

## 1. Topic of assessment

<b>EIA title:</b>	<b>Charging Policy for Adult Social Care Services</b>
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<b>EIA author:</b>	Toni Carney, Head of Resources
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## 2. Approval

	<b>Name</b>	<b>Date approved</b>
<b>Approved by</b>	Helen Atkinson	02.02.2016

## 3. Quality control

<b>Version number</b>	1	<b>EIA completed</b>	
<b>Date saved</b>	29.02.16	<b>EIA published</b>	

## 4. EIA team

<b>Name</b>	<b>Job title (if applicable)</b>	<b>Organisation</b>	<b>Role</b>
Pam Hassett	Senior Manager	Surrey County Council	Project Team
Dina Bouwmeester	Policy Development Manager	Surrey County Council	Project Team

## 5. Explaining the matter being assessed

<p><b>What policy, function or service is being introduced or reviewed?</b></p>	<p>In April 2015 Surrey County Council adopted the current Charging Policy to adhere to the Care Act 2014 and supporting regulations and statutory guidance. The charging policy sets out in clear terms what services the Council will and will not charge residents.</p> <p>The policy affects all residents of Surrey who are assessed as needing chargeable care and support services. Any adult needing care and support is assessed to see if they need to contribute towards their care costs. The resident is informed of their assessed charge and how it was arrived at so they can plan their care.</p>
<p><b>What proposals are you assessing?</b></p>	<p>The specific proposals are outlined in a Cabinet report titled: 'Consultation on a revised Charging Policy for Adult Social Care' (22 March 2016).</p> <p>The proposed changes to the charging policy are as follows:</p> <ol style="list-style-type: none"> <li>1. The council will charge an administration fee in any case where the person is able to pay the full cost of their care and support at home but nevertheless the person asks the council to make the arrangements for the placement under the council's usual terms and conditions.</li> <li>2. The council will increase the percentage of available income contributed in charges for non-residential services from 90% to 100%</li> <li>3. The council will include the full rate of higher rate Attendance Allowance/Disability Living Allowance Care Component/Personal Independence Payment (excluding mobility components) in the calculation of income.</li> <li>4. The council will no longer disregard £20 per week when calculating the available income for charging for respite care.</li> </ol> <p>Income from charging is an important contribution to Adult Social Care's budget to help maintain front-line services and the council exercises the power to charge for all residential and nursing care and non-residential services unless it is prohibited from charging under the regulations or otherwise outside of our current policy</p> <p><b>Charging an administration fee for putting arrangements in place</b></p> <p>From 1 April 2015, when a person has capital above the upper capital limit (£24,500 for people living at home), and would be required to fund their own care, the person can still request that the council makes arrangements for their care and support needs to be met. The council may charge an arrangement fee to cover the cost of managing the contract with the provider and any administration costs. It is proposed that an administrative charge will be made. An initial set-up cost of £295 will be charged at the outset and thereafter a weekly fee of £5 will be charged for each week that the council</p>

	<p>commissions support.</p> <p><b>Percentage of available income taken in charges</b></p> <p>For people in receipt of non-residential care and support, the financial assessment calculates the service user's total weekly income, less certain disregarded income, statutory allowances, certain housing costs and any disability related expenditure to determine the amount of net disposable income left over for charging. The Department of Health recommends that local authorities should consider whether it is appropriate to set a maximum percentage of disposable income which may be taken into account in charges. Many neighbouring local authorities take between 90% and 100% of available income. The current contribution in Surrey is 90% of net available income.</p> <p><b>The full rate of Attendance Allowance/ Disability Living Allowance/Personal Independence Payment (excluding mobility elements) should be included in the calculation of income</b></p> <p>Under the current charging policy, the council disregards £27.20 per week, equivalent to the 'night-time' support element of both higher rate Attendance Allowance [AA] and the higher rate Disability Living Allowance [DLA] Care Component when calculating available income for care and support at home. This disregard has also been applied to the 'enhanced' rate of Personal Independence Payments [PIP] daily living component. The charging framework permits local authorities to take the benefits into account in full.</p> <p>It is proposed that the council takes the full rate of AA, DLA and PIP (excluding mobility components) into account when calculating income. The council allows for all reasonable disability related expenditure when calculating the amount of net disposable income available for charging and therefore the inclusion of these benefits in full is appropriate.</p> <p><b>Removal of the £20 per week disregard when charging for respite care.</b></p> <p>When assessing a person's ability to contribute towards respite care, in addition to allowing for reasonable household expenditure, the council disregards £20 per week. This disregard has been in place for many years. It is proposed that the council removes this disregard from the respite charging policy.</p>
<p><b>Who is affected by the proposals outlined above?</b></p>	<p>The proposals will affect those residents of Surrey who have eligible needs and are supported to remain in their own homes. The proposals will affect those who are currently receiving services who have already been financially assessed as well as those who are assessed as having needs in the future.</p>

Surrey County Council staff will not be directly affected by the changes; however they will need to understand the new policy and any new procedures which come out of the proposals. Staff in frontline teams will also need to understand the policy so they can provide appropriate advice and guidance during assessments.

