

Appendix 2

Equality Analysis (EqA)

Questionnaire

Please refer to the guidance before completing this form.

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Deferred Payments Scheme Policy	
Is it a new or revised function, policy, procedure or service? New	
Department and Section: Adults & Communities	
Date assessment completed: 29/10/14	
2. Names and roles of officers completing this assessment:	
Lead officer	Gary Johnson, Customer Finance Manager
Stakeholder groups	Citizens – Clients and Carers Adult and Communities Social Care Experts by Experience Partnership Boards
Representative from internal stakeholders	Karen Jackson, AD Adult Social Care Jon Dickinson, Head of Integrated Care Older People/Physical Disabilities Karen Morrell, Head of Integrated Care Learning Disability/Mental Health Kiran Vagarwal, Head of Community Safety
Representative from external stakeholders	
Delivery Unit Equalities Network rep	Sarah Perrin, Carers Project Manager
Performance Management rep	Deborah Robinson, Interim Business Improvement, Adults and Communities
HR rep (for employment related issues)	n/a

3. Full description of function, policy, procedure or service:

Please describe the aims and objectives of the function, policy, procedure or service
Please include - why is it needed, what are the outcomes to be achieved, who is it aimed at? Who is likely to benefit? How have needs based on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership and carers been taken account of? Identify the ways people can find out about and benefit from the proposals. Consider any processes they need to go through or criteria that we apply to determine eligibility.

- The Policy supports the implementation of the mandatory Universal Deferred Payments (UDP) scheme, introduced by The Care Act 2014 and which will be available across England. Because the national scheme allows Councils discretion in some areas, it is necessary to have a local Deferred Payments Scheme and Policy. The Borough's proposed Scheme and Policy are in accordance with the provisions of the Care Act 2014 and the associated Regulations and Care and Support Statutory Guidance.
- The Policy is primarily designed to prevent people who require residential or nursing care (and meet certain other eligibility criteria) from having to sell their home during their lifetime if they do not wish to do so, by lending them the money to pay for care costs, secured against a charge against their property (or other security). People receiving other types of care may also be able to benefit from the scheme where they have a property (or other security).
- With its related procedures, publicity and published materials the Policy will provide transparency and visibility for the Borough's local Deferred Payments Scheme, including the eligibility criteria.
- The Policy and Scheme will be available to citizens, customers, carers and other authorised representatives who access adult social care, staff from the Council and its partners.
- The Policy and Scheme, related procedures, guidance and information will be available on the Council's website, in printed and other formats.
- Together this will enable citizens, customers, their supporters and carers to be able to make informed decisions about their entitlement to a deferred payment, how to access the Borough's Deferred Payment Scheme.
- The stages a customer will go through will be articulated on the Council's website, in printed and other formats. These stages will include (but not an exhaustive list) the application process, entering into a Deferred Payment Agreement, how charges and interest will be calculated, the regular statements of account that will be issued and the termination of the Agreement.
- The Scheme's eligibility criteria and its various processes apply equally and fairly to all citizens and there have been no particular needs identified based on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership and carers.
- The issue of mental capacity is dealt with explicitly in the Scheme, following national Care and Support Statutory Guidance issued under the Care Act 2014 by the Department of Health

4. How are the equality strands affected? *Please detail the effects on each equality strand, and any mitigating action you have taken so far. Please include any relevant data. If you do not have relevant data please explain why.*

