

## Service and Community Impact Assessment (SCIA)

### Front Sheet:

**Directorate and Service Area:**

Social and Community Services, Joint Commissioning

**What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):**

Oxfordshire Carers' Strategy and options for carers' personal budgets

**Responsible owner / senior officer:**

Benedict Leigh

**Date of assessment:**

August 2016

**Summary of judgement:**

The Oxfordshire Carers' Strategy has been updated for the period 2017-2020, and is subject to a 12 week public consultation starting in August 2016. Also part of the consultation is the council's proposals for carers' personal budgets.

Potential negative impacts for carers and the people they care for have been identified, along with potential negative impacts on the workloads and resources of both council staff and providers. There is a risk that a reduction in support to carers could result in budgetary and resource pressures for the council if many carers reduce or cease their caring roles.

In light of the continuing and significant financial pressures, the council considers that reducing carers' personal budgets will have the 'least worst' impact for carers.

The risks and impacts identified can be mitigated in part, as the council considers that most carers' eligible needs can be met by the existing 'core' carers' services and support.

As part of the consultation we will be asking carers and their families what type of support helps them sustain their caring role. This will help inform us as to how best we can support carers in the future and ensure that we can prioritise resources where they have the biggest impact.

### Detail of Assessment:

**Purpose of assessment:**

This assessment considers the impact of:

1) Oxfordshire Carers' Strategy;

2) the proposed options for carers' personal budgets.

The assessment considers the possible impact on the local population, whether this could impact differently on specific groups, and how the impact could be mitigated.

This assessment also fulfils the council's requirements under Section 149 of the Equalities Act 2010, as set out below:

Section 149 of the Equalities 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:

1) The Oxfordshire Carers' Strategy is Oxfordshire County Council and Oxfordshire Clinical Commissioning Group's commitment to carers. This strategy updates the work of the previous strategy published in 2013 to reflect new legislation which consolidates the rights of carers of all ages.

2) In February 2016, the council agreed savings to be made in respect of carers' services<sup>2</sup>. This assessment focuses specifically on:

- introduce charging for carers' services
- remove or reduce the level of personal budget award to carers who have eligible needs for support following assessment

The implementation in April 2015 of the Care Act 2014 has put carers on the same legal footing as people who need support and care, whether or not the person they care for has needs which are eligible. This means that carers are entitled to a social care assessment that takes account of their caring role, their wellbeing and the outcomes they want to achieve.

The council implemented a new online process for carers' assessments<sup>3</sup> in April 2015, and carers' needs and eligibility for support are now measured in a consistent way against national eligibility criteria introduced by the Care Act<sup>4</sup> and the council's Assessment and Review Policy for Adult Social Care.<sup>5</sup>

<sup>1</sup> [EC Procurement Threshold for Services](#)

<sup>2</sup> Documents relating to the savings can be found here:  
<http://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=116&MId=4402&Ver=4>

<sup>3</sup> The carers' assessment is an assessment of an adult carer who cares for an adult; there is a different process for the assessment of young people under the age of 18 who are carers.

<sup>4</sup> *'In considering whether a carer has eligible needs, local authorities must consider whether:*

- *the needs arise as a consequence of providing necessary care for an adult;*
- *the effect of the carer's needs is that any of the circumstances specified in the Eligibility Regulations apply to the carer; and*
- *as a consequence of that fact there is, or there is likely to be, a significant impact on the carer's wellbeing.*

*A carer's needs are only eligible where they meet all three of these conditions.'*

[Care and support statutory guidance: first contact and identifying needs](#) - chapter 6 assessment and eligibility paragraph 6.115

<sup>5</sup> The policy is available on Oxfordshire County Council's website at:  
<https://www.oxfordshire.gov.uk/cms/content/other-key-strategies>

Carers are offered a support plan which may include a carers' personal budget to help meet eligible needs (currently in Oxfordshire, this is a one-off payment of £200, £400 or £600 according to the level of carers' needs and the impact of caring on their health and wellbeing).

The implementation of personal budgets for eligible carers replaced the previous system of small carers' grants

### **Proposals:**

As a result of continuing financial pressures and the need to find further significant savings, in February 2016 the council approved the proposal to introduce charging for carers' services.

However, it has been determined that the introduction of charging for carers' services is not a viable option and would not deliver the required savings. Therefore, council officers are recommending that the council does not proceed with this option.

There is a second savings proposal to remove or reduce the level of personal budget award to carers who have eligible needs for support following assessment.

