

Integrated Impact Assessment

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People’s Rights](#)

The term ‘policy’ is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

1. About the Policy

1.1 Title

Contributing To Your Care and Support - Adult Social Care (Non-Residential) Charging Policy

1.2 What does this policy seek to achieve?

The demand for adult non-residential services continues to increase as does the cost of providing these essential services. This policy seeks to provide a fair and transparent charging mechanism in line with national guidance that can be implemented to offset some of these costs.

The policy sets out the Council’s position in respect of charging adults who use or access certain social care services. The chargeable services are identified alongside the potential charging exemptions that may apply to individuals. An outline of the financial assessment process is provided including those elements (Disability Related Expenditure; 25% buffer; and 67% taper) which are designed to minimise the charging impact. The policy also shows that individuals can, where appropriate, request an assessment review, lodge an appeal against an assessment outcome or request a whole or partial waiver of their assessed contribution.

1.3 Is this a new or existing policy?

Existing – current version of this policy was last approved in July 2019 by the Finance and Growth Committee.

1.4 Is this report going to a committee?

Yes

1.5 Committee name and date:

Finance and Resources Committee – 07/08/2024

1.6 Report no and / or Budget proposal number and / or Business Case reference number:

ACHSCP/24/220

1.7 Function and Cluster:

Aberdeen City Health and Social Care Partnership

Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?				
	High	Medium	Low	Neutral	Positive
Age		X			
Disability		X			
Gender Reassignment				X	
Marriage and Civil Partnership				X	
Pregnancy and Maternity				X	
Race				X	
Religion or Belief				X	
Sex				X	
Sexual Orientation				X	

2.2 In what way will the policy impact people with these protected characteristics?

It is more likely that the older a person is, or if they have a disability or health impairment then the greater the possibility that they require to access or use non-residential care services to maintain their independent living at home and so there is a greater potential impact of this Charging Policy on them.

Some of these services relating to personal care and unpaid carers are free but others are chargeable unless the individual qualifies for an exemption, for example, because they have a progressive disease that can be reasonably expected to cause their death.

Where a service is chargeable and no exemptions apply then one of two types of charge will apply, depending on the service that is being accessed or used: an assessed contribution or a flat-rate charge. Flat rate charges are not means tested. Flat rate charges currently apply to community alarm, meals provision in day care and Very sheltered housing. Social care practitioners are encouraged to explore benefits maximisation and to use "benefits calculator" a resource supported by ACC (Aberdeen City Council) Financial Inclusion Team

To calculate a person's assessed contribution, a financial assessment will be undertaken to determine if the person is liable for a contribution and if so, what that assessed contribution should be given their

income, capital, and expenditure. Charges for particular services are set out each year in the Council's budget; financial thresholds are set nationally by COSLA (Convention of Scottish Local Authorities) and adopted by ACHSCP.

2.3 What considerations have been made in reaching the above assessment?

What internal or external data has been considered? What does this data tell us?

From reviewing D365 data of clients who use services including commissioned care, we have oversight of number per client group across four core groups – older adults/physical disability/learning disability and mental health. Understanding the data has enabled us to give due consideration to our communication activities so that all impacted client groups will have access to the information that they need to understand this policy.

We have 1725 individuals in receipt of free personal care (June 2024), of which 1473 is by an Option 3 commissioned service.

727 individuals are in receipt of housing support which is a chargeable service with means testing in place. Within this group their main client definition is as follows:

Older Person/dementia	95
Learning Disability	407
Mental Health	160
Sensory impairment	54
Alcohol dependency	8
Drug Dependency	3

360 people who were in receipt of housing support from Granite Care Consortium were identified. This contract started during the pandemic and systems were not sufficiently developed to undertake financial assessments and charge appropriately for services used. A range of communications with individuals and the agencies and providers that support and advocate for them was devised, with a plan to start charging from May 2024 was shared with the intention to charge monthly in arrears for services received.

From reviewing information submitted from housing it was clear that a number of anomalies around charges for meals within VSH had arisen over time - we have resolved this by creation of flat rate pricing and revision of agreements to ensure that each person pays for their meals. During the pandemic, the previous cash payment systems ceased due to concerns around infection control. New systems offering alternatives to daily cash interactions were created to resolve and create greater equity for payment.

Going forward we plan to have a charging structure to equalise payments for day care and day opportunities. We currently have a model of adults contributing towards their traditional model of day care whilst no charge has been levied for day opportunities. The revised policy would seek to address this and ensure that both day care and day opportunities are chargeable services.

What consultation and engagement and has been undertaken with officers and partner organisations?

A wide range of engagement has taken place. This has included:

- Engagement with key agencies such as Advocacy Service Aberdeen, Quarriers and the Financial Inclusion Team to support people affected by change.
- Extensive staff engagement via briefings, focussed presentations at the weekly social work forum, attending individual staff meetings and application of the ADKAR model (a change management model).
- Councillor briefings prior to any agreed changes to charging arrangements.

For full details, please see the embedded Communications Plan below.



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What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?

