

Appendix B – Equality Impact Assessment (Organisation Plan and Budget)

1. Overview

- 1.1 This appendix describes the most significant equality pressures confronting each main service area, informed by an equality analysis. It highlights the effect of policy and governance changes; an overview of positive and neutral impacts; and a service impact overview. These outcomes are based upon spending decisions taken during the last two years and changes resulting from the 2019/20 budget. The analysis also highlights a number of cumulative impacts that may arise resulting from the 2019/20 budget.
- 1.2 It is important to note that the budget is the financial expression of the Organisation Plan and our operational intent, and where known, the equality impact of change is disclosed. However there are a number of individual decisions that will arise over the period of the 2019/20 budget. These will be subject to specific and more detailed equality impact assessments in line with the Council's Equality Impact Assessment (EIA) guidance. Political decisions will only be taken once effective and meaningful engagement has taken place on a need by need basis.
- 1.3 In making this decision we must have regard to the Public Sector Equality Duty (PSED) under s149 of the Equality Act 2010, i.e. have due regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 1.4 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In addition, marital status is a relevant protected characteristic for 1.3(a)
- 1.5 The PSED is a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s149. It is only one factor that needs to be considered and may be balanced against other relevant factors.
- 1.6 Part of the equalities governance is to ensure that equality impact assessments are undertaken when considering new and/or revised policies to inform and underpin good decision making processes. This also helps us pay due regard to our equality obligations.
- 1.7 The Equality Act also says that public bodies must pay 'due regard' to equality. This means that we must:
 - move or minimise disadvantages suffered by people due to their protected characteristics;

- take steps to meet the needs of people from protected groups where these are different from the needs of other people.

2. Identified cumulative impacts

- 2.1 An initial equality analysis of the planned activity and budget proposals incorporated in the 2019/20 Organisation Plan identifies that around 40% of our proposals have the propensity to have a greater impact on some parts of our Essex communities than others. This is comparable with last year's assessment.
- 2.2 At this stage, it is not possible to fully measure this impact of the proposals on those people who have protected characteristics under the Equality Act 2010, or how the geographic spread of budget proposals will be felt across rural and urban areas of Essex. However, initial cumulative analysis shows impacts across a number of budget proposals for the following:
- children, young people and families
 - older people
 - disabled people
- 2.3 Key impacts from this initial analysis across the portfolios are outlined from section 5 below.

3. Mitigating actions which will be considered

- 3.1 **Monitoring of impact:** Services must ensure ongoing equalities monitoring of the impact of service changes, to identify trends in disproportionate or unanticipated impact at an early stage to address them. This reporting should be monitored Council-wide at senior levels within the Council in order to identify cumulative impacts and mitigating actions. Consideration should be given to working with other partners in this monitoring and evaluation where appropriate.
- 3.2 **Informing decision-making:** The findings of this monitoring should be used to inform the budget-setting process year on year.
- 3.3 **Equality Impact Assessments:** As the budget proposals are developed, individual equality impact assessments will be undertaken. This will include an assessment of who is likely to be impacted by the changes, whether they are considered to have 'protected characteristics' under the Equality Act 2010 and if they are, what mitigation activity is proposed to ensure that they will not be disproportionately affected.
- 3.4 **Targeting based on need:** Resources and services should clearly identify specific needs of different groups at an early stage in order to be most effective and meet needs at first contact wherever possible e.g. through consultation.
- 3.5 **Gaps in monitoring:** Where gaps in monitoring have been identified during the equality impact assessment process, steps should be taken to fill these in the

forthcoming year. This will enable better modelling of potential impacts and assessments in future.

4. Policy and Governance Context

- 4.1 The proposed social care precept may adversely impact some residents of Essex; however residents on the lowest incomes will remain eligible for support with their bills via their local council tax support schemes (operated and maintained by the city, district and borough councils). The increase proposed relates to a specific social care precept that will be ring-fenced for adult social care. This should positively impact on vulnerable adults within Essex by helping to protect and improve social care services.
- 4.2 The localisation of council tax benefit (introducing new payees to council tax as a result of national policy changes) was implemented in 2013/14 alongside a scheme for hardship and investment in collection initiatives including Citizens Advice support. As set out previously, the 12 billing authorities have sustained collection rates against this backdrop, ensuring no negative impact on other council tax payers. Given that success, our budget proposes continuation of the investment into collection and hardship for 2019/20.
- 4.3 We have joined forces with the borough, district and city councils and police and fire authorities to tackle council tax fraud across the county. The programme:
 - ensures those entitled to discounts or exemptions on their council tax are receiving the right support;
 - has introduced extensive regular reviews to ensure the levels of benefits people receive are correct;
 - encourages people to notify councils if their circumstances change, and the consequences of not doing so, to enable councils to take swift and appropriate action against people fraudulently claiming council tax benefit.
- 4.4 We have anticipated specific increases in demand for services as a result of ongoing national welfare changes. This is likely to predominantly impact on working age adults with disabilities and where families have someone with a disability. It is also expected to increase the levels of children in care.
- 4.5 The budget will be discharged against a background of continuing intense pressure across the health and care system in Essex.

5. Portfolio Impacts Overview

Cross Cutting

- 5.1 We are continuing to implement organisation redesign to reflect the challenges that the Council faces; this has, or will affect the majority of employees (excluding teaching staff).

- 5.2 Support Services redesign is ongoing with plans to significantly reduce the cost of these services. This is affecting all employees within these areas and may impact how services are delivered to internal customers. It is not expected to impact on the level of service provided to residents.

