



Derby City Council

# **Equality impact assessment form**

**Directorate: People Services**

**Service area: Integrated Commissioning**

**Alternative service delivery model for Council  
owned Care Homes and Day Centres**

**Date of assessment: May – June 2016**

**Signed off by: Christine Collingwood**

**Cabinet, Personnel Committee or Chief Officer  
Group's decision**

**Date published on website**

## Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity for checking and to publish on our website. It is a public document so must not contain any jargon and be easy to understand.

## Classification: OFFICIAL

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

### Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender reassignment – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

In addition, we have decided to look at the effects on families and people on low incomes too as we feel this is very important.

### Contact for help

Ann Webster – Lead on Equality and Diversity

[ann.webster@derby.gov.uk](mailto:ann.webster@derby.gov.uk)

Tel 01332 643722

Minicom 01332 640666

Mobile 07812 300079

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## The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt - do one! You never know when we may get a legal challenge and someone applies for Judicial Review.

### What’s the name of the policy you are assessing?

### The assessment team

Team leader’s name and job title – Maggie Fennell and Adrian McNaney, Commissioning and Partnerships Officer(s)

Other team members

Name	Job title	Organisation	Area of expertise
Maggie Fennell	Commissioning and Partnerships Officer	Derby City Council	Equality Impacts, Older persons services, Quality Improvement.
Adrian McNaney	Commissioning and Partnerships Officer	Derby City Council	Knowledge of VCS, grant and contract processes, funded

			organisations and diversity issues
Chris Wheeldon	Chair of 50+ Centre, National Pensioners Convention NPC	NPC Unison and Age UK	Experience in Older persons issues
Ann Webster	Equality and Diversity Lead	Derby City Council	Experience (25yrs) of working with equality and diversity issues.
Dean Davis	Shared Lives Worker	Derby City Council	Learning Disabilities.
Steph Austin	Head of Clinical Quality (Care Homes/End of Life)	Southern Derbyshire CCG	
Claire Haynes	Engagement Manager	Southern Derbyshire CCG	
Dan Whalley	Equality and Human Rights Lead	NHS Arden and Greater East Midlands Commissioning Support Unit	Experience of carrying out EIA's in Health settings.
David Fagg		Arden and GEM CSU	
Jeremy Marriot	Senior Support Officer	Derby City Council	
Leighann Woodhouse	Senior Service Quality and Brokerage Officer	Derby City Council	
Darren Allsobrook	Health & Safety Adviser	Derby City Council	
Ray Gumbley	Derby Services and Advocacy Manager	Age UK Derby and Derbyshire	
Michaela Bell	Team Leader	Derbyshire Carers	
Kath Cawdell	Partnership Co-ordinator	Community Action Derby	

### Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

**1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.**

In July 2015, Council Cabinet agreed to launch the “Big Conversation” - a series of consultations debating the needs of the community and the way in which these needs can be met given the climate of declining budgets. Key statutory services currently provided by People Services have been identified as potential areas for exploring alternative delivery models and budget saving measures. This step is being taken as the Council is predicting significant budget pressures during the period 2016/17 to 2018/19, whereby there is a significant budget gap between the level of funding we are anticipating and the future service costs and pressures. This gap has to be closed, and therefore Cabinet agreed that areas that are not required to be provided directly by statute, need to be the subject of discussions and consultation as to whether these services will continue to be operated by the Council into the future. In light of this Care Homes and Day Centres that are currently being operated by the Council are amongst the areas being considered as regards an alternative delivery model.

