



## Areas for Consideration of Impact

### Protected Characteristics

<b>Age:</b> older people; middle years; early years; children and young people.
<b>Disability:</b> physical impairments; learning disability; sensory impairment; mental health conditions; long-term medical conditions.
<b>Gender Reassignment:</b> people undergoing gender reassignment
<b>Marriage &amp; Civil Partnership:</b> people who are married, unmarried or in a civil partnership.
<b>Pregnancy and Maternity:</b> women before and after childbirth; breastfeeding.
<b>Race and ethnicity:</b> minority ethnic people; non-English speakers; gypsies/travellers; migrant workers.
<b>Religion and belief:</b> people with different religions or beliefs, or none.
<b>Sex:</b> men; women; experience of gender-based violence.
<b>Sexual orientation:</b> lesbian; gay; bisexual; heterosexual.

### Fairer Scotland Duty

<b>Low income</b> – those who cannot afford regular bills, food, clothing payments
<b>Low Wealth</b> – those who can meet basic living costs but have no savings for unexpected spend or provision for the future.
<b>Material Deprivation</b> – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies
<b>Area of Deprivation/Communities of Place</b> - consider where people live and where they work (accessibility and cost of transport)
<b>Socio-Economic Background</b> - social class, parents' education, employment, income.

### Health Inequality (those not already covered in the Fairer Scotland Duty)

<b>Low literacy / Health Literacy</b> includes poor understanding of health and health services (health literacy) as well as poor written language skills.
<b>Discrimination/stigma</b> – negative attitudes or treatment based on stereotyping. Discrimination can be direct or indirect and includes harassment and victimisation.
<b>Health and Social Care Service Provision</b> - availability, and quality/affordability and the ability to navigate accessing these.
<b>Physical environment and local opportunities</b> - availability and accessibility of housing, transport, healthy food, leisure activities, green spaces, air quality and housing/living conditions, exposure to pollutants, safety of neighbourhoods, exposure to crime, transmission of infection, tobacco, alcohol and substance use.

<p><b>Education and learning</b> - availability and accessibility to quality education, affordability of further education, Early Years development, readiness for school, literacy and numeracy levels, qualifications.</p>
--

**Other**

<b>Looked after (incl. accommodated) children and young people</b>
<b>Carers:</b> paid/unpaid, family members.
<b>Homelessness:</b> people on the street; staying temporarily with friends/family; in hostels, B&Bs.
<b>Involvement in the criminal justice system:</b> offenders in prison/on probation, ex-offenders.
<b>Addictions and substance misuse</b>
<b>Refugees and asylum seekers</b>
<b>Staff:</b> full/part time; voluntary; delivering/accessing services.

**Human Rights (note only the relevant ones are included below)**

<p><b>Article 2 – The right to no discrimination</b> – not to be treated in a different way compared with someone else in a similar situation. Indirect discrimination happens when someone is treated in the same way as others that does not take into account that person’s different situation. An action or decision will only be considered discriminatory if the distinction in treatment cannot be reasonably and objectively justified.</p>
<p><b>Article 3 - The right to life</b> (absolute right) – everyone has the right to life, liberty and security of person which includes access to basic necessities and protection from risks to their life from self or others.</p>
<p><b>Article 5 - The right not to be tortured or treated in an inhuman or degrading way</b> (absolute right) which includes anything that causes fear, humiliation intense physical or mental suffering or anguish.</p>
<p><b>Article 9 - The right to liberty</b> (limited right) – and not to be deprived of that liberty in an arbitrary fashion.</p>
<p><b>Article 10 - The right to a fair trial</b> (limited right) – including the right to be heard and offered effective participation in any proceedings.</p>
<p><b>Article 12 - The right to respect for private and family life, home and correspondence</b> (qualified right) – including the right to personal choice, accessible information and communication, and participation in decision-making (taking into account the legal capacity for decision-making).</p>
<p><b>Article 18 - The right to freedom of thought, belief and religion</b> (qualified right) including conduct central to beliefs (such as worship, appropriate diet, dress etc.)</p>
<p><b>Article 19 - The right to freedom of expression</b> (qualified right) – to hold and express opinions, received/impart information and ideas without interference</p>

## UNCRC

<b>Article 2</b> non-discrimination	<b>Article 15</b> freedom of association	<b>Article 30</b> children from minority or indigenous groups
<b>Article 3</b> best interests of the child	<b>Article 16</b> right to privacy	<b>Article 31</b> leisure, play and culture
<b>Article 4</b> implementation of the convention	<b>Article 17</b> access to information from the media	<b>Article 32</b> child labour
<b>Article 5</b> parental guidance and a child's evolving capacities	<b>Article 18</b> parental responsibilities and state assistance	<b>Article 33</b> drug abuse
<b>Article 6</b> life, survival and development	<b>Article 19</b> protection from violence, abuse and neglect	<b>Article 34</b> sexual exploitation
<b>Article 7</b> Birth, registration, name, nationality, care	<b>Article 20</b> children unable to live with their family	<b>Article 35</b> abduction, sale and trafficking
<b>Article 8</b> protection and preservation of identity	<b>Article 22</b> refugee children	<b>Article 36</b> other forms of exploitation
<b>Article 9</b> separation from parents	<b>Article 23</b> children with a disability	<b>Article 37</b> inhumane treatment and detention
<b>Article 10</b> family reunification	<b>Article 24</b> health and health services	<b>Article 38</b> war and armed conflicts
<b>Article 11</b> abduction and non-return of children	<b>Article 25</b> review of treatment in care	<b>Article 39</b> recovery from trauma and reintegration
<b>Article 12</b> respect for the views of the child	<b>Article 26</b> Benefit from social security	<b>Article 40</b> juvenile justice
<b>Article 13</b> freedom of expression	<b>Article 27</b> adequate standard of living	<b>Article 42</b> knowledge of rights
<b>Article 14</b> freedom of thought, belief and religion	<b>Article 28</b> right to education	

