

## *Policy Circular*

### Document No 26/04

**Owner:** Strategy & Communications Directorate

**Subject:** Carers Allowance

**Version:** 2 of 2

**Last Amended:** July 2010

**Date Reviewed:** July 2010

**Next Review:** 20 July 2012

### 1.0 Background

The Carer's Allowance (CA) is a benefit for people who provide at least 35 hours of care per week to a severely disabled person where that disabled person is in receipt of the middle or highest rate of DLA or AA. This can be payable to the user's partner.

The CA is paid directly to the 'carer' and not the disabled person, however where CA is in payment the disabled person cannot then claim Severe Disability Premium. Therefore a carer may not choose to apply for CA even if eligible as it may be financially disadvantageous to the disabled person to do so.

Because CA involves both a financial amount and an element of care provision the Funds need to consider how to treat CA both in regard to the care assessment and, where the benefit is being paid to the partner, the financial assessment.

#### Independent Living Fund

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The Independent Living Fund is an Executive Non-Departmental Public Body of the Department for Work and Pensions

## **2.0 Policy**

### **2.1 Financial Assessment**

The Conditions of Grant Agreement 2007 (COGA) states that CA should be disregarded as an income for the purposes of a notional assessment calculation, but it does not say that carers premium should be disregarded as well.

Therefore where a partner is in receipt of CA in respect of the user, the ILF will disregard CA as an income.

A carers premium should be included as part of the allowances and premiums on the notional assessment if a partner is entitled to receive CA, whether or not CA is actually in payment (please see DRH and Available Income policy for procedural guidance on personal allowances & premiums).

### **2.2 Care Assessment**

Because the benefit is only payable dependent on the minimum of 35 hours of care being provided the Funds must ensure that these hours are being provided when assessing the total care requirement.

Care provided by a person who is in receipt of CA is not restricted to tasks listed as qualifying support and services in the ILF Trust Deed. This means that the 35 hours may be made up of care tasks that the ILF would not consider funding, such as a sitting service. The tasks carried out during the 35 CA hours are decided between the user and their carer.

## **3.0 Procedure**

The Funds will need to check if CA is in payment but will not require details of who provides it.

The ILF Assessor will ensure that the 35 hours of CA funded care are represented on the care plan and will only recommend for the Funds to consider any additional level of care above the 35 hours.

Caseholders should ensure that where someone is in receipt of CA in respect of the user, 35 hours of care are represented on the care grid. However, no questions need to be asked as to the nature of the care tasks carried out during those hours.

#### **4.0 Source**

Trustees Meeting October 2004  
Conditions of Grant Agreement 2007

#### **5.0 History Date Reviewed**

20 December 2007  
July 2010

# Equality Impact Assessment

## Screening Template

This preliminary impact assessment form is to help you screen your policy, project, function or new service. It should help you consider whether a full Equality Impact Assessment is required by looking at whether there is a potential negative or positive impact on any of the equality groups, if there is an opportunity to promote equality, and whether further data is needed.

**Title of policy, project, function or service:**

Carer's Allowance

**Short description of aims and objectives**

Sets out how the receipt of Carer's Allowance affects a person's financial assessment and care package

**Thinking about each group below, does (or could) the policy, project, service or function have an impact on members of each equality group? If so, how?**

Equality Group	Yes – negatively	Yes – positively	Unclear	No impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## What information or research has been considered in judging these impacts?

ILF Conditions of Grant Agreement (COGA), conditions of receiving Carer's allowance, Income Support (IS) regulations.

You should consider a full Equality Impact Assessment (EIA) if:

- (a) you feel one or more equality groups will be negatively impacted by the policy, project or service, or
- (b) there is an opportunity to promote equality and eradicate discrimination.

You may also consider further research if it is unclear, at this stage, what the impact may be.

### Based on your findings, is a full EIA required?

Yes  No

### Please provide a short summary of your decision-making below:

The method for calculating the financial assessment where a person is in receipt of CA in respect of our user is outlined in the policy. This is based on the IS regulations and our COGA both of which the ILF is required to apply and does not include any decisions made by the Trustees or ILF management.

The policy also states that where someone is in receipt of CA in respect of the user, it must be demonstrated that 35 hours of care are provided before ILF will consider any payment. The policy reflects DWP rules for CA and makes clear that people may not wish to access CA if it is disadvantageous to do so and does not attempt to influence a user's decision on this matter.

**Notes:**

- The completed EIA Screening Template should be sent to Jon Duckworth, User Liaison Manager for approval by the Equality Impact Assessment Board (EIAB).
- We will contact you with any comments or queries about the completed form.

**This form was completed by:**

Joanna Mora