

Equalities Comprehensive Impact Assessment

Reference: ECIA477183958

Submitted: 30 January 2023 09:43 AM

Executive summary

Title of policy / decision: Review of the Integrated Residential Nursing (IRN) Framework for 2023

Policy / decision type: Cabinet Decision

Overview of policy / decision: The Cabinet paper and this Equality Impact Assessment relate to the proposed approach for the annual Integrated Residential Nursing (IRN) Framework refresh and annual price uplift for 2023/24 taking into account the inflationary pressures on the care home market.

The IRN Framework was established in June 2019 to source care in a residential setting for older people and adults with non-complex mental health needs, with or without nursing care.

The IRN Framework has been guided by the following objectives and desired outcomes;

- a) Ambition to work predominantly with Good and Outstanding providers
- b) To better understand and address capacity issues across the market
- c) Support the sustainability of the residential market for both providers and for the Council: Ensure that the rates paid are compatible with our quality goals, can yield a return for providers but is affordable to the Council.

The population of people over 65 in Essex is 309,900. The framework supports about 0.8% of the total over 65 population. There are currently 124 care homes in Essex on the IRN Framework employing approximately 5,500 staff with approximately 2,450 IRN Framework placements.

The IRN Framework was set up with the target of 80% of residential placements via contracted homes (20% spot) and nursing placements at 60% (40% spot). Residential placements have consistently remained around this target since the IRN Framework inception, whereas nursing peaked at 50% and is currently below that, at 31% for placements made between July and December 2022.

The IRN Framework contains provision for the Council to re-open the Framework every year. The re-opening of the IRN Framework allows for existing providers on the IRN Framework to submit revised prices for new placements and for new providers to join the IRN Framework should they wish to. Taking into account inflationary pressures the recommendations in the paper are to:

2.1 Agree to reopen the IRN Framework to new homes and to allow providers of the current homes on the IRN Framework to vary their price point using the price matrix at appendix A to the report which is an increase of each price by:

- 8% for residential care, with new minimum rate of £647.57 per week
- 20% for residential care with nursing, with new minimum rate of £796.46 per week.

2.2 Note that alongside the above change there will also be an increase in the number of price bands available for:

- residential without nursing by two bands for Castle Point and Rochford, and
- residential with nursing by four bands in Basildon, Brentwood, Castle Point, Rochford, and Southend

2.3 Agree that framework placements made between 1 April 2023 and 31 May 2023 will be made at the

Provider's current rate uplifted by 8% for residential and 20% for nursing, with the rate transitioning to the Provider's new rate on 1 June 2023.

2.4 Agree that the new ranking and prices will apply to placements made after 1 June 2023.

2.5 Agree to vary the exceptional needs payment for current and future approved placements via the IRN Framework from £80.01 to £140.00 per week with effect from 1 April 2023.

2.6 Agree to increase the weekly rate of all existing care home placements in place on 31 March 2023 delivered via the IRN Framework Agreement by 8% for residential without nursing, and by 20% for residential with nursing, capped at the new maximum framework rates of £746.27 per week for residential and £1,009.40 per week for nursing placements and increase placements on the IRN Framework which are currently below the new minimum of £647.57 for residential and £796.46 for nursing to the new minimum, with effect from 1 April 2023.

What outcome(s) are you hoping to achieve?: Help people get the best start and age well

Executive Director responsible for policy / decision: Nick Presmeg (Adult Social Care (DASS))

Cabinet Member responsible for policy / decision: John Spence (Health and Adult Social Care)

Is this a new policy / decision or a change to an existing one?: New policy / decision

How will the impact of the policy / decision be monitored and evaluated?: The Council has a duty under section 5 of the Care Act 2014 to promote the efficient and effective operation of a market in services for meeting care and support needs with a view to ensuring that any person in its area wishing to access services in the market:

- has a variety of providers to choose from
- has a variety of high quality services to choose from

The Integrated Residential Nursing (IRN) Framework (the IRN Framework) is one mechanism to help enable this sustainable market, to promote choice and control for individuals and their families and to promote consistent quality with a focus on good and outstanding provision.

