



Appendix 'B'

# Equality Analysis

**401 – Reshaping and Recommissioning  
Home Care for Older People and Physical  
Disability in Lancashire**

November 2013

## **Name/Nature of the Decision**

Commissioning and Procurement Arrangements for the Home Care Market for Older Adults and people with a Physical Disability in Lancashire

## **What in summary is the proposal being considered?**

A review of the home care market for older people in Lancashire was undertaken during 2012/13. It was overseen by a Steering Group chaired by the then ACS Director of Commissioning, and included staff from Adult and Community Services, OCL's Lancashire Procurement Centre of Excellence, and Finance alongside a number of provider representatives drawn from the Lancashire Care Association (LCA) and Lancashire Home Care Providers Forum (LDCPF).

The review document contained baseline data, analysis and a description of how the Home care market works in Lancashire. It considers areas such as quality, finance, commissioning / procurement arrangements, geographical variations, workforce development and provider perspective.

The findings from the review formed the basis for a fuller option appraisal and a further report containing robust and detailed recommendations for ensuring the effective commissioning and procurement of good quality and affordable home care in Lancashire over the next five years from April 2014.

In particular this work will need to determine the procurement arrangements which should be established from April 2014 to replace the current Preferred Provider scheme for Home care for older people and people with a physical disability which ends in March 2014.

Three broad options were considered for the future management of the Council's directly commissioned older people and people with physical disabilities business with home care providers. The option selected was:

Option c)

The findings and the consensus within the Steering Group suggests that a new Home care preferred provider scheme should be devised which aims for Lancashire to have a sustainable and high quality Home care market for those seeking a service contracted on their behalf by the County Council. The size and structure of this scheme would need determining in detail, but in general it would involve far fewer providers, with whom the Council could foster a closer strategic relationship with an emphasis on trust, collaboration and continuous improvement in the delivery of good quality and safe services, ensuring the delivery of outcomes rather than output, and driving efficiencies via economies of scale. However the phrase 'preferred provider scheme' was considered an outmoded label and it may be more useful to refer to a 'Framework Scheme' onto which providers who meet well defined and high quality

standards can be placed. The notion of a 'Framework' scheme has a number of elements that service users, commissioners and government would expect to see in an effective care model. It can support a mature and sensible relationship between the local authority as a bulk buyer and the provider sector that can facilitate local strategic planning for quality and capacity. A core issue is workforce development and capacity which would benefit from the strategic and coherent joint approach that would be easier under this model.

A project board was established to oversee the work of the project team and ensure it has necessary resources to deliver its work; to determine scope and depth of analysis, communication and consultation regarding the project and to endorse final recommendations for new arrangements before they go to SMT / Cabinet.

A range of communication/consultation was undertaken with both Providers, current Service Users and citizens.

Options were considered and the following recommendations were made:

#### Zoning

The project board propose that the new contracting arrangements are made on a geographic basis across seven zoned areas in Lancashire.

#### Allocation of Work

Initially people will be offered the option of a direct payment to choose any home care provider operating in Lancashire.

Where work is allocated by Lancashire County Council's Care Navigation function, the project board propose that work is allocated firstly by individual choice between providers with contracts in that particular zone and secondly on a rotational basis.

#### Pricing

The project board propose that initially a breakdown of costs is submitted by providers for each zone that they would like to work in. Lancashire County Council will then scrutinise the range of costs submitted and establish an hourly rate for each zone prior to contracts being awarded.

#### Quality

The project board propose a range of key performance indicators is set for home care, providers will have their performance monitored/measured against these to ensure quality of service delivery.

Additional information:

The Resource Allocation System (RAS) falls out of scope of this project.

The Project Board are considering the use of block contracts to mitigate the potential financial risks for Providers of introducing set hours for staff within employment contracts.

The Project Board propose that subcontracting is not permitted but consortia bids will

be provided the consortia is a single legal entity at the time of tender submission.

A new project group will be established with appropriate representation to manage the transition from current to new arrangements

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

This review and re-commissioning process will apply to all service users in the Older People and Physical Disability groups who receive Home care funded by Lancashire County Council – self funders and those with direct payments will not be affected.

Approximately 6000 people fall into this category along with approximately 4500 staff, the number of these directly affected will depend on which providers are successful in tendering for the new scheme and in which zone they are awarded a contract. The current 12 largest providers account for a high percentage of the market and should they be successful there will be fewer service users needing to be moved to new providers and fewer staff needing to 'follow the work' by moving to a new employer.

Each geographic zone may have a different hourly rate, however all providers contracted to work within a zone will be paid the same hourly rate and be expected to meet the same quality standards in delivery of care and support.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

There is a risk that smaller BME focussed providers may choose not to submit a bid due to the volume of work required in each zone and their small size and local basis – if this is the case there may be a disproportionate effect on BME service users in certain areas. This side effect of awarded contracts has occurred in other areas across the country, in some cases this has been mitigated by providers creating dedicated BME teams to serve areas of need. This model has been adopted by providers in Salford and makes good business sense so we would hope to see something similar adopted in areas of the County where there are large BME populations.

The home care market employs approximately 4500 staff across the county 80% of which are female, subsequently any negative effects on the workforce will disproportionately affect women.

The labour market is currently very fluid and staff move between employers quite frequently and we would expect this to continue (albeit on a larger scale) once the new contracts are awarded. We do not foresee any large scale loss of jobs as the amount of work will remain constant but will potentially be delivered by different organisations.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

See below.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The demographic split of home care service users is as follows (snapshot data taken on 21/11/2013):

Group	Total	%	County
<b>Gender</b>			
Male	2800	37.16%	49%
Female	4735	62.84%	51%
<b>Ethnicity</b>			
White	7240	96.08%	92.26%
Asian or Asian British	218	2.89%	6.07%
Black or black British	22	0.29%	0.35%
Mixed race	20	0.27%	1.09%
Unknown / not recorded	35	0.46%	
<b>Total</b>	<b>7535</b>	<b>100%</b>	<b>100%</b>

These figures do mask regional variation most notably in the East of the county. In

both Burnley and Pendle the Asian or Asian British component of home care service users is approximately 11%; this is in line with the demographics of the area as the population of East Lancashire is approximately 10.3% Asian or Asian British.

Around 85% of service users are over the age of 65

Around 13% of service users have a disability or sensory impairment

Each service users individual needs are assessed by professionals and appropriate packages of care are put in place to meet these needs, taking all of the protected characteristics into account. This situation will not change as a result of the proposed changes to the homecare providers scheme.

*Note – The above statistics contain service users that have mental health issues and learning difficulties which are not part of this project. The statistics will be amended to only show physical disabilities and older people in a later version.*

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Providers**

Two sets of events have been held for providers in June and October 2013. The June events were attended by 104 providers and the October events were attended by 84. All providers on the current scheme were sent detailed proposals about options being considered and given the opportunity to feedback and ask questions. Providers were also sent feedback questionnaires after both events giving them time to review the information and provide an informed opinion.

### **Service Users**

Letters and questionnaires were sent to all older people and people with a physical disability currently receiving home care services through Lancashire County Council.

### **Employees**

A briefing note was sent to all providers to be cascaded to care workers about the changes to existing arrangements for home care

### **Citizens**

Focus groups were held with citizens representatives to discuss quality proposals.

## Personal Social Care

Information is being sent to all social work staff about the changes to current arrangements through a staff briefing.

### Members

Members have been informed of the proposed changes and of the communications with home care providers, their staff, service users and our staff.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Given the nature of the service in question (home care) there is very little scope for



addressing areas such as fostering good relations between people who share a protected characteristic or involvement in public life, there are however some risks to service users' wellbeing that must be acknowledged and managed;

As noted above there is the potential for a negative impact on some BME groups which are served by small community based providers currently on the Preferred Provider list who may decide not to bid.

There are two mitigating factors, firstly all service users will have the option of moving onto direct payments and remaining with their current provider (we expect to see a significant increase in direct payments and are working with the direct payments team to plan for this), secondly the newly contracted providers may be in a position to employ sufficient numbers of BME staff to meet the needs of all service users. This has been a business model pursued by organisations in other areas such as Salford.

There is a risk of a negative impact on service users in rural areas if the zoning process is not completed accurately and the allocated zones are not commercially appealing or viable, this could potentially lead to less choice for service users in isolated areas.

By combining low value rural areas with high value, high density urban areas within zones this risk should be mitigated.

The transition process may be stressful for some service users, especially those who are particularly frail or vulnerable and for whom stress may be highly detrimental to health. We will need to communicate with service users as to our intentions and the process of transfer between providers, these communications need to be clearly worded and as reassuring as possible.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

We are not aware of any other factors that would create a cumulative negative effect

on service users.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it – briefly explain

The original proposal for a framework contract has been reviewed and consideration is being given to block contract arrangements to enable providers to commit to employment contracts offering staff guaranteed hours per week.

On reflection, to ensure a more seamless transition process, Lancashire County Council will facilitate as far as possible the TUPE transfer of existing care workers to providers with contracts under the new arrangements.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

See question 5

We are considering the inclusion of a specific question as part of the selection process as to how providers will ensure they deliver culturally appropriate support that reflects the needs of the population within each zone.

To mitigate the danger of workforce loss within the sector because of potential turbulence within the market, Lancashire County Council will require providers evidence improved employee conditions to promote stability of the workforce.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those

sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Legally, the Council has to complete a re-tender of existing arrangements.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains unchanged and risks to affected groups have been mitigated as far as possible.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

A comprehensive set of performance indicators has been established to understand the impact of both the transition from current arrangements to new and the ongoing quality of the service.

Equality Analysis Prepared By E Ince

Position/Role Locality

Equality Analysis Endorsed by Line Manager and/or Chief Officer T Pounder

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

## 403 - Recommissioning Telecare in Lancashire

November 2013

## **Name/Nature of the Decision**

Recommissioning Telecare in Lancashire.

Cabinet will be asked:

- i. To endorse the fuller development of a new operating model for Telecare and associated procurement
- ii. To endorse the further development of a policy framework for service eligibility, pricing, charging and use of personal budgets which will be subject of future Cabinet report.

## **What in summary is the proposal being considered?**

An important element of the County Council's financial strategy is to commission a range of services which are intended to prevent, delay or reduce the need for more intensive or costly adult social care services.

As one strand of this strategy, work began in 2010/11 to re-commission Lancashire's Telecare service.

In line with Adult and Community Services' Commissioning Intentions, approved by Cabinet in September 2012, the intentions are to fund the countywide redesign and growth of Telecare services. The level of savings achieved will depend upon the actual number of people receiving Telecare and the impact on ongoing reductions in domiciliary care packages and length of delays in residential care admissions.

However, it is important to note whilst there is a growing body of case studies to support investment in this area, the totality of research evidence remains inconclusive regarding Telecare's strategic and operational success in helping people to retain their independence and achieve cost savings. It is therefore proposed that Lancashire's expansion of Telecare is tightly managed and controlled, having regard to ongoing national and local evaluations of effectiveness and impact.

Finally the report will seek approval of a programme of further policy and service redesign to underpin the effective implementation of the re-commissioned Telecare service. These will include proposals on eligibility, charging, service pricing and the role of personal budgets.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in

a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The telecare proposal is expected to affect people equally across Lancashire. The new service will continue to be provided across the county, albeit on a larger scale, and the same telecare offer will be available regardless of a person's home environment and location.

The delivery of the core components of the telecare service (i.e. assessment, installation, call monitoring, home response) will take place in the service user's home.

Some variations in practice have inadvertently emerged over time due to inconsistencies in operational practice and with having four separate providers working across different areas. It is expected that the implementation of a robust operational procedures, will promote consistency and equity of provision across the county.

This can, to some extent, be demonstrated by the irregular pattern of current telecare service users in some districts e.g. Pendle and Wyre: (snapshot April 2013)

District	Current telecare users	Aged 65+ with limiting long term illness as a % of county total	Difference
Pendle	14%	7%	7%
Burnley	10%	7%	3%
Preston	11%	9%	2%
Lancaster	13%	12%	1%
Hyndburn	7%	6%	1%
South Ribble	9%	9%	0%
Ribble Valley	5%	5%	0%
Rossendale	5%	5%	0%
Chorley	8%	9%	-1%
West Lancs	7%	10%	-3%
Fylde	5%	8%	-3%
Wyre	6%	13%	-7%

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity

- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The telecare proposal is expected to have a positive impact on equality of access for individuals. It is expected the redesign of the service will enable many more eligible adult service users to receive telecare as part of their support network, and the same telecare offer will be made to all those assessed as being entitled to receive it irrespective of their protected characteristics.

In the spirit of 'personalisation', service users will ultimately make the decision about whether to accept it or not as a way of helping to meet their support needs and, where they choose to, it will be tailored to their individual requirements and wishes e.g. additional technology solutions for the sensory impaired and the availability of translation services.

It is expected that, as a minimum, those assessed as having 'substantial' or 'critical' needs, under Fair Access to Care Services (FACS), will be entitled to receive telecare as an integral part of to their support plan. Where a service user's FACS banding is pending because they are receiving the council's reablement service, telecare may be provided alongside reablement where it is considered appropriate under predetermined criteria.

In terms of charging, at this stage it is presumed the council's fairer charging policy for non-residential care services will continue to apply to those assessed as being eligible under FACS and, as a minimum, nobody in that group will be asked to pay more than the current telecare charges. Additionally, if a decision is made to provide telecare to certain people receiving reablement, no charges could be applied during that period.

However, it must be acknowledged that the policy framework for telecare – including eligibility, pricing, charging and the use of personal budgets – is still to be developed and finalised. Therefore, a further equality impact assessment may be subsequently

required to analyse the potential consequences of the specific policy options.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

See below.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.



An analysis of available data in April 2013 in relation to existing telecare service users has been considered and is shown in the following tables:

*Table A: Gender*

Description	%
Female	69
Male	31

*Table B: Age Profile*

Age range	%
Under 25	0.4
25 – 34	2.8
35 – 44	3.7
45 – 54	9.9
55 – 64	9.1
65 – 74	13.2
75 – 84	27.2
85 – 94	31.1
Over 95	2.5

*Table C: Primary Category*

Description	%
Advice Only	0.1
Alcohol Misuse	0.2
Blind/Partially Sighted	2.8
Carer	2.8
Child/Family Issues	0.2

Chronically Sick	0.9
Deaf/Hard of Hearing	1.1
Dual Sensory Loss	0.1
Frailty	31.5
Learning Disabilities	3.9
Mental Health – Functional	2.2
Mental Health – Organic	4.7
Mental Health Problems	0.4
Other	1.0
Physical Disabilities	44.2
Substance Abuse	0.1
Temporary Incapacity/Acute Medical	3.5
Unknown	0.3

*Table D: Ethnicity*

Description	%
Asian or Asian British	1.9
Black or Black British	0.6
Chinese or Other Ethnic	0.3
White	97.2

*Table E: Religion*

Description	%
Christian	6.6
Church of England	32.4
Hindu	0.3

Jehovah's Witness	0.4
Jewish	0.3
Mormon	0.2
Muslim	1.8
Non-Conformist	2.0
None	4.6
Other	2.9
Roman Catholic	15.0
Sikh	0.1
Undisclosed	33.4

It is reasonable to expect a degree of under representation of some of these groups, both now and in the future, due to telecare not always being suitable, or indeed chosen by the service user, as an appropriate way of meeting their support needs.

However, the telecare service will be designed in a way that enables inclusivity and is support option to eligible service users regardless of their backgrounds. In time, it is expected that the protected characteristics of the cohort of telecare service users will more closely align with those receiving long term social care services.

It is intended that a higher proportion of telecare service users will have a primary category of learning disabilities or mental health organic (e.g. dementia), as telecare may be of particular benefit to many in those categories.

Telecare management information and reporting will be significantly improved, which may include the monitoring of take-up in relation to the relevant protected characteristics.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No formal consultation has taken place in relation to the telecare proposal. The existing telecare providers i.e. Progress Housing Group, Together Housing, Lancaster City Council, West Lancashire District Council are fully aware of the recommissioning intentions, although further engagement will be required.

If approval is given to proceed, engagement with all existing telecare service users will be required to inform them of the changes and transfer arrangements in a timely manner. A communication and marketing plan will also be developed to connect with key stakeholders and potential telecare service users, to compliment and align with agreed expansion plans.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be

developed or modified in order to do so? Please identify any findings and how they might be addressed.

The telecare proposal is expected to be positive to all groups regardless of their protected characteristics. The new service should enable significantly more eligible service users to benefit from the provision of telecare and as part of the development of their person centred support or reablement plan. Whilst service users who may benefit from telecare will be encouraged to accept it as a suitable support option and an effective way of helping to meet their needs, the service user will have choice and control over decisions to accept telecare, or indeed have it removed where it is already in place.

The clear intention is that telecare will help individuals maximise their independence, achieve their outcomes and goals, feel safer and more secure, and provide peace of mind to their family and informal carers, which will ultimately lead to efficiency savings and a more sustainable social care system.

During the development of the policy framework for telecare further analysis will be required to identify any elements that could potentially disadvantage particular groups and how they may be mitigated. For example, there is a belief that telecare could increase social isolation through the reduction of face to face contact in some situations. Therefore, when the new service is being developed this will need to be considered and designed in way that reduces the possibility of this happening to the lowest possible level through effective call monitoring, support planning, assessment, review and reporting.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The national economic climate and recent or intended policy changes including welfare benefit reforms could exacerbate the impact on individuals outside of the control of Lancashire County Council.

However, for telecare it is expected that, as a minimum, the council's fairer charging policy for non-residential care services will continue to apply to eligible telecare services users. Under these charging arrangements, individuals are assessed to contribute towards the cost of their care based on their ability to pay rather than the type or amount of support they receive. To determine a person's charge, a financial assessment is undertaken to work out their net disposable income by taking account of their income, savings and outgoings, including any disability related expenditure.

As already outlined, the policy framework around telecare is still to be developed, however it is expected that no single service user assessed as having 'substantial' or 'critical' needs under FACS will be charged more for telecare than they pay now. In fact, some service users may actually pay less e.g. those assessed to pay the maximum cost. The payment arrangements for those who are no longer eligible for telecare under FACS are still to be determined.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it – briefly explain

There have been no changes to the proposal as a result of this analysis. The proposal remains as the best way of redesigning telecare services in Lancashire and ensuring more people may benefit from the service.

However, a further equality impact assessment is likely to be required during the development of the the policy framework for telecare.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

A project management approach will be adopted to implement the changes, which will mean that we can proactively tackle any potential adverse effects on current and future service users.

Although the policy proposal around telecare is subject to further detailed work, it is expected that those entitled to receive telecare will be fully involved in deciding whether to accept it as a way of helping to meet their support needs. Therefore, the telecare proposal will support the development of our social care offer in line with local and national guidance around 'personalisation', and the service model itself will be developed in a way that enables those assessed as being eligible to receive it irrespective of their protected characteristics.

Further consideration will need to be given to mitigate any potential adverse effects of further proposals as the detail of those are developed.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The telecare proposal is intended to result in improved quality of life, better outcomes and improved independence for a greater number of individuals across Lancashire provided with assistive technology. In turn, the expansion of the service is expected to result in efficiency savings for the council and this is a key driver for the proposal. It is envisaged that this will be achieved through the procurement of a more affordable telecare service initially and, more crucially, by reducing or delaying the need for higher cost interventions, for example home care and residential care, in the longer term. The research evidence around telecare is inconclusive about its ability to deliver efficiency savings, therefore it is proposed that the expansion of the service is tightly managed and controlled.

There are also significant risks associated with not implementing the telecare proposal. Given the demographic pressures we face, financial constraints that local

authorities are working under, the demands of individuals for choice and the ability to access services that enable them to live independently for longer and severe pressures on the care workforce in delivering care services we are all required to seek more costs effective, flexible and innovative solutions. Telecare and associated assistive technologies should be able to contribute to this. Furthermore, the council will fall further behind in the development and roll out of Telecare services compared to other councils, which is against the Department of Health's strong support for greater use of telecare and other assistive technologies.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains as originally set out in this equality analysis.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Upon implementation of a new telecare service, specific performance targets will be applied to capture achievement of expected outcomes as well as contracted outputs.

Output measurements could include:

- Number of referrals
- Number of assessments undertaken
- Number of telecare packages delivered
- Number of reviews undertaken
- Average response time
- Number of staff trained
- Average time to assessment
- Average time to installation
- Minimum response time to an emergency.

Outcome measures could include:

- Length of delay in admittance to residential care
- Reduction in implementation of more expensive forms of care
- Reduction in home check visits
- Reduction in waking night cover
- Reduction in night sleepover care.

There may be additional benefits to other stakeholders, e.g. health, through:

- Hospital bed days saved due to reduction in delayed discharge



- Hospital bed days saved due to reduction in unplanned hospital admissions.

Equality Analysis Prepared By Craig Frost

Position/Role Locality Commissioning Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer Tony Pounder

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

## 405 - Recommissioning of Mental Health Services

November 2013

## **Name/Nature of the Decision**

### **Recommissioning Mental Health Services in Lancashire**

Mental Health services for adults 18 – 65 yrs in Lancashire are delivered through various arrangements, many of which involve partnerships with NHS bodies both at a service level and certainly at a whole system level.

However, most local stakeholders would share a common analysis that the "whole system" of MH services in Lancashire and some of its key components are not working effectively to deliver cost effective and affordable outcomes either for many of the target individuals who use the services or for the mental health commissioners and providers of services. Budget pressures are bringing many of these concerns to a head and certainly for the council there is an imperative to get to the budget under control and reduce it alongside other ACS & PH budgets – the current budget likely to be unaffordable to sustain over the next few years unless there are further significant transfers from the NHS.

