



Equality Impact Assessment Template (April 2011)

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. IDENTIFICATION OF FUNCTION, POLICY OR PLAN	
Name of function/policy/plan to be assessed	Day care Charging
Service/service area responsible	Orkney Health and Care, Adult Services
Name of person carrying out the assessment and contact details	Cindy Clark, 872106 Derek Aitken Ext 2682
Date of assessment	2 August 2011
Is the function/policy/plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly)	Introduction of a charging framework for previously free service

2. INITIAL SCREENING	
What are the intended outcomes of the function/policy/plan?	To introduce a charging framework applicable to adults (age 16 and over) for the currently free day care service.
State who is, or may be affected by this function/policy/plan, and how	Any adult who currently uses the day care service will be affected. The extent to which they are affected will depend on the charging framework that is selected. If a flat rate charge is implemented then all adults will experience a charge for a service that has to date been free of charge. This option will not require financial assessment for service users in relation to this service. If a means tested charging framework is implemented then adults who are assessed as able to pay will be affected. Under this option all day care service users will however have to be offered a

	<p>financial assessment. This is not currently required.</p> <p>Any new adult day care service user will be similarly affected however it will not represent a change for this group as they will not have previously been receiving the same service free of charge.</p> <p>Carers may be affected as it may act as a disincentive to individuals taking up the service therefore the benefits that the service provides in terms of respite care, confidence and peace of mind for carers may be adversely affected, in turn affecting carers.</p>
<p>How have stakeholders been involved in the development of this function/policy/plan?</p>	<p>Local consultation has not yet been carried out. A consultation plan has been developed, based on the Orkney Community Planning Partnership's Community Consultation & Engagement Guide, and is appended. It will be presented to Social Services and Housing Committee on 30 August 2011 for consideration and approval and, if approved, this will go to full Council for ratification on 4 October 2011. If approved and ratified it will be actioned after that date and progress in line with the timescales set out in the consultation plan.</p> <p>The proposed consultation will seek views on the principle of introducing a daily charge for the day care service, the likely impact of the introduction of a charge and the options for a charging framework.</p>
<p>Is there any existing data and/or research relating to equalities issues in this policy area? Please summarise.</p> <p>e.g. consultations, national surveys, performance data, complaints, service user feedback, academic/consultants' reports, benchmarking (see equalities resources on OIC information portal)</p>	<p>There are no statutory rules governing the charges that local authorities make for day care services.</p> <p>The COSLA Leaders Group issued guidance to cover charging for non-residential care services that enable people to remain in their own homes. The guidance was originally issued in 2002 and subsequently amended in 2006, 2009, 2010 and 2011. The Guidance does not take the form of national prescription. It does not require councils to charge, nor does it prevent them from adopting a more generous treatment of service users' circumstances</p> <p>The Guidance provides a framework that aims to maintain local accountability and discretion while encouraging councils to demonstrate that in arriving at charges they have followed best practice.</p> <p>The Guidance states that charges should be set at a level that it is reasonable to expect the service user to pay, given their other financial commitments. The full costs of providing the service should be taken account of, as well as the impact of charging on the Government's community care objectives.</p> <p>Benchmarking across other LA areas has shown great variation from no charge, to financially assessed and charged per hour.</p>
<p>Could the function/policy have a differential impact on any of the</p>	<p>(Please provide any evidence – positive impacts/benefits, negative impacts and reasons)</p>

