Equality, Fairness and Rights Impact Assessment (EFRIA)

The Equality, Fairness and Rights Impact Assessment (EFRIA) is one of our specific duties to assess the impact of applying a new or revised policy or practice against the needs of the General Equality Duty. This means East Renfrewshire Council must be mindful when assessing impact against these needs to:

- ensure the policy does not discriminate unlawfully
- consider how the policy might better advance equality of opportunity
- consider whether the policy will affect good relations between different groups

The Fairer Scotland Duty places a legal responsibility on particular public bodies in Scotland to actively consider ('pay due regard' to) how they can reduce inequalities of outcome caused by socioeconomic disadvantage, when making strategic decisions. The UN Convention of the Rights of the Child (UNCRC) is an international human rights treaty which sets out the rights every child has and has been incorporated into Scottish Law as the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.

The Equality, Fairness and Rights Impact assessment considers how a policy* could impact on the needs of individuals protected by the Public Sector Equality Duty, the Fairer Scotland Duty and the UN Convention of the Rights of the Child.

Please consult the EFRIA guidance flowchart to help you complete this assessment.

Name of policy*:	Charging for Non-Residential Care
Description of policy:	Introduction of a means-testing approach to charge individuals for elements of their care and support which are not classed as personal care. Means-testing would be by way of a financial assessment, to determine people's ability to contribute. In line with current legislation there will be no charges for Services to children under the age of 18 Carers Support
Why is the policy required?	For many years, the HSCP has worked hard to avoid the need to introduce charges for non-residential care, and up until now we are the only HSCP in Greater Glasgow and Clyde that does not charge for these services. Regrettably, our financial position, the demand for services and the increasing complexity of need, means we need to consider introducing means-tested charges for these services.
Date EFIRA completed:	15 September 2025
Completed by:	Mark Mulhern
Lead officer for policy:	Directorate Management Team
Department:	HSCP

*The term 'policy' covers any work or function of East Renfrewshire Council i.e. customer and service delivery, staffing, criteria, practices, proposals, activities and decision-making

Guidance – please read

Section 1
This section enables you to determine if a full assessment is required. If a full assessment is not required, this must be clearly stated in **Section 9** of the form.

Section **2-8** is the full assessment covering the sections listed below:

2	**Engagement and Consultation** Give details of how different groups have been consulted about the policy.
3	**Impact on individuals or groups with protected characteristics** How will the policy impact individuals or groups who fall under one of the nine protected characteristics**:** age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation?
4	**Impact on socio-economic disadvantage** How will the policy impact individuals or groups disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications?
5	**Impact on Children and Young People** How will the policy impact on the rights and needs of children and young people?
6	**Contractors and suppliers** Will the policy be delivered by any contractors or suppliers in full or partially?
7	**Outcome of assessment and action plan** What is your decision based on the assessment and are there any mitigations or actions that need to be addressed?

8	**Approval** Details of when and who approved the policy.

Section 9 should only be completed where the screening shows no assessment is required
When completing the assessment you must consider relevant evidence, including information received from equality groups. This evidence should inform the result of your impact assessment. You're required to take action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and enhancing any potential for positive impact. If any adverse impact could result in unlawful discrimination, the policy must be fully reviewed and amended.

All impact assessments will be published on the Council website

1. Screening

This section should be completed to establish if a full assessment is required.

1.1 What is the nature of the work or activity? Select a category from below that explains the work or activity you are doing.	
✔ Policy or Strategy ☐ Programme or Plan ☐ Project delivery ☐ Service or Function ☐ Budget proposal ☐ Other please state: Click or tap here to enter text.	**Is this work or activity...** ✔ New ☐ Change or review of existing ☐ Other- Please state: Click or tap here to enter text.
1.2 What will happen as a result of this policy? What changes will come about for individuals and groups through this policy?- Select all that apply	

- ✔ Change to Council, Trust or HSCP charging arrangements (including introduction, removal, increase or decrease)
  Change to how a service is delivered (including addition, change or removal of practices/procedures/processes)
- ☐ Change to provision of services or staffing
- ☐ Change to entitlement or eligibility for service delivery or welfare/benefit access
- ☐ Other. Please state: Click or tap here to enter text.

1.3 What groups of individuals are likely to be impacted by this policy?

Select which groups of individuals are likely to be impacted positively or negatively if this policy is implemented.

- ✔ The policy has potential to impact **individuals with protected characteristics***
- ✔ The policy has potential to impact **socioeconomic disadvantage** for individuals**
- ✔ The policy has potential to impact **children and young people up to the age of 18**
- ☐ The policy has no impact on those specified above.

