

The Public Sector Equality Duty

The Equality Duty requires public bodies to have **due regard** to the need to:

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

Protected Characteristics:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Marriage and Civil Partnership (elimination of discrimination only)
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Due Regard means consciously thinking about the three aims of the Duty as part of the process of decision-making. For example:

- How they act as employers
- How they develop, evaluate and review policy
- How they design, deliver and evaluate services
- How they commission and procure from others

Advancing equality of opportunity involves considering the need to:

- Remove or minimise disadvantages suffered by people because of their protected characteristics
- Meet the needs of people with protected characteristics
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed in discrimination law. This could mean making use of an exception or positive action provisions in order to provide a service in a way that is appropriate for people who share a protected characteristic.

Officers should:

Keep an adequate record showing that the equality duties and relevant questions have been actively considered.

Be rigorous in both inquiring and reporting to members the outcome of the assessment and the legal duties.

Final approval of a proposal, can only happen after the completion of an equality impact assessment. It is unlawful to adopt a proposal contingent on an equality impact assessment

Central Bedfordshire Equality Impact Assessment

Title of the Assessment:	Introducing Charges for Money Management	Date of Assessment:	11 th October 2017
Responsible Officer Name:	Elaine Quantick Supported by: Joanne Bellamy	Extension Number:	
Title:			
Email:			

Stage 1 - Setting out the nature of the proposal and potential outcomes.

Stage 1 – Aims and Objectives	
1.1 What are the objectives of the proposal under consideration?	<p>To provide a sustainable Money Management service.</p> <p>The preferred option is to introduce a small charge for the Money Management service to new and existing customers and that the charge would be means tested. A second option is to reduce the client base and for the cost of bank charges to be passed on to customers, this option is 'stay as we are' as the service would not have the capacity to expand to take on new customers.</p>
1.2 Why is this being done?	
1.3 What will be the impact on staff or customers?	

Most councils provide a Money Management Service for customers who have an assessed care need, are not able to manage their own finances and do not have another suitable person to support them. By law the council is not required to offer the service however the council recognises the importance of supporting vulnerable people to manage their finances effectively and safeguard against any financial abuse.

With an ageing population, there is an increasing demand for adult social care and therefore naturally an increase in demand for money management support. More recently other providers of money management services, for example, supported living providers, are deciding to stop providing this service. Given there are few other providers to choose from and they can be very expensive, more customers are turning to the Council Money Management Service for help.

The Money Management Team at Central Bedfordshire Council has reached its capacity and is unable to currently accept any new referrals. Approximately 100 customers a year are being turned away from accessing the service. Most councils are now charging for this service and customers can also access alternative providers for support however the costs can vary.

Changes in the administration process for Universal Credit and Personal Independent Payments (PIP) means the processing of these benefits is much more involved and takes more time, for example, the PIP requires Appointees to be present at meetings. This means the time it takes to process each customer's benefits takes longer and so effectively costs the council more.

The cost of providing the service is also increasing. Each customer has a separate bank account and the bank charges for transactions is changing. This cost is currently being covered by the Council and it has not been possible to find an alternative free solution.

Preferred Option: To introduce a charge for the Money Management Service

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<p>What would this mean in practice?</p>	<p>The team will be able to accept new referrals. The team will be able to meet the requirements of the administration tasks set by DWP. Money Management will continue to be able to offer a customer-focused service.</p>																																
<p>Cost</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Deputyship Charge, set by the Court of Protection</th> <th style="width: 33%;">Annual bank transaction charge</th> <th style="width: 33%;">Annual Deputyship charge</th> </tr> </thead> <tbody> <tr> <td>If customer has under £1,000 capital</td> <td>No charge</td> <td>No charge</td> </tr> <tr> <td>Living in a residential placement, with less than £16,000 capital</td> <td>£26</td> <td>3.5% of balance of person's capital</td> </tr> <tr> <td>Living in a residential placement, with more than £16,000 capital</td> <td>£26</td> <td>£650</td> </tr> <tr> <td>Living in the community, with less than £16,000 capital</td> <td>£60</td> <td>3.5% of balance of person's capital</td> </tr> <tr> <td>Living in the community, with more than £16,000 capital</td> <td>£60</td> <td>£650</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Appointeeship Charge, set by the Council</th> <th style="width: 33%;">Annual bank transaction charge</th> <th style="width: 33%;">Annual Appointeeship charge</th> </tr> </thead> <tbody> <tr> <td>If customer has under £1,000 capital</td> <td>No charge</td> <td>No charge</td> </tr> <tr> <td>Living in a residential placement</td> <td>£26</td> <td>3.5% of balance of person's capital, maximum of £495</td> </tr> <tr> <td>Living in the community</td> <td>£60</td> <td>3.5% of balance of person's capital, maximum of £495</td> </tr> </tbody> </table>			Deputyship Charge, set by the Court of Protection	Annual bank transaction charge	Annual Deputyship charge	If customer has under £1,000 capital	No charge	No charge	Living in a residential placement, with less than £16,000 capital	£26	3.5% of balance of person's capital	Living in a residential placement, with more than £16,000 capital	£26	£650	Living in the community, with less than £16,000 capital	£60	3.5% of balance of person's capital	Living in the community, with more than £16,000 capital	£60	£650	Appointeeship Charge, set by the Council	Annual bank transaction charge	Annual Appointeeship charge	If customer has under £1,000 capital	No charge	No charge	Living in a residential placement	£26	3.5% of balance of person's capital, maximum of £495	Living in the community	£60	3.5% of balance of person's capital, maximum of £495
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<p>Approximate timescales</p>	<p>Dependent on the outcome of the consultation, charges will commence for new customers from 1st April 2018. For existing customers, the charge will be pro rata for the first year, from the date all engagement with current customers has taken place.</p>																																

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<p>Advantages</p>	<p>The charge proposed will enable the Council to extend its Money Management offer to meet the growing demand.</p> <p>The charges made by the Council are likely to be lower than other service providers as we will only be covering the cost of extending the service.</p> <p>The charge proposed will enable the service to be more customer focused and to respond to the increased burden of administration imposed by the Department of Work and Pensions (DWP) and the rollout of Universal Credit.</p> <p>The charge proposed will mean the service will not have to reduce the current number of customers it supports.</p> <p>The charge proposed will continue to ensure customers are supported to manage their finances effectively and minimise the risk of financial abuse.</p> <p>The charge proposed will support an increase in the value of the service provided, by enabling the Money Management team to work closely with the Council's social work team and with customers in financial budgeting and planning.</p> <p>The additional charges recently placed on customers' Money Management bank accounts by their Bank will also be charged to the customer.</p>
<p>Disadvantages</p>	<p>Current customers will have to pay for a service which they currently receive free of charge.</p>

Alternative option: Staying as we are

<p>What would this mean in practice?</p>	<p>The Council would need to reduce the number of existing customers they support to meet the demands and administrative tasks required by the DWP.</p>
<p>Cost</p>	<p>From 1st April 2018, any bank charges incurred by the council will be passed on to remaining customers.</p>
<p>Approximate timescales</p>	<p>New customers will continue to be signposted to alternative providers.</p>
<p>Assumptions</p>	<p>There will be alternative providers who are able to meet the demand and complexity of the customers.</p>
<p>Advantages</p>	<p>Remaining customers will continue to receive the service free of charge, however, the incurred bank charges will be forwarded to the individuals.</p>
<p>Disadvantages</p>	<p>The Council would need to reduce the number of customers they support to meet the demands and administrative tasks required by the DWP.</p> <p>The Council will not be able to accept new referrals and meet the demand for new customers.</p>

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If the service cannot take on new referrals, customers who are unable to manage their finances may need support by care management to access external providers to support or recorded as an unmet need. Both models could be costlier than the proposal of introducing a charge for the service.

Each customer will have a Best Interest Assessment by a qualified Social Care practitioner involving examination of other options for management of their money, and will only be referred to the charged for Money Management service if this is agreed to be their best option.

1.4 How does this proposal contribute or relate to other Council initiatives?

This proposal contributes to the Council's priority to promote health and wellbeing and protecting the vulnerable by ensuring the sustainability of a service for the most vulnerable of clients because of their capacity to make financial decisions.

1.5 In which ways does the proposal support Central Bedfordshire's legal duty to:

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

The Money Management (MM) Service is available for clients where the Council has a deputyship or appointeeship. The MM clients therefore lack the capacity to make financial decisions and so the Council manages their finances for them as there were no family or friends available to take this role. Clients can access alternative providers but these are typically at a higher cost than the fees proposed.

The MM Team is currently unable to accept new referrals as the team is at capacity. The introduction of fees (as per the preferred option) will allow the service to be expanded and be sustainable for the future. This will ensure that more vulnerable people due to their age or disability will be able to access the MM support at a lower cost than that offered by other providers. For existing clients, the benefits will be a sustainable service with increased capacity so that staff will have the time to offer more personalised support. This will include support navigating the complex new Universal Credit and PIP regime and helping clients to access the financial support they are entitled to.

A consultation has been held on the proposals with existing and potential service users and other stakeholders. This consultation took in to account each individual's communications needs and complied with the Mental Capacity Act code of practice to ensure clients had an opportunity to respond.

