



# Equality Impact Assessment Record Form 2012-16

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. The purpose is to avoid inadvertent disadvantage or discrimination resulting from decisions.

EIA is not a fixed process – it will vary according to the scale and type of activity. The form and guidance are designed to cover all eventualities. Officers should not be discouraged by the form, but should use their discretion in using it flexibly according to the activity they are assessing.

EIA does not happen at a single point in time. It is an ongoing and integral part of the development of the activity or proposal. This EIA template should be kept open and live as a planning document, and updated as the activity or proposal progresses.

## Section 1 – Service Details and Summary of EIA Activity

<b>Title of activity:</b>	Development of residential service specification for disabled adults and procurement of a contracted framework
<b>Lead Officer responsible for this EIA:</b>	Mark Humble
<b>Telephone:</b>	01325 388066
<b>Service Group:</b>	Commissioning and Development
<b>Service or Team:</b>	People Commissioning
<b>Assistant Director accountable for this EIA</b>	Duncan Clark
<b>Who else will be involved in carrying out the EIA:</b>	<p>The EIA will be undertaken by Residential Agreement Project Group, which has representation as follows:</p> <p>Mark Humble  Pippa Jones  Joanne Smith  Heather McQuade  Mandy Cheung  Ian Hewitson  Jeanette Crompton</p>

<b>What stage has the EIA reached?</b>		
<b>NEED</b>		
<b>Stage</b>	<b>Date</b>	<b>Summary of position</b>
<b>Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified</b>	30/08/13	As a result of the procurement of a residential care framework for disabled adults, there may be a potential associated impact on disabled people who currently receive their support in a residential care setting.
<b>Stage 2: Further Assessment. Target Population likely to be affected identified</b>	30/08/13	The target population will be those individuals with disabilities who will require their assessed needs to be met in residential care and be funded by Darlington Borough Council. with whom the provider has a direct contractual relationship with Darlington Borough Council.
<b>Stage 3: Further Assessment.</b>	30/08/13	All individuals currently living within residential care for disabled

<b>Individuals likely to be affected identified</b>		people have been identified.
<b>Stage 4: Analysis of Findings</b>		<p>The level of care and support that individuals who currently receive a service will not be directly affected through the re-commissioning and re-procurement of a residential care agreement.</p> <p>There is the potential that current providers of residential care are not successful in securing a place on the planned framework and arrangements are in place to ensure that individual arrangements will be made that will not necessitate an individual having to move. However it is unlikely that providers will not shift to the delivery of outcomes as future business from this and other Local Authorities will require it.</p> <p>Should the tender not be successful in bringing enough or any providers onto the framework, the option of individual spot purchasing remains an option.</p>
<b>Stage 5: Sign-Off</b>		
<b>Stage 6: Reporting and Action Planning</b>		

## Section 2 – The Activity and Supporting Information

<b>Details of the activity (including the main purpose and aims)</b>
<p>The existing residential agreements for adults with a learning disability, adults with a physical and/or sensory impairment, early on-set dementia and/or mental health problems end on 30<sup>th</sup> September 2014. The aims of the re-procurement and re-commission will be to ensure:</p> <ul style="list-style-type: none"> <li>• Establishing value for money in service delivery</li> <li>• A range of choice for those needing support</li> <li>• Establishing a standard pricing model that reflects individual need</li> <li>• The development and monitoring of a clear performance and outcome framework</li> <li>• Contracts are configured in a way that focus on the meeting of individual outcomes</li> <li>• A local market that can meet need that would ensure that people would not need to move out of the area simply to receive the support they need.</li> </ul>
<b>Who will be affected by the activity?</b>
<b>Whole population</b>
<p>The individuals affected by the action will be people with a learning disability, physical/sensory impairment or mental health problems who have assessed needs that can be best met by the provision of residential care.</p>
<b>Target population</b>
<p>The target population will be people with a learning disability, physical/sensory impairment or mental health problems whose eligible social care needs are met through the provision of residential care.</p>
<b>Individuals</b>
<p>The number of people with a learning disability, physical/sensory impairment or mental health problems currently placed in residential care totals approximately 50 people and they have all been identified.</p> <p>The outcomes that have been developed within the revised specification were co produced with a number of disabled adults and their supporters.</p>
<b>What data, research and other evidence or information is available which is relevant to the EIA?</b>
<p>A dataset of people with a learning disability, physical/sensory impairment or mental health problems receiving residential care has been collated and analysed.</p> <p>Contract monitoring and service review reports will be completed through the lifetime of existing contractual agreements.</p>

**Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?**

## Section 3: Officer Assessment

Protected Characteristics	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact H,M,L				Summary of Impact
<b>Age</b>			N/A					Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Race</b>			NA					There will be no direct impact due to an individuals Race
<b>Sex</b>			NA					There will be no direct impact due to an individuals Sex
<b>Gender Reassignment</b>			NA					There will be no direct impact due to an individuals Gender reassignment
<b>Disability (summary of detail on next page)</b>	Y							
<b>Religion or belief</b>			N/A			L		There will be no direct impact due to an individuals religion or belief
<b>Sexual Orientation</b>			NA					There will be no direct impact due to an individuals Sexual Orientation
<b>Pregnancy or maternity</b>			NA					There will be no direct impact due to an individuals Pregnancy or Maternity
<b>Marriage/ Civil Partnership</b>			NA					There will be no direct impact due to an individual being Married or in a Civil Partnership.

### Section 3: Officer Assessment - continued

Impairment	Potential Impact Positive/Negative/ Not Applicable P,N,NA			Potential level of impact H,M,L				Summary of Impact
<b>Mobility Impairment</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Visual impairment</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Hearing impairment</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Learning Disability</b>			N/A			L:		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Mental Health</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Long Term Limiting Illness</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.

<b>Multiple Impairments</b>			N/A			L		Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.
<b>Other –</b>			N/A					
<b>Geographical Location</b>			N/A					Those people with a learning disability, physical/sensory impairment or mental health problems who currently live in residential care, will continue with their current provider, unless they chose to move to an alternative provider, or should their assessed needs change.

**Not protected characteristic groups; however, areas where there may be specific impacts to be considered.**

<b>Unpaid Carers</b>	Y					L		<p>If there is someone who requires a very specialist type of support e.g. in relation to their cultural needs and there is no provider available on the framework this may impact on family/unpaid carers. In these circumstances the Council would work with the family to identify a suitable home.</p> <p>The provision of local support that facilitates easy access for visiting may be an outcome of a 30 mile radius preference.</p>
<b>Family Carers</b>	Y					L		<p>If there is someone who requires a very specialist type of support e.g. in relation to their cultural needs and there is no provider available this may impact on family/unpaid carers. In these circumstances the Council would work with the family to identify a suitable home.</p>

### Cumulative Impacts

**The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this**

<b>section of the EIA.</b>	
<b>Change activities</b>	<b>Potential cumulative impacts</b>



## Section 4: Engagement Decision

<b>Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?</b>	<b>Yes</b>
<b>If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.</b>	

## Section 5 – Involvement and Engagement Planning

<b>Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people?</b>
<p>Those disabled adults who are currently placed with providers who are not successful in gaining a place on the framework agreement, will remain with the provider, unless they choose to move or have a change to their assessed needs. Those disabled adults who will be assessed in future as requiring to be supported in residential care will be offered a placement from amongst those providers on the framework who indicate that they have a vacancy within their home are able to meet the needs of that particular individual.</p> <p>There is an ongoing risk as at any time that a provider may simply give up their business. As a provider is at liberty to terminate and close their business at any time, council officers would in this circumstance work with the individual the family and the care home to identify suitable alternative support.</p> <p>Some engagement has taken place with people with a learning disability, the working assumption has been that these impacts would be those shared by other disabled people.</p>
<b>Will the differential treatment advance equality for people with Protected Characteristics? Yes</b>
<b>If yes, please state which groups and how.</b>  <b>No</b>
<b>Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? No</b>
<b>No</b>

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From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups, and individuals likely to be affected by the activity.

