



# Equality Analysis Toolkit

**County Council Operated Day Services for  
Older People – Outcome of Public  
Consultation on proposal to increase  
charges and approval of new rates  
For Decision Making Items**

**July 2019**

## **Question 1 - What is the nature of and are the key components of the proposal being presented?**

At its December 2018 meeting Cabinet considered proposals to increase a range of charges for older people who use the Council operated day services and who pay "full cost". There are about 220 people in this category at the last count.

It was agreed that these proposals should be subject to public consultation and its outcome considered prior to implementation. This public consultation occurred between 25 March and 20 May 2019.

The changes approved by Cabinet for consultation were as follows

- (i) Approve increases to the charges for those people who pay "full cost" for council operated day services with effect from 1<sup>st</sup> October 2019 as follows:
  - From £31.30 to £37,45 per full day for older people to use the council's day services;
  - From £35 to £41 per full day for older people to use the council's day services with transport to and from the centres (where transport is available)
  - From £54.75 to £65.50 for older people who have dementia to use the council's day services, reflecting the additional staff costs to support them to attend and take part;
  - From £58 to £69 for people who need additional support for dementia to use the council's day services with transport to and from the centres (where transport is available);
- (ii) Delegate decisions about future annual increases in charges for self-funders from 2020/21 onwards to the Statutory Director of Adult Services (DASS) on the basis that charges should be reviewed each year and adjusted to reflect the actual cost of delivery of the council's day services.

## **Question 2 - Scope of the Proposal**

Is the proposal likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected?

Should this proposal be approved it will be implemented across all 13 of the Older People Care Services Day Centres. These centres are situated across county with at least one in each district council area.

<b>Service</b>	<b>Town</b>	<b>Standard Day Service for Older People</b>	<b>Day Service for older people with dementia</b>
Byron View	Colne	3	0
Derby Centre	Ormskirk	22	0
De Vitre	Lancaster	0	11
Fosterfield	Chorley	24	4
Lady Elsie Finney	Preston	3	3
Leyland Centre	Leyland	35	0
Mearley Fold	Clitheroe	9	1
Mere Brook	Ormskirk	0	6
Milbanke	Kirkham	19	0
Parkside	Bacup	14	1
Teal Close	Thornton Cleveleys	8	0
Vale View	Lancaster	26	8
Woodhaven	Accrington	19	2
	<b>Total</b>	<b>182</b>	<b>36</b>

A sample week of clients was taken over 10<sup>th</sup> -16<sup>th</sup> June 2019.

There are 218 individuals currently attending day time support on a "self-funding" basis which means they pay the full cost. They purchase 419 care sessions.

The ages of individuals range from mid-50s to mid-90s.

The gender of those purchasing care sessions is:

Male – 85, Female – 133.

All users of the service have a significant level of social care need. While some older people who use these services may have lower level needs such as being socially isolated or with milder frailty/mobility issues there is a cohort of those who use these service who have dementia and purchase a dementia service specific to their needs.

There are 190 service users who use the standard older person's day service and 28 who access the dementia specific service.

The amount of days per week used by service users varies. Their usage breakdown is as follows:

Days Per Week	1	2	3	4	5	6
Number of Service Users Main-stream	98	55	26	4	6	1
Number of Service Users Dementia	13	12	1	2	0	0

In terms of ethnicity the vast majority of service users describe themselves "White British" with a very small number describing themselves "Asian".

The increase in the fee could lead some service users to reduce their use of the centres should they feel the new fee is unaffordable or unfair.

### **Question 3 – Protected Characteristics Potentially Affected**

Could the proposal have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment

- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

And what information is available about these groups in the County's population or as service users/customers?

The decision to increase self-funding fees for those using day centres would impact on older people living in Lancashire who may have social care needs. It will also impact on their relatives / carers particularly.

This includes the current 218 service users who currently attend our day centres on a self-funding basis and who may have to consider if they can still afford the level of support they currently purchase.

## Question 4 – Engagement/Consultation

How have people/groups been involved in or engaged with in developing this proposal?

Consultation was carried out for 8 weeks from 25 March to 20 May 2019.

The consultation followed the Cabinet Code of Practice on Consultation which sets out a best practice model for consultations.

Face to face meetings were held with service users, some individually and some as part of a group.

Letters were sent to each individual service user who was using the service in March 2019 or their carer with a copy of the consultation questionnaire. Posters were also displayed in Centres to accompany the briefings to service users.

The consultation was promoted

- via social media,
- a Press Release and on the County Council's website
- to our employees on the intranet
- to County Councillors via C First (the County councillors' portal).

