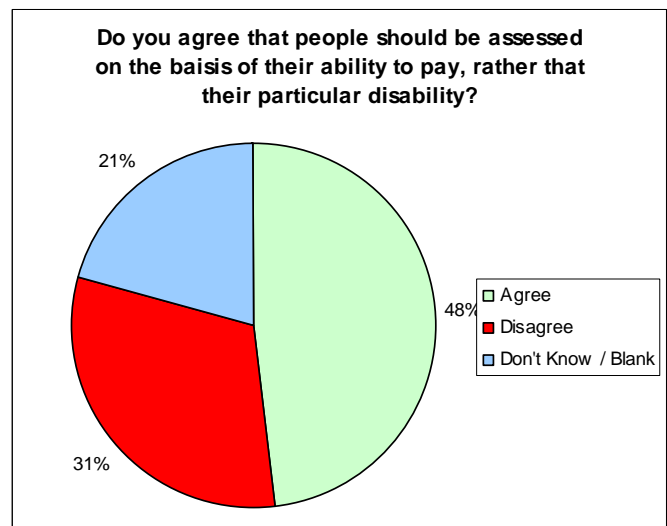
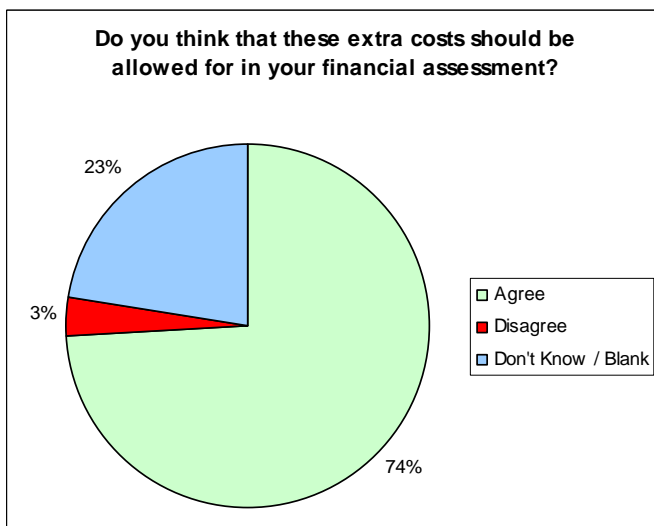
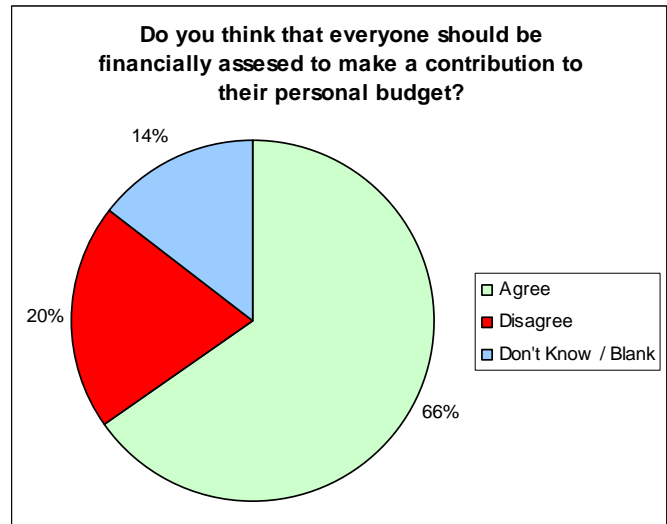
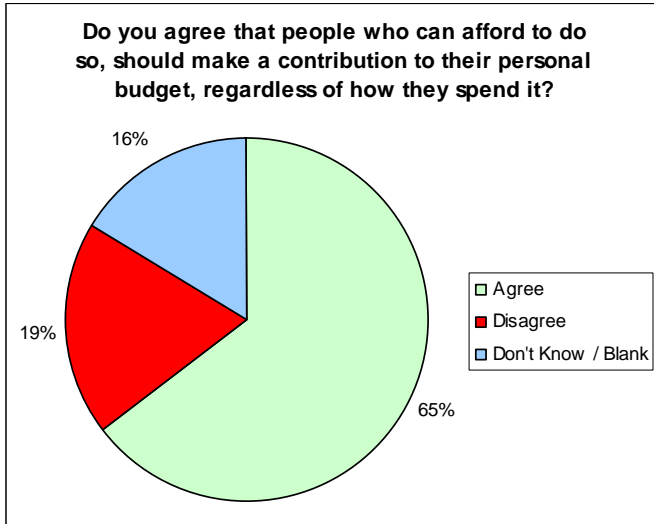
Some Members of the Committee then expressed support for the Cabinet's proposals, which would enable people to retain their independence but it was suggested that the Cabinet should also consider ways to increase the provision of purpose built accommodation.

