

# Service and Community Impact Assessment (SCIA)

## Front Sheet:

### Directorate and Service Area:

Social & Community Services, Adult Social Care

### What is being assessed:

A review of the funding allocated to meeting individuals' care and support needs by:

1. Reviewing the costs of meeting care needs used in the Resource Allocation System. The Resource Allocation System (RAS) is a single tool in use across mental health, physical disability and older people including continuing healthcare clients.
2. The introduction of a central panel for all social care groups with the function of providing peer scrutiny, guidance and review for all proposed social care support plans. The panel will consider how needs are being met, including the appropriate use of assistive technology, adaptations, the third sector and social capital.

### Responsible owner / senior officer:

Seona Douglas, Deputy Director Adult Social Care

### Date of assessment:

October 2015

### Summary of judgement:

The option being considered is a review of the funding allocated to meeting individuals' care and support needs in order to deliver a projected saving of £3,100,000.

Firstly the council would review the costs and configurations used when calculating the initial cost of providing a person's care.

Secondly it would review the total cost of agreed care packages to ensure they are cost effective and provide value of money.

These steps are likely to have an impact on the people who use care and support services as there may be a reduction in the options available and users may not be able to select their preferred option if it is not cost effective. However, the council would continue in its duty to meet a person's eligible needs and service users would have the option to 'top up' their care package should they choose an option that is more expensive.

This option has been assessed as unlikely to have a disproportionate effect on any group with protected characteristics and would affect all users equally, however some of these users may be within groups that share protected characteristics such as Age, Disability, Gender.

The introduction of a funding panel for Older People, Mental Health and Physical Disabilities would provide equity with those people using Learning Disability services, where a similar funding panel operates. The Learning Disability funding panel has shown that eligible social care and support needs can be met effectively at lower cost.

The introduction of a panel would have some impact on staff who would need to be supported to have difficult conversations with people who may be unhappy with the care and support options available to them. There would need to be a change in approach to developing a balance between cost and choice when agreeing Support Plans. Staff will be encouraged to consider alternative options when working with someone to decide the best way to meet their eligible needs. This will include considering the use of voluntary services, Assistive Technology and equipment.

It would also be important to ensure that staff do not become over reliant on this process to make decisions, rather than changing their own approach and mind-set. This can be mitigated against by ensuring that staff understand how the funding panel will work and feedback is given where Support Plan costs are identified as being inappropriate. The key advantage of a funding panel is that it would support staff to learn and develop their approach when creating care and support plans.

The funding panel could also have some impact on other council services, particularly the council's Comments and Complaints Team and Legal Services as service users may complain that they are unhappy with the options available to meet their needs. However, this would be mitigated against by ensuring that appropriate advice is given before and during the assessment process and the funding panel will ensure that the council meets its statutory duties.

There may be increased costs for other services where needs are met in alternative ways such as Assistive Technology and equipment; however, these are still likely to be more cost effective than using traditional care services.

There may be some impact on providers in that the way care is provided and the setting it takes place in may change. However, providers continue to be involved in developing the way support and care is provided. A review of the RAS and the introduction of funding panels will run alongside any wider change in the way services are commissioned and operated.

## Detail of Assessment:

### Purpose of assessment:

This assessment considers the impacts of an option to review the costs of meeting care needs used in the Resource Allocation system and the introduction of panels to review assessment and support planning decisions for mental health, physical disability and older people including continuing healthcare clients

This assessment is being carried out to ensure that the council considers the impact of these proposed changes on different clients, in particular those who share a protected characteristic under the Equality Act 2010.

Section 149 of the Equality Act 2010 (“the 2010 Act”) imposes a duty on the Council to give due regard to three needs in exercising its functions. This proposal is such a function. The three needs are:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic, and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.
- take steps to meet the needs of disabled people which are different from the needs of people who are not disabled and include steps to take account of a person’s disabilities.

The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding.

These protected characteristics are:

- age
- disability

- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex
- sexual orientation
- marriage and civil partnership

## **Social Value**

Under the Public Services (Social Value Act) 2012 the Council also has an obligation to consider how the procurement of services contracts with a life value of more than £173,934<sup>1</sup> might improve the economic, social, and environmental well-being of the area affected by the proposed contract, and how it might act to secure this improvement. However, it is best practice to consider social value for all types of contracts, service delivery decisions and new/updated policies. In this context, 'policy' is a general term that could include a strategy, project or contract.

## **Context / Background:**

The County Council has announced the need for extra savings of £60m per annum by 2021/22 on top of the £88m planned savings to be made by 2017/18. The NHS is expected to deliver efficiency savings of £22 billion equating to £272m in Oxfordshire.

