

## Equality Impact Assessment (EIA) Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

## Appendix 5

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

### Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as 'hard to reach' but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

<b>Proposal Title</b>	'All age' Direct Payment Policy
<b>Date of Assessment</b>	October 2023 / updated following consultation period March 2024
<b>Assessment Lead Officer Name</b>	Sharon Brissett / Danielle Brooks / Martyn Baggaley
<b>Directorate/Service</b>	Commissioning / Business & Finance
<b>Details of the service, service change, decommissioning of the service, strategy, function or procedure.</b>	<p>The current adult direct payment policy was introduced in February 2015. A decision was taken by adults' and Childrens' DMT to work towards introducing and implementing an 'all age' Direct Payment Policy.</p> <p>The policy provides guidance, procedures, practice, and sets out the way the Council provides Direct Payments in Cheshire East. The policy applies equally to adults with care and support needs, their carer and for those with parental responsibility for a child who has an Education, Health &amp; Care Plan (EHCP), or is eligible as a disabled child under Section 17 (Child in Need) of the Children Act 1989, and Section 2 Chronically Sick and Disabled Persons Act 1970.</p> <p>The purpose of the policy is to make clear the Council's approach to Direct Payments in Cheshire East, and the responsibilities for the Direct Payment client and/or their representative. The policy should be read in conjunction with other direct payment documentation such as factsheets and direct payment agreement. The policy will be followed by social care staff (adult and children).</p> <p>The aim of the 'all age' Direct Payment Policy is to ensure that irrespective of age that there is clear information, guidance and relevant processes in respect of Direct Payments in Cheshire East. This will also support those young people who transition from children to adult services who access a direct payment to meet their assessed need.</p> <p>Direct Payments are offered to individuals to provide greater choice and control over their care and support arrangements. A Direct Payment is a monetary payment that is paid to meet all or some of the</p>

individual's assessed needs. It is a statutory requirement for local authorities to meet a person's needs for care and support by making direct payments, provided the person requests that their needs be met in this way. The legislative framework is set out in the following legislation:

- Care Act 2014
- Care and Support (Direct Payment) Regulations 2014
- Care and Support Statutory Guidance issued with the Care Act 2014
- Carers and Disabled Children Act 2000
- Section 117 (2C) of the Mental Health Act 1983
- Children and Families Act 2014
- Mental Capacity Act 2005
- Special Educational Needs (Personal Budgets & Direct Payments) Regulations 2014
- Chronically Sick and Disabled Persons Act 1970
- Children Act 1989
- Equality Act 2010

The legislative framework to make Direct Payments for children is covered by the Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009. The regulations provide that the duty to make Direct Payments applies to:

- A community care service within the meaning of Section 46 of the National Health Service and Community Care Act 1990 or
- A service which local councils may provide under Section 17 of the Children Act 1989 and Section 2 of the Chronically Sick and Disabled Persons Act 1970 (provision of services for children in need, their families and others)
- Statutory special educational needs and disability code of practice paragraph 3.38 incorporates the regulations from the Children and Family Act 2014 describes the right of parent and carers to request a personal budget including a Direct Payment.