***Protected Characteristics** are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
****Socio-economic disadvantage** is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications

1.4 Is there any potential indication or evidence that the policy will discriminate unlawfully; affect equality of opportunity for different groups or affect good relations between different groups?

Will any individuals be treated less fairly than others if this policy is implemented? This includes employees, residents, community groups and visitors to the area.

- ✔ Yes
- ☐ No
- ☐ Don't Know

The HSCP and those people we have consulted with have identified that people who require higher levels of care and support could potentially be impacted more greatly than others, certain groups may be more at risk than others such as people with learning disability / neurodiversity / physical disability particularly where support provided is not aligned to personal care. Our approach aims to mitigate, as far as possible, the risk of unfair impact on all residents of East Renfrewshire.

Review your answers above.

- If the policy has **no impact on individuals**, and you have selected 'no' to section 1.3, an impact assessment is not required. **GO TO SECTION 9**
- If the policy will have an impact on individuals and/or you have selected 'yes or don't know' to section 1.3, complete the full assessment. **GO TO SECTION 2**

2. Engagement and Consultation

This section will assess how the policy is being communicated to certain groups and how you have consulted them.

2.1 How have individuals (incl. children & young people) who might be affected by the policy been consulted or involved? This can include a summary of findings from recent consultations, surveys, user research or customer testing that has been carried out. Include dates and information.
People have been consulted in a number of ways: • Letters issued to all people in receipt of a care package in East Renfrewshire to make them aware of the proposal and to invite them to information sessions • Three in person information sessions hosted by a Head of Service supported by other senior staff who are subject matter experts • Three online information sessions • Independent event hosted by East Renfrewshire SDS Forum and East Renfrewshire Carers centre • Dedicated web page with a summary of the proposal including FAQS - https://www.eastrenfrewshire.gov.uk/Info • Survey to inform the EQFRIA • Smaller sessions hosted with carers to inform the EQFRIA

- Detailed briefings to Elected Members to aid them in supporting constituents
- Correspondence by email – providing contact details and answering questions

The HSCP facilitated six sessions for members of the public. Three in-person events, with one in the Eastwood locality and two in the Barrhead locality. Three online events were held in evenings. Invitation letters were sent via post to all individuals who may be affected by the proposals, and information on the sessions shared with partners.

The SDS Forum for East Renfrewshire, in partnership with East Renfrewshire Carers Centre and SDS Scotland, also hosted an event which HSCP officers also attended to provide information and hear the views of those attending.

Combined these events reached more than 300 individuals with some individuals attending more than one session. However, it should be noted that a large number of attendees were carers and only some of these would have legal decision-making powers. It has been acknowledged that letters were sent at extremely short notice, and that there was no additional mechanisms in place to support accessibility for individuals who could be affected by the proposal including people with learning difficulties/disabilities, dementia, communication needs and mental health issues.

Host	Date	Time	In person/online
HSCP	22 October	2pm – 4pm	In person
HSCP	22 October	6pm – 8pm	Online
HSCP	23 October	2pm – 4pm	In person
HSCP	23 October	6pm – 8pm	Online
SDS Forum	8 November	10:30am – 12:30pm	In person
HSCP	25 November	2pm – 4pm	In person
HSCP	25 November	6pm – 8pm	Online

Feedback from these events is attached as appendix 1, but the general feedback was one of anger at the proposal and concern at how this will affect vulnerable individuals who rely social care, particularly in terms of inclusion, participation and living full lives. Participants were aware that the Scottish Government have a commitment to abolish social care charges before 2026 and they expressed concern around the conflict between this and the proposal. Although there is no indication that this commitment will be delivered, there was still frustration at the proposals to introduce the policy, and questions around the timing and how this conflicts with the government's commitment.

Carers expressed concern that another policy will add more stress and responsibility to their caring role, impacting on their own physical and mental health and the affect that the policy will have on overall household income and that the increased expense that will often fall onto them.

The SDS Forum and Carers Centre also distributed an online survey to ask for their members views on the proposal. A full breakdown of the results and comments is attached in Appendix 2 but from 91 responses, 82 (90%) strongly disagreed/disagreed with the proposal.

Two smaller sessions were held by HSCP staff on the 19th and 20th of November to inform the Equalities, Fairness and Rights Impact Assessment. These sessions were attended by carers, rather than people with lived experience, and representatives from My Disabilityplus. The views shared during these sessions are incorporated into this assessment

There are some learnings from the engagement:

- People told us the letters should have been sent well in advance of the sessions as the short notice meant many could not attend those in October. We acknowledged the short notice, and arranged additional sessions on 25 November.
- The way our data pulls meant letters sometimes went to have been assessed as an adult without capacity. We have launched a project to look at this for future engagement
- A large majority of the people who attended were carers and that the events were not accessible for people who could be affected by the proposal including people with learning difficulties/disabilities, dementia, communication needs and mental health issues.
- The materials produced were not accessible for people with additional needs who will be impacted by the proposal
- The set-up of the events was limited by the facilities at the venues we used and we will consider this in future i.e. bigger screens, better parking

2.2 How will you communicate information about this policy to individuals who have: hearing and/or sight loss; English as an additional language; are digitally excluded; have literacy/numeracy barriers?

