



## **Performance Scrutiny Committee Thursday, 14 December 2017**

### **ADDENDA**

#### **5. Service and Resource Planning 2018/19 - 2021/22 (Pages 1 - 34)**

10.10

The report of the Chief Finance Officer forms part of a series relating to the Service and Resource Planning process.

This report outlines new pressures and savings for 2018/19 and the medium term, the key announcements of the Autumn Statement; and the approach to the capital programme for 2018/19 to 2021/22.

**The Performance Scrutiny Committee is invited to consider and comment on the revenue improvements and investments plus pressures and savings proposals; and the proposed capital portfolio areas.**

Comments from the Committee will be fed through to Cabinet for their consideration in proposing a budget and Medium Term Financial Plan (MTFP) on 23 January 2018. Council will meet to agree the budget and MTFP on 13 February 2018.

#### **ADDITIONAL IN THIS ADDENDA**

Schedule for discussions on this item

10.10 – Introduction to Service and Resource Planning 2018/19 – 2021/22 (Lorna Baxter / Peter Clark)

10.30 – People

- Children, Education and Families (Lucy Butler)
- Adult Social Care (Kate Terroni)
- Public Health (Jonathan McWilliam)

11.45 – Resources (Peter Clark)

12.05 – Communities (Bev Hindle)

12.40 – Capital approach (Lorna)

Individual Service and Community Impact Assessments (SCIAs)

Larger print version of the table on Page 29 of the Agenda which should be on two pages.



## Service and Community Impact Assessment (SCIA)

### Front Sheet:

**Directorate and Service Area:**

Joint Commissioning, People

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

A project to move adults with learning disabilities and/or autism from residential care placements outside Oxfordshire to supported living placements in Oxfordshire.

**Responsible owner / senior officer:**

Natalia Lachkou, Joint Commissioning Team

**Date of assessment:**

November 2017

**Summary of judgement:**

The Council places 185 people with learning disabilities and/or autism in high cost out-of-county residential placements across 51 local authorities. The project aims to move approximately 76 people with learning disabilities from high cost, out-of-county placements to supported living within the county.

This would include moving people out of care homes and hospitals who have needs which can be met in the community and young people who are transitioning from out-of-county Special Educational Needs placements to supported living locally. The project would also provide a local offer within Oxfordshire and stem the flow of individuals who would otherwise be placed out-of-county. The lives of individuals could be significantly improved by moving into supported living and being in a community setting.

The project is based on performance based outcomes for Service Users to successfully move into stable supported living accommodation, and to sustain living in the accommodation. A further outcome is for the individuals to achieve progressive and sustained improvements in their quality of life and ability to live more independently. These will be measured through performance monitoring within the contract.

The individuals of the cohort will be assessed and then, if it is appropriate for them to be offered a move to supported living within the county, them and their families will be given a choice. This will be completed with tailored support so that the individual and their families are equipped to make a fully informed decision.

The individuals may have problems adjusting and therefore sustaining their new accommodation. Appropriate support will be given to help the individuals to adapt to the change. The accommodation will be sourced with careful consideration given to the individual's needs including assistive technology and other equipment where required. There will be contingencies in place in case of breakdown of placements.

There is a risk that the provider will struggle to find accommodation that meets the needs of each individual service user. The provider will work with housing providers to acquire suitable properties giving careful consideration to the needs of the individuals. The size of the project is manageable in terms of the amount of housing required.

## **Detail of Assessment:**

### **Purpose of assessment:**

This assessment has been conducted to consider the impact of a project to move adults with learning disabilities from long-term residential care placements outside Oxfordshire to supported living placements in Oxfordshire.

This assessment fulfils the Council's requirements under Section 149 of the Equality 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 £589,148<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.

The delivery of this project will improve the lives of vulnerable people who have been moved away from Oxfordshire. Enabling vulnerable people to become more independent in a supported living environment will enhance their lives and contribute to achieving the social objectives of the Council.

## **Context / Background:**

The Council places 185 people with learning disabilities and/or autism in high cost out-of-county residential placements across 51 local authorities. Each year about 11 young people with learning disabilities who transition to adult services are placed in

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

out-of-county residential placements, because there is nowhere for them to go in Oxfordshire. There are also a small group of people with learning disabilities who are living in hospital and need to move to a community setting.

The Council has been very successful over the years in significantly reducing the number of people with learning disabilities who are living in care homes within Oxfordshire, by providing ordinary housing in supported living accommodation as an alternative. This has meant that people are living ordinary lives in an independent setting. However, the Council still places a significant number of people with learning disabilities in high cost out-of-county care home placements, many of whom could move back to supported living in Oxfordshire.