Of the 78 Care homes being provided in Derby, only seven are provided by Derby City Council. This is a very typical picture in that most Local Authorities no longer directly provide care in the form of long term residential care – largely due to the costs involved in running the homes, the costs of maintaining them and the fact that there are many other companies and organisations that are willing and able to provide high quality residential and nursing care. Firstly, it is proposed that the residential care homes that the Council currently owns remain open. This means that we are not proposing that any of the existing 185 residents should move. However, due to Derby City Council’s budget position, and given that many of the homes require a programme of modernisation and improvements, we are proposing that the Council looks for someone else to take over and run 5 out of the 7 homes that the Council owns. The homes that could be affected by this proposal, to be run by another organisation are:

- Merrill House
- Coleridge House
- Arboretum House
- Raynesway View
- Bramblebrook House



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It is proposed that Perth House and Warwick House are retained by the Council as these operate a different model to the ones above – people generally move there on a short term basis as a means of avoiding going into hospital, or into a more permanent long term care setting.

Secondly, it is proposed that the Day Centres that the Council currently owns remain open. This means that we are not proposing that any of the existing customers should find an alternative service. However, due to Derby City Council's budget position, and given that all of the Day Centres require a programme of modernisation and improvements, we are proposing that the Council looks for someone else to take over and run all three Centres that the Council owns. The Day Centres that could be affected by this proposal, to be run by another organisation are:

- Aspect
- Inspire
- Morleston

The locations of our Care Homes and Day Centres The infrastructure of the urban area surrounding each of the venues gives good equality of access to customers and their visitors respect of public transport links, local shops, pharmacies, GPs surgeries etc., All are within a 10 minute drive to the Derby Royal Hospital. Map 1.

Four (**A, B, C, M**) of the five care homes within the scope of the consultation are situated to the south of the river Derwent. Two of the day centres (**In, Mr**) occupy this same site; which is city central and within walking distance of both the Railway and Bus Stations. Three (**B, M, R**) have excellent positions close to major arterial roads.

One day centre service is delivered from a relatively new premises, which was converted and has been retro-fitted to suit. The other premises are all at least 20 years old and have been refurbished and refitted, as budgets have permitted to meet changing customer needs and expectations.

Client Capacity:

Each of the 5 Care Homes covered by the scope of the consultation is currently running below their full 24/7 – 365 capacity, due to the need for essential refurbishment activity and building works. Additionally, until these works are completed each of the homes' staffing complements has been enhanced to afford additional response for residents, as a result of management risk assessment.

The 3 Day Care Schemes provide care, support, social and therapeutic activities, to specific client groups. All generally for around 30 daytime hours per week, Monday to Friday averaging 50 weeks a year. Optimum/ full capacity contact hours as per Table 1.



Care Home	Beds/Units (full capacity)	Care/contact hours
Arboretum House (A)	26	227,760.00
Bramblebrook House (B)	40	350,400.00
Coleridge House (C)	40	350,400.00
Merrill House (M)	40	350,400.00
Raynesway View (R)	35	306,600.00
Aspect (As)	18	189,000.00
Inspire (In)	18	189,000.00
Morleston (Mr)	35	367,500.00

Table 1.

Accommodation/Services Offered:

**Arboretum House** – comprises of 22 single bedrooms, all with wash hand basins, telephone and TV points and 4 fully en-suite, accessible ground floor bedrooms. There are a further 4 accessible bathrooms for the use of residents. There is a shaft lift, which ensures that residents can fully access all communal areas, including the secluded gardens. The large 2 storey premises were purpose built with the **Morleston Day Centre** occupying the same site and secure landscaped grounds, including a herb garden containing plants which can be used to reflect cultural preferences within meals and garnishes, the demographics of the local ward area, indicate the greatest number and range of Black and Minority Ethnic households in Derby, itself a diverse city. (Table 2 – below )

**Arboretum House** has been extended over time, to increase facilities such as parking and ramped access and to provide amenities for residents and visitors including a gazebo, large conservatory and porched entrance area. In recent years, overall capacity has been reduced from 38 to 26 beds to increase both quality and facilities through the creation of the en-suite rooms. Currently, **Inspire** day care services for individuals with profound Learning Disabilities also operate from this site, as above. Customers of this service benefit from positive interactions with visitors; social interactions and access to local facilities, such as the award winning Arboretum Park Cafe.

