

Equality and Safety Impact Assessment

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

Name or Brief Description of Proposal	HASC 8 – Setting of Personal Budgets to meet unmet eligible adult social care needs.
Brief Service Profile (including number of customers)	<p>As at 30 September 2015, the council funds the costs of meeting the eligible social care needs of 2,727 adults. The costs are either met in full or in part, depending on the outcome of a financial assessment.</p> <p>212 people whose care and support is currently being funded by the council are potentially directly affected by this proposal.</p> <p>This proposal will also affect the way that Personal Budgets are set for adults with care and support needs in the future.</p>
Summary of Impact and Issues	<p>The council has a statutory duty under the Care Act 2014 to assess eligibility for social care and support and to set a Personal Budget to meet any unmet eligible social care needs.</p> <p>Adults aged over 65 or with a physical disability</p> <p>The following figures include people with eligible social care needs who are aged over 65 and individuals with a physical disability:</p> <p>1,611 (76%) adults receive funding for a package of care and support to meet their needs at home (this is known as domiciliary care or home care).</p>

516 (24%) adults receive funding for a suitable residential or nursing home placement to meet their needs.

Of the people who receive home care, 1,524 (95%) adults have a package of care costing less than £500 per week. 87 (5%) of adults have a package of care costing £500 or over. This can be broken down as follows:

Weekly cost of meeting needs at home	Number of people
£500 - £599	31
£600 - £699	19
£700 - £799	10
£800 - £899	8
£900 - £999	8
£1,000 and over	11
Total	87

Where the cost of meeting eligible social care needs is likely to exceed £500 per week, the council proposes to set a Personal Budget at a level that would enable those needs to be met in an appropriate extra care housing scheme, residential or nursing placement.

The council's current published rate for residential care is £368.69 per week. For residential care to support individuals who are living with dementia, this increases to £435.19 per week. The council's current published rate for nursing care is £486.36 per week. (These rates are subject to a separate review with options to be considered by Cabinet in February 2016 and the value of Personal Budgets for individuals affected by this proposal may be adjusted accordingly should these rates be changed.)

For individuals with more complex needs who require specialist or additional support, these costs are sometimes higher. Higher rates are also sometimes paid when contracting with a home outside of the Southampton City Council area or if an appropriate local placement is not available at the council's published rates. These factors would all be taken into account when setting the Personal Budget.

An individual will be able to use their Personal Budget to meet their eligible needs in the extra care housing

scheme, residential or nursing home placement identified. Alternatively, they may choose to put their Personal Budget towards the cost of receiving care and support at home or in an alternative placement.

When setting the Personal Budget, the council will have regard to an individual's views, wishes, feelings and beliefs. Where a preference is expressed that care and support is provided at home rather than in an appropriate extra care housing scheme, residential or nursing placement, but this exceeds the Personal Budget, the council will help to arrange this. However, unless there are exceptional circumstances funding will be limited to the amount of the Personal Budget. If additional funding cannot be secured from alternative sources, then the individual will be supported to move to an appropriate placement.

The eligible social care needs of the 87 adults whose packages of home care currently cost more than £500 per week will be re-assessed and a new Personal Budget will be set according to how much it would cost to meet their needs in the most cost effective way. This will typically mean the cost at which their eligible needs can be met in an extra care housing scheme or in an appropriate residential or nursing placement. This will apply also to adults requiring packages of care and support for the first time.

Adults with a learning disability

This proposal also relates to individuals with a learning disability who are receiving care and support at home.

Of the individuals with a learning disability who receive care and support at home, 125 out of 600 (21%) have a package of care costing £500 or over. This includes individuals who are living in supported living placements, which are often the most cost-effective way of meeting an individual's complex social care needs.

However, it is estimated that the needs of 45 individuals could be met by setting their Personal Budget at a level that would enable those needs to be met in an appropriate residential or nursing placement, rather than at home. The needs of these individuals will be reassessed and a new Personal Budget will be set accordingly.

	<p>Supported living and Shared Lives placements generally offer a more cost effective alternative to residential care and promote greater levels of independence. These options will therefore be carefully considered in every case when setting a Personal Budget.</p> <p>The eligible social care needs of the 125 adults whose packages of home care currently cost more than £500 per week will be re-assessed and a new Personal Budget will be set according to the most cost effective way of meeting their eligible social care needs. This will apply also to adults with a learning disability requiring packages of care and support for the first time.</p> <p>All adults with care and support needs</p> <p>Financial support for adult social care is means tested. The value of an individual's home is not taken into account for as long as they live there (or for as long as it is occupied by a person who is: their partner, former partner or civil partner; a relative who is aged 60 or over; the individual's child aged under 18; or a relative who is incapacitated). Therefore, for all individuals with eligible social care needs, moving into a suitable placement may mean that the value of their home is taken into account for the purpose of the financial assessment.</p> <p>Former recipients of funding from the Independent Living Fund (ILF) are excluded from this proposal, because of the special funding arrangements that are in place to support these individuals.</p> <p>[All figures are correct as at 30 September 2015.]</p>
<p>Potential Positive Impacts</p>	<p>The proposed approach is fairer, as it will assist the council to use its fixed budget to support everyone in Southampton who has eligible adult social care needs.</p> <p>The current position is that the council is using a disproportionate amount of its Adult Social Care budget to support a relatively small number of individuals to receive their care and support at home, even if their needs could be met in an appropriate residential or nursing placement.</p> <p>The proposed approach will assist the council to continue to meet its statutory duty of ensuring that arrangements are in place to meet eligible social care</p>

	needs, in the context of increasing demand for services and budget constraints.
Responsible Service Manager	Paul Juan
Date	6 November 2015