<p><b>Who is Affected?</b></p>	<p>Key stakeholders include:</p> <ul style="list-style-type: none"> <li>• Individuals who choose to access their personal budget as a Direct Payment to meet their eligible care and support needs. This may be an adult, carer, nominated person and those with parental responsibility for a child who has and EHCP, or is eligible as a disabled child under Section 17 (Child in Need) of the Children Act 1989, and Section 2 Chronically Sick and Disabled Persons Act 1970.</li> <li>• Cheshire East Residents</li> <li>• Council staff – particularly within Adult Social Care and Children and Families, Short Breaks Team, Business &amp; Finance (including audit)</li> <li>• Direct Payment Support Service commissioned by Cheshire East Council currently provided by PeoplePlus</li> <li>• Elected Members</li> </ul> <p>The ‘All age’ Direct Payment Policy sets out the way in which Direct Payments are provided for adults and children in Cheshire East.</p> <p>Staff will be required to support the consultation there will be representation from commissioning, business and finance, adults, and children and families social care. Following the period of consultation residents will be kept fully informed of any changes resulting from the consultation in readiness for implementation.</p> <p>There may be future impacts upon those within the protected groups who may need further support to understand the policy. If this is required staff will provide additional support to aid their understanding. To note, some individuals may have a ‘responsible person’ such as:</p> <ul style="list-style-type: none"> <li>• Authorised person – if someone has been found as lacking the capacity to consent, a Direct Payment can be made if there is someone who is willing and able to fulfil the role of an ‘authorised person’</li> <li>• Nominated person – is someone an adult with capacity has chosen to help with ongoing management of money or receive and manage the Direct Payment on behalf of the person</li> <li>• Suitable person – who has been legally nominated as being suitable to receive a Direct Payment to purchase services for someone who has been determined as lacking the capacity to consent or who does not manage it themselves.</li> </ul>
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<p><b>Links and impact on other services, strategies, functions or procedures.</b></p>	<p>The 'all age' Direct Payment Policy is a key conduit to the Direct Payment workstream that is being undertaken in Cheshire East. This includes for example self-employed Personal Assistants, introduction of prepaid cards, personal assistant recruitment campaign and the opportunity to pool budgets.</p> <p>The 'all age' Direct Payment Policy aligns with the priority within the Council's Corporate Plan 2021 – 2025 of 'a council which empowers and cares about people'. This includes the sub priorities of 'work together with residents and partners to support people and communities to be strong and resilient' and 'reducing the reliance on long term care by improving services closer to home'. Aspects of these approaches will help to meet a key aim of the Council's Digital Inclusion Plan 2023 -2026 'to improve health, wellbeing and inclusion'.</p>

## Appendix 5

<p><b>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the <a href="#">Public Sector Equality Duty</a>?</b></p>	<p>The 'all age' Direct Payment Policy does not discriminate and applies equally to adults with care and support needs, their carer and for those with parental responsibility for a child who has an Education, Health &amp; Care Plan (EHCP), or is eligible as a disabled child under Section 17 (Child in Need) of the Children Act 1989, and Section 2 Chronically Sick and Disabled Persons Act 1970.</p> <p>All residents including those who share one or more protected characteristics will be supported throughout the consultation process and the implementation of the policy.</p>
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### Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
<b>Information you used</b>	<p>The development of the 'all age' Direct Payment Policy has been overseen by the Direct Payment Policy Project Group. This group had representation from key stakeholders from adult social care, children social care, business and finance, commissioning, legal services (adults and children's) and direct payment support service currently provided by PeoplePlus.</p> <p>The policy has been informed by what we know locally, and provides guidance, practice and processes and clearly sets out the responsibilities for people accessing a Direct Payment, irrespective of age to meet their eligible assessed support needs.</p> <p>Data available has been accessed to identify the number of adults, carers and children who are accessing a Direct Payment in Cheshire East.</p> <p><b>Age</b> <b>Adult</b></p> <p>There are currently a total of 531 adults accessing a Direct Payment, the age breakdown is as follows:</p> <p><u>Aged 18 to 24 years</u></p> <ul style="list-style-type: none"> <li>• 105</li> </ul>

Aged 25 to 64 years

- 310

Aged 65+ years

- 116

**Adult primary support reasons:  
(531 adults)**

- Learning Disability Support – 212
- Mental Health Support – 42
- Physical Support - Access and Mobility Only – 12
- Physical Support - Personal Care Support – 139
- Sensory Support - Support for Dual Impairment – 3
- Sensory Support - Support for Hearing Impairment – 3
- Sensory Support - Support for Visual Impairment – 10
- Social Support - Support for Social Isolation / Other – 30
- Social Support - Support to Carer – 38
- Support with Memory and Cognition - 37

**Children aged between 0 – 17 years**

Age 0 – 15 years

- 105

Age 16 to 17 years

- 25



<b>Gaps in your Information</b>	<i>Following the consultation on the draft policy, the council will capture the number of service users taking up new direct payments going forward.</i>
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**3. What did people tell you?**