The pressures are undoubtedly increasing further due to the impact of changes in the CJ and penal system, the LCFT hospital inpatient reconfiguration and - at a neighbourhood and individual level - challenges to the resilience of many vulnerable people whose mental health may be at greater risk during these difficult economic times. It's also widely recognised that LCC MH spend is unbalanced with far more spent on nursing / residential care than nationally benchmarked averages, and this reflects a lack of commissioning and procurement capacity devoted to achieving the right balance of services in each area. Since Residential and nursing home placements can easily default to "homes for life" for relatively young adults (ie the under 50s), it can lead to institutionalisation, over dependence and an indeterminate spending commitment for the Council for an individual extending potentially over decades.

This piece of work follows on from the (nearly completed) work to reshape the s75 MH rehabilitation and supported living services which are subject of a different Project which will hopefully end when they are transferred to NHS LCFT later this year. It is also included in the ACS Commissioning Business Plan 2013 – 15.

## **What in summary is the proposal being considered?**

- Establish a new Contract Framework for Mental Health Home Support securing better VFM
- Establish a new recovery and rehabilitation focussed contract framework for nursing / residential care
- Develop implementation plans for improvement and expansion of rehabilitation

services

- Restrain and ultimately reduce expenditure from existing budgets
- Increase numbers of people supported via supported accommodation and home care services and using Personal Budgets.
- Reduce the numbers of long term nursing / residential home admissions and concurrent placements
- Improve outcomes for people with mental health problems in the system including the components which are commissioned and funded by LCC
- Establish effective arrangements for joint funding of complex cases / Continuing Health Care with Commissioning Support Unit
- Targets will to be set for these areas for delivery over next 4 years.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect the residents of Lancashire in similar ways as the frameworks developed will ensure a consistent approach in all geographical areas.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a

disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

It is widely accepted that between 1 in 4 and 1 in 3 people will suffer from some form of mental health problem during their lifetime. For Lancashire this means that between approximately 300000 and 450000 people will experience such and as this will also affect their families and carers it is unlikely that anyone will remain untouched by mental health problems.

The Lancashire Mental Health Joint Strategic Needs Assessment provides an overview of mental health in Lancashire. It presents data on prevalence, hospitalisation and mortality and data relating to some important risk factors for mental ill health.

### ***Prevalence***

- In Burnley, Fylde, Hyndburn, Pendle and Preston the prevalence of mental health is significantly higher than England
- In Chorley, South Ribble, West Lancashire and Wyre, the prevalence of mental health is significantly lower than England
- In Fylde, Hyndburn, Hyndburn Lancaster Pendle, Preston, West Lancashire and Wyre the prevalence of dementia is significantly higher than England

- In all Lancashire districts the prevalence of 18+ depression is significantly higher than England
- In Burnley, Chorley, Hyndburn, Lancaster and Preston, the prevalence of 18+ learning disabilities is significantly higher than England
- In Ribble Valley, Rossendale, South Ribble and Wyre, the prevalence of 18+ learning disabilities is significantly lower than England
- In 11 out of 12 districts there is a positive correlation between mental health prevalence and practice deprivation; strongest in Chorley, Fylde, Ribble Valley & Wyre district
- In 9 out of 12 districts there is a negative correlation between dementia prevalence and practice deprivation; this correlation highest in Burnley, Pendle, Preston, Rossendale, South Ribble, West Lancashire & Wyre
- In 6 out of 12 districts there is a negative correlation between 18+ depression prevalence and practice deprivation
- In Ribble Valley, Rossendale, South Ribble and Wyre there is a moderate positive correlation between 18+ depression prevalence and practice deprivation
- In all districts there is a positive correlation between 18+ Learning disabilities prevalence and practice deprivation; strongest in Ribble Valley and West Lancashire

### ***Hospitalisation & Mortality***

- Apart from Ribble Valley & South Ribble, in all other Lancashire districts emergency hospital admissions for intentional self-harm are significantly higher than England
- Apart from Fylde, Hyndburn, Pendle and Ribble Valley in all other Lancashire districts, the rate of emergency hospital admissions from neurosis is significantly higher than England
- In Burnley, Hyndburn, Pendle, Preston and West Lancashire the rate of emergency hospital admissions as a result of schizophrenia is significantly higher than England's rate
- In Preston mortality from suicide and injury undetermined (15-44 year olds) is significantly higher than England.

### **Risk factors**

A risk factor is any attribute, characteristic or exposure of an individual that increases the likelihood of developing a disease, injury or mental health problem. Some examples of the more important risk factors in mental health are under and overweight, low levels of physical activity, drug abuse, tobacco and alcohol consumption, and homelessness ([www.nepho.org.uk/cmhp](http://www.nepho.org.uk/cmhp), Lancashire mental health profile).

### **Deprivation**

According to the rank of average Index of Multiple Deprivation (IMD) 2010 score, Burnley, Pendle, Hyndburn, Preston and Rossendale are the five most deprived

districts in Lancashire, respectively. According to the rank of employment, Preston is most deprived and Lancaster is second most deprived.

### **Unemployment**

Out of all Lancashire districts, in Burnley, the percentage of 16-64 year olds claiming Job Seekers Allowance (JSA) is considerably higher than England percentage . Although Burnley has the highest proportion of 16-64 year old JSA claimants, it should be noted that within most Lancashire districts (apart from Ribble Valley) there are wards with higher than England percentage of JSA claimants.

### **Ethnicity**

In Pendle and Preston the percentage of BME populations is significantly higher than the England percentage.

Asian and British Asian populations form a higher proportion of the BME populations and therefore figure 14 presents the percentage of Asian and British Asian populations in each district. In Burnley, Hyndburn, Pendle and Preston the percentage of Asian/British Asian populations is significantly higher than the England percentage.

### **Long-term health problems**

Apart from Ribble Valley, in all other Lancashire districts the percentage of population stating that day to day activities limited a little or a lot by a long term health problem or disability, is significantly higher than the England percentage.

### **Alcohol related self-harm**

In Burnley, Chorley, Hyndburn, Pendle, Preston, Rossendale, South Ribble and West Lancashire the rate of hospital stays for alcohol related harm is significantly higher (worse) than the England rate. In Ribble Valley and Wyre the rate of hospital stays for alcohol related harm is significantly lower (better) than the England rate.

### **Drug Misuse**

In Burnley, Hyndburn, Lancaster, Pendle and Preston the rate of drug misuse is significantly higher than the England rate. In Chorley, Fylde, Ribble Valley, Rosendale, South Ribble and West Lancashire rate of drug misuse is significantly lower than the England rate.

### **Prevalence Data by group**

Detailed prevalence data is available across the above and age and ethnicity groups based upon geographical locations within the county. This will be used to identify how project activity should be shaped and targeted and also to give baselines of prevalence so that the effect of actions to reduce the impact of inequalities on mental health in communities can be measured and monitored.

The table below gives an overall mental health profile for the county



Indicator	Reporting Period	England	Lancashire
Directly standardised rate for hospital admissions for mental health	2009/10 to 2011/12	243	243
Directly standardised rate for hospital admissions for unipolar depressive disorders	2009/10 to 2011/12	32.1	42.6
Directly standardised rate for hospital admissions for Alzheimer's and other related dementia,	2009/10 to 2011/12	80	107
Directly standardised rate for hospital admissions for schizophrenia, schizotypal and delusional disorders	2009/10 to 2011/12	57	73
Allocated average spend for mental health per head,	2011/12	183	192
Numbers of people using adult & elderly NHS secondary mental health services, rate per 1000 population	2011/12	2.5	2.5
Numbers of people on a Care Programme Approach, rate per 1,000 population	2010/11	6.4	6.3
In-year bed days for mental health, rate per 1,000 population,	2010/11	193	182
People with mental illness and or disability in settled accommodation,	2011/12	66.8	65.5
<b>Mental Health Profile of Lancashire</b>			

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

There has not as yet been any specific consultation in connection with this project. However ongoing engagement with a number of service user and carer groups supports the direction of this project.

An early action within the project is to communicate effectively with

- Citizens, people who experience long term mental illness, carers / families
- Lancashire Care Foundation Trust... management and community staff
- NHS commissioners and NHS Commissioning Support Unit
- Lancashire County Council staff who work in s75 services

- Councillors, MPs
- Care Quality Commission
- Residential care providers
- Home Care providers
- Housing providers
- Personal social care.
- Lancashire County Council – finance, Business Intelligence, property
- One Connect Limited – Care Connect, Procurement

Communication with services users will be undertaken using a "Working together for change" approach where people are asked to say what isn't working, what things should look like and how they would be different.

Consultation will be tailored in such a way that groups such as the deaf community are enabled to participate fully e.g. through the provision of communication resources.

Similarly those from ethnic minority backgrounds will be provided with different language information as required.

Another example will be the provision of easy read versions for those with learning disabilities as appropriate.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

It is not envisaged that the project will discriminate unlawfully against individuals sharing any of the protected characteristics. It will seek to promote the rights of individuals and groups.

It is expected that this work will enable individuals to play a greater part in community life. For example through moving away from residential care provision to community alternatives individuals will be automatically less isolated and able to participate in and contribute to, with the right level of support, their community.

The stigmatisation of those with mental health problems reinforces negative stereotypes and consequently further isolates those individuals. This work will enable and empower individuals to become greater participants in their communities, become more visible and make communication and understanding across the mental "illness" boundary more achievable. Where services are to be developed in new settings, and perhaps in new communities, work will be undertaken to allay fears and improve understanding.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

It is not envisaged that this work will combine with other elsewhere to result in a negative effect upon any individual or groups. Through working through joint commissioning plans both of the County Council(including both social care and public health) and Clinical Commissioning Groups and also with other key partners such as District councils it is expected that aligning this work will result in overall greater effectiveness through greater coordination and economies of scale. Wherever possible services for people with mental health problems will be mainstream not "specialist" so this requires this project to be part of a whole system approach.

Examples of complimentary workstreams are those for developing the whole Transitional Acre Pathway , Hospital Discharge, Reablement Services, Integrated Wellness and Supported Housing options

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

As a result of this analysis it is intended to continue with the original proposal but with a strengthening around the consultation with service users and their families. This is because the core elements of the proposal are strong around anticipating and responding to the potential for negative impacts upon groups and individuals including those with relevant protected characteristics.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

As there have not been any adverse impacts identified as yet there are no mitigating actions required at this time. The monitoring arrangements referred to below will identify if there is any change in this and trigger appropriate mitigation.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal has at its core a desire to enhance outcomes for individuals while also achieving value for money and savings. While there is some tension in this there is evidence that moving to more community based alternatives that look to recovery and rehabilitation rather than maintaining and accommodating are more cost effective. Additionally they result in a much more person centred and empowering approach. There are not seen to be any negative effects for individuals or groups as a result.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

It is proposed that the project continues as originally set out with strengthening of the engagement and consultation framework.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The project has in place a proper project management structure and governance

arrangements.

The project board meets monthly and will consider the equality impact of the work as part of its standing agenda as reported to it by its sub groups.

Equality Analysis Prepared By

Paul Robinson

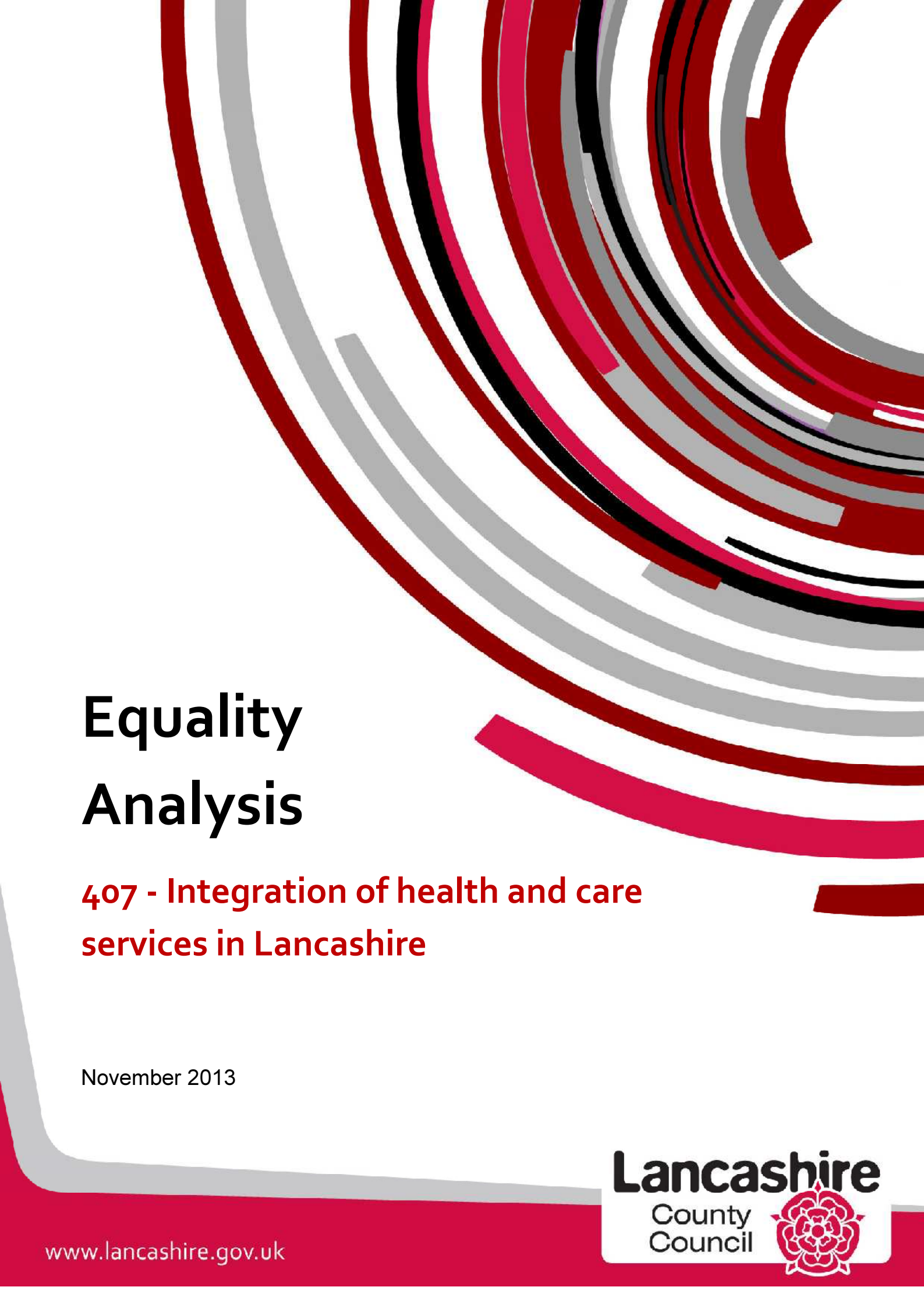
Position/Role

Area Commissioning Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

## 407 - Integration of health and care services in Lancashire

November 2013

## **Name/Nature of the Decision**

Integrated Health and Social Care Services through the development of:-

- Joined up Intermediate Care Services and Safer transfers of Care
- Local Area Co-ordination
- An Integrated Wellness Service

## **What in summary is the proposal being considered?**

This project forms part of corporate savings plans as part of the medium term financial strategy within Lancashire County Council by refocusing activity and using existing resources and non-recurrent additional funds the project will reduce the demand on statutory services by reducing duplication and waste, shifting investment to prevention and developing community asset approaches any non recurrent investment will be aligned to the expected reductions in acute and residential bed based care. By managing the demand for longer term high cost care it is anticipated the savings to the County Council will be £11 million by March 2018.

There is a National Long Term Conditions (LTC) agenda being implemented across the country. The LTC framework is based on three core principles; risk stratification, neighbourhood Teams and self management. The Integration of Health and Social Care Services addresses the three core principles through the development of three service areas:-

Joined up step up / down intermediate care services with improved access and Integrated case management and case finding to prevent admissions and readmissions to hospital, support safe discharge, and prevent admission to long term care

The development of Local Area Co-ordination (LAC) and community asset based approaches that have a focus on wellness and developing the resilience and capacity of individuals, families and communities. LAC supports case finding as part of the joined up step /down activity.

Establishment of a robust and effective programme of Health Checks, risk stratification and integrated health and wellbeing services to ensure early identification of needs and preventative interventions

There are specific programmes of work in East, North and Central, that reflect the local market factor forces and Health structures. The main principles are though consistent across the County, including, the development of integrated step up/down community based services, single / main points of access, integrated case management and case finding (virtual wards) and self care.

There are common principles aimed at securing a consistent outcome for citizens regardless of which part of the County they live, so ensuring the right support, in the



right place, at the right time with the right outcome. In each locality there is a focus on reducing hand offs in the system and arranging resources around the needs and safety of patients / citizens.

There are specific collaborative work streams in North, East and Central, aiming to achieve this consistent approach, even though some of the delivery may be different to reflect local market factor forces and local health Primary, secondary and community care arrangements.

A key element of the work is to integrate the reablement and rehabilitation capacity, within each locality, to support a safe, efficient and dynamic step up / down integrated model, that reduces admissions to acute and residential care and enables early supported safe discharge.

Local Area Co-ordination will deliver three core functions, including; GP liaison and case finding, community connecting and linking, community asset mapping and development. The activity undertaken to date, in Central Lancashire has been a combination of 'Help Direct' and 'Connect 4 Life', building on the success of Help Direct, with 'Connect 4 Life' being the wider social care offer to support integrated neighbourhood teams, supporting a more targeted approach to case finding and asset development.

The three key elements of this proposal will identify patients and citizens at risk of acute admission or at tipping points, wrap resources around the local GP practice, including Voluntary, Community and Faith Sector (VCFS) and community assets, which will then be deployed to support those identified with a strong emphasis on self management, wellness and prevention. So the focus will go beyond just those at most risk of an acute admission, it will focus on whole population.

This will require integrated working across partners at a local community level, to a scale never achieved before. The focus is on wellbeing and prevention, harnessing all of the resources in the community, which focus on wellness and self management, as part of a wider health and social care integrated offer, through neighbourhood teams.

The Integrated Wellness Service will create a new system to co-ordinate interventions around lifestyle and health related behaviours such as exercise, diet, and substance misuse. This system will connect people with support and positive influences and will reduce the long term demand on acute services by improving people's ability to achieve and maintain healthy lifestyles.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be

affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The proposals are expected to have a positive impact on equality of access for individuals in terms of age, gender, disability. The development of the services will enable more people across the county to be supported and will not impact on any specific locality that will risk access and or uptake from specific community groups.

The service developments will be a mix of universal services and targeted services based on local population. As part of the project a number of existing services will be re-designed and re-commissioned and this may result in a balancing of universal and targeted services based on local population need.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Although the step up / down activity will be for Adults in Lancashire in the first instance, the service will focus on older population with long term conditions, who currently account for the highest % admissions. There is currently some level of under representation of people with a learning disability due to their presenting needs often not requiring an intermediate care response .However, the expansion of the combined approach of the three elements of the project and the reshaping of community based services will ensure that all individuals will be referred regardless of any protected characteristics.

The activity to date in the early GP implementer sites of Local Area Co-ordination has involved contact with a adults and families, of all ages, gender, ethnicity, marital status, disability and sexual orientation. There has been focussed activity with community groups and activity with specific elements of the community such as older people. There has been contact with over 800 citizens to date, with no reported negative impact.

The specific detail around patterns and levels of health inequalities within groups with

protected status will inform the development of the Integrated Wellness Service.

People who still require residential care or formal social care packages will still be support under our statutory duty however it is intended that by investing in the 3 service areas we will see less people needing to access residential care and formal care packages as their needs will be addressed sooner

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

-A formal consultation plan and communication plan has yet to be developed. Any outcomes of the formal consultation process will be used in conjunction with the findings of the 15 Local Area Coordination and other engagement events that have already taken place to shape the 3 service areas.

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The current system results in unnecessary admissions to acute hospitals and residential care which creates pressure across both the health and social care system. Therefore Integrating Health and Social Care will transform the system on 3 levels

- Remove waste – through integrating health and social care assessment and allocation functions
- Reduce cost - integrated service re-designs and co-ordinated/case managed care
- Improve individual and carer experience – right place, right care, right time, every time

The activity to date has fostered good relationships within communities, with significant linking and connecting of vulnerable groups and intergenerational activity. There is strong evidence of increased awareness and support for citizens with a disability and those socially isolated to reconnect, share, contribute and mutual support across communities, with individual community members offering support to others as part of an emerging community asset development. The project is therefore likely to advance equality of opportunity for groups with protected status rather than discriminate against them

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in

respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Those services classified as Intermediate Care Services are currently free of charge for 6 weeks and are not subject to FACs. To enable elements of the project to deliver the expected outcomes and to expand the offer of access to short term services and one off offers such as equipment that are currently FACs eligible or chargeable there will need to be a review of the current charging policy and FACs criteria for a range of services.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

There have been no changes to the proposal as a result of the analysis. However key issues discovered as a result of the planned consultation will be reflected in the final proposal.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

We will continue to monitor the activity and impact through measuring outcomes and analysing activity across the 3 service developments to ensure activity is

representative of the local community profile. We will engage directly with communities and check back to see what improvements happen. We will use working together for change to check actual experience and can use specific themes to ensure equality of access is the experience for all.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Integrating Health and Social Care Services is expected to result in improved quality of life, better outcomes and improved independence for a greater number of individuals across Lancashire. The programme is intended to deliver budget savings through reducing the impact of disability, ageing, long term conditions and health and social inequalities, which in turn will reduce demand on the health and social care economy by shifting resources from long term care packages to communities to promote wellness, prevention and increased capacity self care

The project is dependent on realigning existing resources to deliver more efficient and effective provision. It will promote service re-design across primary care, secondary care, social care and voluntary sector services as citizens are supported to be well and self manage, which in turn will promote self determination and positive decision making. The risk of adverse impact is therefore minimal

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposal remains to implement the Integration of Health and Social Care Services programme through the development of three service areas.