Approved by Senior Manager	Mark Howell
Date	6 November 2015

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p>Of the 87 people who currently receive a package of home care costing over £500 per week, 50 (57%) are aged under 65, 4 (5%) are aged between 65 and 74, 17 (20%) are aged between 75 and 84 and 16 (18%) are aged 85 and over. [These figures exclude individuals living with a learning disability].</p> <p>Of the 125 individuals living with a learning disability who currently receive a package of home care costing over £500 per week, 112 (90%) are aged under 65, 12 (10%) are aged between 65 and 74 and 1 (<1%) is aged between 75 and 84.</p> <p>For new packages of care and support there is no evidence to suggest that there would be an unequal impact on any particular age group.</p> <p>Older people may find a move to an appropriate residential or</p>	<p>The council will carry out a thorough assessment and will set an individual's Personal Budget at a level that will enable their unmet eligible social care needs to be met in full.</p> <p>The options will be clearly explained to individuals and regard would be had to individual preferences.</p> <p>Individuals would be supported to find and move to an appropriate extra care housing, nursing or residential home placement.</p> <p>In each case, the council would consider whether there were any exceptional reasons to take into account when setting the Personal Budget and this would include a consideration</p>

	<p>nursing placement more difficult.</p>	<p>of any impact on the individual's wellbeing.</p> <p>A phased introduction of this proposal is also being considered to help mitigate any adverse effects.</p> <p>The way in which a Personal Budget is set will be clearly defined.</p>
<p>Disability</p>	<p>Individuals with eligible care and support needs are by definition deemed to have an impairment or illness that affects their ability to achieve two or more outcomes that are defined by regulations.</p> <p>This proposal therefore impacts on individuals living with a physical or disability, where they would otherwise use their Personal Budget to receive care and support at home rather than in an appropriate residential or nursing placement.</p>	<p>The council will carry out a thorough assessment and will set an individual's Personal Budget at a level that will enable their unmet eligible social care needs to be met in full.</p> <p>The options will be clearly explained to individuals and regard would be had to individual preferences.</p> <p>When necessary, individuals would be supported to find and move to an appropriate supported living, Shared Lives, extra care housing, nursing or residential home placement.</p> <p>In each case, the council would consider whether there were any exceptional reasons to take into account when setting the Personal Budget and this would include a consideration of any impact on the individual's wellbeing.</p>

		<p>A phased introduction of this proposal is also being considered to help mitigate any adverse effects.</p> <p>The way in which a Personal Budget is set will be clearly defined.</p>
Gender Reassignment	No identified negative impacts.	
Marriage and Civil Partnership	This could potentially adversely affect an individual's marriage or civil partnership if they moved to a residential or nursing home placement, rather than receive care and support at home.	<p>The council will carry out a thorough assessment and will set an individual's Personal Budget at a level that will enable their unmet eligible social care needs to be met in full.</p> <p>The location of a residential or nursing home placement would be taken into account when determining whether it was appropriate (for example, to allow the individual's partner to visit easily).</p> <p>In each case, the council would consider whether there were any exceptional reasons to take into account when setting the Personal Budget and this would include a consideration of any impact on the individual's wellbeing.</p> <p>A phased introduction of this proposal is also being considered to help mitigate any adverse effects.</p>
Pregnancy and Maternity	No identified negative impacts.	
Race	No identified negative impacts.	

Religion or Belief	No identified negative impacts.	
Sex (Gender)	A higher proportion of individuals affected by this proposal are female (57%), principally because a greater proportion of older people with eligible support needs are female.	The council will carry out a thorough assessment and will set an individual's Personal Budget at a level that will enable their unmet eligible social care needs to be met in full.
Sexual Orientation	No identified negative impacts.	
Community Safety	No identified negative impacts.	
Poverty	<p>Eligibility for financial support to meet social care needs is means tested. Individuals with savings or assets in over £23,250 are not eligible for financial support.</p> <p>The value of an individual's home is not taken into account while they are living there. If they moved into a residential or nursing placement, the value of their home may then be taken into account, depending on who continued to live there.</p> <p>If the care and support costs exceed an individual's Personal Budget (for example, if the Personal Budget is set at a level at which their needs could be met in an appropriate residential or nursing placement but they chose to receive care and support at home at a higher cost), this could lead to financial hardship.</p>	<p>The value of an individual's home would not be taken into account if the individual moved in to a residential or nursing placement if the individual's partner or relative aged over 65 or under 18 continued to live there.</p> <p>In each case, the council would consider whether there were any exceptional reasons to take into account when setting the Personal Budget and this would include a consideration of any impact on the individual's wellbeing.</p> <p>Individuals would, where appropriate, be signposted to Independent Financial Advice about funding care and support costs.</p> <p>An Independent Financial Advisor would be able to advise on the impact of options on the adult social care financial assessment (for</p>

		<p>example, whether the value of a property would be taken into account if an individual moved into residential or nursing care). The Southampton Information Directory would also be updated to include links to information on funding care provided by Age UK, Mencap and other relevant charities and support organisations.</p> <p>A phased introduction of this proposal is also being considered to help mitigate any adverse effects.</p>
<p>Other Significant Impacts</p>	<p>No identified negative impacts at this stage, although this will be kept under review as the consultation progresses.</p>	