An email promoting this and other County Council consultations was also sent from our Chief Executive to the Chief Executives of other district and unitary councils, health partners, Clinical Commissioning Groups and MPs

The consultation was offered to the following groups:

- Existing service users, their relatives, advocates and representatives;
- GPs and relevant health care professionals;
- Staff;
- General public.

Any other local stakeholders who wished to take part could do so.

For the consultation, paper questionnaires were distributed via all 13 Day Time Support Services Centres.

An electronic version of the consultation questionnaire was available online at [www.lancashire.gov.uk](http://www.lancashire.gov.uk). PDF, Microsoft Word, large print and easy read versions available at [www.lancashire.gov.uk](http://www.lancashire.gov.uk).

In total 108 service user/general public consultation questionnaires were completed (88 paper copies and 23 online copies).

Demographic information obtained from the service user/general public responses is summarised as follows:

- Two thirds of those responding to these questions were female and 29% were male. This is broadly in line with the gender profile of service users;
- In terms of age
  - 7% of respondents were aged under 50,
  - 24% of respondents were aged 50-64;
  - 15% were aged 65-74;
  - 22% were aged 75-84 and 26% were 85+.

This indicates a significant level of participation from older people in this consultation.

- 85% of respondents described their sexual orientation as "Straight", 1% as Gay and 14% preferred not to say
- In terms of disability
  - 44% of respondents said they did not consider themselves to have a disability or be a Deaf person
  - whilst 24% had a physical disability,
  - 18% said they were Deaf or had a hearing impairment;
  - 15% had a mental health condition;
  - 8% had a visual impairment,
  - 7% had an "other disability,
  - 6% had a learning disability and
  - 12% prefer not to say.

Given the cohort, the high level of respondents with a disability or who are Deaf people is unsurprising. Many of those who report they do not have a disability are likely to be relatives and carers.

- In terms of ethnicity
  - 86% of respondents identified as being White,
  - 1% of respondents were of a Mixed ethnicity and
  - 13% prefer not to say.

This is broadly in line with the information about most service users identifying as "White British".

- In terms of religious belief the response was
  - "no religion" 17%,
  - Christian 62%,
  - Muslim 5%,
  - Hindu 1%,
  - Jewish 1%,
  - Any Other Religion 1% and
  - 15% preferred not to say.

The key findings from the consultation are:

#### Use of older peoples day services

- About four fifths (81%) of respondents said that they had used older people's day services in the last 12 months;
- Of those respondents who have used LCC older people's day services in the last 12 months,
  - about one in ten (12%) said that they used them every, or most, days.
  - Over two-fifths (44%) said that they used older people's day services a couple of times a week in the last 12 months and
  - about two-fifths (38%) of respondents said that they use them about once a week.

- Of those respondents who have used LCC older people's day services in the last 12 months, the most common reasons given for using day services were to
  - socialise (63%) and
  - for respite (44%).
  - 19% said for reasons related to their dementia
  - 15% said for health reasons.
  - 8% said to be able to live independently at home.
  
- Of those respondents who have used LCC older people's day services in the last 12 months,
  - over four fifths (86%) said that they pay for the service in full and
  - about one in eight (13%) said that they pay some of the cost and LCC pays some of the cost.
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Responses about the proposal to increase the fees for self-funders (full cost payers)

- About a quarter of respondents (27%) said that they agree with the proposal and three-fifths of respondents (60%) said that they disagree with it;
  
- The most common reason given for agreeing or disagreeing with proposal was that the increase is too large/unaffordable (43%).
  
- Other responses of relevance to this analysis include
  - 17% who said this will make day services inaccessible for some; stop cutting from vulnerable elderly people
  - 16%, negative impact on physical and mental health of people who use the service
  - 14%, older people paid their tax to have these services
  - 12%, penalises people with dementia/complex health problems

- 13% of respondents said the increased charge is reasonable.
- Respondents were then asked how it would affect them if the proposal happened.
  - Respondents were most likely to say that the proposal would have a negative impact on their finances or their use of the service (48%).
  - Another response with an equalities significance was negative impact on health and wellbeing (23%).
- Just less than half of respondents (46%) said that they would use day services just about the same, a quarter (25%) said they would use them less often and about one in eight (13%) said they would stop using them.
- When asked if there is anything else that we need to consider or that we could do differently,
  - respondents were most likely to comment about the proposal penalising self-funders even more than they currently are (28%),
  - that it will decrease the quality of life of some older people (21%) and that it is another cut impacting on the most vulnerable in society (21%).
  - older people have worked all their lives to have this service (12%),
  - service would be too inaccessible/couldn't afford/can't use 3%
  - and provide more staff for dementia patients 2%.