Think about how you will communicate information about the policy to the above individuals. This may include printed materials being accessible in other formats, e.g. Braille, easy to read, translated in other languages. More information can be found here.

The engagement sessions were held in-person and online to maximise the opportunity to attend. There was no additional supports in place to support accessibility for individuals with communication needs or learning difficulties/disabilities.

Slides used at the session and a full write up of the events were shared with the participants who requested this. Feedback was used to produce a “frequently asked questions” document which was also shared with participants, made available online and shared SDS Forum and Carers Centre.

While every effort was made to draft information in plain English, no information materials were created for people with specific needs – such as for blind people or those with a learning disability.

The events were held in wheelchair accessible venues and after the first session a microphone was used to help made sure everyone could hear, however there were no additional supports in place to support accessibility for individuals with communication needs or learning difficulties/disabilities.

There has been strong criticism of the engagement process, particularly the lack of engagement of people most affected by the proposal especially people with learning disabilities/difficulties. There has been further concerns raised regarding the lack of notice for the initial events.

Representatives of the ethnic minority community have expressed concern that members of their community, potentially affected by the proposal do not understand the full extent of what is being proposed. (Appendix 3)

In response to this letter, we delivered an input to the Fairweather Hall drop-in group on the 11th September. This is a group that provides social contact and information to the ethnic minority community. No additional comments were received other than to highlight the original letter objecting to the proposal that was delivered to the Provost in November 2024 and attached as an appendix to the original ERFIA.

3. Impact on groups with protected characteristics

This section will assess if the policy has potential to impact individuals with protected characteristics. You should consider any evidence or information you have on how it will affect different groups of individuals, both positively and negatively.

Below is a suggested list of sources:

- Input from local Councillors
- Findings from engagement exercise and consultations.
- Information or feedback from groups of individuals, such as equality interest organisations or groups who speak on behalf of others
- National, regional or local statistics
- Analysis of enquiries or complaints from customers
- Recommendations from inspections or audits
- National or regional research to identify similar issues
- Comparisons with similar policies in other departments or authorities to identify similar issues

You may want to consider collecting new evidence that you don't have but think will be relevant. For example: setting up meetings or focus groups, carrying out user research.

Please find other sources of evidence on page 9 of the EFRIA guidance flowchart.

3.1 Use the table below to consider how the policy may impact on a particular group with protected characteristics through reviewing the evidence, experience and needs of this group		
Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Age	Children and young people under the age of 18 will not be charged however the policy could affect the overall income of parents with disabilities and subsequently impact on their dependents. The Joseph Roundtree Foundation's annual report for 2024 found that disability benefits are making a greater proportion of income	Negative. Although the policy will be means tested, it will likely result in people being left with a lower disposable income, especially for elderly people already affected by the cost of living and the cutting of the winter fuel allowance.

	within households where someone is disabled and that this means that, “it is increasingly likely that households are either unable to meet the additional cost of being a disabled person and/or unable to meet their other basic needs The report found that children in families where someone is disabled are more than 3 times more likely to experience “material deprivation” than children living in families where no one is disabled. Older people are the biggest users of social care in East Renfrewshire. This population has increased significantly with an increase in those aged over 75 increasing by 61% between 2001 and 2022.	It should be noted throughout that the policy will be based on an individual’s ability to pay. If the financial assessment deems a charge is not appropriate then individuals will not be charged and their level of care unaffected. In addition the policy also includes a number of mitigation points to prevent people experiencing financial hardship as a result of any charge levied. These points apply to all the protected characteristics and include, Financial Assessment will be on individual’s income (unless there is an income maximisation benefit from a joint assessment) Minimum Income Guarantee will be applied. The £20 per hour proposed charge is universal, no matter the level of complexity of care. This is lower than care we can buy from any care provider or provide ourselves. Proposing a taper of 60% There will be an upper limit to the weekly charge payable, to recognise that that the more complex a person’s needs are then generally the higher the cost of care. This limit will be set based on the level of the National Care Home Contract cost for residential care, less the Free Personal Care entitlement. For 2024/25 this will equate to a weekly upper limit

