

Integrated Impact Assessment (IIA)

Stage 1 Scoping and Assessing for Relevance

Section 1 Details of the Proposal

A. Title of Proposal:	Variation to charging Policy at Station Court in Duns, in respect of respite care.
B. What is it?	A revised Policy/Strategy/Practice
C. Description of the proposal: (Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes, including the context within which it will operate))	<p>To bring the charging policy - for respite at Station Court in Duns - into line with similar respite resources and financial assessment thereof.</p> <p>The aim is to standardise policy, taking into full consideration the Community Care (personal care and nursing care) (Scotland) (amendments) No 2 regulations 2018. Also known as 'Frank's Law'. This concerns free personal care for the under 65s.</p> <p>The objective is to offer respite care at Station Court with the same terms and conditions and associated costs as other resources offering similar respite facilities.</p>

	<p>There are two respite flats at Station Court; 10a and 10b. They are usually used to provide respite care and nursing for people under 65. Unfortunately, at present, one flat is inhabitable (roof fell in and is awaiting repair) The other flat accommodates a person in need of a place of safety but previously both flats have been used for respite care.</p> <p>Outcome of this assessment is the standardisation of charging for this resource.</p> <p>For a number of years Station Court charged £15 a day for SBC residents and £54 a day for people who live elsewhere (outwith SBC) It fails to comply with the financial safeguards, as described in SBC's current charging regulations.</p> <p>The £15 and £54 fees were established IRO twenty years ago, have remained static and were not varied, revised or uplifted when 'Frank's Law' came into effect in April 2019.</p>
<p>D. Service Area: Department:</p>	<p>Social Work & Adult Social Care</p>
<p>E. Lead Officer: (Name and job title)</p>	<p>Chris Myers,</p>

	Joint Director / Chief Officer Scottish Borders Health and Social Care Partnership
F. Other Officers/Partners involved: (List names, job titles and organisations)	David Mills, Group Manager, Adult Social Work
G. Date(s) IIA completed:	20/08/2024

Section 2 Will there be any impacts as a result of the relationship between this proposal and other policies?

No, SBC charging policy will remain unchanged.
<p>If yes, - please state here:</p>

Section 3 Legislative Requirements

3.1 Relevance to the Equality Duty:
<p>Do you believe your proposal has any relevance under the Equality Act 2010?</p> <p>Yes</p>

<p><i>(If you believe that your proposal may have some relevance – however small please indicate yes. If there is no effect, please enter “No” and go to Section 3.2.)</i></p>	
<p>Equality Duty</p>	<p>Reasoning:</p>
<p>A. Elimination of discrimination (both direct & indirect), victimisation and harassment. <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i></p>	<p>To vary the charging policy to bring it into line with national regulations and ensure equity in respect of charging for people with physical disabilities requiring respite care at Station Court in Duns.</p> <p>To eliminate discrimination for people with a disability. To be charged in an equitable way and have income maximised at point of assessment.</p> <p>.</p>
<p>B. Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i></p>	<p>There will be equality of opportunity. Charges are applied regardless of protected characteristic.</p>
<p>C. Foster good relations? <i>(Will your proposal help to foster or encourage good relations between those who have different equality characteristics?)</i></p>	<p>Yes, to bring Station Court respite users equity with similar resources elsewhere and with others who have a protected characteristic e.g., people aged 65 + who use respite services.</p>

**3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal?
(You should consider employees, clients, customers / service users, and any other relevant groups)**

Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.

	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
Age Older or younger people or a specific age grouping		x		The existing policy and charge discriminates against service users under 65 years of age because it fails to acknowledge 'Frank's Law', which came in effect in April 2019.
Disability A physical or mental impairment that has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities. This may be visible or invisible, progressive or recurring.		x		<p>The additional accommodation costs at Station Court do not promote equity. The existence of a separate charging policy for people with a protected characteristic (age and disability) at Station Court Respite is inequitable and discriminatory.</p> <p>Charging for respite care for people with a disability at Station Court in Duns should be aligned to respite resources elsewhere in SBC.</p> <p>Charging to be in line with national regulations brought in in April 2019 but not applied to Station Court service users.</p>

Gender Reassignment anybody who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.	x			
Marriage or Civil Partnership people who are married or in a civil partnership	x			
Pregnancy and Maternity (refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),	x			
Race: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)	x			
Religion or Belief: different religious or philosophical beliefs, customs (including atheists and those with no aligned belief) e.g. Christianity, Islam, Hindu, pacifism, vegetarianism, gender critical.	x			
Sex women and men (girls and boys)	x			
Sexual Orientation , e.g. Lesbian, Gay, Bisexual, Heterosexual	x			

3.3 Fairer Scotland Duty

This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making strategic decisions.