Decision:

It was agreed to recommend the Cabinet to consider the comments made at the meeting and to investigate the possibility of building specially adapted houses for people with a disability.

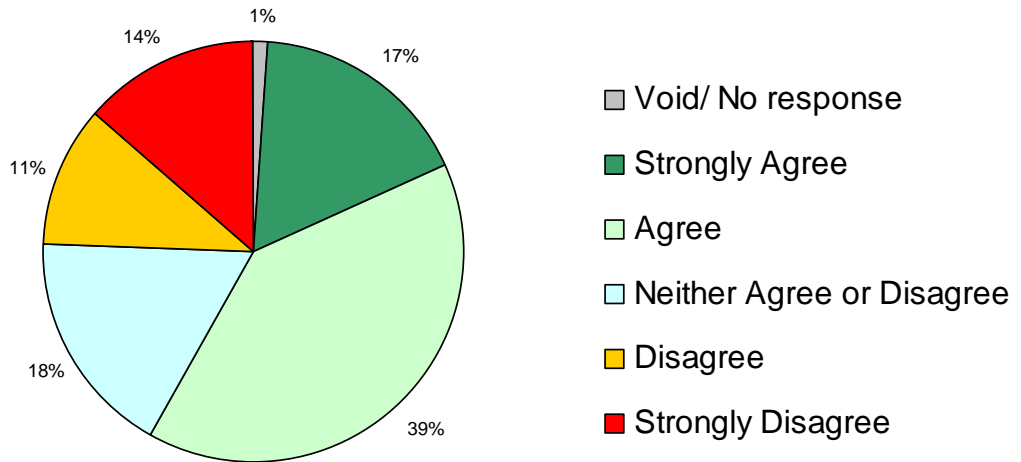
Appendix Two

Analysis of the Fairer Contributions questionnaire

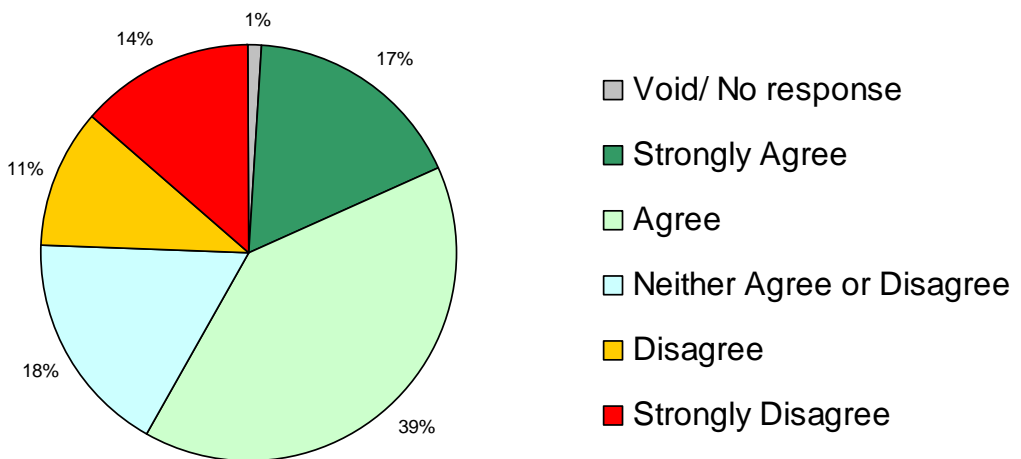