External organisations will not be directly affected; however they will need to have an awareness of the changes to the charging policy so that they are able to provide correct advice and guidance to their customers.

## 6. Sources of information

<b>Engagement carried out</b>
Consultation on the proposed changes to the council's charging policy will take place from 7 <sup>th</sup> April 2016 to 16 <sup>th</sup> June 2016 for a period of 10 weeks.
<b>Data used</b>
The following data has been used to inform changes to the charging policy. <ul style="list-style-type: none"><li>• Surrey County Council in house data from the Adults Information System (AIS) database on client characteristics</li><li>• Joint Strategic Needs Assessment (JSNA) data on the profile of Surrey's population broken down by the protected characteristics.</li></ul>

## 7. Impact of the new/amended policy, service or function

### 7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 48</p> <p style="text-align: center;"><b>Age</b></p>	<p><i>1) Charging an administration fee to offset the costs of commissioning care for full cost payers at home</i></p> <p>People who ask the council to make arrangements for them may benefit from decreased rates of payment as the council negotiates reduced rates in some circumstances compared to those which private buyers are able to achieve. Even if an administration fee is charged this may be cost effective for some people.</p> <p><i>2) Increasing available income contributed in charges from 90% to 100%</i></p> <p>Increasing the contribution in available income will mean that there will be a larger contribution paid towards the overall Adult Social Care budget which may help in the longer term to ensure that council services are sustainable for vulnerable groups with the protected characteristics.</p>	<p><i>1) Charging an administration fee to offset the costs of commissioning care for full cost payers at home</i></p> <p>This may preclude self funding clients from accessing our professional services to arrange care and support as they do not want to pay an administration charge.</p> <p><i>2) Increasing available income contributed in charges from 90% to 100%</i></p> <p>This could have a negative impact in that it will reduce the disposable income of people who are charged for services. We do not know on an individual basis what people spend their disposable income on and consequently cannot analyse the impact of decreasing that amount.</p>	<p>Adult Social Care records show that around 80 people have asked the council to commission their care and report at home since April 2015.</p> <p><b>Joint Strategic Needs Assessment</b> Data shows that Surrey has a higher proportion of people over eighty five years old and estimates that this population is set to double by 2033. This will lead to a greater demand on council services and a higher number of people who are able to fund their own care seeking advice and support.</p> <p>Approximately 1700 people will be affected</p> <p>The average weekly increase will be £4.85 per week; the range of increases will be £0.21 to £66.47 per week</p>

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 49</p>	<p><i>3) The council will include the full rate of Higher Rate Attendance Allowance/Disability Living Allowance/Personal Independence Payment in the calculation of income.</i></p> <p>Increasing the income from charging will mean that there will be a larger contribution paid towards the overall Adult Social Care budget which may help in the longer term to ensure that council services are sustainable or increased for vulnerable groups with the protected characteristics.</p> <p><i>4) Removal of the £20 per week disregard when charging for respite care.</i></p> <p>As above</p>	<p><i>3) The council will include the full rate of Higher Rate Attendance Allowance/Disability Living Allowance/Personal Independence Payment in the calculation of income.</i></p> <p>This could have a negative impact in that it will reduce the disposable income of people who are charged for services. We do not know on an individual basis what people spend their disposable income on and consequently cannot analyse the impact of decreasing that amount. All reasonable disability related expenditure is taken into account when assessing the amount of income available for charging.</p> <p><i>4) Removal of the £20 per week disregard when charging for respite care.</i></p> <p>As above</p>	<p>There are approximately 700 people in Surrey who would be directly impacted by this proposal</p> <p>It is estimated that around 400 people would be affected by this proposal</p> <p>The impact of the proposals will be analysed when the responses to the consultation are received.</p>

<b>Protected characteristic</b>	<b>Potential positive impacts</b>	<b>Potential negative impacts</b>	<b>Evidence</b>
<b>Disability</b>	Same as above	Same as above	Same as above
<b>Gender reassignment</b>	No impact	No impact	No impact
<b>Pregnancy and maternity</b>	No impact	No impact	No impact
<b>Race</b>	No impact	No impact	No impact
<b>Religion and belief</b>	No impact	No impact	No impact
<b>Sex</b>	No impact	No impact	No impact
<b>Sexual orientation</b>	No impact	No impact	No impact
<b>Marriage and civil partnerships</b>	No impact	No impact	No impact
<b>Carers</b>	No impact	No impact	No impact