<b>What did people tell you</b>	<b>What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?</b>
<b>Details and dates of the consultation/s and/or engagement activities</b>	<p>The development of the draft policy has been informed through engagement with key stakeholders including adults and children social care, the Executive Director for Adults, Health and Integration, business, finance and legal, internal audit and the commissioned direct payment support service (PeoplePlus). They have provided expert guidance and feedback on all sections of the revised draft policy.</p> <p>A period of pre-consultation also took place, between July - Sept 2023, with service users currently in receipt of a Direct Payment. A total of 15 one-to-one telephone interviews were conducted with current recipients to hear their lived experiences of using a direct payment and to understand what works well and where improvements could be made. These recipients were identified by social care operational staff. There were a range of service users (and their carers) with physical disabilities, learning disabilities, dementia and frailty, although circumstances were unique to each individual. Feedback from this engagement has informed the development of the draft policy and improvements to current processes to enhance the experience and use of Direct Payments.</p> <p>Comments received during feedback gathered highlighted that an all age policy would provide clarity for all ages in one document and ensure a consistent approach across all ages. We also noted that easy read versions of policy and other documentation would be developed.</p> <p>We will continue to work collaboratively with people with lived experience, their families and carers, our partners and stakeholders to shape, design and produce new ways of working.</p>

## Appendix 5

*A further period of public consultation on the final draft policy was undertaken over a 12-week public consultation period between 21<sup>st</sup> November 2023 and 9<sup>th</sup> February 2024 to obtain the views of Cheshire East residents in receipt of a direct payment and/or those with parental responsibility, to help inform the draft policy.*

*The following key areas of the policy were identified for consultation:*

- *Section 15 – Restrictions on the use of a direct payment.*
- *Section 17 – Personal Assistants and self-employed Personal Assistants.*
- *Section 19 – Pooled Budgets direct payments.*
- *Section 20 – Emergency and contingency arrangements.*
- *Section 27 – Safeguarding and DBS checks.*
- *Section 29 – Finance and monitoring prepaid cards.*

*Not all sections of the policy required consultation, for example, legislation and governance processes were out of scope.*

*A consultation and engagement plan was developed in collaboration with adult and children’s services to identify the target audience, key stakeholders, and wider participants to consult with on the ‘all age’ direct payment policy along with a frequently asked questions document, and survey in relation to the summary document.*

*Consultation and engagement included the following activities:*

- *A postal letter was sent to all current direct payment recipients (529 adults and 131 children) and/or those with parental responsibility for a child/young person in receipt of a direct payment, detailing how they could take part in the consultation and share their views.*
- *A survey was developed with questions to gather feedback on the draft all age Direct Payment Policy. The survey provided respondents with the opportunity to comment on each section (as noted above), provide overall feedback on the policy and/or to provide additional comments.*

## Appendix 5

- *A dedicated online consultation webpage was developed to host the consultation material, including details of the two public facing consultation events taking place.*
- *Details of the consultation were made available at each of the libraries in Cheshire East*
- *Residents could either complete the survey by returning a paper copy or by completing online*
- *Two public facing consultation events were held in accessible buildings in Macclesfield (16<sup>th</sup> January) and Crewe (18<sup>th</sup> January) to explain the consultation proposals, answer queries, and gather feedback, with paper consultation packs provided to attendees at both events. Both events were supported by the following organisations to provide information and advice to attendees: Healthwatch Cheshire East, PeoplePlus (Adult Direct Payment Support Service), Carers Hub – all age and Cheshire East Council – business and finance and commissioning representatives from the council. A total of 9 people attended the events, of which 5 attended in Macclesfield and 4 attended Crewe.*
- *Engagement opportunities took place with children/young people via SEND Youth Forum (Jigsaw) at two meetings; one held in Macclesfield and one in Crewe.*
- *The consultation opportunity was publicised with a Cheshire East Council press release and social media, and via existing networks including, an adult social care staff briefing, PeoplePlus newsletter / social media, Cheshire East Carers Hub newsletter, Cheshire East Parent Carer Forum, Learning Disability and Mental Health Partnership Boards, children services and Healthwatch Cheshire East website.*

### **Summary of Consultation Findings**

*In total there were 62 consultation responses, including 52 survey responses, 9 event attendees and 1 written response from the organisation Disability Positive.*

### **Survey findings**

*Of the 52 people who responded to the survey:*

- 69% of survey respondents were completing the survey as a carer or family member of someone who receives a Direct Payment from the council;
- 15% completed the survey as some who receives a Direct Payment from the council directly.

