

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.

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

Proposal Title	Adult Social Care Charging Policy 2024
Date of Assessment	14 March 2024
Assessment Lead Officer Name	Danielle Brooks and Lee Hudson
Directorate/Service	Social Care Business Support and Finance - Adults, Health and Integration
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>Social Care Business Support and Finance manages the income collection for Adult Social Care, raising approximately 5800 invoices every 4 weeks with an annual value in excess of £28m.</p> <p>The Service ensures a complete financial assessment of all adults who access social care services in the borough through the Council. This Service provides a holistic financial support mechanism to residents with household income maximisation, payment of care contributions, managing finances where needed (under appointment from the Department for Work and Pensions or Court of Protection) and debt advice.</p> <p>Social Care Business Support and Finance proposes to make several changes to the Adult Social Care charging policy to guarantee quality services can be provided to the residents of Cheshire East in a financially sustainable manner. The proposals include:</p> <ul style="list-style-type: none"> - Changes to the standard charges applied to residents who have the financial means to pay the full cost of their care, to ensure their contribution reflects the cost paid by Cheshire East Council for a care service. - Amendment to the calculation for contributions to non-residential services - The implementation of interim charging – charging a nominal fee from the start of the service to avoid late billing and ensure residents are aware of their liability to contribute towards the care they receive. - Revisions to the layout, wording and information of the current Adult Social Care Charging policy

<p>Who is Affected?</p>	<ul style="list-style-type: none"> - Cheshire East residents – service users and carers - External provider services - PeoplePlus - Adult Social Care operational staff - Commissioning - Social Care Business Support and Finance - <p>Residents in Cheshire East that have been financially assessed as requiring to contribute towards social care services will be subjected to a change in the way their contribution is calculated, this may result in an increase in their charge.</p> <p>Older people and people with disabilities will be affected as they make up the majority of residents accessing Adult Social Care services in Cheshire East and are therefore likely to pay more for the care services they receive.</p> <p>The changes proposed in respect of standard charges and the way in which we calculate contributions may result in residents contracting directly with care providers or changing their service delivery.</p> <p>Adult Social Care operational staff will be required to support the consultation and deliver any information to residents throughout consultation and implementation should changes be approved.</p> <p>Any implemented proposals will affect our commissioning colleagues as such proposals may cause changes to resident’s service delivery and care providers. The potential to derive more income from the proposed changes should support future commissions in creating a sustainable market.</p> <p>Social Care Business Support and Finance is the main stakeholder for delivering any change agreed in this consultation, which would include:</p> <ul style="list-style-type: none"> - Review of all financial assessments - System changes - Communications
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	<ul style="list-style-type: none"> - Implementing and sustaining policy
<p>Links and impact on other services, strategies, functions or procedures.</p>	<p>The proposals set out support the Council’s priority in the Corporate Plan 2021 – 2025: ‘Support a sustainable financial future for the council, through service development, improvement and transformation’. By increasing the amount of the income that comes into the Council from Adult Social Care charges, the aim is to ensure quality services can be delivered to the residents of Cheshire East in a financially sustainable manner. The proposed changes aim to enable reinvestment of savings into front line services, contributing to maintaining service delivery and ability to meet growing demand.</p> <p>The potential to maximise income generated in respect of Adult Social Care charges has been noted in the Council’s Medium-Term Financial Strategy 2024-28 (MTFS). Reference number 1 in the MTFS of ‘Fees and Charges’ notes the income increase required.</p>

<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The proposal to make changes to Adult Social Care charging does not discriminate and applies to all residents in Cheshire East accessing Adult social care services. Section 14 of the Care Act 2014 provides the council with the power to charge for services delivered to meet the needs of a resident.</p> <p>The changes proposed in respect of income disregards and how the authority calculates contributions towards non-residential services follows Department of Health guidance.</p> <p>All residents including those with who share one or more protected characteristic have been supported throughout the consultation process and will be supported in the implementation which result from changes to the charging 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?
Information you used	<p>We have utilised live reporting from the adult social care case management system and finance system to understand the total number of residents directly affected by the various changes proposed. This information allows us to identify what services residents are accessing and how much they pay or contribute towards their care services.</p> <p>Data already held in Adult Social Care systems provides basic demographic details for all residents including a number of protected characteristics.</p>

Age

The proposed changes to Adult Social Care charging will impact all adults. Adult Social Care provides assessment and access to social care services in Cheshire East for adults 18+. Cheshire East provides Adult Social Care services to around 5900 people.