Equality Strand	Affected?	Explain how affected	What action has been taken already to mitigate this? What action do you plan to take to mitigate this?
1. Age	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	<p>Older People can be vulnerable, isolated and not have ready access to information that explains deferred payments</p> <p>Younger people are less likely to access the Scheme, because they are less likely to own their own home outright, or for there to be sufficient equity available for the Council to secure a sufficient amount to be able to offer a deferred</p>	<p>The UDP workstream of the Care Act Implementation Project has worked and will continue to work to develop and establish the Borough's new Deferred Payments Scheme under the provisions of the Care Act 2014. This will replace the existing Scheme to become business as usual.</p> <p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p> <p>The Scheme and how it works will be communicated by all Council outlets, staff and partner agencies. It will be communicated to representative user and carer groups.</p> <p>There will also be a complementary national publicity campaign by the Department of Health in the run-up to the introduction of the Scheme.</p> <p>The main beneficiaries of the national Scheme appears to be intended to be older people who own their own homes with sufficient available equity, who wish to enter residential care for the remainder of their lifetime. If a younger person meets all the eligibility criteria, then they will be accepted</p>

		payment for the likely period of care.	<p>regardless of age. However, the Council cannot alter the fundamentals of home ownership, whereby older people are more likely to have sufficient available equity in their properties.</p> <p>In mitigation, the Council has discretion to accept other forms of security on a case by case basis, for example from a third party guarantor. Although this discretion will not be offered universally, and will only be exercised by the Council on a case by case basis, this could assist younger people.</p>
2. Disability	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	A&C clients through the nature of their disability may not be able to access information that explains deferred payments	<p>The UDP workstream of the Care Act Implementation Project has worked and will continue to work to develop and establish the Borough's new Deferred Payments Scheme under the provisions of the Care Act 2014. This will replace the existing Scheme to become business as usual.</p> <p>The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.</p> <p>The Scheme and how it works will be communicated by all Council outlets, staff and partner agencies. It will be communicated to representative user and carer groups.</p> <p>There will also be a complementary national publicity campaign by the Department of Health in the run-up to the introduction of the Scheme.</p>

3. Gender reassignment	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to gender reassignment.	The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.
4. Pregnancy and maternity	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to pregnancy and maternity.	The Policy will be applied equally to all, with A&C identifying those who are eligible for the Scheme, as defined in the Care Act and further refined by local eligibility criteria.
5. Race / Ethnicity	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	<p>The Department of Health's overall Equality Analysis for the Care Act states: "No evidence suggests that there will be inequitable impact on race."</p> <p>It further states:</p> <p>"One aspect of the Act which we have aligned with language barriers is that of Information and Advice. The Act places a duty upon Local Authorities to provide Information and Advice to service users in the 'appropriate' format, to ensure accessibility. Guidance will set out that this may also include needing to ensure this information is provided in different languages."</p>	Current plans are for the information about the Policy and Scheme to be published in English as a matter of course but to be made available in other languages on request.
6. Religion or belief	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	The Department of Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to religion or belief.	
7. Gender / sex	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>		
8. Sexual	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	The Department of	

orientation		Health's overall Equality Analysis for the Care Act has not identified any inequitable impacts relating to sexual orientation	
9. Marital Status	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>		
10. Other key groups?	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>		

5. What will be the impact of delivery of any proposals on satisfaction ratings amongst different groups of residents?

Having a Deferred Payments Scheme which is open, visible, transparent and similar to neighbouring Boroughs, and which will avoid people having to sell their home in their lifetime, will improve satisfaction ratings amongst those who are eligible and also their carers, friends and families.

6. How does the proposal enhance Barnet's reputation as a good place to work and live?

It should encourage better integrated working between A&C staff and partner agencies such as HB Public Law and Barnet Homes.

It should help the citizen know where they stand in terms of eligibility for deferred payments in the Borough. It should reassure citizens who may otherwise have feared losing their home that they will not have to sell it during their lifetime.

7. How will members of Barnet's diverse communities feel more confident about the council and the manner in which it conducts its business?

The Policy supports the introduction of the national Universal deferred Payments scheme with eligibility criteria at least equal to, if not more generous than the national scheme, that apply to any citizen meeting those criteria. These will be widely publicised in a variety of formats and encourage transparency and openness and customer involvement.

A draft version of the Scheme has already been the subject of a formal public consultation exercise (September-October 2014) and feedback from the consultation will be taken into account in formulating the final Policy and will be publicised under the "We Asked, You Said, We Did" communications methodology.