Three options for future support for carers that would deliver the required savings have been developed for consideration in a 12 week public consultation:

**Option 1.** Introduce a **single personal budget payment of £300** for eligible carers, jointly and equally funded by Oxfordshire County Council and Oxfordshire Clinical Commissioning Group, set at the eligibility level for the current £200 payment

**Option 2.** Reduce from the current 3 to **2 levels of personal budget payment:**

- i. **£200**, funded by Oxfordshire County Council and set at the same eligibility level as the current £200 payment;
- ii. **£500**, jointly and equally funded by Oxfordshire Clinical Commissioning Group and Oxfordshire County Council and set at the eligibility level for the current £400 payment

**Option 3. Stop providing personal budgets to carers who have eligible needs following a carers' assessment.** Instead, use the available budget to:

- i. Establish a 'contingency fund' of £100,000 to meet carers' eligible needs which cannot be met by the 'core' carers' services;
- ii. Reinvest additional savings into services that are particularly valued by carers

The three options proposed are all expected to deliver the savings agreed by the council.

Option 3 is the preferred option of the council, and the council is proposing to use £400,000 of the funding made available by this option to continue to fund the Dementia Support Service (at the current time, the council's funding for the Dementia Support Service is planned to cease at the end of the current contract period). The Dementia Support Service is a much valued service supporting people with dementia and their carers.

There is also a clear demographic pressure in relation to dementia; the 90+ population will increase by 50% by 2026, which implies a potentially significant increase in demand for dementia specific services. Dementia places a significant burden on carers and there is a strong case for preserving and enhancing dementia specific support.

Also part of the consultation is the updated **Oxfordshire Carers' Strategy**, aimed at all carers in Oxfordshire - carers of adults, young carers and carers of children with disabilities - whether or not the person being cared for receives a social care service.

The strategy is an overarching document that describes how Oxfordshire County Council and Oxfordshire Clinical Commissioning Group will support carers of all ages in the period 2017 - 2020. Through the Oxfordshire Carers' Strategy, the council along with Oxfordshire Clinical Commissioning Group has made a strong commitment to support people who care for others, in recognition of their essential and vital role both in caring and in keeping people as well and as independent of services as possible.

### **Evidence / Intelligence:**

#### **Data on carers in Oxfordshire**

Carers have a vital role in the lives of the people they care for and their caring input brings value to the local economy. A report by the Universities of Leeds and Sheffield calculated the replacement care costs for the work carried out by informal carers in Oxfordshire at £1,057million pa.<sup>6</sup>

At the time of the 2011 Census, around 61,100 people in Oxfordshire said they provided some level of informal care to a relative or friend, representing 9.4% of the county's population.

The group most likely to provide unpaid care was aged 50-64, with one in five providing some level of care (19.8%). Meanwhile, 13.8% of people aged 65 and over provided some unpaid care compared with 8.5% of people aged 25 to 49, and 2.1% of people under 25. 1.1% of children aged 0-15 provided some unpaid care, numbering 1,300.

A larger proportion of unpaid care in Oxfordshire was provided by female residents (58.1%) than by male residents (41.9%). This was particularly the case for higher-intensity care, 60.2% of which was provided by female residents.<sup>7</sup>

As of the end of September 2015, around 17,200 adult carers were known to Oxfordshire County Council's social care teams. This figure has been increasing over time. In addition, the Young Carers Service has identified over 2,000 young carers in Oxfordshire, and carers of 1,098 children with disabilities were supported by short breaks services in 2015/16.

<sup>6</sup> [Valuing Carers 2015](#)

<sup>7</sup> Source: Joint Strategic Needs Assessment 2016 - adult carers in Oxfordshire

### **Implementation of the Care Act 2014**

It was anticipated that the implementation of the Care Act would result in a greater number of carers coming forward for assessment that may subsequently be eligible for a carer's personal budget, and funding levels in the 'pot' for carers' personal budgets were increased. Both the council and Oxfordshire Clinical Commissioning group contribute funding for carers' personal budgets.

In 2015/16, nearly 2,200 carers completed a carers' assessment, with over 1,850 carers receiving a carer's personal budget to help meet their eligible needs - lower numbers than anticipated through the modelling work undertaken prior to the implementation of the Care Act.

There was therefore a significant level of uncommitted funding allocated to carers' support in the form of personal budget payments, which suggests that this may not be the most effective way to use available resources to support carers in Oxfordshire.

Many carers tell us that being awarded a personal budget makes them feel recognised and valued for the support that they provide. Personal budgets offer flexibility and control to carers, and we know that many carers have used their personal budgets to take a break from caring, which has had a positive impact on their wellbeing and supported them in their caring role.