Aged 65+:

Residential and Nursing care – 1240

Care at Home services – 1389

Other including Telecare, Shared Lives and Day Care – 1552

Aged between 25 and 64:

Residential and Nursing care – 170

Care at Home services – 992

Other including Telecare, Shared Lives and Day Care – 354

Aged between 18 and 24:

Residential and Nursing care – 0

Care at Home services – 166

Other including Telecare, Shared Lives and Day Care – 45

Disability

The income disregards applied when calculating a resident's assessed contribution towards non-residential care services are defined by age and disability benefit awards. Income disregards at present reflect the level of disability benefit a resident is in receipt of: high, medium or low. The income buffer applicable to all adult in receipt of residential care services is set as the Personal Expenses Allowance defined by the Department of Health – as of October 2023 this is £28.25 per week.

Number of residents by income disregards

Residential services - 1235

	<p>Non-residential over pensionable age – 1203</p> <p>Non-residential 18-24 no DLA – 7 Non-residential 18-24 low/middle DLA – 9 Non-residential 18-24 high DLA - 170</p> <p>Non-residential 25-pensionable age no DLA - 51 Non-residential 25-pensionable age low/middle DLA – 224 Non-residential 25-pensionable age high DLA – 733</p> <p>Residents accessing Adult Social Care services in Cheshire East are assessed on their eligible need for care and support which is defined as their support reason. Residents may have more than one support reason however each resident has a primary support reason based upon their main need for support (PSR) following an adult needs assessment.</p> <p><u>Primary Support Reasons</u></p> <p>Learning Disability Support – 938 Mental Health Support – 543 Physical Support - Access and Mobility Only – 942 Physical Support - Personal Care Support – 2,356 Sensory Support - Support for Dual Impairment – 21 Sensory Support - Support for Hearing Impairment – 13 Sensory Support - Support for Visual Impairment – 59 Social Support - Substance Misuse Support – 5 Social Support - Support for Social Isolation / Other – 115 Social Support - Support to Carer – 47 Support with Memory and Cognition - 870</p>
<p>Gaps in your Information</p>	<p>Following the consultation on the Adult Social Care charging policy, the council will capture the number of service users receiving Adult Social Care services going forward.</p>

3. What did people tell you?

What did people tell you	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?
<p>Details and dates of the consultation/s and/or engagement activities</p>	<p>A 12-week public consultation has been completed between 30 October 2023 and 21 January 2024.</p> <p>A flyer was sent to all residents who currently access Adult Social Care services on 26 October 2023 which detailed the ways in which residents could feedback on the consultation.</p> <p>A dedicated online consultation webpage was developed to host the consultation material, and to link to the 9 separate digital feedback questionnaires, with one questionnaire being provided for each proposal being put forward. Detail was also provided on this webpage about the various consultation events taking place. Social Care Business Support and Finance helpline number and dedicated email inbox were in place to take queries from residents who could not attend face-to face sessions or complete feedback online.</p> <p>Paper consultation packs replicating the online content were made available in libraries and upon request.</p> <p>Nine consultation events have been held across Cheshire East as opportunity for residents to participate in the consultation and ask further questions. Over 120 residents registered for the events.</p> <p>Media releases providing detail on the consultation have been shared via the Council’s webpage and social media platforms throughout the consultation period.</p> <p>Detail on the consultation was shared with Adult Social Care providers and external supporting organisations such as Healthwatch, Age UK, Carers Hub, PeoplePlus and internal stakeholders.</p>

	<p>Two member briefing sessions were delivered in the consultation period which provided an opportunity for members to gain more information on the changes and ask questions.</p> <p>Summary of Consultation Findings</p> <p>Both paper and online copies of the surveys were made available to respondents during the consultation period. A total of 284 online (including email) and 151 paper sectioned responses were received.</p> <p>Overall, the response to all the proposals was net positive with the exception of the proposal in respect of income disregards.</p> <p>A common concern from the feedback received was in respect of affordability.</p> <p>A financial assessment and charging for Adult Social Care are complex matters, which are very individual. Those that attended the face-to-face consultation events commented on the benefit of having the opportunity to discuss any impacts on their individual circumstances. There was a general acknowledgement from attendees at the face-to-face events that charges should increase if the cost of services to the council is more. Attendees felt that those that can afford to pay the full cost of their care should do so.</p>
<p>Gaps in consultation and engagement feedback</p>	<p>435 responses were received throughout the consultation, of these respondents a total of 65 respondents were receiving care services from the council – this represents less than 2% of the total number of residents receiving care services through Cheshire East Council. The consultation was shared widely through various communication methods, including the Council’s webpage, social media, social care providers and partner organisations.</p> <p>Residents were invited to share feedback through an online consultation webpage with dedicated surveys to each proposal, paper copies of the surveys and consultation pack were made available at libraries and were sent out in the post where requested. The Social Care Business Support and Finance helpline was set-up to take queries and feedback with callbacks upon request.</p> <p>Nine face-to-face consultation events were held as opportunity for residents to gain support on completing the consultation packs and ask questions.</p>

