



Appendix C

Equality

Analysis Toolkit

For Decision Making Items
**Sheltered Accommodation and
Community Alarms**

August 2016

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

Withdrawal of £2.5m funding for support within sheltered housing services and community alarm services in Lancashire

What in summary is the proposal being considered?

Lancashire County Council is required to make savings of £262M by 2020/21. This extremely difficult financial position is the result of continued cuts in Government funding, rising costs and rising demand for our key services.

As part of its plan to achieve the overall level of savings required, LCC is proposing to cease SP funding for non-statutory services from 31st March 2017. The SP budget funds a range of services. This EA focuses on the proposal to withdraw funding for support within sheltered accommodation and community alarms.

As services are jointly funded with rental/housing benefit income we don't know what the proposal will mean for each service, however there is a possibility for any or some of the following to take place:

- Reduction in level of support
- Some services ceasing to provide support
- Charges for services
- Alternative types of funding and /or support

As part of the consultation, we asked providers to give us details of their current plans. The responses received have been included within Question 2.

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.

We currently have 22 housing providers delivering sheltered housing support across all districts of Lancashire. As the proposal is to remove all funding, any decision is likely to affect all sheltered housing service users 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.

Yes. There are currently around 12,000 people receiving support. As a result of current eligibility criteria for services, people affected will predominantly be over 55 years old, however there will be a small number of people below 55 years old with disabilities.

Further detail is presented in response to question 1 below

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 Housing Schemes

- Sheltered schemes offer housing with support, a 24 hour alarm service and a scheme manager/support worker who will visit the scheme to make contact with individuals, to provide support or to arrange communal activities.
- Around 14,000 people currently receive a service. Historically around 12,000 accessed financial assistance.
- Services are accessed by people over the age of 55 and people with disabilities who benefit from the sheltered housing service model.
- The provision of sheltered housing is not a statutory service. Services have been funded in order to promote health and wellbeing and to prevent individuals requiring more high cost intensive services.

As part of the consultation process we have contacted around 14,000 people receiving sheltered housing support or a community alarm, and we received 5448 responses to the consultation which show the following demographic profiles in relation to protected characteristics

		%	Count
Are you...?	Male	36%	1953
	Female	61%	3299
	No response	4%	196
	Total		5448

		%	Count
Have you ever identified as transgender?	Yes	1%	31
	No	88%	4776
	Prefer not to say	2%	135
	No response	9%	506
Total			5448

		%	Count
What was your age on your last birthday?	Under 35	0%	5
	35-49	1%	42
	50-64	13%	725
	65-74	33%	1783
	75+	50%	2728
	No response	3%	165
Total			5448

		%	Count
Are you a deaf person or do you have a disability?	Yes	54%	2944
	No	41%	2234
	No response	5%	269
	Total		5448

		%	Count
Which best describes your ethnic background?	English/Welsh/Scottish/Northern Irish/British	94%	5146
	No response	3%	172
	Irish	1%	65
	Eastern European	1%	28
	Indian	0%	13
	Caribbean	0%	7

Other	0%	6
Pakistani	0%	5
White and Black Caribbean	0%	3
White and Asian	0%	2
African	0%	2
Chinese	0%	2
White and Black African	0%	1
Bangladeshi	0%	1
Gypsy or Irish Traveller	0%	1
Arab	0%	0
Total		5448

		%	Count
What is your religion?	No religion	10%	529
	Christian (including CofE, Catholic, Protestant and all other denominations)	84%	4554
	Buddhist	0%	10
	Hindu	0%	8
	Jewish	0%	1
	Muslim	0%	10
	Sikh	0%	1
	Any other religion	1%	70
	No response	5%	265
Total		5448	

		%	Count
Are you in a marriage or civil partnership?	Marriage	25%	1338
	Civil partnership	1%	40
	Prefer not to say	1%	74
	None of these	65%	3562
	No response	8%	434
Total		5448	

		%	Count
How would you describe your sexual orientation?	Straight (heterosexual)	85%	4635
	Bisexual	0%	7
	Gay man	0%	16
	Lesbian/gay woman	0%	5
	Other	0%	15
	Prefer not to say	5%	248
	No response	10%	522
Total		5448	

		%	Count
In which district do you live in Lancashire?	Burnley	12%	631
	Chorley	5%	299
	Fylde	4%	245
	Hyndburn	9%	499
	Lancaster	9%	500
	Pendle	7%	361
	Preston	15%	813
	Ribble Valley	7%	389
	Rosendale	6%	316
	South Ribble	7%	405
	West Lancashire	13%	686
	Wyre	3%	180
	Don't know/unsure	0%	23
	No response	2%	101
	Total		5448

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 PROCESS

Meetings

- Two meetings were held on 23rd November 2015 with district councils (commissioners) (AM) and providers (PM) to inform them of the proposal to cease SP funding from 31st March 2017.
- Eleven district council (commissioners) and approximately 60 providers attended the above meetings.
- LCC staff attended the Wyre and Fylde Health and Wellbeing Task Group on

1st July 2016 and discussions were held with providers and stakeholders

- Meeting held with district councils on 4th July to consider interim consultation findings
- Two meetings were held with providers of sheltered housing

Questionnaires

For the consultation, paper questionnaires were sent to around 14,000 service users and made available at sheltered accommodation services. An online version of the questionnaire could also be accessed from www.lancashire.gov.uk.