The strategic context for this programme is the government's Transforming Care policy, which aims to move people with learning disabilities out of institutional care and provide more appropriate community services. This philosophy is reflected in two local strategic documents: the Big Plan which is Oxfordshire's joint-commissioning Learning Disability Strategy for 2015-2018 and the Oxfordshire Transforming Care Plan 2016-2019.

Both plans include an objective to enable people with learning disabilities to make choices about where they want to live and support them, and their families, with making and implementing their decision. In addition, the Transforming Care plan contains a renewed commitment from health and social care commissioners to develop more local services and to grow community and sector capacity to support people with disabilities who display behaviours that challenge services and systems.

This innovative project will build on Oxfordshire's long standing success in developing sustainable supported living solutions for people with low to medium care needs, by applying this knowledge and latest NHSE guidance to develop local solutions for people with high care needs, who are the focus of system improvements locally and nationally.

## **Proposals:**

The programme set out in this impact assessment aims to address the needs of the adults in Oxfordshire with learning disabilities and/or autism by achieving the following:

- Move people in high cost out-of-county residential care placements to supported living within the county;
- Move people out of specialist hospital who have needs that can be met in the community;
- Stem the flow of some of those who would otherwise be placed in out-of-county placements;
- Improve the quality of lives of the individuals who move into supported living closer to their families;
- Deliver significant savings to the Council.

The cohort for the programme will be based on a subset of the total population of out-of-county placements, as it is not possible or reasonable to move all of those from out-of-county placements. This is because some individuals are settled in their current homes and it would not be in their best interests to move.

The proposed cohort will comprise 76 individuals as follows:

- 61 currently living in out-of-county care homes;
- 6 referrals of those living in hospital;
- 9 new cases (coming through from Children's services)

It is anticipated that about 75% of this cohort will make a move to supported living (57 individuals). It is possible that a higher scenario of up to 76 individuals could be achieved, although this is unlikely. This is because the assessment of some of the individuals may find that it is not in their best interests to move and some that move may not sustain their accommodation and may have to return to an out-of-county placement.

The Commissioned Service will be responsible for moving individuals from an institutionalised setting to in-county supported living. The Council will separately commission Business as Usual services through a new framework agreement to meet the needs of individuals who have moved into the supported living accommodation.

The Commissioned Service will need to work in partnership with a Housing Provider/s. The role of the Housing Provider will be to source accommodation for individuals, and groups of individuals, based on the assessment of housing needs carried out by the Commissioned Service.

### **Evidence / Intelligence:**

The proposals were developed over several months following engagement with key stakeholders, including Oxfordshire County Council, Oxfordshire Clinical Commissioning Group, supported living providers, representatives from family carers' and self-advocacy organisations, health and social care professionals and others.

Oxfordshire has a long-standing success in developing sustainable supported living solutions for people with low to medium care needs and this project will build on this success by applying this knowledge and the latest NHSE guidance to develop local solutions for people with high care needs.

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

Initially the following options were explored:

- Do nothing;
- Commission a service funded by a Social Impact Bond;
- Commissioned a service fully funded by the council

A Social Impact Bond is a commercial product, which involves the upfront costs of a service being met by social investors, with commissioners making payments on the achievement of outcomes.

Doing nothing is not considered to be as an option as the Council is required to review the needs of each service user as part of the Transforming Care programme, with many individuals wishing to and expected to return to the county.

Initially the Social Impact Bond was selected as the preferred option. After discussions with the appointed social investor it became apparent that they wanted to reduce the number of anticipated outcomes for the programme, so that fewer individuals made the move to supported living.

The preferred option is now for a Commissioned Service where the Council steps into the investor role. This allows the number of anticipated individuals moving to supported living to remain as high as possible.

## **Impact Assessment:**

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

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



## Summary of proposed changes and impact

### Cohort of individuals

The individuals in the cohort all have learning disabilities and/or autism and are living outside of Oxfordshire. Most the individuals are currently living in care homes and a small number are living in hospital. There are some young people who will be transitioning from Special Educational Needs placements.

Further information about the cohort is found in the table below:

Needs	%
PBS/Autism	77%
Sensory/Epilepsy	4%
PMLD	2%
MH/Forensic	10%
Physical/Health	8%
Age Ranges	%
18-24	25%
25-34	36%
35-45	12%
45+	26%
Gender	%
Male	69%
Women	31%

The project will enable people to make a choice about where they want to live, and support them, and their families, with making and implementing their decision. It is considered that it will be a positive impact to be able to return to Oxfordshire for both the individuals and any family.