Analysis of the Major Adaptations Policy questionnaire

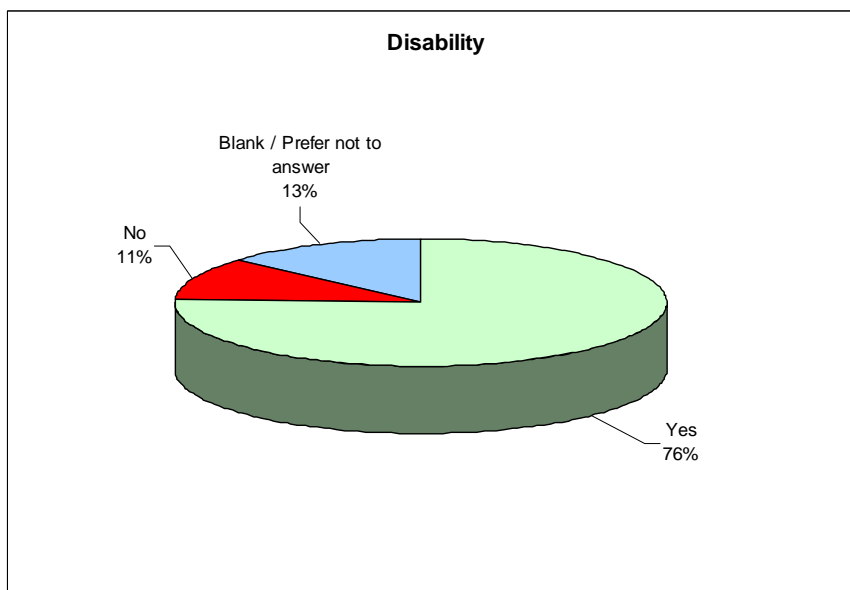
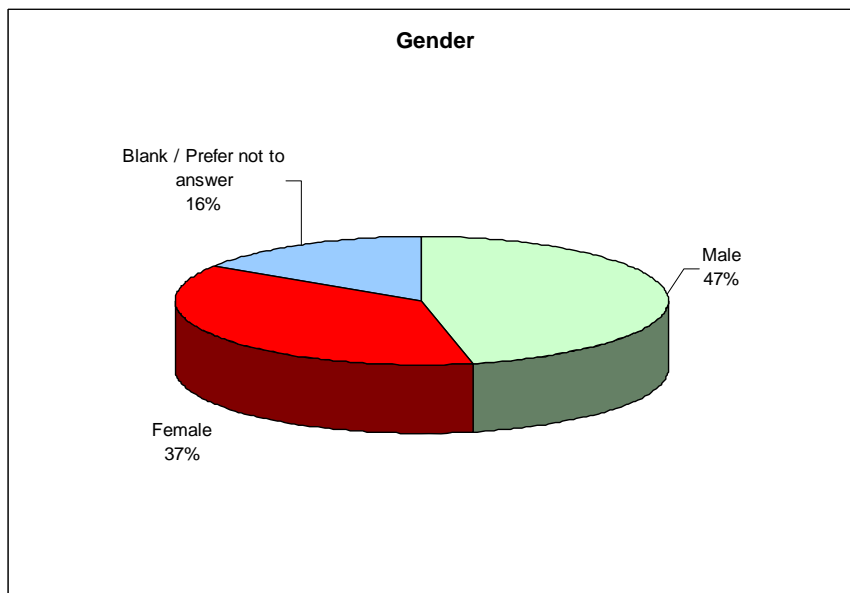
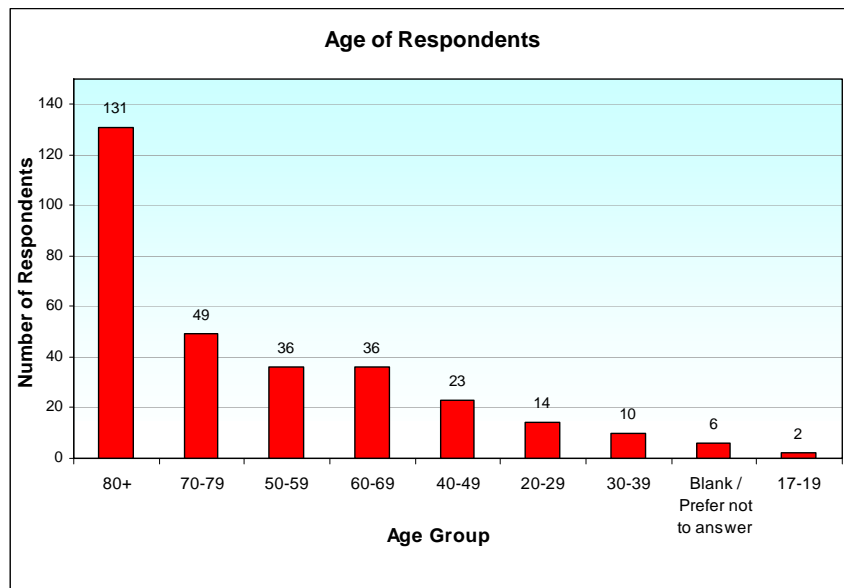
Q1. It is reasonable for the Council to loan money to service users for alterations to their homes, which they repay over time, at a level they can afford