Two organisations also responded to the consultation and both said they tend to disagree with the proposal.


**Question 5 – Analysing Impact**

Could this proposal potentially disadvantage particular groups sharing protected characteristics and if so which groups and in what way? This pays particular attention to the general aims of the Public Sector Equality Duty:

- To eliminate unlawful discrimination, harassment or victimisation because of protected characteristics;
- To advance equality of opportunity for those who share protected characteristics;
- To encourage people who share a relevant protected characteristic to participate in public life;
- To contribute to fostering good relations between those who share a relevant protected characteristic and those who do not/community cohesion;

Impact of increasing self-funding fees in LCC day time support centres

The increase of fees would mean that 218 older people across Lancashire would be paying more for their services. Collectively they purchase 419 care sessions per week.

The proposed increase in fees is as follows:

Level of Service	Current Fee	Proposed Fee
Mainstream	£31.30	£37.45
Dementia	£54.75	£65.50

As shown elsewhere in this analysis there are numerous service users who purchase/use multiple sessions per week. While the vast majority

of service users access the service once to twice per week there is currently one service user who accesses the service six days per week and six who use it five times per week. These clients would pay between £30.75 and £36.90 extra per week.

Whilst the increase will have financial implications for people who choose to begin using the service in the future, the greatest impact is on those current users who will have budgeted this year for a specific level of fee per week and will now need to review the financial implications of any change. This could diminish their willingness or ability to continue using the service at the current level or at all. Their opportunity to participate in the activities and discussion groups, etc and the socialising and stimulus associated with day services could therefore be reduced. This will also impact on the respite currently afforded to their carers / relatives.

27% of the consultees agreed with the proposal with the proposal to increase fees to match the true cost of the service. However, 60% of the consultees said that they disagreed with the proposal.

25% of consultees said that they would use the services less often and 13% said they would stop using the service altogether.

The consequences of older and disabled people choosing to use the service less often or not at all could be that they don't get the support they need and that their families/carers don't receive any respite from giving support. This impacts both the service users and their families/carers and it is possible that for some families/carers it may impact their own opportunities to work or participate in other areas of public life.

So although every care will be taken to minimise the impact it must be recognised that if this proposal goes ahead it is possible it could lead service users and their families/carers to decide not to use the services which in turn could mean their situation to deteriorate.

In particular for those service users with dementia a higher increase in their charges is proposed. Whilst all individual's circumstances will vary, a rise of daily fee of over £10 per session is likely to pose a

further pressure of their household incomes and may mean that the impact on those service users with dementia is greater.

Whilst not clearly explained, it was noted from the consultation that 6% of respondents said that if the proposal happened "won't affect me but will detrimentally affect my community". It is possible that some respondents were concerned that the proposal may adversely affect relations between different age groups or other aspects of community cohesion or the viability of the services

### **Question 6 –Combined/Cumulative Effect**

Could the effects of this proposal combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

Should there be a reduction in older people who attend day services and use transport to and from the centres, there is the potential for an impact on the Travelcare Service which may impact routes/services provided.

Establishing whether service users meet the criteria to be self-funders requires intervention from Financial Assessment or Exchequer Services who often use guidance or direct involvement from the Welfare Rights Service as part of this process. The current proposals regarding future delivery of the Welfare Rights Service may affect this process.

Furthermore, the Welfare Rights Service also currently undertake work to raise awareness and take up of their benefit entitlements amongst older people. The current budget proposal relating to the Welfare Rights Service may change this. It is possible that this may also impact on individuals or their families who are self-funders.

The budget decision relating to changes to the Integrated Home Improvements Service will mean that support available to older and disabled people for some types of non-statutory household improvements will no longer be available. It is possible that small

repairs which might previously have been carried out by this service will no longer take place, and where self-funders are spending more time at home, there may be an increased risk of falls or other difficulties. Alternatively it may be mean that people may prioritise getting such work undertaken but it may cost more placing more pressure on household incomes.

### **Question 7 – Identifying Initial Results of Your Analysis**

As a result of the analysis has the original proposal been changed/amended, if so please describe.

