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|--|---|--------------------------------------|-----------------------------|
| <b>Name of proposal/policy</b>                   | Fair Contributions Policy –non-payment of contributions | <b>Budget number (if applicable)</b> | N/A                         |
| <b>Service area responsible</b>                  | Adult Social Care                                       | <b>Cabinet meeting date</b>          | N/A                         |
| <b>Name of completing officer</b>                | Emma Gadsby   | <b>Date EqIA created</b>             | 21 February 2017            |
| <b>Approved by Director / Assistant Director</b> | Dr Carolyn Kus  | <b>Date of approval</b>              | 27 <sup>th</sup> March 2017 |

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘Due regard’ to:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations

We do this by undertaking equality impact assessments (EqIAs) to help us understand the implications of policies and decisions on people with protected characteristics – EqIAs are our way of evidencing this.

All assessments must be published on the NCC equalities web pages. All Cabinet papers where an EqIA is relevant **MUST** include a link to the web page where this assessment will be published. If you require assistance in getting your EqIA published, please contact [equalities@northamptonshire.gov.uk](mailto:equalities@northamptonshire.gov.uk)

## PART 1

### Description of current provision/policy and main beneficiaries/stakeholders

The Council has had a Fair Contributions Policy, which governs the charges for domiciliary care for adults with social care needs, since April 2014. This policy replaced the previous charging policy and ensured that the Council's charging practices were compliant with the Care Act 2014. The policy is applied to all adult social care customers and follows national legislation and guidance. Discretion regarding charging is applied where this is allowed within the law.

### Description of proposal under consideration/development

The February 2017 update incorporates the following:

- Updates various changes to the benefit system that are relevant to the financial assessment of adult social care customers
- A streamlined appeals process
- A revised approach to the non-payment of contributions from customers who have been assessed as being able to pay (part of a recent consultation) – this will include an investigation of the reasons for non-payment, which could result in the Council taking legal action to recover monies owed for care already received and consideration to cease the provision of services until payment is reinstated

### Data used in this Equality Impact Assessment (general population data where appropriate but each EqIA should contain information on people who use the service under consideration – if this is not applicable to your proposal then you probably do not need to do an EqIA)

| <b>Data Source (include link where published)</b>                                    | <b>Please summarise what the data tells us – for example “X number of people use this service, X are male, Y are female etc”</b>                              |
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| Adult Social Care Clients (data from Business Intelligence & Performance Management) | During 2016/17, there have been approximately 15,500 adult social care customers. The Fair Contributions Policy applies to all customers, current and future. |

| Tick the relevant box for each line                                 | Based on the above information, what impact will this proposal have on the following groups? |          |         |        |
|---|--|----------|---------|--------|
|   | Positive   | Negative | Neutral | Unsure |
| <b>Sex</b>  |  |          |         | ✓      |
| <b>Gender Reassignment</b>  |  |          | ✓       |        |
| <b>Age</b>  |  |          |         | ✓      |
| <b>Disability</b>   |  |          |         | ✓      |
| <b>Race &amp; Ethnicity</b>   |  |          | ✓       |        |
| <b>Sexual Orientation</b>   |  |          | ✓       |        |
| <b>Religion or Belief (or No Belief)</b>                            |  |          | ✓       |        |
| <b>Pregnancy &amp; Maternity</b>                                    |  |          | ✓       |        |
| <b>Human Rights (Please see articles in toolkit)</b>                |  |          | ✓       |        |
| <b>Other Groups (rural isolation, socio-economic exclusion etc)</b> |  |          | ✓       |        |

| Initial impact   |   |
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| Explain your findings above  | Actions identified to mitigate, advance equality or fill gaps in information  |
| <p>Because of the nature of those subject to the Fair Contributions Policy, any changes will impact more on women (because women live longer and therefore are more likely to be accessing adult social care), older people (although the policy also applies to younger adults with social care needs) and people with disabilities.</p> <p>With regard to the appeals process, it is anticipated that this will have a neutral impact upon customers. Making the process more streamlined should ensure that customers receive a resolution to their appeal more quickly than under the previous process. Customers will always have the option of taking their appeal to the Local Government Ombudsman should they be unhappy with the outcome of the appeal considered by NCC.</p> <p>With regard to the action the Council may take in the event of non-payment of contributions, the impact has been assessed as each case will need to be considered on an individual basis. Where a customer has not paid their</p> | <p>The policy is applied fairly and according to the provisions of the Care Act.</p> <p>In considering the action to be taken against a customer who has not paid their contributions, the Council will look carefully at the reasons for this and will not take action against a customer who genuinely can no longer afford to pay towards the cost of their care and will always seek to find a solution to the issue in the first instance.</p> <p>If our investigations show that there is no valid reason for the non-payment of contributions, we will consider issuing an intent to cease provision of services, with the intention that this will open up a dialogue with the customer and allow us to come to a resolution on the payment of contributions.</p> |

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| <p>contributions, the Council will investigate the reasons for the non-payment. If we find that non-payment is due to a change of circumstances that had not been brought to our attention and there is a genuine reason for not paying, we will not cease services. If, however, there is no valid reason for non-payment of contributions, then in the interests of fairness to all customers, the Council will begin the process of collecting the contributions owed and issue an intent to cease the provision of services to that customer, once consideration of the impact of such action on the customer's wellbeing has been considered. It is acknowledged that this could have a negative impact upon a customer, which is why it would only be considered as a last resort and if the Council was satisfied that this would not harm their wellbeing.</p> | <p>Cessation of services will be an action of last resort and only if the Council is satisfied that in doing so, the customer's health and wellbeing will not be put at risk.</p> |
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**Do you need to undertake further work (e.g. consultation, further equality analysis) based on the impact and actions identified above? If yes, set this out below and then carry out the work and complete Part 2**

The application of the policy will be monitored to ensure there are no unintended negative impacts from the changes. In particular, we will monitor any instances of non-payment of contributions and subsequent considerations to cease provision of services and the impact this has on customers.