

**Equality impact assessment form**

|  |  |
| --- | --- |
| Directorate | People Services |
| Service area | Adult Social Care |
| Proposal | Budget 2023/2024 Scale down care packages for people living in the community **DRAFT due to Adult Social Care consultation results** |
| Reason for proposal | Financial Saving |
| Sign off (Director/Head of Service) | Perveez Sadiq |
| Date of assessment | 06 January 2023 |

**Please read the support notes to help you in Appendix 1 before completing your assessment**

**The form**

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

**The assessment team or name of individual completing this form**

**Team leader’s name and job title** –

Other team members if appropriate

| **Name** | **Job title** | **Organisation** | **Area of expertise** |
| --- | --- | --- | --- |
| Perveez Sadiq | Director ASC Services | Derby City Council | Adult Social Care |
| Kirsty McMillan | Director | Derby City Council | ASC, Health and Direct Care |
| Karamjit Chhoker | Head of Service | Derby City Council | Mental Health and Learning Disability |
| Emily Freeman | Head of Service | Derby City Council | Safeguarding Workforce |
| Louisa Hadley | Head of Service | Derby City Council | Older People, Learning Disability |
|  |  |  |  |
| Members of the EIA Team – Employee Networks and Equality Hubs | Various | Derby City Council and volunteers | Equality, Diversity and Inclusion |

**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 decision you want to make? | Reviews of care and support plans are a core part of adult social care functions and are business as usual. It has been recognised that reviews may not always be happening as frequently or as timely as they could be in Adult Social Care in Derby.  Review Community care packages can help to reduce the scale of packages where possible to create financial savings. |
| 1. Why do you need to make this decision? | To balance the Council’s revenue budget by creating a saving of £950k. |
| 1. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements? | The change will be delivered by Derby City Council staff working in the adult social care service teams. |
| 1. Who are the main customers, users, partners, colleagues or groups affected by this decision? | Social Workers and Community Care Workers assess an adults ability to maintain and maximize independence in their lives, to prevent deterioration in people’s impairments and also to put care arrangements in place to support people. The main people to be impacted by this decision will be older and working age adults in receipt of care services in the community and their family carers. |

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

|  |  |
| --- | --- |
| 1. Who have you consulted and engaged with so far about this change, 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. | There has been an initial discussion with the social work heads of service and the Council is currently out to consultation on its budget proposals, including a dedicated consultation for People Services which includes the proposal to scale down care packages in the community.  Further consultation will take place with members of the Equality Impact Assessment Panel, and their views shall inform the completion of this initial Equality Impact Assessment. |

1. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change 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 protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you’ll need to explain how you are going to lessen the impact.