1.6 Is it possible that this proposal could damage relations amongst groups of people with different protected characteristics or contribute to inequality by treating some members of the community less favourably such as people of different ages, men or women, people from black and minority ethnic communities, disabled people, carers, people with different religions or beliefs, new and expectant mothers, lesbian, gay, bisexual and transgender communities?

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This proposal is not anticipated to damage relations amongst people with different protected characteristics. However new service users with similar protected characteristics will disproportionately benefit from the preferred option proposal as they will be able to access a lower cost service when before this was not available to them. Whereas existing customers will have to pay a fee when before they received the service for free. Although there will be enhancements to this existing service. However without the fee, the number of clients receiving the service would have to be reduced, most likely as clients leave the service.

Stage 2 - Consideration of national and local research, data and consultation findings in order to understand the potential impacts of the proposal.

Stage 2 - Consideration of Relevant Data and Consultation

In completing this section it will be helpful to consider:

- **Publicity** – Do people know that the service exists?
- **Access** – Who is using the service? / Who should be using the service? Why aren't they?
- **Appropriateness** – Does the service meet people's needs and improve outcomes?
- **Service support needs** – Is further training and development required for employees?
- **Partnership working** – Are partners aware of and implementing equality requirements?
- **Contracts & monitoring** – Is equality built into the contract and are outcomes monitored?

2.1. Examples of relevant evidence sources are listed below. Please tick which evidence sources are being used in this assessment and provide a summary for each protected characteristic in sections 2.2 and 2.3.

Internal desktop research

<input type="checkbox"/>	Place survey / Customer satisfaction data	<input checked="" type="checkbox"/>	Demographic Profiles – Census & ONS
<input type="checkbox"/>	Local Needs Analysis	<input checked="" type="checkbox"/>	Service Monitoring / Performance Information
<input type="checkbox"/>	Other local research	<input type="checkbox"/>	

Third party guidance and examples

<input checked="" type="checkbox"/>	National / Regional Research	<input checked="" type="checkbox"/>	Analysis of service outcomes for different groups
<input type="checkbox"/>	Best Practice / Guidance	<input type="checkbox"/>	Benchmarking with other organisations
<input type="checkbox"/>	Inspection Reports	<input type="checkbox"/>	

Public consultation related activities

<input checked="" type="checkbox"/>	Consultation with Service Users	<input checked="" type="checkbox"/>	Consultation with Community / Voluntary Sector
<input type="checkbox"/>	Consultation with Staff	<input type="checkbox"/>	Customer Feedback / Complaints
<input type="checkbox"/>	Data about the physical environment e.g. housing market, employment, education and training provision, transport, spatial planning and public spaces		

Consulting Members, stakeholders and specialists

<input type="checkbox"/>	Elected Members	<input type="checkbox"/>	Expert views of stakeholders representing diverse
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	groups
Specialist staff / service expertise	

Please bear in mind that whilst sections of the community will have common interests and concerns, views and issues vary within groups. E.g. women have differing needs and concerns depending on age, ethnic origin, disability etc

Lack of local knowledge or data is not a justification for assuming there is not a negative impact on some groups of people. Further research may be required.

2.2. Summary of Existing Data and Consultation Findings: - Service Delivery Considering the impact on Customers/Residents

- **Age:** e.g. Under 16 yrs / 16-19 yrs / 20-29 yrs / 30-44 yrs / 45-59 yrs / 60-64 yrs / 65-74 yrs / 75+

National research

Older people are the main group receiving adult safeguarding, followed by people with learning disabilities, physical disabilities and sensory impairment, and people with mental health conditions. (Evidence Review - Adult Safeguarding, Skills for Care, 2013.)

As the population over 65 increases, the number of older people with mental health problems is estimated to increase by a third over the next 15 years to 4.3 million (Age Concern and Mental Health Foundation, 2006). By 2026, nearly 1 million people will have dementia, rising to 1.8 million in 2050.

Ageism is the most commonly experienced form of discrimination, with 23% of adults reporting experiences of this type of prejudice. (Age Concern)

Assumptions are sometimes made that it's natural for older people to have lower expectations, reduced choice and control and less account taken of their views (DOH).

Local analysis

The age profile shows that any changes would have a disproportionate effect on clients aged over 45 as there is a higher proportion of people accessing this service than across Central Bedfordshire overall.

Age profile of Money Management customers

	18-44	45-64	65+
Money Management clients	16%	46%	38%
Central Bedfordshire population	34%	27%	17%

Preferred option – Estimated Annual Money Management charges for clients by age

Charging band	18-44	45-64	65+	Grand Total
0			4	4

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£1-£100	5	5	11	21
£101-£200	2	10	11	23
£201-£300	4	14	3	21
£301-£400	3	13	5	21
£401-£500	8	18	16	42
£501+		3	1	4
Grand Total	22	63	51	136

The preferred option on average would cost existing 65+ clients less than the younger age groups (£264pa). 45-64 year olds would on average pay the highest fees of £321 per month.

Preferred option – average estimated annual charge for clients

	18-44	45-64	65+	Grand Total
Average estimated Money Management charge – preferred proposal.	£302	£321	£264	£296

This difference is possibly related to the clients' setting. As 65% of 65+ clients lived in a residential home and the majority of 18-64 year olds lived in a community setting. The average annual cost of the preferred option for 65+ clients living in residential care is £217 compared to £350 for 65+ clients living in a community setting.

Average balance of accounts of current clients (as at 01/09/17) by age

Age	Community setting	Residential setting	Grand Total
18-44	£9,644	£10,503	£9,995
45-64	£9,047	£9,712	£9,342
65+	£10,553	£6,808	£8,129
Total	£9,567	£8,755	£9,182

The option to pass on the bank charge would be applied to all clients, regardless of their capital. The bank charge is higher for clients living in the community than those in residential care due to the fact that community clients have more transactions e.g. housing-related expenditure. The bank charge is evidence-based as it is calculated on the average transactions costs for community and residential clients over the previous year. The table below shows that this would disproportionately impact clients that are vulnerable due to their care needs and age as 65+ clients in residential care had the lowest average level of capital (£6,808), which is significantly lower than other age groups and other settings. The lower bank charge for clients in residential care, helps to mitigate this difference.

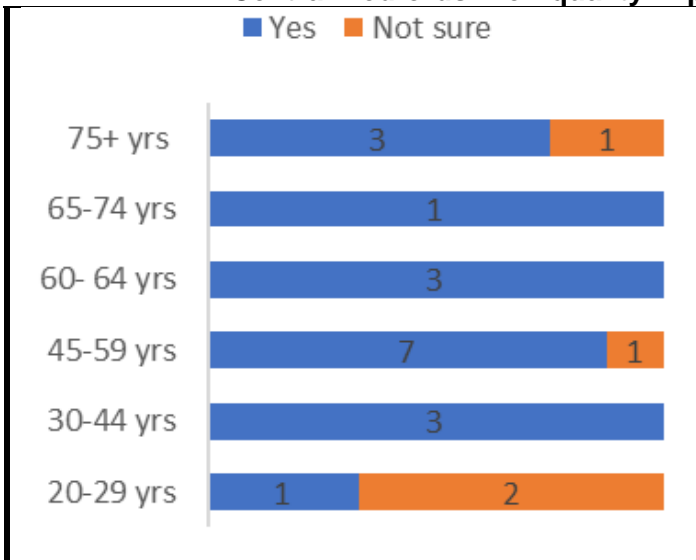
Consultation feedback

Customer responses

Q1 Do you feel Money Management provides a good service for you?

All applicants responded yes or not sure. There was little difference between age groups, except a higher proportion of 20-29 year old respondents answered not sure.

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One respondent that gave a comment to support their response stated:

“The aging community is increasing and therefore more elderly folk will need to have a trusted guardian managing their funds so increasing the capacity to protect more individuals is important.”

Q2 Do you think the service should be open to more people?

All applicants responded yes or not sure. 60-74 year olds were most supportive of the service being open to more people, those at the younger and older of the spectrum were more likely to be unsure.

Q3 Would you feel happy to pay for a service so that more people can use it?

Three out of 22 respondents answered no. A higher proportion of 30-74 year olds were happy to pay for a service that more people can use, again the oldest and youngest age groups were the least likely to respond yes.

Q4 Do you agree that we should not charge people with less than £1,000 in savings?

One out of the 22 respondents answered no. A higher proportion of older people agreed with this than the younger age groups.

Q5 Do you agree that the charge should not be more than £650 for people with the most savings?