Disability	
Risks	Mitigations
There is a risk that the Service User and/or the Service Users family may not want the Service User to move from their current accommodation.	Moves are not compulsory. Assessments will be carried out with each individual. Following assessment, it may be clear that it is not in the individual's best interests to move from their current accommodation and therefore the individual will not move. If, following assessment, a move is recommended and the individual, or family, does not want them to move from their current accommodation, they will be provided with options and supported to make informed choices. Individuals, and their families, will be given the opportunity of an introductory

	visit to view any accommodation identified to discuss his or her individual requirements and help to alleviate any anxieties.
There is a risk that the Service Provider will struggle to find accommodation that meets the needs of each individual Service User.	The Service Provider will work with housing providers to acquire suitable properties giving careful consideration to the needs of the individuals including whether this should be self-contained or shared accommodation. Individuals will not be moved until a suitable property has been sourced for them. The size of the project is manageable in terms of the amount of housing required.
Many of the individuals have behaviour that challenges. There is a risk that any changes to their environment could have an impact on their behaviour.	The accommodation will be sourced with careful consideration given to the individual's needs including the outside and inside environment and sensitivities to stress.
There is a risk that the placement into a supported living scheme may break down for a short period.	Depending on the reasons for the breakdown of the placement, an alternative placement could be sourced for a short period until the individual is able to return to the supported living accommodation. There will be contingency plans in place in case of breakdown of placements.
There is a risk that the Service User may become unwell and have to be admitted to hospital for assessment and treatment.	If this is on a short-term basis, the individual should be able to return to the supported living accommodation. If this is for a longer period, professionals will consult with family etc. about the future of the placement and have a contingency plan.

<b>Age</b>	
<b>Risks</b>	<b>Mitigations</b>
There is a risk that the Service User may have other needs due to age which may have an impact on the type of accommodation required.	Assessments will be carried out with each individual. The accommodation will be sourced with careful consideration given to the individual's needs including assistive technology and other equipment where required.
There is a risk that younger people may require more support due to the transition from Special Educational Needs placements to supported living.	Ongoing tailored support will be given based on individually assessed needs.

<b>Rural communities</b>	
<b>Risks</b>	<b>Mitigations</b>
There is a risk that the Service User will be placed in a rural area due to the environment required and therefore may need more support to access local services.	Assessments will be carried out with each individual. The accommodation will be sourced with careful consideration given to the individual's needs including the external environment for example, not near busy roads etc. Ongoing support will be provided to enable individuals to access local services where appropriate.

**Impact on Staff:**

There is no impact on OCC staff relating to loss or transfer of jobs, as the current care staff are employed by commissioned external providers out-of-county.

<b>Risks</b>	<b>Mitigations</b>
N/A	N/A

**Impact on other Council services:**

<b>Risks</b>	<b>Mitigations</b>
There is low unemployment in Oxfordshire and therefore care jobs are hard to recruit for. There may be a risk of staff leaving one care provider for another with the introduction of this new support opportunity in Oxfordshire.	All Providers are supported by the Council around recruitment and retention of care staff including free training. The contract will be monitored to ensure that there are safe levels of staffing in the service. The Council has started a sector-wide recruitment campaign with key Oxfordshire health and social care employers to increase the number of people entering into local care jobs.
There may be competition for sourcing properties depending on which other services are looking for accommodation.	Providers will be looking for a range of accommodation types which meet the specific needs of different individuals which may have an impact on the competition. There is support available from specialist housing staff in the Council. Several care providers work with a preferred housing partner to develop supported living services in Oxfordshire.

## Impact on providers:

There are a number of opportunities for collaboration amongst providers including:

- Establishing a consortium of providers to bring together different specialist expertise required;
- Entering into partnership arrangements with housing providers.

Risks	Mitigations
As the service will be commissioned without a payment-by-results element, there may not be the same drive to achieve performance as the Council will pay for the service irrespective of whether or not the outcomes are achieved.	The Council will monitor the performance of the provider on a regular basis. If the provider is not performing there will be the option to terminate the contract.
The government has proposed changes to housing benefit which may impact on the supply of supported living and may discourage providers from becoming involved in the project.	There is currently a consultation running by DCLG on the proposals, the outcome of which will not be clear until after January 2018.

## Social Value

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

It is estimated that the Commissioned Service option will generate about 17 jobs and the Business-As-Usual service will generate another 100 jobs.

Service users will be integrated into local communities and will use local community services and facilities, thereby generating economic activity.

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

Service users will be situated in local communities and will be able to use local resources, avoiding excessive travel.

## Action plan:

Action	By When	Person responsible
All mitigating actions referred to in this SCIA are	On-going	Natalia Lachkou

taken from the current project plan. This plan is being reviewed and developed by the project group which meets monthly.		