A wide range of engagement has taken place. This has included:

- Regular written communication with tenants and individuals affected by changes to charging.
- A public consultation in the vaccination centre.
- Engagement with key agencies such as Advocacy Service Aberdeen, Quarriers and the Financial Inclusion Team to support people affected by change.

Please see the Communications Plan embedded above for full details.

2.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Applicable mitigations include:

- 1) Not all non-residential services are chargeable; those that relate to personal care or unpaid carers are free and are highlighted as free
- 2) Other exemptions to this Policy include:
 - those persons with a progressive disease that is expected to cause their death;
 - people receiving new or additional reablement services following a hospital discharge;
 - people with a mental illness whose social care is mandated by a Community Treatment Order;
 - people in receipt of a criminal justice service;
 - people receiving Outreach Housing Support for a period of less than two years; and
 - children up to the point that they transition to adult services.
- 3) Criteria for a financial assessment to be undertaken include:
 - person is eligible for a service
 - service is chargeable
 - charge requires a financial assessment to be undertaken
 - no exemptions apply
- 4) A Minimum Income Threshold (MIT) is determined for the individual; if their income is less than this threshold then they are not liable for an assessed contribution.
- 5) The MIT is based on current DWP rates for a single person or couple who are either under or over pension age and a 25% buffer is added to these rates so that for people on low incomes not all of their income is factored into the assessment.

- 6) There are a number of income disregards – including disability-related benefits - which the financial assessment does not consider.
- 7) There are specific household costs which may be deducted from a person’s income before a financial assessment is undertaken.
- 8) Any Disability-Related Expenditure (DRE) that the person incurs will be considered by the financial assessment.
- 9) A taper of 67% is applied to a person’s available weekly income, as determined by the financial assessment, to give the maximum possible contribution that they will be asked to give.
- 10) If a person is dissatisfied with the outcome of their financial assessment, they can ask for this to be reviewed. If, after the review, they are still dissatisfied they can lodge an appeal against their assessment outcome.
- 11) A person can request a partial or whole waiver of their assessed contribution for a period due to hardship.
- 12) Consideration of referral to Financial Inclusion Team is referenced throughout policy in order that benefits can be maximised, and sustainable debt repayment plans set.

With mitigations in place, what is the new overall rating of the negative impact(s)?	High	
	Medium	
	Low	X
	Negative Impact Removed	

3: Socio-Economic Impacts

This section is used to consider the impact of the policy on people who might be **unemployed, single parents**, people with lower **education or literacy, looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](http://www.gov.scot)

3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.			X		
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future			X		
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies			X		
Area deprivation – consider where people live and where they work (accessibility and cost of transport)			X		

Socio-economic background – social class, parents' education, employment, income.			X		
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3.2 In what way will the policy impact people in these groups?

Low income: If an individual's income is less than the minimum income threshold then they will not be required to make an assessed contribution to their care.

Low wealth: The tariff income calculation disregards an individual's capital up to the value of £10k meaning that it is not considered when determining an individual's income.

Material deprivation: The policy recognises that for some individuals, referrals to the Council's Financial Inclusion Team would be beneficial so that their debts can be managed, and their income maximised. If needs be, individuals can ask for their assessed contributions to be waived on the grounds of hardship.

Area deprivation: There is very likely a link between the deprivation profile of any given area and the impact of this charging policy. Areas of high deprivation where individuals have low income and/or low wealth will not experience much of an impact because of the policy mitigations. Other areas of higher income/wealth may find a greater concentration of individuals who are asked to contribute.

Socio-economic background: Some health conditions may be more prevalent or severe in adults from more deprived backgrounds making it more likely that they will need to access/use non-residential care services. The mitigations outlined in 2.4 above lessen the impact of this.

3.3 What considerations have been made in reaching the above assessment?

What internal or external data has been considered? What does this data tell us?

From reviewing D365 data of clients who use services including commissioned care, we have oversight of number per client group – older adults / physical disability / learning disability and mental health being the four core groups. Data highlights client group age range and postcodes of clients in receipt of service.

We have used staff training to highlight the means testing via financial assessment and the benefits of completing the financial assessment.

We have adopted a targeted approach in sheltered housing developments where housing support is delivered within an area of SIMD (Scottish Index of Multiple Deprivation) where we have recognised lower levels of financial assessment return alongside pockets of debt relating to social care services. The targeted approach has consisted of reviewing debt with housing, finance and social work colleagues to build supportive solutions to individuals impacted.

What consultation and engagement and has been undertaken with officers and partner organisations?

A wide range of engagement has taken place. This has included:

- Engagement with key agencies such as Advocacy Service Aberdeen, Quarriers and the Financial Inclusion Team to support people affected by change.

For full details, please see the embedded Communications Plan below.



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What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?

