

### Equality Impact Assessment (EIA) Report

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to equality.

**Please refer to the 'EIA Report Form Guidance' while completing this form. If you need further support please contact [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk).**

<b>Where do you work?</b>
Service Area: Social Services
Directorate: People

**(a) This EIA is being completed for a...**

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**(b) Please name and describe below...**

Annual Review of Charges (Social Services)

**(c) It was initially screened for relevance to Equality and Diversity on...(dd/mm/yyyy)**

**(d) It was found to be relevant to...**

Children/young people (0-18) ..... <input type="checkbox"/>	Religion or (non-)belief..... <input type="checkbox"/>
Any other age group (18+)..... <input checked="" type="checkbox"/>	Sex..... <input type="checkbox"/>
Disability ..... <input checked="" type="checkbox"/>	Sexual orientation ..... <input type="checkbox"/>
Gender reassignment ..... <input type="checkbox"/>	Welsh language ..... <input type="checkbox"/>
Marriage & civil partnership ..... <input type="checkbox"/>	Poverty/social exclusion..... <input checked="" type="checkbox"/>
Pregnancy and maternity ..... <input type="checkbox"/>	Carers (inc. young carers) ..... <input checked="" type="checkbox"/>
Race ..... <input type="checkbox"/>	Community cohesion ..... <input checked="" type="checkbox"/>

**(e) Lead Officer**

**Name:** Simon Jones  
**Job title:** Strategic Lead - Act  
**Date:** 11/01/2017

**(f) Approved by Head of Service**

**Name:**  
**Date:**

## Section 1 – Aims (See guidance):

Briefly describe the aims of the initiative:

### What are the aims?

The Welsh Government has passed the Social Services & well-being (Wales) Act 2014, and this became law on 6th April 2016.

All Welsh Councils have some discretionary powers to charge people for their social care services.

They have to follow Welsh Government's Regulations and Code of Practice on how to do this. As part of these changes, Councils are required to produce a Charging Policy, which sets out the charges. City and County of Swansea produced a new policy in April, 2016.

A charging policy tells people how the Council intends to apply the new law and regulations.

In Swansea's charging policy there is a list of charges (Appendix A), which are to apply in the year ahead.

Many charges are with capped or limited by the Welsh Government, in terms of what people are actually expected to pay on a weekly basis.

Each year we have to review our charging policy, and the list of charges to apply in the year ahead.

### Who has responsibility?

Chief Social Services Officer

### Who are the stakeholders?

Citizens, service users, carers and people who are self-funding their care and support. Elected members, and client representatives.

Also Council's Social Care Income and Finance Team who carry out financial assessments on all people to whom charges may apply.

## Section 2 - Information about Service Users (See guidance):

Please tick what information you know about your service users and provide details/evidence of how this information is collected.

Children/young people (0-18) .....	<input checked="" type="checkbox"/>	Carers (inc. young carers) .....	<input checked="" type="checkbox"/>
Any other age group (18+).....	<input checked="" type="checkbox"/>	Race.....	<input type="checkbox"/>
Disability .....	<input checked="" type="checkbox"/>	Religion or (non-)belief.....	<input type="checkbox"/>
Gender reassignment .....	<input type="checkbox"/>	Sex.....	<input checked="" type="checkbox"/>
Marriage & civil partnership .....	<input type="checkbox"/>	Sexual orientation .....	<input type="checkbox"/>
Pregnancy and maternity.....	<input type="checkbox"/>	Welsh language .....	<input type="checkbox"/>

### What information do you know about your service users and how is this information collected?

Following an assessment of their individual needs carried out under the Social Services and Well-being (Wales) Act, a person may be deemed eligible for care and support, and

as part of the agreed Care and Support Plan, they should receive a Statement of Charges.

Council's Social Care Income and Finance Team are asked to carry out financial assessments on all people to whom charges may apply, and to issue the statement of charges.

The recommendations arising from the review must ensure that the chargeable fees have due regard to the "actual cost of care" and enable service users' needs to be met and outcomes achieved through the provision of services of the following types:

Residential/Nursing Care; Domiciliary Care: Day Services and other community based services.

Each assessment for care and support and financial assessment will gather information about the person's protected characteristics, and any impact of the charges. Affordability is not a reason for a person not receiving the care and support they require, and this is an important consideration within this EIA.

