

Cabinet

14 September 2016

Consultation Feedback on the Proposal for Changes to the Charging Policy for Non-Residential Social Care Services



Key Decision: CAS/06/15

Report of Corporate Management Team

Paul Darby, Interim Corporate Director Resources

Councillor Alan Napier, Portfolio Holder for Finance

**Jane Robinson, Interim Corporate Director Adult and Health
Services**

**Councillor Lucy Hovvells, Portfolio Holder for Adult and Health
Services**

Purpose of Report

1. To provide Cabinet with the results of the consultation exercise on proposals to make changes to the non-residential charging policy for people who receive social care services.

Background

2. Cabinet agreed on 16 March 2016 that a consultation exercise should be undertaken on whether to change the current arrangements relating to non-residential charging policy for people who receive social care services. The proposed changes approved by Cabinet would apply to the 'Disability Related Expenditure' disregards that are taken into account when calculating what we charge for non-residential social care services where the service user is in receipt of the Severe Disability Premium (SDP).
3. Severe Disability Premium (SDP) is a welfare benefit received by some people to help people with the costs of having care in their homes.
4. Currently, unlike other authorities, the Council assumes that at least half of the person's SDP is spent on Disability Related Expenditure (DRE), such as heating or laundry costs. Therefore when calculating charges for non-residential services, 50% of the SDP benefit is not included in the person's financial assessment. However, experience has shown that this is not always the case, and some people will spend less than half of their SDP on helping to manage their disability.

5. It is proposed that the Council's policy is amended, to end this treatment for all new claimants and instead offer an individual assessment of actual disability related expenses in all cases, as we do now for all other service users. This would be done as part of the financial assessment that is already undertaken so there would be no additional transaction costs in implementing these charges.
6. This will also remove the inconsistency within the current policy as all other service users who do not receive SDP, but who could have exactly the same conditions, only have an allowance for the actual costs of their disability related expenditure.
7. For people currently receiving the benefit of the SDP 50% disregard, it is proposed that we do not revisit their financial assessment should the current policy ultimately be amended.
8. Analysis of caseload data shows that on average, the service users in receipt of SDP receive non-residential care services for approximately three years, after which they may have moved on to residential care or no longer be in receipt of the services. Therefore, applying this policy change to new service users only will mean that after a three year period all financial assessments will likely be based on an actual assessment of DRE.
9. If these proposals are implemented, changes would be applied for all new client financial assessments processed after 1 October 2016, delivering an estimated £1 million of savings as part of the Council's Medium Term Financial Plan (MTFP) across the period 2016/17 to 2019/20.
10. These changes would bring the Council's policy in-line with other authorities in the region and it would mean that disregards for disability related expenditure are based on what people actually spend rather than a set notional amount, which would mean that all service users are treated fairly and equitably.

Consultation

11. Consultation was carried out from 4 April 2016 to 26 June 2016. Information and consultation questionnaires were signposted on the Council's website and an article raising awareness of the consultation published in Durham County News. Social Workers were advised of the proposals and the consultation that was ongoing in case any clients asked any questions and wanted to get involved. We did not write to existing clients as they were unaffected by the proposed changes and were fully protected.
12. In addition, the views of key stakeholders were invited from relevant disability charities and community and voluntary sector groups. Letters and supporting information were sent to 8 of the key stakeholder groups in the area:
 - Citizen Advice County Durham County Council
 - Age UK
 - Durham County Carers Support

- Mental Health Forum
 - Advice in County Durham Partnership
 - Durham Community Action
 - VCS working Group
 - Peoples Parliament – Learning Disability Groups
13. The consultation was also discussed at the Advice in County Durham Partnership Board and a reminder sent to members of the partnership board, which includes the key stakeholders identified above on two occasions to encourage participation and response.
14. The questionnaire comprised of four key questions. The consultation information and questionnaire published are attached as Appendix 2.

