

Removal of AA and DLA(Care) Higher
Income Disregard
23 March 2016

Equality Impact Assessment

Removal of AA and DLA(Care) Higher Income Disregard

Contact: Siobhan Cuddeford, Team Manager, Client Services

Updated: 23/03/2016

1. What type of proposal / decision is being assessed?

A new or revised policy

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

To bring financial assessment for non residential care in line with the Social Services & Well-being (Wales) Act 2014.

3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes

<If no, briefly summarise the reasons for this decision here, and skip ahead to the declaration at the end>

4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

The Social Services and Well-being (Wales) Act 2014 comes into force on the 6th April 2016. The existing financial assessment and charging statutory framework stems from separate pieces of legislation, mainly the National Assistance Act 1948 as regards charging for residential care, and the Social Care Charges (Wales) Measure 2010 in respect of charging for non-residential care. As such the framework is made up of a number of separate regulations and guidance, some of which are now fragmented and out of date. From April this legislation will be replaced by the Act, and regulations and a code of practice made under the Act. Consequently, the existing regulations and guidance in relation to financial assessment and charging is also being replaced.

The aim of the new framework is to provide a more streamline and less inconsistent system than is currently in place whilst also bringing in changes. Local Authorities when exercising their social services functions, MUST act in accordance with the requirements contained in the new legislation.

One of these is the removal of the Income Disregard, we estimate that 390 care and support recipients currently have this disregard, 130 will not be affected, 260 will be affected by the loss of its application.

The Finance, Income & Assessment Team as part of the annual reassessment process identify all those in receipt of the disregard and write to them to inform them individually what the effect of removal of the disregard will have on them. They will be given information on why it is being implemented and given the opportunity to contact us to be given options available to them. This will all be done prior to the change being implemented in July 2016.

- 5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**
(Please refer to section 1 in the toolkit for a description of the protected characteristics)

Additional Charging Policy income will be generated by implementing this change which will mitigate the loss of income from other changes to charging arrangements, allowing the Authority to meet its Priorities, Vulnerable people are protected and are able to live as independently as possible. The Authority will be acting in accordance with the Social Services & Well-being (Wales) Act 2014 and will mean that Denbighshire is working with Regional Authorities to align Charging Policies.

- 6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

This will not have a disproportionate negative impact on any one of the protected characteristics, but will affect a number of vulnerable Denbighshire residents who receive care and support from the Authority. Linked to this change is the risk of negative public opinion and whilst this change is to be undertaken as a result of new national legislation, it is being implemented at a local level by each Authority. As the Authority is not required to carry out a separate consultation, it is felt that a 3 month period of preparation would ensure care and support recipients and their families receive timely communications relating to the changes and an opportunity to raise questions and concerns ahead of the implementation.

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

No	Not applicable
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8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

Yes	<If yes please complete the table below. If no, please explain here>
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Action(s)	Owner	By when?
Reassessment and identification of individuals who may be affected by the change	Finance, Income & Assessment Team	28 April 2016
Individual notification letter to those affected to inform them of the impact and afford them the opportunity to raise questions and concerns ahead of the implementation	Finance, Income & Assessment Team	13 May 2016
Monitoring and recording of those affected and questions and concerns raised	Finance, Income & Assessment Team	Throughout the period prior to implementation
Ensure supporting guidance and contact information available via the Council's website	Finance, Income & Assessment Team	13 May 2016
Provide guidance to colleagues both within and outside the Authority.	Finance, Income & Assessment Team	During the preparation period.

9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	01/04/2019
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Name of Lead Officer for Equality Impact Assessment	Date
Siobhan Cuddeford	23/03/2016

Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.