		of £577.24 (being £825.94 less £248.70 respectively for each component. The COSLA guidance includes a 6-week disregard period for over 65s on discharge from hospital for a period of reablement for up to 6 weeks. This disregard would apply to additional care needed. If there was a charge for care in place before hospital admission. This would remain in place following discharge. We will not distinguish for age. This will apply to all.
Disability or long term health condition	Individuals living with either a learning or physical disability make up just over 50% of those receiving non-personal care services from the HSCP. 'The Disabled People, Poverty and the Cost of Living Crisis Report', produced by Inclusion Scotland provided evidence that, "Nearly half (48%) of all the people living in poverty in the UK are disabled or live with a disabled person. The report cites, "social care support costs," as one of the key drivers of poverty for disabled people in Scotland. Disability Benefits are paid in recognition that disabled people and those living with long term conditions incur additional costs. The report includes Scope's latest research, "On average, disabled households (with at least one disabled adult or child) need an	Negative. As an individual's disposable incomes will be affected, this may reduce opportunities to participate fully in their community. Although a financial assessment will mean any charge will be based on the ability to pay. We will also work with partners, including the Council Money Advice and Rights Team (MART) to help people maximise their income. However, the HSCP is currently working with an eligibility criteria and any income generated will enable the HSCP are able to keep the eligibility for support as low as possible and continuing to meet the needs of our most vulnerable and disadvantaged residents.

	additional £975 a month to have the same standard of living as non-disabled households. If this figure is updated to account for inflation over the current period 2022/2023, these extra costs rise to £1,122 per month". Disabled people are more likely to be in low paid and part-time work relying in benefits to keep income above poverty thresholds. The Council's most recent report into child poverty also highlights families with a disabled person as being more likely to live in poverty.	
Race	Nationally, ethnic minorities are significantly more likely to live in poverty however the ethnic minority population of East Renfrewshire is dispersed across all communities. The Joseph Roundtree Foundation Report highlights the low uptake of benefit entitlement across the ethnic minority community resulting in a greater level of poverty. Culturally there can be an expectation, particularly on woman, to undertake caring roles	Negative. As people's disposable incomes may be affected with a greater burden placed on carers. However, we will work with the Council Money Advice and Rights Team (MART) to help people maximise their income.

Sex	Woman are more likely to take on the role of caring for a relative (see below) and still experience structural inequalities in the workplace	Negative. As an individual's disposable incomes may be affected. The potential for extra pressure placed on carers. A financial assessment would mean any charge would be based on the ability to pay. We will also work with partners, including the Council Money Advice and Rights Team (MART) to help people maximise their income.
Gender reassignment	N/a	N/a
Marriage/Civil Partnership (only applicable to Council employment policy)	N/a	N/a
Pregnancy / Maternity	N/a	N/a
Religion / Belief	N/a	N/a
Sexual orientation	N/a	N/a
Providing unpaid care	Carers Scotland most recent Valuing Carers Report published in November 2024, puts the number of carers in East Renfrewshire at	Potential negative impact on the demands of unpaid carers.

	11,863, an increase of 27% over the last 10 years. The hours carers spend caring is also increasing. The most recent national Health & Wellbeing Survey found that only 28% of carers in East Renfrewshire "feel supported to continue caring." Alongside disabled people carers are more likely to experience poverty, with employment opportunities affected. At all the engagement sessions, carers expressed concerns that they may be financially impacted, or have an increased caring role, with additional carers stress as a result. The Valuing Carers Report calls on the Scottish Government to follow through on the commitment to remove social care charges and the Coalition Carers used Carers Rights day 2024 to launch a campaign for the removal of social care charging.	Current social care support can have a dual benefit in supporting an individual to have access to their community but at the same time provide respite to carers. Negative impact on the overall household income. Support to carer's including respite/short breaks will remain free of charge and we will continue to work closely with East Renfrewshire Carers Centre to provide support to carers. East Renfrewshire Carers centre is a key partner and they have been informed and involved from the start of the proposal. We would continue to work closely with them, and other partners to mitigate the impact of any changes to our charging policy.
Any other relevant groups' e.g. unemployed people, people experiencing homelessness, care leavers, people involved in the criminal justice system, people with literacy/numeracy barriers, people living in rural communities.	N/a	