Table 2

Ethnicity<sup>8</sup>

Arboretum's population is more ethnically diverse than Derby as a whole. It is possible to estimate that around 67% of Arboretum's population was non-White British in 2011, compared to a city average of approximately 25%.

Table 4: Number and Percentage of Arboretum and Derby residents by ethnicity

	Arboretum Percentage	Derby Percentage
White: British	33.2	75.3
White: Irish	0.8	0.9
White: Gypsy or Irish Traveller	0.5	0.1
White: Other White	10.1	3.9
Mixed: White and Black Caribbean	1.8	1.6
Mixed: White and Black African	0.5	0.2
Mixed: White and Asian	1.2	0.7
Mixed: Other Mixed	0.6	0.4
Asian / Asian British: Indian	4.5	4.4
Asian / Asian British: Pakistani	31.1	5.9
Asian / Asian British: Bangladeshi	1.6	0.3
Asian / Asian British: Chinese	0.7	0.5
Asian / Asian British: Other Asian	3.4	1.5
Black / Black British: African	3.2	1.3
Black / Black British: Caribbean	2.3	1.4
Black / Black British: Other Black	0.7	0.3
Other ethnic group: Arab	0.8	0.3
Other ethnic group: Any other ethnic group	3.1	1

**Bramblebrook House** – A large self-contained, purpose-built 2 storey care home. Providing 40 single bedrooms, all with wash hand basins, although none are en-suite. Ramps have been added to increase accessibility for both residents and visitors. This care home is most located most closely to the Derby Royal Hospital, in a quiet residential area. With ease of access to both the A38 and A50, the locale contains of some of the most affluent households in the city, it is a desirable area to live work and visit. (Table 3)

**Table 3**

ACORN Categories	ACORN Group	Derby Population	Percentage of Residents in Mickleover
Wealthy Achievers	Group A – Wealthy Executives	7.3	15.5
	Group B - Affluent Greys	6.2	11.6
	Group C – Flourishing Families	8.3	18.2
Urban Prosperity	Group D – Prosperous Professionals	0.5	0.3
	Group E - Educated Urbanites	2.1	0.1
	Group F – Aspiring Singles	1.3	0.1
Comfortably Off	Group G – Starting Out	5.3	3.1
	Group H – Secure Families	17.6	27.3
	Group I – Settled Suburbia	8.1	16.6
	Group J – Prudent Pensioners	1.3	1.8
Moderate Means	Group K - Asian Communities	5.1	0.0
	Group L – Post-Industrial Families	1.3	1.5
	Group M – Blue Collar Roots	8.1	3.0
Hard Pressed	Group N – Struggling Families	19.7	0.0
	Group O – Burdened Singles	4.2	0.2
	Group P – High Rise Hardship	2.1	0.7
	Group Q - Inner City Adversity	0.0	0.0
	Group U - Unclassified	1.4	0.0
		100	

ACORN classification <http://acorn.caci.co.uk/downloads/Acorn-User-guide.pdf>

**Coleridge House** – Comprises of 40 single bedrooms, with wash hand basins. It was purpose built over 2 floors and sits discreetly in a simple grassed and fenced area, within a housing estate. A bus stop is situated close by, with a regular service in operation. Alterations to the original premises have been made to provide a semi-secure unit for up to 12 single individuals, specifically focussing on care delivery for residents with a Dementia diagnosis, ensuring that they need not move location and familiar surroundings, as their condition progresses and care delivery needs change.

**Aspect** – This day service for adults with Autism occupies a discrete facility, within its own private grounds, access is gained via a quiet service road. The building, the most recently constructed of those within the scope of the review is situated close to the city centre and has been fitted out to a high standard, complete with therapeutic areas, specifically designed to enhance and support the quality of care delivery required by customers.