Separate questionnaires were sent to the 12 district councils of Lancashire, current Supporting People sheltered housing providers and stakeholders to find out the impact of this proposal on service users, on their respective organisations and on the wider community.

The consultation ran for twelve weeks from 30 March until 24 June 2016. In total, around 14,000 questionnaires were sent to service users and 5,448 completed questionnaires were returned

A full analysis of the consultation responses from sheltered housing providers, service users and other stakeholders is available as Appendix B.

CONSULTATION RESPONSES

14 providers responded to the consultation. Key issues raised **by providers** were highlighted as follows:

- 12 believed the proposal will increase demand on other public services such as hospitals, GP's and Social Care
- 9 believed Service Users will receive less support as a result of the proposal
- 7 providers believe they will increase or introduce new charges for service users, directly impacting service users financially
- 6 are currently reviewing their service offer and don't yet know what the outcome will be
- 7 believe the proposal will result in reduced staffing/redundancies

11 Stakeholders responded to the consultation, including 8 district councils and one CCG, Key Issues raised by **stakeholders including district councils** were:

- 8 believe the proposal will increase demand on other public services such as hospitals, GP's and social care
- 7 believe Service Users will receive less support as a result of the proposal
- 5 believe social isolation will increase within the older population

5448 service users responded to the consultation; the key issues raised by **service**

users are:

- 65% of service users receive regular support visits or calls and 54% of service users rate these as very important
- 49% of service users said support helps them feel safe and secure
- 59% said support is particularly important when they are unwell or in other emergencies
- 96% of service users have a community alarm service and 73% rate a community alarm as very important to them
- 36% of service users have benefitted from the community alarm in an emergency

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.

When comparing the profile of people accessing services with the wider Lancashire population, it is clear that there will be a disproportionate impact on a number of groups.

Age

- 83% of service users receiving sheltered housing support are over the age of 65, as this proportion of service users is considerably larger than the proportion of older people in the wider population (2011 Census 18% were 65+), it would appear that older people may be disproportionately impacted by the proposal

Disability, including deaf people

- 51% of service users receiving sheltered housing support considered themselves disabled, as this proportion of service users is considerably greater than the proportion of disabled people in the wider population (2011 census, 20% disabled or limiting health condition), it would appear disabled people may be disproportionately affected by the proposal

Gender reassignment

- The proportion of service users identifying themselves as transgender appears to be broadly representative of the wider population (approx. 1% average from previous LCC consultations)

Pregnancy / maternity

- No data was available in relation to pregnancy/ maternity, however as the service is accessed primarily by older people, it would be reasonable to assume that it is unlikely people with this protected characteristic would be disproportionately affected by the proposal

Race/Ethnicity

- The race/ ethnicity profile of service users appears to be broadly representative of the wider population (2011 Census, 92.3% White/British, 7.7% BME)

Religion/ belief

- The religious profile of service users appears to be broadly representative of

the wider population (2011 census, 69% Christian, 19% no religion, 6% Muslim)

Gender

- 61% of service users receiving Sheltered housing support are female. As this proportion of service users is considerably greater than the proportion of females in the wider population (2011 census, 51% female, 49% male), it would appear women may be disproportionately affected by the proposal

Sexual orientation

- The information in relation to the sexuality of people living in sheltered housing is insufficient to compare to the wider population, this may be in part because many older adults responding to our consultation did not wish to disclose information relating to their sexuality

Married / Civil partnership

- The number of people not married or in a civil partnership is significantly below the number of people in the wider population, (previous LCC consultation average are 50-60% married, 30-40% not married and 1-2% civil partnerships) therefore people not married or in relationships may be disproportionately impacted by the proposal

Mitigation for those protected groups that may be disproportionately affected by the proposal is given in response to question 6

Consultation has shown the following:

- Sheltered housing provides an early non statutory response for service users in response to health issues, financial issues, safety and security. Service users may potentially need higher cost services at an earlier stage such as health or social care services; and (due to the relatively low cost of sheltered provision per service user), should a small proportion of sheltered service users require more costly services at an earlier stage, this could significantly reduce the overall savings achieved by the council in real terms.
- Some providers may continue providing elements of the services and charge service users. Whilst this may mean that service users can continue to receive some level of service for a relatively low cost, this could have a negative financial impact on service users and may make the service inaccessible to those on the lowest incomes.