3.2 Are there known inequalities within the policy? For example: barriers to transport for some groups; opening hours and location, organisational pay, terms or conditions; how public information is provided?
The elements of the social care that the HSCP are able to charge for are most likely to affect the learning disability community and those who have lower personal care needs but rely on social care support to access, education, employment and social opportunities. This was the main point raised by carers of an adult with learning difficulties. They are highly critical of the proposal and how they deem it to be unfair. The carers have the view that all disposable income is already going to meet the costs of care for their loved ones and in fact additional amounts spent on care already comes from the wider household income. Carers spoke about experiencing a “double hit” with the implementation of the Supporting People Framework with non-essential social supports being removed and families having to pay for this fully themselves if they want the support to continue. In context this is a recent funding decrease that has impacted residents of East Renfrewshire. The Charging Policy would further impact available funding for non-essential social supports. There is also a risk that some people will not be able to generate savings. Not for luxury items but items required to live full and meaningful lives, household equipment, mobility vehicles and communication aids. Carers are immensely concerned about the impact a charging policy will have if, and when they are no longer able to provide care. They question what standard of living their loved one will be left with, if they cannot generate any savings and have only the most basic level of income. The stress and mental health impact this has on carers featured at every engagement session and cannot be underestimated.

3.3 In what ways, if any, would this policy contribute to discrimination or help to eliminate it? Discrimination means treating individuals differently from others. For example, not recruiting someone as they are deemed too old/young; or a support group running on an upper floor with no lift access will discriminate against people with mobility issues or wheelchair users

There is no direct discrimination as a consequence of this policy. Everyone potentially affected will be treated the same under this policy, with a consistent and clear financial assessments being used to assess an individual's ability to contribute to the cost of their care. If someone can't afford to contribute, they will not be required to and this will not affect the care they receive.

Participants at the engagement sessions feel that the policy will unfairly affect those who rely on elements of social care to live full lives. There was a strong view that the policy would further increase inequality for disabled people, particularly young people who would have to pay to participate in activities that individuals without disabilities do for free, including work and further/higher education, participating in activities and even travelling to participate in anything outside of their house.

3.4 In what ways, if any, would this policy advance or undermine equality of opportunity?

This is when individuals from different backgrounds are treated fairly through providing an equal footing or level playfield to achieve outcomes For example, children who have additional support needs are provided with teaching support to fully participate in the school curriculum or a deaf BSL user is provided with a BSL interpreter at health appointments.

This policy should help with equality of opportunity by ensuring those who can contribute to their care, do.

In the face of a £12m budget shortfall in 2023/24 and up to £7m deficit predicted for 25/26, the income raised from this policy will support the HSCP to deliver its statutory duties and provide care to those with the greatest needs and help create more community based opportunities/supports that people can be signposted to.

However it is clear that the potential introduction of charging for social care may have an effect on what people can afford and therefore it may undermine equality of opportunity for those who will have less disposable income once charging commences. Some people may be able to reprioritise what they spend their money on but for others the impact could be more severe.

This question is at the heart of people's anger and disagreement with the proposal. Disabled people will be charged to take part in activities that non-disabled people can access for free. Some of these activities are basic human rights, such as the ability to work.

Service users and carers feel the policy reinforces a deficit model of disability which will restrict their ability to have full lives and introduces a level of financial scrutiny into their lives that non-disabled people do not face, impacting on their dignity and the feeling that they are a burden on their families and wider community.

Relevant comments from the survey:

"I feel that this is discriminatory towards disabled people and their families. The severely disabled will never be able to earn a living and in our case we already contribute towards our sons care and as long as he lives with us, which looks like it could be forever as there are no suitable housing, we will be doing this for as long as we live. As parents who are almost pensioners, we see a bleak future for our son and know that this will just be the start. His benefits back up his support. Without the benefits there can be no support as these expenses are essential. We have campaigned for years to give our son a good life and we are still contributing towards this ourselves. I, and all the other parents I have contact with, are in complete despair over what is to come."

"This money was to ensure that people who received it would be able to have support to live life as those without any disability. You are discriminating against the most vulnerable in society where we should be encouraging them to be supported in all aspects of their lives and not charged for it. Every single person and their families who receives support don't want to be disabled and be able to live life as every other person in society and with this charging policy you are ensuring that they are being treated as 3rd class citizens and that their rights do not matter. This was also shown by the lack of councillors who attended the meetings, absolutely shocking that the majority of them are voting on this and have never spoken to those of us it affects."

"This is so incredibly unfair to an already marginalised group of people. If this is implemented my son will have the social opportunities he currently emits taken away to pay for his support. He is unable to travel or be in the community incident but is working towards this. We either choose to pay the cost so he can work towards some form of independent living in the future but he loses the finances to do any social activity so becomes isolated from his friends and society or we keep him within the network of community he has built up and stop his support so he ceases to have a way to work towards incidence making him reliant on ERC funding for good. What a truly hellish set of options to choose between."