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	<p>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>The proposed change is to move to the use of income disregards aligned to Department of Health (DOH) limits – Minimum Income Guarantee (MIG).</p> <p>The proposed changes to Adult Social Care charging will potentially impact all adults (18+).</p> <p>Care Act statutory charging regulations support that local authorities can charge for care services.</p> <p>The Department of Health (DOH) sets the minimum income guarantee (MIG) based upon expected benefit entitlement with consideration to age and personal circumstances.</p>	<p>Through the consultation residents expressed concern around the affordability of charges.</p> <p>Of those respondents that disclosed their age, 38% were over 65 and 41% were under 65 years old.</p> <p>89 responses were received regarding the care at home charges proposal, 51% of respondents tended to agree or strongly agree with the proposal to charge for care at home in line with the cost that the council pays for this service.</p> <p>The proposal for changes to Extra Care Housing charges included charges based upon hourly rates and introducing a monitoring and response charge of £25.00 per week. 55 responses were received and of these</p>	<p>Following consultation feedback, the council is proposing to increase the standard charge for care at home, in line with the actual cost that the council pays for this service – £23.40 per hour as of October 2023. This charge will be applicable to residents who been assessed to pay the full cost of the care they receive.</p> <p>The council is proposing an hourly charge of £22.15 and the ending of banded care charges for Extra Care charges.</p> <p>The council will continue to ensure that any changes to income disregards fall in line with national framework – DOH.</p> <p>The council will guarantee that every resident receiving Adult</p>

	<p>The proposed changes will align to the DOH MIG which has the potential to result in an increased contribution for all residents, with the greatest impact to residents aged 65+.</p> <p>Income disregards proposed:</p> <p>Over Pensionable Age - £214.35 per week</p> <p>18-24 Personal Allowance (PA) only - £82.15 per week</p> <p>18-24 PA + disability premium (DP) - £127.90 per week</p> <p>18-24 PA, DP + enhanced disability premium (EDP)- £150.25 per week</p> <p>25 – pensionable age, Personal Allowance (PA) only - £103.65 per week</p> <p>25 – pensionable age, PA + disability premium (DP) - £149.40 per week</p> <p>25 – pensionable age, PA, DP + enhanced disability premium (EDP)- £171.75 per week</p> <p>Over pensionable age will still receive the greatest level of income disregard under the proposed changes. However, the change proposed in calculating assessed contributions will have the most financial impact to this cohort of residents</p>	<p>responses 70% tended to agree or strongly agree with the proposals.</p> <p>62 responses were received for the proposal to change income disregards. 57% of respondents tended to disagree or strongly disagree with this proposal. Respondents commented on the affordability and concern on cost of living.</p> <p>The consultation requested feedback on an increased fee for Telecare Assistive Technology from £5.00 per week, with options in the consultation as follows:</p> <p>£7.50 per week £10.00 per week £12.00 per week</p> <p>86% of respondents chose an increased fee for Telecare assistive technology – from £5.00 per week to £7.50 per week. A high number of these respondents felt the increase was excessive and commented on the fact that the cost should be capped to ensure residents opt for the service.</p>	<p>Social Care services will receive a financial assessment review to ensure that the charge levied is affordable to them.</p> <p>The council has proposed the increased fee for Telecare assistive technology of £7.50 per week, acknowledging residents consultation feedback. The fee for assistive technology is a flat rate cost, however residents will be entitled to a financial assessment to ensure affordability and that no financial hardship is caused.</p> <p>The council has proposed an increased full cost administration fee of £5.00 per week, recognising the feedback given by residents at consultation.</p>
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	<p>as the existing income disregard was much higher than the DOH MIG.</p> <p>Interim charging will be applied initially to residents receiving residential or nursing services only. As of October 2023, a total of 1410 residents are receiving residential or nursing care, of these residents 1240 (88%) are aged over 65.</p> <p>There is a proposed increased to the fee for telecare assistive technology. Over 1900 residents in Cheshire East utilise this service. Of this cohort of residents we know that there are 227 residents are under 65 and 1722 are aged 65 and over.</p>	<p>The consultation sought feedback in respect of a proposal to increase the full cost administration fee. The options proposed were an increase from £3.00 per week to:</p> <p>£5.00 per week £7.50 per week £10.00 per week</p> <p>41 responses were received on this proposal and 78% of the respondents chose the option of £5.00 per week.</p>	
<p>Disability</p>	<p>The charges proposed in respect of income disregards align to Department of Health limits, which follow a logic that makes a greater allowance for residents that are in receipt of a higher amount of income support.</p> <p>67,819 people within Cheshire East have a long-term health problem or disability (2021 census).</p> <p>In summary, the financial impact of the proposals is likely to put more pressure on the day to day living costs of individuals although financial policies will continue to ensure that the customer has a sufficient level of savings/income under</p>	<p>Of the 435 responses received, 141 respondents had limitations in their day-to-day activities because of a health problem or disability which has lasted, or is expected to last, at least 12 months including problems related to old age.</p>	<p>The council will ensure that every resident receiving Adult Social Care services will receive a financial assessment review to ensure that the charge levied is affordable to them.</p> <p>The council will continue to ensure that any changes to income disregards fall in line with national framework – DOH.</p>