A wide range of engagement has taken place. This has included:

- The communication with individuals affected by the change to charging arrangements has included contact details for the FI Team.
- Engagement with the Financial Inclusion Team to maximise support around people being affected by the changes in charging arrangements. This includes them presenting to the social work forum in particular promoting the benefits calculator. They have also been involved in debt management support in sheltered housing complexes.
- Sign-posting to the FI Team has been integrated into the revised charging policy.
- A public consultation in the vaccination centre.
- Engagement with key agencies such as Advocacy Service Aberdeen, Quarriers and the Financial Inclusion Team to support people affected by change.

Please see the Communications Plan embedded in the answer immediately above for full details.

3.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Please refer to the mitigations detailed in 2.4 above.

With mitigations in place, what is the new overall rating of the negative impact(s)?

High	
Medium	
Low	X
Negative Impact Removed	

4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of 'Articles.' Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
Article 6: Right to a fair trial		X	
Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life, home and correspondence		X	
Article 9: Freedom of thought, belief and religion		X	
Article 10: Freedom of expression		X	
Article 11: Freedom of assembly and association		X	

Article 12: Right to marry and start a family		X	
Article 14: Protection from discrimination in respect of these rights and freedoms		X	
Article 1 of Protocol 1: Right to peaceful enjoyment of your property		X	
Article 2 of Protocol 1: Right to education		X	
Article 3 of Protocol 1: Right to participate in free elections		X	

4.2 In what way will the policy impact Human Rights?

It is envisaged that there will be a neutral impact on the Human Rights of those (adult) individuals who access/use chargeable services and are then asked to contribute to their care.

4.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Not Applicable.

If mitigations are in place, does this remove the negative impact?

No – negative impact remains

Yes – negative impact reduced

Yes - negative impact removed

5: Children and Young People’s Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social, and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children’s rights apply to every child/young person under the age of 18 and to adults still eligible to receive a “children’s service” (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the “General Principles,” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
Article 1: definition of the child		X	
Article 2: non-discrimination		X	
Article 3: best interests of the child		X	
Article 4: implementation of the convention		X	
Article 5: parental guidance and a child's evolving capacities		X	
Article 6: life, survival, and development		X	
Article 7: birth registration, name, nationality, care		X	

Article 8: protection and preservation of identity		X	
Article 9: separation from parents		X	
Article 10: family reunification		X	
Article 11: abduction and non-return of children		X	
Article 12: respect for the views of the child		X	
Article 13: freedom of expression		X	
Article 14: freedom of thought, belief, and religion		X	
Article 15: freedom of association		X	
Article 16: right to privacy		X	
Article 17: access to information from the media		X	
Article 18: parental responsibilities and state assistance		X	
Article 19: protection from violence, abuse, and neglect		X	
Article 20: children unable to live with their family		X	
Article 21: adoption		X	
Article 22: refugee children		X	
Article 23: children with a disability	X		
Article 24: health and health services		X	
Article 25: review of treatment in care		X	
Article 26: social security		X	
Article 27: adequate standard of living		X	
Article 28: right to education		X	
Article 29: goals of education		X	
Article 30: children from minority or indigenous groups		X	
Article 31: leisure, play and culture		X	
Article 32: child labour		X	
Article 33: drug abuse		X	
Article 34: sexual exploitation		X	
Article 35: abduction, sale, and trafficking		X	
Article 36: other forms of exploitation		X	
Article 37: inhumane treatment and detention		X	
Article 38: war and armed conflicts		X	
Article 39: recovery from trauma and reintegration		X	
Article 40: juvenile justice		X	
Article 41: respect for higher national standards		X	
Article 42: knowledge of rights		X	
Optional Protocol on a Communications Procedure		X	

5.2 In what way will the policy impact the rights of Children and Young People?

This charging policy applies to adult non-residential services only - Children and Young People are exempt from this policy up to the point at which they access or transition to adult services.

5.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Pre-emptive multi-disciplinary transition planning involving the young person and their family can help ensure, as far as is reasonably practicable, that the transition experience is positive and that – following a person-centred assessment of need – appropriate adult services are put in place and new impacts such as the application of charges are highlighted in advance.

If mitigations are in place, does this remove the negative impact?	No – negative impact remains	X
	Yes – negative impact reduced	
	Yes - negative impact removed	

6: Sign Off

Any further positive or negative impacts on individuals or groups that have been considered?
No.
Overall summary of changes made as a result of impact assessment.
<p>The references within the policy to the Council’s Financial Inclusion Team and the services that they provide to ensure that an individual’s income is maximised through the receipt of all the applicable benefits that they are entitled to coupled with effective debt management have been strengthened.</p> <p>Similarly, the policy wording in respect of the hardship that individuals may experience as a result of charges being applied and the debts that individuals may accrue and the subsequent need to waive these charges and write-off these debts has been reviewed and clarified.</p>
Outline of how impact of policy will be monitored.
The impact of this policy will be monitored by the Chief Officer (Adult Social Work) and delegated officers.
If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.
The demand for adult non-residential services continues to increase as does the cost of providing these essential services. This policy seeks to provide a fair and transparent charging mechanism in line with national guidance that can be implemented to offset some of these costs.

Assessment Author	Tracey McMillan
Date	
Chief Officer	Fiona Mitchell-Hill
Date	