**Monitoring and review:**

Continue to review SCIA at key stages of the project:

- **Dialogue with providers – January 2018**
- **Publication of the tender – early Spring 2018**
- **Throughout tender evaluation and contract award – late Spring 2018**

**Person responsible for assessment:**

Version	Date	Notes (e.g. Initial draft, amended following consultation)
v1	November 2017	

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# Service and Community Impact Assessment (SCIA)

## Front Sheet:

**Directorate and Service Area:  
Resources**

**What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):  
Charges for ICT provision to organisations outside OCC**

**Responsible owner / senior officer:  
Graham Shaw**

**Date of assessment:  
4<sup>th</sup> Dec 2017**

### **Summary of judgement:**

Provision of ICT to partner organisations has been reviewed on the basis that the cost of provision should be recovered. All organisations have been contacted and charges discussed. In all cases, organisations have a choice to continue taking a service from OCC or not.  
This exercise is still in progress.

## Detail of Assessment:

### **Purpose of assessment:**

Change to service delivery for ICT and charging approach.

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



### **Context / Background:**

Over many years, the Council has offered ICT provision to other organisations largely schools and other public sector bodies. In most cases, ICT provision is part of broader relationship but there has been no cost recovery.

In a recent review more than 1000 potential users were identified whose ICT provision is effectively being subsidised.

### **Proposals:**

It is not reasonable for this level of subsidy to continue and organisations have been approached to discuss whether they wish to cease OCC ICT provision or to continue the service at a charge based on full cost recovery. Charges vary depending on the services drawn, from £500 to £1500 per annum.

### **Evidence / Intelligence:**

All organisations are being approached individually to understand the situation and to set out the choice available. In some cases e.g. Academy conversion, it is not possible for the Council to continue to provide a service.

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

Alternatives considered were:

**Do nothing** – not acceptable due to cost and complexity of provision to so many organisations and whether in some cases eg Academy conversion, the Council can continue to offer a service at all.

**Levy a much smaller or token charge** – this effectively maintains a burden on the Council's ICT service provision at a time when resources are under pressure and anything less than full cost recovery was not considered acceptable.

## **Impact Assessment:**

### **Impact Assessment on Groups**

As noted, all groups are being approached and the situation discussed. Thus far there have been no issues raised. Some groups recognise this situation has evolved and is not necessarily the best approach for them and therefore are happy to adopt their own ICT provision. A number of groups are those who are in the process of separation from OCC run support services, these include schools who are transitioning to Academy status.

### **Ceased or in process of ceasing by agreement**

- Mill Arts
- ACE centre
- Headington Partnership
- Southern Health - Knights Court

- Southern Health - Abbey House
- Hill End, Yenworthy, Kilvrough, Woodlands
- OHS move to Academy
- Experience Oxfordshire

**Ongoing (either because they are an integral part of core Council business or, where indicated by \* = they have agreed to pay a charge)**

- NHS users of the OCC Adult Social Care system
- Multi-Agency Safeguarding Hub\* - charge applies to other public sector bodies
- Local Enterprise Partnership\*
- Oxfordshire Pensions\*
- Oxfordshire Fire and Rescue\* – part of OCC for which there is no charge but charge relates to FRS Berkshire and central control centre accessed by Bucks, Berks & Oxon
- National Citizens Service\*
- Victoria County History

**Undetermined i.e. review and contact still in progress**

- Skanska – (expected to cease, awaiting final confirmation)
- Probation Service (except where MASH users)
- TVERC
- TVP
- BBC Oxford
- City Council Contractor Cowley Marsh
- Amey
- Lower Windrush Valley Project
- Wychwood Project
- Aquarius Workers
- Ridgeway and Thames Path National Trails Team
- HCC Schools support (Abbey House)
- Unison

**Impact on Individuals and Communities:**

**Community / Group being assessed (as per list above – e.g. age, rural communities – do an assessment for each one on the list)**

Summarise the specific requirements and/or potential impact on this community / group, and then highlight the most significant risks and mitigating action that has been or will be taken.

