

Equality Impact Assessment (EIA)

Before completing this form, please refer to the supporting guidance documents which can be found on the equality page of the intranet. The page also provides the name of your Corporate Equality Group member should you need any additional advice.

Equality Impact Assessments (EIAs) are a planning tool that enable us to build equality into mainstream processes by helping us to:

- consider the equality implications of our policies (this includes criteria, practices, functions or services - essentially everything we do) on different groups of employees, service users, residents, contractors and visitors
- identify the actions we need to take to improve outcomes for people who experience discrimination and disadvantage
- fulfil our commitment to public service.

The level of detail included in each EIA should be proportionate to the scale and significance of its potential impact on the people with protected characteristics.

This assessment may be published on the Authority's website as part of a Council or Cabinet Report. It can also be requested under the Freedom of Information Act 2000 and can be used as evidence in complaint or legal proceedings.

Proposal details

1. Name of the policy or process being assessed	North Tyneside Council Contributions Policy for Adult Care and Support Services	
2. Version of this EIA (e.g. a new EIA = 1)	2 nd	
3. Date EIA created	29.06.21	
	Name	Service or organisation
4. Principal author of this EIA	Alison Tombs	HECS Adult Social Care
5. Others involved in writing this EIA <i>EIAs should not be completed by a sole author. Think about key stakeholders and others who can support the process and bring</i>	Colin Strutt Ellie Anderson	HECS Adult Social Care

<i>different ideas and perspectives to the discussion.</i>		
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6. What is the purpose of your proposal, who should it benefit and what outcomes should be achieved?

The proposal is to review the Contributions Policy to ensure this consistently applied to all people

Having reviewed the policy, the proposal is to adopt the correct pension age based on an individual's date of birth rather than the set age of 60. This will ensure people are financially assessed according to the correct benefits and Minimum Income Guarantee, MIG.

The aim is to also review the Minimum Income Guarantee, which is the amount of money which is disregarded as part of the charging process.

7. Does this proposal contribute to the achievement of the Authority's public sector equality duty? Will your proposal:

Write your answers in the table

Aim	Answer: Yes, No, or N/A	If yes, how?
Eliminate unlawful discrimination, victimisation and harassment	Yes	The proposal will ensure that Government guidance is applied equally across all age ranges and that people's ability to pay is based on their accurate age-related benefits
Advance equality of opportunity between people who share a protected characteristic and those who do not	Yes	The aim of this proposal is to ensure consistency of practice with regards to charging for adult social care services.

Foster good relations between people who share a protected characteristic and those who do not	N/A	
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Evidence Gathering and Engagement

8. What evidence has been used for this assessment?

Information from Liquid Logic, the Councils data base shows the number of people using adult social care services split by age and sex.

	Sex		
Age	Female	Male	Total
Over 60	710	397	1107
under 60	257	317	574
Total	967	714	1681

All people accessing adult social care services have some form of disability or long term condition as to be eligible for social care services the Care Act requires an individual to have care and support needs.

9.a Have you carried out any engagement in relation to this proposal?

	√
Yes - please complete 9b	√
No	

9.b Engagement activity undertaken	With	When
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<p><i>An online survey was carried out. Paper copies of this were also made available.</i></p> <p><i>This was advertised through social media, to members of North Tyneside Residents Panel and individuals in receipt of adult social care services were sent a letter with their current invoice.</i></p>	<p>Individuals in receipt of services were sent a letter to advise of the consultation and it was advertised to the wider through the Councils Have your Say webpage and through social media</p>	<p>Between 02.06.21 and 27.06.21</p>
<p>There were 247 responses received.</p> <p>The survey included an optional section on equality monitoring. Of those who responded 58% were members of the public, 29% were carers of someone accessing services, 6% were people who access services themselves and 7% put other.</p>	<p>From this we can see that over half were members of the public.</p> <p>67% who completed the survey were female, with 33% male. From the Equality Impact Assessment, we know that more females than males access adult social care. 117 people who responded were aged over 60 and we know from the Equality Impact Assessment that most people accessing services are over 60 in age. 27% of those who responded stated that they did have a long-term condition illness and 73% stated that they did not. We can see that most people who responded do not have current access to services, however they are in sex or age category more likely to access services.</p>	<p>Between 02.06.21 and 27.06.21</p>
<p><i>People were asked about their views on adult social care services in general.</i></p> <p><i>Specific questions were asked in relation to the age which should be used for pensions as part of the financial assessment and the rates to be disregarded when undertaking a financial assessment.</i></p>	<p>Individuals in receipt of services and the wider public</p> <p>In relation to setting the pension age: 47% of respondents agreed with the change to government set pension age. The reasons for this were that it would be in line with government guidance, was based on change in financial circumstances and was fairer and simpler (58 responses). Some stated that many people still worked into their</p>	<p>Between 02.06.21 and 27.06.21</p>