More people are living longer and with more complex needs that require vital care, support and protection from adult social care. There is less money in the system for social care.

The Care Act 2014 has introduced national eligibility criteria which set out the minimum threshold for an adult's care and support needs to be met by the council. For needs to be eligible they must relate to an impairment or illness, which means a person cannot achieve at least two aspects of daily living (these are specified outcomes in the Act), and as a result, there is a significant impact on their wellbeing.

Where a person presents themselves to the council and requests an assessment of their eligible care needs, the council is obliged to complete this.

This process includes an assessment of the person's care and support needs, the outcomes they want to achieve in day-to-day life and how the provision of care and support could contribute to the achievement of those outcomes and promote their wellbeing.

Where an individual meets the eligibility criteria, the council has a duty to ensure their eligible needs are met.

<sup>11</sup> [EC Procurement Threshold for Services](#)

The answers given in the assessment feed directly into a Resource Allocation System (RAS), which translates these answers into points. The points allocated in the RAS are based on the type and level of social care need, therefore the higher a person's needs are, the more points they receive. The RAS has set rates depending on the type of care being provided and it uses these rates to calculate an estimate of the likely costs to meet those needs, which will form the person's Indicative Budget. The Indicative Budget can be adjusted during the support planning stage to ensure the final personal budget meets the person's eligible needs.

An assessing worker will work with the person to examine the options available to meet their eligible needs, which will include consideration as to whether the needs are such that they require a care home placement. This will form the basis of a Support Plan that will set out the outcomes the person wishes to achieve and how these will be met.

The council will ensure people are at the centre of assessment and reviews, and are supported to take as much control as they are able and willing to do.

Although the council's Scheme of Delegation ensures that spending on care packages and placements is authorised by the appropriate signatory from within the council, there is currently no further scrutiny at this stage in relation to cost.

The introduction of a funding Panel for older people, mental health and physical disabilities would change this and replicate the current process in Learning Disability Teams.

The panel would examine and review the assessment and support planning decisions to ensure that Support Plans are cost effective and provide value for money.

## **Proposals:**

The option being considered is for the council to review the funding allocated to meeting individuals' care and support needs with a view to saving £3,100,000.

It would aim to do this in two ways.

1. Reviewing the costs and configuration used in the Resource Allocation System to ensure that the indicative budget generated represents the most cost effective option for meeting the level of needs indicated.

2. Introduce panels to review assessment and support planning decisions for mental health, physical disability and older people including continuing healthcare clients. The panel would discuss and evaluate proposed new funding and decide whether the funding is at an appropriate level and the meets eligible needs of the service user in question in the most cost effective manner. Panels operating in learning

disabilities have shown that eligible social care and support needs can be met effectively at lower cost.

It should be noted that in both cases the council would ensure it continues in its duty to meet a person's eligible needs.

### **Evidence / Intelligence:**

Since 2001 Oxfordshire's population has increased by 10% and the number of older people increased by 28%

Amongst older people, the number of people aged 85 and over increased by 38.6% and those aged 65 and over made up 16.9% of the county's population in 2013 (up from 14.5% in 2001). People aged 85 and over made up 2.4% (up from 1.9% in 2001) and the proportion of older people in the county is projected to continue increasing.

There are also a growing number of people with dementia and people who have a disability are living longer.

Evidence and intelligence from the existing Learning Disability panel will be used in formulating the structure of any equivalent panel for Adult Social Care.

Based on information collated from October 2014, the benefit of applying a panel process for Learning Disability services has led to a drop in agreed costs for new care packages and those under review from an average of £12,286.98 per week to £3,554.38 per week, a difference of £8,732.60pw, which equates to £455,342.83 per year (full year).

### **Alternatives considered / rejected:**

The alternative to this option is that the council continues to fund care and support needs at the current level. To continue with this is untenable as there is not enough money to meet the increasing demand outlined above.

As central government funding to the council is reduced, the council needs to make significant savings to meet budgetary pressures.

The options outlined in this assessment are part of broader savings options aimed at to reducing spending without affecting statutory services.

### **Impact Assessment:**

Identify any potential impacts of the policy or proposed service change on the population as a whole, or on particular groups. It might be helpful to think about the

largest impacts or the key parts of the policy or proposed service change first, identifying any risks and actions, before thinking in more detail about particular groups, staff, other council services, providers etc.

It is worth remembering that 'impact' can mean many things, and can be positive as well as negative. It could for example relate to access to services, the health and wellbeing of individuals or communities, the sustainability of supplier business models, or the training needs of staff.