There have already been significant investments in services that support LTC, but further additional investment to add to the existing teams and services that form the integrated service offer may be required to deliver a system that will offer consistent



and timely access to community services with a focus on wellness and prevention, this in turn will reduce the demand on statutory services any non recurrent investment needs to be aligned to the expected reductions in acute and residential bed based care it is anticipated the savings to the County Council will be £11 million by March 2018.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The proposal will be reviewed through a range of governance arrangements including;

Adult Services Health & wellbeing directorate programme Board

Health and Wellbeing Board and local HWB Partnerships

Clinical Commissioning Groups (Clinical Senates and Transformation Boards)

Local Area Governance structures

Specific service reviews through activity analysis

Specific service review using themed working together for change.

Feedback from service users.

Equality Analysis Prepared By Ann Smith, Acting Area Commissioning Manager (East)

Terry Mears, Head of Commissioning Central Lancashire

Tom Woodcock, Head of Commissioning Substance Misuse and Partnerships

Position/Role Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis Toolkit

601 - Supporting People Budget Savings

November 2011

## Name/Nature of the Decision

Supporting People Budget Savings

### What in summary is the proposal being considered?

The proposal is to reduce the Supporting People budget by £4m, from £16 million to £12million. Detailed plans are being developed to achieve the £4m savings which will be subject to further EIAs. Whilst some indicative figures have been provided with regard to individual sector reductions (sheltered housing, floating support), amendments may be required to these figures following the detailed planning and the consultation responses. The indicative figures quoted were: up to £2m million in sheltered; up to £1.5 million in relation to floating support and the remaining services achieving the outstanding savings.

Specific EAs are being undertaken in relation to the following individual sectors.

#### **Sheltered housing and community alarm services**

Proposals regarding sheltered accommodation cannot be fully developed until the approach to be adopted by LCC to telecare is defined.

#### **Floating support**

The future shape of floating support services is being considered as part of a wider review of well being services commissioned by Social Care and Public Health (including Help Direct).

#### **Specialist Floating Support Services**

A review of the Family Intervention Projects funded by SP is being undertaken

#### **Supported Lodgings**

A review of the Supported Lodgings provision is being undertaken

#### **Supported Accommodation for People with Mental Health**

The hourly rates and the appropriateness of the current level of support is being reviewed

**Short term supported accommodation** for a range vulnerable groups (e.g domestic violence, young people at risk, homeless families)

In order to achieve greater parity between services in terms of the number of support hours being commissioned, a support hours modelling tool has been developed. The tool will be subject to consultation with providers. In addition, where there are large reductions in support hours for individual scheme, consultation will be

undertaken with service users as appropriate.

### **Home Improvement Agencies**

A review of HIAs is being undertaken in conjunction with social care commissioners and public health

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

People across the county are likely to be affected in a similar way

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Given that Supporting People funding is targeted at vulnerable people, there will be an impact on people with all of the above protected characteristics. There is likely to be a disproportionate impact on older people and people with disabilities.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

#### Sheltered Accommodation

In the region of 13,000 people receive financial assistance to pay for their sheltered

housing support charge. There is likely to be less support available for older people. A breakdown of the protected characteristics of people who have accessed sheltered housing is not currently available

The following data has been provided for people moving into all other services during 2012-13

**Sex**

Service Type	Missing	Female	Male
Supported Housing		807	633
Floating Support		1401	744
Supported lodgings	0	17	32
<b>Total:</b>	<b>5</b>	<b>2225</b>	<b>1409</b>

**Disability**

Service Type	Missing	Yes	No	Don't Know
Supported Housing		218	1213	10
Floating Support		716	1423	8
Supported lodgings	0	6	42	1
<b>Total:</b>	<b>2</b>	<b>940</b>	<b>2678</b>	<b>19</b>

**Age**

Service Type	Nov -15	16-17	18-24	25-31	32-38	39-45	46-52	53-59	60-64	65-69	70-74	75-79	80+
Supported Housing		270	642	167	153	107	64	26	5	2	2	0	3
Floating Support		37	550	433	368	298	253	109	40	24	11	13	7
Supported lodgings	0	25	24	0	0	0	0	0	0	0	0	0	0
<b>Total:</b>	<b>1</b>	<b>332</b>	<b>1216</b>	<b>600</b>	<b>521</b>	<b>405</b>	<b>317</b>	<b>135</b>	<b>45</b>	<b>26</b>	<b>13</b>	<b>13</b>	<b>10</b>

**Ethnic Origin**



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xls.xls

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Background - Principles**

Consultation was undertaken with service users and stakeholders when developing the Supporting People Commissioning Plans (2011-2015) (young people at risk, offenders, homelessness, mental health, domestic violence, substance misuse). The results of the consultation lead to the following section being included in all the plans:

*"Initially it was intended that the commissioning plans would include a priority score for each service. However, as a result of feedback regarding the need for a wide range of services, but with a varying level of units to reflect the available funding, a set of criteria has now being developed to facilitate the development of the housing support system.*

*The Commissioning Board has agreed that the following criteria will be used to assist with the prioritisation process. The overall housing support system for the client group should:*

- *reflect the level of need in each area (i.e. the proportion of funding allocated will be in line with local assessments of need);*
- *enable the local authority to meet its statutory duty to people who are homeless;*
- *balance the requirement for services amongst people with an urgent need for a housing support service and those requiring a preventative service in order to ensure that, where possible, there is an early intervention rather than a crisis response;*
- *be able to respond to the needs of people who present a risk to themselves or the local community;*
- *ensure that there is not duplicate funding for services and that commissioners work together to find the most cost effective method of delivering services which are the responsibility of one or more agencies.*

*In making decisions, commissioners will take into account the availability of general needs properties in an area as this will influence how quickly individuals can be re-*

*housed and the likely availability of dispersed units of temporary accommodation. In addition, the long term implications of any proposal to close accommodation based services must be considered".*

### **Moving Forward – Applying the above Principles**

When identifying potential savings these general principles have informed the draft proposals around the general splits in savings between the service sectors (sheltered accommodation, floating support etc).

The commitments in relation to people who are homeless have led us to initially identify less savings for the short term supported housing sector

In order to ensure that early intervention and prevention services are also available in relation to avoiding homelessness and minimising admission to residential care, we are committed to continuing to fund floating support, HIAs, supported housing for people with mental health problems and sheltered housing services.

The significant savings to floating support are due, in part, to the assumption that there are more opportunities for jointly funding services with other commissioners and maximising the use of asset based approaches. It is also easier to flex this type of provision.

There is concern that given the housing market and the difficulty in securing suitable buildings that any decision to lose supported accommodation would need to be considered very carefully. Utilisation levels are being reviewed and where there does not appear to be appropriate levels of occupancy the appropriateness of de-commissioning will be investigated. Whilst in most parts of Lancashire there is a limited supply of short term supported accommodation, we will ensure that all services are a strategic priority for commissioners. In addition, we will explore, with OCL, any potential opportunities to procure services in a different way.

### **Planned Consultation**

Providers were made aware of the level of savings being proposed following the Cabinet Meeting of 7<sup>th</sup> November 2013. Districts were advised of the total level of savings being proposed a few months ago.

At this stage no consultation has been undertaken with service users regarding any of the specific sector proposals (sheltered accommodation, floating support etc outlined above). Consultation plans will be developed for each of the following sector proposals which are appropriate to the length of service (some are very short term with high turnover rates whilst others are long term services):

### **Sheltered Housing**

Consultation was undertaken with sheltered housing providers early in October 2013



about the best approach to be adopted in the event that significant reductions are required to the sector. Some outline proposals are being developed, although elements of the model are dependent on other projects e.g. telecare. Given the long term nature of the service and the complexity of the tenancy related issues, consultation with tenants will probably need to be undertaken through the landlord

### **Floating Support**

Options are currently being explored. Consultation will take place with providers once a proposed model has been agreed. The approach to be adopted to consulting with service users is still to agreed given that the service is short term in nature (average of four months)

### **Supported accommodation for people with mental health problems**

Consultation with mental health providers is due to commence immediately which will focus on hourly rates and the level of hours being commissioned for the service

### **Supported lodgings**

Recommendations have been formulated by LCC commissioners and district councils. Consultation with providers will take place early in the new year.

### **Short term supported accommodation – support hours modelling tool**

Consultation will primarily be with providers as the focus of the support hours modelling tool is on ensuring that the level of hours enables the service to be safe but not over staffed.

### **Home Improvement Agencies**

A new model has been proposed. Consultation with district councils and providers will be undertaken early in the new year

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The full impact will not be known until the detailed planning, consultation and analysis has been undertaken. However, it is possible that overall there will be less hours of floating/visiting support delivered. This will impact on people with all protected characteristics as it is a generic service

The impact on sheltered housing residents could potentially, although not necessarily, be affected the Council's approach to telecare. It will be also be affected by individual landlord's decisions on re-modelling services. Owing to the lack of clarity about the future impact of the welfare reforms on supported housing and the uncertain wider financial context, landlords will have to make individual business decisions about the most appropriate approach to take in the future to re-modelling their service with less funding for support (e.g. seeking to re-configure with a greater emphasis on housing management where funding may be able to be accessed via housing benefits)

The impact on mental health services and short supported housing will potentially be less as initially plans will focus on providing a level of funding which better reflects needs and is more equitable across the sector

As stated above the full impact will be known once more detailed planning has been completed and the consultation has been undertaken

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The welfare reforms may exacerbate the impact on a range of groups

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following completion of detailed planning and consideration of the consultation results, the original proposal will be reviewed.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Mitigation factors will be considered fully in the more detailed EAs. However there

are some influencing factors are outlined below:

#### SHELTERED HOUSING

Many older people's housing providers are considering how to remodel services with less reliance on SP funding

We are proposing to change the nature of the contract to enable more flexibility and targeting

#### FLOATING SUPPORT

Supporting People Team is working with social care and public health to consider how we can commission services more effectively by reducing any duplication, understanding the interface between services and aligning funding where appropriate

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Whilst the detailed EAs (regarding different elements of the sector) may lead to adjustments to the reductions in different types of SP funded services, it is recognised that owing to the level of savings which LCC is required to fund, there needs to be an overall reduction in the amount of SP funding.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal is to proceed with the target of £4million savings; however the level of savings to be achieved by the individual sectors (sheltered, floating support etc) may need to be re-balanced following detailed planning, analysis and consultation

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The Supporting People Partnership Board will be responsible for monitoring the impact of the proposals
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Equality Analysis Prepared By Sarah McCarthy

Position/Role Head of Supporting People

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis Toolkit

602 – Fairer Charging

## **Name/Nature of the Decision**

Increasing the level of charges for non-residential care services in line with DH fairer charging guidance and introduction of a £10 administration charge for blue badges.

## **What in summary is the proposal being considered?**

The Directorate for Adult Services, Health and Wellbeing Services is obliged to assess the social care needs of people who are referred as having a disability of any kind. That disability may be as a result of age, illness, learning disability, physical disability, sensory impairment, or mental health issues.

If a person is assessed as having community care needs, the level of that need is determined and considered against the County Council's eligibility criteria. In appropriate circumstances the care needs of that person will be met either by the direct provision of services or increasingly through the allocation of a personal budget.

Where services are provided to people continuing to live in their own homes (non-residential care services), then the County Council may require the customer to make a contribution towards the cost of the services provided. Charges are not levied on everyone, and the charges do not always equate to the cost to the County Council of providing the service.

The current charging policy was last changed in 2011 reflecting the move towards personal budgets and self directed support which carries with it an increase in the number of people using other, non-traditional services. Given the overall financial position of the County Council, the revised charging policy will be required to deliver increased income to assist in meeting the costs of the projected increase in demand for social care services.

The only people eligible for social care services are those who are assessed by the authority as having needs which meet the eligibility criteria set by the authority. These services are not a universally available service and so are qualitatively different in nature to universal services, as the only people using the service are by nature and definition assessed as in need and therefore disadvantaged in comparison to the majority of society.

Under the existing charging policy, if the customer has savings in excess of £23,250, they will have to pay the maximum charge. The maximum charge can be the full cost of the service, or a fixed weekly charge, whichever is the lower.

If the customer has less than £23,250 in savings, then a full financial assessment is carried out in order to determine their Net Disposable Income (NDI). The customer is currently required to contribute 85% of their NDI towards the cost of services, subject again to maximum limits.

Table 1: Analysis of basis of charging for customers

Basis of Charge	Total numbers currently paying on this basis	Proportion of customers paying on this basis %
Nil Charge	4829	47.26
Charge based on net disposable income	4520	44.23
Maximum charge payers	870	8.51

The major proposals within the revised charging policy are that:

- Increase NDI to a maximum of 100% from the current 85%
- Introduce an annual uplift on the Non-Res care charges without needing to undertake a new financial assessment, reflecting the annual percentage increase in pensions / benefits. This would adopt the approach currently in place on residential care charging.
- Removal totally (or increase) the current £655 maximum charge for full cost payers.
- Introducing consistent charging arrangements for respite care

The increase in cost to the customer will vary from £0.22 to £410.74 per week, with an average weekly increase of £8.26. The impact of these proposals is that those customers who currently make no contribution towards the cost of their services will continue to receive them free of charge. 4,360 of those customers who are assessed on the basis of their net disposable income will see an increase in their charge but the majority of these will still benefit from some level of subsidy from the County Council. The largest impact will be on those customers with significant savings (over £23,250) who will be required to meet the full cost of their services in future and 673 of the current 870 maximum chargepayers would see an increase in their level of charge. Customers who are currently paying maximum charges will be offered a financial assessment and may possibly move onto a charge based on their net disposable income.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people



- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

See below.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity

- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

#### Potential effect on service user groups

Age: around c56% of the people receiving non-residential care services are over 65 years old. However, the average age of older people being referred and assessed is between 80 and 82, and the average age of people that LCC supports with formal community care services is slightly higher. Of the over 65 population just over a quarter are not required to contribute towards the cost of their services. However of the c44% of customers who are aged 18-64, almost 2 out of every 3 are not charged. Older people are more likely to have generated savings through their working lives or be in receipt of occupational pensions than their younger counterparts.

The impact of the charging proposals is therefore likely to have a greater impact on the savings and net disposable income of older people than working age adults. However this is wholly due to the fact that the majority of working age adults do not currently have savings or disposable incomes above benefit support levels.

Gender: 63% of people in receipt of chargeable non-residential care services are likely to be female and of these just over one third will not be subject to charges. Of the 37% of male service users, almost half will make no contribution. The proportion of customers assessed based on their net disposable income and those who currently pay the maximum charge are all broadly in line with the overall proportion of female to male service users.

There is a considerable literature about the disproportionate use by older women of health care and adult social care and why that should be; for the purposes of the EIA it is enough to state that women will be disproportionately affected by the changes in charges as they make up a greater proportion of the cohort subject to charging.

Ethnicity: Black and minority ethnic (BME) communities represent 7.7% of the population of Lancashire. The profile of service users receiving non-residential care services indicates that c4% are from BME communities. This is in line with the overall underrepresentation of such communities in receipt of adult social care

services. Additionally two thirds of BME service users receiving non-residential services are exempt from charges compared with around 40% of the white British/Irish community.

Based on this analysis it appears that people from a BME background will be less affected by the proposed revisions to the charging policy than their proportion in the population.

**Disability:** By definition virtually all those people receiving a social care service have a disability. However the proposed changes to the charging policy have the greatest impact on those people who have acquired savings or have higher levels of income, and certainly above income support levels. In general people with severe and life limiting disabilities are less likely to be earning or acquiring savings. The average contribution made by an older person towards the cost of their non-residential care services is over 3 times greater than an adult of working age with a disability reflecting the greater incidence of income and savings in this group.

Consequently the numbers of people with physical and learning disabilities affected by any revisions to the charging policy are likely to be both small and proportionately low. However both the current and proposed charging policies link charges to the cost of services provided and those with the greatest level of disability and therefore need, tend to require the more expensive packages of care. Consequently within the group of those with access to savings or higher levels of income the charging policy will impact most on those with a greater level of disability

**Poverty/Low income:** People accessing non residential care services who have limited savings and whose incomes are at or just above income support levels are required to make no contribution towards the cost of their services. This group of people will not be affected by the proposed changes. People with limited savings (i.e. less than £23,250) but with incomes above income support levels will continue to be subject to a financial assessment and the vast majority will continue to pay significantly less than the full cost of their services.

However all of this group will be subject to an increase in their charges with those with lower incomes seeing a lower increase in cash (but not percentage) terms. The greatest impact will be felt by those with savings above £23,250 or with high levels of income.

**Religion:** We do not consistently collect data on the religion of people who use our services and so are unable to assess the impact of this proposal on people with different religious beliefs or with no religious belief.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

A detailed consultation ("Changing Charges") was undertaken as part of the 2011/12 budget process which sought the views of customers, via questionnaires and face to face events, regarding the proposed changes to the charging policy at that time. A further consultation exercise involving customers and other affected parties will be undertaken around the current proposals.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Given the nature of the services in question (non-residential care) which the

proposed increase in charges relates to, there is very little scope for addressing areas such as fostering good relations between people who share a protected characteristic or involvement in public life.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

We are not aware of any other factors that would create a cumulative negative effect on service users. As charges are based on ability to pay via a financial assessment, where a customer's financial circumstances change a new financial assessment can be requested which may reduce the charge. Nationally, future care funding reform, including the cost of care cap which will limit the total level of contribution an individual is required to make towards their cost of care during their lifetime, is likely to limit the length of time some customers are charged for.

Other budget proposals which may impact on the individuals affected by this proposal, e.g. health and social care integration, are primarily intended to put preventative measures in place to reduce the currently predicted overall demand for ongoing care and / or reduce the ongoing cost of care for some people. Any reduction in the cost of care for a customer would reduce the charge for a maximum charge payer and also potentially reduce the charge for some individuals who pay their charge on the basis of their net disposable income.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it – briefly explain

The original proposal has not changed with the proposed changes bringing

Lancashire's charging arrangements more consistent with many comparator authorities. Any significant issues discovered as a result of the planned consultation will be reflected in the final revisions to the charging policy.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The revisions to the charging policy will impact to significant increases in charges for some existing customers. In order to mitigate this, affected customers will be offered a further financial assessment to ensure they have the ability to meet the new charges, along with an appeals process for those customers who can evidence that the changes have not treated them equitably.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The financial savings that need to be delivered by the Authority are significant and an increased contribution towards the cost of their care for some customers, based on a financial assessment confirming their ability to pay, is appropriate given the scale of the current financial challenge and the mitigation factors referred to in question 6.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains unchanged and risks to affected groups have been mitigated as far as possible.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

<p>A comprehensive set of performance indicators has been established to understand the impact of both the transition from current arrangements to new and the ongoing quality of the service.</p>
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Equality Analysis Prepared By E Ince

Position/Role Locality

Equality Analysis Endorsed by Line Manager and/or Chief Officer T Pounder

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**607 - Reduction in ARTS  
Development Service Budget**



## **Name/Nature of the Decision**

Reduction of £20k in the amount of arts funding available to up to 16 arts organisations in Lancashire as a result of the 10% challenge

## **What in summary is the proposal being considered?**

A reduction of £20k arts budget available to arts organisations in grant funding 2014 – 2015 – a description of the organisations that will be affected is provided in the following section.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The organisations which potentially could be affected are those which receive grant funding at the moment. All of these organisations contribute to the health and community/social cohesion agendas in differing amounts:

### Burnley Youth Theatre (Burnley)

BYT has key ambitions relating to its capital programme and an increasing touring theatre. Based in an area of high deprivation in Burnley, it is a key community resource for young people in the area

### Dukes Theatre (Lancaster)

The Dukes commissions and creates its own professional theatre productions, presents visiting work, is an independent cinema and acts as a creative centre for young people. Without LCC funding, the Dukes will find it difficult to survive

### Folkus

Folkus help fund folk music education sessions and a variety of folk inspired entertainment for communities in Lancashire

### Green Close Studios

Green Close Studios engage with local communities and visitors to create performance and participatory cultural events

### Horse and Bamboo (Rossendale)

Horse and Bamboo produce and present quality theatre in East Lancashire venues and beyond. They are working with the Asian heritage community in Haslingden at the moment on a project named "Different Moons"

#### In Certain Places (Preston)

This is a partnership between UCLAN and Preston City Council – it explores the roles of artists within regeneration schemes and how they can contribute to the creation of vibrant and engaging places

#### In Situ (Pendle)

Based in Brierfield Library – their vision is to bring art into the mix of the existing culture and environment of Pendle

#### Lancaster Arts Partnership

This has been the driving force behind "Light Up Lancaster" – important to the aim of the City to be a tourist destination

#### LICA (Lancaster)

Located on the campus of Lancaster University, Live at LICA, develop and deliver high quality contemporary dance, theatre, music and visual art for the city and the region

#### Litfest (Lancaster)

Showcases international, emerging and local authors

#### Ludus Dance (Lancaster)

A leading dance development organisation offering an inclusive approach to inspiring and engaging people through dance

#### Mid pennine Arts (Burnley)

A commissioning agency underpinned by community engagement and creative learning activities.

