

## Equality Impact Assessment Record Form

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 3** of the Equality Policy. 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. EIAs are public documents, accompany reports going to Councillors for decisions and are published with committee papers on our website and are available in hard copy at the relevant meeting.

<b>Title of activity:</b>	Adult Social Care Transport Policy
<b>Name of Directorate and Service Area:</b>	People's Group -Adult Social Care
<b>Lead Officer and contact details</b>	nerissa.cole@darlington.gov.uk
<b>Assistant Director accountable for this EIA</b>	Joss Harbron
<b>Who else will be involved in carrying out the EIA:</b>	As above

<b>When did the EIA process start?</b>		<i>December 2023</i>
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Section 2 – The Activity and Supporting Information

<p><b>Details of the activity</b> (describe briefly - including the main purpose and aims) (e.g. are you starting a new service, changing how you do something, stopping doing something?)</p>
<p>Redesign and update of the Adult Social Care Transport Policy to align with national statutory legislation and practice and to ensure better promotes Strength Based Practice and Equalities under the Equality Act.</p> <p>This is to supersede the current DBC Transport Policy 2011 which is not in line with our duties under the Care Act 2014.</p>
<p><b>Why is this being proposed? What are the aims? What does the Council hope to achieve by it?</b> (e.g. to save money, meet increased demand, do things more efficiently)</p>
<p>To ensure we have a legally defensible clear service Transport Policy and improved referral, process and appeal processes and clear eligibility and decision-making processes.</p> <p>To maximise assisted transport allocations and occupancy for those that need it the most, including unpaid carers and ensuring people are aware of all universal options and information and can make informed choices when safely accessing transport and maintaining their wellbeing.</p>
<p><b>What will change? What will be different for service users/ customers and/ or staff?</b></p>
<p>Clearer awareness of the process to determine need for assisted transport and more flexible transport offer using strength-based approaches to see people’s assets and potential for independence and options before applying for arranged and commissioned Council transport.</p> <p>Ensure people with Care Act assessed eligible requirements for assisted transport to meet their needs have arrangements made so can achieve their outcome so consistent decision making and not based on the level of received disability benefits.</p>
<p><b>What data, research and other evidence or information is available which is relevant to the EIA?</b></p>
<p>There has been case law and consultation with our Corporate Legal Team regarding the current policy guidance that it is unlawful for a local authority to request people fund their assessed eligible needs through their national disability benefits including if receiving the higher level of Mobility Allowance.</p> <p>The Darlington Commitment to Carers partnership strategy 2023-2028 promotes increase breaks for unpaid carers who need to focus on a life apart from caring for their own wellbeing, and therefore, we should assess the needs of carers and reasonableness to continue to transport the person they care for to access eligible resources.</p>
<p><b>Engagement and consultation</b> (What engagement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)</p>
<p>There has been meetings and discussions with staff and users of our in-house day care services with regards to views to transport and pursuit of travel training with a positive example of where travel training enabled a person independence from assisted transport.</p>

**What impact will this activity have on the Council's budget?** (e.g. cost neutral, increased costs or reduced costs? If so, by how much? Explain briefly why this is the case)

There is no evidence that there will be any increased demand for assisted transport or one to one support, as will be better streamlined and targeted to those with the highest need but will ensure there is a more preventative and strength-based approaches to explore all transport options, travel concessions and potential for independence before assisted transport is applied for.

The new referral process will provide improved tailoring and reasonable adjustments are in place to ensure people can access local resources to reduce social isolation and carer breakdown, so enables more people to remain at home and less reliance on high care package costs or premature admissions to 24 hours longer term residential care.

By implementation of the ASC Transport Policy those now eligible either current or new applicants will have a personalised assessment , reassessment or review during the service routine case management and statutory annual review processes but there is no evidence this will inflate new demand or costs or cause waiting lists , as assisted transport will be allocated to those with priority needs.

### Section 3: Assessment

How will the activity affect people with protected characteristics?	No Impact	Positive impact	Negative impact	Why will it have this effect? (refer to evidence from engagement, consultation and/or service user data or demographic information, etc.)
Age	x			
Disability (Mobility Impairment, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments, Other – Specify)	x			
Sex (Gender)	x			
Race	x			
Gender Reassignment	x			
Sexual Orientation	x			
Religion or belief	x			
Pregnancy or maternity	x			

<b>Marriage or civil partnership</b>	x			
<b>How will the activity affect people who:</b>	<b>No impact</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>Why will it have this effect?</b> (Refer to evidence from engagement, consultation and/or service user data or demographic information, etc.)
<b>Live in a rural location?</b>	x			
<b>Are carers?</b>		x		<b>Carers assessments should now better consider the wellbeing of carers in providing necessary care for a person , and being provided with extended time out from caring.</b>
<b>Are on a low income?</b>	x			
<b>Are a Care Leaver?</b>	x			

## Section 4: Cumulative Impacts

**Cumulative Impacts – will the activity affect anyone more because of a combination of protected characteristics?** (E.g. older women or young gay men – state what you think the effect might be and why, providing evidence from engagement, consultation and/or service user data or demographic information, etc.)