All comments are available in appendix 2

3.5 In what ways, if any, would this policy foster or undermine good relations between groups of individuals?

Consider aspects that may tackle prejudice or promote understanding between different groups. For example, ensuring new arrivals and refugees are given supports to integrate within local communities or an LGBTQI+ youth group provide training on LGBTQI+ experiences to a local faith group

Many participants in the engagement sessions spoke about the positive experience of social care in East Renfrewshire and how self-directed support has been implemented to support people and carers. The feeling is that this policy will undermine the relationship between people, carers and the HSCP and is creating a more transactional relationship than a supporting one.

People spoke about, “a race to the bottom,” and how it will be difficult to think about, “a good day.”

During this current cost of living crisis, any impact on the disposable income of families could lead to tensions and mental health issues in family members.

This policy may put a strain on relationships between carers and those they care for, if, for example, people disengage with HSCP services to avoid being charged, creating more of a strain on the unpaid carer.

This will be mitigated as much as possible by signposting to community supports, and of course, all charges being subject to ability to pay. Support to carer’s including respite/short breaks will remain free of charge and we will continue to work closely with East Renfrewshire Carers Centre to provide support to carers.

Participants also spoke about the relationship with the wider community. There was a feeling that the disabled community is, “not seen” in the community and has, “no voice.” Any policy that makes it harder for disabled people to engage fully with their communities will only add to this feeling.

Relevant comments from the survey:

“I would need to put my son into full time residential care.”

“I am 54yrs old. I have a 13yr old autistic son. We earn less than 30k per year combined. We care for our son ourselves without a support package. If I or my wife were left to look after our son alone and then fall ill we struggle then paying for carers would not be affordable. Also with the introduction of charges for care does this mean that council tax will now be reduced given that a significant amount was spent on social care? Somehow tells me that’s not going to happen.”

“being a carer I feel extreme stress when there are changes in money matters , any rise and extra costs are huge people with small salaries or not working will have to give a second thought about asking for support and without support carer cannot manage alone .well it’s a tough situation.”
“I am the mother of a young adult who has just left school and requires 2:1 support 24/7. I had to give up my job and my husband can only work part time. My son’s income helps to pay our bills because I no longer work due to caring for him. There are now 3 adults in our house and only a part time income. Financially this will be devastating for us.”

All comments are available as appendix 2

4. Impact on socio-economic disadvantage

This section will assess how the policy may impact socio-economic disadvantage for individuals.

Socio-economic disadvantage is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications. Socio-economic disadvantage can be experienced in both geographical communities and communities of interest i.e. a group that share a common characteristic or circumstance. In East Renfrewshire there are a number of communities, known as locality planning areas, where people are at greater risk of experiencing socio-economic disadvantage including,

- Barrhead – Dunterlie, East Arthurlie and Dovecothall
- Auchenback
- Neilston
- Thornliebank

Consider the policy itself and the way it will be implemented. How will this deliver different experiences for individuals in East Renfrewshire?

4.1 In the section below consider how the policy may impact socio-economic disadvantage through reviewing the evidence, experience and needs of this group

Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Socio-economic	As already evidenced people with disabilities and carers are more likely to live in poverty or low-income households.	Neutral

	It is likely then that the majority of people will not be charged for the care they receive. There will no doubt be people in our communities who can contribute to the cost of their care without it having a significant impact and those on low incomes with no disposable income will not incur a charge for their social care. It is therefore likely that a group that will be affected will be those in “middle” income who have a level of disposable income but are also experiencing challenges brought on by the current cost of living crisis. It is acknowledged that any loss of the level of disposable income a person has will have a negative impact however, the proposed financial assessment model guarantees that people’s income will at the very least meet the Minimum Income Guarantee as set by the Scottish Government with a taper applied to ensure that people paying for care services still have a level of disposable income. HSCP are accessed by those across the full breadth of the authority. As the policy is based on ability to pay, those who can’t afford to contribute won’t.	Charges will be based on the ability to pay. If people cannot afford the charge they will not have to pay and the level of care will remain the same. The policy also includes a number of mitigating factors to protect any individuals from being placed into financial difficulty. These include, Financial Assessment will be on individual’s income (unless there is an income maximisation benefit from a joint assessment) Minimum Income Guarantee will be applied. The £20 per hour proposed charge is universal, no matter the level of complexity of care. This is lower than care we can buy from any care provider or provide ourselves. Proposing a taper of 60% There will be an upper limit to the weekly charge payable, to recognise that that the more complex a person’s needs are then generally the higher the cost of care. This limit will be set based on the level of the National Care Home Contract cost for residential care, less the Free Personal Care entitlement. For 2024/25 this will equate to a weekly upper limit of £577.24 (being £825.94 less £248.70 respectively for each component. The COSLA guidance includes a 6 week disregard period for over 65s on discharge

		from hospital for a period of reablement for up to 6 weeks. This disregard would apply to additional care needed. If there was a charge for care in place before hospital admission. This would remain in place following discharge. We will not distinguish for age. This will apply to all.