8. What measures and methods have been designed to monitor the application of the policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact? Include information about the groups of people affected by this proposal. Include how frequently will the monitoring be conducted and who will be made aware of the analysis and outcomes? Include these measures in the Equality Improvement Plan (section 15)

The take-up of the Scheme will be monitored after The Care Act comes in to force in April 2015. This will include reporting on the numbers who are beneficiaries of the Scheme compared to pre April 2015 (zero), amounts borrowed, administrative and interest charges applied, as well as demographic data collected about those beneficiaries. We will also monitor any cases where the outstanding amount of any individual's deferred payment rises to a level where it can

no longer be secured by the remaining equity in the property, and subsequent to this what proportion of that individual's care costs are paid by themselves and from what resources, and what proportion by the Council, and also any impact on 'top up' payments previously made.

9. How will the new proposals enable the council to promote good relations between different communities? *Include whether proposals bring different groups of people together, does the proposal have the potential to lead to resentment between different groups of people and how might you be able to compensate for perceptions of differential treatment or whether implications are explained.*

There is the potential for resentment between home-owners and those who do not own their own home, if the facts are not fully explained. Clear, transparent information about the Scheme on the Council's website, in printed and other formats, will make clear that the assessment of customer contributions is not changed by the Deferred Payments Scheme and that it simply allows charges to be deferred, not avoided or written off; also that the Scheme should be cost-neutral to the Council, and therefore the Council Tax payer.

10. How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal? *Please include information about any prior consultation on the proposal been undertaken, and any dissatisfaction with it from a particular section of the community.*

The Policy is enacting a Government requirement enshrined in The Care Act 2014.

Citizens and representative groups in the Borough have been consulted on the draft Scheme with a number of specific questions on details of the proposed Scheme (September-October 2014). Responses have been mixed, with no consistent view apparent of the Scheme or the details upon which we specifically consulted. Nonetheless, some useful suggestions have been received and these and the views expressed will be reflected wherever possible in the report on the Policy and Scheme to the Adults an Safeguarding Committee, and also on the Council's Engage Space.

Overall Assessment

11. Overall impact		
Positive Impact <input checked="" type="checkbox"/>	Negative Impact or Impact Not Known ¹ <input type="checkbox"/>	No Impact <input type="checkbox"/>
12. Scale of Impact		
Positive impact: Minimal <input checked="" type="checkbox"/> Significant <input type="checkbox"/>	Negative Impact or Impact Not Known Minimal <input type="checkbox"/> Significant <input type="checkbox"/>	

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

13. Outcome			
No change to decision	Adjustment needed to decision	Continue with decision <i>(despite adverse impact / missed opportunity)</i>	If significant negative impact - Stop / rethink
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Please give full explanation for how the overall assessment and outcome was decided
<p>Developed as part of drawing up the Deferred Payments Scheme and Policy and the associated Committee report. It takes account of the Department of Health's overall Equality Analysis for the Care Act. It also takes account of the legal aspects of the public sector equality duty including key principles arising from case-law.</p>

15. Equality Improvement Plan

Please list all the equality objectives, actions and targets that result from the Equality Analysis (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer responsible	By when
The Deferred Payments Scheme and Policy to be widely available to citizens, customers, carers and other authorised representatives who access adult social care, staff from the Council and its partners.	<p>The Deferred Payments Scheme and Policy to be available in a variety of formats including on the Council's website and printed materials.</p> <p>The Council to publicise the Deferred Payments Scheme and related Policy along with other aspects of the implementation of the requirements of the Care Act 2014.</p> <p>Staff groups within A&C and partner agencies to be briefed and kept updated about the development of the Deferred Payments Scheme and Policy.</p>	The numbers assessed as eligible for the Scheme as well as the numbers making enquiries about eligibility will be monitored through the Care Act Implementation Project.	M Kendall	1/4/15

1st Authorised signature (Lead Officer) Gary Johnson	2nd Authorised Signature (Delivery Unit management team member) Mathew Kendall
Date: 08/12/14	Date:08/12/14