### Any Actions Required?

- To agree the list of charges for social services to apply in 2017/18 (Cabinet decision)

## Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Children/young people (0-18)	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Any other age group (18+)	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
Disability	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
Gender reassignment	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Marriage & civil partnership	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Pregnancy and maternity	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Race	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Religion or (non-)belief	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Sex	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Sexual orientation	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Welsh language	➔ <input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Carers (inc. young carers)	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

### Thinking about your answers above, please explain in detail why this is the case.

Clearly there are some impacts arising from applying an uplift in the Council's charges (social care) and changes in historical discretionary practices.

Those people to who the charges apply are already protected by three important policy

entitlements:

- there are personal thresholds set by the Welsh Government: namely a maximum weekly charge to be set at £70 per week (17/18) and a capital threshold to be set at £30k (17/18).
- the Act requires that each person is offered a financial assessment of their means, in relation to ability to contribute to the charges for the care and support they require
- also within the Act, there are clear principles that a person's ability to pay should not preclude access to care and support or that the charges for care and support should not exceed the costs of provision.

**What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view? Please provide details below.**

Plans for communication to be agreed by Cabinet are:

- To identify those citizens we know will/ most likely to be impacted by the changes
- Each person identified to be sent a letter which addresses the specific proposal that will/ could impact on them.
- Accompanying the letter is an information sheet explaining the changes and proposals
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**Any actions required (to mitigate adverse impact or to address identified gaps in knowledge).**

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## Section 4 - Other Impacts:

Please consider how the initiative might address the following issues. You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

<b>Foster good relations between different groups</b>	<b>Advance equality of opportunity between different groups</b>
<b>Elimination of discrimination, harassment and victimisation</b>	<b>Reduction of social exclusion and poverty</b>

**(Please see the specific Section 4 Guidance for definitions on the above)**

**Please explain any possible impact on each of the above.**

Carers are indirectly affected by policies relating to provision of chargeable services to the people who they care for, e.g. the cost and availability of respite care.

Self - funders in receipt of similar services usually fall outside of the Council's assessment for managed care and support processes.

Charges applied to this group by private or independent providers are not regulated by the Authority but subject to market forces. They are sometimes higher than for commissioned services or may include a "Top Up" charge or surcharge.

**What work have you already done to improve any of the above?**

Working with providers to align the annual review of charges to the Council's fees setting process with local providers, and with the corporate budget setting processes.

**Is the initiative likely to impact on Community Cohesion? Please provide details.**

Whilst most people and families not accessing social services via managed care and support will not be directly affected, they also need to understand the changes nonetheless when assisting their loved ones with future care and support planning.

**How will the initiative meet the needs of Welsh speakers and learners?**

Information will be available in Welsh to those whose preferred language is Welsh

**Actions (to mitigate adverse impact or to address identified gaps in knowledge).**

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## **Section 5 - United Nations Convention on the Rights of the Child (UNCRC):**

In this section, we need to consider whether the initiative has any direct or indirect impact on children. Many initiatives have an indirect impact on children and you will need to consider whether the impact is positive or negative in relation to both children's rights and their best interests

Please visit <http://staffnet/eia> to read the UNCRC guidance before completing this section.

**Will the initiative have any impact (direct or indirect) on children and young people? If not, please briefly explain your answer and proceed to Section 6.**

No charges apply to children or their parent / carers at this time.

**Is the initiative designed / planned in the best interests of children and young people? Please explain your answer.**

*Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.*

**Actions (to mitigate adverse impact or to address identified gaps in knowledge).**

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## **Section 6 - Monitoring arrangements:**

**Please explain the arrangements in place (or those which will be put in place) to monitor this initiative:**

**Monitoring arrangements:** Next annual review of charges to be completed by September 2017.

**Actions:** Implement improvements to design of consultation process, e.g. linked to corporate budget consultation

## Section 7 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to the guidance for further information on this section).

Outcome 1: Continue the initiative – no concern

Outcome 2: Adjust the initiative – low level of concern

Outcome 3: Justify the initiative – moderate level of concern

Outcome 4: Stop and refer the initiative – high level of concern.

**For outcome 3**, please provide the justification below:

**For outcome 4**, detail the next steps / areas of concern below and refer to your Head of Service / Director for further advice:

## Section 8 - Publication arrangements:

On completion, please follow this 3-step procedure:

1. Send this EIA report and action plan to the Access to Services Team for feedback and approval – [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)
2. Make any necessary amendments/additions.
3. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

## Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress

\* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).