Following the results of the consultation it is proposed that the original proposal is revised. That will mean only

- 50% of the proposed increase is brought in on 1 October 2019,
- the remaining 50% will come in from start of April 2020, alongside any other annual increase agreed by the DASS

This will significantly

- reduce the scale of the immediate financial impact on individuals' incomes
- give people longer to make decisions about whether they wish to reduce or end their use of the service
- mean the further increase from April 2020 will occur at the time that pensions are typically uplifted

One additional area of support will be added. This is that if a current service user decides to cease their service a referral will be made for a social care assessment to see if the individual wishes to explore how their needs are able to be met in other ways.

### **Question 8 - Mitigation**

Will any steps be taken to mitigate/reduce any potential adverse effects of the proposal?

It is recognised that the increase of fees after so long could be challenging for self-funders. A number of mitigation activities will be available:

- Should any service user reduce or cancel their service, the centre manager will explore with them and their families/carers other ways the service can be offered including half-day sessions. Should this not prove successful the service manager will refer them to for social care assessment to ensure all options for their support are reviewed.
- Other similar day services are available and provided by the VCFS and independent sector service. Information will be provided on those too

### **Question 9 – Balancing the Proposal/Countervailing Factors**

This weighs up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of the analysis.

Self-funding fees have not been increased since 2014. This proposal is intended to increase fees to the level that they should have been had annual increases been put in place.

Should this proposal not be agreed the difference between the cost of the service and the fee charged to self-funders will only continue to widen over future years. This would lead to the Council continuing to charge self-funders below cost price for the service and pose an increasing risk to the financial viability of the service.

The consultation shows that 27% of consultation respondents agree with the proposal but that 60% disagree. This shows there is a degree of understanding of the predicament facing the council that the council cannot continue to charge below cost price for the service.

It must be acknowledged that for some users (older people and disabled people in protected characteristics terms) the fee increase

could lead to them having to consider reducing their access to the service or cancelling altogether.

This impact may be mitigated by centre managers discussing options of half-day sessions as a possible alternative for those who find the new fees too high but wish to continue attending centres in some way.

Arrangements for sharing information about other services and the potential for relatively rapid but simple responses for social care assessments will need to be in place to support anyone who decides to reduce or cease use of the service or if they need to look at alternative options.

### **Question 10 – Final Proposal**

In summary, what is the final proposal and which groups may be affected and how?

The most significant change is the proposal to phase in the increases to the charges. This is detailed in the recommendations going to Cabinet as below

Cabinet is asked to:

- i) Note the findings from the public consultation set out at Appendix 'A' and the findings and analysis contained in the Equality Impact Assessment set out at Appendix 'B'.
- ii) Approve phased increases to the charges for those older people who pay 'full cost' for council operated day services, with the initial increase taking effect from 1 October 2019 as follows:
  - from £31.30 to £34.40 per full day for older people to use the council's day services

<ul style="list-style-type: none"> <li>• from £35 to £38 per full day for older people to use the council's day services with transport to and from the centres (where transport is available);</li> <li>• from £54.75 to £60.15 for older people who have dementia to use the council's day services, reflecting the additional staff costs to support them to attend and take part; and</li> <li>• from £58 to £63.50 for people who need additional support for dementia to use the council's day services with transport to and from the centres (where transport is available).</li> </ul> <p>iii) Approve a minimum further increase from April 2020 as follows</p> <ul style="list-style-type: none"> <li>• from £34.40 to £37.45 per full day for older people to use the council's day services</li> <li>• from £38 to £41 per full day for older people to use the council's day services with transport to and from the centres (where transport is available);</li> <li>• from £60.15 to £65.50 per full day for older people who have dementia to use the council's day services, reflecting the additional staff costs to support them to attend and take part; and</li> <li>• from £63.50 to £69 per full day for people who need additional support for dementia to use the council's day services with transport to and from the centres (where transport is available).</li> </ul> <p>iv) Authorise the Statutory Director of Adult Services, in consultation with the Director of Finance and the Cabinet Member for Adult Services to approve any further annual increases in charges for self-funders from 2020/21 onwards, on the basis that the charges should be reviewed each year and adjusted to reflect the actual cost of delivery of the council's day services.</p>	
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### **Question 11 – Review and Monitoring Arrangements**

What arrangements will be put in place to review and monitor the effects of this proposal?

If the fee increase is approved a project team will be formed and lead by the Head of Older People's Services and appropriate team managers.

Regular feedback will be obtained to monitor the impact of this proposal.

Equality Analysis Prepared By Chris Bagshaw

Position/Role Head of Older People's Care Services

Equality Analysis Endorsed by Line Manager and/or Service Head

Tony Pounder, Director of Adult Services

Decision Signed Off By

Cabinet Member or Director

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