



Equality Impact Assessment (EIA)

Title of policy/process under consideration

Living Expenses Allowance

Lead department

Corporate Affairs

Is this policy/process? (Please tick)

New Existing Revised

Is this a full EIA? (Please tick)

Yes No

Please state the reasons for the above decision.

Historically the ILF was able to pay a sum of money to some users with 24 hour/live in care.

Due to financial constraints the policy was amended in June 2010 since which time the ILF will not normally agree to any additional payments.

The amendment to the policy ensures that all users are treated equitably going forward regardless of the level of support that they receive. A number of changes brought in at the time ensures that the ILF was able to focus resources on existing users core support needs.

It is noted that the amendment to the policy in June 2010 may have restricted access to support that had previously been available for some users where their impairment required them to have live-in\24 hour support.

What are the policy/process objectives and aims?

The ILF was originally able to pay an additional provision for users employing 24 hour\live in care in recognition that for such users there may be additional living expenses incurred.

The policy was amended in 2010 to ensure that the ILF could continue to fund essential care needs given the limited resources available at the time.

The current policy reflects the governments commitment to continue to support the existing packages provided by the ILF to users up to 31 March 2015.

This in line with the 'Increase in ILF awards' policy. In exceptional circumstances the ILF has the discretion to agree to additional payments towards a living expense allowance.

Please state the reasons why the changes are taking place.

When sole responsibility for eligible support needs are transferred to Local Authorities\Devolved administrations from April 2015 some users may find that their Local Authority will not continue to pay for the costs associated with live in care.

Where this is identified to be the case users should be made aware of this to help prepare them for any change in provision.

It is noted that local authorities have discretion to waive charges for social care where these would cause hardship.

Key**-2** Significant negative impact**+1** Mild/moderate positive impact**-1** Mild/moderate negative impact**+2** Significant positive impact**0** Neutral impact

Protected Characteristic	Impact	Notes
Age	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Disability	-1	The policy amendments made in June 2010 may have a negative impact for some users where as a result of their impairment they require live in\24 hour support. The amendment in March 2013 should ease the transfer process for some users and should have a neutral impact on the protected characteristics
Gender	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Gender reassignment	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Marriage and civil partnership	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Pregnancy and maternity	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Race	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
Religion or belief	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users

Sexual orientation	0	This policy change should have a neutral impact on the protected characteristic. The change should ease the transfer process for some users
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What alternative policy/process options have been considered to reduce or alleviate any identified impact?

The current policy ensures that where ILF users have previously received funding in recognition of the additional care costs incurred in having a live in carer 24 hour care payments can continue at the previous rate. This ensures that the change in policy did not result in any individual being worse off.

Following the decision to transfer responsibility to local authorities the policy has been amended to highlight the fact that such payments may not be able to continue in future. This allows users to prepare for transfer and is preferable to any immediate reduction in support provided.

What research has been gathered/considered when making decisions regarding the Protected Characteristics?

The Equality Act has been considered to identify any positive or negative impact of the revised policy with regards to the Protected Characteristics.

The members of the EIAB also provide experience relating to the Protected Characteristics when reviewing the equality impact assessments.

Are any future actions required for example monitoring or review?

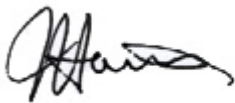
This policy is now due for a general review

EIAB comments/recommendations

The EIAB reviewed the EIA on 25 April 2013 and agreed to the EIA as presented with no suggestions for amendments.

Date form completed 11 April 2013

Signature of EIAB chair



Date 26 April 2013

Subsequent amendments to policy/process

Date of amendment	November 2013
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Details of amendment

On 6 November 2013, the Court of Appeal quashed the Government's decision that was made on 18 December 2012 to close the Independent Living Fund (ILF). All activity relating to the Transfer Review Programme has therefore ceased. The policy has been amended to remove a paragraph advising assessors to inform users where this element of the package would not be provided by the local authority.

Reason why a new EIA is not required

This amendment has no impact on the protected characteristics

Date of amendment	7 March 2014
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Details of amendment

On 6 March 2014 the Government made a decision to close the Independent Living Fund (ILF) on 30 June 2015. The funding and responsibility for users ILF care and support needs will be transferred to local authorities in England and the devolved administrations in Scotland, Wales and Northern Ireland from 1 July 2015. The ILF commenced a Transfer Review Support Programme (TRSP) on 7 March 2014.

The policy has been updated to include a paragraph advising assessors to inform users where this element of their package would not be provided by their local authority.

Reason why a new EIA is not required

The amendment to the policy does not affect the assessed impact on the protected characteristics in the current EIA.