



## Equality Impact Assessment (EIA)

### Title of policy/process under consideration

Use of Funding (formally 'How can my money be used')

### 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.

We have identified a potential positive impact of the revised policy.

## What are the policy/process objectives and aims?

Following the Government's announcement in December 2012 that the ILF will close in March 2015, the policy has been revised to bring ILF policy more in line with Local Authority practices. The revisions will enable greater cohesiveness between ILF policy and Local Authority practices (whilst having regard for the fact that Local Authority practice varies greatly throughout the country).

The aims and objectives of the policy are: -

To allow for greater flexibility regarding the composition of Qualifying Support and Services (this requires a change in the ILF Conditions of Grant Agreement (COGA) for ILF funding and in some circumstances the make up of the Local Authority (LA) Threshold Sum.

The revisions are intended to be cost neutral as any changes to a user's package would just be an alternative use of an existing award and not as an additional expense.

That the ILF has to agree with the proposals and the proposals should assist the transfer process.

That any changes meet a user's Independent Living Outcomes and that any alternative use of funding is in the best interests of the user.

To ensure that any alternative use of funding is safe, appropriate and would not compromise the reputation of the ILF.

The ILF will use learning from Right to Control to administer the policy and as with Right to Control a panel will need to agree all cases.

## Please state the reasons why the changes are taking place.

The current policy is considered to be incompatible with Local Authority practice and out of step with the future direction of support. It significantly restricts the type of support that the ILF can fund, how money can be used and what the Local Authority Threshold Sum can be composed of.

To revise the policy a change is required to the Conditions of Grant Agreement (COGA) to allow for greater flexibility regarding the composition of Qualifying Support and Services (QSS). The COGA change will allow for the creation of more streamlined and cohesive packages to be created prior to transfer. The changes may also encourage a Local Authority to be more actively involved with the support planning for transfer packages.

Feedback from consulting with Local Authorities indicates that the changes

would be a welcome move and would help to remove some of the barriers that QSS presents to merging funding with Local Authorities.

The changes should also make the transfer process easier and less difficult for users. Right to Control (RTC) trailblazers have also provided evidence of the beneficial impact of flexibility to users.

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

Protected Characteristic	Impact	Notes
Age	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Disability	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Gender	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Gender reassignment	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Marriage and civil partnership	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Pregnancy and maternity	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Race	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their

		transfer review.
Religion or belief	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.
Sexual orientation	+2	The benefits of greater flexibility are likely to have a positive impact as individuals may have more options available to be able to tailor their support towards the achievement of their independent living outcomes in line with their transfer review.

What alternative policy/process options have been considered to reduce or alleviate any identified impact?

There has not been any identified negative impact as a result of this assessment. The policy has been revised with a view to reduce and/or alleviate any possible impact on users post transfer.

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

Research has been conducted by the Department of Health (DOH) into the take up of personal budgets, these offer similar opportunities to the change in how ILF funding can be used.

Review of Right to Control (RTC) trailblazers.

Feedback from ILF consultation with Local Authorities and disabled people and their organisations.

Independent Living Fund (2006) Trust Deed (amended 17 January 2012).

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?


The policy is not due to be reviewed again as standard before the ILF closes on 31 March 2015 however it may be identified as part of the Transfer Review Programme that further changes are required in order to enable greater cohesiveness between ILF policy and Local Authority practices in preparation for the transfer in 2015.

EIAB comments/recommendations

The EIAB reviewed the EIA on 28 February 2013 and subject to the amendments detailed in the minutes of 28 February 2013 the board agreed to the EIA.

Date form completed 15 February 2013

Signature of EIAB chair



Date 4 March 2013

## Subsequent amendments to policy/process

Date of amendment	November 2013
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Details of amendment
<p>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 the section detailing flexible funding. Flexible funding arrangements can no longer be considered as the ILF COGA specifies that they can only be agreed where they facilitate transfer arrangements.</p>

Reason why a new EIA is not required
<p>This amendment has no impact on the protected characteristics.</p>

Date of amendment	
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Details of amendment

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