Responses Received from the Consultation

15. During the consultation period, 19 responses were received of which 9 were received online and 10 were received from The Peoples Parliament in respect of 10 adults who have learning difficulties. The responses received were as follows:

Q1. I am responding to this Consultation as:

- Carer / disabled person not receiving non-residential services - 21%
- Council Tax payer / member of public - 21%
- Carer or recipient of non-residential services (receiving SDP) - 5%
- Member of a group - 53%

Q2. Do you agree or disagree with the proposal to base disability related expenditure of new service users on what they actually spend?

- Strongly agree - 11%
- Agree - 21%
- Neither agree nor disagree - 42%
- Disagree -16%
- Strongly disagree - 10%

Q3. If we proceed with the proposal, how do you feel this could affect you or your organisation?

- 11 people responded that the change would have little impact
- 3 people felt that the move to the assessment of the disability related expenditure would be a fairer assessment
- 1 person felt that more service users would refuse non-residential services due to the inflated cost

Q4. Do you have any further comments regarding these proposals, or alternative ways in which the savings can be made in non-residential care services?

- There was only 1 comment which related directly with the proposal and this was the plan to implement the change only for new assessments, this was felt to be unfair.
- One person felt that there should be a review of assessment needs and reconsider disability related expenditure within the policy.
- There were 2 comments that related to the provision of non-residential care. It was felt that:
 - there should be more competition in some areas
 - services should be brought back 'in house' so the focus could return to good service instead of profit
 - to assist with direct payments, the number of care providers should be increased and include a list of individuals that had been 'vetted'

16. The Parliament Staff Support Team felt that to improve communication we could work with them to design and interpret complex documents into easy read- this will help people to engage, read and understand information.

Equality Impact Assessment

17. The Equality Impact Assessment (EIA) has been updated following the consultation to assess the impact on the groups most likely to be affected by the proposals. The EIA is attached at Appendix 3 and has been based on analysis of the application of the policy to the current recipients of the 50% SDP disregard and assuming the disability related expenditure assessment results are based upon the actual costs being incurred in the cases who are not in receipt of severe disability premium entitlement.
18. The EIA shows that existing service users are more likely to be older and female. It can be anticipated that future service users will form a similar age and gender profile. Overall these groups are more likely to be adversely affected through the financial impacts of additional charging as a result of this policy change. These impacts will be mitigated through the support to service users detailed below.

Support for Service Users

19. Advice and support is always given to help service users to maximise their income and benefit entitlement wherever possible during the financial assessment. This is undertaken through joint work between the Financial Assessments Team and Welfare Rights, who also undertake the appeals.

20. The Financial Assessments Team will also assist and support service users to ensure that the full amount of any disability related expenditure being incurred fully reflects their needs and assessed care plan and is fully taken into account in the financial assessment.
21. Care management and social work staff undertake the care assessment and identify any care needs for individuals, they then draw up a care plan to identify how these needs should be met. Should service users consider that their charges are prohibitive and subsequently decline a service, a reassessment of the service user's care plan could be undertaken.
22. Service users who are unhappy with the contribution they would be assessed to make will be offered a further review of their financial assessment on request through our fast track review process. The appeal would be considered by an independent officer and with the support of the Welfare Rights Team.
23. In line with general charging principles there is the potential to consider the waiving of charges in exceptional circumstances due to severe hardship or if care management / social work staff consider a person to be at risk.

Conclusion

24. This report provides the results of the consultation exercise on the proposals to make changes to the non-residential charging policy for people who receive social care services in respect of the allowances made for Disability Related Expenditure disregards where people are in receipt of SDP. The changes would apply to new clients only from 1 October 2016.
25. The proposal is to cease the Council's policy of automatically disregarding 50% of the weekly SDP for non-residential financial assessments for all new clients seeking to receive non-residential social care services and instead offer an individual assessment of DRE, as we do for all other non SDP service users.
26. This would mean that disregards are based on what people actually spend rather than a set amount thereby ensuring that all service users are treated fairly and equitably. This will also bring the Council's treatment of this element of income in line with the majority of other local authorities in the region.
27. Analysis of caseload data shows that on average the service users in receipt of SDP receive services for approximately three years and therefore, applying this policy change to new service users only will mean that after a three year period it is likely that all cases will be based on an actual assessment of DRE rather than an automatic 50% SDP disregard.

