

Section 4

# Equality

# Analysis Toolkit

Decision to decommission Methodist Action North West's  
Dispersed Supported Accommodation Service In Preston

**For Decision Making Items**

November 2015

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

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

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

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

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

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

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

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

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

[AskEquality@lancashire.gov.uk](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**

Decision to decommission Methodist Action North West 's Dispersed Supported Accommodation Service In Preston

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

Proposal to Decommission the Service for Strategic and Financial Reasons with effect from 29/11/15.

The proposal relates to the proposed closure of a visiting housing support service to 21 dispersed properties in Preston funded by Lancashire County Council. This service is delivered by Methodist Action North West, an established provider of services to homeless people in the Preston area.

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 will affect existing and potential service users in Preston but will not have a particular impact in any particular area of Preston given the small scale of the service (a maximum of 21 service users at any one time).

The service is linked to a number of dispersed properties across the city. Therefore the decision to end funding will not have a disproportionate impact in a particular area of Preston.

It should be noted that the proposal is linked to the end of the visiting support service only. The accommodation provision, which is funded separately from the commissioned service which is the subject of this decommissioning proposal, will remain. Therefore any decision to end

the support service will not have a significant impact on any one area.

**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 is delivered to men only and therefore the proposed closure will have a disproportionate effect on males.

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 service is chiefly defined by its exclusive delivery to males and therefore this group will be disproportionately affected by the proposed ending of the service.

However client record data for the 22 new service users in 2014/15 clearly indicates that there are no other sub-groups which share

protected characteristics .Although occasional service users have recorded protected characteristics eg disabilities, race, the service as a whole is not characterized by delivery to any other group or sub group who would be adversely affected by the proposal.

Moreover secondary information on the referral background of service users indicates that few received statutory care services or supervision- a factor that might indicate underlying vulnerability and protected status.

The client record data for the 22 new service users who accessed the service in 2014/15 can be summarised as follows:-

- 22 (100%) were single males
- No service users (0%) were recorded as having a disability
- 1 service user (4.5%) was recorded as being of Black British Caribbean ethnic origin
- 1 service user (4.5%) was recorded as being of gay sexual orientation
- No service users(0%) were recorded as being transgender
- No service users (0%) were recorded as being of a minority religious group although several service users did not disclose this information
- The majority of service users 21 (95%) were aged 25 or over although 1 service user was aged 18-25. Most service users were aged 25-45.

Therefore the evidence supports the fact that the service is exclusively delivered to single males with only with only a few service users being recorded as having any 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)

The provider of the service has been aware of the proposal to end the service since late 2014 and was aware that the service would not be re-tendered when the contract reached its maximum end date in July 2015.

The reasons for this proposal were made shared with the provider Methodist Action North West at the time. These primarily included indications from Preston City Council's Head of Advice Services that they did not wish to prioritise retention of the service given the anticipated pressure on budgets and their belief that the service was not meeting the purpose for which it had been originally created and was of limited strategic value to Preston in terms of preventing homelessness.

The other primary accommodation service for homeless men provided by Methodist Action North West at its Fox St premises was identified as a greater priority. On that basis the current provider has been informally preparing for changes to both services. This included the re-tendering of the Fox St service in summer 2015 which Methodist Action was successful in retaining in September 2015.

In July 2015 approval was sought and obtained from the Cabinet Member for Adult and Community Services to formally commence a consultation process around de-commissioning of the service.

As the primary stakeholder Preston City Council was already closely involved in joint planning for the future delivery of housing support services in Preston it was not deemed necessary to carry out a formal consultation with Preston. Instead they were kept informed of progress and any proposed mitigating actions that arose from the consultation process.



