

Equality Impact Assessment

Introduction

The Council's Single Equality Scheme states that:

“We will achieve equality of opportunity by removing direct and indirect discrimination wherever it exists. It is recognised that people may be disadvantaged because of their: age; gender; race, colour, ethnic, national, cultural or social origin; disability; religious belief, or non belief; marital status, family circumstances, or caring responsibilities; sexual orientation; class, level of income, or housing circumstances; membership or non membership of trade unions, or involvement or non involvement in trade union activity.”

The Single Equality Scheme brings together action plans for Race, Gender and Disability equality, meeting the Council's statutory duties in these areas. The scheme also goes beyond these three streams and begins to consider how the Council develops its approach to equalities and diversity for all residents of Stockton in response to the recent Equalities Review report, Discrimination Law Review and the report of the Commission on Integration and Cohesion. The Council is also committed to responding to all diversity related legislation and the single equality scheme is the best mechanism for achieving this. Equality Impact Assessments play an integral role in ensuring that all the council policies are operating to support these aims to offer the highest level of service for all our residents

What is an Equality Impact Assessment?

An Equality Impact Assessment (EIA) is a tool to enable individuals and services to think carefully about and measure the impact that procedures, policies and strategies will have on all its service users. EIAs can be used to assess whether the policies that guide your work, the procedures you operate and the day-to-day working practices you have developed are likely to have a positive or negative impact across the diverse communities we serve in the Borough. This will enable us to plan out or minimise any negative consequences across the diversity strands:

- Age
- Disability
- Faith
- Gender
- Race
- Sexual Orientation
- Community Cohesion

We can then take action to prevent and eliminate unlawful direct and indirect discrimination, promote equality of opportunity and contribute positively to community cohesion objectives. Providing services that do not discriminate also leads to better quality services and increased satisfaction.

Why Undertake Impact Assessments?

Improving the services we offer

The purpose of Equality Impact Assessment is to improve the work of the Authority by ensuring it does not discriminate in the way it provides services and employment and that we promote equality and positive community relations across the six diversity strands. To understand why EIAs are necessary requires agreement that equality is not about treating everyone the same. It may mean accommodating individual requirements and taking the needs of different communities and groups into account when delivering services. The outcomes of a service must be the same for all service users, however the way they receive that service may very well differ.

Being systematic about how we measure impact

This guide will provide you with a means of systematically assessing and recording the actual, potential or likely impact of a service or project on particular groups and identifying associated actions to improve services. EIAs are a good method of analysing what we are doing using the service user and their needs as our focus as well as considering potential impact of any new strategies.

The benefits of impact assessments include:

- Identifying whether we are excluding different groups from any of our services
- Identifying if direct or indirect discrimination exists
- Allowing us to consider alternative policies or strategies to address adverse impact
- Enabling us to embed equality issues into all our policy areas and everyday practice
- Targeting resources more effectively
- Developing a better understanding of the needs and aspirations of the diverse communities that we serve
- Developing good practice that promotes equality across all the diversity strands
- Raising public satisfaction with services and the Council
- Allowing us to understand whether the way we provide services is helping communities to come together.

It is a Statutory Requirement

There are specific statutory duties for race, disability and gender through the Race Relations (Amendment) Act 2000, the Disability Discrimination (Amendment) Act 2005 and the Equality Act 2006 to ensure that our policies and practices do not discriminate against any group within our community and that we promote equality of opportunity and good community relations. This impact assessment however will extend beyond this to cover age, faith and belief and sexual orientation as well as disability, race and gender. This will ensure that we are working with other statutory equality drivers including the Sex Discrimination Act, the European Directives on age, faith and sexual orientation and the Equality Standard for Local Government.

Links to other Council Initiatives

The work we do on Equality Impact Assessments will link to a number of other local and national priorities including:

Comprehensive Performance Assessment

If our services are to be of the highest quality, which is the aim of CPA, they need to be provided in a way that ensures they meet the diverse needs of all our service users.

Service and Business Unit Planning

Actions identified within Equality Impact Assessments will feed into a range of Council plans at all levels, including corporate, service and, business unit planning.

Community Cohesion

The outcomes of Equality Impact assessments will feed into the Community Cohesion Strategy and our work with key partners on the Local Strategic Partnership

Resident Satisfaction

Ensuring our services are delivered in a non-discriminatory way and meet the needs of all residents will be reflected in increased resident satisfaction results.