The annual Framework refresh will not change the process or quality criteria approach for homes on the Framework. The process for determining the provider's position on the Framework list will continue, with the Care Quality Commission (CQC) overall quality score (good and outstanding first, then requires improvement and not yet rated) and then price. The requirement for up to date equality and diversity policies and procedures and the correct training in place for staff will continue. This will be reflected in the minimum quality requirements set out in the contract for providers who join and are on the Framework.

To note impact of the decision on service users and wider groups. Whilst this decision doesn't impact on council employees there will inevitably be an indirect impact on nurses performing roles. This will be indirect because increased costs will be awarded to private organisations, which whilst it can be used towards workforce recruitment and retention, they will manage their budgetary plans individually.

Will this policy / decision impact on:

Service users: Yes

Employees: No

Wider community or groups of people: Yes

What strategic priorities will this policy / decision support?: Health, Independence and Wellbeing for All Ages

Which strategic priorities does this support? - Health: Promoting independence

What geographical areas of Essex will the policy / decision affect?: All Essex

Digital accessibility

Is the new or revised policy linked to a digital service (website, system or application)?: No

Equalities - Groups with protected characteristics

Age

Nature of impact: Positive

Extent of impact: Low

Disability - learning disability

Nature of impact: None

Disability - mental health issues

Nature of impact: Positive

Extent of impact: Low

Disability - physical impairment

Nature of impact: Positive

Extent of impact: Low

Disability - sensory impairment

Nature of impact: Positive

Extent of impact: Low

Sex

Nature of impact: None

Gender reassignment

Nature of impact: None

Marriage / civil partnership

Nature of impact: None

Pregnancy / maternity

Nature of impact: None

Race

Nature of impact: None

Religion / belief

Nature of impact: None

Sexual orientation

Nature of impact: None

Rationale for assessment, including data used to assess the impact: The annual IRN Framework refresh will help to maintain the market for placements that will include access for people who have mental health, physical impairment, sensory impairment needs and ensure these are available to ECC residents. By maintaining the market for placements we are ensuring that the older people of Essex are getting a choice of placements with the aspiration that these are in good or outstanding homes on the IRN Framework.

It is important to note that the above characteristics where there is no impact noted or where considered low, this is because this decision is predominately a change to pricing structures rather than a change to the framework; meaning that whilst impacts will likely still exist it will be more on an individual basis where disaggregated data cannot be achieved or will be less reliable.

We will look to review how information about people who use the framework is collected as we recognise the need for accurate and disaggregated data to inform our decisions.

What actions have already been taken to mitigate any negative impacts: No known negative impacts

Levelling up - Priority areas & cohorts

Children and adults with SEND, learning disabilities or mental health conditions (taking an all-age approach)

Nature of impact: None

Children on Free School Meals

Nature of impact: None

Working families

Nature of impact: None

Young adults (16-25 who have not been in education, training or employment for around 6-12 months)

Nature of impact: None

Harlow

Nature of impact: None

Jaywick and Clacton

Nature of impact: None

Harwich

Nature of impact: None

Basildon (Town) housing estates

Nature of impact: None

Canvey Island

Nature of impact: None

Colchester (Town) - Housing Estates

Nature of impact: None

Rural North of the Braintree District

Nature of impact: None

Rationale for assessment, including data used to assess the impact: We are not specifically targeting these particular areas of Essex, however there will be homes indirectly impacted as they are on the framework.

Breakdown of homes on Framework as follows:

19 homes in Braintree

19 homes in Colchester

8 homes in Basildon

2 homes in Harwich

1 home Jaywick/Clacton

3 homes in Harlow

What actions have already been taken to mitigate any negative impacts: n/a

Equalities - Inclusion health groups and other priority groups

Refugees / asylum seekers

Nature of impact: None

Homeless / rough sleepers

Nature of impact: None

Offenders / ex-offenders

Nature of impact: None

Carers

Nature of impact: None

Looked after children

Nature of impact: None

Veterans

Nature of impact: None

People who are unemployed / economically inactive

Nature of impact: None

People on low income

Nature of impact: None

Working families

Nature of impact: None

Rationale for assessment, including data used to assess the impact: Assessing impact is challenging, disaggregated data for these groups would not be accurate or possible. For all of the groups above, it is possible this decision to change pricing structures will have a positive and/or negative impact, but on an individual level rather than large groups of people.