After discussions with Methodist Action North West on the most appropriate and productive way to proceed, a consultation meeting with Cathryn McCrink from Lancashire County Council's Supporting People Team was arranged for both service users and service support staff at the Central Methodist Church at Fox St on Wednesday 5<sup>th</sup> August 2015. Methodist Action co-ordinated the meeting and made service users aware of the proposal to de-commission the service. A total of 6 current and former service users attended to give their views on the value of the service and their concerns around the loss of the service. Support staff also attended to support service users to attend, participate and prompt service users to ask questions about future service provision. Service users had been made aware prior to the meeting that the accommodation itself was not under threat and the consultation was around planned removal of the visiting support service only.

The consultation meeting was productive in highlighting the service users' needs for appropriate alternative provision in the event that the service ended. This included recognition of the need to be able to drop in to local services to ask for help when needed. Following further discussion two areas for development were identified. The managers at Methodist Action North West began to explore the possibility of re-introducing a drop in service at Fox St and Lancashire County Council contacted the generic cross county floating support service at Calico to ask them to explore setting up a city centre drop in support surgery at the Central Methodist Church. At the end of the meeting I summarised the discussion and outlined the proposed actions we could take to provide alternative support which the service users who attended said they were satisfied with. These actions have become the main mitigating actions identified to offset the impact if the service ends.

### **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 proposed decommissioning of the service should not impact on
--

service users negatively given the service user profile and the nature of service delivery which is currently delivered to people in the community in their own homes rather than as a group of people sharing common protected characteristics. The service is not so specialised that it cannot be replaced with substitutes such as the generic floating support service, which also provide the same type of support to a similar client group ie vulnerable people at risk of homelessness. The current service does not offer specialist services to service users because they are male but because they are single homeless and previously lived in supported accommodation at Fox St, Preston which is male only due to the limitations of the shared accommodation.

Alternative generic services would therefore be appropriate for service users who have or are moving on into the wider Preston community. This would include home visiting where necessary.

#### **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.

There should be not be a major impact on service users as a direct result of the withdrawal of this service since both the current and proposed alternative replacement services are free and the substitute services will not differ substantially from those received previously.

However people at risk of homelessness may be affected more generally by proposed reforms of local and national services including national welfare reform and any future planned changes to Lancashire County Council welfare type services that are provided to the general population. Any impact should however be mitigated by the fact that a service which assists with these issues will continue to be available and service users will not be left without any support.

### **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 outcome of the analysis and the consultation exercise is that it would be reasonable to proceed with the proposal in its original form. Primarily this is because the service does not reflect the changing strategic priorities of Preston City Council and alternative substitute services which perform the same function more cost effectively are already available in the area and can be enhanced to meet any additional needs.

### **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 development of alternative drop in surgeries and home visiting by the generic floating support service should in itself be sufficient to offset any negative impact created by the de-commissioning of the dispersed support service. These existing types of interventions are already been used successfully by the Calico generic floating support service and they are currently developing a new drop in surgery to meet the needs of users of this service. As described earlier service users who attended the consultation meeting who were consulted on the closure seemed satisfied with the substitute support services that would be put in place. These services will be in place at the point the service ends.

### **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.

In this case the reasons for decommissioning the service and the savings it will generate will outweigh any minor negative effects. Although the service is delivered to people with protected characteristics i.e. males, the substitute services that will be available will be similar and appropriate and there is no reason why the service

cannot be decommissioned as originally planned without a major adverse impact on service users or the community.

### **Question 8 – Final Proposal**

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

To proceed with the decommissioning of the service on a mutually agreed date of 30/11/15 together with the development of alternative substitute services as needed. This date will coincide with the start date of the new Fox St contract and reflects the wish of Methodist Action North West to amend service provision from that date.

### **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 monitor the impact of the withdrawal of this service across all 9 protected characteristic groups where appropriate via:

Communication with current service users via Methodist Action North West on the arrangements for closing the service and future service provision.

Regular liaison and review of service provision with both Fox St service and the Calico generic floating support service.

On-going liaison with Preston City Council on the effectiveness of housing support services in meeting local needs.

Equality Analysis Prepared By Cathryn McCrink

Position/Role Contracts Officer, Supporting People Team, Health and Care Systems Development Team.

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](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