

Section 4

Equality

Analysis Toolkit

BOP 048 – Prevention and Early Help Fund

For Decision Making Items

November 2015

What is the Purpose of the Equality Decision-Making Analysis?

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; 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.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance at

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

AskEquality@lancashire.gov.uk

Specific advice on completing the Equality Analysis is available from your Service contact in the Equality and Cohesion Team or from Jeanette Binns

Jeanette.binns@lancashire.gov.uk

Name/Nature of the Decision

Creation a new service, the Prevention and Early Help Fund, with an annual revenue budget of £3m from 1st April 2016. This would be a flexible "safety net" fund to provide one-off support to individuals and families at times of crisis.

To cease a number of services or parts of services but to approve the use £10,150,000 of reserves to fund a 'transition period' for Supporting People.

What in summary is the proposal being considered?

- 1) Cease the Care and Urgent Needs service from 1st April 2016
- 2) Cease the non statutory element of the Supporting People service from 1st April 2016
- 3) Cease a number of public health grants from 1st April 2016
- 4) Create a new service, Prevention and Early Help Fund, with an annual revenue budget of £3m from 1st April 2016.
- 5) Use £10.15m reserves in 16/17 to fund the 12 month 'transition period' to enable appropriate cessation of Supporting People contracts/arrangements
- 6) Apply waivers, as appropriate, to Supporting People contracts during the transition period

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.

Yes, but it depends on individual grants, some of which cover a limited footprint.

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.

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

Regarding the Care and Urgent Needs service, which has been in place since 1 April 2013 to replace the Department for Work and Pensions Discretionary Social Fund in the Lancashire County Council (LCC) area, the "Urgent Need" side of the service currently award grants to food banks. 7 food banks have benefited from grants totalling £31,500 in 2015/16.

The "Care Need" side of the service uses 2 furniture recycling organisations, one of which acts as a parent organisation to 8 smaller organisations.

The service has seen 4606 applications between April and September 2015, 2113 of which were granted. Care Needs accounted for 1,335 awards totalling £325,436. Only a small proportion of grants are for people aged over 60 (approximately 3%), while 27% are for single parents. Presumably a large proportion of these are women.

Not surprisingly, the largest numbers of applications come from the most deprived districts in Lancashire.

We do not have information about service users who share other protected characteristics.

example, older women, disabled, elderly people, and so on.

Supporting People involves a great number of services for the most vulnerable in our communities. The services assist people to live as independently as possible. The range of services include supported and sheltered housing, refuges for women experiencing domestic violence, alarm services for elderly people, home improvement agencies for older people and 'floating support' where workers visit people in their own homes.

Services include the following, in more details:

Short term supported accommodation for people at risk of domestic violence, offenders, young people at risk, single homeless people, homeless families, people with substance misuse issues. People access services for around 6 months. Within supported accommodation, individuals move into designated accommodation to receive support and then move on to ordinary housing when they have developed independent living skills.

Supported Accommodation for People with Mental Health

Similar to short term supported accommodation described above, however people with mental health issues are more likely to stay in the property for a longer period.

Floating support

Generic visiting support service which is offered to individuals irrespective of where they live. The principal aims of the service are:-

- To prevent homelessness
- To prevent or avert a (housing related) crisis

Specialist Floating Support Services (MAPPA)

Specialist floating support service for high risk offenders

Supported Lodgings

These services provide a young person with a room of their own in a private home. The householder, or host, provides a safe and supportive environment, working alongside professional services to help and support the young person in gaining skills for independent life.

The amount of current provision is shown below:

Short term supported Accommodation Primary client group designation	Providers	Buildings	Units (number of people supported at any one time)
Domestic violence	5	9	77
Offenders	2	5	33
Substance Misuse	1	2	18

Teenage parents	2	3	24
Short term supported Accommodation Primary client group designation	Providers	Buildings	Units (number of people supported at any one time)
Sensory Disabilities	1	1	12 (+ 1 office)
Young people	12	21	218
Single people who are homeless	5	5 (plus dispersed units)	97 + Dispersed
Combined Homeless families/young people/single homeless	4	6/7(1 building split into two services)	111
Combined – Young People/Mental Health	1	2	12
Generic floating support	1	n/a	Total people supported from May to November 2015 = 986
Specialist floating support	1	n/a	26 (DISC)
Supported lodgings	3	n/a	36
Supported accommodation for people with mental health issues	8	297	55 (inc 8 floating support)

Types of people that are supported by this service are listed below:

- A homeless person who needs support
- A young person in need of support
- A care leaver
- An older person in need of support
- A person at risk of fleeing domestic violence
- A person with mental health needs
- A person with alcohol or/ & drug problems
- A person with physical disabilities and sensory impairment
- A teenage parent
- A refugee
- A gypsy or a traveler
- A person with a learning disability
- An offender or ex-offender
- Someone who needs support to live independently

The following tables show the profile of people moving into short term supported accommodation, floating support, supported accommodation for people with mental health issues and supported lodgings during 2014/15. The size of the floating support service has been significantly reduced since July and the service

has been reconfigured, consequently the future profile of service users may change.

