

Stage 1 Equality Impact Assessment – Initial Screening

Assessor(s) Name(s):	Catherine Smith-Ivory Matt Porter
Directorate:	Community Wellbeing and Social Care Directorate
Date of Completion:	8 th May 2017

Name of Policy/Strategy/Service/Function Proposal

Direct Payment Personal Budget Policy

The Care Act 2014 placed personal budgets into law for the first time and gave individuals who have been assessed as having eligible social care needs the right to receive care and support via a direct payment.

The previous Personal Budget Policy (v3.3 May 2015) has been rewritten and renamed in light of new leadership in Adult Social Care.

The objective of updating the policy is to explain the way in which the Isle of Wight Council (IWC) manage direct payment personal budgets, what they are, who can receive them, how needs will be identified, what direct payments can and cannot be spent on and how individuals can complaint or Appeal if they are unhappy.

The Aims, Objectives and Expected Outcomes:

The Direct Payment Personal Budget Policy provides advice and practical guidance on the council's position regarding direct payment personal budgets. It also explains the legal position, the internal process of social care workers assessing and identifying individual needs.

The policy has been refreshed to explain to individuals using social care services and those who support them.

- This is an updated policy
(An equality impact assessment was previously carried out on 21/05/15)

Key Questions to Consider in Assessing Potential Impact	
Will the policy, strategy, service or council function proposal have a negative impact on any of the protected characteristics or other reasons that are relevant issues for the local community and/or staff?	No
Has previous consultation identified this issue as important or highlighted negative impact and/or we have created a "legitimate expectation" for consultation to take place? A legitimate expectation may be created when we have consulted on similar issues in the past or if we have ever given an indication that we would consult in such situations	No
Do different groups of people within the local community have different needs or experiences in the area this issue relates to?	Yes
Could the aims of these proposals be in conflict with the council's general duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not?	No
Will the proposal have a significant effect on how services or a council function/s is/are delivered?	Yes
Will the proposal have a significant effect on how other organisations operate?	No
Does the proposal involve a significant commitment of resources?	No
Does the proposal relate to an area where there are known inequalities?	No
<p>If you answer Yes to any of these questions, it will be necessary for you to proceed to a full Equality Impact Assessment after you have completed the rest of this initial screening form.</p> <p>If you answer No to all of these questions, please provide appropriate evidence using the table below and complete the evidence considerations box and obtain sign off from your Head of Service.</p>	

Protected Characteristics	Positive	Negative	No impact	Reasons										
Age			✓	<p>The following graph relates to individuals who received a direct payment personal budget in the Community between the time period 01/04/16 and 01/04/17.</p> <table border="1"> <thead> <tr> <th>Age Group</th> <th>Community</th> </tr> </thead> <tbody> <tr> <td>18-49</td> <td>386</td> </tr> <tr> <td>50-64</td> <td>165</td> </tr> <tr> <td>65+</td> <td>269</td> </tr> <tr> <td>Grand Total</td> <td>820</td> </tr> </tbody> </table>	Age Group	Community	18-49	386	50-64	165	65+	269	Grand Total	820
Age Group	Community													
18-49	386													
50-64	165													
65+	269													
Grand Total	820													
Disability			✓	The Policy does not discriminate against any particular protected characteristic, however due to the fact that there is a high proportion of people with disabilities who will be in receipt of a personal budget, it will have a greater impact on this group.										
Gender Reassignment			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										
Marriage & Civil Partnership			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										
Pregnancy & Maternity			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										
Race			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										
Religion / Belief			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										
Sex (male / female)			✓	<p>The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.</p> <p>The following graph relates to individuals who received a direct payment personal budget in the Community between the time period 01/04/16 and 01/04/17.</p> <table border="1"> <thead> <tr> <th>Age Group</th> <th>Community</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>424</td> </tr> <tr> <td>Male</td> <td>396</td> </tr> <tr> <td>Grand Total</td> <td>820</td> </tr> </tbody> </table>	Age Group	Community	Female	424	Male	396	Grand Total	820		
Age Group	Community													
Female	424													
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Grand Total	820													
Sexual Orientation			✓	The Policy does not discriminate against any particular protected characteristic and it is not anticipated that there will be any impact on this protected characteristic.										

Are there aspects of the proposal that contribute to or improve the opportunity for equality?	Yes
<i>If answered Yes, describe what these are and how they may be promoted or enhanced</i>	
The IWC wish to explain to all individuals (irregardless of protected characteristic) the principles required for receiving a direct payment personal budget and their position to managing them.	

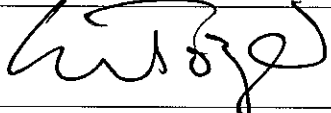
Evidence Considered During Screening

The policy has been updated using guidance under the Care Act 2014 & Social Care Institute for Excellence (SCIE).

Existing personal budget process maps and all supporting documentation have been refreshed in line with the updated policy.

Discussions were carried out with the Deputy Director of Social Services and Adult Social Care senior managers. Training sessions were carried out in March and April 2017 to train staff on their responsibilities regarding Direct Payments Personal Budgets.

An Officer Decision Record (ODR) has been completed during the formation of this Policy.