<b>Risks</b>	<b>Mitigations</b>
Key risk is to the organisations continuing business delivery	Discussion with each organisation on an individual basis to set out the choices. No withdrawal of service until there is a clear

	<p>outcome 31<sup>st</sup> March 2018 has been given as a deadline for completion of this exercise.</p> <p>Escalation to internal OCC stakeholders in the event of any dispute.</p>

**Impact on Staff: none**

Summarise the specific requirements and/or potential impact on staff, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations

**Impact on other Council services: none**

Summarise the specific requirements and/or potential impact on other council services, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations

**Impact on providers: none**

Summarise the specific requirements and/or potential impact on providers of council services, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations

**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>
Continue to assess each group individually	By end of Dec '17	Mike Ibbitson, Interim ICT Service Manager
Group decides not to continue with OCC service	Service will cease by 31 <sup>s</sup> March 2018	

**Monitoring and review:**

Try to be as specific as possible about when the assessment will be reviewed and updated, linking to key dates (for example when consultation outcomes will be available, before a Cabinet decision, at a key milestone in implementation)

**Person responsible for assessment:**

Version	Date	Notes (e.g. Initial draft, amended following consultation)
1.0	04/12/17	Initial document.
2.0	31/01/18	Review following updates and feedback from Strategic Directors

# Service and Community Impact Assessment (SCIA)

## Front Sheet:

**Directorate and Service Area:**

Finance  
ICT

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

Proposed new service delivery model for ICT

**Responsible owner / senior officer:**

Graham Shaw

**Date of assessment:**

27<sup>th</sup> Nov 2017

**Summary of judgement:**

Service delivery options are still being researched and will include in-house, commercial and public partnership delivery.

For any final recommendation, no redundancies or staff losses are planned at this stage and an Oxfordshire staff base is an essential requirement as now.

## Detail of Assessment:

### Purpose of assessment:

Purpose: Response to new proposed (not yet agreed) service delivery model.

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:

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- Foster good relations between people who share a protected characteristic, and those who do not.

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- 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.

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These protected characteristics are:

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- 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

**Context / Background:**

Like others, the Council's ICT Service is central to service delivery and the development of new digital solution. There are specific challenges around recruitment of some technical staff, infrastructure investment and associated costs.

**Proposals:**

To explore the future sourcing options in relation to ICT Desktop/Infrastructure, Applications and Digital Requirements. The object is to ensure continuing resilience for OCC ICT service delivery and support and best value.

**Evidence / Intelligence:**

Collection is still in progress.

**Alternatives considered / rejected:**

All alternatives are still under consideration.

**Impact Assessment:****Impact on Individuals and Communities:**

There is no impact upon communities or groups.

Risks	Mitigations
None identified	

**Impact on Staff:**

If a commercial or public partnership option were to be accepted then there is a likely to be a TUPE of ICT staff to another organisation.

Risks	Mitigations
Potential for transfer out of OCC employment	Staff have been briefed on the approach and options under consideration as have Unison. Briefings will continue on a regular basis and will be in line with Council policy.

**Impact on other Council services:**

There are no perceived impacts upon other council services other than the intention that over time ICT service resilience and user support will be maintained or improved.

Risks	Mitigations
None identified	

**Impact on providers:**

None are expected.

Risks	Mitigations
None identified	

**Action plan:**

There are no new actions from this SCIA. The project will be governed using the standard Council approaches and any new or emerging risks will be assessed and added to the project risk log.

Action	By When	Person responsible
None		

**Monitoring and review:**

The assessment will be updated and considered as required. Noting that at the time of this initial assessment there is no Cabinet instruction to proceed with any option.

**Person responsible for assessment:** Graham Shaw

Version	Date	Notes (e.g. Initial draft, amended following consultation)
V1.0	27_11_17	First assessment.



# Service and Community Impact Assessment (SCIA)

## Front Sheet:

**Directorate and Service Area:**

Adult Social Care

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

Contributions Policy for Adult Social Care

**Responsible owner / senior officer:** Ben Threadgold**Date of assessment:** November 2017**Summary of judgement:**

This assessment considers the potential impact of changes to the Adult Social Care Contributions Policy on individuals, communities, staff, other council services and providers.

The Adult Social Care Contributions Policy was introduced in January 2014 and was last revised in July 2016. It outlines how the council ensures a fair approach in assessing the contributions made by individuals towards the social care services they receive.

Following the introduction of a new Adult Social Care finance system, and in considering ongoing practice from implementing the existing contributions policy, the council is proposing to review the Contributions Policy with a view to ensuring equity and sustainability whilst also maximising cost efficiencies. The review will also seek to identify any inconsistencies in current policy. It will be completed in line with the legislation set out in the Care Act (2014).

The review will focus on areas that the Care Act allows discretion for Councils. It will therefore particularly consider current policy in relation to disability related expenditure, arrangement fees, 12 week property disregards, couples, full cost recovery of home care costs, and non-statutory services.

On the assumption that changes in the existing policy will be identified, it is likely that if implemented these are likely to have both positive and negative impacts.

Potentially positive impacts could include; some people seeing a reduction in their contribution, the policy being more equitable, it addresses any inconsistencies in approach. Any changes increasing the councils income, or reducing its expenditure, would help to sustain Adult Social Care.