Client Age	Number of people accessing services (2014/15)	% of people accessing services (2014/15)
Age Missing	8	0.23%
15	1	0.03%
16	101	2.94%
17	204	5.93%
18	201	5.84%
19	183	5.32%
20	155	4.51%
21	144	4.19%
22	127	3.69%
23	102	2.97%
24	124	3.60%
25-31	558	16.22%
32-38	509	14.80%
39-45	425	12.35%
46-52	289	8.40%
53-59	183	5.32%
60-64	64	1.86%
65-69	32	0.93%
70-74	16	0.47%
75-79	10	0.29%
80+	4	0.12%
Total	3440	

Client Group	Primary		Secondary		Overall (Primary + Secondary)	
	Frequency	% Frequency	Frequency	% Frequency	Overall Frequency	% Overall Frequency
Older people with support needs	75	2.18%	29	1.16%	104	1.75%
Older people with dementia & mental health problems	6	0.17%	4	0.16%	10	0.17%
Frail elderly	3	0.09%	6	0.24%	9	0.15%
	Primary		Secondary		Overall (Primary +	

					Secondary)	
Mental health problems	430	12.50%	426	16.99%	856	14.39%
Learning disabilities	57	1.66%	80	3.19%	137	2.30%
Physical or sensory disability	103	2.99%	138	5.50%	241	4.05%
Single homeless with support needs	369	10.73%	597	23.81%	966	16.24%
Alcohol misuse problems	95	2.76%	186	7.42%	281	4.73%
Drug misuse problems	65	1.89%	200	7.98%	265	4.46%
Offenders/at risk of offending	150	4.36%	109	4.35%	259	4.36%
Mentally disordered offenders	1	0.03%	5	0.20%	6	0.10%
Young people at risk	648	18.84%	143	5.70%	791	13.30%
Young people leaving care	9	0.26%	30	1.20%	39	0.66%
Homeless families with support needs	270	7.85%	158	6.30%	428	7.20%
Refugees	2	0.06%	1	0.04%	3	0.05%
Teenage parents	49	1.42%	36	1.44%	85	1.43%
Rough Sleeper	14	0.41%	35	1.40%	49	0.82%
Gypsies and travellers with support needs	37	1.08%	6	0.24%	43	0.72%
People at risk of domestic violence	742	21.57%	64	2.55%	806	13.55%
Generic/Complex needs	315	9.16%	254	10.13%	569	9.57%
Total	3440		2507		5947	
Sex				Number of people accessing services		

	(2014/15)
Male	1337
Female	2097
Missing	6
Disability	Number of people accessing services (2014/15)
Yes	1029
No	2382
Don't know	27
Does not wish to disclose	0
Missing	2
Ethnic Origin	Number of people accessing services (2014/15)
White: British	3020
White: Irish	30
White: Other	76
Mixed: White & Black Caribbean	29
Mixed: White & Black African	13
Mixed: White & Asian	17
Mixed: Other	8
Asian/Asian British: Indian	21
Asian/Asian British: Pakistani	89
Asian/Asian British: Bangladeshi	17
Asian/Asian British: Other	17
Black/Black British: Caribbean	15
Black/Black British: African	12
Black/Black British: Other	5
Asian/Asian British: Chinese	3
Other ethnic group: Other	12
Refused	20
Gypsy/Romany/Irish Traveller	31
Other ethnic group: Arab	3

There is some information on the public health grants that will cease as part of this proposal. One of which is the Luncheon Clubs, which tackle social isolation and loneliness, an issue that is becoming ever more prevalent for the people of Lancashire. It affects a wide range of people and is an increasing problem for the older population of the county. A number of Luncheon Clubs are currently supported in Central Lancashire, with 304 service users supported. Although there is no available data at the time of completing this EA, it looks like most service users are older people. Service users make a contribution but the LCC grants are

deemed to be essential for the operation of the schemes.

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 haven't been any specific engagement activities regarding proposal to close the Care and Urgent Needs service, although feedback has been recently sought from food banks.

It is still unclear how the new Prevention and Early Help Fund might replace some of the services provided by the Care and Urgent Needs service. It is intended that the Fund would be a flexible "safety net" to provide one-off support to individuals and families at times of crisis.

Consultation will be required to determine how the new Fund will operate.

In terms of the Supporting People elements that will cease, there are plans to undertake consultation with service users, providers and other stakeholders between January and April 2016. The findings of the consultation will then be fed into this Equality Analysis, or, alternatively, into more detailed EAs during the spring/summer with a view to a Cabinet member decision being taken in July or September.

More generally, consultation on budget proposals will take place during December 2015 and January 2016 results of the consultation will be analysed and taken into account when implementing this proposal. The findings of any consultation will be incorporated into this Equality Analysis.

Regarding the Luncheon Clubs, feedback from users is very positive, with some saying they are the only opportunities for socialising they have.

