

Equality Impact Assessment

Context

1. under s.149 of the Equality Act 2010, when making decisions, Essex County Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. The EqIA will be published [online](#):
8. All **Cabinet Member Actions, Chief Officer Actions, Key Decisions and Cabinet Reports must be** accompanied by an EqIA.
9. For further information, refer to the EqIA guidance for staff.
10. For advice, contact:
Shammi Jalota shammi.jalota@essex.gov.uk
Head of Equality and Diversity
Corporate Law & Assurance
Tel 0330 134592 or 07740 901114



Section 1: Identifying details

Your function, service area and team: **Corporate and Customer Services**, Commissioning Delivery, Transforming care, Bespoke Care and Support Procurement.

If you are submitting this EqlA on behalf of another function, service area or team, specify the originating function, service area or team:

Title of policy or decision: Bespoke Care and support Procurement for 10 people with Behaviours that are deemed to challenge Services

Officer completing the EqlA: Clare Perkins (Senior Commissioning Delivery Officer)

Tel: 03330 136429

Email: clare.perkins@essex.gov.uk

Date of completing the assessment: 3rd May 2017

Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p>This EqlA relates to moving Essex residents with complex and challenging behaviour from long stay mental health hospitals to supported living under the Winterbourne Review and Transforming Care Agenda.</p> <p>It is a one-off procurement to support 10 complex individuals that require specialist accommodation and support to be able to live in the community and meet their outcomes.</p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <ul style="list-style-type: none">• The aim of this project is to enable 10 Essex residents with complex and challenging behaviour to leave hospital, where some have been stuck for 20years, and live in the community, meeting their aspirations. <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <ul style="list-style-type: none">• Procurement of a care organisation to provide specialist support to the 10 residents• property management is Included in the contract. This is be provided directly by the care organisation or by sub-contracting arrangement. This service will ensure maintenance of the property and is dealt with promptly and in accordance with the residents needs.• Provide a specialist care and support to 10 complex people with behaviours that challenge services. These people current reside in secure hospital setting due there being no care and accommodation already in the

	community to support them.
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>Yes the decision will affect Service Users. This bespoke scheme will enable 10 people to live independently in the community rather than institutionalised within hospital or residential environments.</p> <p>Will the policy or decision influence how organisations operate?</p> <p>Organisations that will likely be affected: The care providers that wins the tender.</p> <p>A contract will be awarded to a Care provider. Within this contract ECC will agree with the provider that certain standards of care are met and that reviews and problem solving techniques are frequently used to maintain the best outcomes for the individuals to allow them to meet their aspirations to the best of their ability.</p> <p>ECC will also hold eviction rights on the property. ECC are committed to provide lifetime homes for people with complex and challenging behaviour.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p>There is no change in resource required.</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The procurement to provide care, support and housing management to people whose behaviour is deemed to be challenging, supports several of the High Level Outcomes directly:</p> <ul style="list-style-type: none"> • People in Essex Enjoy Good Health and Wellbeing, • People in Essex can live independently and exercise choice and control over their lives • Adults Vision – Helping People to Help Themselves - every person should be able to live independently within their own home and family, without the need for dependency on social care services. <p>By providing a supported housing scheme that is built on the principles of the Care Act, Essex County Council will be able to work with the residents, families and advocates to provide them with a service to achieve the outcomes that are important to them.</p>





Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p>Approximately 5% of the population of people with learning disabilities may present with severely challenging behaviours. This is an extremely diverse group including individuals with all levels of cognitive ability from mild to profound learning disability; those with sensory impairments or physical disabilities; those with severe mental illness and those with a history of offending or forensic behaviours.</p> <p>Historically this group would have been managed by securing an admission to long stay hospital or specialist residential care. With the increased emphasis on community integration and the intention of hospital services to provide brief, focused interventions for circumscribed mental health needs, the responsibility falls increasingly to mainstream learning disability services (including day care, residential care, respite and Learning Disability Teams) to work with clients who exhibit behaviours that challenge. Given the diversity and complexity of the service users who present with such behaviour, it is essential that those professionals who provide services are both appropriately skilled and sufficiently resourced to provide a quality service.</p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>Social workers within the Complex Behaviour Team have engaged with the clients who will be allocated to this scheme, along with their families, advocates and current nursing support staff. These people are all happy to be leaving their current situation and ready to live as independently as possible in the community.</p> <p>Additional vacancies will be available, that will be filled as and when the property is right for any individual.</p>