Potential negative impacts could include; some people seeing an increase in their assessed contribution and in some cases may be impacted by more than one change in policy, causing a cumulative increase in contribution. However, in line with national guidance, no service users would be left with income below the minimum income guarantee required to meet their living costs and care needs.

Anyone identified as potentially negatively affected by proposed changes in policy would be contacted by the council's Financial Assessment Team to offer the person a full reassessment of their finances. If appropriate the council would also review the person's care package to explore alternative ways of meeting their needs.

Any changes in policy would have the potential to impact on staff, other services and providers. In particular, these would be associated with awareness of the consultation period and implementation of the new policy if any changes are agreed. However, these are likely to be less significant and could be mitigated through consultation, engagement and implementation plans.

Once any changes to policy are identified, the council will implement a full public consultation as well as engagement and implementation plans to ensure the full impact of these changes are assessed. This assessment will be reviewed as policy changes are identified and agreed, following the consultation period to ensure the consideration of potential impacts remains accurate, and to reflect any new impact identified or changes in policy.

## **Detail of Assessment:**

### **Purpose of assessment:**

The purpose of this assessment is to consider the impact of the proposed revisions to the Adult Social Care Contributions Policy, which includes changes to current policy that will affect people using services, providers and council services / staff.

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:

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

### **Context / Background:**

The Adult Social Care Contributions Policy was introduced in January 2014 and was last revised in July 2016. The policy outlines how the council ensures a fair approach in assessing the contributions made by individuals towards the social care services they receive.

Following the introduction of a new Adult Social Care finance system, and in considering ongoing practice from implementing the existing contributions policy, the council is proposing to review the Contributions Policy with a view to ensuring equity and sustainability whilst also maximising cost efficiencies. The review will also seek to identify any inconsistencies in current policy. It will be completed in line with the legislation set out in the Care Act (2014).

On the assumption that changes in the existing policy will be identified, it is likely that if implemented these are likely to have both positive and negative impacts

## **Proposals:**

The council is proposing to review the existing contributions policy, with a particular focus on areas that the Care Act 2014 allows discretion for councils. These include the following areas:

### **Disability Related Expenditure**

Disability Related Expenditure is any additional living costs a person incurs due to their age or disability. This forms part of the overall financial assessment which determines how much a person can afford to contribute towards their care costs.

Currently the council completes an individual Disability Related Expenditure assessment for every person and makes an allowance for this cost regardless of whether a person is claiming disability benefits or not.

### **Arrangement Fees**

Legislation introduced in the Care Act 2014 enables the council to charge an arrangement fee for people with eligible needs, who have financial assets above £23,250 and ask the council to arrange their care. The arrangement fee takes into account the cost of negotiating and/or managing the contract with a provider and covers any administration costs incurred. The council cannot charge for carrying out assessments, preparing support plans and reviews of support. Arrangement fees cannot be applied to residential care.

The council currently charges two levels of arrangement fee depending on the level of its involvement. These are both one off fees.

**Level 1** - £150 - Where the council sources the care but the person enters in to a private arrangement with the care provider.

**Level 2** - £500 - Where the council sources the care and manages the ongoing provision of care and support

### **12 Week Property Disregards**

The 12 Week Property Disregard is based on national legislation and means that when a person first enters a care home, the value of their property is not taken into account during this initial twelve week period. The aim of the disregard is to give people moving into a care home time to decide what they want to do with their property.

Under the current policy the council offers a 12 Week Property Disregard to everyone, including self-funders who have placed themselves in a care home a number of years previously and who have already had time to consider what they wish to do with their property.

### **Couples**

The council currently offers people living with a partner in their own homes the option of receiving both a single and joint financial assessment. It then uses the assessment with the lowest contribution to the benefit of the person being assessed.

### **Full Cost Recovery**

When recharging the cost of home care the council currently uses an average hourly rate of £19.40 per hour. Often this does not reflect the actual amount the council is charged by care providers, which means in some cases the council is partially subsidising the cost of care, where in other cases people are paying more for their care than the true cost.

### **Non-statutory services**

The council currently commissions a number of non-statutory services which can be used to meet a person's eligible needs, examples include:

- Telecare
- Laundry
- Blitz Cleans

These can currently be accessed by people who have eligible care and support needs, as well as people who don't, and are not directly linked to care and support plans or necessarily considered as part of financial assessments.

### **Evidence / Intelligence:**

The review of the contributions policy will be based on an analysis of current practice within Oxfordshire County Council. The council will also consider the policies used by other local authorities, the National Association of Financial Assessment Officers and in conjunction with the guidance set out in the Care Act. It will also analyse data and information about existing users of adult social care to help understand potential impact of any proposed changes, and to help shape proposals.