The results of the consultation will be analysed and taken into account when implementing the proposal. The findings of any consultation will be incorporated into this EA.

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.

In terms of the Care and Urgent Needs service, it is likely that cessation of the service will impact disproportionately on women, especially those who are single parents. It is also likely to impact on the most vulnerable, although there is insufficient data to determine whether other groups who share protected characteristics are among them.

Regarding Supporting People, as noted, the profile of the service users means that the majority of these contracts are designed to meet the needs of people covered by many of the protected characteristics groups in the and/or vulnerable people.

It is not entirely clear, and still subject to consultation, whether any non-statutory Supporting People services will be picked up by the new Fund. If one assumes that all these services will cease, it is likely to impact adversely on the people with disabilities (30% of service users in 2014/15), women (61% of service users). It may also impact vulnerable older and young people.

Also the data on ethnicity doesn't show significant under or over representation for white and Asian people, the proportion of service users that are Black is three times greater than the proportion of such group in the wider population, and those identifying as 'mixed race' are twice as likely to be accessing the service. More tellingly, people from Gypsy, Roma and Traveller backgrounds are around 10 times more likely to access the service because of the reasons outlined above. Therefore, if these services were to cease across the board, it is likely that these ethnic groups would be adversely affected.

We do not have enough information to measure these impacts more precisely or to determine whether other protected characteristic groups will also be affected.

These impacts, however, will need to be measured against the positive impacts of the new Prevention and Early Help Fund. It is still not known whether this Fund is going to pick up any aspects or elements of the ceased services. Nevertheless, there is a considerable difference in current and future funding and that may indicate a significant reduction overall.

We do not have enough information in order to assess all the impacts of the cessation of the Public Health grants, but it is clear from a recent review that without LCC's grants, most Luncheon Clubs are likely to cease their activities, with a disproportionate impact on some of the most isolated and vulnerable older people in the County.

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.

Many of the groups likely to be impacted adversely by this proposal, assuming

services are ceasing and not being picked up by the new Prevention and Early Help Fund, are already been impacted by welfare reform measures and other departmental saving cuts. Disabled groups have been adversely impacted by welfare cuts and women have been affected by a number of government measures over the past few years. Some of these groups were affected disproportionately by the last recession as well.

Some of the changes proposed here may exacerbate the vulnerability of many of the groups that benefit from both the Care and Urgent Needs service and the non-statutory elements of Supporting People.

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 proposal has been adjusted a few times since its first delineation and although there is no change as a result of the Equality Analysis, it is possible that the implementation of this proposal will be influenced by this analysis and by the outcomes of consultation exercises to be carried out in the coming months.

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 Prevention and Early Help Fund to target areas with the greatest needs. Although there are no details about which services this Fund will pick up or inherit, if any, it is likely that it will offer some significant mitigation, particularly to vulnerable individuals experiencing 'crisis'. However, it is likely to have a broader remit and may incorporate some elements of Supporting People and various public

health interventions.

A transition period will be funded from reserves to enable appropriate cessation of Supporting People contracts/arrangements. This will ensure that providers and service users alike will have some time to adjust and seek alternative sources of funding or services.

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.

This proposal has emerged following the need for the County council to make unprecedented budget savings. We acknowledge that certain groups sharing protected characteristics may be negatively affected, however we will strive to minimise any negative impacts by developing as many mitigating actions as possible (including a new Prevention and Early Help Fund that will target those with the greatest needs, and by taking into account the views from the planned consultations.

The services that are proposed to cease are not statutory. However, the County Council is still committed to help those people most in need, particularly those experiencing 'crisis'. If the savings associated with this proposal were not made, people sharing protected characteristics could be even more negatively affected.

Question 8 – Final Proposal

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

The proposal remains to create a Prevention and Early Help Fund, and also cease a number of services/grants, including the Care and Urgent Needs service and the non-statutory elements of Supporting People.

Question 9 – Review and Monitoring Arrangements

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

The implementation of this proposal will still be subjected to reviews and consultations, and the Equality & Cohesion Team will continue to work with colleagues to ensure that any new information is incorporated into this Equality Analysis and the impacts on protected characteristics group is monitored in the next few months and years.

Equality Analysis Prepared By Saulo Cwerner

Position/Role Equality & Cohesion Manager

Equality Analysis Endorsed by Saeed Sidat

Decision Signed Off By **Saeed Sidat**

Cabinet Member or Director

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.

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Service contact in the Equality and Cohesion Team.

Service contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

Karen.beaumont@lancashire.gov.uk

Contact for Adult Services ; Policy Information and Commissioning (Age Well); Health Equity, Welfare and Partnerships (PH); Patient Safety and Quality Improvement (PH).

Jeanette Binns – Equality & Cohesion Manager

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Contact for Community Services; Development and Corporate Services; Customer Access; Policy Commissioning and Information (Live Well); Trading Standards and Scientific Services (PH), Lancashire Pension Fund

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Contact for Governance, Finance and Public Services; Communications; Corporate Commissioning (Level 1); Emergency Planning and Resilience (PH).

Thank you