#### More Music (Morecambe)

More Music is a music and educational charity based in Morecambe – delivering a mix of workshops, training, performances and festivals.

#### Spot On Rural Touring

Rural touring network which enables isolated and rural communities enjoy cultural activity on their doorstep

### They Eat Culture (Preston)

TEC main aim is to develop the city of Preston as an open to all cultural venue

This is a range of organisations which cover geographically Lancashire as a whole

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

### **Yes – some of the organisations affected represent groups from the list of protected characteristics**

The work of the organisations listed needs to fulfil a number of criteria in order to be awarded grant funding from the County Council. This includes

Social impact - New work commissioned; Number of participants /workshops/audience

Economic impact – artists employed; artists days employed; volunteers; employment development sessions

The risks to the County Council have been identified as follows:

1. Implementation of the proposal may affect the reputation of LCC and

relationships with the Arts Council and other arts organisations and funders.

2. Reduction of grant funding to arts organisations in Lancashire may increasingly jeopardise their ability to draw down funding from other bodies, particularly the Arts Council
3. The reduction of LCC support for arts organisations may jeopardise the delivery of the existing level of arts provision
4. The Arts Development team is not a direct delivery team. The risk to performance and delivery will be the loss of advocacy skills on behalf of arts organisations within Lancashire.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender

- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The number of people reached with protected characteristics in 2012 were:

Age 65+ - 72,947

BME – 4,421

Disability – 1,990

Young People Age 12 to 19 – 97,541

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

As the delivery is via third party organisations and their allocation of funds will not be decided until Spring 2014 it is difficult to consult on proposals when they are unknown at the moment. Discussions with the Arts organisations are ongoing

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be

– will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Proposals could potentially have a negative impact on access to positive activities that have a beneficial effect on people's health and well being

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Difficult to say as proportion is not yet decided/agreed/proposed, however LCC are also proposing a reduction in total of £500,000 in 2014/15 in the Central Gateway Grants Scheme, Local Initiative Fund and Local Member Grants Scheme budgets. The proposed cuts would mean a reduction of funds by 35% to the three schemes which provide much needed support to voluntary, community and faith organisations all across Lancashire.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No changes planned apart from those identified in question 6.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

We will prioritise applications from arts organisations which specifically include proposals to work with people with protected characteristics

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse

impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

£20k is a small proportion of the arts budget (5%) and so with the above mitigation should have limited effect

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Arts funding to be reduced by £20k in 2014 - 2015

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Collect and analyse figures at the end of the year – June 2015 with specific attention to the protected characteristic groups

Equality Analysis Prepared By Ann Marsh  
Position/Role Cultural Services Development Manager  
Equality Analysis Endorsed by Line Manager and/or Chief Officer  
Decision Signed Off By  
Cabinet Member/Chief Officer or SMT Member





# Equality Analysis

**609 - Critical Challenge – Leisure Link  
(providing additional respite to Unpaid  
Carers)**

December 2013

## **Name/Nature of the Decision**

To cease the Leisure Link Services to meet the identified savings plan under the Critical Challenge Programme

## **What in summary is the proposal being considered?**

To cease the Leisure Link Service

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect new referrals from adults with disabilities and their family carers for those who do not meet Lancashire's FACS criteria.

The service provides short term support for a maximum of 6 months 3 hrs per week (on average).

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a

disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes – new referrals from adults with disabilities and their family carers who wish to access the service for short term support.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

See Question 1

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The decision will impact on people with disabilities and their family carers who wish to access the service but who fall outside of Lancashire's FACS criteria. This proposal will only affect new referral to the service.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

As part of the Critical Challenge Savings Programme, public consultation will take place in January 2014.

For people currently supported by the service it is anticipated that their package of support will not be affected as our commitment to support will have ended naturally before the service is required to cease.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The impact of this proposal will only affect people with disabilities and their family carers who wish to self refer to the service for short term supports (non FACS eligible).

Consideration has been given to the possible impact on the caring relationship as ceasing the Leisure Link Service will mean that there is a reduction in the availability of non residential respite options for people who do not meet Lancashire's FACS criteria.

The cessation of the service may also impact on wellbeing of individuals with disabilities within a 'cared for' relationship with a family member in cases where the support offered minimises an escalation of need. However the service will offer advice and guidance as to alternative offers within the local community including Help Direct and Carers Centres.

#### **Question 4 – Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Yes – there is also a proposal to reduce the capacity of support within the in-house provider Volunteer Service which also supports people with a disability who do not meet Lancashire's FACS criteria.

This may have a detrimental impact on the overall range of offers available to people within this group but it is anticipated that this will be minimal.

Alternative Volunteer Services are also available across the county as part of the VCF Sector.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Continue with the original proposal:

The service will not have a detrimental impact on any current customers and their family carers as their packages of support will not be affected & are due to cease by 31<sup>st</sup> March 2014

Whilst the service will no longer be available to new customers as of November 2013, the service will offer assistance to families by seeking alternative offers of support from across the 3<sup>rd</sup> Sector by directing people to Help Direct and the Carers Centres.

The Critical Challenge programme will need to seek alternative sources of savings if this proposal is disregarded

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

New referrals to the service wef November 2013 will no longer be accepted and people will be advised of alternative supports available from across the 3<sup>rd</sup> and VFC Sectors with the additional support from Help Direct and Carers Centres.

For customers currently on the waiting list to be matched with a support worker, the service will continue to work with these customers but supports will only be available for a maximum of 3 months rather than the current 6 months. This will ensure that no one's support package will be terminated early should this proposal be accepted.

People currently with an active support package will be supported until the end of their agreement at which point their support package will naturally cease.

All current packages of support will cease naturally and timescales will be monitored to achieve the final cessation of the service to customers.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal to cease the Leisure Link service will generate savings for the authority in the region of £275,000

Consideration would need to be given to alternative sources of savings from within the Social Inclusion Service should this proposal not be accepted.

There will be no detrimental impact on current customers.

The impact on people seeking to access the service will be minimal as alternative support options are available from services within the 3<sup>rd</sup> and VCF Sectors across the county.

There is a risk to reputation for the authority which seeks to support carers in their role, however this is not a statutory service nor does it support people who are in most need of the Local Authorities services as customers of Leisure Link fall outside of the FACS eligibility criteria.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

It is proposed that the Leisure Link Service is ceased.

Current customers will not be detrimentally impacted by this decision and their packages of support will be maintained until they naturally come to a close.

People with disabilities and their family carers who wish to access the service will no longer be accepted as a new referral and they will be re-directed to alternative supports available from across the 3<sup>rd</sup> Sector with the support of Help Direct and Carers Centres

### **Question 9 – Review and Monitoring Arrangements**



Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Feedback from the public consultation

Customer feedback

Equality Analysis Prepared By Heather Bryan

Position/Role Service Improvement & Modernisation Officer

Equality Analysis Endorsed by Line Manager Mary Lawrenson

Decision Signed Off By Steve Gross

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**610-Remodelling workforce in former NHS operated  
learning disability (LD) supported living schemes**

**Creative Support – Extension of North Lancashire  
Contract and Agreement to Principles of variations for  
North and East contracts**

12 November 2013

## **Name/Nature of the Decision**

### **Creative Support – Extension of North Lancashire Contract and Agreement to Principles of variations for North and East contracts**

The Cabinet Member for Adult and Community Services is recommended to:

- (i) Note the report and agree to the recommended action;
- (ii) Recommend that the Deputy Leader of the County Council approves a waiver of Procurement Rule 6.1 of the County Council's procurement rules to enable the County Council to extend this contract for an initial two year period with the option for the County Council to extend for a further period of up to one year at the end of that period without advertising.
- (iii) Endorse negotiating principles to allow revision of the terms of the contracts between the County Council and Creative Support which will:
  - reduce the effective hourly contract price towards the local benchmark levels for Learning Disability supporting living services;
  - provide a degree of transitional funding for affected former NHS employees faced with reductions in take home pay; and
  - continue to provide funding for Creative Support's former NHS employees to retain membership of the NHS Pension Scheme,

Subject to the approval of recommendations (i) and (ii), the Deputy Leader of the County Council is asked to approve the waiving of Procurement Rule 6.1 and approve the extension of the existing contract with Creative Support for an initial two year period with the option for the County Council to extend for a further period of up to one year at the end of that period on the terms as set out in the report.

## **What in summary is the proposal being considered?**

The County Council has had talks with Creative Support to see how it could reduce the effective hourly contract price towards the local benchmark levels for Learning Disability supporting living services in Lancashire. For Creative Support this means addressing the costly terms and conditions associated with former NHS employees who were Tupe transferred to Creative Support at the point they began to run the service.

To enable this to be managed it is proposed to extend the existing North Lancashire contract for an initial two year period, extending to January 2016 with the option for

the Council to extend for a further period of up to one year at the end of that period until January 2017. This extension will enable Creative Support to progress its modernisation programme.

Creative Support is likely to take a similar approach in its consultations and negotiations with staff and trade unions as it has done previously in other local authority areas and indeed other organisations have made comparable workforce changes in Lancashire in the last 2 years. The report therefore seeks endorsement for the County Council to take a similar line as it has done so before in supporting such workforce modernisations but looking to mitigate its impact by offering some transitional funding on pay and longer term funding in support of NHS Pensions membership.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

#### Service users

There are 30 people with learning disabilities supported by Creative Support in 7 households and 2 people with non 24hr supports in North Lancashire and another 13 people supported in East Lancashire affected by this decision.

It is the current users of these specific services that could experience impact, and those staff who are employed in the services.

It is anticipated that the impact of changes on existing services users will remain broadly neutral the same but with continued improvements in quality, value for money and personalisation of services in line with good practice.

#### Staff

It will also impact on the staff who work in these services.

The total number of staff affected is now 77, this can be expected to reduce to 75 over the next six months with planned retirements

- Lancaster District - there are 48 former NHS staff still working in this service
- Hyndburn and Ribble Valley - there are 29 former NHS staff still working in this service

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Age

Age group affected will be people aged between ie 18 – 85 years approx. Within individual (small) services average age varies, but overall there is an increasingly aging population of people living in these services.

Staff will also be in this age range 18 to 65 years.

Disability

The people who use these services will all have learning disabilities in addition some people also have mental health difficulties and physical disabilities, typically these will be long term conditions.

Gender

All the services are open to both men and women. The support is delivered in shared households with the majority of people supported being male.

There are more females than males working in these former NHS posts

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

yes

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this) As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

#### **Service Users**

There are 43 people within a range of 24 hour domiciliary support services, with each person having a tenancy agreement with a housing provider and direct care

support commissioned through Adult and Community Services from this care provider. The support services are referred to as 'supported living'.

The current service delivery is for people with a learning disability and a number of people also have a physical disability and or one or more long term conditions.

For people with a learning disability there is a disproportionately higher number of men assessed and receiving a service – reflecting the relative proportion of conditions leading to a learning disability which affect men more than women.

The remodelling of the service is unlikely to have a significantly disproportionate impact on either gender.

In relation to people with physical disabilities and mental health problems under 65 who seek or receive social care services there is a tendency for a greater proportion of men to be offered assessments but for a more or less equal proportion of men and women to receive services.

*Table 1: Percentage by gender and disability of people offered an assessment and those receiving a service.*

<b>Service user group</b>	<b>Male %</b>	<b>Female %</b>
<b>Learning disability offered assessment</b>	<b>60.5</b>	<b>39.5</b>
<b>Learning disability receiving a service</b>	<b>53.3</b>	<b>46.7</b>
<b>Physical disability offered an assessment</b>	<b>51.4</b>	<b>48.6</b>
<b>Physical disability receiving a service</b>	<b>49.5</b>	<b>50.5</b>
<b>Mental health offered an assessment</b>	<b>56.2</b>	<b>43.8</b>
<b>Mental health receiving a service</b>	<b>51.4</b>	<b>48.6</b>

### Staff

The total number of staff affected is now is 77, this can be expected to reduce to 75 over the next six months with planned retirements

- Lancaster District - there are 48 ex-NHS staff still working in this service
- Hyndburn and Ribble Valley - there are 29 staff still working in this service

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

On the specifics of the recommendations in this report there has been no engagement with staff or service users. This will occur and be lead by Creative Support if the report is approved

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such



persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

#### Service Users

The intention is that services will be strengthened by improved governance and contracting. Individuals supported by the service will have clarity regarding the real cost associated with meeting their needs. Improved participation and integration into community life is a key goal of this support service. Within that overall change process, some individuals may experience the prospect of changes to the services they use as a source of anxiety and so consultation and communication must be sensitive and effective to avoid. However it should be noted that people currently supported will not experience any significant remodelling to service delivery and therefore no adverse impact is anticipated.

#### Staff

For the staff affected, changes to their employment will only occur after appropriate consultation with trade unions and will follow agreed workforce agreements and legal frameworks. Any particular adverse impact that is identified for any individual or groups will be considered at that stage. However the end point of any consultation and negotiation process on this matter is likely to be reduced take home pay for staff who were formerly working for the NHS and were transferred across to Creative Support under TUPE. The potential reductions are very significant and so time and financial support to adjust will be important. For older employees in particular the commitment to ensure their NHS pensions will be protected will be important.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Service Users

Will be supported to develop a better understanding of the cost of their care with support plans breaking down the costs of share and individual support. If the cabinet item is approved people supported in the service will be able to compare the cost and quality of supports available across Lancashire. This should be positive overall

Staff

Staff affected will be faced with reduction in their take home pay at a time when other economic and welfare benefit pressures are impacting very negatively on many people's household budgets

**Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Overall the proposals will maintain agreed levels of support for individuals service users i.e. people with learning disabilities. The agreed levels of support are determined by the individual assessments of need.

For staff, consultations about the proposals will go ahead if the cabinet report is approved. This will share openly the proposed changes to the cost of support for individual service users and the changes to the take home pay for staff. These consultations and negotiations will be lead by Creative Support, but the report's recommendations leaves some flexibility for the County Council as to how it responds to the request for transitional financial support in the light of representations from the workforce.

**Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the

mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

For staff affected by the changes at these two services following the normal workforce agreements on consultation etc should help identify any further mitigating factors to assist individuals affected. The negotiating principles that are being suggested should leave room to respond to concerns about the scale of the reductions by agreeing timescales for implementation and securing continued NHS Pensions membership.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

#### Service Users

Overall the current service users of these services should continue to experience improvements in their support plans. However a small number of people currently using the two services may experience some anxiety about the proposals and how it will affect them.

#### Staff

Staff are very likely to be anxious and unhappy about the prospects of changes. For almost all of them this will mean adjusting to a new set of terms and conditions which will significantly reduce take home pay and offer less generous conditions than those that they have inherited from their previous NHS employment.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains the same as originally stated

People affected will be those who are supported by the service and those will be people with learning disabilities, but adverse impact will not be significant.

Former NHS staff will be very affected by the proposals and for them the impact will be significant and detrimental in terms of their terms and conditions.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

If this item is approved, it will lead to further consultations with staff and service users and other stakeholders to be lead by Creative Support.

Final agreement to any final proposals will be subject to sign off via contract variations between Creative Support and the County Council, so we will have a clear understanding of the final position before any deal is struck.

Equality Analysis Prepared By **Tony Pounder**

Position/Role **Head of Commissioning**

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

702 - Young People's Service  
Restructuring

## **Name/Nature of the Decision**

The restructuring of the Young People's Service, in order to achieve its Budget Savings targets

## **What in summary is the proposal being considered?**

The county council proposes to reduce the Young People's Service core budget by £3m to £9m over the next 3 financial years; this will require a complete restructuring of the Service.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Although Service provision in all Districts will be reduced, this will be based on comparative need, so some areas will be affected more than others.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

Young People aged 13-19 (25 for those with additional support needs)

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The Service's age range is 13-19 (25 for those with additional support needs) –

reductions in provision will therefore impact on younger people.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No engagement has taken place as yet. The Service is in the process of drawing up principles to underpin outline proposals, for consideration by senior officers and elected members. When the budget saving total is confirmed, including by how much in each of the three financial years, detailed proposals will be drawn up.

A full consultation process will then be undertaken, incorporating the views of young people, Service staff, other Directorate Services and partner agencies, Trade Unions, District and local communities likely to be affected by premises withdrawals.

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities



- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The level of budget savings to be met will require a withdrawal of service provision. The Service will not be able to maintain current levels in the Districts. However, as retained provision will be focussed on groups and individuals most in need of support and access to activities/programmes, the proportion of work with targeted young people will increase.

Care will be taken to ensure that proposals and in due course decisions do not discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

This is not known at this stage – we will undertake this analysis when the full impact of the forthcoming budget reductions across the county council is known.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

We are still at the initial proposals development stage.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

In drawing up initial and in due course final proposals, targeted groups (such as BME young people, those with additional needs) and communities (such as high ranked Super Output Areas in Districts) will be prioritised, as far as it is practicable.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The need for budget savings will require a full Service restructure, with wide spread

withdrawal of provision.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Final proposals will be drawn up and circulated once the feedback from the planned consultation process has been analysed.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The process will be monitored during the restructuring process and at the end of the financial year following the conclusion of the process.


Equality Analysis Prepared By    John Gordon

Position/Role                    Head of Integrated and Targeted Support for Young People

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**703-Discretionary Mainstream Home  
to School Transport (including  
unsuitable routes)**

## Name/Nature of the Decision

Review of Home to Mainstream School Transport Policy

### What in summary is the proposal being considered?

There are a number of elements to the proposed policy changes in relation to the discretionary (non-statutory) elements of home to mainstream school transport provision. It is proposed that the changes will impact on all pupils that fall within the categories below apart from those from families on low income:

- To increase the costs of **discretionary** transport to faith schools from £380 to £475 per year;
- To increase the fares and season ticket costs by up to 25% for other groups of **non-statutory** travellers that use capacity on local authority contracted vehicles;
- To introduce/increase the charge for amended/replacement bus passes;
- To alter modes of transport for getting children to the nearest bus stops in rural areas; and
- To cease to provide other **discretionary** elements of home to mainstream school transport apart from in very specific circumstances.

The changes will impact from September 2014 except where the change may impact on parental preference for schools, in which cases the change will be effective from September 2015.

The Cabinet Member Report entitled ' Review of Home to Mainstream School Transport Policy' dated 10 October 2013 provides more details.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The proposal is County wide. Certain families with school age children will be affected.

### Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality

- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

**Yes**

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender

- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The proposals will impact on families with school age children who are not entitled to statutory transport provision to school but would receive discretionary transport assistance under current policy. It is estimated that this will impact on around 8,750 children out of 153,300 school age children when fully implemented i.e. 5.7% of the school age population. One of the largest of the above groups is those children that attend a faith school where there is no statutory entitlement to school transport assistance. Not all children that attend faith schools do so because of their parents' religion or belief. It is estimated that around 2,700 secondary age children will be impacted and a small number of primary age children, once the proposal is fully implemented. The 2,700 children referred to are those children that attend faith schools with no statutory entitlement to travel because there is a nearer school to where they live. It will include both children who have accessed the provision under the faith criterion in the admission arrangements and other children that have been admitted under other criterion (siblings or distance usually) but not on faith grounds. The religions affected are Church of England and Catholic, with very few children from other faiths.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

An on-line questionnaire via the LCC web site was made available between 21 October and 29 November 2013. Headteachers were sent a letter via the portal

advising them of the consultation and asking them to refer to the consultation in any planned newsletters to parents. A total of 1,023 responses were received, 439 (43%) of which were from parents/ carers of two faith secondary schools. Given that around 8,750 children may be impacted and there are 153,300 statutory age school children in mainstream schools, the response rate was relatively low. The results of the consultation will be reported in full when the Cabinet Member makes the final decision in the February cycle (including where the responses have come from, how many, and what they said as part of the report).

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.



The proposals are lawful as they relate only to the discretionary elements of transport provision which the LA is not required by statute to provide. The vast majority of individuals affected by the policy change (6,590 of the 8,750) will be impacted in financial terms. In other words, there will still be a bus service to school but it will cost considerably more than it currently does. However, fares will still be heavily subsidised by LCC and low income families are not impacted by the increased costs (or cessation of other discretions). In addition, individuals will still be able to appeal to the Student Support Appeals Committee which allows parents to make complaints; request a review of a decision around eligibility for transport assistance, or to request discretion on the grounds of special personal circumstances.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The proposals will impact on hard pressed families that are not defined as 'low income' families, but nevertheless are experiencing financial difficulties as a result of the recession and rising prices. This may be keenly felt if they have more than one child that is affected by the proposal. However, evidence shows that the introduction of a £380 per annum flat rate contributory charge for denominational transport in September 2011 has not had any overall impact on parental preference patterns for schools and Church schools have generally maintained, and even improved, their share of pupils even with the current downturn in the amount of pupils presenting for secondary education.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Cabinet Member for Children, Young People and Schools will make the decision on each aspect of the proposed policy changes. However, it will be recommended that the proposals should stand unchanged because:

- the County Council will still be heavily subsidising the costs of discretionary transport and, therefore, shielding parents from the full costs (many other LAs have removed discretionary transport assistance altogether);
- when charges to denominational transport were introduced it had no impact on parental preferences for faith schools, indicating that parents were prepared to pay the charge or find an alternative means of travelling to school rather than select a school closer to home;
- there is the right to appeal to Student Support Appeals Committee to hear individual cases.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Children from low income families are not impacted by the proposed changes. There is the right to appeal to Student Support Appeals Committee to hear individual cases.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be

inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

There is a need to make significant savings to the County Council's revenue budget and a range of policy saving measures is currently being considered across all Directorates. The proposed changes to home to mainstream school transport only affect discretionary elements and low income families are protected from the impacts. If the proposal is not implemented, savings will need to be made in other policy areas, and the negative impacts on groups of individuals sharing protective characteristics may be far greater than those identified in this area.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains the same as identified in the Cabinet Member Report dated 10 October 2013 and throughout this report.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Parental preferences for admission to schools are monitored on an annual basis. Appeals to Student Support Appeals Committee are monitored regularly.