The Completed Equality Impact Assessment

Equality Impact Assessments need to be part of the early stages of policy development so that they can be incorporated into any decisions. Whilst they can and will be used retrospectively for policies already approved and functions currently operating, they should never be considered a “bolt-on” to be used to complete the policy development process. Incorporating Equality Impact Assessments into the planning and delivery of services will enable us to integrate and embed equality principles into all areas and aspects of the council’s service delivery. The completed Equality Impact Assessments should be returned to the Diversity Team diversity@stockton.gov.uk who will publish them on the Diversity section of the council’s website. This meets our statutory duty to publish equality impact assessments. New policies will not be given Cabinet or Council approval without a completed Equality Impact Assessment.

The 3 Stage Process- Guidance Notes

Once you have identified the aims and objectives of your policy, the 3 Stage Process gives you a robust mechanism to systematically assess it for the impact across the six strands of diversity.

Stage 1 - Collecting information and data to support the assessment

An effective EIA relies on the effective analysis of both qualitative and quantitative data whether externally or internally developed as this gives us a clear description of the effectiveness of our service provision. Whilst it is tempting to undertake consultation exercises to support your EIA, you are likely to have already undertaken much data collection work throughout the early stages of the policy development, or through an existing policy's ongoing delivery and monitoring. Any decision to collect new data or introduce new monitoring needs to be in proportion to the importance of the policy or service, and mindful of the additional systems or investment that will be required to provide this.

In order to complete the impact assessment you will need to:

- Consider what information or data you have available either within your service or elsewhere in the Council and whether any further data will be needed.
- Use both quantitative (e.g. census, BVPI, Resident Satisfaction, national statistics, research, economic and workforce profile) and qualitative data (customer feedback information, complaints about the service, policy or function)
- There are comprehensive equality profiles available on the equality and diversity pages on the Stockton Borough Council website to support the EIA process www.stockton.gov.uk/yourcouncil/33299/
- Consider information about the take-up and investigate who is not able to access the service or benefit from the policy

Use this data to identify the significant findings or trends, relating to the policy area and any impact across the 6 strands. It will be your judgement to identify what constitutes a significant impact but you must be mindful to consider all data which reflects difference between different groups. The person undertaking the EIA should clearly identify and document gaps and inadequacies in data, explain how these will be addressed and how future impact will be monitored.

Stage 2 - Scoring the Policy / Function

Once all the information available has been gathered and considered, you can move onto scoring the policy for impact. A simple scoring system and chart is included on the proforma. Again the judgement on whether the policy is having / is likely to have a positive or negative effect under each of the headings is your own, but to help inform the judgement you should bear the following key considerations in mind when coming to your conclusions:

- Will / does the policy / function involve, or have consequences for, the people the council serves or employs?
- Are there any customer groups which might be expected to benefit from the policy / function but do not?
- Is there any reason that people's access to a service may be affected differently by the proposed policy due to age, disability, faith and belief, gender, race or sexual orientation?
- Is there any evidence that any part of the policy / function could discriminate unlawfully either directly or indirectly across the diversity strands?
- Are there any groups which are not satisfied with the policy / function or are more likely to make complaints?
- Is there a need to gather further information in order to assess this policy / function?
- Are there any barriers to the policy / function being received equally by all residents?
- Will the policy / function create the opportunity for integration?

The headings that you are being asked to score the policy against are taken from the range of equality duties that the council is required to operate within in order to demonstrate that our services offer true equality of access. This is recommended practice from the Commission for Racial Equality.

If you don't have enough data to make a judgement about the impact of the policy this needs to be recorded as 2ND to indicate that the anticipated neutral impact is not based on the data analysis. Where this occurs one of the actions recorded in the action plan will be to show how the lack of data will be addressed prior to the next review.

Some examples of positive and negative impacts are given below; use them to inform your deliberations. Remember something designed to offer extra support to one group of people may also have a positive or negative impact on others and you must be mindful of this. The examples highlight the need to gather and interpret high quality data and to fully understand your customer profile:

Example 1

The council has proposed a policy of only using meeting rooms that are fully accessible for disabled people. The data analysis identifies that there are no accessible meeting rooms which can be used located in the area of the town where the majority of BME residents live, therefore there will be a positive impact for disabled people in that all meetings will now be fully accessible

But

It may have a negative impact on the number of BME residents attending meetings as they will have further to travel to meeting venues.

Example 2

The Youth Service is proposing to increase its youth club provision by purchasing another double-decker Youth Bus. This will increase the number of youth club sessions substantially. The policy will therefore have a positive impact for young people by increasing youth provision across the borough

But

It may have a negative impact because data analysis has identified that access to the Youth Buses is limited for disabled young people who are already underrepresented as service users.

Example 3

Following consultation with their large print borrowers, the Library Service is proposing to produce a range of new information leaflets in large print. The policy will have a positive impact for disabled users as supported by the consultation findings

And

It will also benefit other groups, especially older people.

Where you make a judgement what you are impact assessing will have a positive impact (3), then you will be asked to evidence this and indicate the areas of the policy / function that are demonstrating this positive impact.

