



Equality Analysis Toolkit

Short Breaks

For Decision Making Items

Autumn 2023



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

To remove the current cap on charges for residential short breaks. The cap is currently £116.20 per week. This would mean that people who receive residential short breaks and have over £23,250 in savings would pay the full cost of their residential respite care. Some people will pay more than the cap but not the full cost, dependent on their assessed income and ability to contribute.

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?

The proposal will likely affect people who:

- are determined eligible for short breaks following a social care assessment and who choose to receive residential short breaks
- choose to receive residential short breaks and have under £23,250 in savings will pay an assessed charge based on a financial assessment, this may be more or less than the current capped rate.
- choose to receive residential short breaks and have over £23,250 in savings will be affected by the removal of the capped charge. They will have to pay for the full cost of the residential respite care, as will anyone assessed as a full cost payer.

People who use other forms of short breaks (short breaks provided in their own homes) are not affected by this proposal

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 majority of self-funders are older people and this is the main group affected by this change under the 'Age' protected characteristics.

The removal of the current cap of charges for residential short breaks will affect all people who receive residential short breaks and have over £23,250 in savings, or who are financially assessed to pay more than the current capped rate.

As people who receive residential short breaks have to have a social care assessment to determine that they are eligible for the service it is more likely to affect people with a disability or older people who have eligible social care needs.

Carers may also be affected by the removal of the current cap on charges as the person they care for, who has over £23,250 in savings, may choose not to receive residential short breaks due to the increased costs they will be charged. This could mean that carers don't receive the required support they need to sustain their caring role.

There is a potential impact on the domiciliary care market if people opt for domiciliary short breaks instead as there is limited capacity in this market and it could result in carers not getting regular access to short breaks when needed.

Question 4 – Engagement/Consultation

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

This proposal is in line with the Care Act 2014 which states that a person must be financially assessed for their contribution towards their care and support services, therefore, no consultation has been undertaken, the county council contacted the 600-700 people receiving Short Breaks, to inform them of the proposed change to the short breaks charging policy and introduction of means tested financial assessments and capped charge.

Following agreement of the proposed policy and removal of the capped charge, a further letter will be sent to users of residential short breaks to inform them of the changes.

It is expected that:

- Around 60 full cost paying cared for people per year will see an increase in their charge by an average c£300-£400 per week of respite.
- Around 30 cared for people per year will see an increase in their charge by an average c£80 per week of respite.
- All other users of residential short breaks will see no change or a reduction in their contribution.

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;

There is likely to be a greater impact on people with disabilities and older people who have over £23,250 in savings. It could also impact carers.

The proposal will disadvantage these groups of people as they are more likely to have eligible care and support needs and require residential short breaks care. The removal of the current cap on residential short breaks could lead to those affected choosing not to receive residential short breaks due to the increased costs. This could consequently affect carers as they may be at risk of not receiving the required support to enable them to sustain their caring role.

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?

The increased cost of living could exacerbate the impact as those affected would be experiencing increased costs in other parts of their life.

Also, the recent decision to charge for Telecare from April 2023 may have an impact as many carers use Telecare as support and may not opt-in to the Telecare service or find this an additional financial strain.

In addition, people with disabilities incur additional daily living costs, associated with their needs, such as increased needs around laundry and central heating. Carers are restricted from working full time and older carers in receipt of their pension can not claim Carers Allowance.

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.

Although an impact has been identified on a number of groups the proposal to remove the capped charge is felt necessary due to the increased cost pressures the council is facing and the need to make financial savings.

Also, following a decision from The [Local Government & Social Care Ombudsman in February 2021](#), where a Council's fixed charge for short-term residential short breaks was not in line with statutory guidance, has also triggered this proposal.



Question 8 - Mitigation

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

People who have over £23,250 will be fully informed that they will have to pay the full cost of their residential short breaks care prior to making a decision to proceed. If they decide not to proceed alternative options will to be discussed for example, day services, some form of help in their home or support from family and friends.

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.

It is acknowledged that if the proposal is agreed it could adversely impact some people from the disability and age (older people) protected characteristics groups as they may be required to pay more for assessed short breaks. The removal of the capped charge for residential short breaks is required due to the council's increased financial pressures and the need to make cost savings. The removal also brings the provision of short breaks in line with other care and support services, where self-funders and full-cost payers, contribute to the full cost of that support.

Question 10 – Final Proposal

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

The final proposal is to remove the capped charge for residential short breaks. People with disabilities, older people who have eligible care and support needs and carers will be more likely to be affected. The proposal will affect those who have £23,250 in savings, or who are assessed as full-cost payers, as it will mean that they have to pay the full cost, or more than the current cap, for their residential short break.

Question 11 – Review and Monitoring Arrangements

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

The short break service will be monitoring the impact of this proposal through feedback from operational teams, complaints and VIPs, through short break numbers (these may reduce) and potentially feedback through the carers service. Feedback following financial assessments on any impact will also be monitored. The proposal will be reviewed in 6 months following implementation in September 2023.



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Equality Analysis Endorsed by Line Manager and/or Service Head Ian Crabtree, Director of Adult Community Social Care

Decision Signed Off By

Cabinet Member or Director

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