	<p>60's and so should be assessed accordingly (10 responses). 24% of respondents neither agreed nor disagreed as they felt they didn't know enough about it to give a view (15 responses) or that the assessment should be based on care needs and not age (14 responses). 29% of people disagreed, with most feeling that support should be based on need not age (45 responses).</p> <p>In relation to the Minimum Income Guarantee, 20% of the people who responded felt it should be set at the same as Government MIG. They gave a variety of reasons for this. These included that it was correct to follow Government guidance, that it would mean it was equitable across the country (14 responses). Some people stated they felt the money should be spent on other things in the borough (8 responses). 60% of the people who responded stated it should be set at MIG plus 5%. They felt it would make a difference to people's lives, that it would support a better standard of living for people who needed it (74 responses). Some people felt the MIG was too low in the first instance and that the rate should be set above it (24 responses) 20% of the people who responded stated that neither were suitable as for example adult social care should be free at the point of delivery like the NHS, people shouldn't pay for adult social care at all or there should be a</p>	
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	higher threshold than either of these options set as a disregard.	

9. Is there any information you don't have?

	√	Please explain why this information is not currently available
Yes - please list in section A of the action plan at Q13		
No	√	

Analysis by protected characteristic

	A	B	C
11. Protected characteristic	Does this proposal and how it will be implemented have the <u>potential</u> to impact on people with this characteristic? (Answer – Yes or No)	If ‘Yes’ would the <u>potential</u> impact be positive or negative? (Answer – positive or negative)	Please describe the <u>potential</u> impact and the evidence (including that given in Q8 and 9) you have used
All Characteristics	N/A		
Sex – male or female	Yes	Negative	As women tend to live longer than men, this could impact negatively on women, as they are more likely to receive services from adult social care. The aim is to have a policy in place that ensures consistency. It is important to note that any requirement for an individual to pay for services is based on an assessment of their income to determine what can be afforded. To mitigate, the proposal in North Tyneside is to introduce an amount to be disregarded in the assessment that is higher than Government guidelines
Pregnancy and maternity – largely relates to employment, but also to some aspects of service delivery e.g. for breastfeeding women	N/A		

Age – people of different ages, including young and old	Yes	Negative	Older people are more likely to be in receipt of adult care services. All people who are in receipt of adult social care services have to be means tested and pay charges according to ability to pay. This is set out in The Care Act. The aim is to have a policy in place that ensures consistency
Disability – including those with visual, audio (BSL speakers and hard of hearing), mobility, physical, mental health issues, learning, multiple and unseen disabilities	Yes	Negative	People with disabilities are more likely to be in receipt of adult social care services. All people who are in receipt of adult social care services have to be means tested and pay charges according to ability to pay. This is set out in The Care Act. Therefore, issue of charging and ensuring that the council implements a policy that is fair across all people with disabilities is important. We also ensure that Disability Related Expenditure is disregarded from the financial assessment process. We have some standard allowances but will also look at each case individually.
Gender reassignment - includes trans, non-binary and those people who do not identify with or reject gender labels	N/A		
Race – includes a person's nationality, colour, language, culture and geographic origin	N/A		This is a complex area regarding finances and benefits; therefore, we ensure we use appropriate interpretation services for people who do not have English as first language
Religion or belief – includes those with no religion or belief	N/A		
Sexual orientation – includes gay, lesbian,	N/A		

bisexual and straight people			
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Marriage and civil partnership status - not single, co-habiting, widowed or divorced– only relates to eliminating unlawful discrimination in employment	N/A		To ensure couples are not disadvantaged couple's finances are treated based on 50% of their income, however, the Authority may assess as a couple, if the outcome of the financial assessment is more beneficial to the adult being cared for. Where one person in a couple needs residential care and the other remains in their own property, the property is disregarded from the financial assessment process.
Intersectionality - will have an impact due to a combination of two or more of these characteristics	No		Individuals are financially assessed, so will have a maximum charge identified. This is based on their individual financial circumstance. There will be a cohort of customers who have more than one protected characteristic however this will not directly impact on this policy. People are assessed to identify how much they can afford to pay towards their total care package regardless of the total cost of the package.

