

**EQUALITY IMPACT ASSESSMENT**

<b>STRATEGY/ACTION:</b> Adult Social Care Assessment Process	<b>Department:</b> People
<b>Person responsible for assessment:</b> Ann Workman  <b>Person responsible for strategy where different from above:</b> Pauline Mitchell	<b>Date of assessment:</b> 23.01.2012

**Brief description of strategy, partners and those who will be affected by its delivery:**

This proposal under the MTFP relates to the Adult Social Care Assessment Process. It is proposed that Reablement will be used wherever possible to reduce the number of assessments undertaken in the Adult Care Process. As a result it is envisaged that less staff will be required to carry out assessments/ complete the process.

3 full-time posts are currently vacant in this area and it is therefore proposed that these vacant posts are not filled and are deleted from the structure. The posts currently vacant are 2 x Senior Practitioners and 1 x Community Inclusion Officers. Two of these posts have been vacant for over six months, whilst the remaining post has been vacant for around 4 months. No negative impacts have been recorded as a result of the posts being vacant thus far.

The financial saving identified against this proposal is £395,000.

<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
<b>£95,000</b>	<b>£100,000</b>	<b>£100,000</b>	<b>£100,000</b>

These savings are made up purely from the money which will be saved in staffing costs by deleting the three aforementioned posts. Generally it is the elderly and disabled who access the Adult Social Care Process. However it is not felt that there will be any adverse impact on these groups as the increase in the use of reablement will lead to a decrease in the number of users accessing the Adult

Social Care Assessment process and thus leading to a decrease in the number of users requiring a full assessment. (Studies have shown that those put through a reablement process following a stay in hospital, for example, are less likely to access ongoing Adult Social Care Services as a result, and those that do still require support do so at a less intensive level.)

## Introduction

This is a generic document that will require interpretation in particular circumstances. If, after reading the guidance, you require further information on how to implement the assessment, please contact Peter Roberts, Social Enterprise Development Manager 01325 388713

**Q.1 Is your strategy and the actions it proposes accessible to everyone within the community? Bear in mind any economic, social, environmental, physical, intellectual, cultural, linguistic, technological or other barriers.**

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Equality Act 2010 Protected characteristics:				
Age	X		Adult Social Care assists all group within the Borough.	
Disability	X		Adult Social Care assists all group within the Borough.	
Gender reassignment	X		Adult Social Care assists all group within the Borough.	
Pregnancy and Maternity	X		Adult Social Care assists all group within the Borough.	
Race	X		Adult Social Care assists all group within the Borough.	
Religion or belief	X		Adult Social Care assists all group within the Borough.	
Sex	X		Adult Social Care assists all group within the Borough.	
Sexual orientation	X		Adult Social Care assists all group within the Borough.	
Marriage and Civil Partnership	X		Adult Social Care assists all group within the Borough.	
Local Priorities:				

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Geographical impacts	X		Adult Social Care assists all group within the Borough.	
Carers	X		Adult Social Care assists all group within the Borough.	
Young People leaving care	X		Adult Social Care assists all group within the Borough.	
Gypsies & Travellers	X		Adult Social Care assists all group within the Borough.	
Refugees & Asylum Seekers	X		Adult Social Care assists all group within the Borough.	
Unemployed or low income	X		Adult Social Care assists all group within the Borough.	
People with spent criminal convictions	X		Adult Social Care assists all group within the Borough.	

**Q.2 (a) For whatever reason, does your strategy and the actions it proposes treat any group differently from others?**

Yes	X
No	

**If you have answered 'yes', please specify those individuals or groups affected and whether the impact has the potential to be adverse.**

*Potentially the disabled and the elderly as these are the two groups most likely to access the Adult Social Care Assessment Process. However please see above for an explanation as to how it is envisaged that the service will not have an adverse impact on these identified groups.*

**(b) What needs to be done to prevent any potentially adverse impact?**

**Q.3 (a) Does your strategy promote equality? (e.g. does it contain actions that demonstrate a consideration of community cohesion and the needs of the members of Darlington's diverse communities)**

Yes	X
No	

**If you have answered 'yes', please give examples of how equality is promoted.**

All people who require Assessments will still be assessed and anyone with eligible needs will still receive the services to which they are entitled.