**Merrill House** – Is a purpose-built care home, comprising 40 single bedrooms, all with wash hand basin. Spread over 2 storeys, there are a range of lounges, dining areas and quiet spaces for customers and their visitors to use. Access for visitors and service providers, health professionals etc., is excellent. It is the most southerly of the premises within the scope of the review and is bounded by extensive grassed areas.

**Raynesway View** – Purpose- built over 2 storeys, this care home contains 35 single bedrooms, with wash basin facilities, however, they are not en-suite. There are a range of lounges, dining areas and quiet spaces and a secure courtyard garden for customers and their visitors to use. Situated to the north of the A52 and the River Derwent, the care home occupies its original build footprint on a large, elevated site.

Much of the private provided care home accommodation available in the city provides customers with en-suite facilities and opportunities for greater degrees of independence in respect of self-care. The CQC regulates all Care Homes, setting the standards required in respect of premises and equipment. The CQC must refuse registration if providers cannot satisfy them that they can and will continue to comply with this regulation, which is outlined in the points below.

1. All premises and equipment used by the service provider must be
  - a. clean,
  - b. secure,
  - c. suitable for the purpose for which they are being used,
  - d. properly used
  - e. properly maintained, and
  - f. appropriately located for the purpose for which they are being used.
2. The registered person must, in relation to such premises and equipment, maintain standards of hygiene appropriate for the purposes for which they are being used.
3. For the purposes of paragraph (1)(b), (c), (e) and (f), "equipment" does not include equipment at the service user's accommodation if—
  - a. such accommodation is not provided as part of the service user's care or treatment, and such equipment is not supplied by the service provider.

DCC does consider that the care homes and day centres meet the required standards presently.

Other governing and relevant legislation is listed below.

- The Care Act 2014
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015
- Control of Substances hazardous to Health regulations 2002
- The Electricity at Work regulations 1989
- Equality Act 2010
- The Gas Safety (Installation and Use) regulations 1998
- The Hazardous Waste (England and Wales) Regulations 2005
- Health and Safety at Work etc. Act 1974
- The Health and Safety (First-Aid) Regulations 1981
- The Health and Safety (Miscellaneous Amendments) 2002
- Human Rights Act 1998
- The Ionising Radiations Regulations 1999
- The Ionising Radiation (Medical Exposure) Regulations 2000
- Management of Health and Safety at Work Regulations 1999
- The Manual Handling Operations Regulations 1992
- The Health and Safety (Miscellaneous Amendments) 2002
- The Medical Devices Regulations 2002
- The Medical Devices (Amendment) Regulations 2012
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Mental Health Act 1983
- Mental Health Act 2007
- Code of Practice (Mental Health Act 1983)



- The Regulatory Reform (Fire Safety) Order 2005
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Health and Safety (Miscellaneous Amendments) Regulations 2002

### Location Map 1



The proposal fits in with the wider aims of the Council and wider Derby Plan. As for the Council Plan 2016-2019, the Council's planning is set in the context of significant cuts to the grants we receive from Government as well as increasing demands across our services. The Council has already delivered £116 million of savings since 2010 and still has a funding gap of £45 million over the next three years between 2016 and 2019. Research tells us over the next five years the most vulnerable 75 years and over age group of Derby's population is forecast to rise by 50%, with those aged 65 years and over with early onset dementia expected to increase by nearly 14%.

The Council Plan (Delivering Differently) has eight priority outcomes with this proposal fitting into 4 of them, these being:

**1.** Protecting vulnerable children, young people, adults and older people. Taking action to safeguard vulnerable adults that require higher levels of support including vulnerable adults with learning disabilities.

**2.** Enabling individuals and communities, working with residents, community groups, and the voluntary sector to give them the knowledge, skills and support they need. This may include the transfer of some key responsibilities back to our communities as the budgets we have available to deliver services declines. This will be essential in helping to sustain services for local people in the longer term.