4.2 Consider the impact outline in section 4.1, In what way would the policy alleviate or increase inequalities in socio-economic disadvantage?

Consider common inequalities such as poorer skills and attainment; lower paid and less secure work; greater chance of being a victim of crime; less chance of being treated with dignity and respect; lower healthy life expectancy; lower feeling of control over decisions that affect you.

Participants spoke about the impact that this will have on the activities that disabled people in East Renfrewshire are currently able to do. For example, the introduction of a charge may mean that, for some disabled people, it is not worth working, studying or volunteering and the negative consequences this will have on their lives especially physical and mental wellbeing.

4.3 What opportunities are there within this policy and the way it will be implemented to promote inclusion, participation, dignity and empowerment of people experiencing socio-economic disadvantage?

For example, a new health centre is being built and considers affordability of public transport options for residents.

N/A

4.4 Is there anything in particular that will be done to address the multiple inequalities experienced by some people in Auchenback, Barrhead, Neilston and Thornliebank?

The policy is based on ability to pay. Charges can be waived if necessary to avoid putting anyone into financial hardship.

The Financial Assessment will be able to identify if people are receiving all the benefits and support that they are entitled to, signposting them to the appropriate support such as the Money Advice & Rights Team and Citizen's Advice.

We also recognise that individual's financial circumstances can change at any time and our financial assessments will respond to such changes.

5. Impact on Children and Young People

This section must be completed if any potential impact on children and young individuals up to the age of 18 have been identified in sections 1-4.

United Nations Convention on the Rights of the Child (Scotland) Act 2024 places a legal duty on public authorities to respect and protect children's rights in the work they do.

There are a range of elements that the Council must consider in supporting these rights including:

- Ensuring that children and young people have a voice in decisions that affect them – both directly and indirectly;
- Undertaking assessments of how well the Council is protecting children, including children's rights and wellbeing impact assessments and considering how budget planning supports better outcomes for children and young people

5.1 Are there known impacts on children and young people within the subject matter of the policy?

For example, changes to out-of-school services, employment support for parents, play parks.

No. Charges do not apply to children.

If there is no impact on children and young people GO TO SECTION 6

5.2 In the section below outline the UN Convention on the Rights of the Child (UNCRC) General principle that is relevant, the particular groups of children that will be affected and how this will impact them		
Which General Principles of UNCRC are relevant to this policy/measure? Tick all that apply		**Which particular groups of children and young people are affected by this policy?** (e.g. young children, children with disabilities, children living in poverty, children in care, young people who offend).
Article 2 **Non-discrimination** Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).	☐	
Article 3 **Best interests of the child** Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing - and that the institutions, services and	☐	

facilities responsible for their care and protection conform with established standards.		
Article 6 **Life, survival and development** Every child has a right to life and to develop to their full potential.	☐	
Article 12 **Respect for the views of the child** Every child has a right to express their views and have them given due weight in accordance with their age and maturity. This includes involving children in budget decisions that affect them. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.	☐	
Which additional articles are relevant to this policy/measure? List all that apply		

In relation to the articles identified above, explain how the impact will be positive, negative or neutral.

Relevant identified Article of UNCRC	Impact category (Positive/Negative/Neutral)	Assessment of impact (including consideration of whether the policy might impact different groups of children and young people in any other way).

5.3 What opportunities are there within this policy to advance or undermine the rights of children and young people?

Explain how the policy can strengthen or weaken the rights of children and young individuals

5.4 What opportunities are there within this policy to protect and promote the wellbeing of children and young people?

For example promoting physical activity and healthy eating.

6. Contractors and suppliers

6.1 Will the policy be carried out by contractors or suppliers? This includes fully or partially. If yes, how will you incorporate equality expectations into the contract?
No. Internal officers only.

7. Outcome of assessment and action plan

You have completed sections 1-6 above and assessed the impact of the policy on individuals with protected characteristics, those experiencing socio-economic disadvantage and children and young people. The following section outlines your decision based on this assessment, mitigations and actions that can be taken to reduce any negative impacts.

7.1 Having assessed the impact of the policy under sections 3,4 and 5 select the most appropriate outcome Which option below best describes your next steps?
✔ Continue the policy as is ☐ Adjust the policy ☐ Stop the policy
7.2 Are there any significant and relevant information gaps that have not been filled during the development of this policy and how do you plan to address these during the life of the policy?
We have not had the opportunity to engage some disability groups in as much detail as we would have liked, in particular, individuals with a learning disability, dementia and mental health issues.

