

EQIA Form



Public Sector Equality Duty (PSED) – Section 149 of the Equality Act 2010

The General Duty requires Public Authorities to give due regard to the need to (in relation to the nine protected characteristics):

- **Eliminate** (stop or prevent) discrimination, victimisation and harassment
- **Advance** (keep working to improve and promote) equality of opportunity
- **Foster** (create and maintain) good relations between people.

The nine protected characteristics are:

Apply to everyone

- **Age, Gender, Race/ Ethnicity, Religion/ Belief and Sexual Orientation**

Only apply to people with those characteristics

- **Disability, Gender Re-assignment, Pregnancy/ Maternity and Marriage/ Civil Partnership**

Carers and those on **low incomes** can also be considered vulnerable groups as their circumstances can

Full Equality Impact Assessment Record

Section 1: PURPOSE

Service Unit:

Commissioning and Improvement – People Services, Poole, Dorset.

Title of strategy, policy or service:

Bournemouth, Christchurch and Poole joint care and support framework for people with learning disabilities and / or autism

Officers involved in the EQIA:

Jonathan O’Connell – Borough of Poole, Susanne Christie – Borough of Poole, Alison Pagram – Borough of Poole, Anna Keegan – Borough of Poole, Angela Hamilton – Bournemouth Borough Council, Linda Moore – Bournemouth Borough Council.

Date assessment started:

04/06/2018

Date assessment completed:

23/08/2018

Reviewed 9th May 2019. Carry forward/Review 1st September 2019.

Q1 – What is the aim of the new/changed strategy, policy, project or service?

One of the key objectives contained within the Bournemouth and Poole Learning Disability (LD) Strategy 'The Big Plan 2018-21' is to commission a joint specialist care and support framework for people with LD and/or autism. A new Joint Framework will be commissioned during the spring of 2019.

Q2 – Who is the new/changed strategy, policy, project or service going to benefit and how?

This framework is specifically for people with LD and/or autism aged 16 years and over who require care and support to meet their eligible needs under the following legislations:

- The Care Act 2014
- Children and Families Act 2014
- NHS Section 117 Funding arrangements
- Autism Act 2009
- The Equality Act 2010?

This framework will provide a range of competent care and support providers to help support people to live at home and within their local community in response to each individual's assessed needs via a Personal Budget.

Q3 – What outcomes do you want to achieve with the new/changed strategy, policy, project or service?

Outcomes for the Tender:

1. A good range of quality care and support provision to meet the needs of the local population.
2. Optimum quantity of providers.
3. A sustainable financial model for the commissioning of care and support.
4. No or a minimal need to commission care and support off the framework in the future.
5. Flexibility to respond to changes in need and within the market.
6. An opportunity to provide choice for the people we support.

Q4 – How will you put this into practice? Who is involved in this?

The framework will consist of a group of care and support providers who specialise in providing person centred care and support to this group of people in order to meet their assessed need for services.

This will be an outcomes based framework which will include service outcomes linked to The Big Plan 2018-21 Seven Big Aims, as well as individual outcomes for each person requiring support.

The service outcomes will most likely include: mixture of capital and lower case initials – which are they?

Outcome 1 – Rights, Respect, Privacy and Dignity

Outcome 2 – Maintaining my tenancy and my home

Outcome 3 – The right care and support when I need it

Outcome 4 – Having a Good Life

Outcome 5 – Improved Health and Wellbeing

Outcome 6 – Keeping safe

Outcome 7 – Competence and Reliability

Outcome 8 – Support for my family

Outcome 9 – Becoming an Adult

Q5 – Are there barriers to delivering the new/changed strategy, policy, project or service?

The aim is to have the new framework in place for 1 April 2019. This is when the new Bournemouth, Christchurch and Poole Council will take effect and this may pose some problems in terms of commissioning the framework during the autumn of 2018. Advice from Bournemouth Borough Council and Borough of Poole Legal Services has been sought.

Section 2: IMPACT

Q6 - What does the existing information and data tell us about the likely scale of impact on different groups?

General/all equality groups:

There are currently 97 people in Poole receiving care and support services through the current LD/autism framework and a further 117 people in Bournemouth receiving support through a number of spot contract arrangements (Bournemouth Borough Council currently does not have a LD/autism framework for care and support). It is anticipated that a number of people from Bournemouth currently receiving a Direct Payment may choose to have their care commissioned through the new framework when it becomes available, as there will be a greater choice of providers available than there has been previously.