The Contributions Policy will be subject to public and stakeholder consultation and the outcome of this will inform further development of the policy. The consultation will include online consultation and stakeholder engagement through numerous forums and existing workshops / meetings / events. There will also be targeted communications to those people identified as most likely to be impacted by the proposed changes.

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

Feedback from staff indicates that some areas of the Contributions Policy aren't clear and there have been inconsistencies in its application and interpretation as a result.

In some cases the council's policy is more generous than is required under the Care Act and there is a monetary cost in taking this approach. In order to ensure the sustainability of Adult Social Care in Oxfordshire the council can no longer absorb the monetary cost of a policy that is more generous than is required under current legislation. It is for this reason that doing nothing is not an option.

## Impact Assessment:

### Impact on Individuals and Communities:

Any proposed changes in policy will be applied to everyone needing adult social care, regardless of their age, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, sexual orientation, marriage and civil partnership. However, it is more likely to affect older people and people with disabilities due to the nature of people who need social care.

Whilst amendments to the policy are therefore unlikely to affect any one group in particular, it is likely that some people would see a change in the amount they are assessed to contribute towards their care, with some paying more, some paying less and with no change for others.

Department of Health guidance states that contributions to care costs should not reduce a person's net income below levels of income equal to basic levels of Income Support or the Guarantee Credit of Pension Credit plus 25%. This means that people on low incomes and from areas of deprivation are likely to contribute less towards the cost of their care. Any amendments to the contributions policy would in line with this approach and would ensure that people are always left with a minimum level of income before they are expected to contribute towards their care.

The council will write to anyone affected by proposed changes in policy and offer the person a reassessment of their finances to ensure it captures the most up to date information. It will ensure that the person is not left with less than the minimum income stipulated in the Care Act. Where appropriate it will review the person's care package to look at the alternative ways of meeting the person's needs.

<b>Risks</b>	<b>Mitigations</b>
<p><b><u>General</u></b></p> <p>People using services are not aware of the consultation or able to contribute to it.</p>	<p>There will be a communication and engagement plan as part of the consultation. This will include a variety of options for people to contribute including engagement with support agencies as well as the online consultation.</p>



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**Impact on Staff:**

There is likely to be an initial increase in workload for staff in the Financial Assessment Team in dealing with the financial reassessments and the queries resulting from any changes in policy. This could in turn impact on the team's day to day workload. An implementation plan will be put in place to ensure the team is sufficiently resourced to cope with the increase in workload during this period.

There is also a risk that staff are not aware of any changes in policy and do not implement it effectively. A communication plan will be put in place to ensure that staff are fully briefed on the changes in policy. This will include training sessions as well as guidance and procedure documents. There will also be a review of other policies, procedures and guidance available to staff to ensure these are updated or removed where they are no longer relevant.

<b>Risks</b>	<b>Mitigations</b>
<p>Increased workload for Financial Assessments Team in having to reassess people currently using services in accordance with the new policy could impact on waiting times for assessment for new clients</p> <p>Staff are not aware of the new policy, and cannot implement it / communicate it to people using services appropriately.</p>	<p>Briefings and training for staff as part of implementation plan following agreement of policy</p> <p>Additional staff will be employed in the Financial Assessment Team for the period leading up to and immediately after implementation.</p> <p>Communications and engagement plan as part of consultation will include communication and training with staff.</p> <p>Review of other policies, procedures and guidance available to staff, including the Council intranet and internet sites, to ensure that they align and consistently enforce the new policy</p> <p>Implementation and training plan will be developed for staff in bringing in the new policy.</p>

**Impact on other Council services:**



Any proposed changes in policy may have an impact on Adult Social Care Teams where people receiving services approach their social worker about the changes in policy. The council will ensure that all Adult Social Care Teams are fully briefed about any change in policy and where to direct people in the event of any queries.

It is also possible that implementing the new policy could lead to increased complaints from clients and carers, and legal challenge. However, as any changes in policy will be considered in line with the guidance set out in the Care Act as well in consultation with various teams across the council including with colleagues in finance and social care, these risks are not considered to be significant.

Risks	Mitigations
Increase in workload for Social Workers in terms of queries, reassessments and waivers	The council will ensure that social workers are aware of the new policy and where to direct people in the event of queries.
Increase in the number of complaints for the council's Complaints Team.	The council will aim to mitigate this by contacting those people affected as part of the communications plan.
Potential increase in debt cases for Debt Recovery Team if people refuse to pay for any increase in their contribution.	The council will ensure its Complaints Team is fully briefed and aware of the change in policy.  Those likely to be adversely affected will be contacted as part of the consultation, and offered a re-assessment and help to consider alternative care provision to reduce costs if appropriate

### Impact on providers:

There is a risk that if providers are not told of or do not understand any policy changes they may give incorrect information to people using services. However, they will be made aware of the consultation as well as any resulting policy changes.