7.3 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, <u>on groups with protected characteristics</u> from this policy?

As evidenced, this policy may impact negatively on older people and people from an ethnic minority background however the biggest impact will be on people living with a disability by asking them to contribute to their care, and any subsequent impact this may have in on informal carers, by potentially increasing the burden of care.

To mitigate this, people will only be asked to contribute what they can afford, and there will be disregards in place for disability related expenditure, if required. This document has outlined a number of mitigation points included in the policy that protect people from financial hardship. These are outlined again in section 7.4 below.

In addition, charges can be waived altogether if the charge would put someone into financial hardship.

Support to carer's including respite/short breaks will remain free of charge and we will continue to work closely with East Renfrewshire Carers Centre to provide support to carers.

7.4 Briefly summarise how your evidence and assessment demonstrates any potential impact, both positive and negative, <u>on individuals and communities experiencing socio-economic disadvantage</u> from this policy?

Again it is important to stress that the proposal ensures that any charge is based on the ability to pay.

It is highly unlikely that anyone experiencing socio-economic disadvantage will meet the threshold to be charged.

As detailed previously, there are a number of mitigating factors put in place to ensure people are not placed into financial hardship. These include,

Financial Assessment will be on individual's income (unless there is an income maximisation benefit from a joint assessment)

Minimum Income Guarantee will be applied.

The £20 per hour proposed charge is universal, no matter the level of complexity of care. This is lower than care we can buy from any care provider or provide ourselves.

Proposing a taper of 60%

There will be an upper limit to the weekly charge payable, to recognise that that the more complex a person's needs are then generally the higher the cost of care. This limit will be set based on the level of the National Care Home Contract cost for residential care, less the Free Personal Care entitlement. For 2024/25 this will equate to a weekly upper limit of £577.24 (being £825.94 less £248.70 respectively for each component.

The COSLA guidance includes a 6 week disregard period for over 65s on discharge from hospital for a period of reablement for up to 6 weeks. This disregard would apply to additional care needed. If there was a charge for care in place before hospital admission this would remain in place following discharge. This will apply to all and we will not distinguish on age.

7.5 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, <u>on the rights of children and young people</u> from this policy?

N/a

7.6 How long will this policy be in place and when is it scheduled for review?

Is this a temporary or permanent change and are there plans to review the policy?

The policy will be a permanent change unless the Scottish Government follow through on the commitment to remove social care charges.

7.7 Based on the findings from this impact assessment, outline any mitigating actions that will reduce the impact caused by the policy on individuals, including children and young people. The actions should also outline the communication and implementation of the policy.

Identified adverse impact	Mitigating actions	Timeline	Responsible person

People disengaging with social services	Continue to work in partnership with local organisations to develop and promote early intervention and preventative support. People disengaging will be made aware of the Talking points Partnership and how to make contact with HSCP should there circumstances change	Ongoing	
Financial Hardship	The policy will adhere to the COSLA guidance and personal care will remain free of charge. The policy will ensure a minimum income guarantee and the application of a taper to ensure people have a level of disposable income after any charge is levied. People will only be asked to contribute what they can afford, and there will be disregards in place for disability related expenditure, if required. The financial assessment process will be clear and transparent with people knowing exactly what they are being charged for. In addition, charges can be waived altogether if the charge would put someone into financial hardship. We will ensure people's income is maximised working closely with the Money Advice and Rights Team.		
Burden on unpaid carers	Support for carers themselves will be free of charge however we do recognise that this is potentially another pressure on carers and we will refer carers to East Renfrewshire Carers Centre for further information and advice.		

8. Approval

If the full impact assessment has been completed, complete below.

Name of policy:	Charging for Non-residential Care
Date approved:	
Approved by: **(Head of Service/Director level)**	
Department:	HSCP

9. No assessment required

If the screening has indicated a full assessment is not required, complete below.

Policy/Decision Title	
Department/ Service	
Responsible officer for taking decision	

Rationale for decision	**Please record why an assessment is not required and what your justification is for making that decision. This must include confirmation that the policy has no relevance for people with protected characteristics or impact on human rights or socio-economic inequalities.**
Declaration: **I confirm the decision <u>not</u> to carry out an Equality, Fairness and Rights Impact Assessment has been authorised by:** **Name and Job Title:** **Date Authorisation given:**	

Version Control

Date of change	Amendment	Owner
Feb 2021	First publication	C Coburn
June 2023	Introduction and Guidance sections added and formatting changes throughout	C Coburn
Feb 2024	Updating UNCRC section following legislative change	J Breslin
October 2024	Refinements after reviewing	M McIntyre