| **People with protected characteristics** | **What do you already know?** | **Positive impact** | **Negative impact** | **Mitigation - what actions will you take to lessen impact?** |
| --- | --- | --- | --- | --- |
| **Age –** older and younger people | Community care packages help older people to remain independent and living in their own homes. The individuals effected by this proposal will have had a community care assessment and a care package developed to support their needs. This proposal will seek to reduce the scale of the care package through a formal review of the person’s needs and how those needs are being met. The Council supports approximately 2642 people living in the community with care packages, of which 1322 (50%) are older people.  There is no change to current processes proposed, as reviews are part of adult social care business as usual. Reviews are an opportunity for our customers to say what they believe is working, not working so well, and to discuss what may need to change. This is a positive and constructive part of adult social care intervention. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Assess each individual’s needs and ensure they are safe and can continue to live independently, although the reduction in support may result in a reduction to their quality of life.  Reviews of care and support plans will be undertaken with the customer and their representatives in a person-centred manner, focussing on the strengths of the customer and their networks of support, looking creatively how needs can be met and supported.  Support for Derby Residents is available from a variety of organisations including Age UK Derby and Derbyshire, Community Action Derby, RNIB, One Advocacy Derby and Change, Grow, Live.  Welfare Rights advice is available for Derby residents from Derby Advice. Information and advice is available from a variety of sources including DCC social care website. |
| **Disability –** 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, people living with autism and people with physical impairments | Community care packages help working age disabled people to remain independent and living in their own homes. The individuals effected by this proposal will have had a community care assessment and a care package developed to support their needs. This proposal will seek to reduce the scale of the care package through a formal review of the persons needs and how those needs are being met. The Council supports some 1320 (50%) working age disabled adults living in the community.  There is no change to current processes proposed, as reviews are part of adult social care business as usual. Reviews are an opportunity for our customers to say what they believe is working, not working so well, and to discuss what may need to change. This is a positive and constructive part of adult social care intervention.  We know that despite the Equality Act 2010, disabled people continue to experience physical, attitudinal, and societal barriers which impact on participation, inclusion and quality of life.  We also know from various [research](https://www.disabilityrightsuk.org/news/2018/february/extra-costs-hit-disabled-people-all-areas-life#:~:text=New%20research%20by%20the%20charity,%C2%A31%2C000%20extra%20per%20month.&text=Extra%20costs%20mean%20that%20disabled,pocket%20than%20non%2Ddisabled%20people.) available from Scope that the cost of living for disabled people is more due to extra costs faced by disability related issues, for example fuel costs may be more, equipment costs, prescription costs and so on. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Assess each individuals needs and ensure they are safe and can continue to live independently, although the reduction in support may result in a reduction to their quality of life.  Reviews of care and support plans will be undertaken with the customer and their representatives in a person-centred manner, focussing on the strengths of the customer and their networks of support, looking creatively how needs can be met and supported.  Support for Derby Residents is available from a variety of organisations including Disability Direct, RNIB, Community Action Derby, British Red Cross, Derby Rethink, One Advocacy Derby, Derby Deaf Forum and Mencap.  Welfare Rights advice is available for Derby residents from Derby Advice. Information and advice is available from a variety of sources including DCC social care website. |
| **Gender identity-** trans and those people who don’t identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity. | Gender identity issues are compounded for disabled trans people. So, as well as barriers faced as a disabled person, they also have additional barriers as a trans person. We will do all we can to support trans disabled people with care packages and get help from Derbyshire LGBT+ where needed.  We know support from the LGBTQ+ community is really important for trans disabled people and so this will be recognised in assessments. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Assess each individual’s needs and ensure they are safe and can continue to live independently, although the reduction in support may result in a reduction to their quality of life.  Reviews of care and support plans will be undertaken with the customer and their representatives in a person-centred manner, focussing on the strengths of the customer and their networks of support, looking creatively how needs can be met and supported.  Support for Derby Residents is available from a variety of organisations including Disability Direct, British Red Cross, Derby Rethink, One Advocacy Derby, Derby Deaf Forum and Mencap and Derbyshire LGBT+.  Welfare Rights advice is available for Derby residents from Derby Advice. Information and advice is available from a variety of sources including DCC social care. |
| **Marriage and Civil Partnership** | No Known Impact |  |  |  |
| **Pregnancy and maternity -** women who are pregnant or who have recently had a baby, including breast feeding mothers | We know disabled people’s needs change when pregnant and when they have a baby and may become more complex. We accept it is really important that any assessments recognise this extra need. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning |  |
| **Race -** the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community | The ethnic profile of the people the Council supports in the community is 21% from minority populations and 79% White British or White population. This is slightly different to the overall adult population of Derby which has an ethnic profile of 24% of residents from minority communities. However, the older people population has a much lower proportion of people from minority communities, approximately 12%.  We know language may be a barrier and we have our Interpretation and Translation service to support us with our assessments. We have a diverse staff group who have lots of experience in working with our Black, Asian and Minority Communities. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Information and advice is available from Pakistani Community Centre, Indian Community Centre, Derby West Indian Association, Chinese Community Association. |
| **Religion or belief or none -** the effects on religious and cultural communities, customers and colleagues | We know that having a scaled down care package may impact on the ability for some disabled people to get out to their places of worship |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Information and Advice available from The Gurdwara, Derby Jamia Mosque, Baptist Church, Jehova’s Witnesses church. |
| **Sex -** the effects on both men and women and boys and girls | The Council supports 1167 male residents and 1474 female residents in the community, giving a percentage of 45% male 55% female. This is consistent with the profile of the Derby Adult population aged over 65. Although the working age population is 49%/51% in terms of male and female. We know disabled women facing periods and menopause may have additional needs which need to be taken into account in assessments |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning |  |
| **Sexual orientation -** the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality | Sexual orientation issues are compounded for disabled LGBTQ+ people. So, as well as barriers faced as a disabled person, they also have additional barriers being from the LGBTQ+ community. We will do all we can to support LGBTQ+ disabled people with care packages and get help from Derbyshire LGBT+ where needed.  We know support from the LGBTQ+ community is really important for LGBTQ+ disabled people and so this will be recognised in assessments. |  | **Yes**   * Supporting decision making * Being part of the community * Working and Learning | Information and Advice available from Derbyshire LGBT+ |

**Important** - For any of the equality groups you don’t have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed 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!