Once you have completed the scoring exercise, you will arrive at a total score for the policy / function under review. This score will assist the Diversity Team in determining whether any further work is required.

You may find that for some of the diversity strands there is no evidence to identify either a clear positive or negative impact for the policy function. In this case the score will be 2 (neutral impact) but this will indicate that future data collection needs to investigate this area and that subsequent review of the policy may be required.

Based on the score and the responses in other areas, the Diversity Team will consider whether the policy / function is likely to have a negative impact on one or more groups within the diversity strands and will advise on steps to mitigate this adverse impact before the policy can be implemented, or change it as soon as possible if already in place. This will be either by:

- **Changing the policy / function or amending the way it is delivered** to address stakeholder concerns or issues highlighted by the data or
- **Substantiating the aims of the policy / function as originally proposed** even when it could affect some people or groups adversely, for example because of the policy's importance to meet the specific needs of particular groups and there is no other way of achieving the aims of the policy. This should only be used when the negative impact of not pursuing the policy would be greater than its amendment or withdrawal. As such it should only be used on rare occasions.

Stage 3 Publication and Monitoring

Once you have completed the EIA form, you will need to complete the summary sheet which gives space to indicate EIA score for the policy / function under review and also detail any remedial action required. You will then need to return the whole form to the Diversity Team diversity@stockton.gov.uk who will consider the assessment and make any suggestions or comments where appropriate. Once the assessment is agreed the summary form will be published on the internet under the Equality and Diversity section of the Council's homepage.

Following completion of the EIA process and even if the function / policy under review scores highly you will need to be conscious of the ongoing monitoring process which includes:

- submitting the Equality Impact Assessment Proforma to the Diversity Team for quality assurance checking and publication
- reviewing the equality impact of the policy / function at least on an annual basis and recording any changes
- reviewing the equality impact of the policy / function if it is amended
- including any remedial actions into Service Improvement Plans where required

It is vital to monitor policies / functions continuously to ensure that they are not having any adverse impact on people across the different diversity strands and to be aware that even if the policy / function doesn't change that the needs of communities which it is designed to serve may well do so.

Equality Impact Assessment

Section One: About the Strategy / Policy / Function - *instructions appear in the status bar at bottom of screen*

Service Group	Service	Section	Lead Officer For EIA
CESC	Adult Social Care	Adult Strategy	Liz Hanley
Support Officer(S) Rob Papworth & Lynn Sparrey		EIA Completion Date 23 August 2011	
1) Name of policy / function	Status of Southern Cross Healthcare Group plc and capacity risks to Care Home provision within Stockton on Tees.		
2) Is this new or existing?	<p>New. On 14 March 2011, Southern Cross Healthcare issued a statement about their financial position. They reported that over recent months, all care providers had experienced a difficult trading environment. Southern Cross Healthcare has been particularly affected because of the type of lease arrangements that underpin their business model. They felt that rent obligations had become unsustainable and planned to seek concessions from their landlords. They believed it was in the interests of landlords to reach an equitable solution with Southern Cross to help stabilise the business and create the conditions for new investment in their homes. Share prices have dropped significantly over the past 12 months.</p>		
3) What is the overall aim(s) of the policy / function?	To assess the current fragile situation with Southern Cross Healthcare Group plc as a trading company and to provide assurance to Stockton on Tees Borough Council of the actions being taken to mitigate against the risks this situation may provide.		
4) What are the objectives of the policy / function?	Nationally there has been considerable anxiety about the effect of a possible financial collapse on the health and social care sector with local Authority colleagues attending regional ADASS (Association of Directors of Adult Social Services) events and teleconferences in order to support a coordinated NE response, which all Councils across the region have been actively engaging in. This has included consideration of local capacity and immediate pressures and each Local		

	<p>Authority has provided an update to ADASS in respect of:</p> <ol style="list-style-type: none"> 1) The quality of local provision 2) Alternative capacity available locally 3) Level of engagement with PCTs locally. 4) Contingency plans <p>The function of the plans and actions around Southern Cross Healthcare are to ensure:</p> <p>Minimum disruption for current residents in the short term and continued minimum standards of care; and</p> <p>Provision of sufficient care home services, including general and dementia nursing, to meet anticipated future demand.</p>
<p>5) Who implements this policy / function within Stockton-on-Tees and how?</p>	<p>Adult Strategy Team lead on the implementation of the function, with support from CESC finance, legal and procurement colleagues.</p>
<p>6) Are there any partner agencies involved in the delivery of this policy / function? If so, whom?</p>	<p>NHS Stockton are involved in discussions in relation to care homes with registration for nursing.</p>
<p>7) Are other services affected by this policy / function? If yes which are they?</p>	<p>There is a potential impact from changes to this policy / function to:</p> <p>Safeguarding of vulnerable adults: Deterioration of care home care and support by Southern Cross Healthcare homes;</p> <p>Adult Operational Services: Assessment and review could be impacted if residents choose to seek alternative provision or if homes close; and</p> <p>NHS Stockton if care providers choose to stop delivering nursing provision.</p>

Data Review and Analysis

The data analysis should be used to identify who are the actual and potential customers for this policy. And any significant findings across the diversity strands i.e. any data that shows a difference or tells a story about the strand

NATIONALLY COLLECTED DATA e.g. Census 2001, Labour Force Survey etc.