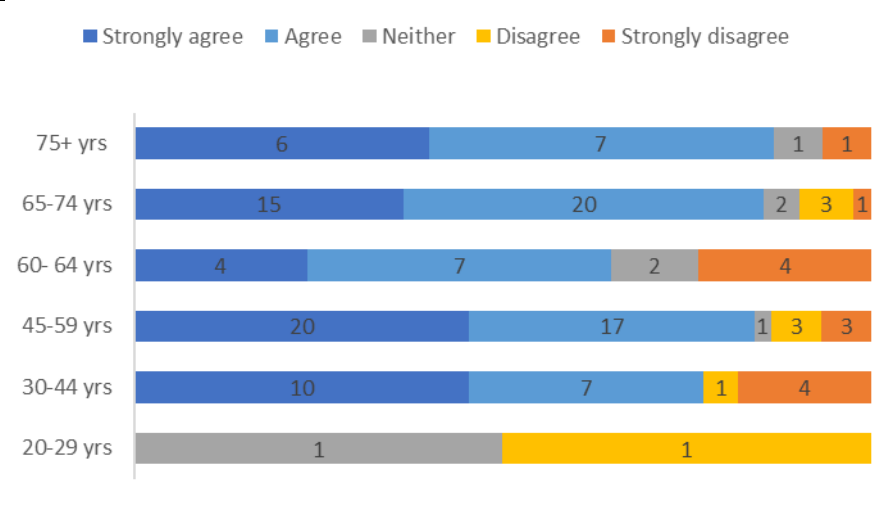
One out of the 22 respondents answered no. A large proportion of respondents answered not sure to this question. Those most in favour were 60-75 year olds.

Public responses

To what extent do you agree or disagree that the Council's Money Management Service can not stay as it is?

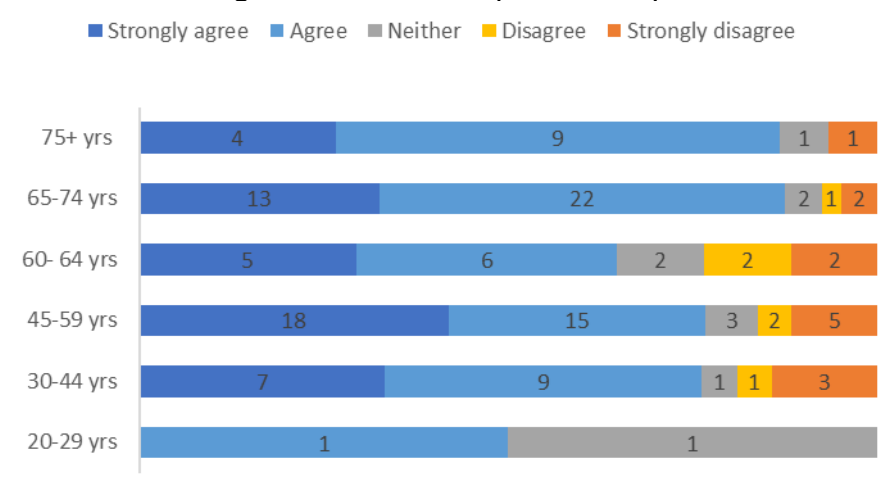
A higher proportion of 45-59 and 65+ year olds felt that the service cannot stay as it is.

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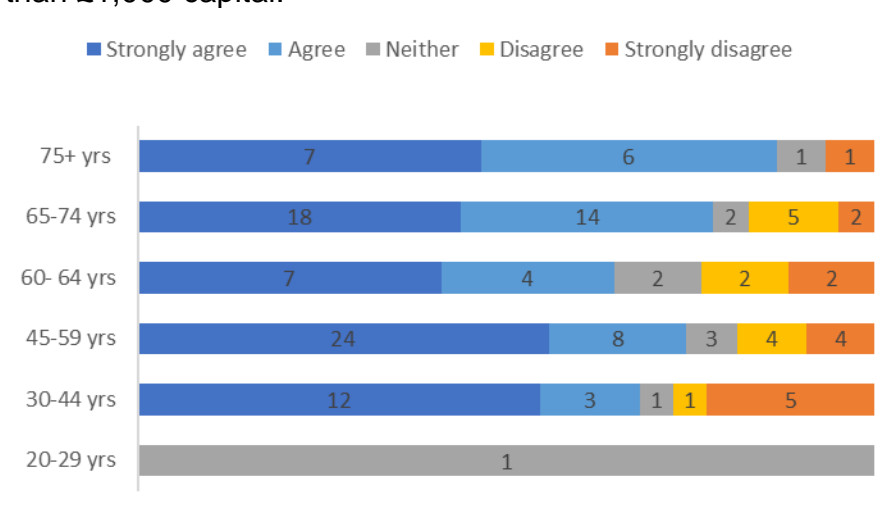
To what extent do you agree or disagree with the Council's preferred option?

Those most in agreement with the preferred option were 30-59 and 65+ year olds



To what extent do you agree or disagree with the Council's approach to not charge anyone with less than £1,000 in capital?

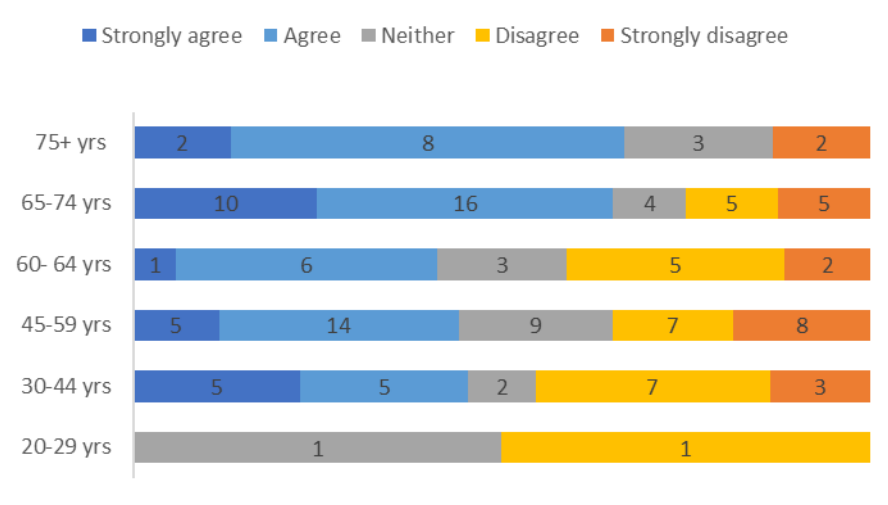
A higher proportion of 30-59 and 65+ year olds were in favour of not charging anyone with less than £1,000 capital.



For Appointeeship to what extent do you agree or disagree with the Council's approach to charge 3.5% of balance of person's capital?

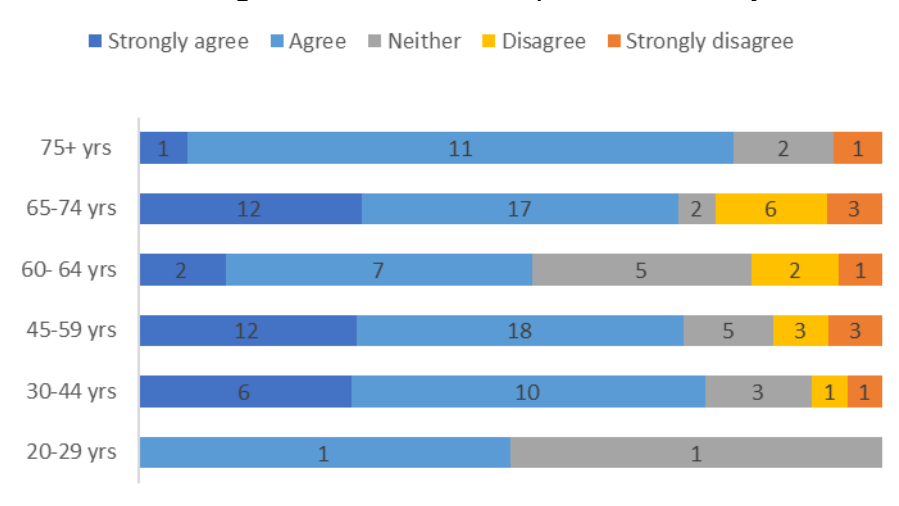
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A higher proportion of 65+ year olds were in favour of the 3.5% fee, none of the two 20-29 year olds that responded were in agreement.



For Appointeeship to what extent do you agree or disagree with the council's proposal to cap the charge at £495 for Appointeeship services per year?

Those least in agreement with this cap were 20-29 year olds and 60-64 year olds.



- Disability: e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement

National research

‘Vulnerable adults’ more at risk of financial abuse are not a homogenous group, however people who have a range of multiple and complex service requirements may be in positions that increases their dependency on others and makes them less able to protect themselves from harm or abuse e.g. a person with impaired mental capacity related to dementia. (DoH, Safeguarding Adults: The role of health services: Analysis of the impact on equality, 2011.)

Older people are the main group receiving adult safeguarding, followed by people with learning disabilities, physical disabilities and sensory impairment, and people with mental health conditions. (Evidence Review - Adult Safeguarding, Skills for Care, 2013.)

The links between substance abuse and mental health issues are well established. Co-existing mental health and substance use problems are complex, and research suggests that around 80% of those accessing drug and alcohol treatment had a past year psychiatric disorder (mostly depression and anxiety). (Weaver et. al. (2004) 'What are the implications for clinical management and service development of prevalent comorbidity in UK mental health and substance misuse treatment populations?')

Social care services are vital in order to progress equality for disabled people. If these services are not part of the solution in actively removing the barriers to living independently that disabled people face, they can become part of the problem in creating barriers to equality (CQC).

Local analysis

The profile shows that any changes would have a disproportionate effect on people with a care or support need as there is a higher proportion of this group accessing this service than across Central Bedfordshire overall.

Disability profile of Money Management clients

	Care and support need known to CBC	No care and support need known to CBC
Money Management clients	88%	12%

Residents with a health problem or disability that limits their day to day activities.

