

Summary Fair Treatment Assessment (FTA)

Area for Assessment:	
Name of service or function etc	Fairer Contribution Policy – For Non-Residential Adult Social Care Services
Which Service does this affect?	Adult Services
Is this a new, existing or revised function?	Revised function
Summary of findings:	
Main conclusions on the likely impact of the function on different equality groups (protected characteristics):	
<p>Adult social care services are delivered to some of the most vulnerable people in the Borough. As part of the transformation of adult social care, the Council is committed to giving individuals more choice and control over how their social care needs are met. In order for this to happen, there need to be changes made to the current charging policy.</p> <p>The proposed changes are designed to remove current and potential inequalities to ensure that everyone is treated in a fair and consistent manner. The move towards full cost charging will also support the personalisation agenda.</p> <p>A 12 week public consultation was undertaken in which 2,800 service users were contacted directly and invited to participate in the consultation. In addition, 42 stakeholders were also invited to participate, as well as the voluntary sector, members of the public and Healthier Communities Scrutiny Board. The consultation included face to face and written briefings to staff; face to face briefings, letters, information and a survey to service users, their families and carers; press release and website information for members of the public; advice line and email for comments; article in SUSTAIN bulletin (a Solihull based voluntary sector magazine) to raise awareness in voluntary sector; drop in sessions for anyone to attend.</p> <p>This Fair Treatment Assessment has found that there is a potential negative differential impact on socio/economic grounds when income is calculated. Previously, all income from earnings was disregarded but under the new proposals, earnings from employment will be disregarded in line with Department of Work and Pensions higher Permitted Earnings disregard. This will mean that those with a higher income will be expected to contribute towards the cost of the services they receive, which may mean they are financially worse off. However, this is one of the ways to ensure that people who develop needs in the future are able to be provided with the support they are assessed as needing. All service users receive a financial assessment and are only asked to contribute what they are able to afford. When appropriate, the Council will put people in touch with relevant agencies where independent advice regarding maximising income can be obtained.</p> <p>There is the possibility of a negative impact on informal carers. If a service user is assessed as being able to contribute more than they currently do, and the service user then decides not to accept services, this could cause additional pressure on informal carers. However, carers are entitled to ask for an assessment of their needs and increased advice and information support is available to service users, families and carers. The introduction of Personal Budgets also means that service users are increasingly able to choose the way in which their support is provided by moving away from traditional services towards more individualised support.</p>	

When assessing couples, the Council will assess using joint income and capital. Exceptionally, service users may be assessed as a single person if they can demonstrate that they maintain entirely separate household budgets and do not pool their financial resources in any way. A spouse or partner is not obliged to disclose their own resources should they choose not to but this may result in the service user being required to pay for the full cost of any service provided. However, service users will have a right to have their assessment reviewed and information and advice will be provided to service users to enable them to make informed decisions.

The revised policy takes full account of national guidance issued by the Department of Health – “*Fairer Charging Policies for Home Care and other non-residential Social Services: Guidance for Councils with Social Services Responsibilities (2003)*” and “*Fairer Contributions guidance: calculating an individual’s contribution to their personal budget (2009)*”. The financial assessment disregards Income Support or Pension Credit Guarantee plus 25% as “Protected Income”. This will ensure that only those who are able to, will be asked to contribute towards the cost of the services they receive.

The revised policy will contribute towards the safeguarding of vulnerable adults because it contains specific guidance regarding service users giving consent for someone else to manage their financial affairs. The financial assessment is undertaken by trained staff who are able to raise any concerns regarding potential abuse in line with Council guidelines. Solihull Council has also signed up to the Safeguarding Adults Multi Agency Procedures 2010, along with other key partners, to ensure good practice and the timely sharing of relevant information.

The proposed changes to the Fairer Contribution Policy will ensure a clear and transparent approach to charges for Adult Social Care so that everyone is treated in a fair and consistent manner. By protecting those on the lowest income, the policy will promote community cohesion and help prevent social exclusion of those people on the lowest income and therefore, will not contradict Government policy on promoting independence and social inclusion.

The Council needs to consider the wider longer-term economic, social and environmental impacts of the services it provides. The revision of the Fairer Contribution Policy will help to ensure that the financial pressures faced by the Council should not result in the withdrawal of services or restrict them to a smaller cohort of people i.e. those with the greatest need. By being open and honest about the reasons for the revision of the policy, service users and the wider community are assured that the Council is making best use of public money.

The Council has a statutory duty to provide care services in line with assessed need, taking into account an individual’s human rights. The financial assessment will ensure that those on the lowest income will be protected and that no one will be excluded from receiving services to meet their assessed need, because they lack the ability to pay charges from income or savings.

Actions:

Actions identified to address negative impacts identified or to better promote equality, human rights, cohesive and sustainable communities and safeguarding issues

Action	Outcome	Timescale
Implement a monitoring system	To measure any likely future impact	March 2012
Monitor the outcome and equality profiles of financial assessments of service users	Understand the impact on service users of the implementation of the policy	March 2012
Provide advice, information and	Ensure fairness so service users are only	March 2012

signposting to support service users to maximise their income	asked to contribute what they can afford	
Monitor the outcome of the provision of advice and information to support service users, families and carers to maximise income	To determine if any mitigating actions need to be considered in the delivery of the policy	March 2012
Monitor the activity of the appeals and complaints procedure	To determine if the new policy implementation is effective	March 2012
Date Assessment Signed Off	July 2011	