

Policy Circular

Document No 04/03

Owner: Strategy & Communications Directorate

Subject: Changes to Local Authority Charges

Version: 3 of 3

Last Amended: 23 August 2010

Date Reviewed: 23 August 2010

Next Review: January 2012

1.0 Background

- 1.1 All assessments of ILF awards must comply with relevant requirements of the ILF Trust Deed and the Conditions of Grant Agreement (COGA). Paragraph 6 of the COGA contains provisions setting out how the charge made by a Local Authority (LA) for qualifying support and services (QSS) that it provides should be treated when an ILF award is assessed.
- 1.2 ILF users are expected to make a contribution towards the cost of the QSS being funded by ILF. The amount of that contribution is reduced by the amount of any charges paid to the user's LA for QSS provided by the LA.
- 1.3 Paragraph 6 of the COGA provides that, with effect from 20 August 2010, on the revision of an award no account shall be taken of any increases made by LAs in those charges, whether that increase was made before or after 20 August 2010.

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 With effect from 20 August 2010 no account will be taken of any increases in LA charges for QSS, whether that increase was made before or after 20 August.
- 2.2 Any charge made by an LA for additional or new services is covered by the provisions of the COGA and is therefore to be treated as an increased charge.
- 2.3 Any increase in an LA charge must still be notified to ILF because this may affect a person's eligibility for an award. If the increased charge means that the LA net input falls below the Threshold Sum the user would cease to be eligible. It is therefore important for ILF staff and LA representatives to be aware of this.
- 2.4 If ILF is notified of an increased charge, that notification alone should not trigger a reassessment of the award.
- 2.5 Where an ILF user moves to a new Local Authority and the charge assessed by the new LA is higher than the charge of the previous LA, on a reassessment of the award, the full amount of the new LA's charge should be taken into account in the award calculation. This change is not covered by the terms of the COGA relating to increased charges. Any subsequent increase in the charge by the new LA is, however, covered and should be disregarded in any award calculation.
- 2.6 If the LA charge decreases the ILF award should be reassessed accordingly.

3.0 Source

Conditions of Grant Agreement dated 20 August 2010

4.0 Cross References

Available Income Policy

5.0 History Date Reviewed

23 June 2008,
23 August 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:

Changes to Local Authority Charges

Short description of aims and objectives

To outline the treatment of increases to LA charges when ILF awards are assessed on or after 20 August 2010

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?

See below

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:

ILF awards must be assessed in accordance with the ILF Deed and Conditions of Grant (COGA). The revised policy explains COGA changes made to support measures to enable ILF to manage within budget. It is therefore a procedural measure. Although the underlying purpose of the COGA provisions is to prevent users from being double charged, the practical effect of increases to Local Authority charges is to transfer the cost to ILF.

This change has been made to prevent that because ILF cannot afford such cost transfers.

It is not considered that this policy/procedural change will have any adverse effect on any particular equality group. Any ILF user who is adversely affected by this policy/procedural change can request their Local Authority to review its charge.

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:**

Michael Beacroft
