

## Community Impact Assessment The Care Act

Community Impact assessments (CIAs) should be used whenever there is a policy or service change. The template will enable staff to record how they have taken account of the following essential areas within proposals;

- Strategic Priorities
- Public Sector Equality Duty
- Health inequalities
- Rural issues
- Climate change

The Public Sector Equality Duty is a legal requirement and must be applied in all that we do, and in particular whenever there are changes.

**Name of proposal:**  
**The Care Act**

**State here which of the County Council priorities the proposal will deliver against:**

The Care Act supports the County Council's vision for a connected Staffordshire by ensuring that we have the appropriate prevention, assessment and financial mechanisms in place to support people's independence when they become frail or elderly. These mechanisms will be inter-agency and will reflect the wider commissioning ethos of the authority.

- In terms of Prosperity, the Care Act, through a better approach to the provision of Adult Social Care, will support the long term sustainability of the Council and underpin the expansion and investment in the Care Market, creating jobs and wider economic growth.
- In terms of supporting the people of Staffordshire to be healthier and more independent, the underpinning principle of the Care Act is the promotion of health and wellbeing to prevent, reduce or delay the need for care and support, focusing on keeping people as independent as possible through prevention and early intervention. Comprehensive information and advice will enable individuals to make early informed choices about their care and support; those entering the care system will do so through clear pathways and be able to choose how their care and support needs are met through a range of commissioned support or direct payment.
- The Care Act will support people of Staffordshire to feel safer, happier and more supported in and by their community. Staffordshire Cares will enable access to comprehensive information, advice and guidance so that individuals will be able to choose how they are supported to stay as independent as possible. The Staffordshire Marketplace will enable individuals, including carers, to view the support available within their local community; this will include universal and preventative services including local support groups.

The Care Act will also support the aims of the 7 key areas of activity laid out in the Business plan.

Great Place – The Care Act will support Staffordshire County Council to commission a range of support for individuals including Extra Care facilities and Dementia Centres of Excellence. A universal Deferred Payments Scheme will ensure that individuals who move into long term residential or nursing care have the choice to retain ownership of their home.

Living well – The Care Act promotes choice, control and personalised care for all individuals. An outcome based needs assessment will ensure that individuals' views, needs and wishes are placed at the centre.

Resilient communities – The Care Act will fundamentally reflect our approach to prevention and early

intervention, focusing on a person's strengths and network of support including that of families, local people and communities to help themselves and each other.

Best Start – The Council's approach to Early Years will underpin a transformation in the support for families, creating a strong, positive undercurrent for outcomes later in life. In addition, the Care Act will ensure that those born with lifelong disabilities are able to fully engage with society whilst their care needs are being met.

Ready for life – The Act will support people to maintain an active lifestyle and engaged citizenship is crucial to supporting overall health and wellbeing and empowering individuals to prevent, delay or reduce their own care needs from arising.

Right for Business – The Care Act requires the Council to understand the local care market and facilitate market development. This supports the Council to meet its overall approach to prosperity by creating the right conditions for business to grow, develop and invest in our local care markets. This will underpin the provision of high quality services that the Council can commission, whilst creating and sustaining job opportunities for local people.

Enjoying life – The Act places a duty on the Council to establish and maintain information and advice to promote people's wellbeing. This will support active lifestyles which maximise the use of the County's cultural offer.

**Project lead: (s)**

Nichola Glover-Edge  
Bev Jocelyn  
Helen Trousdale  
John Darnbrook

**Names of other officers involved**

The Care Act Steering Group

**Date: October 2014**

**Executive summary of the assessment**

**Signature**

Nichola Glover-Edge, County Commissioner for Inclusion and Wellbeing

**Preparing the Executive Summary**

**1. Describe in summary the aims, objectives and purpose of the proposal, including desired outcomes.**

**Background**

The Care Act 2014 represents the single largest consolidation and adjustment of Care and Health legislation in England since the current system was established through the National Assistance Act 1948 it seeks to make it clear what kind of care and support people should expect and change the way we care for people. The Care Act is being implemented through a robust project management approach governed by a Care Act Co-ordination Group to which a number of work streams report.