If you have answered '**Yes**' anywhere in column A please complete the rest of the form, ensuring that all identified negative impacts are addressed in either Q12 'negative impacts that cannot be removed' or Q13 'Action Plan' below

If you have answered '**No**' in all rows in column A please provide the rationale and evidence in the all characteristics box in column C and go to Q14 'Outcome of EIA'.

12.a Can any of the negative impacts identified in Q11 not be removed or reduced?

Yes - please list them in the table below and explain why	
No	no

12.b Potential negative impact	What alternative options, if any, were considered?	Explanation of why the impact cannot be removed or reduced or the alternative option pursued.
People who receive social care support and have the following protected characteristics disability, age and sex are likely	To have consistency in the policy and to provide good information regarding this. The public consultation considered changing the pension age to actual pension age, rather than 60.	Under the Care Act, individuals are financially assessed and are charged for the social care that they receive. However, the Authorities aim is to be equitable based on people's ability to pay. To ensure that the financial

to be impacted by the proposed changes	The public consultation considered setting the amount of money to be disregarded from financial assessments at the rate set by Department of Health and Social Care, or 5% above this rate	assessment process is fair and consistently applied and based on actual age-related income The proposal is to adhere to the actual pension age. This will be more consistent and in line with Government guidance. The proposed option is to set this at MIG plus 5% To leave it at the rate it is currently set out is not financially viable, but this option remains higher than the Government guidance.

Action Planning (you do not need to complete the grey cells within the plan)

13. Action Plan	Impact: (Answer remove or reduce)	Responsible officer (Name and service)	Target completion date
Section A: Actions to gather evidence or information to improve NTC's understanding of the potential impacts on people with protected characteristics and how best to respond to them (please explain below)			
Section B: Actions already in place to remove or reduce potential negative impacts (please explain below)			
To have consistency of the policy to ensure it is fair for all people	Policy review has been undertaken and consulted on	Alison Tombs	
Section C: Actions that will be taken to remove or reduce potential negative impacts (please explain below)			
To improve the information provided regarding the financial assessment process. The Fact Sheets are being reviewed and updated -put in how we manage those who don't have English as first language	Improved information	Alison Tombs	September 2021
Section D: Actions that will be taken to make the most of any potential positive impact (please explain below)			
Section E: Actions that will be taken to monitor the equality impact of this proposal once it is implemented (please explain below)			

Section F: Review of EIA to be completed			

14. Outcome of EIA

Based on the conclusions from this assessment:

Outcome of EIA	Tick relevant box	Please explain and evidence why you have reached this conclusion:
The proposal is robust, no major change is required.	yes	Under the Care Act, individuals are financially assessed and are charged for the social care that they receive. The aim is to apply this legislation equitably based on people's ability to pay. To ensure that the financial assessment process is fair and consistently applied
Continue but with amendments		
Not to be pursued		

Now send this document to the [Corporate Equality Group member for your service](#) for clearance.

Quality assurance and approval

Questions 15-18 are only for completion by the Corporate Equality Group Member for your service

15. Do you agree or disagree with this assessment?	Agree	yes	Disagree	
16. If disagree, please explain:				

17. Name of Corporate Equality Group Member:	Ellie Anderson
18. Date:	1.7.21

Conclusion:

- If the assessment is agreed, please send the document to the Head of Service for sign off.
- If you disagree return to author for reconsideration.

Questions 19-22 are only for completion by the Head of Service

19. Do you agree or disagree with this assessment?	Agree	yes	Disagree	
20. If disagree, please explain:				
21. Head of Service:	J A Old			
22. Date:	01.07.2021			

Please return the document to the Author and Corporate Equality Group Member.