

Appendix G

Equality Analysis Toolkit

Floating support service
For Decision Making Items

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 £1.3 million funding from the Cross County Floating Support Service 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, there is a proposal 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 from floating support services.

Floating Support is a free service for service users delivered across county by Calico. It provides short-term visiting support to people with problems that are linked to housing.

As part of the consultation, we asked the provider to give us details of their current plans. The response received has 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.

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.

Yes. The service currently caters for adults of all ages from age 16+. As the service caters for any vulnerable adult within Lancashire, the profile of service users does include people with protected characteristics.

Due to the very short term nature of the service, current service users would be unlikely to be still receiving the service when the service stops.

A detailed breakdown in terms of the characteristics of service users over the last 12 months is included in response to question 1.

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 Floating Support service delivered support to 2147 people between 1st April 2015 and 31st March 2016. Support is short term in nature and accessed by arrange of vulnerable adults inclusive of all protected characteristics. Demographic information is collected by the service provider when the service commences delivery, however the data availability is subject to service user willingness to disclose and therefore information in relation to some of the protected characteristics is unavailable, this includes information in relation to gender re-assignment, pregnancy, sexual orientation and single/partner.

Sex/ Gender		
Female	1405	65%
Male	718	33%
Transgender	1	0%
(blank)	23	1%
Grand Total	2147	

Disabled		
No	1009	47%
Yes	1138	53%
(blank)		
Grand Total	2147	

Primary client group of client		
Alcohol misuse problems	106	5%
Drug misuse problems	106	5%
Drug problems	1	0%
Frail Elderly	3	0%
Generic/complex needs	38	2%
Gypsies and Travellers with support needs	9	.5%
Homeless families with support needs	277	13%
Learning disabilities	86	4%
Mental Health problems	581	27%
Offenders or at risk of offending	1	0%
Offenders/at risk from offending	76	3.5%
Older People with dementia and mental health problems	5	0%
Older people with support needs	99	4.5%
People at risk of domestic violence	191	9%
People with HIV/AIDS	1	07.5%
Physical or sensory disability	161	7.5%
Refugees	1	0%
Rough Sleeper	14	.5%
Single homeless with support needs	136	6%
Teenage parents	32	1.5%
Traveller	2	0%
Young people at risk	140	7.5%
Young people leaving care	16	1%
(blank)	65	3%
Grand Total	2147	

Ethnic Origin		
Asian - Bangladeshi	7	0.3%
Asian - Other	10	0.5%

Asian - Pakistani	35	1.6%
Asian- Indian	3	0.1%
Black - other	4	0.2%
Black African	5	0.2%
Black Caribbean	13	0.6%
Gypsy / Romany / Irish Traveller	2	0.1%
Gypsy/Romany/Irish Traveller	10	0.5%
Mixed - Other	8	0.4%
Mixed - White/Black Asian	3	0.1%
Mixed - white/black Caribbean	4	0.2%
Not known	12	0.6%
Other - Arab	3	0.1%
Other - not defined above	6	0.3%
Refused - not disclosed	12	0.6%
White British	1895	88.3%
White European	49	2.3%
White Irish	15	0.7%
White Other	17	0.8%
(blank)	34	1.6%
Grand Total	2147	100.0%

Religion		
Any other religion	38	2%
Buddhist	4	0%
Christian (All denominations)	626	29%
Does not wish to disclose	72	3%

Muslim	50	2%
No religion	723	34%
Not Known	572	27%
(blank)	62	3%
Grand Total	2147	100%

Age group		
16 & 17	22	1%
18-25	438	20%
26-55	1361	63%
55+	261	12%
unknown	65	3%
Grand Total	2147	100%

District		
Burnley	283	13%
Chorley	238	11%
Fylde	112	5%
Hyndburn	196	9%
Lancaster	353	16%
Pendle	164	8%
Preston	253	12%
Ribble Valley	23	1%
Rossendale	85	4%
South Ribble	187	9%

West Lancashire	131	6%
Wyre	121	6%
(blank)	1	0%
Grand Total	2147	100%

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

- Separate meetings were held with district councils (commissioners) and providers on 23rd November 2015 to inform them of the proposal to cease SP funding from 31st March 2017.
- Eleven out of twelve district council (commissioners) attended the above meeting.
- Approximately 60 providers attended the provider meeting on 23rd November 2015
- 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
- A number of meetings have been held with district councils regarding the future shape of services

Questionnaire

For the consultation, paper questionnaires were sent to all service users. An online version of the questionnaire could also be accessed from www.lancashire.gov.uk

The fieldwork ran for twelve weeks from 11 April until 10 July 2016. Paper copies of the questionnaire, with a reply envelope, were sent to the home addresses of 1,200 service users, the sample included both people currently in receipt of Floating

Support and a number of previous recipients.

In total, 81 completed questionnaires were returned, giving a response rate of 7% which is very low. This may be due to the short term nature of the service.

The questionnaire included an explanation that it should only be completed by people who are currently receiving the floating support service provided by Calico or people who received the floating support service in the past when it was provided by Calico or Disc. This questionnaire was designed to help us understand what support people receive, how important that support is to them and what they think the impact on them will be of the proposal to end funding for the floating support service.

Separate online questionnaires were made available to Lancashire's 12 district councils, Calico and stakeholders. The questionnaires were designed to give district councils, providers and stakeholders an opportunity to outline what they think the impact of the proposal will be on service users, on their respective organisations and on the wider community.

The service currently delivers support to adults of all ages from age 16+. As the service caters for any vulnerable adult within Lancashire, the profile of service users does include people with protected characteristics.

A full analysis of the consultation with the Floating Support provider, service users and other stakeholders is attached (Appendix H).