	Central Bedfordshire
Day to day activities limited a lot	6%
Day to day activities limited a little	8%
Day to day activities not limited at all	86%
Total	100%

(ONS, 2011)

On average clients with a mental health support need (5 clients) would pay the least with the preferred option - £184 per year. Those with memory and cognition support needs would pay the most £358 per year (6 clients).

Learning Disability (LD) clients would be charged on average more (£328) compared to those with a physical care need (£225). The setting seems to be a factor as more clients with a physical care need live in a residential setting compared to LD clients.

	Learning Disability Support	Memory & Cognition Support	Mental Health Support	Physical	Sensory	Total average
Average annual fee for preferred option	£328	£358	£184	£225	£318	£296

Average estimate d annual fee by clients'

primary care need (preferred option)

The preferred option charge proposed will enable the service to be more customer focused and to respond to the increased burden of administration imposed by the Department of Work and Pensions (DWP) and the rollout of Universal Credit. This includes support navigating the Personal Independence Payment (PIP) regime and helping clients to access the financial support they are entitled to.

The option to pass on the bank charge would be applied to all clients, regardless of their capital, with a lower charge for clients living in residential care. The table below shows that this would disproportionately impact clients receiving mental health support and clients with a physical care need.

Average balance of accounts of current clients (as at 01/09/17) by primary support need

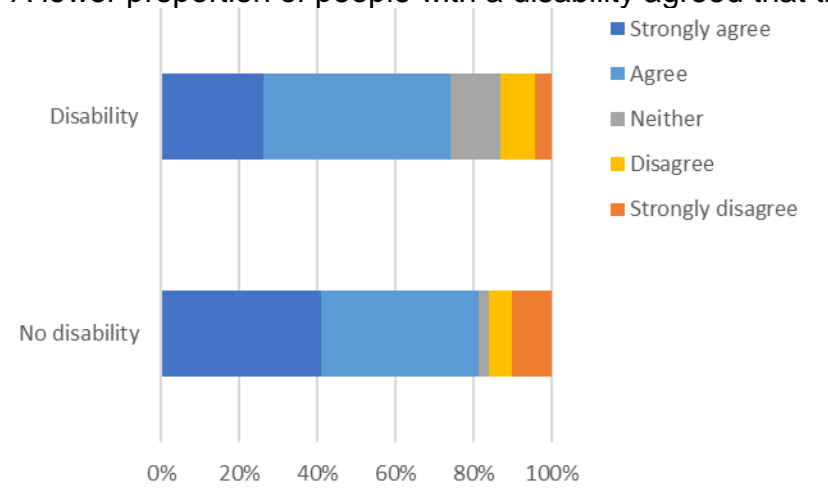
Average of account balance	Learning Disability Support	Memory & Cognition Support	Mental Health Support	Physical	Sensory	Grand Total
Community	£9,158	£17,780	£9,216	£10,285		£9,575
Residential	£9,954	£8,433	£3,557	£6,804	£9,086	£8,445
Grand Total	£9,478	£11,549	£6,952	£7,674	£9,086	£8,993

Public responses to consultation

There were 117 respondents without a disability and 23 with a disability.

To what extent do you agree or disagree that the Council's Money Management Service can not stay as it is?

A lower proportion of people with a disability agreed that the service cannot stay as it is.



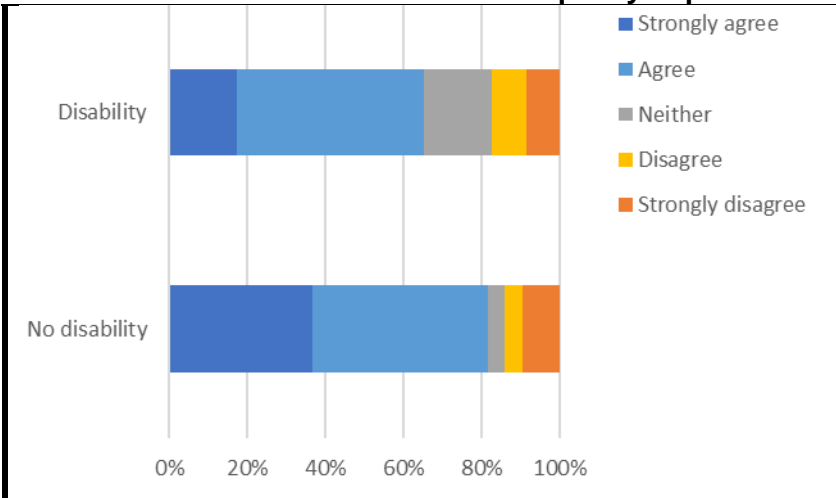
Respondents were invited to add a comment, one respondent stated:

“What an absolute disgrace that you seem unwilling to provide support to 160 residents who desperately need this service, what’s worse is they would be unlikely to consent to charges themselves”.

To what extent do you agree or disagree with the Council’s preferred option?

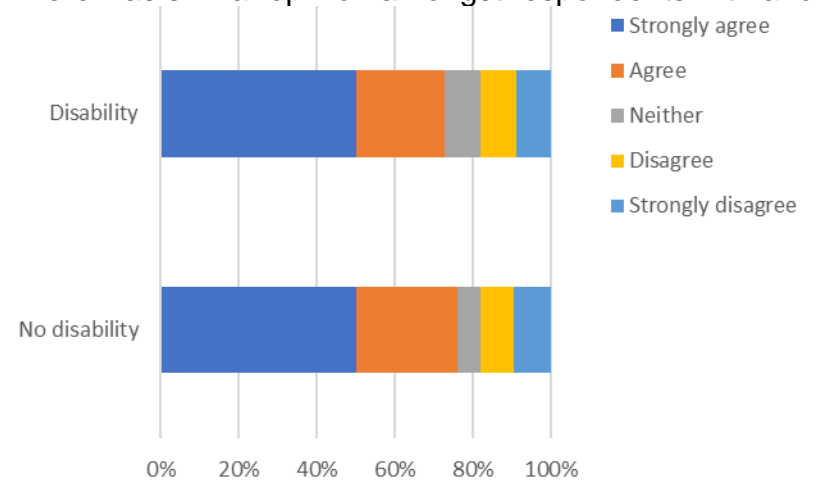
A lower proportion of disabled respondents supported the preferred option.

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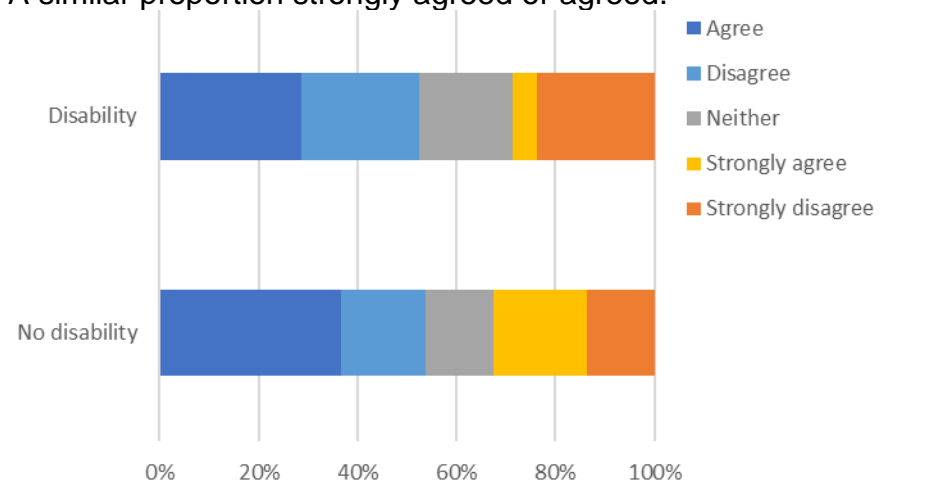
To what extent do you agree or disagree with the Council's approach to not charge anyone with less than £1,000 in capital?

There was similar opinion amongst respondents with and without a disability.



For Appointeeship to what extent do you agree or disagree with the Council's approach to charge 3.5% of balance of persons capital?

A similar proportion strongly agreed or agreed.



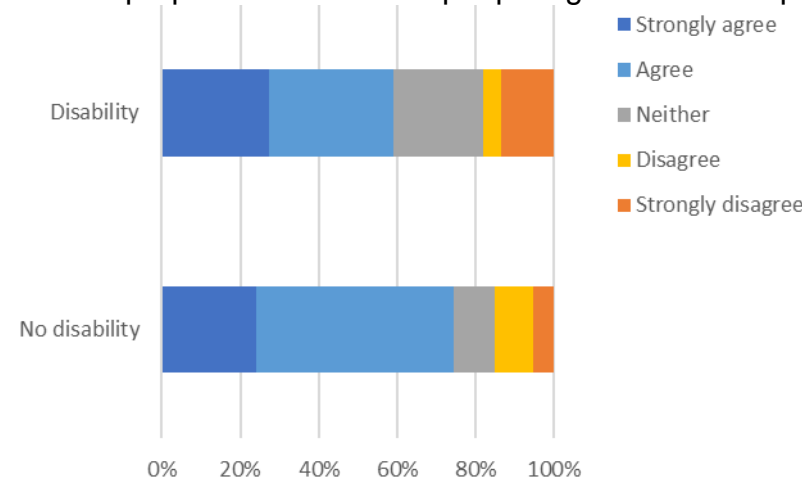
In the comments, one respondent stated: "zero, mental health especially is a severe problem and the council should not be penalising sufferers".