28. There was a limited response to the consultation, possibly reflecting the fact that the Council was not seeking to remove this automatic disregard from existing recipients and the fact that the changes proposed are based on an actual assessment of need and in line with the treatment already in place in many other local authorities. Of those that did respond, 32% agreed with the proposal to amend the current assessment from the current policy of disregarding 50% of SDP in the financial assessment to the calculation of individual assessment of disability related expenses in all cases.
29. A further 8 people neither agreed nor disagreed, (42%). In fact; it was felt that the move to individual assessment in all cases would have little impact and be fairer.
30. If implemented, the proposals set out in this report are estimated to deliver savings of approximately £1 million across the period 2016/17 and 2019/20, profiled as follows:

Year	MTFP Saving £000
2016/17	167
2017/18	333
2018/19	333
2019/20	167

Recommendations

31. Cabinet is recommended to accept the proposal that:
- a) With effect from 1 October 2016, the Council ends the automatic disregard of 50% of the weekly SDP in non-residential financial assessments for all new clients seeking to receive non-residential social care services , and offer an individual assessment of disability related expenses;
 - b) The Council do not revise the current financial assessment for people currently receiving the disregard.

Background Papers

Care Act 2014
 Charging Policy for Non-Residential Care Services
 CAS MTFP Proposals / MTFP6 Reports to Cabinet
 Report to Cabinet 16 March 2016

Contact: Paul Darby 03000 261930
Jane Robinson 03000 267358

Appendix 1: Implications

Finance - If this proposal was implemented then savings in the region of £1 million would be achieved. Implementation would be in October 2016 and apply to the financial assessments of new service users only, therefore, based on average caseload and customer turnover, savings would accrue across the period 2016/17 to 2019/20.

Staffing – None. Financial assessments are already undertaken and this policy change will be applied to new assessments for new service users in receipt of SDP and implemented as part of business as usual.

Risk – Should service users consider that their charges are prohibitive and decline a service then a reassessment of the service user's care plan could be undertaken.

There is a risk that service users could consider that their charges are prohibitive and decline a service. If the social worker considered that there could be risks to the service users' well-being as a consequence they would need to carry out a risk assessment and consider reviewing the care plan or if there are sufficient risks to consider waiving charges.

Equality and Diversity/Public Sector Equality Duty -. A full impact assessment has been carried out as part of the consultation and is attached to this report.

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – This is a significant policy change which requires consultation.

The Council has carried out consultation to seek the views of key stakeholders and the wider public, including relevant disability charities and Community and Voluntary Sector groups, through consultation the proposed change to the treatment of new clients in receipt of severe disability premium entitlement.

Consultation began 4 April 2016 and ran until 26 June 2016. The results of the consultation is included in this report to enable members to make a final decision on these proposals, taking into account the outcome of the consultation.

Procurement - None

Disability Issues – This would affect people with a disability.

Legal Implications – People in receipt of non-residential services are required to have a financial assessment to calculate how much they can afford to contribute towards the services they receive. The assessment is a means test, is undertaken in line with statutory guidance and takes into account income, including welfare benefits, savings and assets that the person receives.

Allowances and disregards are included in the financial assessment, depending on individual circumstances. The Government sets a minimum income guarantee and if income is below this level service users are not required to pay for their services.

