



Appendix I

Equality Analysis Toolkit

**Refuges (Supported Housing)
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.

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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

To cease the Supporting People funding (£870,507) for the housing related support provided in 9 refuges with effect from 31st March 2017.

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 from refuges.

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

- the service closes;
- the service continues with major changes (e.g. reduction in number of staff);
- the service continues with little change as the provider has managed to obtain other funding (e.g. from charities not Supporting People)

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.

Yes – both across and outside of the county, where women fleeing domestic abuse for safety reasons leave their town/city. The refuge provision in Lancashire is part of national refuge network of provision for women fleeing domestic violence.

In 2015/16, 370 women accessed the refuge services in Lancashire of which 125 (34%) women were from Lancashire, 51 (14%) were from Blackburn with Darwen & Blackpool and 48% of women were from outside of Pan Lancashire.

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

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

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

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

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.

There are currently 9 refuges, managed by 5 providers, in Lancashire with 76 units of accommodation:

- 2 refuges in the east with 29 units (20 in Burnley & 9 in Pendle)
- 3 refuges in the north with 12 units (5 in Lancaster, 4 in Wyre & 3 in Fylde)
- 4 refuges in the south with 35 units (15 in Preston, 3 in Chorley, 8 in South Ribble & 9 West Lancashire)

£870,507 p.a. of Supporting People budget currently funds the housing related support service delivered within the refuges

During the financial year 2015/16, 370 households accessed refuges in Lancashire. Support is short term in nature and accessed by a range 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.

Information on marital status/civil partnership and pregnancy/maternity is not collected under the existing system of data collection and is therefore not included below

Gender

Women	88	24%
SP data not available	282	76%
Grand Total	370	100.00%

Age

Age Range		
16-24	101	27.30%
25-64	265	71.62%
65+	4	1.08%
Grand Total	370	100.00%

Disability

Don't Know	1	0.27%
No	293	79.19%
Yes	75	20.27%
Not known	1	0.27%
Grand Total	370	100.00%

Ethnic Origin

Asian/Asian British: Bangladeshi	2	0.54%
Asian/Asian British: Chinese	2	0.54%
Asian/Asian British: Indian	3	0.81%
Asian/Asian British: Other	4	1.08%
Asian/Asian British: Pakistani	46	12.43%
Black or Black British: African	1	0.27%
Black or Black British: Caribbean	1	0.27%
Mixed: Other	1	0.27%
Mixed: White & Asian	1	0.27%
Mixed: White & Black African	1	0.27%
Mixed: White & Black Caribbean	4	1.08%
Other: Other	1	0.27%
White British	283	76.49%
White Irish	7	1.89%
White Other	8	2.16%
Not known	5	1.35%
Grand Total	370	100.00%

Religion

Buddhist	1	0.27%
Christian (All Denominations)	93	25.14%
Does not wish to disclose	8	2.16%
Hindu	1	0.27%
Muslim	53	14.32%
None	194	52.43%
Not Known	16	4.32%
Other	3	0.81%
Sikh	1	0.27%
Grand Total	370	100.00%

Sexuality

Bisexual	7	1.89%
Does not wish to disclose	27	7.30%
Heterosexual	333	90.00%
Lesbian	2	0.54%
Other	1	0.27%
Grand Total	370	100.00%

Does the client consider themselves transgender?

Does not wish to disclose	1	0.27%
Don't Know	1	0.27%
No	367	99.19%
Yes	1	0.27%

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 West Lancashire Refuge consultation meeting with service users and stakeholders on 15th July 2016.
- 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

Questionnaires

LCC sent questionnaires for all 76 existing service users in the refuge services to the providers who then distributed them. The service user survey was also made available on line.

The service user survey asked,

- What services the service user received in the refuge accommodation?
- What was important to them about the service?
- If the service ended what did they think the people who need this type of service would do in the future? and
- Any further comments.

LCC also undertook separate on line surveys on the www.lancashire.gov.uk with the following;

- All 5 providers of refuge services
- 12 district councils; and
- Other stakeholders

The provider survey asked;

1. What their **plans were should SP funding cease** from 31st March 2017?
2. What the impact would be on the **service users**?
3. What the impact would be on their **organisation** and on the **wider community**? and
4. Any further comments

The district council and stakeholder questionnaires asked the same questions above (2 to 4) as the providers apart from the first question regarding the provider plans.

SUMMARY OF CONSULTATION RESPONSES

The consultation ran for 12 weeks from 21st April 2016 to 17th July 2016. A total of 76 questionnaires were sent out to service users and 64 completed questionnaires

were returned giving a response rate of 84%. There was a 100% (5 providers) response rate from the provider survey, 7 district councils (58%) responded and 1 stakeholder response was received.

Summaries of service user, district, stakeholder and provider responses have been provided in the Consultation Findings (see Appendix H).

In the event that the funding for refuges in Lancashire is to be removed then the following is likely to take place:

PROVIDER RESPONSES

All 5 refuge providers (9 services) responded to the consultation and the key issues raised by the providers were as follows;

Provider plans

- 66% (6) services would cease to exist (closures)
- 55% (5) services would be at risk
- (55%) 5 services would reduce staffing and services (redundancies)

In anticipation of the budget proposal to cease SP funding from 31st March 2017, three refuge services have restructured their services, such as reduced staffing, remodelled their services and are drawing down intensive housing management from the local authorities' which does not fund the support to women and children fleeing domestic abuse.

