

## Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or [DelythGadlysWilliams@gwynedd.llyw.cymru](mailto:DelythGadlysWilliams@gwynedd.llyw.cymru) for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

### 1) Details

#### 1.1. What is the name of the policy / service in question?

Nursing and Residential Home Fees  
Care Provision Service

#### 1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The Council sets an annual fee for placements in care homes (residential and nursing) within the private sector. The Council needs to set a fee before April 2022 in order to allow for implementation. For 2022/23, there is an opportunity for the Council to consider the possibility of a higher fee for staff, as well as annual inflation costs; however, further work will need to be carried out on the financial aspects of this before being able to reach a decision.

**1.3 Who is responsible for this assessment?**

Aled Davies, Head of Adults, Health and Well-being Department

**1.4 When did you commence the assessment? Which version is this?**

February 2022, Version 2.0

**2) Action**

**2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?**

Providers

**2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?**

We comply with the More Than Just Words strategy, which ensures that patients and residents receive the Active Offer in relation to the Welsh language. We are also aware of the shortcomings in salaries for care staff, and the pressure care homes have been under during Covid-19, and therefore these fees attempt to mitigate some of these financial shortcomings.

**2.3 What was the result of the engagement?**

N/A

## 2.4 On the basis of what other evidence are you operating?

One of the most important factors in terms of attempting to respond to the risk of sustainability and stability in the market, especially the nursing homes and dementia homes, is to ensure that the fees that are set by the Council allow these homes to be financially viable, which in turn will allow the homes to pay a fair wage to staff for their work and, of course, to provide high quality care for the residents.

## 2.5 Are there any gaps in the evidence that needs to be collected?

The impact of a standard fee model on each individual provider.

## 3) Identifying the Impact

### 3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?

Characteristics	What type of impact? *	In what way? What is the evidence?
<b>Race (including nationality)</b>	None	There is no evidence to suggest that the fees would have a positive or negative impact on individuals due to their race.
<b>Disability</b>	Positive	It is believed that care home residents would benefit from the higher fees, by receiving better care and service.
<b>Gender</b>	None	There is no evidence to suggest that the fees would have a positive or negative impact on individuals due to their gender.
<b>Age</b>	Positive	Older people are most likely to benefit the most, however it is possible that it will also affect other ages that require care/a service.
<b>Sexual orientation</b>	None	There is no evidence to suggest that the fees would have a positive or negative impact on individuals due to their sexual orientation.
<b>Religion or belief (or non-belief)</b>	None	There is no evidence to suggest that the fees would have a positive or negative impact on individuals due to their religion, belief or lack of belief.

<b>Gender reassignment</b>	None	There is no evidence to suggest that the fees would have any impact on this category.
<b>Pregnancy and maternity</b>	None	There is no known impact on this category.
<b>Marriage and civil partnership</b>	None	There is no known impact on this category.
<b>The Welsh language</b>	Positive	As a result of better employment to locals, it is likely that this would have a positive impact on the Welsh language provision and the active offer for residents.
<b>Socio-Economic Disadvantage</b>	Positive	Offering a higher salary would have a positive impact on the staff, and also on residents, as staff recruitment and retention levels would be higher, meaning a better care provision.

\* Delete as appropriate

**3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.**

<b>General Duties of the Equality Act</b>	<b>Does it have an impact?*</b>	<b>In what way? What is the evidence?</b>
<b>Abolishing illegal discrimination, harassment and victimisation</b>	Yes	The fees would be consistent for all providers and therefore there would be no discrimination.

<b>Promoting equal opportunities</b>	Yes	There would be improved staffing levels as a result of better wages, meaning that staff would have more of an opportunity to do more and to be a more active part of their community.
<b>Encouraging good relationships</b>	Yes	Staff morale would improve with more staff being recruited and kept. Additionally, residents would have a more stable workforce which is an opportunity to foster good relationships.

\* to be deleted as appropriate

**3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?**

We comply with the More Than Just Words strategy, which ensures that patients and residents receive the Active Offer in relation to the Welsh language. Increasing the fees is likely to have a positive impact on the active offer.

**3.4 What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?**

We have done everything within our ability to ensure that there will be no adverse impact on the Welsh language.

**3.5 How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?**

The fees would enable carers to receive a higher salary, equivalent to the Real Living Wage.

**3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?**

We have done everything within our ability, and the fees are set in order to give due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage by addressing the Real Living Wage for carers and funding the real cost of care

**4) Analysing the Results**

**4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?**

It is likely to have a significantly positive impact on the group with a socio-economic disadvantage as they will receive the Real Living Wage.

**4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?**

The plan should not have a negative impact on any individuals with a specific protected characteristic.

**4.3 What should be done?**

Choose one of the following:

Continue with the policy / service as it is robust	X
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	
No further action at this time because it is too soon to decide, or there is insufficient evidence	

**4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?**

We do not expect any negative impacts, however we will monitor and deal with any negative impacts that may arise.

**4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.**

N/A

**5) Monitoring**

**5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?**

We intend to continuously monitor the impact of the fees.