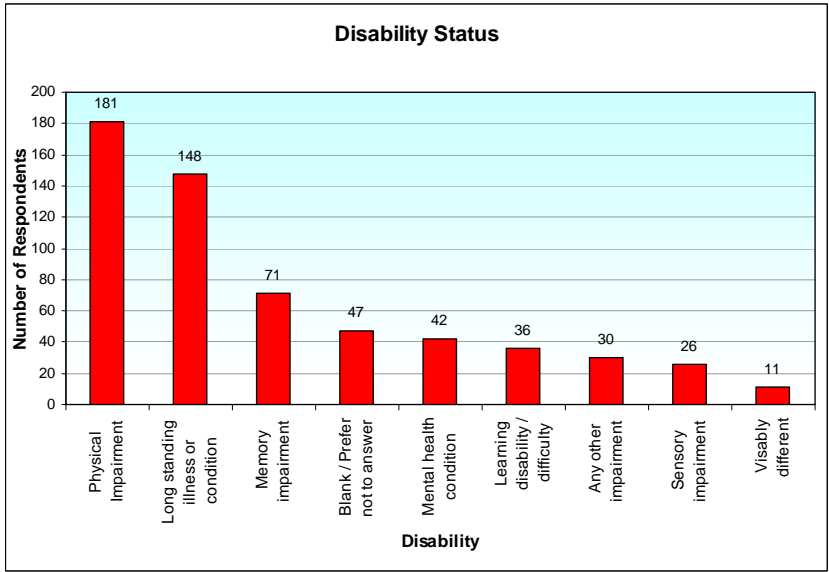
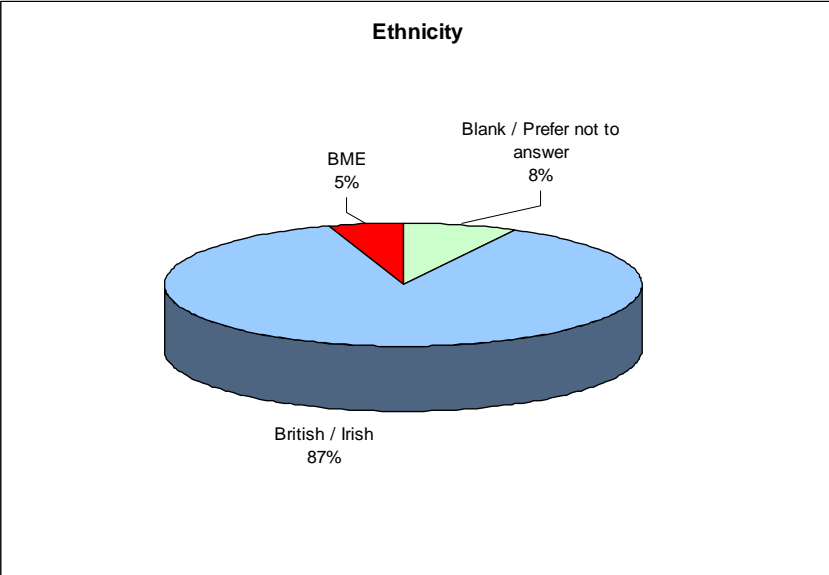
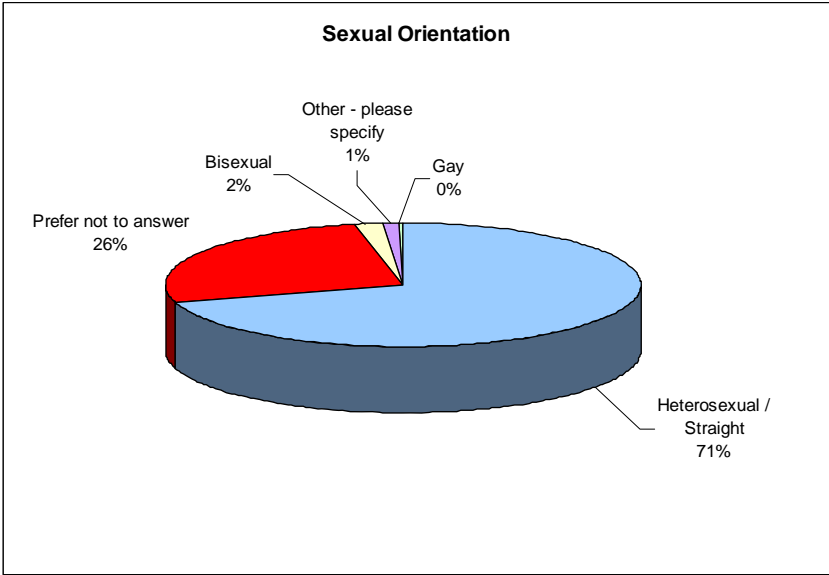