**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?

|  |  |  |
| --- | --- | --- |
| **Outcome 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 |
| **Outcome 2** |  | **Adjust the proposal** to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |
| **Outcome 3** | **✓** | **Continue the proposal** 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:   * sufficient plans to stop or minimise the negative impact * mitigating actions for any remaining negative impacts * plans to monitor the actual impact. |
| **Outcome 4** |  | **Stop and rethink** the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

The proposal does not reduce all community care support for people for whom the Council has a statutory duty to support as there will still be a significant amount of community care and support provided for those who need it. The proposal will mean that the social work service will continue to provide support, albeit to a lesser degree depending on the specific circumstances of the people who are impacted by this decision. The priorities within packages of care and support will be:

* Personal Care
* Eating and Drinking
* Staying safe within the home
* Managing behaviour

Less emphasis will be placed on:

* Supporting decision making
* Being part of the community
* Working and Learning

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

The EIA panel agreed with **outcome 3** for the proposal to scale down care packages for people living in the community as long as mitigating actions were delivered. The Panel:

* acknowledged that some people experience discrimination because of a combination of protected characteristics.
* recommends that further consideration is given to investigate what mitigations would be necessary to address the possible effects of contributing to further and compounded discrimination for those disabled and older people whose experience multiple discriminations.
* recommends that mitigation needed to offer clear and accessible information to sign post care package users to alternative and complementary care provision in the absence of a reduced DCC offer.
* suggested that an idea would be to produce a directory of agencies where disabled people and older people could get support and information
* gave some further examples of other services providers including:
* Community Action
* RNIB
* Additional social workers input
* Age UK

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 so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider

**Appendix 1**

**Equality impact assessment form– 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 about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

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.

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 complete 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. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

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.

This completed form should be attached to any Corporate Leadership, Senior Leadership, Cabinet or Personnel Committee report to help decision makers take the equality implications into account when they make the decision. Equality impact assessments **must be done before** decisions are made.

You’ll find that completing 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.

Unless this is a quick Covid 19 decision, 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 Equality Hubs and 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. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

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.

Remember, we need to complete these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010. If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

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 must be easy to understand.

**Contact for help**

Ann Webster – Lead on Equality and Diversity

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

Tel 01332 643722 mobile 07812301144

[Sign Language Service](https://www.derby.gov.uk/signing-service/)

We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 643722, 07812301144** or **derby.gov.uk/signing-service/**

**Punjabi**

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: **01332 64XXXX** ਜਾਂ [**derby.gov.uk/signing-service/**](https://m365.eu.vadesecure.com/safeproxy/v4?f=cz0ZWu24j28Vl3BzVuSdCoMCDHCpL9JaioWisQGi8S3bCtXk5W_yq3A1dfyVYoVx&i=PzsE2Gw3YTbfFz6VRd0Fp7PxwveHyJEAnSRCrEBoAvjp2JnIw93iHpjapoZiIAzMglI-pzPfWmh3zAXeaCy-cA&k=eT2K&r=WEhxufS7rROOSKWC-Ni-ndX3MbR3jmgif-yU_rjLBEeXieKDl9GVjsBYwsEYj00cS2TOCi-p9sppx0CalkJbVw&s=276a2020258c8586ddb25bb54ee75c8fa638b7e241f542e2eb47998ae5359519&u=http%3A%2F%2Fwww.derby.gov.uk%2Fsigning-service%2F)

**Polish**

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 64XXXX** lub [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**Slovak**  
Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosím, kontaktujte nás na tel. č.: **01332 64XXXX** alebo na stránke [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**Urdu**

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم **640000 01332**  یا **derby.gov.uk/signing-service/** پر ہم سے رابطہ کریں