In addition, it is estimated that a further 30-40 people will require support from the Christchurch region when Christchurch Borough Council (CBC), Bournemouth Borough Council (BBC) and Borough of Poole (BoP) become a new authority under Local Government Re-organisation.

The needs of this group of people vary considerably, from some requiring just a few hours of support a week, to those requiring 24/7 care and support, sometimes with more than one staff member on hand.

Data is currently being analysed for Bournemouth and Poole residents; data which includes Christchurch residents may not be available before the tender goes live and the EQIA is published.

Task and Finish groups have been established as part of the tender, with a communications strand dedicated to ensure conversations are undertaken with both the individuals and their families, in order to reduce any impact should their care provider change.

Protected Characteristic	IMPACTS
Age:	<p>The Equality Act 2010 only applies to those over 18 years. In the case of BBC and BoP services we should consider impacts on young people in addition to general working age adults and older people. Our services can impact the public from the cradle to the grave.</p> <p>This framework can be accessed from 16 years of age in recognition that it is important to support young adults in preparation for adulthood. Where an individual aged 16 years and over is likely to require adult services post 18 years, this framework can be accessed sooner to promote a smoother transition. This provides a positive response in respect to age. There is no upper ceiling within the framework and the expectation is that providers will have the skills to support older adults with LD/autism, including those with dementia.</p> <p>With regard to young carers, the new framework could also support this cohort of young people who are caring for an older sibling with LD/autism.</p>
Disability:	<p>Different disabilities affect people's lives in a variety of ways e.g. mobility issues, visual impairment and learning disability (LD). The Equality Act 2010 places duties on providers of services to make reasonable adjustments to the way a service is provided to enable fair access. This could mean people with a disability receive favourable treatment to make sure they can access the same services as the wider community.</p> <p>This framework is specifically for a defined group of people with LD/autism that require care and support.</p> <p>Learning Disability</p> <p>An estimated 1.2 million children, young people and adults in England have an LD (Allen 2007). There are approximately 700 adults with learning disabilities across Bournemouth and Poole receiving a service from the two Councils. This is likely to increase to around 900 adults when C B C data is included.</p>

	<p>In respect to adults with an LD, in the Government Paper, 'Valuing People – a new strategy for learning disability for the 21st century' (2001), the definition of an individual with an LD includes the presence of:</p> <ul style="list-style-type: none"> • a significant reduced ability to understand new and complex information to learn new skills (impaired intelligence); with • a reduced ability to cope independently (impaired social functioning); • which started before adulthood, with a lasting effect on development <p>Autism</p> <p>In respect to adults with autism, the National Autistic Society definition describes autism as a lifelong developmental disability that affects how an individual communicates with, and relates to, other people. It also affects how they make sense of the world around them. It is a spectrum condition, which means that, while all individuals with autism share certain areas of difficulty, their condition will affect them in different ways. Asperger's Syndrome is a form of autism and for the purposes of this specification the term autism will include this group.</p> <p>Approximately 1% of the adult population has an autistic spectrum condition and 60-70% of these also have a learning disability (Brugha et al 2012). Those with a learning disability will be managed locally through BBC, BoP and C B C Integrated Community Learning Disability Teams. However, a small number of people with higher functioning autism or Asperger's, in need of social care, will be managed through specialist staff within Primary Care. Many of these people do not require commissioned care, only professional support. However, for a small number of individuals, specialist care and support is required from an experienced provider who specialises in supporting people with autism.</p>
<p>Gender re-assignment:</p>	<p>There are no perceived barriers in relation to gender reassignment, although it must be recognised that for some people with an LD their ability to understand or communicate their wishes in this respect might be impaired. As part of the service specification contained within the new joint framework, all providers will be asked to sign up to the new authority's Personal Relationships and Sexuality for People with Learning Disabilities Guidance 2016, and confirm that all staff receive Equality Act Training.</p>
<p>Pregnancy and maternity:</p>	<p>Where identified as a need under The Care Act 2014, care and support may be commissioned to support a person with a learning disability in their parenting role. This is also covered in the above Personal Relationships and Sexuality for</p>