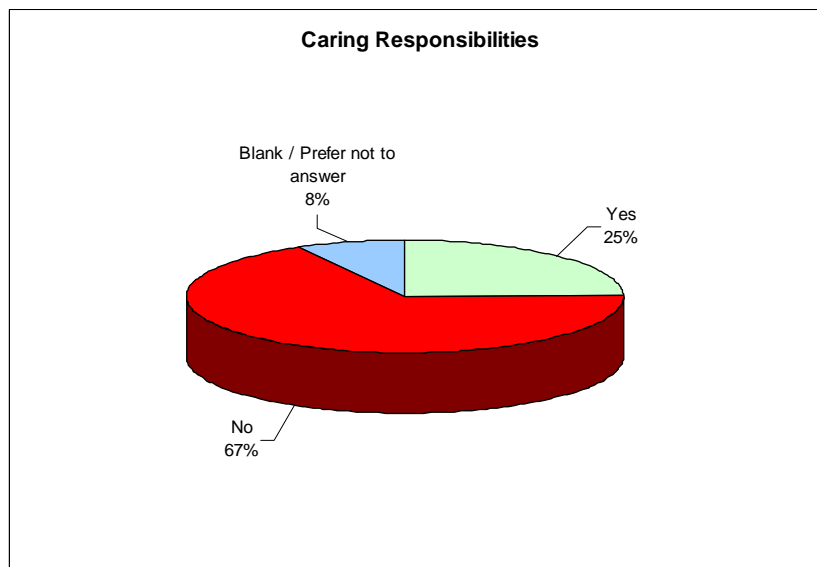
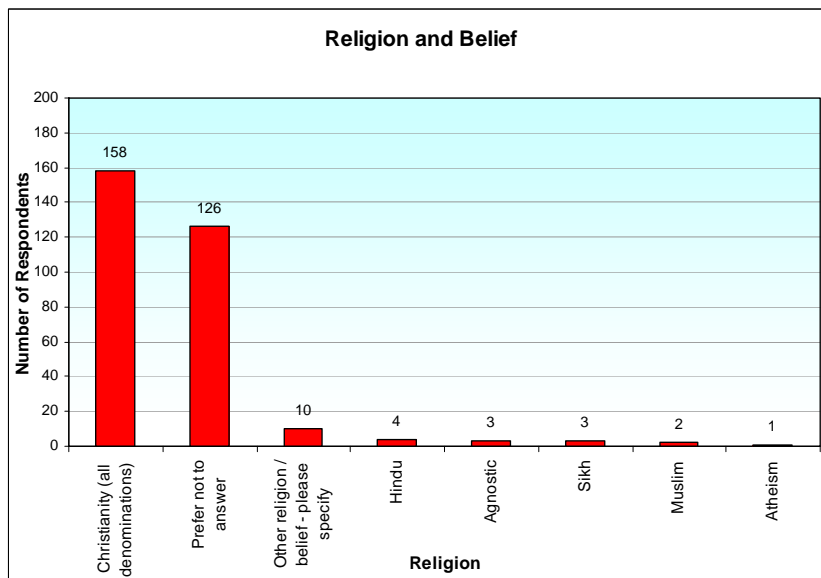
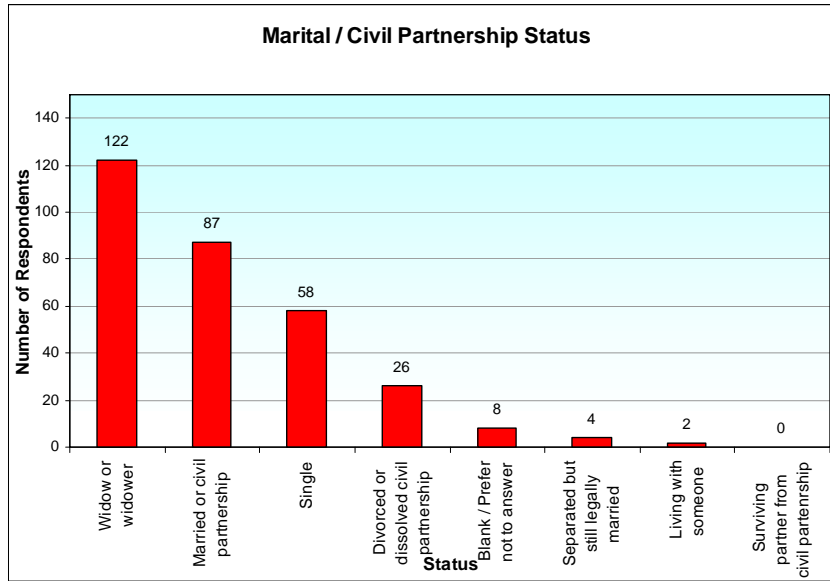
Q2. It is reasonable that where the cost of the home alterations are over the maximum Disabled Facilities Grant, the Council loan the money on the understanding it will be repaid when the home is no longer needed by the service user or their family



Analysis - Equalities Monitoring Information







Appendix Three

Diversity Impact Assessment: Screening Form

Directorate	Name of Function or Policy or Major Service Change		
Children & Adults	Changing Medway's Fairer Charging policy for adult social care non-residential services to Fairer Contributions		
Officer responsible for assessment		Date of assessment	New or existing?
Genette Laws		February 2012	New
Defining what is being assessed			
1. Briefly describe the purpose and objectives	The proposals will mean that changes need to be made to the current charging policy, contributions by service users will have to be assessed differently with personalisation.		
2. Who is intended to benefit, and in what way?	The changes will ensure that all service users of adult social care will be financially assessed in a fair and equal manner. This will address the current system which results in some service users being charged depending on the type of service they access, rather than their financial circumstances.		
3. What outcomes are wanted?	This contributes to the transformation of Medway's personalisation of adult social care by financially assessing the personal budget of an individual with eligible needs rather than assessing the financial value of services. It ensures equal treatment of all people with eligible needs regardless of their diagnosis.		
4. What factors/forces could contribute/detract from the outcomes?	Contribute Clear communication and consistent application of the policy	Detract Lack of consultation with service users	
5. Who are the main stakeholders?	Service users and carers of adult social care.		

Assessing impact

7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i> ?		This policy will be based financial circumstances and should not have any disproportionate impact on any particular racial group. The table below shows the ethnicity of the service users impacted by these proposals.
	NO	

What evidence exists for this?	Ethnicity		Total
	White - British		1986
	Asian or Asian British - Indian		67
	Not stated - Refused		29
	White - Any other White background		26
	Any other ethnic group		25
	Chinese		22
	White - Irish		20
	Asian or Asian British - Any other Asian background		16
	Asian or Asian British - Pakistani		6
	Black or Black British - African		6
	Mixed - White and Asian		5
	Black or Black British - Any other Black background		4
	Black or Black British - Caribbean		4
	Mixed - White and Black Caribbean		3
	Mixed - Any other mixed background		2
Mixed - White and Black African		2	
Asian or Asian British - Bangladeshi		1	
Not stated - Information not obtained		1	
Grand Total		2225	

8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i> ?	YES	<p>The groups currently subject to financial assessment do not include people with mental health needs (about 500 in number) and the proposed policy change would see them subject to financial assessments for the first time. However, this policy will mean that people with Mental health issues are treated in the same way as people with different disabilities.</p> <p>In addition, people using the Balfour Centre (over 100 people) may be subject to further change in terms of the council changing the way in which it discharges it duty to ensure that people can participate in the community. Should these proposals be adopted Balfour attendees will receive individual assessments to support them in identifying how best their needs can be met in the future.</p> <p>The table below sets out the numbers of people who are potentially impacted on who are older, or have a physical or learning disability.</p>

What evidence exists for this?	Category	Total
	OP	1590
	PD 18-64	393
	LD 18-64	242
Grand Total		2225

9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?	YES	The gender profile for people that are subject to charging demonstrates an over-representation of women, because they are over represented in this client group.
What evidence exists for this?	Gender	Total
	Female	1447
	Male	778
	Grand Total	2225
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?	NO	We do not have monitoring information in relation to sexual orientation but as the proposed changes relate to introducing fairer eligibility criteria it is not expected to disproportionately impact on any group.
What evidence exists for this?		
11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i>?	NO	
What evidence exists for this?		All groups are currently charged depending on the type of service they access this is just a different mechanism for charging based on financial assessment
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i>?	YES	The age profile for people that are subject to charging demonstrates an over-representation of older women. The gender profile for people that are subject to charging demonstrates an over-representation of women, because they are over represented in this client group.
What evidence exists for this?	Age Group	Total
	18-34	205
	35-44	97
	45-54	166
	55-64	170
	65-74	311
	75-84	564
	85-94	631
	95+	81
	Grand Total	2225
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i>?	NO	
What evidence exists for this?		All groups are currently charged depending on the type of service they access this is just a different mechanism for charging based on financial assessment
14. Are there any <i>other</i> groups that would find it difficult to access/make use		If yes, which group(s)?

of the function (e.g. people with caring responsibilities or dependants, those with an offending past, or people living in rural areas)?	NO	
What evidence exists for this?		
15. Are there concerns there <u>could</u> be a have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?	YES	
What evidence exists for this?	<p>People with disabilities that use the Balfour Centre may be subject to two changes if Cabinet decides to close the Centre and implement the proposed changes. The council will provide individual support to these people to ensure that are duty to discharge appropriate care is maintained.</p> <p>The groups that are subject to financial assessments are older women given that the majority of clients of adult social care are older people and women – both of these protected characteristics are over-represented in terms of this policy because of their over representation in the client group.</p> <p>Additionally, working age adults with functional mental health needs will be financially assessed for the first time if the decision is taken to amend the</p>	
Conclusions & recommendation		
16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?	YES	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	Please explain
	NO	N/a
Recommendation to proceed to a full impact assessment?		
YES	<p>The groups that are subject to financial assessments are older women given that the majority of clients of adult social care are older people and women – both of these protected characteristics are over-represented in terms of this policy.</p> <p>Additionally, working age adults with functional mental health needs will be financially assessed for the first time if the decision is taken to amend the policy.</p>	
Action plan to make Minor modifications		
Outcome	Actions (with date of completion)	Officer responsible

Planning ahead: Reminders for the next review		
Date of next review		
Areas to check at next review (e.g. new census information, new legislation due)		
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?		
Signed (completing officer/service manager) Genette Laws, Social Care Commissioning and Voluntary Sector Manager	Date	
Signed (service manager/Assistant Director)	Date	

Appendix Four

Revised DIA Screening form for major adaptations charging policy

Directorate Children & Adults	Name of Function or Policy or Major Service Change Changes to the major adaptations charging policy		
Officer responsible for assessment Jackie Challis/Amanda Dean	Date of assessment 3/2/12	New or existing? New	
Defining what is being assessed			
1. Briefly describe the purpose and objectives	The new charging policy for major adaptations is required to ensure that where additional funding above that provided by the Disabled Facilities Grant (DFG) is required there is a fair and equitable system for providing loans and repayment.		
2. Who is intended to benefit, and in what way?	Service Users and their families who require additional funding beyond the DFG will benefit from this change, as it will enable them to remain independent within their own homes..		
3. What outcomes are wanted?	The charging policy will ensure that there is equity in the system for loaning monies where the DFG is insufficient.		
4. What factors/forces could contribute/detract from the outcomes?	Contribute This enables Service Users who require additional funding to remain within their own homes	Detract Concerns about ability to repay the loan or the property being devalued by an adaptation.	
5. Who are the main stakeholders?	Service users of adult social care who require home adaptations where additional funding beyond the Disabled Facilities Grant is needed.		

Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all racial groups in the same way .	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
14. Are there any <i>other</i> groups that would find it difficult to access/make use		If yes, which group(s)?

of the function (e.g. people with caring responsibilities or dependants, those with an offending past, or people living in rural areas)?	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
15. Are there concerns there <u>could</u> be a have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?		Brief statement of main issue
	NO	
What evidence exists for this?	The policy applies to all groups in the same way.	
Conclusions & recommendation		
16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?		Brief statement of main issue
	NO	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?	YES	Please explain
	NO	N/a
Recommendation to proceed to a full impact assessment?		
NO	This function/ policy/ service change complies with the requirements of the legislation and there is evidence to show this is the case.	