Impact on service users

- More suicide/murders of women and children (5)
- on-going risk of serious harm to more women and children (victims/survivors) (4)
- Cost of homicide reviews (3)
- Women and children not living safe lives – DA is not given priority (3)

STAKEHOLDER AND DISTRICT RESPONSES

7 district councils and 1 stakeholder responded to the consultation and the key issues raised were as follows:

- 86% (6) women living in unsuitable accommodation without support
- 71% (5) increase in the demand for public services (police, CSC, NHS, LA)
- 57% (4) staying with violent partner in abusive situation
- 43% (3) is dependent on the refuge provider response

SERVICE USER RESPONSES

64 (84%) of the service user responded to the consultation outlining what support

they had received in the refuges. What was important about the service? If this service ended, what do you think that people who need this type of service would do in the future?

Support received by service users

- 95% (61) received support to keep them safe and avoid harm caused by others
- 89% (57) received support to claim the right benefits and
- 86% (55) received support to improve physical health

Important aspect of the services were as follows:

- 98% (63) Accommodation
- 95% (61) Support to keep safe and to avoid harm caused by others and Support to claim right benefit
- 94% (60) dedicated support within the accommodation

If there was no refuge services then:

- 80% (51) would stay in unsafe/inappropriate accommodation
- 58% (37) would sleep on the street/homeless
- 45% (29) would seek help from Social Services (LCC)
- 44% (28) would seek help from police

Attached is a full analysis of the consultation.

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.

Women, young people, people from BME communities and Muslims appear to be disproportionately impacted.

Age Profile

- 27% (101) of the women were aged between 16-24 which appears to be greater than the proportion of the wider population (13%) and may be disproportionately impacted by the proposal
- 71.62% (265) of the women were aged between 26-64 compared to 58% of the Lancashire population who are between 20 and 64
- 1% (4) of the women were aged 65 plus which appears to be significantly lower than the proportion of the wider population (18%)

Disability

- 20% (75) of the women were disabled which appears to be broadly representative of the wider population (20%)

Pregnancy and maternity

- 9% (6) of the respondents to the consultation are pregnant and do not have children which is higher than other consultations which have a figure of 2%.

We can not identify from either the SP data or other consultations, the number of women who were pregnant who also had children. Consequently, it is not possible to draw any conclusions

Race/ethnicity

- 80.54 % (298) of the women were White British/Irish/Other which appears to be significantly lower than the wider population (92.3%)
- 15.400% (57) of the women were Asian/British: Bangladeshi, Pakistani, Chinese, Indian, Pakistani, and Other Asian which appears to be significantly greater than the wider population (6.1%) and may be disproportionately impacted by the proposal
- 0.54% (2) of the women were Black/British; African and, Caribbean, which appears to be broadly representative of the wider population (0.3%)
- 2.16% (8) of the women were Mixed: Other, White & Asian, White & Black African and White & Black Caribbean and Other ethnicity which appears to be significantly greater than the wider population (0.2%) and may be disproportionately impacted by the proposal
- 1.35% (5) of the women did not provide their ethnicity in the SP data therefore this is not known.

Religion/Belief

- 25% (93) of the women were Christian which appears to be significantly lower than the wider population (69%)
- 14% (52) of the women were Muslim which appears to be significantly greater than the wider population (6%) and may be disproportionately impacted by the proposal
- 52% (194) of the women had no religion which appears to be significantly greater (19%) than the wider population

Gender

- 24% (88) of the women provided the SP data and 76% did not provide this data (therefore not available). It is recognised that the refuge services is targeted at women and therefore it is likely that there would be 100% of women in services. Where there are dispersed units men may also access the service

Sexual Orientation

- 2.4% (9) of the women were LGBT which appears to be broadly representative of the wider population (5-7% Stonewall) or greater than the census figure of 1%.

The consultation shows how refuges have helped people find accommodation and

claim benefits which fits the advancing equality of opportunity objective.

The refuge support provides help to service users to feel safe and avoid homelessness or being on the streets, which contributes to fostering good relations between communities/community cohesion

The personal safety of women and children is paramount in terms of health and wellbeing, reducing isolation and helping service users to participate more fully in public life which are all connected to the Public Sector Equality Duty.

Any reduction in funding will affect the above positive impact of 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 (welfare reform; regarding the single room rate for under 35's, going forward from April 2017 18 - 21 year olds will not be entitled to any form of housing benefit unless in a protected group and changes in relation to local housing allowance etc.)

Question 5 – Identifying Initial Results of Your Analysis

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

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Whilst we are proposing to continue with the original proposal to cease the Supporting People funding for refuges with effect from March 2017, the council intends to take steps to mitigate the effect of the funding reduction. This is outlined more fully in the next section of this report.

Question 6 – Mitigation

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

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

As refuges meet the criteria identified to access the Prevention and Early Help Fund, it is recommended that up to £800k of funding from the Prevention and Early Help Fund is made available for the provision of support within refuges. This means that only £70k savings will be required from existing contracts which currently total around £870k.

The £800K of PEHF will limit the possible adverse effect, particularly in relation to women, younger people, those from BME communities and those who are Muslim.

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 originally 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 proposal would have had a disproportionate impact on women, people from BME communities and Muslims. However, as outlined above we have sought to mitigate the impact by making £800k of funding available to provide the support within refuges from the Prevention and Early Help Fund

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:

- To implement Supporting People budgetary savings in relation to refuges
- To allocate funding from the Prevention and Early Help Fund to fund the support within refuges

The £800K of PEHF may limit the possible adverse effect particularly in relation to women, those from BME communities and those who are Muslim or have no religion

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 refuge service providers to negotiate the reduction of 8% savings (£70,507.37) and vary the contracts to bring them in line with the proposed budget. We will also use the CRD to monitor/review implementation.

Equality Analysis Prepared By Tahera Chaudhrey

Position/Role Strategy and Needs Analysis Co-ordinator

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

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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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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