**Q.4 In the past three years, have you consulted with any of the following groups regarding the development of your strategy?**

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
Age	x		<p>This specific proposal is part of the corporate consultation undertaken on the Medium Term Financial Plan: Consultation events have taken place as part of the 2011/2012 MTFP budget consultation events, these include;</p> <ul style="list-style-type: none"> <li>• Public consultation events specifically targeted for disabled, young people and older people</li> <li>• Town Crier publications</li> <li>• Online forums</li> <li>• Talking Together Events</li> <li>• Staffing road shows and internal communications to employees</li> <li>• Attendance at local community groups and action groups (i.e. DAD)</li> </ul> <p>No specific feedback has been received in relation to this proposal however from any of the events held.</p>	
Disability	x		As above	
Gender reassignment	x		As above	
Pregnancy and Maternity	x		As above	
Race	x		As above	
Religion or belief	x		As above	
Sex	x		As above	
Sexual orientation	x		As above	

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
Marriage and Civil Partnership	x		As above	
Geographical impacts	x		As above	
Carers	x		As above	
Young people leaving care	x		As above	
Gypsies & Travellers	x		As above	
Refugees & asylum seekers	x		As above	
Unemployed or low waged	x		As above	
People with spent criminal convictions	x		As above	

## Guidance and Definitions

The Equality Act 2010 combined over 100 pieces of legislation into one Act and introduces nine protected characteristics for which due regard is required in ensuring discrimination is prevented. These are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership. The Public Sector Equality Duty came into force on April 5th, 2011.

The following definitions and information will be useful in determining impacts of strategies, actions or services on specific groups.

### Age:

Having a particular age (e.g. 32 year-olds) or being within an age group (e.g. 18-30 year olds). Discrimination on the grounds of age under the Equality Act 2010 applies from the age of 18 years.

### Disability:

Physical or mental impairment and the impairment has a substantial and long-term adverse effect on person's ability to carry out normal day-to-day activities.

### Gender Reassignment:

A process which is undertaken under medical supervision for the purposes of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.

The Sex Discrimination (Gender Reassignment) Regulations 1999 outlaw direct discrimination against transsexuals on the grounds of "gender reassignment".

Transgender: An individual, who appears as, wishes to be considered as or has undergone surgery to become a member of the opposite sex.

Transsexual: An individual who believes that their apparent gender is not their actual gender and may seek gender reassignment surgery to alter their body to meet their belief. Transsexuals may appear similar to transvestites, but have a different intent.



Transvestite: An individual who wears the clothing of the opposite gender to express their feminine/masculine side, or for relaxation. Also known as cross-dressing.

For the purposes of completing the impact assessment, consideration ought to be given, in the first instance for example, to the arrangements made (or which could be made/agreed upon), regarding the use of toilets and any other gender specific facilities.

**Pregnancy and Maternity:**

Pregnancy is the condition of being pregnant. Maternity is the period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

**Race:** includes colour, nationality (including citizenship), ethnic origin or national origins.

**Religion or Belief:**

Religion means any religion including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live it for it to be included.

This area presents, perhaps, the greatest difficulty in terms of providing a definition, not least because of the close links/overlaps in some instances with culture and race/ethnicity.

The Employment Equality (Religion or Belief) Regulations 2003 ban discrimination in employment and vocational training on grounds of religion or belief. Under the regulations, religion is defined as being 'any religion, religious belief, or similar philosophical belief'. This does not include any philosophical or political belief unless that belief is similar to a religious belief. Courts and tribunals may consider a number of factors when deciding what is a 'religion or belief' (e.g. collective worship, clear belief system, profound belief affecting way of life or view of the world)'.

For the purposes of completing the impact assessment, consideration ought to be given to a range of factors, examples of which are set out below. It is recognised, however, that whilst knowledge of the central tenets of those religions most likely to be encountered would help ensure that appropriate provision is made with regard to the delivery of and access to services, such knowledge might not necessarily be held.

- Is provision made, when dealing with customers, for them to be dealt with, if requested, by persons of the same sex?
- Does the way in which your service is delivered restrict access to certain religious groups that have days of religious observance restricting or preventing them accessing services on those days?

- Is your service delivered in locations or environments that might preclude or restrict access to certain religious groups?

**Sex:** Man or woman.

The Sex Discrimination Act 1975 ensured that no person is treated less favourably because of his or her gender or because he or she is married.

**Sexual Orientation:** Whether a person's sexual attraction is towards

- Persons of the same sex (lesbians and gay men)
- Persons of the opposite sex (heterosexuals)
- Persons of the same sex and opposite sex (Bisexuals).

It does not cover sexual practices such as sado-masochism and paedophilia.

The Employment Equality (Sexual Orientation) Regulations 2003 ban discrimination in employment and vocational training on grounds of sexual orientation. Sexual orientation is defined as an orientation towards:

**Marriage or Civil Partnership:** Discrimination on grounds a persons marital status or civil partnership is illegal under the Equality Act 2010.