Head of Service Sign off:	Carol Tozer  11/5/17
Advice sought from Legal Services (Name)	Helen Miles
Date	

Stage 2 Full Equality Impact Assessment

Assessor(s)Name(s):	Catherine Smith-Ivory Matt Porter
Directorate:	Community Wellbeing and Social Care Directorate
Date of Completion:	8 th May 2017

Name of Policy/Strategy/Service/Function Proposal

Personal Budget Policy including Direct Payment Personal Budgets

The Care Act 2014 placed personal budgets into law for the first time and gave individuals who have been assessed as having eligible social care needs the right to receive care and support via a direct payment.

The previous Personal Budget Policy (v3.3 May 2015) has been rewritten and renamed in light of new leadership in Adult Social Care.

The objective of updating the policy is to explain the way in which the Isle of Wight Council (IWC) manage direct payment personal budgets, what they are, who can receive them, how needs will be identified, what direct payments can and cannot be spent on and how individuals can complaint or Appeal if they are unhappy.

The Aims, Objectives and Expected Outcomes:

Personal Budgets were first introduced widely as a result of the Government's paper *Putting People First*, with the approach being subsequently reinforced by the publication of both *A Vision for Adult Social Care: Capable Communities and Active Citizens*¹, *Think Local, Act Personal* and the *Care Act*. The *Care Act* then brought Personal Budgets into law for the first time.

A Direct Payment Personal Budget is the amount of money the Isle of Wight Council has assessed is necessary to meet an individual's eligible social care needs and can be delivered in a variety of ways. A direct payment gives the individual choice and control over how their eligible needs are met, including purchasing and arranging assistance or services for things that are important in their life. It allows them to use the funds to achieve the outcomes identified in the agreed Independence Plan.

The Direct Payment Personal Budget Policy provides advice and practical guidance on the operation of direct payment personal budgets. It also explains to individuals the council's legal position, internal practice and assessing and identifying individual needs.

The policy has been refreshed to explain to all individuals using social care services and those who support them.

Please delete as appropriate:

- This is an updated policy
(An equality impact assessment was previously carried out on 21/05/15)

Scope of the Equality Impact Assessment

On 17/04/15 a public engagement event (*Care Act* launch) was held at the Riverside, Newport and included representation from the following stakeholders:

- Service Users
- Carers
- Patients
- The Isle of Wight Council
- Southern Advocacy
- Councillors
- Hearing Service
- Carers Isle of Wight
- Social care employees
- Third sector organisations
- Commissioners?
- Independent Advocates

- Solicitors.

In March/April 2017 further discussions took place with the Deputy Director of Social Services and Adult Social Care Managers.

Analysis and assessment

Direct Payment Personal Budgets are an important part of a person-centred care and support system. They enable individuals more choice and control over how their eligible needs are met, including purchasing and arranging assistance or services for things that are important in their life.

This policy updates and clarifies the council's approach to direct payments personal budgets in order to meet these aspirations and comply with the Care Act 2014. No negative impacts were identified.

Recommendations

- Yearly review of policy.

Action/Improvement Plan

The table below should be completed using the information from your equality impact assessment to produce an action plan for the implementation of the proposals to:

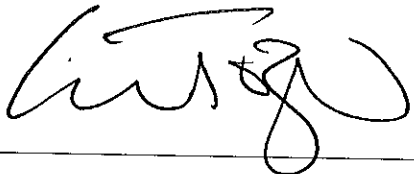
1. Remove or lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Age	No impact			The process will be applied equitably to ensure that we meet the needs of the diverse range of people aged over 18 years of age who meet the criteria for this particular policy regardless of their age.
Disability	No impact			The process will be applied equitably to ensure that we meet the needs of the diverse range of people who meet the criteria regardless of their disability.
Gender Reassignment	No impact			The policy will ensure that procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's status with regard to gender reassignment.
Marriage & Civil Partnership	No impact			The policy will ensure that the procedures followed and decision made are carried out in a consistent

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
				and transparent manner and applied with equity irrespective of a person's marriage or civil partnership status.
Pregnancy & Maternity	No impact			The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's pregnancy or maternity status.
Race	No impact			The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's race or ethnic background.
Religion / Belief	No impact			The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's religion or belief.
Sex (male or female)	No impact			The policy will ensure that the procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's gender.
Sexual Orientation	No impact			The policy will ensure that procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's sexual orientation.
HR & workforce issues	No impact			The policy will ensure that procedures followed and decision made are carried out in a consistent

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Human Rights implications if relevant	No impact			and transparent manner and applied with equity irrespective of a person's HR and workforce issues. The policy will ensure that procedures followed and decision made are carried out in a consistent and transparent manner and applied with equity irrespective of a person's Human Rights.
Please remember - actions should have SMART targets and be reported to the Diversity Board (this should be done via your Directorate representative) and incorporated into your service/team Plans and /or objectives of key staff				

Summary

Date of Assessment:	11TH MAY 2017
Signed off by Head of Service/Director	Carol Tozer 
Review date	June 2018
Date published	12TH MAY 2017

This Policy can be located on iwight.com under the documents library, under 'D' and named Direct Payment Personal Budget Policy.

An Officer Decision Record (ODR) has also been completed and is filed within Adult Social Care's ICT system.