We assess the impact of decisions on any relevant community, but with particular emphasis on:

- Groups that share the nine protected characteristics
  - age
  - disability
  - gender reassignment
  - pregnancy and maternity
  - race – this includes ethnic or national origins, colour or nationality
  - religion or belief – this includes lack of belief
  - sex
  - sexual orientation
  - marriage and civil partnership
- Rural communities
- Areas of deprivation

We also assess the impact on:

- Staff
- Other council services
- Other providers of council services
- Any other element which is relevant to the policy or proposed service change
- How it might improve the economic, social, and environmental of the area affected by the contract **if** the Public Services (Social Value) Act 2012 applies

For every community or group that you identify a potential impact you should discuss this in detail, using evidence (from data, consultation etc.) where possible to support your judgements. You should then highlight specific risks and any mitigating actions you will take to either lessen the impact, or to address any gaps in understanding you have identified.

If you have not identified an impact on particular groups, staff, other Council services, providers etc. you should indicate this to demonstrate you have considered it.

## **Impact on Individuals and Communities:**

### **Impact on groups with protected characteristics, rural communities and areas of deprivation**

The options outlined have been assessed as not having a disproportionate effect on any group with protected characteristics. Whilst it is acknowledged that people with disabilities and older people may be affected by the proposed change it would affect these groups equally and would not single out anyone within the protected groups.

As the same Resource Allocation System calculation is used across all client groups, reviewing the costs of meeting care needs used would affect all groups equally.

Similarly, the introduction of a funding panel mirrors what currently happens for people with Learning Disabilities and would provide consistency, fairness and equity in the approach to supporting all groups.

It is acknowledged that overall there may be a reduction in the choice of how to meet needs, but again this would affect all groups equally. The council would provide appropriate information for people considering care services in order to manage expectations.

The council would look at other ways to provide additional support where a person has a particular preference, for example the use of voluntary services.

<b>AGE, DISABILITY and GENDER</b>	
<b>Risks</b>	<b>Mitigations</b>
Drive for value for money care packages means an individual may not get their preferred choice of care package/placement.	The council would ensure that individuals' eligible care and support needs were met as cost effectively as possible. This would include investment in areas which would offer value for money ways of meeting people's needs appropriately such as information and advice. Where possible the council would continue to offer choice.  Individuals would also have the option to 'top up' the cost of their care package if they wanted their needs to be met in an alternative way that would cost more.
People may not be able to afford to 'top up' their care package, meaning their choice is the most restricted	The council would use personalisation – best use of available resources to meet needs and aim to give choice where possible.
Depending on the care option being considered the proposed options may go against the council's current Joint Commissioning Strategy for Older People which states 'Support is provided in the most appropriate and timely way and at the closest point to the person's	Where possible the council would continue to explore options for allowing someone to receive care close to their home/usual place of residence although this will not be at any cost.

home/usual place of residence.'	
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**No differential impacts have been identified on groups that share protected characteristics beyond those given above.**

<b>Impact on Rural Communities:</b>
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<b>Risks</b>	<b>Mitigations</b>
In the event it is deemed more cost effective to place someone in a setting other than their own home it may mean that people with care and support needs in rural communities could become isolated if they are moved to placements that are far away from their community and family.	Where possible the council would still take into account a person's wishes when deciding the most appropriate way of meeting their needs. Individuals would have the option to top up the cost of their care package if they wanted their needs to be met in an alternative way that would cost more.

<b>Impact on Staff:</b>
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If the proposed options are taken forward there would be a need to support staff in continuing to change their approach to agreeing Support Plans that balance cost and choice. Staff would also need to be supported to have difficult conversations with people who may be unhappy with the care and support options available to them.

The way we provide Adult Social Care services is being reviewed and a 'Responsible Localities' model developed with the aim of ensuring:

- We provide an equitable service so that the support people receive is the same no matter where they are in the county;
- We are better able to respond to the increased demand on our services in the future;
- Our processes become more efficient, we save time and money and people can get the support they need at the right time, in the right place and in the right way;
- We make the best use of the health and social care services we have in each area and work jointly as health and social care localities.

The development of a 'Responsible Localities' model means that staff will require additional training. This will help drive culture change and manage expectations of staff at an appropriate level.

In relation to the introduction of a funding panel, there would be a need to ensure that staff do not become over reliant on panels to make decisions on the levels of care packages/placements.

The key outcome of having a panel is for the organisation to change how it approaches the development of care and support plans; therefore it is essential that the staff develop and learn throughout the process.