The Care Act will have an impact on a range of care and support activities, primarily in Adult Social Care but extending to other areas too. The likely benefits of a well-implemented Act are:-

- 1) Continued access to a Sustainable Health and Social Care System

- 2) Better integration with the NHS, Housing and other services will achieve integrated Care and Support that is person centred and tailored to the needs and preferences of individuals.
- 3) Considering the physical, mental and emotional wellbeing of individuals needing care and taking steps to prevent, reduce or delay their need for care and support; focusing on keeping people as independent as possible through prevention and early intervention.
- 4) Changes to how people pay for their care and support including a cap on the maximum lifetime costs people will pay for their care and a Deferred Payment Scheme that will protect individuals from having to sell their property if they are admitted into long term care.
- 5) Carers put on the same legal footing as the people they care for, with extended rights to assessment and new entitlements to support to meet their eligible needs.
- 6) Make the care and support system clearer and fairer for those who need it; a single national threshold for eligibility for Care and Support and a guarantee of continuity of care for people who move between areas
- 7) People will have clearer information and advice to help them navigate the system.
- 8) Access to a more diverse, high quality range of support to choose from to meet people's needs.
- 9) Increased ability to protect vulnerable adults through:-
  - a. Duty to enquire
  - b. Duty to learn lessons from cases that go wrong
  - c. Duty of all organisations to provide information
  - d. Statutory footing for safeguarding boards

### **Current Position**

Adult Social Care in Staffordshire has changed significantly over the last few years, primarily with the establishment of a Commissioner Provider model that has seen the creation of the Integrated Health and Social Care Trust, Staffordshire and Stoke on Trent Partnership Trust (SSOTP). The County Council has a Section 75 agreement with SSOTP as well as with two Mental Health Trusts: North Staffs and South Staffordshire and Shropshire Foundation Trust (SSSFT). This does mean that a significant amount of co-production needs to take place to ensure that all of our partners and the County Council are fully compliant with the Care Act. The legislation makes it clear that the County Council will retain the ultimate responsibility for any delegated functions and must ensure that their legal obligations are met.

The County Council, through the application of best practice, is already compliant in many areas of the Act. However, there is a need to make changes to policy, practice, training and other areas to ensure full compliance with all areas of the legislation.

The Care Act Project currently has an Executive Sponsor (Eric Robinson), Operational Sponsor (Martin Samuels) and Transformation Project Manager (John Darnbrook). There is a Provider Liaison Group sitting under the Health and Wellbeing Board which is linked in to the project and has representatives from each of the major providers. This group will oversee work being completed by providers to be ready for the Act. The project is primarily made up of seven different work streams all of which have a range of deliverables to produce in order for the Council to be ready for the Care Act These work streams are; 1) Policy, Regulations and Communications, 2) Assessment, Eligibility and Support Planning, 3) Finance, 4) IAG, Advocacy and Prevention, 5) Workforce and Care Markets, 6) Safeguarding & Quality, 7) ICT. Officers from all organisations are invited to those work streams as appropriate and it is through this structure that the vast majority of work will be completed.

### **Key Considerations**

There are a number of key considerations that need to be taken into account when analysing the impact of the Care Act in Staffordshire. These include:-

- Central Government Legislative Requirements
- Section 75 Agreements and the Commissioner-Provider Relationship
- The Council's Prevention Agenda

- Financial implications of implementing the Act and the ongoing delivery costs

## **Next Steps**

If Cabinet agree that the approach to implementing the Care Act is acceptable, the next steps are to:

- As appropriate, refresh and consult on a range of existing policies, including but not necessarily limited to:-
  - a. Prisons and approved premises policy
  - b. Delayed Transfers and Pathways Policy
  - c. Charging/Partnership for Care/Contributions Policy
  - d. Carers Policy
  - e. Mental Health Policy
  - f. Eligibility Policy
  - g. Residential Care Fee Policy
  - h. Deferred Payments Policy
  - i. Direct Payments and Personal Budgets Policy
- Implement new Assessment Pathways and refresh Social Work Practice manuals for:-
  - a. Care and Support
  - b. Prisoners
  - c. Direct Payments
  - d. Deferred Payments
  - e. Delayed Transfer of Care
  - f. Children's Transition
  - g. Emergency Assessment
  - h. Carers
- Train Social Care workforce on the range of changes detailed above.
- Undertake commissioning and market shaping activity to facilitate market development, support sustainability and ensure market capacity and capability.
- To provide comprehensive information and advice about Care and support including funding options and independent financial advice services.
- Make the necessary changes to ICT infrastructure to support the requirements of the Act.
- Consider the affordability of the implementation and ongoing delivery of the Care Act; understand any identified budget pressures and mitigate where possible.
- To continue to safeguard adults and to protect from abuse.