For Appointeeship to what extent do you agree or disagree with the council's proposal

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to cap the charge at £495 for Appointeeship services per year?

A lower proportion of disabled people agreed with this proposal.



- **Carers:** *A person of any age who provides unpaid support to family or friends who could not manage without this help due to illness, disability, mental ill-health or a substance misuse problem*

N/A

- **Gender Reassignment:** *People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex*

Research undertaken in the areas of employment, health provision, social exclusion and hate crime indicates that Transgender people experience disproportionate levels of discrimination, harassment and violence. This includes bullying and discriminatory treatment in schools, harassment and physical/sexual assault and rejection from families, work colleagues and friends.

Trans people often meet with discrimination and prejudice in their everyday lives. Many, regardless of social position or class, experience isolation and face limited understanding of their lives. These experiences place many trans people at risk of alcohol abuse, depression, suicide, self-harm, violence, substance abuse and HIV.

Trans people are less likely to have children (Transgender parenting: A review of existing research, the Williams Institute, 2014) and could be rejected by their family because of their gender dysphoria. This could increase the likelihood of needing a deputy or appointee to manage their finances should they not have capacity to make decisions relating to their finances.

Local analysis

No data collected.

- **Pregnancy and Maternity:** *e.g. pregnant women / women who have given birth & women who are breastfeeding (26 week time limit then protected by sex discrimination provisions)*

National research

Puerperal psychosis is a serious psychiatric illness, which is [...] rare, occurring in about one in 1,000 births. It is similar in some ways to bipolar disorder, and may take the form of mania, severe depression with delusions, confusion or stupor, or rapid changes in mood between these extremes. It usually starts quite suddenly a few weeks after the birth.

Babies born into a family in poverty are more likely to be born premature, more likely to have low birth weight and more likely to die in first year of life.

Local analysis

No data collected.

- **Race:** *e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other*

National research

People from black and minority ethnic communities can often experience multiple inequalities. 70% live in the 88 most deprived neighbourhoods in the United Kingdom and they are more likely to be poor, with lower incomes spread across larger household sizes.

The incidence of mental health remains significantly higher for some groups than for others. Disproportionately high rates of young men from some Black groups who are sectioned under the Mental Health Act have been evident for many years and show no sign of reducing. The Department of Health's innovative census of mental health patients undertaken in 2005 suggested that in-patients from the Black Caribbean, Black African, and Other Black groups were more likely (by 33 per cent to 44 per cent) to be detained under the Mental Health Act 1983 compared with the average for all in-patients. Patients from these groups were also detained for a longer period of time on average than other in-patients. Research suggests that Black groups have more than six times the rate of psychotic illness than the general population and are presenting direct to acute care via the criminal justice system."

The experience of black and minority ethnic people using social care services is still very variable. Whilst the majority of BME people say that they would recommend the service to another black or minority ethnic person and that staff were suitable, only around 50% felt that their needs as a black and minority ethnic person were adequately considered at their last assessment. 25% said that they had faced prejudice or discrimination when using services, with over half the people aged under 60 reporting this.

Eighty-five per cent of people receiving treatment for substance use in 2014/15 were recorded as white British, as compared to 80% of the English population, with a further 4% from other white groups. (PHE (2015) Adult Statistics).

Local analysis

The ethnicity profile of Money Management clients is similar to the overall Central Bedfordshire population.

Preferred Option: There is little difference between the fees estimated for Black and Minority Ethnic (BME) and White British clients as White British clients would have to pay on average £24

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a year more due their level of capital.

Number of MM clients in estimated annual fee groups by ethnicity – preferred option

Average annual fee for preferred option	BME	White British	Not known	Grand Total
0		4		4
£1-£100	2	19	3	24
£101-£200	3	20	6	29
£201-£300	2	19	2	23
£301-£400	1	20	2	23
£401-£500	4	38	3	45
£501+		4	2	6
Grand Total	12	124	18	154

Average estimated fee of current clients (as at 01/09/17) by ethnicity

	BME	White British
Average estimated fee	£275	£299

The option to pass on the bank charge would be applied to all clients, regardless of their capital, with lower fees for those in residential care. The table below shows that there is slight variation between the average level of capital for BME and White British clients.

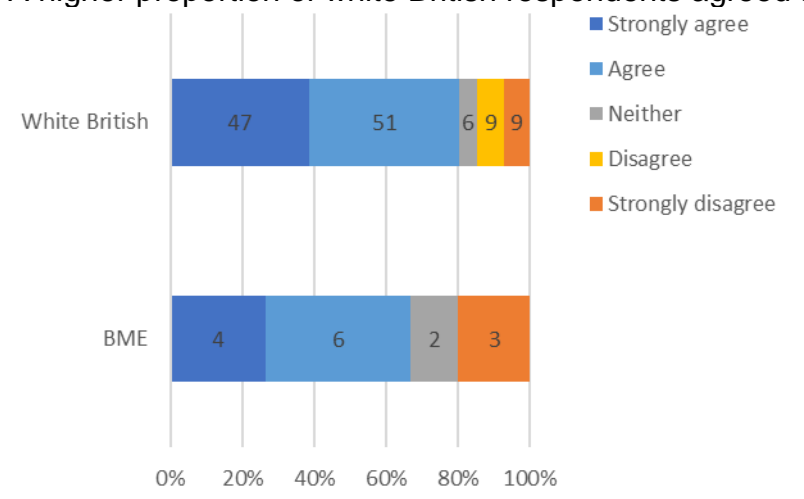
Average balance of accounts of current clients (as at 01/09/17) by primary support need

	BME	White British
Community	£11,430	£9,487
Residential	£8,678	£8,410
Grand Total	£9,366	£8,957

Public responses to consultation

To what extent do you agree or disagree that the Council's Money Management Service can not stay as it is?

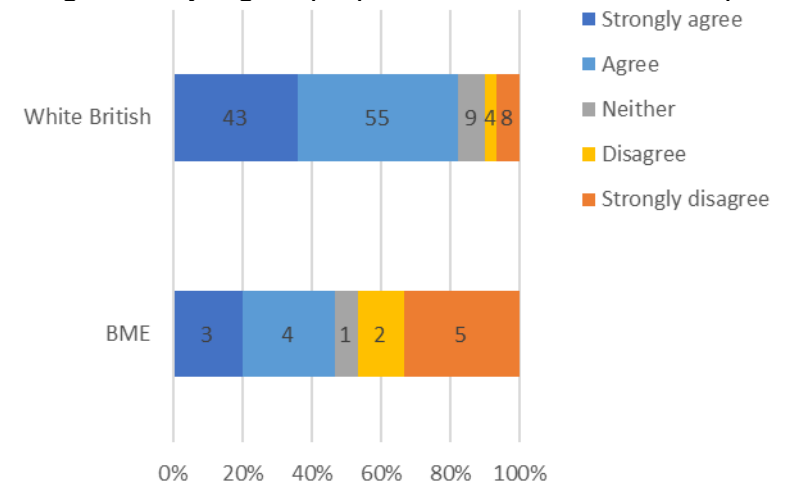
A higher proportion of white British respondents agreed that the service cannot stay as it is.



To what extent do you agree or disagree with the Council's preferred option?

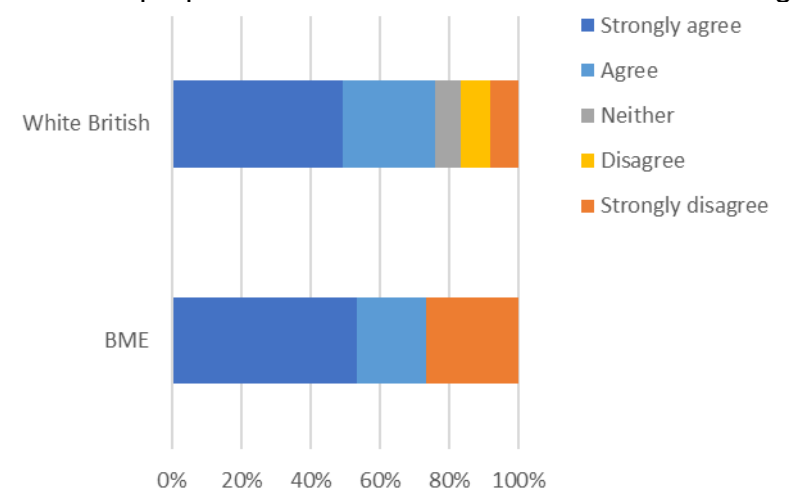
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A significantly higher proportion of white British respondents agreed with the proposal.