**Overall support for policy**

Overall findings were positive, 71% of survey respondents agreed the draft Direct Payments Policy for 2023 should be adopted, 13% disagreed. Reasons for agreeing the policy should be adopted included that it will:

- Improve the current situation
- Simplify the process
- Make Direct Payments more accessible
- Help ensure a smooth transition from children's to adults
- Help carers find Personal Assistants more easily

**The following sections received strong support from respondents:**

Key proposed changes to the policy were outlined within the consultation material, with strong levels of support among survey respondents for these proposed changes, including:

- 80% supported the section 15 restrictions on the use of Direct Payments as described (14% opposed them)
- 73% supported the council using self-employed Personal Assistants for adult Direct Payment recipients (13% opposed this)
- 74% supported the section 19 use of pooled budgets to meet common needs and achieve better outcomes for individuals (8% opposed this)
- 88% agreed with the section 17 definition of the role of Personal Assistants (6% did not agree)
- 80% thought that section 17 is clear regarding the responsibilities of being a good employer (8% did not agree)

	<ul style="list-style-type: none"> <li>• 90% are aware of safeguarding procedures as set out in section 27, and the requirement for a DBS check to be carried out for both children and adult direct payments (10% are not)</li> </ul> <p><b>The following sections of the policy require further action/mitigation:</b></p> <p><b>A lack of contingency plans in place</b></p> <p>While 58% of survey respondents have contingency plans in place to cope with emergencies as per section 20, a significant proportion of survey respondents, 42%, do not.</p> <p><b>Implementation for Direct Payment prepaid cards</b></p> <p>While 46% of survey respondents supported the section 29 introduction of a prepaid card for Direct Payments, a significant proportion of survey respondents, 29%, opposed this.</p> <p>The two areas of the policy identified which require most attention include the section on contingency plans, and the section on prepaid cards. To support the implementation of the policy, an action plan will be developed so that there is a clear audit trail of actions to be taken in respect of survey responses.</p> <p>Specific actions to be addressed will be detailed in each of the sections. For example, in relation to Section 15 – restrictions on the use of a direct payment, travel costs will be clearly defined in the review of the adult social care charging policy. In relation to Section 17 – personal assistants and self-employed personal assistants, action in support of the feedback received will be the development of a suite of supporting documentation that includes, “what is a direct payment”, “what is a personal assistant and employment status”. Documents will be developed in easy read format.</p> <p>The ‘all age’ Direct Payment Policy will be refreshed to take account of the feedback received.</p>
<p><b>Gaps in consultation</b></p>	

## Appendix 5

<b>and engagement feedback</b>	<p>Draft EIA has been shared with children services colleagues the approach to consultation has been agreed to proceed with an online survey and workshops for adults and children accessing a direct payment.</p> <p>Initial online survey and then workshops within the Borough of Cheshire East, and attendance at established groups for adults such as Learning Disability Partnership Board, Mental Health Partnership Board, Carers Forum, Children and Young People groups.</p> <p><i>Direct communication and consultation (via a letter) was made with either the parent and/or those with parental responsibility in receipt of a direct payment detailing how they could take part in the consultation and share their views via the online survey.</i></p> <p><i>In addition, two meetings were held in January by the Participation Team to support the consultation with young people via the SEND Youth Forum (Jigsaw) meetings. These meetings provided an opportunity to gain the views of young people with additional needs, however, there were limitations consulting with young people due to the complexities of the topic that made it challenging. There will be ongoing conversations taking place with young people, and to note further consideration will be required particularly for some who may require the support of an advocate for those young people who are non-verbal.</i></p>
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4. Review of information, consultation feedback and equality analysis