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 effects of the reduction in funding could combine with the national welfare reforms and other local proposals to make savings to exacerbate the impact (e.g. changes in relation to equipment, the amount of funding available for care packages)

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 proposing to continue with the original proposal to withdraw funding for support within sheltered housing services.

Although the funding cuts are likely to impact upon service users, providers, wider communities and other statutory services to varying degrees, there are mitigating factors which may lessen the impact of the funding cuts as outlined below.

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 hoped that the following services will mitigate some of the impact; however, this will be dependent on the level of capacity and whether individuals meet the eligibility criteria:

- Increased use of housing management
- Continuation of support funded directly by increased service user charges
- Telecare
- The Lancashire Wellbeing Service

Sheltered housing support is intrinsically linked to the housing provision and we now know that some sheltered housing providers are already taking steps to continue offering some elements of the service should the proposal to withdraw LCC funding be agreed.

Although there may be some scope for sheltered housing providers to secure additional public funding via housing benefit in order to provide increased levels of housing management, this is not a direct re-placement for the LCC funded support services. In addition, in many areas sheltered housing providers have already pursued increases in housing benefits when LCC reduced levels of funding in 2015, leaving limited scope for further increases. Furthermore, some elements of the service such as community alarms are typically deemed ineligible under housing benefit regulations.

Many sheltered housing providers have suggested they might increase or introduce charges to service users in order to continue offering services. Whilst this may be affordable for some service users, the cost of meeting any ineligible charges may prove to be a burden for other service users.

Whilst Telecare may be an option for some service users and provide peace of mind and reassurance to families, it is likely that due to the preventative nature and low level of needs for many people living in Sheltered housing, many service users may not meet national eligibility criteria for social care services in order to access Telecare.

Should a decision be made to withdraw LCC funding to sheltered housing, prior to implementing the decision we will promote the Lancashire Wellbeing service within sheltered housing services.

The Lancashire Wellbeing Service helps people to deal with the underlying causes

that are affecting their ability to manage their health and wellbeing. It aims to ensure that people feel included in their communities, are able to live more independently and to enjoy a good quality of life. Referrals into the service can be made by a wide range of professionals or through self-referral. The service is available to all people over the age of 18yrs who are affected by one or more of the following issues:

- Mild mental health problems (such as low mood, anxiety, stress and mild depression)
- Social Isolation, loneliness, few or poor social networks
- Experiencing difficult circumstances e.g. problems with family, finance, employment
- Struggling to cope/feeling overwhelmed
- Need support in relation to healthy living and developing a healthier lifestyle, through understanding and adapting behavior

The support provided consists of

- Personal support to make positive changes in your life for up to 6 sessions
- Provide opportunities that open up other support and social networks such as volunteering, peer networks, community groups
- Provide drop-in facilities in your local communities
- Identify and point you in the direction of relevant services in your community

It is a non-clinical service and doesn't provide social care services or manage people's long term health conditions.

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. The Medium Term Financial Strategy reported in the November 2015 forecast that the County Council will have a financial shortfall of £262 million in its revenue budget in 2020/21.

This is a combination of reducing resources as a result of the Government's extended programme of austerity at the same time as the Council is facing significant increases in both the cost (for example as a result of inflation and the national living wage) and demand for its services.

The revised position following the financial settlement for 2016/17 is now a budget gap of £200.507m by 2020/21. This revised gap takes into account the impact of the settlement, new financial pressures and savings decisions taken by Full Council in 2014/15, 2015/16 and 2016/17 regarding the future pattern of Council services.

We acknowledge that some people from protected characteristics groups may be negatively affected however we will strive to minimise any negative impacts by developing as many mitigating actions as possible and by taking into account the views from the consultation.

The analysis has shown us that there is a disproportionate negative impact on older people, people with disabilities and women.

The mitigating actions, outlined above in section 6, include the following:

- Reconfiguring by providers of services to enable access to increased housing benefit
- Telecare
- Lancashire Wellbeing Service
- Continuation of support funded directly by increased service user charges

Question 8 – Final Proposal

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

The final proposal is as follows:

- Withdrawal of £2.5 million funding from sheltered housing and community alarms

The following groups will be affected

- People over the age of 60 years old
- People with disabilities
- Women

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 work with sheltered housing providers to minimise the impact of the funding cuts and maximise knowledge and linkages to other services.

Where service users meet national eligibility criteria for social care services, they can request an assessment of needs and support and services can be individually commissioned to meet their needs.

Equality Analysis Prepared By James Collier

Position/Role: Programme Manager

Equality Analysis Endorsed by Line Manager and/or Service Head – Sarah McCarthy

Decision Signed Off By

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

Jeanette.binns@lancashire.gov.uk

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

Saulo Cwerner – Equality & Cohesion Manager

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Contact for Children's Services; Policy, Information and Commissioning (Start Well); Wellbeing, Prevention and Early Help (PH); BTLs

Pam Smith – Equality & Cohesion Manager

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

Thank you