**6.** Making the most of our assets, people are more important than buildings and we will sell, transfer or exchange assets, dependent on sound and practicable business cases, taking into account financial and social value.

**8.** Delivering our services differently, we need to evaluate what services we provide and how we provide them, which may include delivering them in place-based partnership with other organisations through 'shared services' arrangements. We recognise that partners have access to funds that the Council does not and that the Council's role may not be to lead but to work in genuine partnerships to achieve shared objectives.



## 2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

Public consultation took place between 23 March and 6 June 2016 in relation to the Council's seven in house care homes and three day centres, listed previously, for adults with support needs. The consultation focused on gaining views and feedback about seeking an alternative operator(s) for any, or all, of five of the remaining seven homes, and all three day centres.

The two remaining care homes – Perth House and Warwick House - are proposed to be retained as they perform a different role, than that provided in the broader residential care market. These homes support short term care admissions, aligned to priorities agreed with the NHS. Individuals who access these services are often supported by NHS community services and as such are a vital element of the Council and the NHS's integration agenda, to reduce hospital admission and manage demand for services. The consultation proposal around the other homes and centres would reduce the need for additional capital expenditure to be made by the Council, and is likely to release some revenue costs on an on-going basis.

The initial consultation ended on the 6 June 2016 with the on line consultation receiving 71 responses. The consultation itself took the following form:

- A series of open meetings and 1:1 interviews at all of the locations listed above. Customers, residents and their families and carers were invited to attend these sessions.
- 1:1 meetings were offered with families and carers.
- Meetings with staff members.
- A focus group with members of the council Diversity forum 19 May.
- A survey for stakeholders and the general public to complete, closed 6 June.

It sought the views of current residents and service users, carers, family members and staff and was open to everyone who lives, works or studies in Derby. During the consultation people were made aware that residents would not need to move, rather that they would remain living in their current home, or continue to access the day centre, albeit with a new provider management structure in place. Anyone wishing to complete the consultation had the option to do this through a paper form or online and also had the option to complete the form with the help of Council Officers and/or an advocate. The Council worked with Enventure Research, an independent research company on this consultation.

Questionnaires could be completed in different languages by arrangement with Enventure and large print questionnaires were also made available. They hosted the survey and will undertake independent analysis of the feedback provided.

### **3 Who are the main customers, users, partners, employees or groups affected by this proposal?**

Over the 5 Care Homes and 3 Day Centres, during the consultation period, there were 222 residents and day service customers available, although some individuals lacked capacity to engage fully. The number of residents/customers with capacity and able to engage in the consultation was 141. Of these, the consultation team spoke to 113 people giving an 80% response rate.

The consultation team has also made further contact with 110 relatives and carers to gain their views and this has been particularly useful where a resident did not have the capacity to engage fully in the consultation. The Council also used the services of advocates from two independent advocacy agencies, Citizens Advice and Law Centre, and Age UK to assist residents to engage fully with the consultation.

A total of 87 staff members, with the support of Trade Union representation, were also consulted with out of a total staff number of 243, as they could be affected by the proposals. This being 36% of staff employed across the 8 locations.

Residential Care Homes provide long term and respite care for adults over the age of 65. Customers can have a range of disabilities such as poor mobility and sensory impairments and have high levels of physical dependency, with at least 50% of customers having dementia or a significant degree of confusion.

Day Centres provide day care for customers from the age of 18 (depending on the individual Day Centre service) who may have multiple learning disabilities, physical disabilities, autism and/or dementia.

## **Step 2 – collecting information and assessing impact**

**4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.**

A small consultation team was assembled to engage directly with residents and customers, family, carers and staff. To engage and record all comments of residents and customers a questionnaire was used by the consultation team which is attached in Appendix 1. The total number of residents/customers across all 8 locations was 222, with the number of residents/customers with capacity and able to engage in the consultation being 141. Of the 141 with capacity to engage, the consultation team spoke to 113 people giving an 80% response rate.