<p><b>Protected characteristics groups from the <a href="#">Equality Act 2010</a></b></p>	<p><b>What do you know?</b> Summary of information used to inform the proposal</p>	<p><b>What did people tell you?</b> Summary of customer and/or staff feedback</p>	<p><b>What does this mean?</b> Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.</p>
<p><b>Age</b></p>	<p>There are currently a total of 531 adults accessing a Direct Payment, the majority of which (310 people) are aged 25 to 64 years.</p> <p><i>Older people population</i> There are 89,200 people in Cheshire East aged 65+ (2021 census). This amounts to 22% in total in comparison to the rest of the population. 70% of CEC customers (or 4,181 as of October 2023) are older people which reflects the greater risk that support services are needed as a person ages.</p> <p>Direct payments are currently under-used by older people. Currently (Oct 2023), people aged 65 and over make up around 70% of ASC customers but only 22% of Direct Payment recipients.</p>	<p>Feedback from telephone interviews with older customers as part of the PA recruitment campaign suggests a lack of awareness of direct payments and concerns over the complexity of managing a direct payment for residents over 65.</p> <p>The feedback from the Direct Payment Policy consultation survey indicates 52% of respondents were in the 45 – 64 age categories, 28% were under 45 and 20% were 65+. Due to the small sample size, it is not possible to breakdown the survey results by age.</p> <p>Given the ability to offer choice and control that a Direct Payment offers, we need to ensure that any changes to the policy and payment arrangements do not adversely affect good take up levels for DP’s for parents and carers of</p>	<p>The ‘all age’ Direct Payment Policy covers all ages, ensuring a clear aligned approach to delivering direct payments in Cheshire East, that will have a positive impact across all ages.</p> <p>Improvements have already been made to the Council’s LiveWell pages to provide clearer information on what’s involved in choosing a direct payment. This will have a positive impact on people’s ability to have greater choice and control and enhance accessibility and equality.</p> <p>To support the implementation of the policy, an action plan will be developed to address the specific actions needed in respect of the survey responses and updates to the ‘all age’ Direct Payment Policy.</p>

## Appendix 5

	<p>Conversely Direct Payment uptake for young people under the age of 18 who have been assessed as eligible for paid-for support from Children’s Social Care is above that of our statistical comparators.</p>	<p>eligible under 18’s, as they also offer a cost effective option for care for this group when compared to agency care.</p>	
<p><b>Disability</b></p>	<p>67,819 people within Cheshire East have a long-term health problem or disability (2021 census).</p> <ul style="list-style-type: none"> <li>• 40% of Direct Payment recipients have a primary support need of learning disability</li> <li>• 31% have need of physical support</li> <li>• 6% social isolation/other</li> <li>• 8% mental health support</li> <li>• 7% memory and cognition</li> <li>• 7% carer</li> </ul>	<p>Key feedback from the consultation survey that’s particularly pertinent to individuals with a disability:</p> <ul style="list-style-type: none"> <li>• 39% of the consultation survey respondents said they have a health problem or disability that limits their day-to-day activities. Due to the small sample size, it is not possible to breakdown the survey results by disability.</li> <li>• 74% of survey respondents agreed with the approach of pooling their Direct Payment budget with other Direct Payment recipients (with only 8% opposing this approach).</li> </ul>	<p>Changes to the Direct Payment Policy will have a significant positive impact on people with a disability, particularly people with a learning disability who currently make up the largest group of people in receipt of a direct payment.</p> <p>The benefits of the new policy for people with a disability include:</p> <ul style="list-style-type: none"> <li>• Clear and up to date guidance on all aspects of accessing and managing a Direct Payment, which will also influence changes in social care practice. These changes will ensure more people with a disability are able to access and manage a Direct Payment for their care and support.</li> <li>• The introduction of pre-paid cards within the policy offers a simpler way for DP recipients and/or their family or representative to administer the DP, provides secure more immediate access to funds</li> </ul>