Action plan to make Minor modifications		
Outcome	Actions (with date of completion)	Officer responsible

Planning ahead: Reminders for the next review		
Date of next review		
Areas to check at next review (e.g. new census information, new legislation due)		
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?		
Signed (completing officer/service manager)	Date	
Jackie Challis and Amanda Dean, Service Managers for Physical Disability Services		
Signed (service manager/Assistant Director)	Date	

Appendix Five

Full Diversity Impact Assessment – Fairer Contributions policy for non-residential services

Directorate Children and Adults – Learning and Caring	Name of Service Change/Policy/Function Changes to the fairer contributions policy so that financial assessments are applied to value of the personal budgets rather than services and that all people with eligible needs are financially assessed.			
Officer responsible for assessment Genette Laws, Social Care Commissioning and Voluntary Sector Manager		Assessment date 10 February 2012	New or existing? New	
Identify potential issues and factors				
1. In regard to which groups are there concerns that there <u>could</u> be a differential impact?	Race	Religious belief	Trans-gendered or transsexual	
	Disability	Age	Other (specify)	
	Gender	Sexual orientation	Carers	
2. What differential impact do you think there <u>could</u> be on this/these group(s)?	This policy together with the proposed closure of the Balfour Centre may lead to service users at that Centre not choosing to pursue an alternative. This in turn may impact on carers who are therefore less likely to have a break from their caring responsibilities.			
Map existing data				
3. What existing evidence do you have for this - e.g. take-up, complaints?				
Information/data	When collected	Source	Strengths of data (e.g. up-to-date)	Gaps
People felt that those who can afford to pay for care should pay.	12 December 2011 to 9 February 2012	Questionnaires, correspondence and information from consultation meetings	Up to date and in a variety of formats to triangulate the views shared	None due to a full consultation process taking place
Equalities monitoring data for people using the service	February 2012	Care Director – the council's electronic social care record system	Collated in February 2012	There is insufficient information in relation to sexual orientation or religious belief to either support or refute concerns about adverse impact.
4. What are implications of the gaps in evidence (e.g. people with visual impairments do not know	There are no implications in relation to the gaps identified because the personalised approach to assessment means that any needs in relation to sexual orientation or religious belief would be identified, respected and supported.			

about council services)?		
5. What is the key question you want answered, and by whom.	What do service users, their families and carers think about the proposal to change the fairer contributions policy and, in particular, what, if any, are the concerns?	
Formal Consultation		
6. Are there any experts/ relevant groups who you could approach to ask their views on the issues?	YES	Please list:
	NO	Officers have met with MULO (Medway User Led Organisation), the Physical Disability Partnership Board and the Mental Health User-led Organisation
7. Have you discussed your consultation request with Research and Review?	YES	
	NO	
8. Describe in detail the views of the relevant groups/experts on the issues.		
<ol style="list-style-type: none"> 1. People felt that those who can afford to pay for care should pay. 2. A minority of people felt that charging was a tax on being disabled and questioned the cost/benefit of charging. 		
9. What options, alternatives or reasonable readjustment(s) have been considered?		
<ol style="list-style-type: none"> 1. Although not raised during the consultation period, all the attendees of the Centre from Medway may be affected by another proposed change in Adult Social Care relating to Fairer Contributions Policy. 2. People with mental health needs will be assessed for the first time in terms of financial assessment and therefore the involvement of social care professionals, health professionals and their families in the implementation of the policy so that service users and their carers are appropriately supported to understand the process and manage any anxieties. 		
Conclusion and recommendations		

10. In your own words, briefly state what changes (from the customers' point of view) are reasonable adjustments to make access fair.

In order to ensure that the proposed changes to the policy takes into account reasonable adjustments, from the customer's perspective, would be to:

1. Ensure that a clear communications and implementation plan is in place. In particular, clarity about the timetable of implementation.
3. Day service charges will not be applied for one year. This will minimise the potential impact of people reducing their attendance at day service due to the charges for these services and in turn impacting on the wellbeing of carers.
2. Involvement of social care professionals, health professionals and their families in the implementation of the policy so that service users and their families and carers are appropriately supported to understand the process and manage any anxieties.

Target setting

Outcome	Actions (with completion dates)	Measure of progress
Clear communication and respectful implementation	<p>If decision is made to close the centre by Cabinet, letters to service users and their families following the decision by Cabinet to close the Centre – with clarity about how the decision would be implemented. (By 16 February 2012)</p> <p>Coordination between health and social care professionals with service users with mental health needs and their families and carers (By 29 February 2012)</p>	<p>Reporting to DMT by the Service Manager for the Centre</p> <p>Plan for coordination to be presented to DMT by the Service Manager for Mental Health Social Care Services.</p>
<p>Signed (officer responsible for achieving above DIA actions)</p> <p>David Quirke-Thornton, Assistant Director for Adult Social Care</p>		Date
<p>Signed (completing officer/service manager)</p> <p>Genette Laws, Social Care Commissioning Manager</p>		Date
<p>Signed (service manager/Assistant Director)</p> <p>David Quirke-Thornton, Assistant Director for Adult Social Care</p>		Date