following equality strands?	
1. Race: this includes ethnic or national groups, colour and nationality	No, the policy applies equally to all day care service users. Access to the day care service is not affected by race or ethnic group as it is based on care and risk management needs.
2. Sex: a man or a woman	No, the policy applies equally to all day care service users. Access to the day care service is not affected by gender as it is based on care and risk management needs.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	No, the policy applies equally to all day care service users. Access to the day care service is not affected by sexuality as it is based on care and risk management needs.
4. Gender Reassignment: the process of transitioning from one gender to another	No, the policy applies equally to all day care service users. Access to the day care service is not affected by gender or gender reassignment as it is based on care and risk management needs.
5. Pregnancy and maternity	No, the policy applies equally to all day care service users. Access to the day care service is not affected by pregnancy or maternity issues as it is based on care and risk management needs.
6. Age: people of different ages	Yes. Day care is provided to people to assist them to remain within their community. As people age they are more likely to require assistance to live independently at home therefore older people make up the greatest percentage of the Day care service user demographic. Older people are therefore proportionally more affected by this change.
7. Religion or beliefs or none (atheists)	No, the policy applies equally to all day care service users. Access to the day care service is not affected by faith or religious belief as it is based on care and risk management needs.
8. Caring responsibilities	<p>Potentially. The introduction of a charge for the previously free of charge day care service may act as a disincentive and result in a drop off in use by service users</p> <p>Day care as a service aims to support people to live independently in the community by providing them with a system for support and respite for carers. If the introduction of a charge results in people opting out of the service they currently use, or refusing a future service that would be of benefit to them, it may increase caring responsibilities, anxieties and pressures, on family or other unpaid carers.</p>

9. Marriage and Civil Partnership	No, the policy applies equally to all day care service users. Access to the day care service is not affected by marital or civil partnership status as it is based on care and risk management needs.
10. Disability: people with disabilities (whether registered or not)	Yes. Day care is provided to people to assist them to remain living as independently as possible. By definition, a person with a disability is more likely to rely upon this type of service to assist them to maintain their independence. The age of the person with a disability is not relevant as the service may be provided to a child, young person, adult or older person, therefore overall people with disabilities are proportionally more affected by this change than people without disabilities. It is not however proposed to charge people under the age of 16 for the service.

3. IMPACT ASSESSMENT

Does the analysis above identify any differential impacts which need to be addressed?	There is likely to be a greater impact on older people, people with disabilities and carers. These differential impacts are a consequence of the nature of the service in question and cannot be entirely addressed.
How could you minimise or remove any potential negative impacts?	<p>Service users who express a wish to end their day care service following introduction of charging will be offered a review of the service, focussing on risk assessment and risk management, prior to withdrawal. The review will seek to explore with the service user their concerns about the changes and the benefits of the day care that is in place. Benefits checks and income maximisation will be offered and onward referrals made to CAB and / or DWP as appropriate. This may address some of the concerns that people have about paying a charge.</p> <p>Although an impact has been identified for a number of groups these proposals continue to be felt to be necessary in order to establish a sustainable day care service. It is part of the Council's 'Tough Times Tough Choices' agenda which is aimed at stabilising the Council's financial situation to address reduced public sector finances and, in the longer term, ensure properly prioritised and sustainable services. The reality is that in times of financial constraints public authorities will have to make difficult and often unpopular decisions regarding funding and service provision. The Council has a legal duty to continue to provide its core statutory services while moving onto a more secure financial footing. The Council can no longer afford to absorb these costs and has to commence charging at a rate which will enable the</p>

	continuation of the service to meet identified demographic changes and need. The rate proposed is not unrealistic in terms of national average charges and has been reached despite Orkney not have the economies of scale available in other areas.
Do you have enough information to make a judgement? If no, what information do you require?	Yes, progress to requesting approval for consultation

4. CONCLUSIONS AND PLANNED ACTION	
Is further work required?	Yes
What action is to be taken?	<p>Progress to consultation, following Committee approval of consultation plans. Committee meeting 30 August 2011, and subsequent full council ratification, 4 October 2011.</p> <p>Consultation period 10 October 2011 to 10 January 2012 (12 weeks)</p> <p>Analysis of results 3 January to 15 January 2012</p> <p>Report to Committee on outcome on Tues 21st Feb 2012</p> <p>Ratification on 29 March 2012. If ratified, website updated and letters out to service users and power of attorney/ guardians giving notice of charging 30 March 2012 with a week's notice of charging to be applied. This will mean charging will start slightly after the beginning of the financial year 2012/13.</p>
Who will undertake it?	Orkney Health and Care Community Care, Day Care Teams
When will it be done?	Following Committee consideration and full Council approval. Timescales for consultation are set out in consultation plan
How will it be monitored? (e.g. through service plans)	Progress on consultation will be fed back to OHAC Board and reported back to committee as indicated in consultation plan.

Signature

Date 30.08.11

Name DEREK AIKEN
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