The Care Act 2014 states “where disability-related benefits are taken into account, the local authority should make an assessment and allow the person to keep enough benefit to pay for necessary disability related expenditure to meet any needs which are not being met by the local authority.” This is on top of the minimum income guarantee

Legal advice is that consultation is required. Care Act guidance states - “*Those likely to be adversely affected by a policy change must have sufficient opportunity to consider the proposal and make comments and the council should take those comments into account when deciding on the policy.*”



Altogether better



Non-residential Charging Policy

Changes to the non-residential charging policy

Q1 Are you responding to this survey as:

A carer or recipient of non-residential services (receiving severe disability premium)

A carer or recipient of non-residential services (not receiving severe disability premium)

Carer/disabled person not receiving non-residential services

An organisation or other respondent

If an organisation or other respondent, please specify.

Q2 Do you agree or disagree with the proposal to base disability related expenditure of new service users on what they actually spend?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Q3 If we proceed with the proposal, how do you feel this could affect you or your organisation?

Q4 Do you have any further comments regarding these proposals, or alternative ways in which the savings can be made in non-residential care services?

Changes to financial assessments for non-residential care services



4 April – 26 June 2016

Supporting Information

We are proposing changes from 1st October 2016 to the way in which non-residential services are financially assessed. These proposed changes will not affect those who currently receive non-residential services.

Background

Non-residential services include a wide range of social care services which enable people to stay in their homes. For example; home care, day care and extra care services.

In line with national policy, Durham County Council charge for non-residential services if individuals have income over a certain amount. These amounts are set by Government.

When calculating the charges, local authorities make an allowance for money a person spends on managing their disability, known as disability related expenditure (DRE). This could include additional heating or laundry costs, for example.

Some people receive Severe Disability Premium (SDP). This is a welfare benefit to help people with the costs of having care in their homes. Unlike other authorities, when calculating charges for non-residential services, Durham County Council assumes that at least half of their SDP is spent on their DRE and therefore 50% of this benefit is not included in the financial assessment.

However, experience has shown that this is not always the case, and a number of people will spend less than half of their SDP on helping to manage their disability.

What is being proposed?

For new applicants for non-residential care, we propose to carry out a financial assessment based on actual spend on their costs of disability. The automatic assumption that 50% of a person's SDP benefit goes towards disability related expenditure will be removed. This will not affect the Adult Social Care needs assessment undertaken by our social workers, who will continue to assess each individual as usual.

Appendix 3 - Durham County Council – Altogether Better Equality Impact Assessment Form

Proposal for Changes to the Charging Policy for Non-Residential Social Care Services – Financial Assessments

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

Section One: Description and Initial Screening

Section overview: this section provides an audit trail.	
Service/team or section: Resources – Financial Services	
Lead Officer: Paul Darby	Start date: June 2016
Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)	
Proposal for changes to the charging policy for non-residential social care services – financial assessments	
People in receipt of non-residential services are required to have a financial assessment (means tested) to calculate how much they can afford to contribute towards the services they receive. The financial assessment is undertaken by telephone (on a pre-arranged time and date), in order to ease the burden on service users in terms of completing a financial assessment form themselves, by qualified and trained assessment officers, who have access to care assessment undertaken by care and social work officers which identifies the individuals care needs and the care plan for how these needs will be met.	

All financial assessments comply with the Government's Care Act Guidance which will ensure that no-one is asked to pay more than they can afford, in line with national guidelines. During this assessment a benefit maximisation check is also carried out for those who require it. It is not proposed to change the way in which financial assessments are carried out.

The assessment takes into account income, including welfare benefits, savings and assets. We also make allowances and disregards in the financial assessment depending on individual circumstances. The Government has set a minimum income and if the assessment income is below this level service users are not required to pay for their services.

Prior to the financial assessment people will have had a care assessment with a social worker and their care needs will be identified and a care plan will be drawn up with the service user to identify how these needs will be met. When undertaking the care needs assessment social workers will ask the service user whether they have someone who helps them with their finances and whether they want or need them present at the point of undertaking the financial assessment.