There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.

The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.

Involvement and Engagement Plan			
Which organisations, groups and individuals do you need to involve or engage and how?			
Date of plan entry	Organisation, Group or Individuals	Date of event or activity	Type of activity – venue, channels, method and staffing
	Darlington Borough Council Finance Section and Contract Section	Complete	Develop a dataset on the profiles of current individuals receiving residential care
	Share outcomes with existing providers		Letter sharing outcomes seeking comment
	Meet with disabled people and stakeholders to seek their views	18/9/12 5/11/12	Meeting with the Learning Disability Peoples Parliament Outcomes discussed with the Learning Disability Network
	Meet with Care Managers	7/6/12	Meeting
	Meet with direct users of Residential Care	27/9/12	Meeting

Analysis/Mitigation

## Section 6: Engagement Findings

	Date/summary of engagement carried out	Summary of impacts identified
<b>Age</b>		None directly related to characteristic

<b>Disability</b>		
<b>Mobility Impairment</b>		None directly related to characteristic
<b>Visual impairment</b>		None directly related to characteristic
<b>Hearing impairment</b>		None directly related to characteristic
<b>Disabled People</b>		
<b>Mental Health</b>		None directly related to characteristic
<b>Long Term Limiting Illness</b>		None directly related to characteristic
<b>Multiple Impairments</b>		None directly related to characteristic
<b>Other - Specify</b>		None directly related to characteristic
<b>Race</b>		None directly related to characteristic
<b>Sex</b>		None directly related to characteristic
<b>Gender Reassignment</b>		None directly related to characteristic
<b>Religion or belief</b>		None directly related to characteristic
<b>Sexual Orientation</b>		None directly related to characteristic
<b>Pregnancy or maternity</b>		None directly related to characteristic
<b>Marriage / Civil Partnership</b>		None directly related to characteristic

## Section 6: Engagement Findings – Continued

**Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.**

<b>a) How will the proposal help to eliminate discrimination, harassment, and victimisation?</b>
The proposal will ensure that individuals with similar support needs will receive equitable support. Support which is based on need rather than availability. The proposal looks to ensure that individuals remain a part of their own community where they can maintain their social capital and continue to have a presence and participate in their local community.
<b>b) How will the proposal help to advance equality of opportunity?</b>
The proposal will ensure that individuals with similar support needs will receive equitable support. Support which is based on need rather than availability. The proposal looks to ensure that individuals remain a part of their own community where they can maintain their social capital and continue to have a presence and participate in their local community.
<b>c) How will the proposal help to foster good relations?</b>
The proposal will ensure that individuals with similar support needs will receive equitable support. Support which is based on need rather than availability. The proposal looks to ensure that individuals remain a part of their own community where they can maintain their social capital and continue to have a presence and participate in their local community.

**During the engagement process were there any suggestions on how to avoid, minimise, or mitigate any negative impacts? If so, please give details.**

Section 7 - Sign-off when assessment is completed

<b>Officer Completing the Form:</b>		
<b>Signed</b>	<b>Name:</b>	Mark Humble
	<b>Date:</b>	08 August 2014
	<b>Job Title:</b>	Strategic Commissioning Manager
<b>Assistant Director:</b>		
<b>Signed</b>	<b>Name:</b>	Duncan Clark
	<b>Date:</b>	08 August 2014
	<b>Service:</b>	Development and Commissioning

## Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics - continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact
d)	Negative impact identified - stop activity and provide an explanation why

## Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

<b>What is the negative impact?</b>	<b>Actions required to reduce/eliminate the negative impact (if applicable)</b>	<b>Who will lead on action</b>	<b>Target completion date</b>
None identified			

<b>Performance Management</b>	
<b>Date of the next review of the EIA</b>	.
<b>How often will the EIA action plan be reviewed?</b>	
<b>Who will carry out this review?</b>	Mark Humble, Care Management and Adult Social Care Finance.