	People with Learning Disabilities Guidance 2016.
Race:	<p>There are no specific barriers to people accessing this framework on the basis of race; however, it must be recognised that more generally some ethnic minority groups are less likely to access support from statutory services than others. The number of people with a learning disability in receipt of services is in proportion to the wider population demographic for the local area (LD JSNA 2012). What is this?</p>
Sex/Gender:	<p>Women are often the main carers; this can impact on a number of issues within their own lives through association with the person they care for e.g. parent, child, and elderly person, someone with a disability and/or someone with mental or long term illness.</p> <p>The service specification within the joint framework will make reference to how all providers must act in accordance with the Equality Act 2010 and work with each individual in a person centred manner regardless of their sex. Approximately 56% of people with LD known to BBC and BoP Integrated Community Learning Disability Teams are male compared to 44% who are female. This reflects the national average which sees a slightly higher ratio of males to females.</p> <p>The gender split for people with only autism receiving a service is too small a population sample to make any specific service considerations, other than ensuring each person is supported based on their assessed needs regardless of their gender.</p>
Religion or belief:	<p>The service specification within the joint framework will make reference to how all providers must act in accordance with the Equality Act 2010 and work with each individual in a person centred manner regardless of their religion or beliefs.</p>
Sexual orientation:	<p>As part of the service specification within the joint framework all providers will be asked to sign up to following the authority's Personal Relationships and Sexuality for People with Learning Disabilities Guidance 2016, and confirm that all staff receive Equality Act training.</p>

Socially excluded groups:	Given that many people with a learning disability have never worked and rely on benefits, they are disproportionately disadvantaged compared to the wider population in terms of income, health outcomes and risk of social isolation. The joint framework aims to support people to maximise their potential and receive support that is person centred. This joint framework will have a positive impact on supporting people to be less isolated, have better health outcomes and maximise their income.
Staff and HR considerations:	This tender will not impact upon internal staff within either council.

Section 3: Action planning

[Approved by:

Date:

Contact number:

Review date:

]

Issue	Objective/ Intended outcome	SMART action	Performance Target	Lead	Deadline
General equality issues					
Age					
Disability					
Gender reassignment					
Pregnancy and maternity					

Reviewed 9th May 2019. Carry forward/Review 1st September 2019.

Race					
Religion or belief					
Sex/Gender					
Sexual orientation					
Socially excluded groups					

Reviewed 9th May 2019. Carry forward/Review 1st September 2019.

Where to find help?

External

Local organisations, like [Age UK](#), [Access Dorset](#), [Dorset Blind Association](#), [Dorset Race Equality Council](#), [Faith Links](#) and [Poole Forum](#), [Help and Care](#), [LGBT Dorset Network](#), [Over the Rainbow](#), [SPACE LGBT Youth Project](#), [Chrysalis](#)

[Commission for Equality and Human Rights](#) have access to information on the Equality legislation, guidance around our equality duties and findings of court cases against Authorities.

Other national campaigning organisations, e.g. [Equality and Diversity Forum](#), [Stonewall](#), [Press for Change](#), [Fawcett Society](#), [Age UK](#), [YMCA](#), [The Equality Trust](#), [CESI](#), [Joseph Rowntree Foundation](#), and [Runnymede Trust](#)

[Government guidance and news](#); or various departments or professional standards organisations e.g. [CABE](#), [CIPD](#), [ACAS](#) or Unions e.g. [Unison](#), [GMB](#), [NUT](#) etc.

National statistics: [Census data](#); [Office for National Statistics](#); [Ethnicity Facts and Figures website](#)

[Local statistics](#), Shaping Poole Survey 2017

[National](#) or [local](#) press coverage

Internal

Google other Council's EQIAs (also called EINAs and EIAs) or look at [Poole](#) and [Bournemouth](#)

[Corporate Equality & Diversity](#) advice contact the [Community and Equality Officer](#)

[Corporate Research Team](#) [webpages](#) or ask for help. Poole Equality Digests are a good starting point: [Here](#)

[Consultation](#) advice contact our [Consultation Manager](#)

[Human Resources](#) can provide service units with workforce data and advice on likely HR equality impact. [Staff wellbeing surveys](#). [Corporate training](#) covers a wide range of equality topics, including an EQIA e-learning package.