In the context of considerable financial pressures facing the council and specifically in social care, the council considers that the proposals regarding carers' personal budgets have the 'least worst' outcome for carers. The council considers that the majority of carers' eligible needs can be met through the existing 'core' carer services.

Carers will therefore continue to have access to existing services such as:

- a. The Carers Oxfordshire service - information and advice (online, email, phone); face to face support; volunteer befriending; peer support; training for carers
- b. A range of respite services for adults and children with disabilities to support their carers: daytime support; after school and holiday activities; overnight and longer breaks
- c. Carers' assessment and review and carers' support plan
- d. Young Carers Service
- e. Emergency Carers' Support Service

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

In February 2016, the council agreed savings to be made in respect of carers' services. This assessment focuses specifically on two of those savings:

- introduce charging for carers' services
- remove or reduce the level of Personal Budget award to carers who have eligible needs for support following assessment

It has been determined that the introduction of charging for carers' services is not a viable option and would not deliver the required savings. Also, whilst it is permissible for local authorities to charge carers for services, it is not recommended by Government to do so. It is therefore recommended that the council does not proceed with this option.

The option of not making any changes to the current process of carers' assessment and support planning, which may include a Personal Budget was considered but was also rejected as the modelling undertaken showed it would not be possible to deliver the required level of savings now or in future years.

Although carers report that being awarded a personal budget makes them feel recognised and valued for the support that they provide, the council considers that the majority of carers' eligible needs can be met through the 'core' carer services, which include:

- a. The Carers Oxfordshire service - information and advice (online, email, phone); face to face support; volunteer befriending; peer support; training for carers
- b. A range of respite services for adults and children with disabilities to support their carers: daytime support; after school and holiday activities; overnight and longer breaks
- c. Carers' assessment and review and carers' support plan
- d. Young Carers Service
- e. Emergency Carers' Support Service

## Impact Assessment: Oxfordshire Carers' Strategy

The strategy sets out how Oxfordshire County Council and Oxfordshire Clinical Commissioning Group will support carers in the period 2017-2020.

It is considered that the strategy will have a positive or neutral impact on carers.

## Impact Assessment: carers' personal budgets

This assessment considers the potential impacts on different groups, services, staff and providers and possible mitigations in respect of the **proposed three options for carers' personal budgets** which are being consulted on.

### Impact on Individuals and Communities:

#### General

Risks	Mitigations
<p>All three options proposed have a greater impact on those carers who have previously received a carers' personal budget</p> <p>There is also an impact on carers who haven't had a personal budget but might</p>	<p>The options for carers' personal budgets do not affect the majority of carers - less than a quarter of carers whose needs were assessed in 2015/16 (in an individual Carers' Assessment and/or jointly assessed in the assessment of the</p>





<p>under the current system. However, there could also be a positive impact for some carers who may receive a higher amount under option 1 or 2 than under the current system</p> <p>Option 3: not having a carers' personal budget could mean that some carers are less able to have a break from caring. Not having a personal budget could negatively affect the health and well-being of carers; carers may feel devalued and unsupported in their role, and this could lead to carer breakdown with subsequent significant costs to the council to support the cared for person. There could also be a cumulative subsequent effect on the wider family and support network</p> <p>The proposals may reduce the ability for a break from caring by reducing or removing carers' personal budgets; the impact of this may be higher for carers where the cared for person may not be eligible for or chooses not to receive a social care service</p> <p>There is a risk of a cumulative impact on carers - the review and recommissioning of services such as daytime support for adults and services for children with disabilities that support carers will have an impact on many carers alongside the proposals for carers' personal budgets</p>	<p>Option 3 - in addition to the core offer, the proposed contingency fund will mean that carers who are unable to meet their eligible needs from the 'core' services will be able to apply to the fund for a payment for a specific, identified item that would meet the need The 'core' services and support for carers are continuing and are not part of the proposals for carers' personal budgets. The Carers Oxfordshire service includes services to support carers' health and wellbeing, for carers of people with mental health needs and/or physical health needs</p> <p>Options 1 &amp; 2 retain carers' personal budgets which carers with eligible needs could use for a break, regardless of whether the person cared for receives a social care service. Under option 3, there will be a 'contingency fund' of £100,000 to meet eligible carers' specific needs which cannot be met by the 'core' carers' services, and a carer who is caring for someone who does not receive a social care service for whatever reason could apply for a payment for a break</p> <p>The impact of any potential changes in daytime support services for adults and services for children with disabilities will be reflected in the impact assessments for those services. The council will consider the results of this consultation in conjunction with any potential changes in day time support services to ensure that any adverse impact on carers is mitigated</p>
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**Sex**