3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary. Please include any reasonable adjustments, e.g. accessible formats, you will provide as part of the consultation process for disabled people:</p> <p>Engagement with the people who will reside in this housing scheme is ongoing. Many will need long transition periods to enable them to settle into their new home. Their Social worker, current support team and the new support team will spend time with the individuals and their families to ensure their new home is what they would like and will enable them to meet their outcomes.</p>
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Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	<p>Likely to be NEUTRAL</p> <p>This service aims to improve the lives of adults with behaviours that are deemed to challenge. This service will provide housing for individuals so it is only available to adults.</p> <p>However additional age appropriate services are available for children.</p>	L
Disability – learning disability	<p>Likely to be POSITIVE</p> <p>There is a small percentage of the population that have behaviours that challenge services. This service has been specifically designed to meet the outcomes of 10 people, 5 of which are currently residing in a hospital environment. These people will be independent and able to live in the community following the Challenging Behaviour Charter.</p> <p>This particular service is not for the whole population with a learning disability however other services exist that meet their requirements better.</p>	L



Disability – mental health issues	<p>Likely to be POSITIVE</p> <p>There is a small percentage of the population that have behaviours that challenge services. This service has been specifically designed to meet the outcomes of 10 people, 5 of which are currently residing in a hospital environment. These people will be independent and able to live in the community following the National Challenging Behaviour Charter.</p> <p>This particular service is not for the whole population with a learning disability however other services exist that meet their requirements better.</p>	L
Disability – physical impairment	<p>Likely to be POSITIVE</p> <p>There is no discrimination towards the people allocated an apartment in this scheme. Some residents may have physical disability. Allocation will be decided on the individual requirements for each person, no matter what physical disability they have. All apartments can be adapted to suit any disabilities.</p> <p>This particular service is not for the whole population with a learning disability however other services exist that meet their requirements better.</p>	L
Disability – sensory impairment (visual, hearing and deafblind)	<p>Likely to be POSITIVE</p> <p>There is a small percentage of the population that have behaviours that challenge services. This service has been specifically designed to meet the outcomes of 10 people that are currently residing in a hospital environment. These people will be independent and able to live in the community.</p> <p>This particular service is not for the whole population with a learning disability however other services exist that meet their requirements better.</p>	L



Gender/Sex	<p>Likely to be NEUTRAL</p> <p>The service is open to both men and women. It is for anyone who has eligible social care needs.</p>	L
Gender reassignment	<p>Likely to be NEUTRAL.</p> <p>The service is open to both men and women regardless of any possible previous gender reassignment / and transgendered people. The service is provided where they meet the criteria for complex and challenging behaviour.</p>	L
Marriage/civil partnership	<p>Likely to be NEUTRAL.</p> <p>There is no restriction on access according to marital status and civil partnership and all support plans are person-centred.</p>	L
Pregnancy/maternity	<p>Likely to be NEUTRAL.</p> <p>The service is provided where there is eligible social care need for people with behaviours that are deemed to challenge services</p>	L
Race	<p>Likely to be NEUTRAL.</p> <p>Essex has a responsibility to support all those with eligible Social Care needs and this will be regardless of the race of the individual with the need.</p>	L
Religion/belief	<p>Likely to be NEUTRAL.</p> <p>We continue to be culturally sensitive to the needs of service users (eg: providing a female care worker for a Muslim woman). It is important to recognise and meet cultural needs and build links with relevant community groups.</p>	L
Sexual orientation	<p>Likely to be NEUTRAL</p> <p>Services will be delivered appropriately according to individual preference.</p>	L
Cross-cutting themes		



Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Socio-economic	Likely to be neutral.	L
Environmental, eg housing, transport links/rural isolation	Likely to be neutral	L



Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	Yes	There is a low adverse impact.
		No	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.



Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.



Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Phil Brown, Commissioner of
Vulnerable People

Date:

Signature of person completing the EqlA: [Clare Perkins, Senior
Commissioning Development Officer.](#)

Date:

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