Key issues raised by the providers were highlighted as follows:

- There will be increased demand on other public services such as Hospitals, GP's and Social Care
- There will be an increase in homelessness
- Vulnerable people will have fewer opportunities to retain or achieve independence
- Anti-social behaviour and crime will increase
- 57 staff are risk of redundancy

8 Stakeholders responded to the consultation, including 6 district councils and 2 partner agencies, Key Issues raised by Stakeholders including district councils were:

- There will be increased demand on other public services such as hospitals, GP's and Social Care
- There will be an increase in homelessness
- There will be increased community safety issues/ local crime rates will increase
- There will be increased demand on district council s for housing advice and temporary accommodation.

81 service users responded to the consultation; the key issues raised by service

users are:

- 62% of service users receive were helped to claim the right benefits and pay bills
- 56% said support helped them to find and set up and maintain a new home
- 42% of service users have benefitted from support at a time of personal crisis

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 demographic information outlined in the response to question 1 seems to suggest that some people with protected characteristics will be disproportionately affected by the proposal including women and disabled people:-

Age

The age profile of service users appears to be broadly representative of the wider population (2011 Census, 24% 0-19, 58% 25-64, 18% 65+)

Disability

53% of service users receiving Floating support considered themselves disabled, as this proportion of service users is considerably greater than the proportion of disabled people in the wider population(20%, disabled or limiting health condition, 2011 census), it would appear disabled people may be disproportionately affected by the proposal

Gender reassignment

No data was available in relation to gender reassignment

Pregnancy/ maternity

No data was available in relation to pregnancy or maternity

Race / Ethnicity

The race/ ethnicity profile of service users, 92% white/ British, appears to be broadly representative of the wider population (2011 census, 7.7% BME, 92.3% white/British)

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

65% of service users receiving Floating Support are female, as this proportion of service users is considerably greater than the proportion of females in the wider population(51%, 2011 Census), it would appear women may be disproportionately affected by the proposal and therefore women will be disproportionately impacted

Sexual orientation

No data was available in relation to sexual orientation

Marriage/ Civil partnership

No data was available in relation to marriage / civil partnership

Wider equality analysis:

- Advancing equality of opportunity – a number of service users identified that floating support had assisted with a range of tasks such as applying for benefits, dealing with housing difficulties and this would be adversely impacted if the Service ceased;
- The service includes individuals who are victims of domestic abuse who may be particularly adversely impacted by any reduction or cessation of such support;
- The participation of disabled people in public life could be adversely affected by any reduction or cessation of floating support services which have assisted people with a range of disabilities;
- Support during a crisis was identified as an area where floating support had been particularly valuable and this may be of particular significance to groups such as those service users who have mental health conditions or service users who have been victims of domestic abuse, etc.
- Concerns were raised in the consultation about the impact any cessation or reduction in floating support may have on community safety and this was an issue raised by a number of respondents. This may adversely affect the fostering of good relations/community cohesion if activities raise tensions between individuals and communities. Many of the groups supported by floating support reflect those potentially at risk of hate crime such as those with learning disabilities or mental health conditions. Disabled and older people are often also targets for anti-social behaviour which was also raised as a concern in the consultation.
- Any reduction in or cessation of floating support services is likely to lead to some greater social isolation for some of those who would potentially have been eligible for the service had it still been in place. There is a risk that social isolation may increase the impact of difficulties these individuals may already be experiencing which could potentially result to increased harm for them or the community
- Floating Support provides an early non statutory response for service users with a range of needs from low level to relatively complex needs in response to issues threatening their ability to access or maintain stable housing, such as health issues (mental and Physical), financial issues, and community safety.

In the absence of floating support, service users may potentially need higher cost services such as housing needs (e.g. temporary accommodation), health or social care services.

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

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 other preventative services, the amount of funding available for statutory packages of care)

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 from Floating Support services.

Although the funding cuts are likely to impact upon service users, the provider, 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.

Currently it does seem likely that the service may close should LCC withdraw its funding, although this is not certain and there is a small possibility that the current service provider Calico is able to:

- continue delivering some elements of the service with major changes (e.g. reduction in number of staff, new types of support services);
- or obtain other funding and the service continues with little change (e.g. from charities).

Many service users accessing floating support receive support to claim the right benefits and manage financial issues, or support to secure or maintain their housing. There are other agencies such as Citizens Advice and Welfare Rights which may potentially be able to assist service users with financial issues, however these services are already stretched in many areas and so may not be able to meet the additional demand left by the closure of Floating Support services.

Similarly district council housing advice teams may be able to offer information and advice in relation to finding new accommodation or avoiding evictions / maintaining current housing, however capacity within district councils is also limited.

It is anticipated that the Lancashire Wellbeing Service might mitigate some of the impact; however, this will be dependent on the level of capacity within the Lancashire Wellbeing Service, the complexity of needs presented by service users and the potential to broaden the remit of the wellbeing service.

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.

There is likely to be a disproportionate impact on people with disabilities and women

The mitigating actions, outlined above in Section 6, include the availability of the following services:

- Lancashire Wellbeing Service
- District Council Housing Option Teams
- Agencies such as CAB

However, as already noted, the capacity of the services may impact on their ability to deliver a service to those individuals who would have previously been supported by the floating support service.

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 £1.3 million funding for Floating Support services

The following groups will be affected

Vulnerable adults (and their families) over the age of 16

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 the Floating Support provider and other stakeholders to minimise the impact of the funding cuts and maximise knowledge and linkages to other services.

Equality Analysis Prepared By James Collier

Position/Role: Programme Manager

Equality Analysis Endorsed by Line Manager and/or Service Head

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

Saulo.cwerner@lancashire.gov.uk

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

Pam Smith – Equality & Cohesion Manager

Pam.smith@lancashire.gov.uk

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

Thank you