## Appendix 5

			<p>and reduces the administrative burden for recipients.</p> <ul style="list-style-type: none"> <li>• The option for DP recipients to join together with other individuals to ‘pool’ their DPs, would enable individuals to pool resources to achieve improved outcomes, meet common needs, goals and aspirations. 74% of survey respondents supported this approach.</li> <li>• An easy read version of the new All-age Direct Payments policy/ guidance will be available, which will improve accessibility of information for those who require information in a more accessible format.</li> </ul> <p>To support the implementation of the policy, an action plan will be developed to address the specific actions needed in respect of the survey responses and updates to the ‘all age’ Direct Payment Policy.</p>
<p><b>Gender reassignment</b></p>	<p>Gender reassignment data is not recorded for Direct Payment clients but adult social care services are accessible</p>	<p>There was no specific feedback from the consultation on gender reassignment</p>	<p>The new policy applies to all residents across all of the protected characteristics, and therefore will have a positive impact for all</p>

## Appendix 5

	<p>to all Cheshire East residents regardless of protected characteristics.</p> <p>Formal gender reassignment is not legal for under 18's so this would not be a factor for younger DP recipients.</p>		<p>residents including those who have undergone gender reassignment.</p> <p>Key changes to the policy that will have benefits for all residents accessing a Direct Payment are:</p> <ul style="list-style-type: none"> <li>• Clear and up to date guidance on all aspects of accessing and managing a Direct Payment</li> <li>• The introduction of pre-paid cards for Direct Payments</li> <li>• The opportunity to pool Direct Payment budgets</li> </ul>
<b>Pregnancy and maternity</b>	<p>No pregnancy data recorded for Direct Payment clients but social care services are accessible to all Cheshire East residents of any age provided they have been assessed as eligible for care and support under either the Care Act (adults), Children Act 1989 and/or SEND Code of Practice 2014, or Chronically Sick &amp; Disabled Persons Act 1970 (all ages).</p>	<p>There was no specific feedback from the consultation in relation to pregnancy and maternity.</p>	<p>The new policy applies to all residents across all of the protected characteristics, and therefore will have a positive impact for all residents who receive a Direct Payment including those who are pregnant.</p>
<b>Race/ethnicity</b>	<p>No impacts in respect of race/ethnicity are expected to be reported on during this consultation process as a result of the proposed policy changes.</p>	<p>There was no specific feedback from the consultation in relation to ethnicity.</p>	<p>The new policy is applicable to all residents across ethnic backgrounds, and therefore will have a positive impact for all residents regardless of ethnic background.</p>
<b>Religion or belief</b>	<p>Religion or belief is recorded for most residents accessing adult social care through Cheshire East Council.</p>	<p>There was no specific feedback from the consultation in relation to religion or belief.</p>	<p>The new policy is applicable to people from all religions, and therefore will have a</p>

## Appendix 5

	<p>Religion or belief is not recorded for children</p> <p>No impacts in respect of religion/belief are expected to be reported on during this consultation process as a result of the proposed policy changes.</p>		<p>positive impact for all residents regardless of religion or belief.</p>
<b>Sex</b>	<p>Residents accessing Adult Social Care Direct Payments and Carers Direct Payments are:</p> <p>Male 274 Female 248 (9 not captured)</p> <p>Children Male 89 Female 41</p> <p>The changes proposed would be applied consistently to male and female residents.</p>	<p>The Direct Payment policy survey found that the majority (81%) of respondents were female, 19% male.</p>	<p>The new policy will have a positive impact for all residents regardless of their sex. The changes to the Direct Payment Policy will be applied consistently regardless of sex.</p>
<b>Sexual orientation</b>	<p>No data recorded on sexual orientation of adult or child DP recipients, but social care services are accessible to all Cheshire East residents regardless of sexual orientation.</p>	<p>There was no specific feedback from the consultation in relation to sexual orientation.</p>	<p>The new policy applies to all residents across all of the protected characteristics and therefore will have a positive impact for all residents regardless of their sexual orientation.</p>

## Appendix 5

<b>Marriage and civil partnership</b>	<p>No data recorded on adult DP recipients but adult social care services are accessible to all Cheshire East residents</p> <p>Under 18's would be unable to enter into marriage or civil partnerships without parental/guardian's consent and given social work assessments would determine eligibility in any case the likelihood of this being a factor for under 18's is small.</p>	There was no specific feedback from the consultation in relation to marriage and civil partnership	The new policy applies to all residents across all of the protected characteristics.