	Charging Guidance despite the changes brought about by this revised policy. As such, it is likely that the effect of the charging policy is to put pressure on those who can afford to pay more.		
Gender reassignment	No data recorded on clients but the Adult social care services are accessible to all Cheshire East residents		
Pregnancy and maternity	No data recorded on clients but the Adult social care services are accessible to all Cheshire East residents		
Race/ethnicity	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.		
Religion or belief	Religion or belief is recorded for most residents accessing adult social care through Cheshire East Council: 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.		

Sex	Residents accessing Adult Social Care services can be grouped by sex as follows: Male 2265 Female 3644 The changes proposed would be applied consistently to male and female residents.		
Sexual orientation	No data recorded on clients but the Adult social care services are accessible to all Cheshire East residents		
Marriage and civil partnership	No data recorded on clients but the Adult social care services are accessible to all Cheshire East residents		

5. Justification, Mitigation and Actions

Mitigation	What can you do?
<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>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p>	<p>Actions to mitigate any negative impacts or further enhance positive impacts</p> <p>Cheshire East Council's Adult Social Care (ASC) Charging policy underpins that no one will ever be asked to pay more than they can reasonably afford for their care services subject to their financial assessment. Residents will see an increase in their contribution towards social care services they receive. However, all assessments are completed on an individual basis and will be reviewed before any changes are finalised. Officers will work with residents to ensure appropriate benefit entitlement is awarded and household income is maximised.</p> <p>Changes to our standard charges for adult social care services will directly impact residents who are assessed to pay the full cost of the care they receive. However, these residents</p>

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

will be supported to transfer to private arrangements should they wish to source care services directly from a care provider.

Interim charging would positively impact residents of Cheshire East, as the initial charge will be in place from the start of services which should reduce backdated billing and potential debt. Information will be readily available to all residents accessing ASC services which will inform on the expected interim charge.

Flat rate fees levied for Telecare Assistive Technology will negatively impact residents as the proposal is to increase the fee. However, this service can be sourced on a private basis should residents choose to end their arrangement for this service with Cheshire East.

The flat rate for full cost administration and one-off arrangement fee would negatively impact residents. However, many residents will still benefit from the arrangement and management of care services through the local authority. Residents who do not wish to retain care services arranged by the local authority will be supported to source care on a private basis.

Residents receiving support via the Money Management service will be negatively by the proposal to increase the fee for this service. However, benchmarking with private organisations shows that despite increasing the fee to maintain service delivery, the fee is still less than that charged in the private sector. Residents will be supported to move away from the Council provided service should they wish to do so.

Any mitigation as a result of the consultation will be included and reviewed.

6. Monitoring and Review -

Monitoring and review	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
Details of monitoring activities	<p>Monitoring activities</p> <ul style="list-style-type: none"> • Regular data will be reported on via Unit4 to evidence collection of assessed contributions and debt. • Complaints and compliments and customer feedback forms • Discussions with colleagues in Adult Social Care operations and Commissioning
Date and responsible officer for the review of the EIA	<p>Danielle Brooks, Service Manager Lee Hudson, Service Manager</p> <p>July 2024</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.

Name	Joanne Sutton
Signature	<i>J Sutton</i>
Date	14/03/24

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk