

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – 1 FEBRUARY 2022

CONTRIBUTIONS POLICY-NON-RESIDENTIAL CARE SERVICES- ANNUAL UPDATE

REPORT BY GAIL SMITH, CHIEF INTEGRATION OFFICER

ABSTRACT

This report provides an update to the Committee regarding the Contributions Policy for Non-Residential Social Care Services.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) Agree the recommendations contained within, and adopt as policy, the COSLA National Strategy and Guidance on Charges Applying to Social Care Support for people at home 2021/2022.
- (ii) Agree to the updates contained in the Contributions Policy attached as an Appendix to this report which implements and supplements locally the Strategy and Guidance referred to in (i) above.

2. ALIGNMENT TO THE COUNCIL PLAN

2.1 This report contributes to the following local outcome contained within the Angus Community Plan 2017 – 2030:

- Improved physical, mental and emotional health, and wellbeing

It also contributes to policy implementation within the Angus IJB's Strategic Plan, namely the priority to maintain people at home for as long as it is possible, including by the provision of care at home.

3. BACKGROUND

- (i) Section 87 of the Social Work (Scotland) Act 1968 permits a local authority providing social care services under that Act or under other defined legislation to recover such charges as they consider reasonable. Charges for relevant residential accommodation are regulated by the National Assistance Act 1948.
- (ii) Given the above, a local authority has a degree of discretion in the way it charges for non-residential social care services. Scottish Government Guidance has been issued to local authorities to assist them in determining charging policies. In addition, and since 2002, COSLA has regularly produced and updated a National Strategy and Guidance in relation to Charges Applying to Non-residential Social Care Services.

https://www.cosla.gov.uk/__data/assets/pdf_file/0021/23547/2021-22-COSLA-Charging-Policy-for-Social-Care-Support.pdf

- (iii) The Public Bodies (Joint Working) (Scotland) Act 2014 required local authorities to delegate their social care functions to their local IJB. However, the function of determining charges for non-residential accommodation services was not delegated to the IJB and remains with Angus Council. Angus Council have always charged for non-residential social care services. It's policies have been closely based on the COSLA Strategy and Guidance referred to above. Work has previously been undertaken to consolidate the Council's local policies which implement and supplement the COSLA Strategy and Guidance into a consolidated local policy. A copy of the updated consolidated Contributions Policy is attached as Appendix 2 to this report.

4. CURRENT POSITION

- (i) The Contributions Policy for Non-Residential Social Care Services (Contributions Policy) was approved by Angus Council in 2020. The intention was that this Contributions Policy would be re-approved annually by the Council. For 2021/22 this has been delayed due to COVID-19 implications. This update is for 2021/22. In future it is anticipated updates will be provided to the Policy and Resources Committee on an annual basis in the first quarter of every financial year.

5. PROPOSALS

- (i) COSLA has issued Guidance on Charges Applying to Social Care Support for people at home 2021/22. This guidance is updated annually and issued to all local authorities to implement any changes that are required to be made to local charging policies and procedures.
- (ii) The Contributions Policy needs to be updated to reflect any changes that the Angus Health and Social Care Partnership and Angus Council need to make to reflect the changes in charges for non-residential support and care services.
- (iii) The Contribution Policy has been updated to reflect the changes to the charging thresholds for individuals over 60 and under 60 years old, as well as for couples (see appendix 2). These specific changes can be found at appendix 3 of the policy itself(attached at appendix 2 to this report). There are no other changes to be made to the Policy.

6. FINANCIAL IMPLICATIONS

The effect of this update is limited to progressing adjustments largely linked to inflationary changes.

7. OTHER IMPLICATIONS (IF APPLICABLE)

Minimal other implications.

8. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been carried out and is attached at appendix 1.

9. CONSULTATION

Not applicable as there are no substantive change to the policy.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 : Equalities Impact Assessment

Appendix 2 : Updated Angus Council Contributions Policy



Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions): **CONTRIBUTIONS POLICY-NON-RESIDENTIAL CARE SERVICES- ANNUAL UPDATE**

Step 2

Is this only a **screening** Equality Impact Assessment

YES/No

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

- | | |
|--|---------------|
| (i) It does not impact on people | Yes/No |
| (ii) It is a percentage increase in fees which has no differential impact on protected characteristics | <u>YES/No</u> |
| (iii) It is for information only | Yes/No |
| (iv) It is reflective e.g. of budget spend over a financial year | Yes/No |
| (v) It is technical | Yes/No |

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment	Yes/No
Is this a Fairer Scotland Duty Assessment	Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.
If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) *Lead Directorate/Service:*

(ii) Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

(iii) What is the aim of the proposal? Please give full details.

(iv) Is it a new proposal? Yes/No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes/No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees Yes/No

Job Applicants Yes/No

Service users Yes/No

Members of the public Yes/No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact

Disability

Impact

Gender reassignment

Impact

Marriage and Civil Partnership

Impact

Pregnancy/Maternity

Impact

Race - (includes Gypsy Travellers)

Impact

Religion or Belief

Impact

Sex

Impact

Sexual orientation

Impact

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Step 10: If a potentially negative impact has been identified, please state below the justification.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Step 13: FAIRER SCOTLAND DUTY

*This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.*

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from Covid-19.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future).

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport)).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Alexander Berry, Chief Finance Officer AHSCP. January 2022

Reviewed by: Vivienne Davidson, Principal Officer AHSCP. January 2022

Approved by: George Bowie, Head of Service AHSCP. January 2022

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