**Are there any other activities of which you are aware which might also impact on the same protected characteristics?**

None highlighted.

## Section 5: Analysis

### **A. How will the activity help to eliminate discrimination, harassment and victimisation?**

The ASC Transport Policy ensures that Equality, Diversity and Inclusion and the Equality Act 2010 is embedded throughout the application, eligibility and assisted transport decision making or access to other transport, with the duty to make reasonable adjustments including duties and risk assessments under the Health and Safety at Work Act 1974 with duties to people accessing assisted transport including all passengers and staff.

### **B. How will the activity help to advance equality of opportunity?**

As above and enables a more holistic approach with regards to working in co production with people and family using strength-based practice and providing transport information in accessible formats and signposting to websites to explore local transport and travel opportunities.

### **C. How will the activity help to foster good relations?**

Building positive relationships and collaboration between the ASC professionals, Children's Service and Transport Providers so work in partnership with a person, family and those that support people to ensure people's needs and preferred communication and wishes are considered. Transport Provider specifications promote continuity of staff who build mutual supportive trust arrangements.

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

**There will be no disruption to current transport arrangements and applications and will only apply to new applications and applying eligibility during statutory reviews.**

**There is a newly revised assisted transport appeal process within the Transport Policy.**

Section 6 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	Nerissa Cole
	Date:	26/2/2024
	Job Title:	Interim Head of Service Improvement
Assistant Director:		
Signed	Name:	Jocelyn Harbron
	Date:	07/06/2024
	Service:	Adult Services

Section 7 – Reporting of Findings and Recommendations to Decision Makers

<p><b>Next Steps to address the anticipated impact</b> (Select one of the following options and explain why this has been chosen – remember we have a duty to make reasonable adjustments so that disabled people can access services and work for us)</p>
<p><b>A. No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity</b> (There is no potential for discrimination or adverse impact identified)</p>
<p><b>B. Negative impact identified – recommend continuing with the activity</b> (Clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue. The EIA identifies potential problems or missed opportunities. Officers will advise to change the proposal to reduce or remove these adverse impacts, or the Council will achieve its aim in another way which will not make things worse for people. There must be compelling reasons for continuing with the proposal which will have the most adverse impacts.)</p>
<p><b>C. Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact</b> (The EIA identifies potential problems or missed opportunities. The Council will change the proposal to reduce or remove these adverse impacts, or it will achieve the aim in another way which will not make things worse for people)</p>
<p><b>D. Actual or potential unlawful discrimination – stop and remove the activity</b> (The EIA identifies actual or potential unlawful discrimination. It should be stopped.)</p>
<p><b>Explanation of why the option above has been chosen</b> (Including any advice given by legal services)</p>
<p><b>No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity</b> (There is no potential for discrimination or adverse impact identified)</p>



This is a redesign and update of the Adult Social Care Transport Policy to align with national statutory legislation and practice and to ensure better promotes Strength Based Practice and Equalities under the Equality Act.

This is to supersede the current DBC Transport Policy 2011 which is not in line with our duties under the Care Act 2014.

The ASC Transport Policy ensures that Equality, Diversity and Inclusion and the Equality Act 2010 is embedded throughout the application, eligibility and assisted transport decision making or access to other transport, with the duty to make reasonable adjustments including duties and risk assessments under the Health and Safety at Work Act 1974 with duties to people accessing assisted transport including all passengers and staff. It will enable a more holistic approach with regards to working in co production with people and family using strength-based practice and providing transport information in accessible formats and signposting to websites to explore local transport and travel opportunities.

**If the activity is to be implemented how will you find out how it is affecting people once it is in place? (How will you monitor and review the changes?)**

There will be no disruption to current transport arrangements and applications and will only apply to new applications and applying eligibility during statutory reviews. Through the reviews and appeals process there will be an opportunity to monitor and review the changes.

### Section 8 – Action Plan and Performance Management

List any actions you need to take which have been identified in this EIA, including post implementation reviews to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
N/A			


<b>Performance Management</b>	
<b>Date of the next review of the EIA</b>	At next review of transport policy- 2026
<b>How often will the EIA action plan be reviewed?</b>	N/A
<b>Who will carry out this review?</b>	Head of Practice and Quality.