Equality Analysis Prepared By Lynn Mappin

Position/Role Head of Service: Pupil Places and Access

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**704 - Parent Participation and Engagement**

December 2013

## **Name/Nature of the Decision**

Parent participation and engagement for children and young people with SEND and their families

## **What in summary is the proposal being considered?**

To dis-establish the current Parent Partnership Service in Business Support Service and the five Parent Carer Liaison Officer posts and establish under Inclusion and Disability Support Service a 'Parent Representation and Engagement' team bringing SEN and disability together. The changes under the SEND Reforms will require all staff in the new team to:

- provide advice, support and guidance to parent/carers of children and young people with SEND in line with the requirements of the Children and Families Bill SEND reforms and the revised SEN Code of Practice (due to receive Royal Assent in early 2014);
- navigate parents through the Education Health and Care plan. EHC plans cover from 0 - 25 years of age with responsibility for 19+ being with ACS. For CYP the new team must address both education and care elements;
- assist with representation at Parent Carer Forums (currently 7, possible increase to 12);
- link to the Lancashire Carer Forum in ACS;
- update the Lancashire Local Offer, informing the relevant level of district provision and help to maintain the IT platform; and
- support parent/carers with disagreement resolution meetings and where appropriate, SEND Tribunals

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Affects all districts.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people

- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Disability

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

Yes

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The group of people who will be affected by this decision can be identified by two specific protected characteristics; disability and age.

- **Children and young people with SEN do less well than their peers at school and college;**
  - 1.55 million pupils in England have special educational needs (18.7%) whereas 26,669 pupils aged 5-16 (16.1%) or 28,010 (16.3%) pupils aged 3-19 in Lancashire have special educational needs.
  - Boys are just over two and a half times (2.64) more likely to have statements of special education needs at primary school in Lancashire; and nearly three times (2.92) more likely to have statements at secondary school in Lancashire compared to girls.
  - Lancashire pupils with SEN are more likely to have higher levels of absence from school. In 2011-12, persistent absence rates for pupils with statements of SEN were 11.5% (13% Eng), compared to 3.3% (4% Eng) for pupils with no SEN.
  - Lancashire pupils with SEN are more likely to be excluded from school. In 2011-12, rates of fixed rate exclusions were 6.6% of pupils with statements of SEN (8.2% Eng), compared to 1.3% for pupils with no SEN (1.4% Eng).
  - At Key Stage 4, 7.7% of Lancashire pupils with statements achieved a level 2

qualification including English and maths (8.4% Eng), compared to 68.3% of pupils with no SEN in 2012 (69.2% Eng).

- At Key Stage 2, 20% of Lancashire pupils with statements achieved the expected level in both English and maths (17% Eng), compared to 92% of pupils with no SEN (91% Eng).
- In the early years, the gap in levels of development between children with SEN and those without has widened from 43 percentage points in 2008 (39 Eng) to 49 percentage points in 2012 (46 Eng).
- **Employment outcomes for people with SEN and disabilities are very poor**
  - In 2011, 48% of disabled people in Lancashire were in employment, compared to 78% of non-disabled people. If 78% of disabled people were employed, this would represent 130,000 more people in employment.
- **Young people with SEN are more likely to be out of education, training and employment**
  - Young people in Lancashire with SEN are more than twice as likely not to be in education, employment or training (NEET). 13% of 16 – 18 year olds with LDD were NEET between April–October 2013, compared with 6.3% of all young people. The same study also found that disabled young people are more likely to be NEET at 18 than others.
  - In Lancashire, 68% of looked after children in the school population have special educational needs (71% Eng).
  - Looked after children in Lancashire are two times more likely to have special educational needs in comparison to their peers. Latest data from 2013 show that 33% of Lancashire CLA have a statement of SEN and a further 35% have SEN without a statement. Only 32% of CLA do not have any SEN of any level. At present CLA numbers are increasing which would suggest that the number of CLA with SEN is also increasing.
- **Costs to the public purse of poor outcomes for people with SEN and disabilities**
  - The National Audit Office estimated that the cost to the public purse of supporting a person with a moderate learning disability through adult life (16–64) is £2–3 million. Equipping a young person with the skills to live in semi-independent rather than fully supported housing could, in addition to quality-of-life improvements, reduce these lifetime support costs by around £1 million. Supporting one person with a learning disability into employment could, in addition to improving their independence and self-esteem, reduce lifetime costs to the public purse by around £170,000.
  - Nationally, adult care costs for those with learning difficulties and/or disabilities are second only to the costs of supporting the elderly (£5.19bn compared to £8.79bn, 2011-12).

### **Race/ethnicity/nationality**

There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic. 81% of children with special educational needs or disabilities aged 5-16 in January 2011 were White British.



Monitoring information would suggest that people from an ethnic minority background tend to be part of communities showing higher rates of deprivation.

**Sex/Gender**

Monitoring information from the school census of children and young people aged 5-16 taken in January 2011 illustrates that 71% of pupils with a statement of special educational need are male compared to 29% female. This may suggest that there could be a disproportionately negative affect on the long term prospects of male children and young people with a special educational need and thereby the type of support parents may seek through this approach.

The service does not anticipate any negative impact on the grounds of this protected characteristic in relation to the introduction of the transport banding system.

**Religion/belief**

We do not consistently collect data on the religion of parents who attend parent events or seek support and so are unable to assess the impact of these proposals on persons with this protected characteristic. There is no evidence to suggest that there may be a disproportionately negative impact on people with different religious beliefs or with no religious belief.

**Sexual orientation**

We have no information on the numbers or proportion of Lesbian, Gay, Bisexual (LGB) communities likely to be affected by revisions to the parent participation and engagement approach. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic.

**Gender Reassignment**

We have no information on the numbers or proportion of Trans communities likely to be affected by revisions to the parent participation and engagement approach. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic.

**Marriage or civil partnership status**

There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic.

**Women who are pregnant or on maternity leave**

Information on numbers of learners who are pregnant is not collected. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic

**Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

This document relates to the initial proposals outlined above and as such, the service is at the beginning of the engagement process.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Population figures imply that there is a higher level of children and young people with

special educational needs and disabilities in the known areas of deprivation across Lancashire; Burnley, Hyndburn, Pendle, Rossendale and Wyre. The areas with least deprivation, Ribble Valley and Fylde have the lowest levels of children and young people with special educational needs and disabilities. This supports national statistics that children and young people with SEND tend to come from low income families.

#### **Question 4 – Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The Welfare Reform Bill proposes a series of changes to the benefits system that include the introduction of universal credit and an overall benefit cap. This could result in changes or reductions in the amount of benefit that families receive increasing the financial difficulty that would be faced by families in having the capacity and means to seek parental support for their child or to access parent events/meetings.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The service is currently at the beginning of the process and, as such, is continuing

with the original proposal. A meeting has already taken place with staff affected by the potential changes and work has commenced on identifying what we MUST-SHOULD-COULD and WONT do in relation to parent support and engagement in future and in line with the major SEND legislative changes. Discussions are ongoing.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The service is currently at the beginning of this process and consultation with staff and parents of CYP with SEND attending Lancashire Parent carer Forum or in receipt of Parent Partnership support will be consulted as part of this process.

Feedback from the consultation in general will help to inform additional mitigating actions that can be introduced to lessen any adverse impact of these proposals.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

There is a need to take some efficiency savings in this area upto £78k.

The new SEND Reforms have also signalled a significant change in the way that support and advice is given to parent/carers through the establishment of key working within the entire range of special educational needs but also social care and health support. Thus none of the current roles (PPOs, PCLOs nor Choice advisers),

possess the full range of requisite skills to cover the new reforms and expectations.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

As we are at the beginning of this process there have been no changes to the initial proposals. However, there is the possibility of changes to the proposals following evidence gathered as part of the consultation process. This analysis will be reviewed during and at the conclusion of the proposed consultation.

The working proposal however is to dis-establish the current Parent Partnership Service roles and the Parent Carer Liaison Officer roles and their associated infrastructure and establish a single system of support and advice to parent carers on the full range of SEN and disability issues.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

We are at the very early stages of this work and consultation will be required with staff affected and also with parent/carers to ensure their views are included in co-designing and co-producing the new approach to parent participation and engagement.

During this time the service will be seeking to identify the full effects of the proposals through a series of consultation exercises. The outcomes of the consultation will be recorded and the equality analysis will be updated with the appropriate evidence which will help to inform the final proposals

Equality Analysis Prepared By Sally Riley

Position/Role – Head of Inclusion and Disability Support Service

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**705 - Home to School Transport for  
Children and Young People with Special  
Educational Needs and Disabilities.**

September 2013.

## **Name/Nature of the Decision**

Changes to the Home to School Transport Policy for Children and Young People with Special Educational Needs and Disabilities.

## **What in summary is the proposal being considered?**

It is proposed to amend the Home to School Transport Policy for children and young people with special educational needs and disabilities (SEND) to include;

- A contributory charge for post 16 SEND transport to be introduced at £475
- thereafter, from September 2015 onwards, the contributory charge to be increased at a rate reflective of the Retail Price Index plus 2%.

1.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Affects all districts.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Disability

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

Yes

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)



## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The group of people who will be affected by this decision can be identified by two specific protected characteristics; disability and age.

Typically, the transport policy for children and young people with SEND affects people aged 5 to 21 who have special educational needs and/or disabilities and are entitled to receive transport support.

Although the pupils are referred to as SEND there are two distinct groups; special educational needs (SEN) and disability (D) and a pupil who has special educational needs may, or may not, also have a disability.

Those learners who will be affected by the proposal to introduce a flat rate charge for post 16 SEND transport support average between 450 to 520 students at any one time. All of this group will be subject to a charge for receipt of transport support to school or college.

Statistics illustrate a large gap between the attainment of pupils with Statement of Special Educational Need and other pupils. In 2009 Lancashire had a slightly smaller gap than that seen nationally at Key Stage 4 but this was still a significant 45.6%. During 2010 this gap widened in Lancashire to 47%.

This contributes to the fact that young people with learning difficulties and/or disabilities are twice as likely to be not in education, training or employment (NEET) as those without. In the current economic climate the opportunities in the employment market for young people with learning difficulties and/or disabilities are likely to reduce further.

Often parents are on benefits due to full time carer responsibilities so the impact of these proposals is mitigated by the introduction of an exemption for families with low incomes.

Individuals who share other protected characteristics have been considered as follows;

### **Race/ethnicity/nationality**

There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic. 81% of children with special educational needs or disabilities aged 5-16 in January 2011 were White British. Monitoring information would suggest that people from an ethnic minority background tend to be part of communities showing higher rates of deprivation. Consequently, post 16 learners from an ethnic minority background may be more likely to incur the reduced charge applicable to learners from families on qualifying benefits.

### **Sex/Gender**

Monitoring information from the school census of children and young people aged 5-16 taken in January 2011 illustrates that 71% of pupils with a statement of special educational need are male compared to 29% female. This may suggest that there could be a disproportionately negative affect on the long term prospects of male children and young people with a special educational need who may be discouraged from attending post 16 learning due to the associated transport costs.

The service does not anticipate any negative impact on the grounds of this protected characteristic in relation to the introduction of the transport banding system.

### **Religion/belief**

We do not consistently collect data on the religion of learners who access SEND transport support and so are unable to assess the impact of these proposals on persons with this protected characteristic. There is no evidence to suggest that there may be a disproportionately negative impact on people with different religious beliefs or with no religious belief.

### **Sexual orientation**

We have no information on the numbers or proportion of Lesbian, Gay, Bisexual (LGB) communities likely to be affected by revisions to the SEND Home to School Transport Policy. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic.

### **Gender Reassignment**

We have no information on the numbers or proportion of Trans communities likely to

be affected by revisions to the SEND Home to School Transport Policy. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic.

#### **Marriage or civil partnership status**

There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic. The proposed changes to the banding framework applies to all learners aged 5-24, with the vast majority aged pre 16. Those learners aged 16+ in receipt of transport support account for approximately 450 to 520 of the young people in receipt of transport support at any one time.

#### **Women who are pregnant or on maternity leave**

Information on numbers of learners who are pregnant is not collected. There is no evidence to suggest that there may be a disproportionately negative impact on persons with this protected characteristic

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

This document relates to the initial proposals outlined above and as such, the service is at the beginning of the engagement process. The consultation to be held from 03 February to 25 April 2014 will produce significant further evidence of the impact of these proposals.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals for change apply to the transport policy for children and young people with special educational needs and disabilities thus affecting those children and young people with SEND aged 5 to 24.

The proposal to introduce a flat rate charge for post 16 SEND learners will affect all those young people aged 16 to 19 who opt to continue in education.

The number of post 16 SEND learners who receive transport support is between 450 to 520 at any one time, all of whom, under the new proposals will be subject to a charge for receipt of transport support.

A benchmarking exercise with other local authorities has also been conducted to review the charging policies of other local authorities for this group of learners.

In addition to the impact felt by the young person any impact will also be felt across the family who, in the majority of cases, will be financially supporting the young person at this stage of their education.

Some families will struggle financially to meet the charge, juggling limited family finances to ensure that their child can attend further education. In the current economic climate many families have been affected by job losses and/or a general reduction in household income which will exacerbate their ability to find the money to meet the proposed charge.

Population figures imply that there is a higher level of children and young people with special educational needs and disabilities in the known areas of deprivation across Lancashire; Burnley, Hyndburn, Pendle, Rossendale and Wyre. The areas with least deprivation, Ribble Valley and Fylde have the lowest levels of children and young

people with special educational needs and disabilities. This supports national statistics that children and young people with SEND tend to come from low income families.

Often the parents are on benefits due to full time carer responsibilities so the impact of these proposals is mitigated by the proposal to apply an exemption for families on qualifying benefits.

For those families where the young person continues to enter the further education system families may choose to utilise the public transport network rather than pay the required contribution, particularly where the young person has moderate learning difficulties.

This would result in a young person having to walk to a local bus stop and develop the skills required to navigate the public transport network.

Learners in possession of a Blind and Disabled Person Nowcard who are able to access the local bus network would fall under the concessionary scheme and would be eligible to travel free after 9.30am on weekdays, and for a heavily subsidised flat rate before 9.30am. However, they may not be able to access public transport vehicles, particularly if low floor vehicles are not used or are used inconsistently.

Whilst a developing independence is encouraged it is noted that there is evidence of harassment of SEND young people when travelling on public transport. The Council mitigates this impact through a range of safer travel initiatives delivered through the safer travel unit in conjunction with local bus operators.

There is the possibility that the introduction of charges could deter learners from participating in further education altogether.

There is a large gap between the attainment of pupils with a statement of special educational need and other pupils. In 2011 the gap between achievement of 5 GCSE's A\* - C between these two groups was 52.2%.

Young people with learning difficulties and/or disabilities are twice as likely to be not in education, training or employment (NEET) as those without. In the current economic climate youth unemployment is expected to rise which can intensify the lack of employment prospects for young people with SEND, particularly if they have not progressed through the further education system.

The ability to access further education can lead to positive outcomes for young people with learning difficulties and/or disabilities supporting them to develop skills and aptitudes to go into sustainable employment and participate in their community.

Failure to achieve a positive outcome can result in isolation, depression and longer term poor health leading to a long term dependency on the benefit system.

If some SEND learners are deterred from entering into further post 16 learning as a result of the proposal to introduce charges this may have a significant long term impact on their health, wellbeing and quality of life.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The Welfare Reform Bill proposes a series of changes to the benefits system that include the introduction of universal credit and an overall benefit cap. This could result in changes or reductions in the amount of benefit that families receive increasing the financial difficulty that would be faced by families incurring the charge for transport support.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The service is currently at the beginning of the process and, as such, is continuing with the original proposal. However, a comprehensive consultation will be held between 03 February and 25 April 2014 which will produce significant further evidence. Following a review of the consultation findings there is the possibility of change to the initial proposals.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is

important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

It is considered that the adverse effects of the proposed changes will be most keenly felt by those young people with SEND, and their families, who wish to enter further education and require transport support. Under these proposals this group of people will be required to pay a charge as a contribution to their transport support.

In mitigation the proposals take into account the impact of these charges on lower income families and include an exemption for families who are in receipt of qualifying benefits.

It is acknowledged that some families may still find it difficult to pay the charge upfront and therefore arrangements will be made to enable families to spread the costs over the year and pay by monthly instalments.

The service will proactively promote the Blind and Disabled Persons Nowcard where a learner is able to access the local bus network and is eligible for free travel after 9.30am on weekdays and for a flat rate before 9.30am. The service will also enter into discussions with local further education providers to influence the impact of the disjointed nature of college timetables on the individual learner and their transport needs. All too frequently, local colleges provide courses for limited hourly sessions over the course of a week resulting in personalised taxi transport on each separate occasion. The Council will work to influence colleges to develop timetables that take transport issues into consideration.

As previously noted, families just above the threshold for qualifying benefits may not be able to afford the charges introduced by these proposals. To mitigate against this, we will work closely with the County Council's welfare rights service to develop strategies around ensuring that such families are fully aware of the welfare benefits for which they are eligible and to maximise the take up of benefits.

The service is currently at the beginning of this process and a comprehensive consultation is due to be held from 03 February to 25 April 2014. As part of this consultation an exercise will be conducted to identify the impact of the proposals on a sample group of families. Feedback from this exercise and from the consultation in general will help to inform additional mitigating actions that can be introduced to lessen any adverse impact of these proposals.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those

sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal to introduce a contribution towards the transport support provided to post 16 SEND students will produce annual budget savings of approximately £329,000 compared against a current annual expenditure of c£2.7 million.

The introduction of charges will have a negative impact on all the post 16 learners and their families who currently benefit from free transport to and from school/college who will be required to find the funds to meet the necessary contribution.

This impact will be felt, more specifically, by those families with a low income for whom the charge may not be affordable.

The introduction of the charges may result in some young people with SEND accessing the public bus network to travel to school or college which has its benefits in relation to developing a greater sense of independence and participation in public life. It can, however, also result in a young person with SEND being the subject of harassment and victimisation.

Further education has been proven to improve the outcomes for learners with learning difficulties and/or disabilities, supporting them to develop the skills and aptitudes to go into sustainable employment and participate in their community. Most significantly, the introduction of means tested charges for post 16 SEND students may deter families from encouraging participation in further education impacting on the long term opportunities and life chances of these young people.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

As we are at the beginning of this process there have been no changes to the initial proposals. However, there is the possibility of changes to the proposals following evidence gathered as part of the consultation process. This analysis will be reviewed during and at the conclusion of the proposed consultation.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The service will be conducting a comprehensive consultation with children and young people with SEND, their families and with the Parent/Carer forum from 03 February to 25 April 2014.



During that time the service will be seeking to identify the full effects of the proposals through a series of consultation exercises including direct contact with the families affected. The outcomes of the consultation will be recorded and the equality analysis will be updated with the appropriate evidence which will help to inform the final proposals.

Equality Analysis Prepared By Helen Green

Position/Role Service Compliance Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer Sally Riley

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

709 – Review of Quality & Continuous  
Improvement - Lancashire Schools  
Effectiveness Service (QCI-LSES) services  
provided to schools

December 2013

## **Name/Nature of the Decision**

Review of Quality & Continuous Improvement - Lancashire Schools Effectiveness Service (QCI-LSES) services provided to schools

## **What in summary is the proposal being considered?**

1.The proposal is that the great majority of support for schools in areas such as the development of the curriculum, teaching and learning strategies, behaviour and leadership and management are traded. This is a continuation of a policy which has been developed over many years and takes account of the increased focus on schools supporting schools through initiatives such as the Teaching School initiative.  
2.The proposal also suggests that the development of IT systems such as the collection of school data and the development of tracking systems to support school self evaluation are funded by traded income. This again is a continuation of current policy.  
3.The proposal to cease to produce a report on Racist incidents recognises a change in the role of local authority. Schools are required to monitor racist incidents and to deal with them.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

No

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

No

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

1. It is not anticipated that the proposal will have an adverse effect upon the quality of provision for protected groups as schools remain responsible for the achievement of those groups. Support will continue to be offered to schools on teaching and learning, behaviour, leadership and management through marketed training and the marketed School Service Guarantee which over 95% of schools buy into. The quality of provision in schools will be monitored through OfSTED inspections and the work of the School Improvement Challenge Board and where serious concerns arise the local authority has powers of intervention.

2. It is not anticipated that the proposal relating to the provision of data support for schools will have an adverse effect on protected groups because schools are responsible for the achievement of these groups. Support will also continue to be offered through marketed data products and the income will fund the development of new/improved services to schools.

3. The cessation of routine racist incident monitoring by the local authority will not impact on protected groups because schools remain responsible for meeting the equality duty for these groups. The local authority will continue to monitor concerns raised in relation to racist incidents and will provide support and challenge where serious concerns are raised. A Race Equality Mark is also available to school in Lancashire to promote equality in this area. In addition OfSTED will monitor the effectiveness of schools' equality policies and inspection reports will highlight

concerns. OfSTED reports are monitored closely by the local authority and serious concerns taken to the School Improvement Challenge Board.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in

respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those



sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

**Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Equality Analysis Prepared By M Snelson, senior adviser; S Belbin, senior adviser; E Heaton, Key Schools Project Team lead.

Position/Role

Equality Analysis Endorsed by Line Manager and/or Chief Officer J Hewitt

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**711 – Virtual School Review**

December 2013

## **Name/Nature of the Decision**

The Restructure of Virtual School for Children looked After

## **What in summary is the proposal being considered?**

To reduce the number of Educational Consultants employed by ACERS Virtual School for Children Looked After Team from 4 to 2 (50% reduction)

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Currently 3 Educational Consultants each support the Children looked after and their schools within an area of Lancashire ; North, South, East and one consultant tracks Lancashire Looked After Children who are educated out of Lancashire. Currently this does not always provide equality of access as each area varies in the number of CLA.

The restructure proposal, despite a reduction in one area post, will ensure equality of access to support across the county as each consultant will cover a similar size of cohort and area. Monitoring of the education of children looked after is now sustainable via the implementation of new, effective, monitoring systems managed by upgraded Business Support Officer . , and most importantly , effective support from other services to schools Therefore, targeted group will not be affected.( See below)

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

No -This decision will not impact adversely on the support available to above groups or sub groups :

Some of the responsibilities of the Virtual School Educational Consultants have been more effectively undertaken by other services :-

-All schools have a Designated Teacher for CLA promoting the education of CLA , and the Virtual School will continue to provide training for Designated Teachers for CLA in their role

-School Advisers are now monitoring the educational progress of all CLA in schools at every adviser visit, and report to the Virtual School Headteacher if required .

- Although 62% of all CLA have identified Special Educational Needs or Disability at some point in their education , all schools have now specific funding ( Pupil Premium ) for CLA , to ensure these needs are met ( Pupil Premium) .

-In Lancashire, the Educational Psychologist for the school ensures that any CLA's Special Educational Needs or Disability are being effectively met .

-OFSTED Inspectors also monitor how the CLA Pupil Premium is effectively used within every school.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

( See above) All Lancashire children looked after , regardless all protected characteristics above , will continue to access support from the Virtual school, and other services .

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The proposal for restructure of the Virtual school for Children Looked After will not impact negatively upon any employees /service users of the above group or sub groups due to reasons below.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Consultation has taken place with ACERS Head of Service and All staff on Virtual School Team for Children Looked After

### Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

<p>The proposal will not impact adversely on any of the above groups or sub groups. All CLA including CLA with identified SEND, are given numerous opportunities to participate in public life and to participate in any educational activity via Children in Care Council , Membership on Corporate Parenting Board .</p>
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#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No- as CLA support is the remit of other services and schools However, this remit has been highlighted and prioritised across other Services, and protocols have been piloted . The decision will not have any adverse effects to other services, but will ensure accountability from all services and schools as Corporate Parents for Lancashire's Children Looked After

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal? NO

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Continuing with the Original Proposal – briefly explain why

Our analysis indicates that the original proposal will not impact adversely on any of the above groups or sub groups, and will improve the support available to CLA in school, and impact positively on CLA achievements and attainments . This proposal will also improve intelligence re schools accountability for providing educational support for CLA

### Question 6 - Mitigation

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

None required

### Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Need for budget savings will not be counter productive to any of the above groups. However the involvement , training and support of other services working with schools is a positive step to ensuring schools provide effective educational provision for all CLA

### Question 8 – Final Proposal

In summary, what is your final proposal and which groups may be affected and how?

Proposal is for the Restructure of the Virtual School for Children looked After

None of the above groups will be detrimentally affected



## Question 9 – Review and Monitoring Arrangements

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

- The proposal has been risk assessed, and piloted, to ensure the effectiveness of the restructure, and to ensure elimination of discrimination, harassment, victimisation or other unlawful conduct; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- Virtual School will arrange monthly reviews with all other services .eg IDSS, CIS, and individual professionals , to monitor CLA progress
- An full restructure action plan is in place , which will be implemented monitored and reviewed on a monthly basis
- Impact and progress will be reported to DLT, DELT and the Corporate Parenting Board.

Equality Analysis Prepared By Sue Parr

Position/Role : Head of Virtual School for Children Looked After

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**712 – Review Early Years Services and  
Responsibilities**

November 2013

## **Name/Nature of the Decision**

Review of Early Years services and responsibilities

## **What in summary is the proposal being considered?**

This proposal includes:

- 1.The cessation of Best Start funding for schools to support pupils aged 5-7 who are eligible for Free School Meals
- 2.Offering the great majority of training support and monitoring for childminders, PVI Early Years settings on a marketed basis and through self help clusters of settings as proposed by central government.
- 3.Reducing the support for Health led initiatives in Children's Centres and marketing support for Healthy Eating.
- 4.Ceasing the additional funding for Children's Centres to establish effective joint working with schools on preparing young children for school.
- 5.Cessation of the Sustainability Grant to maintain early years settings which are struggling financially on a temporary basis.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Number 5 Cessation of the Sustainability Grant to maintain early years settings which are struggling financially on a temporary basis.

This decision is likely to affect early years provision in some rural areas. See response from Question 1 – 9.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Proposals 1-4.

1.The cessation of Best Start funding for schools to support pupils aged 5-7 who are eligible for Free School Meals

It is not anticipated that the proposal will impact adversely on those with protected characteristics as the pupil premium grant will more than cover the cost of the services offered through Best Start. Through Best Start schools have developed effective relationships with schools and the service offer is known to schools so they can commission support where required. Responsibility for supporting individual pupils eligible for Free School Meals to raise achievement sits with schools. The achievement of pupil groups with protected characteristics will be monitored by the local authority and OfSTED and where there are serious concerns the local authority has powers of intervention.

2.Offering the great majority of training support and monitoring for childminders, PVI Early Years settings on a marketed basis and through self help clusters of settings as proposed by central government.

It is not anticipated that the proposal will impact adversely on those with protected characteristics as all settings will be able to access marketed support, training and cluster support. The quality of settings is monitored by OfSTED and the local authority will monitor the OfSTED inspections and ensure that Free Early Years

funding is not given to settings which are judged inadequate. Any concerns raised by OfSTED relating to safeguarding will be passed to the LSCB.

3.Reducing the support for Health led initiatives in Children's Centres and marketing support for Healthy Eating.

It is expected that the services will be delivered or commissioned by Public Health with support from the Children's Centres so no impact on those with protected characteristics is anticipated. Healthy eating support will be provided on a marketed basis but many settings have already accessed this support.

4.Ceasing the additional funding for Children's Centres to establish effective joint working with schools on preparing young children for school.

It is not anticipated that this proposal will impact adversely on those with protected characteristics as the pupil premium grant will more than cover the cost of many of the services offered through the School Readiness grant for pupils in the Reception Year in school. Children's Centres will continue to link with schools in supporting vulnerable children and families and those links have been strengthened through the School Readiness programme. Responsibility for supporting individual pupils who are in Reception and eligible for Free School Meals sits with schools. The requirements of the new Early Years Foundation Stage curriculum, the clearer focus on pre-school settings preparing children for school, improved assessment and the higher expectations of OfSTED inspections are also expected to improve school readiness.

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Some small rural communities do not have sufficient numbers of young children to make early years provision viable so they are more likely to be affected by the cessation of this grant.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

We have carried out a Childcare Sufficiency review and we believe that it is possible to provide childcare for the vast majority of families seeking it in rural and urban

settings by using a range of provision including PVI settings and childminders.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

We do not believe that families living in rural communities will be unable to find childcare as this has not been a problem in the past and the Childcare Sufficiency review does not suggest this is the case.

This year the sustainability grant has not been fully allocated and was already

reduced substantially in 2012.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

There is a concern that the new tougher OfSTED requirements will lead to more settings being judged inadequate and if these were clustered in a locality it could create a sufficiency problem.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

We have not amended the proposal as our current monitoring indicates that current provision will meet the requirements of all communities.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the



mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

We will monitor the impact of this decision on families through the Family Information Service and consider the implications of any negative indications.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The decision has been taken in the light of the evidence that there are currently sufficient childcare places available and no evidence that rural communities have been badly hit to date by the new OfSTED inspection framework. We also noted that the demand for sustainability funding has been significantly underspent in the last two years.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposal is to cease to offer sustainability funding for Early Years settings.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The impact of this proposal will be monitored by:

The Family Information Service monitoring the number of families who cannot find

local childcare

The annual childcare sufficiency review

Feedback from Children's centres

Equality Analysis Prepared By      A Gradwell

Position/Role      Learning Improvement support lead

Equality Analysis Endorsed by Line Manager and/or Chief Officer      J Hewitt  
Head of QCI

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

717 - Improve efficiency of Adoption  
Service

## **Name/Nature of the Decision**

Adoption Service/Adopters taking on additional financial responsibility and addressing the balance in allocation of financial support via the adoption allowance scheme.

## **What in summary is the proposal being considered?**

- Prospective adopters pay for own DBS checks and may in the future be required to pay an admin fee to cover the cost incurred by the service in obtaining statutory checks and references.
- The directorate will no longer pay expenses to adopters during bridging, introductions and settling in. However there is an exemptions clause for extenuating circumstances.
- The directorate will cease to pay the court lodging fee when adopters submit their application to the court.
- The service will identify areas where it may be possible statutorily for a charge to be levied.
- The service will obtain legal advice to assess the risk that would be involved in terminating payments to adopters receiving the adoption allowance on the basis of historic arrangements that would no longer be granted.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

All people across the county will be affected in a similar way there are no specific areas likely to be affected. Service manger discretion can be used in exceptional circumstances.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality

- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

No.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Impact of this decision will affect equally and without discrimination all service users, as previously noted, in exceptional circumstances service manager discretion can be employed to ensure none of the protected characteristics are adversely affected by this decision.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality

- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

NA

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The service did not consider the need to implement a formal consultation process. This is because the decision is not considered to adversely impact on service users.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

No.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

NA

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal is put forward to ensure the adoption services manages its finances in a more cost effective manner. Whilst overall this will generate significant savings for the service there will be limited impact on an individual basis for adopters and children.



### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposal remains the same, the measures the service has put in place with regards to discretion will ensure that no groups are disadvantaged.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Monitoring will take place through the following:

- The number of assessments refused because financial assistance during bridging, introductions and settling in will not be provided.
- The number of complaints with regards to this issue received from adopters and/or other adoption agencies.
- Monitoring of children's needs being met through CLA reviews.
- Any subsequent action taken against the local authority on the basis of us not continuing to make payments within the adoption allowance scheme as had previously been agreed.

Equality Analysis Prepared By Anne-Marie Ranson

Position/Role Adoption Service Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer Stasia Osiowy

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

719 - Increase efficiency in Fostering  
Service

November 2013

## **Name/Nature of the Decision**

Fostering Service/Decision to review payments to foster carers in order for the service to operate more efficiently.

## **What in summary is the proposal being considered?**

- Foster carer equipment will no longer be provided to new applicants. Existing foster carers will be responsible for replacement of foster carer equipment through their boarding out allowance. In exceptional circumstances some equipment may be provided by service manager discretion on a case by case basis.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

All people across the county will be affected in a similar way there are no specific areas likely to be affected. Service manager discretion can be used in exceptional circumstances.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a

disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Children with disabilities occupy a small proportion of foster placements, less than 5%. Some but not all of these children will require specialist equipment, which in some cases will be provided by the health service. The impact of a foster carer being responsible for the provision of specialist equipment could potentially limit the number of foster carers prepared to look after these young people. In order to protect against this specialist equipment can still be provided by the authority at no additional cost to the carer by the service manager's authorisation.

No other group with protected characteristics would be affected.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The service did not consider the need to implement a formal consultation process as there will be limited impact to the service users.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Yes, the decision could impact on people with disabilities. Children with disabilities

may need more specific or costly equipment than non disabled children and therefore this decision could impact on the provision of foster care for children with disabilities. In order to ensure these children are not adversely affected there is service manager discretion to be used in exceptional circumstances to still provide equipment. This would be applied in the case of a child with a disability needing specific or more costly equipment.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is

important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

To reiterate, service manager discretion can be applied in respect of providing equipment where necessary for children with disabilities.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal is put forward to ensure the fostering services manages its finances in a more cost effective manner. Whilst overall this will generate significant savings for the service there will be limited impact on an individual basis for foster carers and children. The most significant impact would be for children with disabilities requiring specific equipment the impact of which has been minimised by the provision for discretion to be used on a case by case basis.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposal remains the same, the measures the service has put in place with regards to discretion will ensure that no groups are disadvantaged.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.



Monitoring will take place through the following:

- The number of assessments refused because equipment will not be provided.
- The number of foster carers resignations due to equipment not being provided.
- The number of complaints with regards to this issue.
- Feedback from foster carers through the fostering forum.
- Monitoring of children's needs being met through CLA reviews and foster carer reviews.

Equality Analysis Prepared By Barbara Bath

Position/Role Fostering Service Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer Stasia Osiowy

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**722 - SYSTEM DESIGN PROJECT**

November 2013

## **Name/Nature of the Decision**

System Design Project

### **What in summary is the proposal being considered?**

The purpose of this project is to reshape the offer and services for the prevention, protection and permanence of our most vulnerable children and young people.

This project is a constituent part (but not the whole) of policy option 722:- “To develop and reshape services to children, young people and families to ensure the services are aligned efficiently and effectively”

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The project is currently in its formative stages and is focused on engaging with key stakeholders in order to gauge views and opinions to inform the development of a reshaped offer and reshaped services for the prevention, protection and permanence of our most vulnerable children and young people.

No proposals have been developed to date and as such it is not appropriate to provide a definitive assertion regarding how any groups are likely to be affected.

The principles for the project are strongly founded on a need for equity and efficiency and as such it is expected that no specific areas are likely to be disproportionately affected.

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The outcomes of the project are likely to have an impact on the following protected group: "AGE". This is because the services and offer relate to children and young people.

The Project Group have already recognised this and are seeking to ensure effective and robust engagement with children and young people is an integral aspect of the project. This will serve to identify and address any issues that may arise in relation to this protected group.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief

- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

There is a range of information available about the children and young people to whom services are provided.

This information includes individual case files, performance information produced within the directorate and data that is captured and shared by statutory partners (eg: health). This list is not exhaustive.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The project is currently in its formative stages and is focused on engaging with key stakeholders in order to gauge views and opinions to inform the development of a reshaped offer and reshaped services for the prevention, protection and permanence of our most vulnerable children and young people.

This includes staff across CYP and Children and Young People and their Families.

Some engagement activity commenced in November 2013. It is due to continue as part of the project process until the project concludes in March 2014.

Details of engagement activity is captured within the Project Group Plan and is available for scrutiny/inspection at any time.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The project is currently in its formative stages it is not possible or appropriate to seek to answer this question at this point.

Equality Analysis Prepared By Alison Moore

Position/Role Project Manager, Targeted and Assessment Services

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member





# Equality Analysis

804 Street Lighting Energy Reduction

November 2013

## **Name/Nature of the Decision**

Street Lighting Energy Reduction

## **What in summary is the proposal being considered?**

The reduction in lighting levels and the turning off street lights during hours when the highway usage is lower. The areas most likely to be impacted by these decisions have not yet been identified.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

The decisions will impact groups of individuals sharing protected characteristics under the Equality Act 2010.

- Age – Vision deteriorates with age, consequently older people are more likely to be involved in traffic incidents, crime or fear of crime than other groups as a result of these changes. Possibly young people may be adversely affected too as they are more likely to be out during hours when lighting is reduced or turned off and are more often the victims of street crime.
- Disability including Deaf people – People with poor vision and people who rely more on their own or on other peoples vision to keep them safe on the highway (such as deaf people) are more likely to be impacted by these decisions than other groups. In addition people with 'Low Luminance Myopia' (LLM) resulting in poor night vision are more greatly impacted by these decisions. LLM is suffered by between 10% and 50% of the population depending on the severity being measured. People with other disabilities may also feel more vulnerable due to reduced street lighting as disabled people fear and are victims of hate crimes and other incidents.
- Groups that are more concerned about crime and fear of crime will be more greatly impacted by these decisions there is particular concern amongst women about the potential personal safety consequences of reductions in street lighting.

## **Question 1 – Background Evidence**

This proposal would particularly impact some age, disability, gender and other groups, especially where vulnerable to crimes or accidents. Lancashire's particular profiles could be explored in more detail if the proposal were to go forward.

## **Question 2 – Engagement/Consultation**

Views have not yet been sought with the Living in Lancashire Panel or similar groups regarding the proposed decisions. If the proposal goes further then wider consultation will be carried out – e.g. using the third tier forums, priority neighbourhood or other channels.

### **Question 3 – Analysing Impact**

This can be completed more usefully when some consultation/engagement evidence is available.

### **Question 4 –Combined/Cumulative Effect**

There will be some impacts –

e.g. if some of the evening subsidised bus services are withdrawn then it may be expected that more travel will occur on foot during evenings when lights levels will be lower or lights will be switched off.

They also may be cumulative effects–

e.g. if winter gritting is reduced then black ice and other hazards will be more difficult to see, increasing the risks of accidents for the increased number of travellers on foot.

### **Question 5 – Identifying Initial Results of Your Analysis**

To be completed later.

### **Question 6 - Mitigation**

Reduced lighting will be more effective than no lighting in mitigating the impacts of these decisions.

Reduced as opposed to no lighting, in particular areas or times, may mitigate the impacts of these decisions on some equality groups.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

To be completed later.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

To be completed later.

### **Question 9 – Review and Monitoring Arrangements**

The impacts of accidents, crime and fear of crime could be monitored for different equality/protected characteristic groups; however it would be essential that pre-implementation data was collected in the same format/criteria as post-implementation data for results to be meaningful. For example certain types of street crime data would be relevant e.g. 'mugging'. Surveys around how safe people feel in their neighbourhood could also be useful tools here and may give that "before and after" perspective.

Equality Analysis Prepared By M.Dunwell

Position/Role Head of Street Lighting

Equality Analysis Endorsed by Line Manager and/or Chief Officer S.Procter

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**809 - Reduction to the Members Revenue  
Contingency Fund**

November 2013

## **Name/Nature of the Decision**

**Reduction in Members Revenue Contingency Fund**

### **What in summary is the proposal being considered?**

The revenue budget that is identified for reduction is the Members Revenue Contingency Fund. The proposal is to reduce the annual revenue budget amount from its current level of £420,000 to £200,000.

This budget is used primarily to respond to member requests for minor revenue works that the County Council would ordinarily undertake but for which no other revenue funding source is available.

The proposed reduction in the budget will impact on the Environment Directorate's ability to respond to member requests for minor revenue works in their area.

There is no defined programme of works for this budget therefore it is not possible to carry out a full EIA. The reduction is not considered to adversely impact on any particular group.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

This decision will affect all residents of Lancashire in the same way.

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The reduction will not impact adversely on any particular group to a disproportionate extent.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

All Lancashire residents will be affected in the same way and the reduction in funding will not have an adverse impact on any particular group.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be



amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

**Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

**Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

**Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Equality Analysis Prepared By Daniel Herbert

Position/Role Head of Local Network Management

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

814- Review of bus subsidies and an enhancement  
of community transport services

Disabled NoWcard

Increase in fare pre-0930 Monday to Friday

**April 2014**

## **Nature of the Decision**

To increase the Monday to Friday pre-0930 fare for Disabled NoWcard holders from 50p per journey to £1 per journey

## **What in summary is the proposal being considered?**

The proposal to be considered involves the increase of the Monday to Friday pre-0930 fare for Disabled NoWcard holders from 50p per journey to £1 per journey. The current English National Concessionary Travel Scheme allows free travel after 0930 on Monday to Friday and all day on Saturdays and Sundays up to 2300. However, Lancashire County Council currently provides a discretionary enhancement to the national scheme by allowing Disabled NoWcard holders the opportunity to travel for 50p per journey before 0930 on Monday to Friday. There are currently 21,654 Disabled NoWcard holders in Lancashire who make 220,561 journeys per annum before 0930 on Mondays to Fridays (an equivalent of 875 journeys per day). The 50p fare has been in place since 1 April 2008.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision affects Disabled NoWcard holders across the County in a similar way, in that the proposal is to increase the discretionary fare from 50p to £1 before 0930 on Monday to Fridays..

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender

- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Lancashire County Council extend the discretionary enhancement to all holders of Disabled NoWcards in Lancashire and hold details of those people who currently have a valid pass. This includes some of the information for those categories listed above, and Lancashire County Council intends to write to all passholders to seek their views and further required data to allow an informed decision to be made.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

**Lancashire County Council** will invite comments from the following stakeholders regarding the proposals:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

County Information Centres

LCC County Councillors

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

All Disabled NoWcard holders

Passenger Focus

Confederation of Passenger Transport

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals could potentially disadvantage particular groups. Information gained



through our consultation process will be used in analysing the impact of the proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Lancashire County Council will consider any combined/cumulative effects that other local or national decisions may have on the proposals, and whether these will increase any adverse effects.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following analysis of consultation responses Lancashire County Council will consider whether the original proposal could be amended.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the

mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Lancashire County Council will set out the mitigation of potential adverse effects of the increase in the discretionary fare from 50p to £1 before 0930 on Monday to Fridays where it is considered action can be taken.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Lancashire County Council will fully assess the reasons of the proposal with the findings of our analysis. This will take the form of a full evaluation taking into account any adverse impacts and effects on those sharing protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Following the analysis, Lancashire County Council will announce the final proposal and which groups may be affected and how.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

LCC will contact stakeholders four months after the introduction of any changes to seek views and consider whether any amendments would be appropriate.

