

Equality Analysis Report – Extra Care Fees

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Details of proposal: (Clearly identify the proposal give details of relevant service provision and the demographics covered by the policy or service)

The proposal relates to the fees payable to Extra Care Providers during the 2023/24 financial year.

The specific detail of the proposal is a 11.99% increase to the Extra Care hourly rate.

The proposal encompasses the implementation of the following fee rates for contracted Extra Care services:

Table 1 - Proposed Extra Care 2023-24 Fees

Extra Care

Duration / Service Element	2023/24	2022/23
Hourly Rate	£18.77	£16.76

Extra Care Providers provide services for the following client groups:

- Older People
- Mental Health
- Learning Disabilities
- Physical Disabilities

The demographics of Service Users accessing these services are outlined in Tables 2 – 4. All percentages (%) shown are of the total service user group.

Age Group

Table 2 - Age Groups of Extra Care Service Users

	Total Clients	%
Adults	9	26.5%
Age 65-74	4	11.8%
Age 75-84	12	35.3%
Age 85-94	7	20.6%
Age 95+	2	5.9%
Sum:	34	

Gender

Table 3 - Gender of Extra Care Service Users

	Female		Male	
	Total Clients	%	Total Clients	%
Adults	2	5.9%	7	20.6%
Older People	17	50.0%	8	23.5%
Sum:	19	55.9%	15	44.1%

Ethnicity

Table 4 - Ethnicity of Extra Care Service Users

	Adults		Older People		Total	
	Total Clients	%	Total Clients	%	Total Clients	%
Information not yet obtained	1	2.9%	3	8.8%	4	13.3%
White - British/English/Welsh/Scottish/Northern Irish	8	23.5%	22	64.7%	30	88.2%
Sum:	9	26.5%	25	73.5%	34	

Primary Support Reason

Table 5 - Primary Support Reason of Extra Care Service Users

	Female				Male				Total	
	Adults		Older People		Adults		Older People		Total Clients	%
	Total Clients	%	Total Clients	%	Total Clients	%	Total Clients	%		
Learning Disability Support	1	2.9%	0	0.0%	3	8.8%	0	0.0%	4	11.8%
Mental Health Support	1	2.9%	2	5.9%	0	0.0%	0	0.0%	3	8.8%
Physical Support - Personal Care Support	0	0.0%	13	38.2%	4	11.8%	8	23.5%	25	73.5%
Support with Memory and	0	0.0%	2	5.9%	0	0.0%	0	0.0%	2	5.9%

Cognition									
Sum:	2		17		7		8		34

Ramifications of Proposal:

The proposals relate to the fees to be paid to Extra Care Providers as from 1st April 2023.

The specific proposals relating to Extra Care Providers are that for the 2023/24 period it will introduce the following fees:

Table 6 - Proposed 2023/24 Extra Care Rates

Duration / Service Element	2023/24	2022/23
Hourly Rate	£18.77	£16.76

There is the possibility that some Provider's may face difficulties adapting their services and could then become unviable which would lead to them withdrawing from the market. This could therefore reduce the availability of services that meet specific Service User needs.

Are there any protected characteristics that will be disproportionately affected in comparison to others?

The protected characteristics under the Equality Act 2010 are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Pregnancy and Maternity

If the fee proposals were to be implemented and the above ramifications were to materialise then the following protected characteristics may be affected;

- **Age** – all service users are aged 55 and over.
- **Disability** – high proportion of service users with a disability.

Consultation:

The consultation encompassed the original proposals outlined in the following table:

Table 7 – Originally Proposed 2023/2024 Extra Care Rate

Duration / Service Element	2023/2024 Proposed Rate	2022/2023 Originally Set Rates
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Duration / Service Element	2023/2024 Proposed Rate	2022/2023 Originally Set Rates
1 Hour	£18.41	£16.76

As part of this consultation process the Council wished to particularly receive and consider feedback in relation to the following questions;

1. Whether the level of proposed fees set out in the proposals would cover the cost of delivering Extra Care for the period from 1st April 2023 to 31st March 2024.
2. If Providers did not agree with the rates, in particular if they considered that they would not cover the cost of delivering services, to provide budgeted costings, together with evidence of actual expenditure and a breakdown of hourly rate, in support of comments.

The consultation commenced on 20th March 2023 and had an initial end date of 16th April 2023. As part of this consultation process an initial Microsoft Teams consultation meeting was held with Providers on 30th March 2023 to enable them to raise questions to Senior Officers within the Council and also provided a further opportunity to state their general Views about the market and the challenges faced.