The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.

Is the proposal strategic?

No, it's operational.

If No go to Section 4

If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:

	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.	X			
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	X			
Area Deprivation – where you live (e.g. rural	X			

areas), where you work (e.g. accessibility of transport), see rural proofing guidance				
Socio-economic Background – social class i.e. parents' education, employment and income	X			
Care experienced people	X			
Carers paid and unpaid including family members	X			
Homelessness	X			
Addictions and substance use	X			
Those involved within the criminal justice system	X			

3.4 Armed Forces Covenant Duty (*Education and Housing/ Homelessness proposals only*)

This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to the three matters listed below in Education and Housing/ Homelessness matters.

This relates to current and former armed forces personnel (regular or reserve) and their families.

Is the Armed Forces Covenant Duty applicable?

Yes/ No

If "Yes", please complete below

Covenant Duty	How this has been considered and any specific provision made:
<p>The unique obligations of, and sacrifices made by, the armed forces;</p> <p>The <u>MOD Statutory Guidance</u> gives the following examples:</p> <ul style="list-style-type: none"> • Danger • Geographical Mobility • Separation from Family • Service Law • Unfamiliarity with Civilian Life • Hours of Work • Stress 	
<p>The principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the armed forces;</p>	
<p>The principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the armed forces.</p>	

Section 4 Full Integrated Impact Assessment Required

Select No if you have answered “No” to all of Sections 3.1 – 3.3.

/ **No** *(please delete as applicable)*

If yes, please proceed to Stage 2 and complete a full Integrated Impact Assessment

If a full impact assessment is not required briefly explain why there are no effects and provide justification for the decision.

Variation of the charging policy, as it is uniquely applied at Station Court, will only benefit those who currently are discriminated against, in terms of disability and age (under 65). Standardisation of the financial assessment may also lead to maximisation of welfare benefits, as part of the financial assessment process.

Station Court has initially been discussed at the SBC officer-led internal charging group, which met and approved the proposed variation on 17th July 2024 at 10 a.m. and further ratified on 10.9.2024 at 09.15 hrs. At this meeting it was unilaterally agreed that the additional charges for accommodation at Station Court respite is inequitable and these should be removed.

The SBC External Charging Forum, comprised of community and third sector representatives of a variety of disability, carer and other organisations met on 17.9.2024 at 16.00 hrs to discuss the proposal to vary the additional accommodation costs associated with Station Court respite. Their views and comments are attached below.

“ DM shared that an Integrated Impact Assessment has been completed and the proposal requires consideration from this group today prior to Full Council Committee in November for incorporation into the charging policy for 2025-26.

Station Court has been charging a flat rate of £15 per person per night for Scottish Borders residents and £54 per person per night for residents out with the Scottish Borders region. The proposal relates to bringing Station Court in line with other respite provision in the Scottish Borders to promote equity.

PC advised that previously people being admitted to Station Court were not financially assessed and costs for all residents were the same regardless of circumstances. Bringing Station Court in line with other respite provision will introduce financial assessment which may result in reduced costs for some residents.

DM noted that the two respite beds at Station Court are currently unavailable as one has issues with the roof and the other is being used as a safe space.

FM asked for clarity on arrangements for alternative respite. DM confirmed that there are 19 independent providers and 4 internal via the Council homes with respite usually being provided by either Saltgreens or St Ronans.

DM is going to circulate IIA around this group and requested feedback to be sent to back to DM and PC.

No objections were raised to the proposal and agreement was made to take the IIA to Full Council in November.”

Signed by Lead Officer:	David Mills
Designation:	Group Manager, Adult services
Date:	18.9.2024
Counter Signature Director:	
Date:	