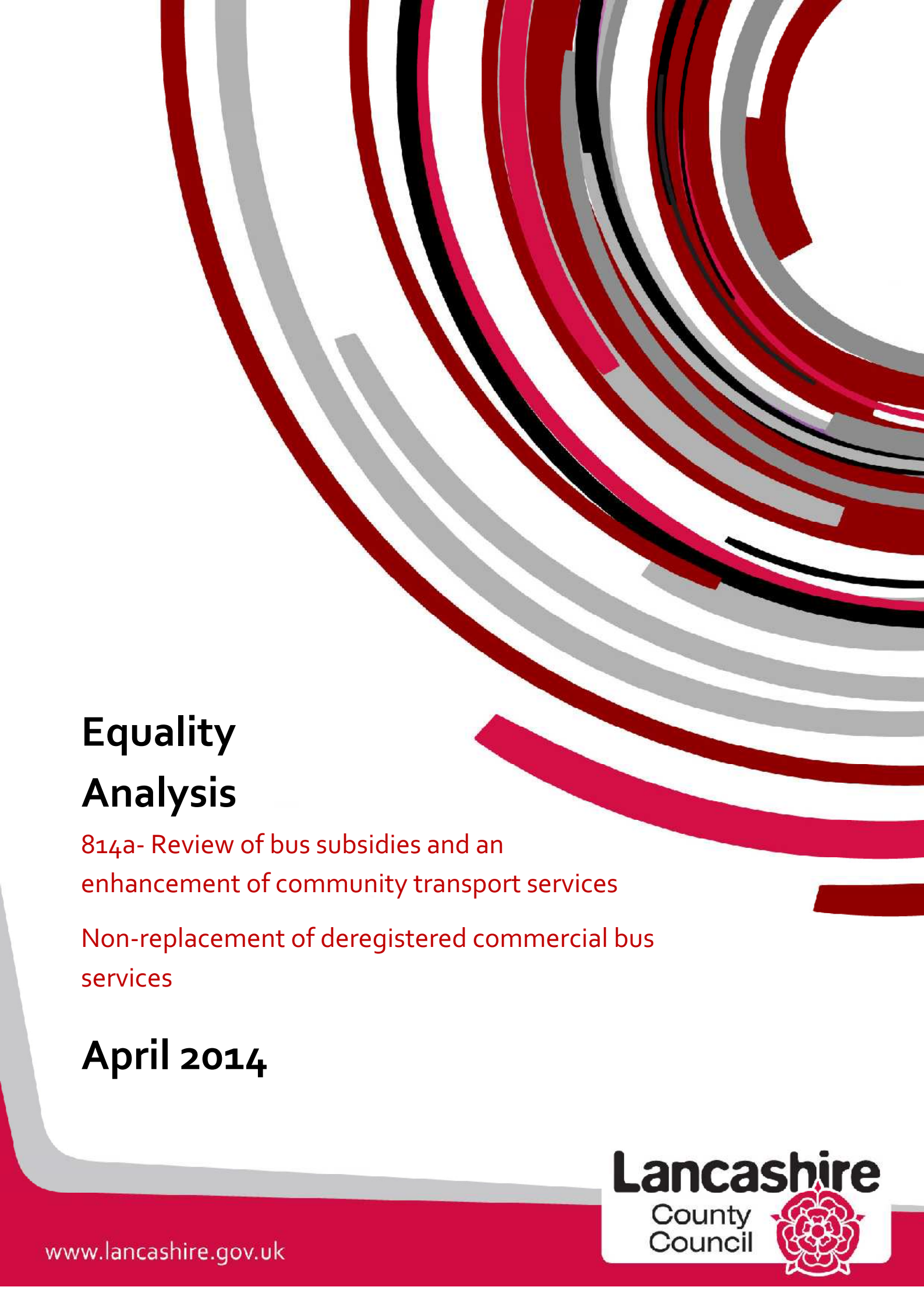
Equality Analysis Prepared By **Tim Gornall**

Position/Role **Bus & Supported Transport Manager**

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

814a- Review of bus subsidies and an  
enhancement of community transport services

Non-replacement of deregistered commercial bus  
services

**April 2014**

## **Nature of the Decision**

To withdraw all funding for any commercial bus services deregistered by local bus operators in Lancashire.

## **What in summary is the proposal being considered?**

The proposal to be considered involves the withdrawal of all funding for any commercial bus services deregistered by local bus operators in Lancashire.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision affects people across the County in a similar way, in that deregistered commercial local bus services will not be replaced.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Lancashire County Council will be undertaking a full consultation exercise to determine information about the different groups of people who may be affected by the decision.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

**Lancashire County Council** will invite comments from the following stakeholders regarding the proposals:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

County Information Centres

LCC County Councillors

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

Passenger Focus

Confederation of Passenger Transport

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be

– will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals could potentially disadvantage particular groups. Our own surveys and information gained through our consultation process will be used in analysing the impact of the proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.



If Yes – please identify these.

Lancashire County Council will consider any combined/cumulative effects that other local or national decisions may have on the proposals, and whether these will increase any adverse effects.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following analysis of consultation responses Lancashire County Council will consider whether the original proposal could be amended.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Lancashire County Council will set out the mitigation of potential adverse effects of the withdrawal of funding for any deregistered commercial bus services where it is considered action can be taken.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those

sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Lancashire County Council will fully assess the reasons of the proposal with the findings of our analysis. This will take the form of a full evaluation taking into account any adverse impacts and effects on those sharing protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Following the analysis, Lancashire County Council will announce the final proposal and which groups may be affected and how.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

LCC will contact stakeholders four months after the introduction of any changes to seek views and consider whether any amendments would be appropriate.


Equality Analysis Prepared By Tim Gornall

Position/Role Bus & Supported Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

814b-Review of bus subsidies and an  
enhancement of community transport services

Withdrawal of subsidised bus services: Evenings &  
Sundays

**April 2014**

## **Nature of the Decision**

To withdraw all funding for Lancashire County Council subsidised bus services operating on evenings and Sundays.

## **What in summary is the proposal being considered?**

The proposal to be considered involves the withdrawal of all subsidies in relation to the operation of evening and Sunday bus services funded by Lancashire County Council. Evening services are classified as those operated after 1830 hours, although the proposal recognises some flexibility around this depending on specific departure times locally.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision affects people across the County in a similar way, in that the proposal is to withdraw subsidised bus services in all areas in the evenings and on Sundays.

However, approximately 55% of evening services and 50% of Sunday services are operated on a commercial basis and these are unaffected by the proposal.

Appendix X lists those services that are being proposed for withdrawal, together with details of alternatives where these are available.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Lancashire County Council will be undertaking on-bus surveys to determine information about the different groups of people who may be affected by the decision.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

**Lancashire County Council** will invite comments from the following stakeholders regarding the proposals:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

County Information Centres

LCC County Councillors

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

Bus Passengers On Services Affected

Passenger Focus

Confederation of Passenger Transport

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals could potentially disadvantage particular groups. Our own surveys and information gained through our consultation process will be used in analysing

the impact of the proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Lancashire County Council will consider any combined/cumulative effects that other local or national decisions may have on the proposals, and whether these will increase any adverse effects.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following analysis of survey information and consultation responses Lancashire County Council will consider whether the original proposal could be amended.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the



mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Lancashire County Council will set out the mitigation of potential adverse effects of the proposed withdrawal of evening and Sunday subsidised bus services where it is considered action can be taken.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Lancashire County Council will fully assess the reasons of the proposal with the findings of our analysis. This will take the form of a full evaluation taking into account any adverse impacts and effects on those sharing protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Following the analysis, Lancashire County Council will announce the final proposal and which groups may be affected and how.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

LCC will contact stakeholders four months after the introduction of any changes to seek views and consider whether any amendments would be appropriate.

Equality Analysis Prepared By Tim Gornall

Position/Role Bus & Supported Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

# Equality Analysis

814c-Review of bus subsidies and an  
enhancement of community transport  
services

Community Transport - Enhanced Funding

April 2014

## **Nature of the Decision**

To allocate an additional £500,000 per annum to enhance existing Community Transport services in Lancashire.

## **What in summary is the proposal being considered?**

The proposal to be considered involves the allocation of an additional £500,000 per annum to enhance existing Community Transport services in Lancashire. The current Community Transport and Community Cars annual budget is £1m, and the extra funding would allow an expansion of services to provide essential links to local amenities for those unable to access mainstream transport.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision affects people across the County in a similar way, in that additional resources are being considered to enhance existing Community Transport provision.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a

specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The proposal to increase funding will affect those with protected characteristics and especially those who are unable to access mainstream bus services.

Lancashire County Council will be undertaking a full consultation exercise to determine information about the different groups of people who may be affected by the decision.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

**Lancashire County Council** will invite comments from the following stakeholders regarding the proposals:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

County Information Centres

LCC County Councillors

Community Transport Users

Community Car Users

Community Car Volunteers

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

Passenger Focus

Confederation of Passenger Transport

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be

developed or modified in order to do so? Please identify any findings and how they might be addressed.

It is unlikely that the proposal would potentially disadvantage particular groups. Information gained through our consultation process will be used in analysing the impact of the proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Lancashire County Council will consider any combined/cumulative effects that other local or national decisions may have on the proposals, and whether these will increase any adverse effects.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following analysis of consultation responses Lancashire County Council will consider whether the original proposal should be amended.

#### **Question 6 - Mitigation**



Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Lancashire County Council will set out the mitigation of potential adverse effects where it is considered action can be taken.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Lancashire County Council will fully assess the reasons of the proposal with the findings of our analysis. This will take the form of a full evaluation taking into account any adverse impacts and effects on those sharing protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Following the analysis, Lancashire County Council will announce the final proposal and which groups may be affected and how.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

LCC will contact stakeholders four months after the introduction of any changes to

seek views and consider whether any amendments would be appropriate.

Equality Analysis Prepared By Tim Gornall

Position/Role Bus & Supported Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

814d- Review of bus subsidies and an  
enhancement of community transport services

Disabled NoWcard

Increase in fare pre-0930 Monday to Friday

**April 2014**

## **Nature of the Decision**

To increase the Monday to Friday pre-0930 fare for Disabled NoWcard holders from 50p per journey to £1 per journey

## **What in summary is the proposal being considered?**

The proposal to be considered involves the increase of the Monday to Friday pre-0930 fare for Disabled NoWcard holders from 50p per journey to £1 per journey. The current English National Concessionary Travel Scheme allows free travel after 0930 on Monday to Friday and all day on Saturdays and Sundays up to 2300. However, Lancashire County Council currently provides a discretionary enhancement to the national scheme by allowing Disabled NoWcard holders the opportunity to travel for 50p per journey before 0930 on Monday to Friday. There are currently 21,654 Disabled NoWcard holders in Lancashire who make 220,561 journeys per annum before 0930 on Mondays to Fridays (an equivalent of 875 journeys per day). The 50p fare has been in place since 1 April 2008.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision affects Disabled NoWcard holders across the County in a similar way, in that the proposal is to increase the discretionary fare from 50p to £1 before 0930 on Monday to Fridays..

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender

- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Lancashire County Council extend the discretionary enhancement to all holders of Disabled NoWcards in Lancashire and hold details of those people who currently have a valid pass. This includes some of the information for those categories listed above, and Lancashire County Council intends to write to all passholders to seek their views and further required data to allow an informed decision to be made.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

**Lancashire County Council** will invite comments from the following stakeholders regarding the proposals:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

County Information Centres

LCC County Councillors

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

All Disabled NoWcard holders

Passenger Focus

Confederation of Passenger Transport

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals could potentially disadvantage particular groups. Information gained

through our consultation process will be used in analysing the impact of the proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Lancashire County Council will consider any combined/cumulative effects that other local or national decisions may have on the proposals, and whether these will increase any adverse effects.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Following analysis of consultation responses Lancashire County Council will consider whether the original proposal could be amended.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the



mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Lancashire County Council will set out the mitigation of potential adverse effects of the increase in the discretionary fare from 50p to £1 before 0930 on Monday to Fridays where it is considered action can be taken.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Lancashire County Council will fully assess the reasons of the proposal with the findings of our analysis. This will take the form of a full evaluation taking into account any adverse impacts and effects on those sharing protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Following the analysis, Lancashire County Council will announce the final proposal and which groups may be affected and how.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

LCC will contact stakeholders four months after the introduction of any changes to seek views and consider whether any amendments would be appropriate.

Equality Analysis Prepared By Tim Gornall

Position/Role Bus & Supported Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

817- Public Rights of Way & Countryside Service  
Reductions

## **Name/Nature of the Decision**

Reduction in Public Rights of Way Services

## **What in summary is the proposal being considered?**

Introduction of a 2-tier network of public paths for the purposes of maintenance standards; reduction or cessation of pre-emptive seasonal vegetation clearance; termination of agency agreements with district councils for public rights of way maintenance; more direct enforcement procedure;

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Countywide for most proposals but specifically Pendle and Ribble Valley for ending agency agreements

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes. The reduction in maintenance standards across the County generally and on the (to be designated) non-priority network countywide in particular and across Pendle and Ribble Valley if agency agreements are terminated, are likely to make public paths more difficult underfoot and structures less convenient to use. This will affect users with a disability to a greater extent than able-bodied users because greater agility or strength will be required to use some of the paths. Furthermore if vegetation isn't cut back this could reduce the path width which might impact adversely on wheelchair users or families with prams and produce height or other obstacles which could be a hazard to sight impaired users (overhanging branches, white canes being less effective in vegetation). However, any reduction in standards will have this effect and the identification and promotion of a priority network will mitigate this disbenefit.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

No direct evidence but the MENE survey by Natural England indicates that a significant proportion of users of public rights of way have a disability. Furthermore a significant proportion are older people.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Not as yet. However if a 2 tier network is to be implemented there will be widespread consultation to help identify the primary network.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be

amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The reduction in maintenance standards across the County generally and on the (to be designated) non-priority network countywide in particular and across Pendle and Ribble Valley if agency agreements are terminated, are likely to make public paths more difficult underfoot and structures less convenient to use. This will affect users with a disability to a greater extent than able-bodied users because greater agility or strength will be required to use some of the paths and older or mobility-impaired users may be more likely to suffer falls. Furthermore if vegetation isn't cut back this could reduce the path width which might impact adversely on wheelchair users or families with prams and produce height or other obstacles which could be a hazard to sight impaired users (overhanging branches, white canes being less effective in vegetation).

However, any reduction in standards will have this effect and the identification and promotion of a priority network will mitigate this disbenefit, perhaps to a significant degree.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect

of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Potentially a person with a disability affected by cuts to public transport or by fare increases might then have greater cause to use public paths which might be less usable if not designated as priority network.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Continuing – because the mitigation measure of promoting a priority network should enable users who would be otherwise excluded to have an available alternative. It is envisaged that the priority network will include routes which form important links in the network or to specific destinations and which can be maintained in the medium term to a good standard at a reasonable cost).

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Identification and promotion of a priority network (perhaps 10% of the statutory public rights of way network in length i.e. about 550km, but focussed on the most popular routes which form important links in the network or to specific destinations and which can be maintained in the medium term to a good standard at a reasonable cost) which would be maintained in as easy-to-use condition as possible within budget.



### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Significant resource cuts have to be made and this will have a very significant effect on the condition and hence usability of public rights of way, especially in the countryside. This will make it harder to use or even impossible to use many paths especially for users with a disability. Public rights of way vary considerably and identification of a primary network would help to make those paths used by less experienced walkers/riders, or those likely to be less robustly clothed/shod, to be better maintained than the wider network.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

Introduction of a 2-tier network of public paths for the purposes of maintenance standards; reduction or cessation of pre-emptive seasonal vegetation clearance; termination of agency agreements with district councils for public rights of way maintenance; more direct enforcement procedure.

All users and potential users of the public rights of way network will be affected but on any particular path which is not well maintained older users and those with a disability will feel the affect more keenly as they may be unable to use the path or to proceed without difficulty. However, introducing a 2-tier network and promoting the priority paths within the overall network will allow users to find the better paths although this may mean having to take a longer route in some cases.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Annual sample survey of the quality of the network

Equality Analysis Prepared By David Goode

Position/Role Public Rights of Way Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

817- Public Rights of Way & Countryside Service

## **Name/Nature of the Decision**

Budget Options – Public Rights of Way and Countryside Service reductions

## **What in summary is the proposal being considered?**

The impact of reduced resources on the provision of Trampler off road mobility vehicles at Countryside sites

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The Trampers are available for use at Beacon Fell nr Preston and Wycoller Country Park nr Colne, and at tramper friendly countryside events across the county.

The database of users suggests that they come from across the county – and indeed the north west!

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The service is provided specifically for people who have difficulties with mobility and as such any reductions in the service will impact directly on disabled and elderly

people.

We have contact details for the 700+ people who have had the induction training to allow them to use the trampers along with feedback forms relating to the induction training and use.

We have contact details for organisations representing disabled and elderly people.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Consultation with existing users and representative organisations will be conducted.

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?

- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposals may impact on the availability of the trampers and the timescales involved in booking for anyone with mobility problems who want to explore the parks.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The loan of trampers will remain free at the point of use. There is no public transport available to either of the Country Parks so any other factors that reduce the ability of disabled and elderly people to use private transport will have an impact on their ability to take advantage of the scheme. We are however unaware of other proposals that will limit the use of private transport.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Written procedures for the booking of, and access to, Trampers will be published following the consultation process.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

To be assessed following consultation

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The Trumper service is highly valued by those who use it and anecdotal evidence suggests that it contributes to the improved health and wellbeing of the individuals who take advantage of it.

The County Council has to make substantial savings in its running costs over the next few years and the Countryside Service will have to play its part in that. As a result the availability of staff to support tramper use will be more limited.

We have always encouraged users to book in advance to ensure that a Trumper will be available for them. This will not change but it will be more difficult to confirm bookings at short notice and the occasions when we cannot accept a booking may



be more frequent.

With fewer countryside staff available there may be occasions when the team e-mail box cannot be viewed on a daily basis or contact cannot be made with staff by telephone.

There are some basic requirements that we have to meet before we can confirm a booking. The most obvious of which is the requirement that there is a member of staff on site to meet the customer, hand over the tramper, and if necessary carry out an induction. There is also a requirement that a member of staff with access to a vehicle is available on the site for the duration of the booking in case of breakdown or accident.

Field based staff will be on a rota to ensure that there is somebody available field every day of the week including weekends. Staff will have a broad range of duties and other demands on their time will mean that it may not always be possible to ensure that an appropriate member of staff is available.

With this in mind we are proposing to set out some clear, published, guidelines about how the service will work in the future and consultation will be carried out on those guidelines. Previously no guidelines existed and the service operated on informal arrangements. With reduced resources, the time is right to set out formally what the customer can expect.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

To be confirmed following consultation.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Continue to gather feedback from users following bookings and by occasional wider consultation.

Equality Analysis Prepared By Nick Osborne  
Position/Role Site Access and AONB Manager  
Equality Analysis Endorsed by Line Manager and/or Chief Officer  
Decision Signed Off By  
Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**821 Winter Maintenance**

November 2013

## Name/Nature of the Decision

**Budget reduction proposal 821 – Winter Maintenance**

**What in summary is the proposal being considered?**

**A reduction in the size and extent of the precautionary gritting network within the winter service by 10%. The removal of a secondary network for gritting and the reduction in the use of treated salt.**

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

There are no recommendations as yet on which elements of the network will be selected to achieve a 10% reduction. It is therefore difficult to identify any specific areas that may be more adversely affected than others. A decision will be needed to agree the criteria by which any new network would be determined; this should take account of any particular areas that may be more adversely affected by this proposed service reduction.

Some rural areas of the county are particularly dependent upon the service and the consequence of service removal may impact on the residents of these areas more significantly than less isolated locations.

This extract from the Winter Maintenance Plan (Winter Service Policy 3 (WS3)) outlines how the current policy identifies the priority road network for precautionary salting:

### **Policy WS 3**

#### **Priority Road Network Hierarchy for Precautionary Salting**

Category	Definition
1	Non-trunk Motorways and Primary Route Network <sup>1</sup>
2	Remaining Principal ('A' class) roads
3	<p>All 'B' class roads and other roads open to all classes of traffic:</p> <p>between or through large centres of population</p> <p>serving Category One emergency service responders as defined by the Civil Contingencies Act 2004 (Police, Fire, Ambulance, Maritime and Coastguard Agency and British Transport Police)</p> <p>serving hospitals and the key facilities of critical infrastructure providers</p> <p>leading to strategic and key employment centres, major distribution depots and transport interchanges, and important commuter routes</p> <p>important public transport routes with a service frequency of at least one bus per ten minutes and bus stations</p> <p>serving industrial sites listed under the Control of Major Accident Hazards Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001</p> <p>military establishments</p> <p>crematoria</p>

The Priority Road Network includes all non-trunk Motorways and Primary Routes, all principal ('A' class) roads and 'B' class roads and in Category 3, varying proportions of the remaining un-numbered highway network maintainable at the public expense dependant on the topography and climate of the area in question.

