

Equality Impact Assessment Form (Page 1 of 2)

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Title of EIA/ DDM: Deputyship Service Charging Policy
Department: Children & Families
Service Area: Adult Safeguarding & Quality Assurance
Author (assigned to Covalent): Julie Sanderson

Name of Author: Julie Sanderson
Director: Helen Jones
Strategic Budget EIA Y/N (please underline)

Brief description of proposal / policy / service being assessed:

Deputyship Service Charging Policy

The Deputyship Team provide a service to some of Nottingham's most vulnerable adults who require safeguarding and lack the Mental Capacity to manage their own financial affairs and property. The team undertake this duty of a 'Public authority Deputy' when authorised to do so by the Office of the Public Guardian 'OPG'. The team only undertake this duty when the citizen does not have anyone within their own family or social network. At present the team manage approximately 240 cases.

The Fees and Charges that Public Authority Deputies are able to levy are contained within Court of Protection 'Practice Direction B - Fixed Costs in the Court of Protection' (Appendix A) This sets out the fixed amounts of re-numeration that may be claimed by public authorities appointed to act as Deputy. A Policy has now been drafted which requires ratification. (Appendix B)

Information used to analyse the effects on equality:

Appendix A Practice Direction B

Appendix B Deputyship Service Charging Policy

Appendix C Equality & Diversity report relating to clients of the Deputyship Team.

| | Could particularly benefit X | May adversely impact X | How different groups could be affected (Summary of impacts) | Details of actions to reduce negative or increase positive impact (or why action isn't possible) |
|--|---|---|---|--|
| People from different ethnic groups. | <input type="checkbox"/> | <input type="checkbox"/> | <p>Deputyship clients The Deputyship currently has 240 citizens, all of whom lack the Mental Capacity to manage their own property and/or financial affairs. The lack of mental capacity has to be due to 'an impairment of, or a disturbance in the functioning of, the mind or brain' as defined by the Mental Capacity Act 2005.</p> <p>As noted in Appendix C, over 50% of citizens have a learning disability or mental health problem. The other citizens will have some other disorder of the mind which</p> | <p>Reduce Negative impact</p> <ol style="list-style-type: none"> All Deputyship clients receive an annual review from the Deputyship Team. Part of the review process is to ensure that the client is in receipt of all appropriate benefits and therefore income is maximised. Spending plans are also reviewed to ensure clients are in receipt of the appropriate income to meet their needs. Reviews will be initiated at the request of the client or representative more frequently if required. As the Local Authority is the Deputy, the Department of Work & Pensions liaise |
| Men | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Women | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Trans | <input type="checkbox"/> | <input type="checkbox"/> | | |
| <u>Disabled people or carers.</u> | X | <input type="checkbox"/> | | |
| Pregnancy/ Maternity | <input type="checkbox"/> | <input type="checkbox"/> | | |
| People of different faiths/ beliefs and those with none. | <input type="checkbox"/> | <input type="checkbox"/> | | |

| | | |
|--|--------------------------|--------------------------|
| Lesbian, gay or bisexual people. | <input type="checkbox"/> | <input type="checkbox"/> |
| Older | <input type="checkbox"/> | <input type="checkbox"/> |
| Younger | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i> | <input type="checkbox"/> | <input type="checkbox"/> |

could be dementia or a brain injury. Therefore all citizens require significant support and will either live in the Community or Care Homes.

Specific Impacts upon citizens

1. Currently Nottingham City Council do not levy the maximum fees and charges that they are entitled to.
2. An annual management fee has always been charged.
3. Under the proposed updated Charging Policy Nottingham City Council will levy the maximum Fees and Charges as specified in the Practice Direction, on the anniversary of the court order appointing the local authority as Deputy.
4. This will impact upon clients income and assets. However the Charging Policy has a threshold in place, and allows for the waiving of additional fees where payment of such would cause the citizen to fall below a minimum asset level. In this way NCC is safeguarding those citizens from potential financial vulnerability.

directly with the team about clients. Therefore, should the team be informed that a client's benefits are to be reviewed by the DWP, the team will ensure appropriate advocacy is provided by a Social Care Practitioner in adult Social Care, and/or a referral to NCC Welfare Rights is made.

3. For clients with significant assets, who will not be in receipt of benefits, Independent Financial Advice is provided. The Deputyship Team commissioned this service through a European Tender in order for Deputyship clients to hold individual portfolios, in order to maximise income.
4. As noted in the Policy, there is protection for clients with lower income or assets, through either a percentage charge, and/or a protected threshold of £2000. This amount is set in accordance with the advice given by the Money Advice Trust.

Outcome(s) of equality impact assessment:

- No major change needed •Adjust the policy/proposal •Adverse impact but continue
- Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

Note when assessment will be reviewed (e.g. Review assessment in 6 months or annual review); Note any equality monitoring

indicators to be used; consider existing monitoring/reporting that equalities information could form part of.
The Policy will be reviewed on an annual basis.

Approved by (manager signature):

The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.



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Date sent to equality team for publishing:

DATE 30.07.18

Send document or link to:
equalityanddiversityteam@nottinghamcity.gov.uk

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
7. Clearly cross referenced your impacts with SMART actions.