The full breakdown of response figures for all five care homes and the three day centres can be found attached in Appendix 2. The full and detailed results of the consultation can be found in the Cabinet report that this EIA is attached to. However, responses from face to face interviews and meetings can be summarised as follows;

**Residents and customers:**

- Most concerned about retaining Service Quality
- Unsure about what changes will bring
- But are less concerned around who runs the Service
- Staff are highly valued

**Family and Carers:**

In general had more concerns about the proposals, in particular:

- Quality of service
- Retention of staff
- Potential rise in cost
- Fall in quality of service
- Worried about closure
- Emphasise the need to protect specialist services
- Concerned that money was spent on the Council House, and not services

Results from the stakeholder and public survey can be summarised as:

### **Care Homes**

- Support for Council's proposal is evenly split (41% supporting, 44% not supporting/strongly rejecting)
- Respondents want standards to be set by Derby City Council and maintained by any potential private service providers
- There was concern that standards may decline as private sector organisations pursue profits
- There was mistrust in the private sector
- Respondents were concerned that costs could increase
- Having a high quality environment and keeping all Care Homes open were the top two important factors for respondents

### **Day Centres**

- There was less support for the Council's proposal (38% supporting, 51% not supporting/rejecting)
- Respondents were concerned about falling standards as private companies pursue profit
- Keeping all Day Centres open and having a high quality environment were the most important factors for respondents

### **Alternative Suggestions**

- Some respondents suggested that the Council should save money elsewhere within the Council and that social care should be given priority
- Derby City Council should explore the opportunities of using volunteers, local community and social enterprises

### **Running Care Homes and Day Centres in the future**

- Some respondents suggested that Derby City Council ensures its staff are well trained so they treat users with compassion and respect
- Derby City Council should develop more partnership working with voluntary organisations

Information regarding the consultation was presented and circulated to Derby's 50+ Forum and AGM on the 12 May, followed by a short question and answer session to clarify details with the 30 strong audience.

On the 19 May a Diversity Forum Workshop met to discuss the consultation. This group generally supported the idea of care homes and day centres being provided by an organisation external to the Council, seeing it as a viable solution to the issues they all face as regards the building costs needed, but also seeing it as an opportunity to make positive changes. The group felt the most important things to consider when making decisions on the future of our directly provided care homes and day centres were:

- Continuity of service
- Managing transition/ change in services
- Getting the tender process, the contracts, contract management and quality assurance right
- Staff training
- Ensuring that services are able to stay specialist – that their specialisms are not diluted through any re commissioning of services.

A summary of the discussion is attached at Appendix 3.

Anyone wishing to complete the consultation had the option to do this through a paper form or online and also had the option to complete the form with the help of Council Officers and/or an advocate. Some officers within the consultation team are also able to communicate in a number of community languages.

The Council worked with Enventure Research, an independent research company on this consultation.

Questionnaires could be completed in different languages by arrangement with Enventure and large print questionnaires were also made available. They hosted the survey and will undertake independent analysis of the feedback provided.

Two formal meetings of the EIA group took place on the 15 June to consider firstly the implications as regards Day Centres then a further meeting to consider Care Homes. Main messages from these meetings included statements from the Southern Derbyshire Clinical Commissioning Group CCG reinforcing the Council's approach to delivering differently, and the wish to develop a leadership programme for nursing and residential homes.