### 5. Justification, Mitigation and Actions

<b>Mitigation</b>	<b>What can you do?</b>
<p>Please provide justification for the proposal if negative impacts have been identified?</p> <p>Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p>	<p>Actions to mitigate any negative impacts or further enhance positive impacts</p> <p>The 'all age' Direct Payment Policy has been created to provide guidance and sets out the way the Council provides Direct Payments in Cheshire East. This includes adults, adult carers and children and /or those with parental responsibility for a child on making and receiving of Direct Payments where there is an assessed need. Overall, this will have a positive impact on residents across all protected characteristics, as the policy has been refreshed with clear and up to date guidance.</p> <p>No negative impacts have been identified, however the public consultation highlighted some additional key actions that need to be addressed. This includes:</p>

## Appendix 5

Have all available options been explored? Please include details of alternative options and why they couldn't be considered?

Please include details of how positive impacts could be further enhanced, if possible?

- A need for social care practitioners to continue to work with Direct Payment recipients around ensuring they have contingency arrangements in place in the event of an emergency.
- Whilst the majority of survey respondents supported the introduction of prepaid cards for Direct Payments, a significant proportion (29%) were opposed, and some individuals expressed concerns about the use of a pre-paid card. The council will ensure that DP recipients are fully informed about what the introduction of pre-paid cards means for them and the benefits this provides for people. It should be noted that whilst the preference is for pre-payment cards to be used, it will not be mandatory, with the needs of the individual carefully considered.

We know from engagement with current direct payment recipients (and carers) that people often lack awareness of what a direct payment can offer and some people may need further support to understand the revised Direct Payment policy and practice. A suite of information is being developed to support the implementation of the policy, covering key sections of the policy, in plain English, such as what a direct payment is, what a personal assistant is, employment status, direct payment policy summary, information on pooled budgets. Easy-read versions are also currently being developed and will be made available when the new policy is launched. The Council has also recently refreshed the direct payment/personal assistant content on its LiveWell pages to make it easier for people to navigate the process for accessing and managing a Direct Payment.

Social Care practitioners will play a key role in supporting residents to ensure they have the right information to support them to make decisions about their care and support. People can also be referred to the Direct Payment Support Service run by PeoplePlus, for independent, specialist information, advice and support. Internal staff briefings have been circulated as part of a Personal Assistant Recruitment campaign to raise greater awareness among social workers. Additional staff training for social care teams is also being explored and will be implemented once the new policy has been finalised.

## Appendix 5

	<p>An action plan is being developed, detailing the key actions from the consultation and progress against actions will be monitored through the Direct Payments Project Group, with representation from Commissioning, Business and Finance and Social Care leads. DP recipients will receive feedback form the council in a 'You said, we did' format, to update on the actions taken following the consultation and as part of the implementation of the new policy.</p> <p><i>Link to the consultation document once published.</i></p>
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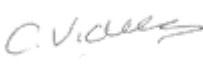
### 6. Monitoring and Review -

<b>Monitoring and review</b>	<b>How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA</b>
<b>Details of monitoring activities</b>	<p>Monitoring activities</p> <ul style="list-style-type: none"> <li>• Regular data will be reported with regard to Direct Payment recipients in Cheshire East, including support provided via Adults Direct Payment Support Service and Children Short Breaks Team</li> <li>• Complaints and compliments and customer feedback forms</li> <li>• Discussions with colleagues in Adult and Children Social Care operational and Commissioning Adults and Children</li> </ul>
<b>Date and responsible officer for the review of the EIA</b>	<p>Sharon Brissett Danielle Brooks/Lee Hudson Martyn Baggaley</p> <p>The EIA will be reviewed in January 2025.</p>

## 7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

<b>Name</b>	<b>Curtis Vickers</b>
<b>Signature</b>	13/03/2024
<b>Date</b>	

## 8. Help and Support

For support and advice please contact [EqualityandInclusion@cheshireeast.gov.uk](mailto:EqualityandInclusion@cheshireeast.gov.uk)