If at any time during the course of a financial assessment it becomes clear that the service user is struggling to understand or answer the questions or their carer or family member is not present then the assessment is rearranged and potentially a home visit arranged to undertake the assessment.

One of the allowances made in the financial assessment is to cover the costs of disability related expenditure (DRE's). Finance Officers can refer to the care plan when DRE's are identified during the financial assessment.

For service users in receipt of severe disability premium (SDP) or with an underlying entitlement to SDP, which is currently £61.85 per week, the Council currently makes an automatic allowance in the financial assessment of half of the value of the SDP (currently £30.93 per week) or the actual cost of their disability related expenses based on an individual assessment, whichever is greater. This means that we currently disregard 50% of their SDP income in assessing their contribution. Service users are provided with a fact sheet which gives an explanation and examples of DREs prior to the financial assessment and these are discussed during the financial assessment. Service users can request additional DRE's to be considered at any time.

Severe disability premium (SDP) is paid to people living alone who claim the care component of Disability Living Allowance or Personal Independence Payment at the middle or highest rate or Attendance Allowance providing no-one claims Carer's Allowance for them. Couples can receive SDP providing both receive one of the benefits above. It is intended as a contribution towards the cost associated with obtaining care in the home where there is no one else in the house who could reasonably provide that care. So there could be 2 people with similar care needs, one who qualifies for SDP and one who does not because they live with partner.

Not everyone who has SDP receives a social care service. Some people will arrange and pay for their own care and support or rely on family members for support. Also some people in receipt of SDP would not consider themselves disabled as this benefit is paid to people who require care and support because they are old and frail.

There are many service users in receipt of social care services and whom have had a financial assessment and are contributing to their cost of care that are or would consider themselves to be at least as disabled as some of the service users in receipt of SDP but who don't qualify for the SDP payment from DWP. These service users do not benefit from an automatic disregard of £30.93, but instead have an individual assessment of their DRE needs.

Automatically allowing people to keep half of their SDP allowance towards the costs of their DRE's is inconsistent because all other service users, who do not receive SDP, only have an allowance for their actual costs of their DRE's in the financial assessment, which ranges from 10p to £129.80 per week. It is also inconsistent with other authorities in the North as none allow service users to automatically keep half of their SDP.

It is proposed that the Council ends automatically disregarding half of SDP in non-residential financial assessments for new service users from 1 October 2016 and instead undertake an individual assessment of actual cost of DRE, as we do for all other service users. This will bring the Council's treatment of this element of income in line with other local authorities in the Northern region.

For people already receiving this disregard it is proposed that we do not revise their financial assessment.

It is not considered appropriate to remove the £30.93 (50%) SDP disregard from those already in receipt of it but instead apply this policy change to new assessments only. This will provide transitional protection to the current cohort of service users in receipt of SDP.

Analysis of caseload data shows that on average the service users in receipt of SDP receive services for approximately three years after which they could have moved into residential care or have passed away and therefore, applying this policy change to new service users only will mean that after a three year period it is likely that the vast majority if not all cases will be based on an actual assessment of DRE rather than an automatic £30.93 (50%) SDP disregard for service users in receipt of SDP.

This change to the charging policy is estimated to achieve in excess of £1m in savings through additional adult social charging income if implemented, across the period 2016/17 to 2019/20.

The Consultation:

A 12 week consultation between the period 4 April 2016 – 26 June 2016 was undertaken with key stakeholders and the wider public including relevant disability charities and CVS groups to inform the final decision, with a report to be presented to Cabinet in September 2016 for a final decision on any amendments to the policy, with any changes being effective from October 2016.

The views of stakeholders were invited from relevant disability charities and community and voluntary sector groups. Letters and supporting information were sent to 8 of the key stakeholders in the area:

1. Citizen Advice County Durham County Council
2. Age UK
3. Durham County Carers Support
4. Mental Health Forum
5. Advice in County Durham Partnership
6. Durham Community Action
7. VCS working Group
8. Peoples Parliament – Learning Disability Groups

The consultation was also discussed at the Advice in County Durham Partnership Board.

