



## Equality Impact Assessment (EIA)

### Title of policy/process under consideration

**Relatives Providing Care**

### 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.

The policy has not changed significantly; it remains as informed by the Trust Deed position on Relatives providing Care. In December 2012 the Government announced that the ILF will close on 31 March 2015. The ILF Transfer Review Programme will begin in April 2013. To encourage a greater likelihood of support from the Local Authority for user's existing support packages and to make the transfer process easier and less difficult for users this policy has been revised to enable greater cohesiveness between ILF policies and Local Authority practices (whilst having regard for the fact that LA practice varies greatly throughout the country).

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

The policy is in line with the Trust Deed which states that a relative living in the same household will not normally be allowed to act as a paid carer using ILF funding.

The objectives and aims of the policy are: -

To be clear that any cases requesting relatives to be paid with ILF funding whilst living in the same household as the user has to be proved exceptional.

To provide guidance to staff, Independent Assessors, decision makers and ILF users on exceptionality in the context of the policy.

To establish a clear position on decision making to ensure consistence in cases where the ILF is asked to make an exceptional decision on relatives providing care in the same household.

To ensure that the position of the user's Local Authority is obtained before the Senior Management Panel consider any new requests.

The policy also highlights that awareness needs to be raised where it is known that a close relative provides care to a user but doesn't live in the same household. This is because this arrangement may not be supported by a user's Local Authority post transfer.

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

The changes to the policy will allow and encourage closer working with the Local Authority before a decision is made to approve a new close relative living in the same household request. It would not generally be advantageous to the user at this time for the ILF to agree to a new close relative living in the same household request that may not be supported by a Local Authority post transfer.

The changes also provide guidance on existing cases where the ILF has previously agreed to a close relative living in the same household request. It cannot be assumed that this arrangement will be agreeable to the Local Authority and discussions will need to take place regarding this at the transfer visit.

**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	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Disability	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Gender	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Gender reassignment	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Marriage and civil partnership	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Pregnancy and maternity	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Race	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Religion or belief	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.
Sexual orientation	0	The policy will be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.

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?

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?

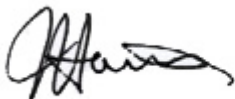
The policy is not due to be reviewed again as standard before the ILF closes on 31 March 2015 however it may be identified as part of the Transfer Review Programme that further changes are required in order to enable greater cohesiveness between ILF policy and Local Authority practices in preparation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

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 reference to highlighting where current arrangements were incompatible with those that would be permitted by the local authority. However it should be noted that SMP may continue to take account of the local authority position as part of their consideration, we may therefore still request this information from local authorities.

### 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 revised to enable greater cohesiveness between ILF policies and Local Authority (LA) practices (whilst having regard for the fact that LA practice varies greatly throughout the country).

The changes to the policy will allow and encourage closer working with the Local Authority before a decision is made to approve a new close relative living in the same household request. It would not generally be advantageous to the user at this time for the ILF to agree to a new close relative living in the same household request that may not be supported by a Local Authority post transfer.

The changes also provide guidance on existing cases where the ILF has previously agreed to a close relative living in the same household. It cannot be assumed that this arrangement will be agreeable to the Local Authority and discussions will need to take place regarding this at the Transfer Review Support Programme visit.

### Reason why a new EIA is not required

The current EIA does not identify any negative impact on the protected characteristics. It is intended to be applied to each group equally and is designed to ensure that Equality and Diversity issues are taken into account in applying the policy.

The revisions to the policy do not affect this impact and therefore a new EIA is not required.