Some examples: older adults who use this framework could have working families, have low incomes or have a carer who will be relieved that the adult is now in 24hr care, where others might be negatively impacted and see this as a loss of their caring role.

It is important to note that on an individual level the decision will have an impact to certain groups, but this would be very indirect as this decision specifically relates to framework pricing changes rather than a change to the way the framework operates.

We do however know from the census in 2021 unpaid care decreased in Essex by 14.9% since 2011 (from 146,211 to 124,443), meaning that the impact on carers may have reduced since the start of the framework.

What actions have already been taken to mitigate any negative impacts: n/a

Equalities - Geographical Groups

People living in areas of high deprivation

Nature of impact: None

People living in rural or isolated areas

Nature of impact: None

People living in coastal areas

Nature of impact: None

People living in urban or over-populated areas

Nature of impact: None

Rationale for assessment, including data used to assess the impact: This decision is not targeting specific provision in these areas, although some of the care homes on the framework may be in urban, deprived, coastal or rural areas.

In these areas it is deemed to have no specific impact as this decision specifically relates to framework pricing changes rather than a change to the way the framework operates.

If this decision is not taken it could impact on the Council's ability to meet its duty under section 5 of the Care Act 2014 and the promotion of a sustainable care home market, to promote choice and control for individuals and their families and to promote consistent quality, with a focus on good and outstanding provision. Providing no placement cost uplifts could risk the Council's ability to source all the residential and nursing care it needs to support the people of Essex.

Sourcing Nursing placements on SPOT means that it is priced higher than a framework rate. If this decision is not taken the council may not be able to meet its older residents needs if they require Nursing Care

What actions have already been taken to mitigate any negative impacts: n/a

Families

Family formation (e.g. to become or live as a couple, the ability to live with or apart from children)

Nature of impact: None

Families going through key transitions e.g. becoming parents, getting married, fostering or adopting, bereavement, redundancy, new caring responsibilities, onset of a long-term health condition

Nature of impact: Positive

Extent of impact: Low

Family members' ability to play a full role in family life, including with respect to parenting and other caring responsibilities

Nature of impact: None

Families before, during and after couple separation

Nature of impact: None

Families most at risk of deterioration of relationship quality and breakdown

Nature of impact: Positive

Extent of impact: Medium

Rationale for assessment, including data used to assess the impact: Supports family formation positively as the framework can offer couples who wish to reside together

Supports families with new caring responsibilities or long term health needs by allowing for periods of respite and management in nursing facilities for more complex health needs

Supports families with caring responsibilities positively as the framework provides for periods of respite and support whilst families find transitions challenging to manage

Can support families positively who are most at risk of relationship breakdown, for example where caring roles have broken down and period of rest and reflection is needed before continuing to trial and learn new skills or strengthen existing skills

It would not be possible to provide disaggregated data on these groups, this is because of the challenges of ascertaining situations at an individual level.

Whilst it is likely to have a positive impact where noted, this ECIA is not assessing changes to the framework but the pricing decisions that will allow for the continuation of the framework and its services

What actions have already been taken to mitigate any negative impacts: n/a

Climate

Does your decision / policy involve elements connected to the built environment / energy?: No

Does your decision / policy involve designing service provision and procurement to minimise freight and

staff travel and enable use of active and public transport options?: No

Does your decision / policy involve elements connected to waste?: No

Action plan to address and monitor adverse impacts

Does your ECIA indicate that the policy or decision would have a medium or high adverse impact on one or more of the groups / areas identified?: No

Details of person completing the form

I confirm that this has been completed based on the best information available and in following ECC guidance: I confirm that this has been completed based on the best information available and in following ECC guidance

Date ECIA completed: 30/01/2023

Name of person completing the ECIA: Amy Collins

Email address of person completing the ECIA: amy.collins@essex.gov.uk

Your function: Adult Social Care

Your service area: Commissioning

Your team: Older People Commissioning Team

Are you submitting this ECIA on behalf of another function, service area or team?: No

Email address of Head of Service: matthew.barnett@essex.gov.uk