Of the 19 people who responded, 6 people, (22%) agreed with the proposal to amend the current assessment from the disregard 50% of SDP in the financial assessment to the calculation of individual assessment of disability related expenses in all cases. A further 8 people neither agreed nor disagreed, (42%). In fact; it was felt that the move to individual assessment in all cases would have little impact and be fairer.

There are no HR implications linked to this saving.

<p>Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –</p> <ul style="list-style-type: none">• General public• Social workers and finance staff• Relevant disability charities and Community / voluntary groups
<p>Is a copy of the subject attached? No</p> <p>If not, where could it be viewed?</p> <p>Documents are available upon request including:</p> <ul style="list-style-type: none">• Care Act 2014 and Care Act Guidance• Legislation and policy drivers• Charging Policies for non-residential care services is available on the DCC web site <p>Information can be provided in various formats upon request including hard copy and electronic format.</p>
<p>Initial Screening</p>
<p>Prompts to help you: Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?</p>

Is there an actual/potential negative or positive impact on specific groups within these headings?

Indicate :Y = Yes, N = No, ?=Unsure

Gender	Y	Disability	Y	Age	Y	Race/ethnicity	N	Religion or belief	N	Sexual orientation	N
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How will this support our commitment to promote equality and meet our legal responsibilities?

Reminder of our legal duties:

- Eliminating unlawful discrimination & harassment
- Promoting equality of opportunity
- Promoting good relations between people from different groups
- Promoting positive attitudes towards disabled people and taking account of someone’s disability, even where that involves treating them more favourably than other people
- Involving people, particularly disabled people, in public life and decision making.

It is anticipated that this policy will implement consistency across all new service users post October 2016.

What evidence do you have to support your findings?

This saving relates to an increase in charging income in respect of adult social care provision for those in receipt of SDP.

There are currently 1,826 service users receiving a chargeable service who are in receipt of SDP. The current caseload has been used as a proxy for future caseload in terms of this Equality Impact Assessment screening. For service users in receipt of SDP or with an underlying entitlement to SDP, which is currently £61.85 per week, rather than undertake an individual assessment of individual DRE’s we currently make an automatic allowance/disregard in the financial assessment of 50% of the SDP (currently £30.93 per week) income.

Of the existing service users receiving this disregard:

17%	Aged 18-64
13%	65-74
29%	75-84
41%	85+

69% were female and 31% male

83% are aged 65+ and of these 18% of those had mental health issues (including dementia)

17% are aged 18 – 64 and of those 22% had a learning disability, 7.5% had a mental health issue and 70.5% have a disability or sensory impairment.

The service user's financial contribution is calculated following a financial assessment (means test) by finance staff. Financial assessments comply with the Government's Care Act Guidance which will ensure that no-one is asked to pay more than they can afford, in line with national guidelines. During this assessment a benefit maximisation check is also carried out for those who require it. It is not proposed to change the way in which financial assessments are carried out.

At this stage it is clear that existing service users are more likely to be older and female and in need of some support with their daily living. It can be anticipated that future service users will form a similar age, gender and disability profile. Overall these groups are more likely to be adversely affected through the financial impacts additional charging as a result of this policy change. These impacts are planned to be mitigated through specific support for service users.

Support for Service Users

- Advice and support is always given to help service users to maximise their income and benefit entitlement where ever possible during the financial assessment. This is undertaken through joint work between the Financial Assessments Team and Welfare Rights, who also undertake the appeals.
- Care management and social work support will be available to service users if required. Should service users consider that the charges are prohibitive and decline a service, and then a reassessment of the service user's care plan could be undertaken.
- Service users who are unhappy with the contribution when they are assessed to make would be offered a further review of their financial assessment on request through our fast track review process. The appeal would be considered by an independent officer and with the support of the Welfare Rights team. In line with general charging principles there is the potential to consider the waiving of charges in exceptional circumstances due to severe hardship.

