

Section 4

# Equality

# Analysis Toolkit

Crisis Support

(Care and Urgent Needs Support Scheme)

July 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](mailto: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](mailto:Jeanette.binns@lancashire.gov.uk)

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

### **CRISIS SUPPORT:**

To cease the Care and Urgent Needs Support Scheme (CaUNSS).

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

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

- 1) Cease the Care and Urgent Needs service from 1st January 2017 (current cost approx. £1.2m)
- 2) Create a new service, Prevention and Early Help Fund, with an annual revenue budget of £3m.
- 3) The Cabinet Member Working Group for the Prevention and Early Help Fund is recommending that a revised model of crisis support, with a budget of approx. £500,000, is implemented as part of the Prevention and Early Help Fund.

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.

It will affect people across the county in a similar way, the current CaUNS scheme is standardised county wide and the aim of the proposed scheme will also be consistent across all 12 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.

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

The Care and Urgent Needs service 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.

8 staff are currently employed who will be affected by the scheme ending (6 females and 2 males).

The "Urgent Need" side of the service currently award grants to food banks. 5 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 7 smaller furniture recycling organisations.

All these providers place a large reliance on the funding received through CaUNSS and in some cases it is the only monetary income they receive, providing an element of security and sustainability. Concerns have been raised that withdrawal of this finance will not only impact on the customers supported directly through the scheme but also thousands of other residents who benefit from the foodbank and furniture recycling organisations service. The statistics are not available to us but reviewing national figures it is evident that these type of crisis support organisations benefit a greater percentage of people with protected characteristics, especially disability and age.

The service has seen 11,466 applications between April 2015 and the end of March 2016, 4349 of which were granted. Urgent needs accounted for 61% of the awards, and 39% for Care needs awards. 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. 19% were granted for under 25's.

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.

## **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 engagement process has taken place with:

- Current providers including food banks, furniture recycling organisations, Selnet, Lancaster CAB
- District Council representatives
- Other key stakeholders e.g. DWP, Housing Associations, Voluntary Sector organisations, Probation

The aim of the engagement process was to:

- capture the strengths of the scheme
- identify where the scheme has the greatest impact
- scope potential future models
- identify opportunities to work together across the system
- identify risks and actions to mitigate these risks

The engagement took the form of both an on line survey plus a 'Think Tank' workshop (30<sup>th</sup> June 2016) pulling current providers together. As a wide range of partners had been engaged, and because the proposition is not to end crisis support but to develop a different model, it was felt that a full consultation exercise was not essential.

### **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.

These impacts, however, will need to be measured against the positive impacts of the new model as part of the Prevention and Early Help Fund. The aim of the new service, even though there is a difference in current and future funding (approximately half) will remain to support people in crisis and will also aim to help a similar number of residents. The plan is that access to the scheme will be clearer, simpler and well communicated for both residents and stakeholders, enabling those in the greatest need to access the scheme. The key difference will be:

- Only 3 elements (food, energy, household goods) will be

available for support. There will no longer be any cash offered as part of the service. This reflects models seen elsewhere and reduces the possibility of scheme exploitation.

- Household goods can only be accessed once per year per person / family. Food and energy can be accessed twice.
- The offer for household goods will be reduced. Only basic furniture and white goods will be available e.g. oven, fridge, bed, and there will be a cap per person / couple / family.

These proposed changes will impact on people accessing the scheme but present the opportunity to continue to support a wide number of people in a crisis and should not disproportionately impact on particular groups.

#### **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 potentially likely to be impacted adversely by this proposal are already being impacted by welfare reform measures and other departmental saving cuts. Disabled groups have been adversely impact 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 but the aim is that the new service will mitigate any impact.

### **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 as a result of the feedback from the engagement process, discussions at the Prevention and Early Help Cabinet Member Working Group and as a result of the Equality Analysis. The majority of people accessing the scheme do so as a result of being signposted by a support organisation. Completing this Equality Analysis has highlighted the importance of communicating effectively with a wider range of organisations, especially those in touch with groups sharing protected characteristics who currently may not access the crisis support when needed.

Feedback resulting from the engagement process demonstrated how highly crisis support is valued by partners and that this type of support (to meet peoples basic needs such as food, fuel and furniture) is not duplicating other provision and is essential in supporting residents and preventing demand on other services including social care, health, districts, police and the third sector. There was a real concern on the sustainability of some voluntary sector provision e.g. Furniture recycling organisations, if this funding is withdrawn. For example for every 7 Care and Urgent Needs Support Service referrals, furniture reuse organisations are currently able to support a further 10

households by providing affordable essential items, usually to people falling outside of CaUNSS eligibility criteria. Key points being considered in the new model resulting from the feedback include:

- Important that any scheme continues to provide support for those experiencing the greatest need and, as a result of the recent changes in welfare provision, meets the predicted increased need moving forward.
- Longer term support is essential, rather than just addressing peoples immediate crisis need, to address the root cause of residents crisis and prevent people coming back to the service.
- As far as possible reap the benefits of working with services from social enterprises, ensuring the majority of the funding is utilised through the Voluntary, Community and Faith Sector (VCFS) as this represents a real solution in addressing crisis, empowering and improving deprived communities and retaining investment locally. It is also important to maximise on social value, for example up to the end of 2015 CaUNSS had supported the diversion of 250 tonnes of reusable furniture from landfill by enabling reuse through local social enterprise.
- Consistency in the model across the 12 Lancashire districts is essential.
- A very simple clear model is required that can be easily accessed, is well communicated and has minimum administration costs.

### **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 proposed new Crisis Fund model will continue to target areas with the greatest needs and will offer significant mitigation, particularly to vulnerable individuals experiencing 'crisis'.

Plans to mitigate any adverse effects include:

- *Continue to offer food, energy and household goods to residents and families in a crisis. Due to reduced funding the household goods 'offer' will be capped per person / couple / family but core essentials such as beds, cookers and fridges will be available.*
- *A clear communication plan will be implemented to reach out to our current key stakeholders e.g. housing associations, but also to support groups active for protected characteristic groups e.g. disability groups, BME Forums.*
- *Pathways to longer term support will be an important element of the new model and will offer opportunities to tackle the root cause of the crisis for all groups.*
- *Potentially the number of staff will reduce. Any displaced staff will be supported through the LCC redeployment process and assisted through to new roles and opportunities.*

### **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 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 within the new crisis fund model, taking into account the views from the engagement exercise.

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'. The aim of the new model will be to continue to support all people in a crisis, and even though the allocation (e.g. number of household goods received) may be reduced to meet the abridged financial envelope, the help will remain through a crisis.

### **Question 8 – Final Proposal**

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

The proposal remains to cease the Care and Urgent Needs service from 1st January 2017 (current cost approx. £1.2m) and to recommend a revised model of crisis support, with a budget of approx. £500,000, is implemented as part of the Prevention and Early Help Fund. This may

affect some groups more than others, such as disabled and women but the plans for the new model aim to mitigate this impact.

### **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 the new model if agreed will be subjected to regular reviews and feedback from clients and stakeholders. Improved data collection will provide a richer picture of who is accessing the scheme and the impact the scheme is having to ensure no groups are adversely affected by the model implementation. The Equality & Cohesion Team will continue to work with colleagues to ensure the impacts on protected characteristics group is monitored and addressed moving forward.

Equality Analysis Prepared: By Dianne Gardner

Position/Role: Health Equity, Welfare and Partnerships Manager

Equality Analysis Endorsed by

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](mailto: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](mailto: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](mailto: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](mailto:Pam.smith@lancashire.gov.uk)

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

Thank you