**5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure**

<b>Equality groups</b>	<b>What do you already know?</b>	<b>No impact</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Not sure</b>
<b>Age</b>	All of the residents in our Council run Care Homes are older adults over the age of 65. All of the customers using Day Centres are 18 and over.	✓			
<b>Disability</b>	Care Home residents have a range of disabilities such as poor mobility and sensory impairments with high levels of physical dependency. At least 50% have dementia or degree of confusion. Day Centre customers have mixture of multiple learning disabilities, physical disabilities, autism and dementia.	✓			✓*
<b>Gender reassignment - trans</b>	Care Homes and Day Centre services are open to people undergoing gender reassignment and trans	✓			
<b>Marriage and civil partnership</b>	The services offered are open to all people regardless of their marital status	✓			
<b>Pregnancy and maternity</b>	Not applicable	✓			
<b>Race</b>	Care Homes and Day Centres offer services to people of all races	✓			
<b>Religion or belief or none</b>	Care Homes and Day Centres offer services to people of all religions or no religion	✓			

<b>Sex</b>	Men and women receive services from Care Homes and Day Centres	✓			
<b>Sexual Orientation</b>	Care Homes and Day Centres offer services to all people regardless of their sexual orientation	✓			
<b>Families and people on low income</b>	Families and people on low income are not excluded from the services offered	✓			

**Important** - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

\*Inspire – Day Service for adults with profound LD. Customers accessing Inspire have complex and high support needs. Their vulnerability; complex health needs, profound and multiple learning disabilities, physical disability, combined with the specialist, dedicated resources and skill mix of a discrete staff team will need to be acknowledged and considered as an individual Equality Impact.



**6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?**

We have not identified any negative impact in respect of the proposals on our equality groups at this stage of the consultation. Should Council Cabinet decide to approve the idea of an alternative service delivery model or adopt another approach further EIA/s will need to be conducted to fully identify, explore and assess any potential impact. This will be included in our Equality Action Plan to ensure any potential negative impacts are fully mitigated against and we meet our Public Sector Equality Duties in this respect. Any future EIA could also include a more detailed breakdown of the profile of customers and residents as regards their age, gender, disability and race and relevant protected characteristics.

**Step 3 – deciding on the outcome**

**7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?**

<b>Outcome 1</b>	✓	<b>No major change needed</b> – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
<b>Outcome 2</b>		<b>Adjust the policy</b> to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
<b>Outcome 3</b>		<b>Continue the policy</b> despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> <li>• sufficient plans to stop or minimise the negative impact</li> <li>• mitigating actions for any remaining negative impacts</li> <li>• plans to monitor the actual impact.</li> </ul>
<b>Outcome 4</b>		<b>Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

Outcome number 1 - No major change needed, the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken.

The Assessment Team requests the Council considers any potential negative impacts on the Equality Groups of the final decision as regards the proposal to seek alternative management arrangements for our Care Homes and Day Centres and that the final decision does not adversely impact upon any one Equality Group.

Why did you come to this decision?

At this stage the EIA has not identified any potential for discrimination or negative impact on any Equality groups. No negative impacts are anticipated, given the aim of the proposal but this will be further individually explored should the proposal be approved.

Mitigating actions have been recommended within the Equality Action Plan attached to ensure any potential negative impacts do not have an excessive impact on any particular Equality Group.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

#### **Step 4 – equality action plan – setting targets and monitoring**

**8 Fill in the table (on the next page) with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.**

**Equality action plan – setting targets and monitoring**

<b>What are we going to do to advance equality?</b>	<b>How are we going to do it?</b>	<b>When will we do it?</b>	<b>What difference will this make?</b>	<b>Lead officer</b>	<b>Monitoring arrangements</b>
If proposal or other decision approved by Council Cabinet, a further EIA will be conducted to fully assess any potential impact.	Assessment team will be reconvened to conduct further EIA/s based on the decision of Council Cabinet in July 2016.	August/September depending on the decision(s) made by Council Cabinet in July.	It will ensure any further decisions are fully informed as regards equality, any negative impacts highlighted and mitigated through a new Equality Action Plan.	Strategic Commissioning and Partnerships Managers/Officers	<p>Feedback to Diversity Forums especially on actions to mitigate against any potential negative impacts on any equality groups.</p> <p>Monitor any negative impacts and demonstrate actions to minimise the impact.</p>

**Make sure you include these actions in your Directorate service business plans.**