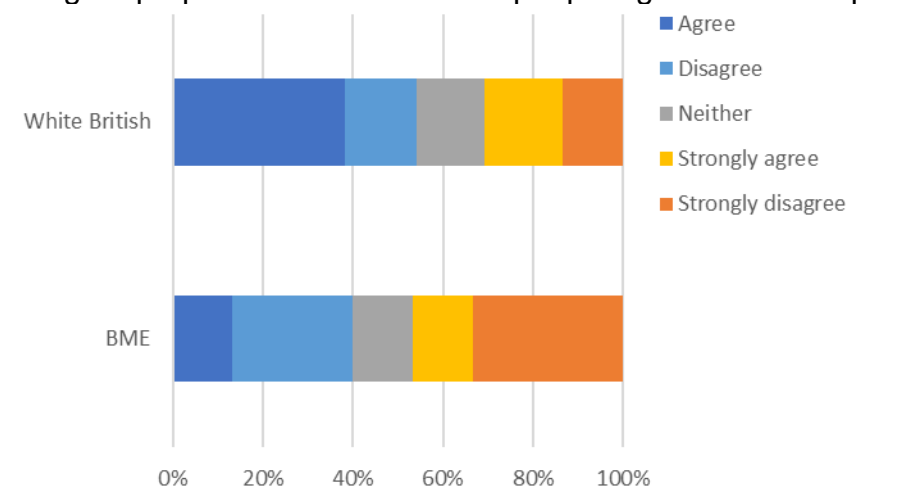
To what extent do you agree or disagree with the Councils approach to not charge anyone with less than £1,000 in capital?

A similar proportion of White British and BME clients agreed with this proposal.



For Appointeeship to what extent do you agree or disagree with the Councils approach to charge 3.5% of balance of persons capital?

A higher proportion of White British people agreed with this proposal.

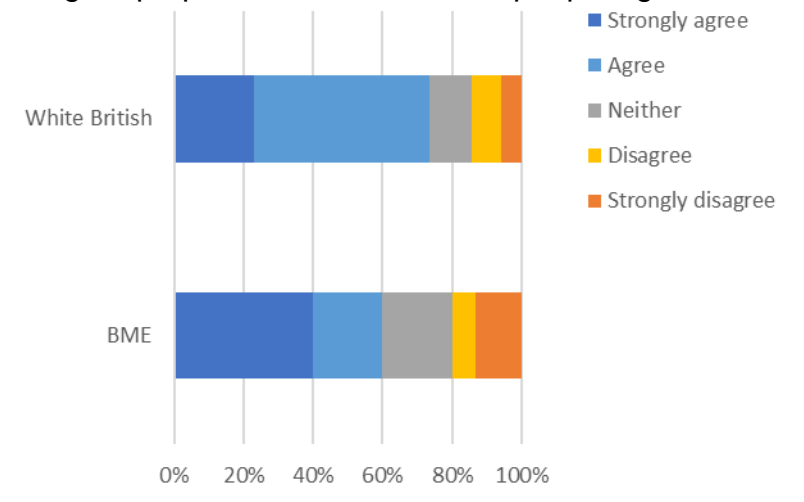


For Appointeeship to what extent do you agree or disagree with the council's proposal

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to cap the charge at £495 for Appointeeship services per year?

A higher proportion of White British people agreed with this proposal.



- Religion or Belief: e.g. Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other

National research

A lack of awareness about a person’s religious or other beliefs can lead to discrimination. This is because religion can play a very important part in the daily lives of people.

Local analysis

The religion profile shows that any changes would have a disproportionate effect on Christians as there is a higher proportion of people accessing this service than across Central Bedfordshire overall.

Religion/belief profile of clients and population

Religion	Money Management clients	Central Bedfordshire population
Christian	78%	62%
Hindu	1%	<5%
Muslim	1%	<5%
Other religion	4%	0%
No religion	8%	28%
Religion not stated	8%	7%

Christian clients on average are likely to pay slightly more than the average for all clients. Hindu and Muslim clients would on average pay the most but this only relates to a small number of clients.

Average client fee for preferred option by religion

Religion	Average client fee for preferred option
Christian	£299

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Hindu	£495
Muslim	£495
Other	£263
None	£259
Refused/unknown	£242
Average	£292

- **Sex:** e.g. Women / Girls / Men / Boys

National research

In 2014/15, women accounted for only 30% of the English drug and alcohol treatment population, as compared to 51% of the English population. (Public Health England (2015) Adult substance misuse statistics from the National Drug Treatment Monitoring System).

Men may be more likely than women to self-medicate in harmful ways, e.g. through use of alcohol and drugs when experiencing mental distress.

Women are more likely than men to receive treatment for minor mental health conditions. However, more than twice as many male as female psychiatric inpatients are detained and treated compulsorily.

Local analysis

There is little difference between the gender profile of MM clients and Central Bedfordshire overall. A similar proportion of men and women access the service. Women would pay on average £41 more than men with the preferred option.

Annual fee for preferred option by gender

Annual fee for preferred option	Female	Male	Grand Total
0	1	3	4
£1-£100	10	11	21
£101-£200	8	15	23
£201-£300	9	12	21
£301-£400	14	7	21
£401-£500	21	21	42
£501+	3	1	4
Grand Total	66	70	136

Average annual fee for preferred option by gender

	Female	Male	Grand Total
Average annual fee for preferred option	£318	£277	£296

Alternative option: Women would be disproportionately effected by a single fee that is not means-tested as on average their level of capital is £1,001 lower than men's.

Average capital of male and female MM clients

	Female	Male
Community	£8,445	£10,461
Residential	£8,504	£8,378
Grand Total	£8,478	£9,479

Customer consultation responses

The consultation found that on the whole men and women had similar support for the proposed changes. However three women did not feel happy to pay for a service so that more people can use it.

Q1 Do you feel Money Management provides a good service for you?

Gender	Yes	Not sure	Grand Total
Female	9	2	11
Male	9	2	11
Grand Total	18	4	22

Q2 Do you think the service should be open to more people?

Gender	Yes	Not sure	Grand Total
Female	7	4	11
Male	7	4	11
Grand Total	14	8	22

Q3 Would you feel happy to pay for a service so that more people can use it?

Gender	Yes	No	Not sure	Grand Total
Female	6	3	2	11
Male	7		4	11
Grand Total	13	3	6	22

Q4 Do you agree that we should not charge people with less than £1,000 in savings?

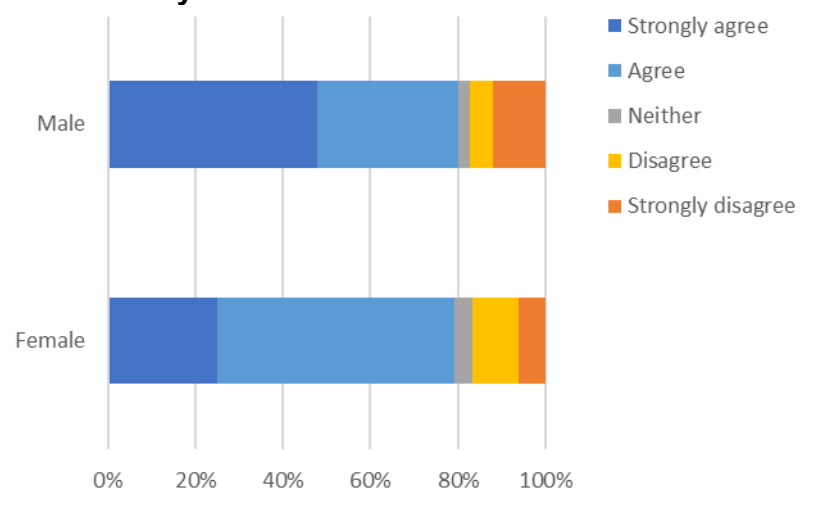
Gender	Yes	No	Not sure	Grand Total
Female	8		3	11
Male	6	1	4	11
Grand Total	14	1	7	22

Q5 Do you agree that the charge should not be more than £650 for people with the most savings?

Gender	Yes	No	Not sure	Grand Total
Female	4	1	6	11
Male	6		5	11
Grand Total	10	1	11	22

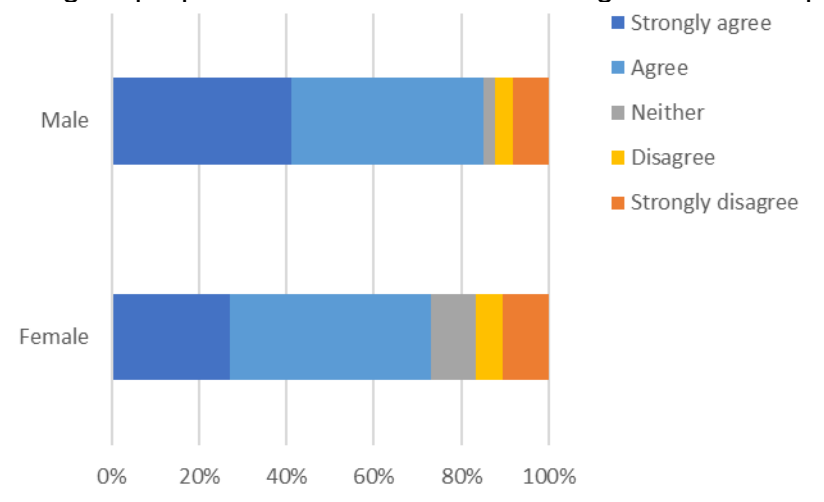
Public responses to consultation

To what extent do you agree or disagree that the Council's Money Management Service can not stay as it is?



To what extent do you agree or disagree with the Council's preferred option?