<b>Risks</b>	<b>Mitigations</b>
Increased pressure on other teams if there is greater demand for preventative services.	<p>A 'Responsible Localities' model is being developed with the aim of introducing savings in efficiency by streamlining processes and sharing skills. This will enable teams to meet increased demand in other areas.</p> <p>This will sit alongside Trusted Assessor training for staff, which will enable Social Workers to order basic pieces of equipment where they identify a need.</p>
Additional time and resource pressure in setting up and maintaining a Panel process.	The new Panel for mental health, physical disability and older people will follow a similar format as the Learning Disability Panel to minimise the impact on time and resources.
Increased time spent by Adult Social Care staff in dealing with complaints where people are unhappy with the options available to meet their eligible needs and where they are not offered their preferred choice.	The council will provide information to ensure that people are aware of the process and the options (including appeal) available to them. There is currently a specialist team that deals with complaints relating to Adult Social Care.
Additional project time and resource would be needed to review the costs in the Resource Allocation System.	The council has previously completed extensive RAS configuration work with the software developer and it is likely much of this can be revisited when reviewing the costs used.
Workers become reliant on a funding panel to make decisions on the levels of care packages/placements.	In addition to the funding panel, the council would continue to use the Scheme of Delegation, which allows staff to authorise funding amounts as long as they fall within approved limits. This includes a system of case auditing as part of supervision, which ensures that staff have appropriately authorised packages of care.

	Funding requests sent to the panel which are identified as inappropriate would be returned and feedback given to staff involved ensuring they develop and learn throughout the process.
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### **Impact on other Council services:**

These changes may put additional pressure on the council's Comments and Complaints Team and Legal Services where service users are unhappy with the options available to meet their needs. This could be mitigated against by providing appropriate advice at the start of the assessment process in order to manage expectations. The use of a funding panel will ensure that the council meets its legal requirements to minimise the impact on Legal Services.

<b>Risks</b>	<b>Mitigations</b>
Increased costs in other areas due to meeting needs in alternative ways (e.g. through equipment provision)	<p>The council would work with the voluntary sector to look at options for them to increase their role in providing alternatives to traditional care and support. This would include community based volunteers.</p> <p>The council would look at ways to improve the process for providing equipment as well as reducing cost.</p>
Increase in work levels for the Comments and Complaints Team in dealing with complaints where service users are unhappy with the options available to meet their eligible needs and where they are not offered their preferred choice.	Providing people with appropriate information will help manage expectation with the aim of reducing the number of complaints.
Increase in workload for the council's legal services due to the increased number of legal challenges	Use of funding panels to scrutinise packages of care will ensure that the council's legal requirements are met and decisions are justified and consistent

### **Impact on providers:**

As the proposed options involve a potential change in the amount of traditional home care being provided with a shift to alternative ways of meeting eligible needs, care agencies may need to adapt to their models. However, this fits with the council's wider review of how care is provided in Oxfordshire, including a new care provider

approach, workforce strategy and a review of the existing Extra Care Housing models.

With regard to the introduction of a funding panel, there would be a benefit in combining these with existing panels to ensure work is not duplicated.

The proposed options may prove beneficial to health partners as it is more costly for them to support those with high needs at home rather than in a residential setting.

<b>Risks</b>	<b>Mitigations</b>
<p>Care agencies not able to deliver domiciliary care in the way suggested with potentially less traditional forms of home care being provided.</p>	<p>If the use of domiciliary care is reduced this may free up the hospital discharge pathway.</p> <p>The council has developed a workforce strategy to promote increased capacity and capability of the care workforce.</p> <p>The council has also developed a new care provider model named 'Help to Live at Home', which will involve reviewing how domiciliary care is currently provided in Oxfordshire with a view to moving to an incentivised, outcomes based approach.</p>
<p>Lack of availability of care home placements due to increase in demand where care home placements provide greater value for money.</p>	<p>The council would develop alternative models for providing residential or nursing care. For example, Extra Care Housing which enables people to live in their own property, but still have access to 24-hour care support from a care team on site.</p> <p>Where people meet the threshold for residential or nursing care the council will engage with the providers of these placements to ensure there is sufficient capacity.</p>
<p>If the mitigations are not effective or sufficient, there is a risk of increased costs across the wider health and social care system, including through hospital admissions and care home placements.</p>	<p>The demand on various services in different areas of the county will also be taken into account; in some areas it may lead to greater additional pressures than others, with fewer resources available to mitigate these.</p>

## Social Value

*If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area.*

How might the proposal improve the economic well-being of the relevant area?

N/A

How might the proposal improve the environmental well-being of the relevant area?

N/A

### Action plan:

Action	By When	Person responsible
Decision on whether the RAS will be reviewed and funding panels created as part of broader savings options	February 2016	Council Members
Review and update the SCIA	March 2016	Joint Commissioning Team
If the proposal is agreed, develop an implementation plan	March 2016	Joint Commissioning Team

### Monitoring and review:

#### Person responsible for assessment:

Version	Date	Notes (e.g. Initial draft, amended following consultation)
Version 1	October 2015	Initial draft