Please list significant findings for age, disability, faith/belief, gender, race, sexual orientation and community cohesion.

The Southern Cross Healthcare Group plc is the largest independent provider of care home services for people in the UK, operating in excess of 752 services. It has a total of 587 adult social care services locations registered with the Care Quality Commission in England. These services operate through 56 subsidiary companies, and are spread across all nine of CQC's regions. There are 8 registered homes across Stockton and other homes in neighbouring authorities (although Stockton has by far the largest number in Tees Valley).

The national picture shows that since 2003 the number of supported residents has steadily declined with a fall of 53,300 residents (19%) between 2003 and 2010, and a fall of 2 per cent (4,300) between 2009 and 2010. The number of supported residents in the independent care home sector has decreased slightly (by less than 1 per cent), from 149,400 in 2009 to 148,800 in 2010. The number of people in independent nursing provision fell by 3 per cent to 58,800 between 2009 and 2010.

In 2010, 42 per cent of supported residents in care homes were 85 and over. The age distribution of supported residents has remained similar since 2008.

In terms of the number of new residents being supported in care homes, there was a total of 64,600 permanent admissions in 2009-10, which is a fall of 4 per cent from 67,200 in 2008-09. There has been a decrease of 7 per cent in permanent admissions (excluding Adult Placements) since 2006-07 from 69,600 to 64,600.

LOCALLY COLLECTED DATA e.g. IPSOS MORI Household Survey, BVPIs, Viewpoint

Please list significant findings for age, disability, faith/belief, gender, race sexual orientation and community cohesion

Stockton has 8 southern Cross Healthcare homes, which represent approx 28% of the current Care Home capacity in Stockton. See appendix 1.

Southern Cross Healthcare has advised that the 8 Stockton care homes are not at risk of closure. However, Southern Cross Healthcare has also advised that all care homes nationally will continue as usual until October 2011, and further information will be issued later in the year.

SERVICE AREA COLLECTED DATA e.g. Comments and Complaints, User Surveys, Evaluation Forms.

Please list significant findings for age, disability, faith/belief, gender, race sexual orientation and community cohesion

ASC user experience survey 2010/11.



Stage 2 Scoring the Policy

Now that you have all the information available you can move onto scoring the policy for impact:

	Does it reduce discrimination?		Does it or is it likely to promote equality of opportunity?		Does it promote good relations between these groups?		Does it encourage participation in public life and access to council services?		Does it promote positive attitudes and images to different groups?		Total Score for strand
Age	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Disability	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Faith/Belief	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Gender	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Race	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Sexual Orientation	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Community Cohesion	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	2	<input type="checkbox"/>	10
Total Score											60

Scoring System:

- Score 3 if the policy has a positive effect
- Score 2 if the policy has a neutral effect
- Score 1 if the policy has a negative effect
- If a score has been awarded due to lack of data rather than anticipated effect please indicate by using **the check box**

Evidencing the Score - Positive impact scores (3) should be evidenced in the table below. This is not a repeat of the data in the review and analysis section but a demonstration of how the policy or strategy is having a positive impact. For example, if there is a specific section in a document that sets out what you are trying to achieve, please reference here.

Score being evidenced	Reference / Source / Justification for the score

Equality Impact Assessment Summary

Name of policy / function	Status of Southern Cross Healthcare Group plc and capacity risks to Care Home provision within Stockton on Tees.	
Service Group	Service	Lead Officer For EIA
CESC	Adult social Care	Liz Hanley
Support Officer(S)	Rob Papworth & Lynn sparrey	EIA Completion Date 23 August 2011

Action Plan:

This action plan highlights that will address the issues highlighted in the Equalities Impact Assessment. Longer term issues will be developed into actions within the relevant Service Improvement Plan. They will also be included in the Disability, Gender and Race Action plans that form part of the Council's Single Equality Scheme

Objective - To ensure and objectives.	Policy / Function is being delivered so all residents have equal opportunities to benefit from its aims	
Key Actions	Who is responsible?	Timescale

Stage 3 Publication and Monitoring Date of Publication Date Set for Review	Published Score
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