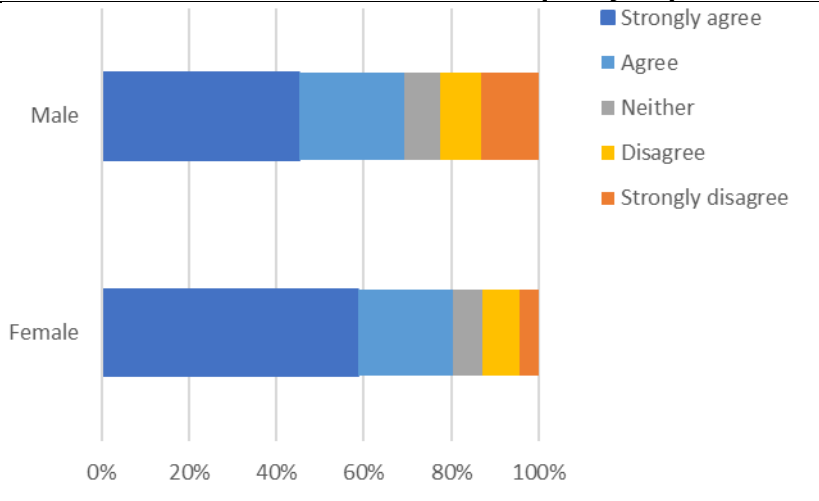
A higher proportion of men than women agreed with the proposal.



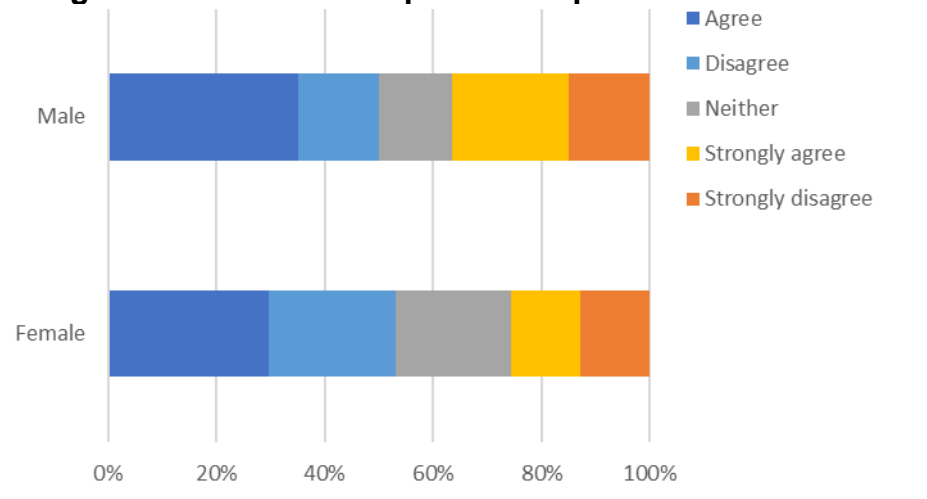
To what extent do you agree or disagree with the Council's approach to not charge anyone with less than £1,000 in capital?

A higher proportion of women agreed with this approach.

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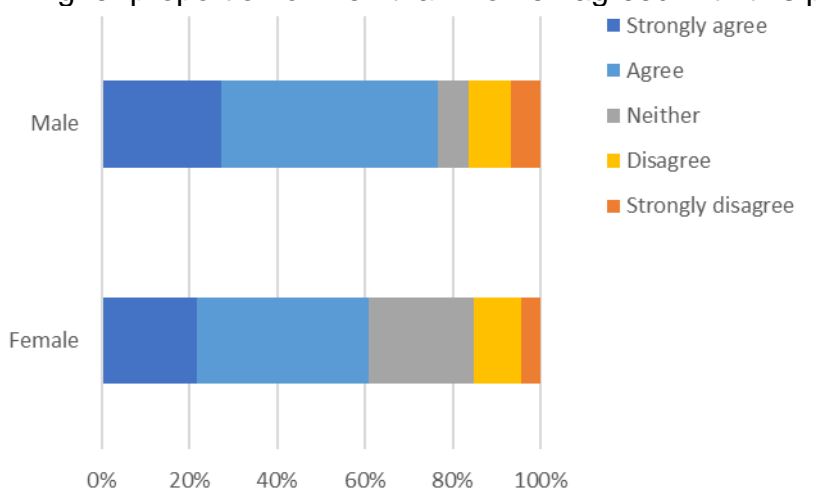


For Appointeeship to what extent do you agree or disagree with the Council's approach to charge 3.5% of balance of persons capital?



For Appointeeship to what extent do you agree or disagree with the council's proposal to cap the charge at £495 for Appointeeship services per year?

A higher proportion of men than women agreed with this proposal.



- Sexual Orientation: e.g. Lesbians / Gay men / Bisexuals / Heterosexuals

National research

Older LGB people may have a greater need for health and social care services because, compared with their heterosexual contemporaries, they are:

- o two-and-a-half times as likely to live alone;
- o twice as likely to be single; and
- o four-and-a-half times as likely to have no children to call upon in times of need.

Drug use among LGBT groups is higher than among the heterosexual population, making it imperative that both those delivering and commissioning services are led by need. (UKDPC (2010) The impact of drugs on different minority groups: A review of the UK Literature. Part 2: Lesbian, Gay, Bisexual & Transgender (LGBT) groups).

Local analysis

No local data collected.

- **Other:** e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership

Clients living in a community setting would pay more than those in a residential setting.

Estimated annual charge for preferred charging option per setting

	Community	Residential	Grand Total
Average of annual MM charge (preferred option)	£304	£278	£292
Number of clients	82	73	155

Vulnerability

A number of respondents to the consultation gave comments regarding the impact on people because of their vulnerability. There was not enough detail to understand which protected characteristic the vulnerability related to and so have been included here:

Q. Do you have any further comments about the proposed charge? the following responses related to vulnerability:

- “[...] This is an attack on the most vulnerable in our communities.”
- “I am appalled that this council is prepared to penalise some of the most vulnerable people in society. Everything should be done to help them not giving them, or their relative, money worries at their most vulnerable time.”
- “I think charges may put vulnerable people off, just the people who most need help. They may not understand 3.5%.”

Q. To what extent do you agree or disagree that the Council's Money Management Service can not stay as it is? - Any comments:

- “You need to employ more staff to support these very vulnerable people, otherwise, there will be an increase in homelessness, adults having to go into hospital or care due to negligent, abuse as they seek help from the wrong person etc.”
- “Is there a risk that the charge will price vulnerable residents out of getting appropriate support and leave them open to financial abuse from those around them?”
- “Outsourced services cherry pick in order to meet contractual obligations and align to resources which can leave those with highest needs more vulnerable so an impartial

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service run by CBC is critical.”

- “Some of the charges seem a little steep and could whittle away a client's capital quite relentlessly, but at least the most vulnerable will be protected and the rates have been laid down by independent statutory authorities, so what must be must be.”

Q. To what extent do you agree or disagree with the Council’s preferred option? – Any comments

- “As this service will now be charged to vulnerable people, there should be some independent overseeing - maybe a voluntary committee or independent expert.”
- “Charges have been fully explained, and council is not a profit making organisation and therefore not paying for shareholder dividends as seen in private sector. It’s a customer focused service supporting our vulnerable residents”

Q. To what extent do you agree or disagree with the Councils approach to not charge anyone with less than £1,000 in capital?

- “No one should pay, they are all vulnerable (sic)”.

Q. For Appointeeship to what extent do you agree or disagree with the Councils approach to charge 3.5% of balance of persons capital?

- “Agree a flat rate. People should know the costs upfront. Percentages will confuse the vulnerable (sic)”.

2.3. Summary of Existing Data and Consultation Findings – Employment Considering the impact on Employees

- **Age:** e.g. 16-19 / 20-29 / 30-39 / 40-49 / 50-59 / 60+

- **Disability:** e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement

- **Carers:** e.g. parent / guardian / foster carer / person caring for an adult who is a spouse, partner, civil partner, relative or person who lives at the same address

- **Gender Reassignment:** People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex

- **Pregnancy and Maternity:** e.g. Pregnancy / Compulsory maternity leave / Ordinary maternity leave / Additional maternity leave

- **Race:** e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other

- **Religion or Belief:** e.g. Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other

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- **Sex:** *Women / Men*

- **Sexual Orientation:** *e.g. Lesbians / Gay men / Bisexuals / Heterosexuals*

- **Other:** *e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership*

2.4. To what extent are vulnerable groups more affected by this proposal compared to the population or workforce as a whole?

The protected characteristic profiles show that any changes would have a disproportionate effect on clients aged over 45, Christians and people with disabilities as there is a higher proportion of people in these groups accessing the service compared to the Central Bedfordshire population overall.

Older gay, lesbian and bisexual and transgender people may also be disproportionately effected by the introduction of charging as national research shows that these two protected characteristics are more likely to live alone, be single and have no children to call upon in times of need. Therefore, they are more likely to need appointeeship and deputyship services.

Women on average would pay above the average means-tested fee. The consultation results show that a higher proportion of female clients did not feel happy to pay for a service so that more people can use it and a higher proportion of female members of the public disagreed to some extent with the preferred option.

60-64 year olds also were among those clients likely to pay above the average fee and a higher proportion of 60-64 year old members of the public disagreed to some extent with the preferred option.