Any specific providers directly affected by proposed changes will be contacted directly as part of the consultation, and the council will seek to work with them throughout the implementation period to mitigate any risks identified.

Risks	Mitigations
If care providers are not aware of the change in policy they give people using services incorrect information.	Care providers will be included in the public consultation.
	Providers will be fully briefed on any subsequent policy changes.

<p>Changes may impact directly on specific providers, in terms of demand for services</p>	<p>All communications given by providers to people using services will be updated.</p> <p>The council will work with providers to ensure they are full briefed on any changes in policy and any impact it may have on them, and will work with providers to help mitigate any impacts where possible.</p>
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**Person responsible for assessment: Ben Threadgold**

Version	Date	Notes (e.g. Initial draft, amended following consultation)
1	November 2017	Initial draft

## People - Adult Services

Reference Number	Description	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m	Total All £m
	<b>Pressures</b>					
19PA1	<b>Demography</b>					
	Demography Pressure (Older people, learning disabilities, physical disabilities)	0.000	0.000	5.000	5.576	<b>10.576</b>
17SCS16	Planned savings of £1.5m in total (17SCS16) for review of packages are expected to be extremely challenging to achieve in addition to the existing savings of £1.6m made in 2016/17 and 2017/18.	0.750	0.750			<b>1.500</b>
17SCS31, 17SCS38, 17SCS41	Remove 50% of Learning Disability Panel savings (17SCS31, 17SCS38 and 17SCS41 reduced by 50% of total in each year based on forecast savings expected to be achieved by the Panel in 2017/18).	1.000	1.250			<b>2.250</b>
17SCS2	Remove savings related to the utilisation of council owned land (17SCS2) to increase availability of Extra Care housing. Replacement plans will be considered as part of a longer run strategy for the provision of care in Oxfordshire.	0.400	0.935			<b>1.335</b>
17SCS42	Additional income from the Better Care Fund (as reconfirmed in the 2017/18 Local Government Settlement) has been built into the MTFP since 2016/17 (17SCS42). Further guidance/information is awaited but it is unlikely that we will be able to use this to fund the existing MTFP in the way originally planned.	1.060	3.817			<b>4.877</b>
19PA2	Estimated inflationary pressure required to support the impact of the National Living Wage (NLW) on the rates the council pays external providers for adult social care.	2.350	1.500			<b>3.850</b>
19PA3	On-going base budget pressure relating to increases to rates paid to providers and new hospital social work team costs planned to be funded by the improved Better Care Fund from 2017/18 - 2019/20. The last notified year of the grant is 2019/20.			2.900		<b>2.900</b>
19PA4	Fallout of Health funding for 0.5fte of Director Post	0.090				<b>0.090</b>
	<b>Total Pressures</b>	<b>5.650</b>	<b>8.252</b>	<b>7.900</b>	<b>5.576</b>	<b>27.378</b>

## People - Adult Services

Reference Number	Description	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m	Total All £m
	<b>Savings</b>					
19PA5	Transforming Care for Learning Disabilities - saving relates to plans to move service users from long term placements outside Oxfordshire to supported living placements in Oxfordshire. Up to £0.5m up - front implementation cost will be met from reserves in 2018/19. Estimated on-going saving of £1.054m expected from 2021/22.		-0.272	-0.457	-0.325	-1.054
19PA6	Changes to adult social care contributions policy will be proposed. These are likely to increase levels of contributions towards the cost of care by people with income above the national minimum income guarantee. This would increase income by £1.5m. This additional income would be reinvested in adult social care services.	-0.750	-0.750			-1.500
19PA7	Reduce estimated impairment of Adult Social Care income due by £0.350m in each of 2018/19 and 2019/20. This is a technical financial accounting adjustment but effectively creates a one - off credit back to the revenue account.	-0.350		0.350		0.000
19PA8	Utilise 2.0% ASC Precept (available to allocate after funding demography)	-3.630	-3.410			-7.040
19PA9	Use of Adult Social Care Reserves	-1.575	1.575			0.000
	<b>Total Savings</b>	<b>-6.305</b>	<b>-2.857</b>	<b>-0.107</b>	<b>-0.325</b>	<b>-9.594</b>
	<b>Total Adult Social Care Budget Changes</b>	<b>-0.655</b>	<b>5.395</b>	<b>7.793</b>	<b>5.251</b>	<b>17.784</b>