## **2. Who are the main people that will be affected?**

There are various groups of Staffordshire residents that will be affected by the Care Act. They include:-

- Individuals currently receiving care and support through Adult Social Care Services
- People who care for vulnerable people in Staffordshire
- Self funders who currently pay for their own care and support services without engaging with the Council
- Anyone who considers themselves to have any kind of care and support need
- Young people in the transition to adulthood from Children's Social Care

## **3. Who is currently using the service?**

The numbers below are correct as of 30<sup>th</sup> November 2014.

### District Breakdown

District	Count of Client ID
Cannock	2339
East Staffordshire	2390
Lichfield	1983
Newcastle	2898
South Staffordshire	2073
Stafford	2793
Staffordshire Moorlands	2443
Tamworth	1969
unknown	141
<b>Grand Total</b>	<b>19029</b>

### Age

Age Band	Count of Client ID
18-64	5918
65-74	2706
75-84	4647
85+	5419
Unknown	339
<b>Grand Total</b>	<b>19029</b>

### Ethnicity

ethnicity	Count of Client ID
Any Other Asian Background	24
Any Other Black Background	8
Any Other Ethnic Group	17
Any Other Mixed Background	10
Bangladeshi	3
Black African	6
Black Caribbean	95
Chinese	7
Declined to Classify	58
Ethnicity Not Given	344
Ethnicity Not Stated	74
Ethnicity Not Yet Obtained	79
Gypsy / Roma	1
Indian	57
Mixed White / African	5
Mixed White / Asian	12

Mixed White/Caribbean	15
NA	28
No Client Contact	38
Pakistani	94
Travellers, Irish Heritage	2
White British	17824
White Irish	107
White Other	121
<b>Grand Total</b>	<b>19029</b>

#### Gender

Gender	Count of Client ID
Female	11916
Male	7109
Unknown	4
<b>Grand Total</b>	<b>19029</b>

#### Disability

Primary Need	Count of Client ID
Learning Disability	1952
Mental Health	2484
NA	12
Physical Disability, Frailty & Sensory Impairment	11483
Substance Misuse	49
Vulnerable People	342
(blank)	2707
<b>Grand Total</b>	<b>19029</b>

#### Sexual Orientation

Not recorded

#### Pregnancy / Maternity

Not recorded

#### Unemployment

Primary Need	Count of Client ID
Employed	49
Unemployed	1324
Unknown	17656
<b>Grand Total</b>	<b>19029</b>

#### **4. Will the proposal have an impact on staff?**

There are also various groups of the social care workforce that will be affected by the Care Act. They include:-

- Staffordshire County Council workforce including Commissioners, accountants, lawyers, procurement and contracting.
- Staff from any of our Partner/Provider agencies including:-
  - SSOTP
  - The Mental Health Trusts
  - Families First
  - Independent Futures
  - Independent and Voluntary Sector organisations
- The Council's Contact Centre (Single Point of Access)
- The Safeguarding Partnership Board

#### **5. If yes, please summarise here what this means for the workforce?**

The Care Act will have a major impact on the workforce that works together to provide social care for people in Staffordshire. These impacts will primarily be seen in;

- an increased number assessments to be completed (including carers, self-funders and prisoners)
- changes to the way assessments must be undertaken
- an increased requirement to provide clear information and guidance to inform choice and signpost people to care and support relevant to their needs

#### **6. Are there any gaps in your evidence or conclusions that make it difficult for you to quantify potential adverse impact?**

Activities are being undertaken as part of the project to understand the potential adverse impact of the Care Act. In terms of the Economic impact, it is anticipated that there will be an increase in financial pressure due to increased demand for care assessments, more people being eligible for financial support and potential destabilisation of the care market which is currently cross subsidised by self funders.

#### **7. If so, please explain how you will explore the proposal in greater depth**

The County Council has commissioned LG Futures to produce a demand model to assist in estimating the financial impact of the Care Act. The model particularly looks at the increased cost implications around retirement age self funders. Additional work is taking place to model the financial implications of other aspects of the Act, including implementation of the reforms. Additionally, the County Council along with 10 other Local Authorities has commissioned Laing and Buisson to produce a report to understand the impact of the self-funders cross subsidization on the Care Market.