## ACHSCP Impact Assessment – Proportionality and Relevance

<b>Name of Policy or Practice being developed</b>	Charging policy review
<b>Name of Officer completing Proportionality and Relevance Questionnaire</b>	Gordon Edgar Project Manager ACHSCP
<b>Date of Completion</b>	12/02/2024
<b>What is the aim to be achieved by the policy or practice and is it legitimate?</b>	The aims are: <ol style="list-style-type: none"> <li>1. To collect backdated income from charges identified within current policy which has already been approved at Council (and to agree the timescale over which backdated charges can be made).</li> <li>2. To make current charging practice fairer and more equal.</li> <li>3. To make the charging policy more transparent to the public and make it more accessible.</li> <li>4. To improve the consistency of future implementation of the revised charging policy.</li> </ol>
<b>What are the means to be used to achieve the aim and are they appropriate and necessary?</b>	A range of means will be used: <ol style="list-style-type: none"> <li>1. Working with internal staff and partner agencies to explore and improve current practice.</li> <li>2. Start collecting previously agreed charges from clients.</li> <li>3. Seek legal advice where appropriate.</li> <li>4. Reporting on progress and following correct governance channels within the City Partnership and Aberdeen City Council.</li> </ol>
<b>If the policy or practice has a neutral or positive impact, please describe it here.</b>	This work will lead to a fairer application of the charging policy for clients. It will help us to be more person-centred in the assessment by ensuring that we use financial disregards of a person's circumstances appropriately. It will also generate income for the Partnership which could help to protect services.
<b>Is an Integrated Impact Assessment required for this policy or decision (Yes/No)</b>	Yes. This is to be on ACC IIA paperwork.
<b>Rationale for Decision</b> <b>NB: consider: -</b> <ul style="list-style-type: none"> <li>• How many people is the proposal likely to affect?</li> <li>• Have any obvious negative impacts been identified?</li> <li>• How significant are these impacts?</li> </ul>	This decision will impact on hundreds of clients receiving services from ACHSCP.  A large number of people will have to start paying for services they previously should have been – this will have an obvious financial impact on them, which could be significant for some (however, the housing support charges are means tested). Individuals will be offered a benefit check to provide information, advice, and support to maximise income. This is communicated in

<ul style="list-style-type: none"> <li>• <b>Do they relate to an area where there are known inequalities?</b></li> <li>• <b>Why are a person's rights being restricted?</b></li> <li>• <b>What is the problem being addressed and will the restriction lead to a reduction in the problem?</b></li> <li>• <b>Does the restriction involve a blanket policy, or does it allow for different cases to be treated differently?</b></li> <li>• <b>Are there existing safeguards that mitigate the restriction?</b></li> </ul>	<p>all letters and briefings alongside suggestion to link in with their allocated social worker for support. Further to this Advocacy services and Quarriers, Commissioned Carer Support organisation have been informed when any communications have been made in order that they can support individuals</p> <p>Most people affected by these changes have protected characteristics including age and disability. Following COSLA guidance, a differential rate in income disregard between service users and those under pension age.</p> <p>The policy clearly highlights which aspects of support and service are chargeable</p> <p>Charges are for non-personal care related services.</p> <p>The Carers {Scotland} Act 2016 introduced new rights for unpaid carers and new duties for local authorities and health boards to provide support to carers. Carers respite and replacement care is deemed non chargeable and will be exempt from charging</p> <p>The purpose of revising Charging Policy is to ensure that policy and practice are in line with statutory requirements and national guidance</p> <p>The aim of the policy is to ensure fairness and equity whilst demonstrating consistent decision making. With this ensuring that the cost of charges are transparent to all.</p> <p>With the contributing to care policy, the main principles are that people who use services will not be charged more than cost to deliver service. Alongside services being provided upon assessed need not ability to pay. All people who use services will be offered benefits check and signposted to gain appropriate support and advice.</p>
<b>Decision of Reviewer</b>	Approved
<b>Name of Reviewer</b>	Tracey MacMillan
<b>Date</b>	12/02/2024

## Scottish Specific Public Sector Duties (SSPSED)

### Procured, Tendered or Commissioned Services

Is any part of this policy/service to be carried out wholly or partly by contactors and if so, how will equality, human rights including children's rights and the Fairer Scotland duties be addressed?

Yes, part of the work involved will be done by partner agencies such as Granite City Consortium, Bon Accord Care, and housing associations. These services will have responsibility to address these duties in accordance with ACHSCP policy in their contracts. Support will also be provided to clients by Quarriers and Advocacy Service Aberdeen.