Further Evidence

- Growing demand for social care services and demographic information as set out in the JSNA
- Views expressed via the consultation process
- As more users of services are women, then the potential is for women to be more affected by any changes than men. (Source: SSID data).
- Most service users consulted will have some form of physical disability, mental infirmity, or general frailty due to old age.

Decision: Proceed to full impact assessment – Yes – following close of consultation Date: 30.06.16

If you have answered 'No' you need to pass the completed form for approval & sign off.

Section Two: Identifying impacts and evidence- Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.

	Identify the impact: does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender	Existing service users are more likely to be older and female. It can be anticipated that future service users will form a similar age and gender profile. Overall these groups are more likely to be adversely affected through the financial impacts of additional charging as a result of this policy change.	Of the existing service users receiving this disregard: 69% were female and 31% male	These impacts will be mitigated through the support to service users.
Age	Existing service users are more likely to be older and female. It can be anticipated that future service users will form a similar age and gender profile. Overall these groups are more likely to be adversely affected through the financial impacts of additional charging as a result of this policy change.	Of the existing service users receiving this disregard: 17% Aged 18-64 13% 65-74 29% 75-84 41% 85+ 83% are aged 65+ and of these 18% of those had mental health issues (including dementia)	These impacts will be mitigated through the support to service users.

Disability		Of the existing service users receiving this disregard: 17% are aged 18 – 64 and of those 22% had a learning disability, 7.5% had a mental health issue and 70.5% have a disability or sensory impairment.	
Race / Ethnicity	There is no evidence available to show whether or not impact is likely.		
Religion or belief	There is no evidence available to show whether or not impact is likely.		
Sexual orientation	There is no evidence available to show whether or not impact is likely.		

How will this promote positive relationships between different communities?

Section Three: Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.

The EIA does say that there are impacts of the change overall, (affected people are more likely to be older, female and obviously have some form of severe disability), but it also says that future service users are likely to be of a similar profile. So it is unlikely that there is to be any disproportionate effects with respect to the protected characteristics by taking these transitional measures.

Transitional arrangements have been used in other policy changes, where existing recipients will see no change in their current arrangements, but new users, after a specific point in time, are subject to the new rules.

Overall, the transitional arrangements may not have any impacts with respect to the protected characteristics - it's more of a wider question about fairness.

Action to be taken	Officer responsible	Target Date	In which plan will this action appear
Advice and support is always given to help service users to maximise their income and benefit entitlement where ever possible during the financial assessment.	Financial Assessments Team and Welfare Rights	Ongoing	Assessment and Awards Team Plan
Care management and social work support will be available to service users if required. Should service users consider that the charges are prohibitive and decline a service, and then a reassessment of the service user's care plan could be undertaken.	Financial Assessments Team and Welfare Rights	Ongoing	Assessment and Awards Team Plan

Action to be taken	Officer responsible	Target Date	In which plan will this action appear
<p>Service users who are unhappy with the contribution they are assessed to make would be offered a further review of their financial assessment on request through our fast track review process. The appeal would be considered by an independent officer and with the support of the Welfare Rights team. In line with general charging principles there is the potential to consider the waiving of charges in exceptional circumstances due to severe hardship.</p>	<p>Financial Assessments Team and Welfare Rights</p>		<p>Assessment and Awards Team Plan</p>
<p>When will this assessment be reviewed?</p>	<p>Date: The EIA will be reviewed when the Charging Policy is next amended.</p>		
<p>Are there any additional assessments that need to be undertaken in relation to this assessment?</p>	<p>No</p>		
<p>Lead officer - sign off: P Darby</p>			<p>Date: 25/08/2016</p>
<p>Service equality representative - sign off: Research and Equalities Manager</p>			<p>Date: 05/09/2016</p>

Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.