#### **8. Please provide details of all consultation undertaken specific to the proposal you are making, either prior to the CIA or as part of it and the results of this.**

To date, there has been no formal external consultation undertaken by Staffordshire County Council regarding the Care Act. However, there has been engagement with our partners in the form of workshops and project work stream activity. The County Council took part in the Department for Health Care Act consultation and is represented on the various regional and national Care Act implementation groups

## **9. Consultation with customers & stakeholders**

Subject to approval, it is intended that we will consult in the first quarter of 2015 on an array of policies, which will cover all of the changes that are expected as part of the Care Act project. These may include:-

- a. Prisons and approved premises policy
- b. Delayed Transfers and Pathways Policy
- c. Charging/Partnership for Care/Contributions Policy
- d. Carers Policy
- e. Mental Health Policy
- f. Eligibility Policy
- g. Residential Care Fee Policy
- h. Deferred Payments Policy
- i. Direct Payments and Personal Budgets Policy

## **10. Consultation with staff**

Staff will be involved in the co-production of the solutions that are implemented to ensure the County Council and partners are meeting the requirements of the Care Act. It is not anticipated that there will need to be any changes to job descriptions or that there will be any redundancies as a result of this project.

## **11. Making a decision**

The following are the key dates for decisions to be made regarding the Care Act:

- November 2014 – Scrutiny: For endorsement
- January 2015 – Cabinet Meeting: Kick off Consultation
- March 2015 – Cabinet Meeting: Sign off of all Policies

## **12. Actions**

Subject to Cabinet approval, the County Council will pay due regard to the Public Sector Equality Duty and ensure consultation with a wide range of groups and people who currently use Adult Social Care services, and the general public.

This will include groups that are:

- Individuals currently receiving care and support through Adult Social Care Services
- People who care for vulnerable people in Staffordshire
- Self funders who currently pay for their own care and support services without engaging with the Council
- Anyone who considers themselves to have any kind of care and support need
- Young people in the transition to adulthood from Children's Social Care

Full public consultation will take place between January and March 2015

## **13. Monitoring and review**

Monitoring and review of the Care Act will continue throughout the project in terms of understanding any further implications of the Act. This will continue following implementation to ensure compliance with the Act and that the identified outcomes are being achieved.

## **14. Rural Considerations**

The Care Act promotes choice, control and personalised care for all individuals, the County Council's strategic commissioning intentions and market shaping activities support care providers who serve rural areas.

### 15. Health Considerations

The underpinning principle of the Care Act is the promotion of health and wellbeing to prevent, reduce or delay the need for care and support focusing on keeping people as independent as possible through prevention and early intervention. Comprehensive information and advice will enable individuals to make early informed choices about their care and support; those entering the care system will do so through clear pathways and be able to choose how their care and support needs are met through a range of commissioned support or direct payments.

### 16. Climate Change implications

There are unlikely to be any major climate change impacts of the Care Act. There may be a need to employ more staff which may have some indirect effects on carbon use in the County but this cannot currently be quantified.

	Question	Answer
1	Business mileage by officer or;	N/A
2	Mileage of our badged fleet or;	N/A
3	Mileage under contract (e.g. taxis or;	N/A
4	Fuel use in our building or other infrastructure (e.g. street lighting) or;	N/A
5	Fuel use in the building or on the sites of private sector contractors delivering a service on our behalf or;	N/A
6	Waste generated in the workplace	N/A
7.	Other	N/A

### Public Sector Equality Duty

The Public Sector Equality Duty (PSED), requires public authorities to pay "due regard" to; eliminate discrimination; advance equality of opportunity; foster good relations between people.

Could the proposal impact on protected groups (complete table below)

Protected groups/characteristics	Is there any potential positive or negative impact	Could the proposal create better opportunities or minimise disadvantage?	Please detail what measures or changes will be put in place to mitigate adverse implications
Race	Positive	yes	N/A
Disability	Positive	Yes	N/A
Gender	Positive	Yes	N/A
Age	Positive	Yes	N/A
Religion/belief	Positive	Yes	NA
Gender reassignment	Positive	Yes	N/A
Sexual orientation	Positive	Yes	N/A
Pregnancy/maternity?	No	N/A	N/A
Impact on staff	Positive	Yes	N/A

## Publication

The Equalities Team will quality-assure CIAs, and prepare for publishing

Please return copy of the CIA to the county's Policy Team

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