<b>Risks</b>	<b>Mitigations</b>
All three options proposed could impact disproportionately on women, as higher numbers of women are carers	If option 3 is taken forward - a mapping and profiling exercise will be undertaken on carers currently in receipt of the highest level of personal budget e.g. to establish whether the carer lives in an urban or rural area; the age and gender of the carer; needs of person cared for; health needs of carer etc. and use results of this exercise to inform the development of the criteria for the proposed contingency fund and existing carer support services

**Rural communities:**

<b>Risks</b>	<b>Mitigations</b>
<p>These proposals could have a greater impact on people living in rural communities as there are high numbers of older people in these areas, and older people are more likely to be carers than younger people</p> <p>The proposals potentially impact more on carers in rural areas in terms of transport and access to services - carers' personal budgets may be used more for transport; public transport availability is usually scarcer in rural areas than in more urban areas and transport costs are higher</p>	If option 3 is taken forward - a mapping and profiling exercise will be undertaken on carers currently in receipt of the highest level of personal budget e.g. to establish whether the carer lives in an urban or rural area; the age and gender of the carer; needs of person cared for; health needs of carer etc. and use results of this exercise to inform the development of the criteria for the proposed contingency fund and existing carer support services

**Areas of deprivation:**

<b>Risks</b>	<b>Mitigations</b>
The proposals, option 3 in particular, could have a greater impact on people on low incomes/living in areas of deprivation as they may be less likely to be able to meet their needs from within their own resources	If option 3 is taken forward - a mapping and profiling exercise will be undertaken on carers currently in receipt of the highest level of personal budget e.g. to establish whether the carer lives in an urban or rural area; the age and gender of the carer; needs of person cared for; health needs of carer etc. and use results of this exercise to inform the development of the criteria for the proposed contingency fund and existing

	<p>carer support services</p> <p>Carers Oxfordshire, Oxfordshire Specialist Advice Service and social care staff will encourage the carers they work with to apply for benefits that the carer may be eligible for</p>
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**Gender reassignment, pregnancy and maternity, disability, race, religion or belief, sexual orientation, marriage and civil partnership:**

No differential impacts have been identified for people who share these protected characteristics, but we anticipate that this may change as a result of the feedback received during this consultation.

**Impact on Staff:**

<b>Risks</b>	<b>Mitigations</b>
<p>The proposals could have a significant impact on the workloads of operational teams and the Customer Services Centre as there could be an increase in referrals of both new and known social care service users, in particular emergency/urgent referrals at a time of crisis as a result of carer breakdown. There will also be work arising from revising processes and procedures regardless of which of the proposed options for carers' personal budgets is taken forward</p>	<p>Any increases in workload will be monitored and corrective actions taken as required</p>

**Impact on other Council services:**

<b>Risks</b>	<b>Mitigations</b>
<p>There is a risk that these proposals could lead to increased costs for the council in providing care and support to people whose carers can no longer maintain their input</p> <p>There could be reputational and political risks to the council of reducing support to carers</p>	<p>Spend on services and budget management processes are closely monitored and any significant increases will be escalated in accordance with operational protocols</p>

**Impact on providers:**

<b>Risks</b>	<b>Mitigations</b>
There could be an increase in demand for other social care services such as the Emergency Carers Support Service and emergency respite placements which providers may not have the capacity to meet	The Emergency Carers Support Service is being incorporated into the new Urgent Response and Telecare Service, which is due to begin in October 2016. The new service has been designed to include improved resource capacity
There could be a risk that providers of carer support and other social care services may be unable to manage an increase in demand as a result of these proposals	Services will be regularly monitored through existing contract monitoring and other processes to pick up any capacity issues or other concerns which will be escalated in accordance with operational protocols

**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:**

Summarise the actions that will be taken as a result of the assessment, including when they will be completed and who will be responsible. It is important that the officer leading on the assessment follows up to make sure the actions are completed, and updates the assessment as appropriate. Any significant risks identified should also be added to the appropriate service or directorate risk register, to ensure they are appropriately managed and reviewed.

<b>Action</b>	<b>By When</b>	<b>Person responsible</b>
If option 3 taken forward - undertake mapping exercise to identify characteristics of high need carers		
If option 1 or 2 taken forward - review and adjust the Resource Allocation System in the		

## Oxfordshire Carers' Strategy and Carers' Personal Budgets Consultation

carers' assessment process		
Develop criteria and procedure for proposed contingency fund if option 3 is taken forward		
Raise awareness and encourage use of new technology and online support systems		

**Person responsible for assessment: Benedict Leigh**

Version	Date	Notes (e.g. Initial draft, amended following consultation)
1	22 <sup>nd</sup> August 2016	Initial draft