Secondary road network - the County Council will consider other roads for post-salting treatment and snow clearance in periods of continuous icing and snow. Continuous icing may arise due to excessive surface moisture, usually following heavy precipitation or compacted/melting snow. Decision-making will take account of all relevant factors such as weather forecast data, topography, experience and local knowledge and the availability of salt. When salt is not available the County

<sup>1</sup> The Primary Route Network (PRN) comprises all-purpose trunk roads and the more important local authority principal ('A' class) roads which, in conjunction with motorways, provide a national network for long distance traffic serving places of traffic importance throughout Great Britain. Primary Routes are identifiable by direction signs with a green background.

Council will consider using grit sand to aid traction.

## **Policy WS 8**

### **Secondary Road Network Treatment**

Once the defined Priority Road Network is maintained clear, where persistent ice and/or snow are present or forecast to be present on the defined Secondary Road Network during the current 24 hour period (midnight to midnight) and are forecast to remain for the succeeding 24 hour period (midnight to midnight), treatment of the Secondary Road Network will commence as soon as possible using all available resources, but only during daylight hours.

The proposal to remove the Secondary Road Network from the Winter Service Plan will reduce the number of roads receiving treatment in prolonged periods of cold weather. This will have an impact on all road users using the roads affected. It is not envisaged that this impact will be any more significant for any specific area within Lancashire. However further work will be required to determine the extent of the roads affected and their location, and whether or not this leads to any equality issues for the areas affected. One potential area for this would be the areas of East Lancashire with a greater percentage of BME residents, rural locations and areas with a higher percentage of older residents.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

As mentioned above, it is difficult to comment on the particular impacts of any decision to reduce the priority network as no recommendations have been made as yet on which sections of the network would be identified to achieve the proposed 10% reduction.

The proposal is to reduce the priority network of carriageways which will have a potential impact on cars, public transport and other road users. Further research will be required to establish if such impacts on road users will be any more significant for any people in any of the identified protected characteristics or other groups.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

Further work required should this policy option proceed.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

Age

Disability including Deaf people

Gender reassignment/gender identity

Pregnancy and maternity

Race/Ethnicity/Nationality

Religion or belief

Sex/gender

Sexual orientation

Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

There has been some recent consultation carried out to assess satisfaction levels within Lancashire for the Winter Services provided by Lancashire Highway Services. This survey work carried out through the Living in Lancashire survey has shown a steady increase in satisfaction levels over recent years. However, until there is clearer information about the areas affected it is difficult to assess the impact on communities and particularly those with protected characteristics.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No specific consultation has taken place on the issue of reducing the primary network, removing the secondary network or changing the type of salt used. The consultation that has been carried out has been undertaken on more general issues such as satisfaction levels with the service and effectiveness of communication channels for winter service information and updates. Should the proposal progress further consultation/engagement will be required.

As part of the lead in to each winter season the Environment directorate provide a series of briefing sessions providing information to County Councillors, District Councillors, Parish Councils, Public Transport providers, Emergency Services and other principal stakeholders. These sessions provide the opportunity for the Environment Directorate to update stakeholders on the service provision for the upcoming season, and to get feedback from stakeholders from the previous season. This informal consultation has contributed to the development of the Winter Service Plan and the policies it contains.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?

Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?



Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Accessibility of employment, education, medical, retail and other sensitive or key resources/facilities will need to be considered when criteria are set to determine any revised network.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Potentially – there could be cumulative impacts for people if they become more isolated from work/school/hospitals etc through the reduction of the network as this could also impact on the availability of public transport/ refuse collection services/district nurses/postal services etc.

Again – further work will be required to identify a new priority network and consideration will need to be given to specific areas once this has been done.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Work to follow

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The focus for this budget reduction is to manage the service within a 'normal' winter scenario. This is not an exact science and the severity and nature of the winter will have a major influence on the actual level of service provided, as has always been the case. In times of exceptional conditions, either in the severity of the weather, or in the location of snow and ice incidence, the service will respond to these needs.

The intention is to reduce the resource available to the service by removing a number of gritting vehicles from the fleet. This will result in less resources being available in times of severe weather as well, but these resources will still be significant and will be used as effectively and efficiently as possible to address issues affecting the highways.

It is not possible to assess any particular impacts on those with protected characteristics and further work will be required to determine this.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Further consideration required – it may be possible to limit the impacts through the

selection of the network affected, or by amending the extent to which the reduction is made. If this were the case the budget reduction would also be reduced.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

To be completed later.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Look to review after the first winter of operation.

Equality Analysis Prepared By Sue Procter

Position/Role Assistant Director Highway Operations

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

828- Withdrawal of Adult Cycle Training

## **Name/Nature of the Decision**

Withdrawal of Adult Cycle Training

## **What in summary is the proposal being considered?**

To withdraw the provision of adult cycle training in Lancashire

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect all adults in Lancashire

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

It is not considered to impact adversely on any particular group

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

No specific data had been gathered as to the usage of the current service in terms of the groups listed below. Proposal is to stop provision of cycle training specifically

aimed at adults and promote it along with child cycle training

It is anticipated that the proposal should not have a disproportionate negative impact on anyone or groups of people with a protected characteristic.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No, we have not consulted with any service user or group

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such

persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The effects of withdrawing adult cycle training will fall upon all adults so it should not be considered discriminatory.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No



### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

It is not considered that any mitigation effects could be made.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

It is not envisaged that the effects of this proposal will have a significant impact on any particular people with protected characteristics

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal is to proceed with the withdrawal of adult cycle training.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

We will monitor the impacts of this proposal once implemented.

Equality Analysis Prepared By: Paul Binks

Position/Role: Road and Safety Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

829- Safer Travel Unit Training

## **Name/Nature of the Decision**

To reduce the amount of direct training from the Safer Travel Unit

## **What in summary is the proposal being considered?**

To reduce the amount of training from the Safer Travel Unit:

- Big Safe Green Challenge, In Car Safety Training - Whilst there will be a service reduction, an intelligence based targeted approach will ensure areas of greatest need will continue to be delivered so as to keep the impact of service reduction minimal.
- The Price Theatre in Education - Development of alternative approach for self servicing through the Moodle should ensure no impact on achieving service objectives.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision is likely to affect people across the county in a similar way

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

**No**

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

In Car Safety Training and Theatre in Education. - No specific data had been gathered as to the usage of the current service in terms of the groups listed below as they are available to all schools and children's centres in Lancashire. Big Safe Green Challenge is only currently delivered in Preston & South Ribble and Burnley & Pendle. Proposal is to rotate delivery to districts of highest need supported by Casualty and Obesity statistics,

It is anticipated that the proposal should not have a disproportionate negative impact on anyone or groups of people with a protected characteristic.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender

- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

**Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

**Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?



**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Equality Analysis Prepared By: Paul Binks

Position/Role: Road and Safety Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

831- Business Travel Planning Service

### **Name/Nature of the Decision**

Withdraw the business travel planning service.

### **What in summary is the proposal being considered?**

Advice, support and provision to businesses and organisations of Travel Planning, where S106 or external government funding is not provided, will cease.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Those affected by this decision - service users, are employers and subsequently employees. As there is currently no similar proposal to discontinue to support schools with the development and implementation of travel plans this decision could be seen as unduly impacting on post 16 year olds. The decision will affect people across the County but will not specifically or unduly impact on any specific sub group other than those of employment age.

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

No. The impact of withdrawal would be across all characteristics and would not be serious on those sharing protected characteristics.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

The withdrawal of support to businesses and organisations will not disadvantage particular groups or discriminate unlawfully against any individuals or groups

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

**Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

**Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

**Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

**Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

**Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

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Equality Analysis Prepared By

Position/Role

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

832- Speed Management Provision

### **Name/Nature of the Decision**

Reduce speed management budget.

### **What in summary is the proposal being considered?**

- Reduce speed management budget through a more targeted enforcement by liaison with police, less media campaigns and less motorcycle training.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision is likely to affect people across the county in a similar way

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

**No**

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

The proposals will lead to more targeted approaches and it is anticipated that the proposal should not have a disproportionate negative impact on anyone or groups of people with a protected characteristic.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

**Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

**Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

**Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Equality Analysis Prepared By: Paul Binks

Position/Role: Road and Safety Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

**837 - Reduction in funding for Public Realm  
Agreements**

November 2013



## **Name/Nature of the Decision**

**Public Realm Agreements**

### **What in summary is the proposal being considered?**

Reduction in the funding provided to 2<sup>nd</sup> tier authorities in Lancashire to undertake highway related works on behalf of Lancashire County Council. This predominately relates to highway verge maintenance, weed treatment including weed spraying and dealing with noxious weeds, maintenance of highway trees and the sweeping of leaves on the highway in respect of EPA 1990 duties.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

This decision will affect all residents of Lancashire in a similar way. However, whilst the levels of funding will be reduced, the 2<sup>nd</sup> tier authorities currently provide varying levels of enhancement to the minimum service specification outlined in the County Council's Highway Maintenance Plan. Any decision by those authorities to reduce the service level they provide will be based on an assessment of costs but in all cases they will be required to provide a service to the minimum Lancashire County Council Specification as set out in the Highway Maintenance Plan.

### **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

It is unlikely that the decision will impact adversely on any group to a disproportionate extent.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

All highway users will be affected in the same way. Where the number of cuts is reduced it will have an impact insofar as that the grass will grow a little longer between cuts but the minimum specification must be delivered. With the grass being located adjacent to footways and carriageways and not on routes that are subject to regular pedestrian traffic it is unlikely to have an impact on any group.

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in

respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those

sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

**Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Equality Analysis Prepared By Daniel Herbert

Position/Role Head of Local Network Management

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

841- Bus Shelter Maintenance

## **Name/Nature of the Decision**

Reducing the annual maintenance of LCC owned bus shelters

## **What in summary is the proposal being considered?**

To lower the annual budget for maintenance of quality bus route and other LCC owned bus shelters from the current £65,000 pa in 2013/4 to £50,000 in 2014/5 and £40,000 in 2015/6.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect travel on certain high frequency bus routes that were improved as part of a partnership between this authority, borough and city councils and the bus operators. These were labelled quality bus routes. In some cases the maintenance of the new shelters this authority installed remained with us rather than being taken on by the borough or city council. On these routes the effects of the budget reduction will apply equally.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.



It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The maintenance of shelters may lead to lights not operating, vandalised seating being removed and not replaced. The breaking of glazing panels would reduce the shelter's effectiveness in shielding people from inclement weather.

The lack of shelter lighting would impact on partially sighted passengers trying to read information held in the timetable case after dusk. Very often an adjacent streetlight will alleviate this problem but not always.

A lack of seating would impact on the elderly, ambient disabled and pregnant women.

A vandalised bus shelter is both a crime scene and evidence of anti social behaviour. This would impact on bus passengers who have a fear of anti-social behaviour from these two groups either because of their physical frailty or because they are members of a group which has been the target of such behaviour in the past. Their anxiety and disaffection would rise.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The only demographic information we hold on bus passengers comes from the use of concessionary travel cards. These are held by persons over 61 years and six months and by the blind and disabled.

In the past, as part of the quality bus route development, we carried out satisfaction surveys amongst bus passengers travelling on these routes. In addition to recording their age and gender, respondents were asked to self identify as one of a list of ethnic groups. The satisfaction surveys were discontinued in 2008.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No, we have not consulted with any service user or group.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The effects of the reduced spending on bus shelter maintenance will fall upon all bus passengers so it should not be considered discriminatory. However, the impact may

be felt more adversely by some groups eg. women/pregnant women, disabled people and lgbt people

The shelters increased opportunity by making journeys more pleasant and also by providing seating for the elderly, ambient disabled and pregnant women it encouraged travel by bus amongst these groups. It therefore encouraged persons who share a relevant protected characteristic to participate in public life or in activity in which participation by such persons is disproportionately low. Although this was dependant on bus access to the activity.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Yes. The lack of maintenance in the shelters would exacerbate any withdrawal of evening and Sunday bus services that were previously financially supported by this authority by making bus travel less amenable. Conversely this withdrawal would also increase the hours where the shelter was not in use. Therefore giving vandals more hours of opportunity for anti social behaviour without interruption by waiting passengers or watchful bus drivers with radio contact to the police.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Continuing with the original proposal. In previous financial years we have consistently under spent the budget allocation. The proposed reduction in 2014/15 would see it reduced to the approximate amount spent in previous years. However, the proposed reduction in 2015/16 would see the budget reduced to below the annual average spend. This would not provide contingency for severe weather, damage or inflation.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The remaining shelter budget could be allocated between different types of repair subject to virement between headings during the financial year. The repair of seating and lights could be prioritised. Also we could prioritise repair of shelters at those stops with a high use by people sharing the relevant protected characteristics, eg.age, disability

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

In previous financial years we have consistently under spent the budget allocation. The proposed reduction would see it reduced to the approximate amount spent in previous years. However this would not provide contingency for severe weather, damage or inflation. Further budget cuts would have an adverse impact on the travelling public, particularly the elderly and disabled.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal is to proceed with the budget reduction as planned. We should be able to mitigate the effect on certain groups by prioritising repairs of damage that impact on them and careful monitoring of spending.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

A database is to be set up with details of all LCC owned bus shelters. Amongst the information this will contain, there will be records of vandal attacks, damage, graffiti, complaints and repairs at each stop. Note can be made of the likely demographic or shared characteristic of passengers boarding there and priority given to repairs.

Equality Analysis Prepared By Michael Haughey

Position/Role Technical Services Officer

Equality Analysis Endorsed by Line Manager Chris Anslow

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

# Equality Analysis

851- Revisions to School Crossing  
Patrols

## **Name/Nature of the Decision**

To introduce a grant system available to primary schools towards the cost of funding a school crossing patrol tied to the use of LCCG staff

## **What in summary is the proposal being considered?**

To make available a fixed grant to each primary school as a contribution towards the cost of a crossing patrol. The total funding available would be £1m per annum and schools would be able to apply for a grant of £2,000 per annum towards the costs of the school crossing patrol. The grant would be tied to the use of LCCG trained and employed school crossing patrol personnel and schools would make up any difference in costs. The cost of a school crossing patrol is between £4,000 and £4,500 per annum.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect school children using school crossing patrols in Lancashire

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.



It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

- People of different races/ethnicities/nationalities – Not known but large urban areas may see less provision than current. These tend to be areas of higher deprivation and also areas where there are high proportions of people from BME backgrounds.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

- At this stage it is felt unlikely that the decision would impact on any specific sub-groups

### **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No, we have not consulted with any service user or group.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

- At this stage it is felt unlikely that the decision would impact on any specific sub-groups although large urban areas may see less provision than current. These tend to be areas of higher deprivation and also areas where there are high proportions of people from BME backgrounds.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

It is not considered that any mitigation effects could be made to this proposal

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

It is not envisaged that the effects of this proposal will have a significant impact on any particular people with protected characteristics other than those outlined above.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal is to proceed with the proposed grant system for school crossing

patrols.

**Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

We will monitor the impacts of this proposal once implemented.

Equality Analysis Prepared By: Paul Binks

Position/Role : Road and Safety Transport Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member



# Equality Analysis

921 - Grants to the Third Sector

December 2013

## **Name/Nature of the Decision**

Grants to the Third Sector

## **What in summary is the proposal being considered?**

A reduction in total of £500,000 in 2014/15 in the Central Gateway Grants Scheme, Local Initiative Fund and Local Member Grants Scheme budgets. The proposed cuts would mean a reduction of funds by 35% to the three schemes which provide much needed support to voluntary, community and faith organisations all across Lancashire.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The three grant streams are available to all 12 Districts across Lancashire, however the demographics across the districts can vary quite considerably and therefore it is likely that the impact across the 12 districts will vary and some districts will be more severely affected than others.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes, the decision could impact a number of the protected characteristics under the Equality Act. The types of organisations that benefit from the grant funding are extremely varied and they help the County Council deliver vital services, without which an additional burden could well be placed on the County Council. All characteristics will be impacted, but in particular the following characteristics would see a significant impact:

#### Age

A considerable amount of funding is aimed at young people, for example places to go, things to do, funding for NEET individuals etc across the county and over the years this has been identified as a priority for the people of Lancashire as highlighted in the Lancashire Living Surveys which consulted with the residents of Lancashire to identify what was important to them.

A significant number of organisations currently funded through the grant programmes cater for older people and help Lancashire County Council to meet its priorities by delivering services and support to meet the needs of local older people.

#### Disability

There are currently a number of organisations that are funded to help aid Disabled people across Lancashire. These services provide vital support to people who really need it by providing access to independent information and advice, helping to remove barriers to disabled people's participation in society, raise disability awareness amongst the general public, promoting equality standards and advancing equality between disabled people and others, etc. without the support of these services there would be additional pressure put on the services delivered by the county council. Many of these organisations have been supporting the council to meet its aims and objectives for over 20 years now.

#### Race/ethnicity/nationality

A number of organisations currently funded through the grant programmes provide the county council with support in meeting the following services to the people of



Lancashire:

- Offering direct support to those suffering any form of discrimination, prejudice and inequality;
- Support to BME groups and organisations across the county;
- Capacity building for BME people – particularly women – and the BME community sector

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Third Sector organisations provide a wide range of services and support to the sector, including support to smaller organisations within the county. In addition to funding for specific projects, a number of these organisations rely on funding from, for example, the Central Gateway Grants Scheme, for core running costs such as employee salaries and day to day ongoing costs.

Information on the protected characteristics above will be available in the applications that are submitted by organisations, the details of the assessments undertaken by the Grants Team and subsequent monitoring of organisations which have been awarded grant funding. In addition to this a number of surveys conducted by Lancashire County Council over the years have aided to build up a picture of the specific needs of the county.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

No formal consultation with the Third Sector has yet taken place. However initial discussions with One Lancashire, the main Third Sector infrastructure support body in Lancashire have taken place and it is envisaged that they would assist in further consultation with the sector. In line with national principles under the Compact (an agreement between the government and voluntary and community organisations ) sufficient time should be allowed to permit meaningful engagement and consultation with the sector if cuts are proposed with a recommendation of at least a 3 month notice period. Lancashire County Council is currently in the process of reviewing its own Compact with the Sector.

It should be noted that under normal circumstances the county council would at this time of year be getting ready to launch funding rounds for the next financial year(s), the sector is eagerly awaiting information on future funding rounds and a number of enquires have already been made as to when the rounds will open. Delay in funding will also have a significant impact on organisations, for example many Central Gateway applications where support core running costs such as salaries, or rent, delayed payments can have an adverse affect such as redundancy notices being served.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be

amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

A reduction in funding may result in some of the smaller and possibly medium sized third sector organisations no longer being viable if they cannot access funding previously available. Many of these organisations will primarily support particular groups of persons with the protected characteristics and this may be seen as contrary to the statements made above and exacerbating the adverse impact on people with protected characteristics.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Yes, quite possibly – e.g. changes to adult social care at a Lancashire level, changes to funding arrangements at the National Arts Council, changes in services for younger people – post 16 year olds, youth unemployment, hostility towards people

with protected characteristics e.g. disabled people, Lgbt people, etc.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No changes to the proposals have been identified to date.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Initial discussions have been held with "One Lancashire" as the main third sector support body within the county to look at ways in which the adverse effects of this decision could be reduced. However as the funds affected by this decision represent the sum of the main sources of funding for VCFS organisations across the county it is inevitable that there will be some adverse effects. One Lancashire tend to operate at an intermediate level in terms of VCFS organisations and have not as yet developed a similar relationship with smaller / "grass roots" VCFS organisations and as such it may be here that the most impact is felt.

Officers will also be meeting with representatives of Big Lottery in the New Year to explore the potential for maximising alternative sources of funding for smaller VCFS groups across the county..

## Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

These proposals would result in a reduction of £500,000, i.e. approximately a third, of the current total budget for the three grant streams and this will have an adverse impact on the Third Sector, including groups which represent and support people with protected characteristics. Larger infrastructure organisations may be able to continue but some medium and smaller organisations may have to cease/reduce services and support all together. We have already seen a significant number of closures to organisations across the County over the past 4 years as organisations struggle to survive in the current climate. Over the years changes to the grant programmes, tighter criteria and greater scrutiny of applications has had an impact on funding availability for many organisations, but external factors such as national cuts and less voluntary donations, etc have also played a role.

The impact of possible closures or reduction in services from third sector organisations, its effects on individuals including those with protected characteristics and the additional burden this would place on the County Council will need to be considered.

It should also be noted that VCFS organisations are also able to attract other sources of funding either from national bodies such as Big Lottery or from private sector or individual contributions. Figures vary dependant on the type of organisation but this is estimated to be between £2 to £6 additional funding for every £1 invested in VCFS organisations.

Additionally most VCFS organisations will utilise volunteers which on the basis of average earnings is estimated to be an input of £13.03 per hour per volunteer. It is also recognised that volunteering contributes to well being and employability.

Consequently there would be a secondary negative impact on the ability to attract other funding into the county and a negative impact on the "volunteer premium" should existing VCFS organisations face closure.

Local community organisations and grass root organisations will be affected if the individual budgets for each County Councillor (currently £3,000 per annum) are reduced. Amongst other things this will impact on the many community events that aid social inclusion and one off training events and purchases of vital equipment or improving access/accessible facilities at small organisations' premises that the fund currently supports.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

A proposal is currently being considered to reduce the budgets for the Central Gateway Grants Scheme and Local Initiative Funds, together with the annual budget for each of the 84 County Councillors.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Appropriate review and monitoring arrangements will be considered once the proposals have been finalised.

Equality Analysis Prepared By

Position/Role

Equality Analysis Endorsed by Line Manager and/or Chief Officer

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member