

Equality Impact Assessment – Residential and Nursing

Section 1:

EIA lead Officer: Simon Filingham

Email address: simonfilingham@wirral.gov.uk

Head of Section: Jacqui Evans

Chief Officer: Graham Hodkinson

Directorate: Adult Social Services

Date: 28th February 2017

Section 2: What Council proposal is being assessed? – **PHASE 2**

Proposed fees to be paid by the Council to independent sector residential and nursing homes.

Section 2a: Will this EIA be submitted to a Cabinet or Policy & Performance Committee?

Yes / ~~No~~ If 'yes' please state which meeting and what date

Cabinet – March 2017

Adult Social Services

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2014/families>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

Services – The aim of the fee setting process is to ensure there are sufficient places available to accommodate demand and choice to meet the needs of people assessed as requiring residential or nursing care in Wirral.

The workforce

Communities

Other (Providers)

If you have ticked one or more of above, please go to section 4.

None (please stop here and email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing)

Section 4:

Could the proposal have a positive or negative impact on any protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
Older people and disabled	<p>Positive</p> <p>The proposals being considered represent an increase in the contribution paid by DASS for all fees and therefore represent continued additional investment in market by the Council.</p> <p>The proposal establishes clearly the usual terms and conditions of the Council with a single set of fees so that service users, their families and home owners understand the market.</p> <p>The proposed increase in fees could make the provision of respite for people with residential needs more attractive to home owners.</p>	<p>Review of costs supplied by providers.</p> <p>Consultation with providers</p> <p>Communication – providers have been kept informed along the way.</p> <p>Monitoring of the market to consider top ups being paid</p> <p>Homes have to comply with CQC.</p> <p>Regular checks are carried out by Council staff on the quality being provided.</p>	Jacqui Evans	Immediate	None

	<p>Nursing Homes receive an additional FNC payment.</p> <p>Increases in fees could increase the number of beds available to the Council for those in need of residential and nursing care with and without dementia, therefore increasing choice for individuals and their families.</p> <p>Cost model being used provides transparency to the market.</p> <p>Negative</p> <p>Providers may consider rise to not be reasonable.</p> <p>Top Ups may become more prevalent in the market place and providers may use this method to receive higher fees for the service being provided.</p> <p>Homes may be at a greater risk of closure as rates paid do not keep up with the cost of running a care home.</p> <p>Quality of care may suffer because of squeeze on price.</p> <p>Homes may choose to terminate the residency of service users that are council funded. Reasons for taking this action may include a preference to accommodate private clients only at a higher fee or the absence or</p>	<p>Consideration of vacancies – ensuring sufficient beds in the market place.</p> <p>Incentivising the EMI marketplace.</p>			
--	--	---	--	--	--

	<p>default of a third party contribution. We have no evidence that this has occurred in practice.</p> <p>Council may be required to assist service users to choose alternative accommodation. Moving individuals can be detrimental to the health and wellbeing of the individual</p> <p>Concerns about choice at the contract price being offered for EMI</p>				

Section 4a: Where and how will the above actions be monitored?

DASS will monitor providers and service users and ensure care is being provided at council usual rate.

Actively managing the provider top up market for service users will assist in the process.

Review of vacant bed spaces to ensure sufficient capacity at Council rates.

Review of the quality of care is carried out by CQC as well as the Council.

Section 4b: If you think there is no negative impact, what is your reasoning behind this?

Negative impacts are included.

Section 5: What research / data / information have you used in support of this process?

Benchmarking has been carried out with other authorities in the North West.

Consultation with providers, providers have supplied their own unverified data into the process.

Section 6: Are you intending to carry out any consultation with regard to this Council proposal?

Yes / ~~No~~ – (please delete as appropriate)

If 'yes' please continue to section 7.

If 'no' please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing)

Section 7: How will consultation take place and by when?

Home Owner Consultation

Consultation commenced in January 2017 with an end date of 20th February 2017

The Council has engaged with Care Home Providers' and this has taken a number of forms involving seeking direct input from Care Home Providers, responding to enquiries and offer of dedicated Provider Forum meetings. The process of consultation has endeavoured to distil and apply learning from previous experiences relating to Fee Setting. This recognises that this work has been continuous in nature given the need to determine Fee levels on an annual basis.

Service Users and their families have not been consulted with as it is felt this would not be appropriate. Fees are offered to potential providers of care, if care homes that have Council placed service users refuse the fee then arrangements will be made to review the requirements of the service user potentially being moved.

Before you complete your consultation, please email your preliminary EIA to engage@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal publishing requirements. The EIA will need to be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 4. Then email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing.

Section 8: Have you remembered to:

- a) **Select appropriate directorate hyperlink to where your EIA is/will be published** (section 2a)
- b) **Include any potential positive impacts as well as negative impacts?** (section 4)
- c) **Send this EIA to engage@wirral.gov.uk via your Chief Officer?**
- d) **Review section 4 once consultation has taken place and sent your updated EIA to engage@wirral.gov.uk via your Chief Officer for re-publishing?**