A high proportion (47%) of BME respondents to the public consultation disagreed to some extent with the preferred option, but White British clients are estimated on average to pay above the average fee.

Preferred option:

The groups of clients that would pay above the average means-tested fee of £296 would be:

- 18-44 year olds £302 (22 clients)
- 45-64 year olds £321 (63)
- Learning Disability Support £328 (87)
- Memory and Cognition Support £358 (6)
- Sensory Support £318 (<5)
- White British £299 (124)
- Christian £299 (121)
- Muslim £495 (<5)
- Hindu £495 (<5)
- Women £318 (66)
- Living in a community setting £304 (82)

Client groups that responded to the customer survey answered no to 'would you feel happy to pay for a service so that more people can use it':

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45-59 yrs 11% (1 respondent)
 60- 64 yrs 33% (1)
 75+ yrs 25% (1)
 Women – 25% (3)

The groups of people that indicated in the public consultation that they did not support the changes, i.e. answered disagree or strongly disagree to 'to what extent do you agree or disagree with the Council's preferred option?':

- 60-64 year olds – 24% (4)
- With a disability - 17% (4)
- BME groups – 47% disagree/ strongly disagree (7 respondents).
- Women - 17% (8)

Option to charge bank charges and reduce the service:

Clients with low capital would be most impacted by this option due to the annual bank account fee of up to £60. However, the most substantial impact will be the capacity in the service to provide personalised support. A wider range of clients, including the most vulnerable such as victims of financial abuse, would not be able to access the service and benefit from the close working relationships with social workers and access to welfare rights support.

2.5. To what extent do current procedures and working practices address the above issues and help to promote equality of opportunity?

Preferred option

The preferred option is means-tested and so will have a proportionate impact on individual's finances, ensuring that those that cannot afford to pay a fee can receive the service free of charge.

The bank account charge would be a maximum of £60. The fee is lower for residential clients, who on average have less capital than those living in the community. The bank charge is higher for clients living in the community than those in residential care due to the fact that community clients have more transactions e.g. housing-related expenditure. The bank charge is evidence-based as it is calculated on the average transactions costs for community and residential clients over the previous year.

Should the preferred option be implemented, existing clients will be independently assessed to check whether the Money Management service is still appropriate for their needs. Independent advice and guidance will be offered on alternative options. Once the Best Interest assessments have been completed the charge would be applied across all existing clients, and pro-rated according to how many months are left in the financial year.

There are a variety of other providers of appointeeship and deputyship services that are available and the suggested maximum fee has been benchmarked with other local authorities who have already introduced charging.

For existing clients, the benefits will be a sustainable service with increased capacity so that staff will have the time to offer more personalised support. This will include support navigating the complex new Universal Credit and PIP regime and helping clients to access the financial support they are entitled to.

Increased capacity in the service will allow new clients the opportunity to use the Council's

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service and benefit from the service set out above.

The maximum fee for appointeeship services is lower than deputyship services as the scope of the appointee services is smaller than that of deputy services. The maximum fee is therefore proportionate to the service received.

The 3.5% charge rate is recommended by the Court of Protection. Two thirds of respondents to the public consultation did not disagree with the Council's approach to charge 3.5% of balance of person's capital.

Option to charge bank charges and reduce the service

As explained above, the bank account charge would be a maximum of £60. The fee is lower for residential clients, who on average have less capital than those living in the community.

The service would be reduced as and when clients stop using the service rather than clients being asked to find alternative providers.

2.6. Are there any gaps in data or consultation findings

No

2.7. What action will be taken to obtain this information?

Not applicable.

Stage 3 - Providing an overview of impacts and potential discrimination.

Stage 3 – Assessing Positive & Negative Impacts

Analysis of Impacts	Impact?		Discrimination?		Summary of impacts and reasons
	(+ve)	(- ve)	YES	NO	
3.1 Age	✓			x	The age profile shows that any changes would have a disproportionate effect on clients aged over 45 as there is a higher proportion of people in these groups accessing the service compared to the Central Bedfordshire population overall.
3.2 Disability	✓			x	The profile shows that any changes would have a disproportionate effect on people with disabilities as there is a higher proportion of people in these groups accessing the service compared to the Central Bedfordshire population overall.
3.3 Carers		x		x	

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3.4 Gender Reassignment	✓			x	Older transgender people may be disproportionately affected by the introduction of charging as evidence shows that this group is more likely to live alone, be single and have no children to call upon in times of need. Therefore, they are more likely to need appointeeship and deputyship services.
3.5 Pregnancy & Maternity		x		x	
3.6 Race		x		x	
3.7 Religion / Belief		x		x	
3.8 Sex		x		x	
3.9 Sexual Orientation	✓			x	Older gay, lesbian and bisexual people may also be disproportionately affected by the introduction of charging as evidence shows that this group is more likely to live alone, be single and have no children to call upon in times of need. Therefore, they are more likely to need appointeeship and deputyship services.
3.10 Other e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion Marriage and Civil Partnership					

Stage 4 - Identifying mitigating actions that can be taken to address adverse impacts.

Stage 4 – Conclusions, Recommendations and Action Planning

4.1 What are the main conclusions and recommendations from the assessment?

The preferred option provides a fair fee structure that is based on the client’s ability to afford the fee. The proposed fees have been benchmarked with other local authorities and the maximum fees are lower than the recommended Court of Protection fee. This EIA shows that certain groups such as clients aged 45+ and Christian clients would pay more. The impact to these groups paying more is mitigated by the fair fee structure based on the ability to afford and the maximum benchmarked fee.

Should the preferred option be implemented, existing clients will be independently assessed to see check whether the Money Management service is still appropriate for their needs. Independent advice and guidance will be offered on alternative options. Once the Best Interest assessments have been completed the charge would be applied across all existing clients, and pro-rated according to how many months are left in the financial year.

The fee would ensure that the service is sustainable for current clients, with additional capacity to allow a more personalised service and opportunities to assist with benefit applications so that the most vulnerable clients have the opportunity to claim the benefits they are entitled to.

The service would also be extended so that new clients can benefit from the Council-based service that has close working relationships with social workers to ensure the best outcomes for the individual.

The option to ‘stay as we are’ but to pass on the bank charge would reduce capacity in the service, the client base would shrink over time as clients leave the service and there will be less opportunity to provide a personalised service with specific case support for benefit applications. The fee would however be much lower than other local authorities’ services.

There would be doubt over the sustainability of the service in the long-term as the Council is not statutorily required to deliver the service.

4.2 What changes will be made to address or mitigate any adverse impacts that have been identified?

The Money Management service will monitor the financial impact on clients as part of its annual review of fees and charges.

4.3 Are there any budgetary implications?

None.

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4.4 Actions to be taken to mitigate against any adverse impacts:			
Action	Lead Officer	Date	Priority
Annual review of fees and impact of charging		April 2019	Medium

Stage 5 - Checking that all the relevant issues and mitigating actions have been identified

Stage 5 – Quality Assurance & Scrutiny: Checking that all the relevant issues have been identified
5.1 What methods have been used to gain feedback on the main issues raised in the assessment?
Step 1: Discussion with Head of Financial Operations and consulted Corporate Policy Advisor
Has the Corporate Policy Advisor (Equality & Diversity) reviewed this assessment and provided feedback? Yes
Summary of CPA's comments:
Request to add Equality Forum feedback.
Step 2:
5.2 Feedback from Central Bedfordshire Equality Forum
Equality Forum 11 January 2018 Meeting - Points and comments included:
<ul style="list-style-type: none"> • The Forum queried how the future charging would work and it was confirmed by the Head of Financial Operations that any individual with less than £1,000 capital would not be charged if they utilised the service. • The Forum noted the three different charging proposals in order to cover the differing level of work required for Deputyship services and Appointeeship services. It was also noted that there would be a cap on the maximum level to be charged. • In connection with the discussion on the future of the Money Management service the Forum suggested a more joined up approach across the Council's services with regards to debt management. • A member of the Forum queried how many service users currently have more than £1,000 in capital and it was confirmed that there would be more clients with less than £1,000 in capital and it would be unlikely that any current clients would be able to manage their own money in the future. • The Forum noted that the consultation, would be jointly aimed at seeking the views of stakeholders and the recipients of the service. • The Forum felt that the proposed changes to the service were a necessary but reasonable and acceptable approach in order for the Council to continue to fund and provide a service which can expand to meet future demand.



Stage 6 - Ensuring that the actual impact of proposals are monitored over time.

Stage 6 – Monitoring Future Impact	
6.1	How will implementation of the actions be monitored? Annual fees and charges setting.
6.2	What sort of data will be collected and how often will it be analysed? Number of clients receiving service.
6.3	How often will the proposal be reviewed? Annually as part of fees and charges setting.
6.4	Who will be responsible for this? Head of Financial Operations.
6.5	How have the actions from this assessment been incorporated into the proposal? Not applicable.

Stage 7 - Finalising the assessment.

Stage 7 – Accountability / Signing Off	
7.1	Has the lead Assistant Director/Head of Service been notified of the outcome of the assessment Name: _____ Date: _____
7.2	Has the Corporate Policy Adviser Equality & Diversity provided confirmation that the Assessment is complete? Date: _____

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