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### 7b. Impact of the proposals on staff with protected characteristics

<b>Protected characteristic</b>	<b>Potential positive impacts</b>	<b>Potential negative impacts</b>	<b>Evidence</b>
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Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<b>Age</b>	These proposals do not impact on staff, unless they are in receipt of services in which case see above.	These proposals do not impact on staff, unless they are in receipt of services in which case see above.	These proposals do not impact on staff, unless they are in receipt of services in which case see above.
<b>Disability</b>	As above	As above	As above
<b>Gender reassignment</b>	As above	As above	As above
<b>Pregnancy and maternity</b>	As above	As above	As above
<b>Race</b>	As above	As above	As above
<b>Religion and belief</b>	As above	As above	As above
<b>Sex</b>	As above	As above	As above
<b>Sexual orientation</b>	As above	As above	As above
<b>Marriage and civil partnerships</b>	As above	As above	As above
<b>Carers</b>	As above	As above	As above

## 8. Amendments to the proposals

Change	Reason for change
N/A	

## 9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
1) <i>Charging an administration fee to offset the costs of commissioning care for full cost payers at home</i>	This is subject to consultation and there will be a further impact assessment carried out on completion of the consultation	July 2016	Toni Carney
2) <i>Increasing available income contributed in charges from 90% to 100%</i>	As above	As above	As above
3) <i>The council will include the full rate of Higher Rate Attendance Allowance/Disability Living Allowance/Personal Independence Payment in the calculation of income.</i>	As above	As above	As above
4) <i>Removal of the £20 per week disregard when charging for respite care.</i>	As above	As above	As above

## 10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
As above	Age, disability,

## 11. Summary of key impacts and actions

<b>Information and engagement</b>	The initial assessment has been undertaken. This will be
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<b>underpinning equalities analysis</b>	reviewed and revised following the consultation process.
<b>Key impacts (positive and/or negative) on people with protected characteristics</b>	<p><i>1) Charging an administration fee where a person is able to pay the full cost of their care and support</i></p> <ul style="list-style-type: none"> <li>• This may have a positive impact on Surrey residents needing care and support who would normally have to make their own arrangements. This group will be able to access services at a lower rate which will offset any administration fee charged.</li> <li>• A potential negative impact is that people who fund their own care may be put off using Surrey services due having to pay an administration fee.</li> </ul> <p><i>2) Increasing the amount of available income contributed in charges from 90% to 100%</i></p> <ul style="list-style-type: none"> <li>• Increasing the amount taken to 100% will bring greater income to Adult Social Care which may benefit people using services which could be sustained or increased in light of the increase to income.</li> <li>• A negative impact of this policy would be that the disposable income of residents would be lowered if the council takes more in way of contributions to care.</li> </ul> <p><i>3) The council will include the full rate of Higher Rate Attendance Allowance/Disability Living Allowance/Personal Independence Payment in the calculation of income.</i></p> <p style="text-align: center;">As in 2 above</p> <p><i>4) Removal of the £20 per week disregard when charging for respite care.</i></p> <p style="text-align: center;">As in 2 above</p>
<b>Changes you have made to the proposal as a result of the EIA</b>	None
<b>Key mitigating actions planned to address any outstanding negative impacts</b>	<p><i>1) Power to make a charge of an administration fee where a person is able to pay the full cost of their care and support</i></p> <ul style="list-style-type: none"> <li>• Cost of charge may be offset by the reduced cost to people who fund their own care of paying for services when these are organised by the council.</li> <li>• In all other respects ensure frontline social care staff support people who fund their own care on an</li> </ul>

	<p>equivalent basis to those in receipt of local authority funding, including the offer of free assessments of their needs, universal information and advice, and signposting to appropriate sources of support, including family, friends and community support. To achieve this through staff training and ongoing development.</p> <p><i>2) Increasing the amount of available income contributed in charges from 90% to 100%</i></p> <ul style="list-style-type: none"> <li>• Write to affected residents offering a reassessment of their financial situation if they feel the change is not financially sustainable.</li> <li>• Continue to support frontline social care staff to advise and signpost all residents requiring support, irrespective of their level of funding, on how they can access family, friends and community support, some of which may be free of charge at the point of access.</li> </ul> <p><i>3) The council will include the full rate of Higher Rate Attendance Allowance/Disability Living Allowance/Personal Independence Payment in the calculation of income.</i></p> <p>As in 2 above</p> <p><i>4) Removal of the £20 per week disregard when charging for respite care.</i></p> <p>As in 2 above</p>
<p><b>Potential negative impacts that cannot be mitigated</b></p>	<ul style="list-style-type: none"> <li>• The disposable income of residents would be lowered if the council takes more in way of contributions to care.</li> </ul>