Following the end of the initial consultation period on 16th April 2023, the consultation responses were analysed, together a range of factors such risks raised in relation to additional costs and regional averages, and this resulted in the fee increases being increased from those originally proposed at the commencement of the consultation.

The consultation period was then extended to 26th April 2023 after the revised proposed rates were communicated to Providers. A further Microsoft Teams event was then held with Providers on 25th April 2023 to discuss the revised proposals.

Table 7 - Amended Proposed 2023/24 Extra Care Rates following consultation.

Type of Cost	2023/24 Revised Proposed Rate	Rationale / Changes	2023/24 Originally Proposed Rate	Rationale	2022/23 Rate
Carer Basic Rate	£10.90	Same as Domiciliary Care Staff rate	£10.56	9.7% NLW Increase	£9.63
Management	£0.74		£0.74	9.7% NLW Increase	£0.67
Administration	£0.54		£0.54	9.7% NLW Increase	£0.49
Annual Leave	£1.46		£1.46	9.7% NLW Increase	£1.33
Training	£0.34		£0.34	9.7% NLW Increase	£0.31
Sickness	£0.26		£0.26	9.7% NLW Increase	£0.24
NI	£0.77		£0.77	9.7% NLW Increase	£0.70

Pension	£0.41		£0.41	9.7% NLW Increase	£0.37
Other costs	£2.80		£2.80	10.7% CPI	£2.53
Profit	£0.55	3% on £18.22	£0.54	3% on £17.88	£0.49
Hourly Fee	£18.77	11.99%	£18.41	9.84% Increase	£16.76

Is there evidence that the Public Sector Equality Duties will be met?

The Equality Act 2010 requires that those subject to the Equality Duty must, in the exercise of their functions, have due regard to the need to:

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

The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The options proposed do not involve any change to the criteria for Extra Care, as assessed via the Council's eligibility criteria nor do they involve any changes to the capacity of services.

Each Service User will continue to have an individual care plan which is reviewed each year in accordance with the Care Act 2014. In assessing the care needs of Service Users Sefton Council is required to have regard to its public sector equality duty.

With respect to the above:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Extra Care services will continue to be provided on the basis of assessed need.

Performance monitoring of contracts regularly takes place and Social Workers, families/advocates provide feedback as to the treatment of Service Users via the review

process. In addition, the Council monitors data on contracts to ensure that there is fair access to all that meet the eligibility criteria.

Advance equality of opportunity between people who share a protected characteristic and those who do not.

Extra Care services are based on a person's individual need and offers opportunities for people to live as independently a life as possible and under an enabling approach.

Under current eligibility assessments, Service User's religious and cultural needs are taken into account and where specific needs are identified these are met, thus enabling them to participate in public life.

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

Extra Care services support people with disabilities to continue to live within the community thus making sure that disability is accepted and understood by the wider community.

All Provider's must evidence of how they will treat Service Users with respect and dignity and deliver services in a way which is free from discrimination, bullying and harassment for Service Users and Extra Care staff.

In addition;

- The Council will continue to work with Provider's to ensure that they provide appropriate services to disabled people on a contract and service specification basis and monitoring of service delivery.
- The Council as commissioning agent will remind service Provider's, when undergoing changes to their services to treat their staff in accordance with Equality and Employment law.
- Service Users are and will continue to be assessed in a qualitative manner in accordance with national guidance and Care Act 2014.
- Extra Care services are designed, costed and targeted to support people aged 55+ to remain living on their own in a safe and secure environment within the community.

What actions will follow if proposal accepted by cabinet & Council?

Include details of any mitigating action and ongoing monitoring to address any of the equality impacts highlighted above

- Ongoing consultation with Extra Care Providers will include obtaining provider views on the economic impact of the implementation of any decision and this information will in turn be used to ascertain any possible economic impacts on clients or regulatory impacts on individual Providers.
- Regular liaison with the Care Quality Commission will also continue and as part of this any issues identified with respect to the quality and financial viability of individual Providers will be monitored.

- The Care Act 2014 gives responsibilities to CQC for assessing the financial sustainability of certain care providers, it also gives them new powers to request information from those providers and to request a provider who they judge to be in financial difficulty to develop a sustainability plan and arrange an independent business review, to help the care provider remain financially sustainable. The Council will continue to work with CQC when they share concerns about care providers operating in Sefton.
- With respect to any potential impacts of the decision on the quality of service provided, regular monitoring will continue to take place. This will include monitoring of factors such as meeting Service User needs, the quality and retention of staff, staff training and overall management of services. Monitoring of Safeguarding referrals and regulatory notifications will also continue.