Children and Families

- 5.3 The Children and Families Service's purpose is to protect children and young people from neglect and abuse, and to promote their development and wellbeing. We will continue to work with our partners to provide a wide range of early help, family support and social work interventions, to help families improve their lives and support children to overcome early childhood trauma, look forward to a brighter future and achieve their aspirations. In our role as Corporate Parents, we will do our best to see that this happens for children in care and care leavers.
- 5.4 To do this well and get best value for money, we aim to be at the forefront of best practice. We will always learn from the most forward thinking innovations and positive developments in the social work profession, as well as from the children, young people and families we work with.
- 5.5 The portfolio has identified budget proposals of **£6m** for 2019/20. These can be grouped into four main areas; Placement Strategy, Workforce, Reinventing Children with Disabilities (CwD), Support and Early Intervention.
- 5.6 Under our Placement Strategy we are seeking to place children in care within a family setting where possible, as evidenced through fostering, which will deliver a saving of **£2.2m**. To support this, we are investing **£2.8m** of one off funding over three years into our Internal Fostering Service. We are also working in partnership with the Department for Education (DfE) in respect of our Inside Out project, which is a new **£3m** innovation programme to develop an alternative to residential care, for children who have had multiple, unsuccessful placements.
- 5.7 There are also **£1.9m** of budget proposals related to our workforce structure through managing the workforce more efficiently. The proposals are in the early stages of development and relate mainly to harnessing new technologies to improve efficiency in staff time. The use of some of these technologies should also enhance the experience of the child or young person through the access of a tablet, for example, to express how they feel.
- 5.8 A budget proposal of **£945,000** is to be realised through reinventing our Children with Disabilities offer. Firstly, this will be realised in respect of engagement with providers to commission outcomes for the provision of respite for children with disabilities. It is anticipated that the impact on children with disabilities will be positive in that a wider range of innovative engagement options, including those afforded through social media and digital technology, will be commissioned. Secondly, we will be looking at our internal respite offer to ensure that it is operated efficiently and so that we are supporting those who need it most.

- 5.9 Finally, **£500,000** on our early intervention offer, a non-statutory service, is being scaled back due to reduced Government funding requiring the focus to be on core statutory services. The equality impact assessment indicates that the proposals will not have a disproportionately adverse impact on any people with a particular characteristic.
- 5.10 In order to ensure that we pay due regard to the PSED, individual equality impact assessments will be undertaken in order to ensure that we are mitigating, where possible, any adverse impact on children, young people and their families.

Culture and Communities

- 5.11 The Culture and Communities portfolio assumes **£289,000** of proposals in 2019/20, of which **£229,000** relates to the removal of the cultural grants programme. This is an open programme which attracts a variety of applicants each year, including organisations with a focus on support to minority ethnic groups, those with disabilities and mental health issues. Mitigation for these groups will be offered through advice and guidance provided by the Community Partnerships team, and they will be eligible to apply to the Community Initiatives Fund, if their projects deliver against the community engagement priorities set out in this fund.

Customer and Corporate

- 5.12 The portfolio has identified budget proposals of **£4.5m** in 2019/20, the majority of which relate to efficiencies through support service redesign and organisational redesign. These changes are not expected to impact on the level of service provided to residents.
- 5.13 A consultation is underway to determine how we can provide a comprehensive and efficient library service to people in Essex in light of a decline in usage, and in the context of the Council's overall financial position. Changes are likely to result in a different library offer throughout the county. Changes will most significantly impact:
- (a) adults over the age of 65 and children up to 9 years of age, being the largest age demographic service users
 - (b) women of all ages as those form the majority of the library users
 - (c) service users with a physical or sensory disability as fewer library services may mean that there may be a need to travel to alternative locations
- It is intended to mitigate the negative impact of fewer services through investment in remaining library services to improve accessibility and, where appropriate, to extend opening hours.
- 5.14 A number of detailed equality impact assessments will be undertaken to ensure services are targeted in the right way by assessing any potential impacts – positive or negative, and in turn, any resulting mitigations.

Deputy Leader and Infrastructure

5.15 Budget proposals of **£4.7m** have been identified for the 2019/20 financial year. These are categorised into the 3 main areas outlined below:

- (a) Partnership improvements and efficiencies within the Essex Highways partnership (highways maintenance) has proposals totalling **£3.3m**; Benefits are being achieved through seeking continuous improvements, economies of scale and different ways of delivering services more efficiently. This may have an impact on the level of reactive maintenance on the highway network.
- (b) Combined approach to working with other partners. Financial benefits of **£600,000** will be achieved through one-off opportunities, different methodologies, reducing subsidies and increasing income opportunities.
- (c) Increased income of **£800,000** relating to fees and charges, arising from increased enforcement activity to ensure improved safety and reduce congestion. This will result initially in a higher number of penalties issued to non-compliant users of the highway network. It is anticipated that performance and driver behaviour will improve over time and there will be a significant reduction in penalties issued, and therefore income will decrease over time. Failure to enforce could lead to safety and congestion issues.

5.16 However despite these opportunities and partial mitigations it is likely that users will experience a negative impact linked to planned reductions in both revenue and capital funding levels.

5.17 We will continue to look at ways of streamlining the Park and Ride service in order to reflect demand more closely. An indicative saving of **£50,000** may have some equalities impacts and these will be assessed as part of consultation.

5.18 For the majority of these proposals above it is not considered that they will have a disproportionate impact on people who share any relevant protected characteristic, there are some cost reductions that could potentially impact people with protected characteristics as detailed implementation plans are worked up.

Economic Development

5.19 The portfolio has identified budget proposals of **£157,000** in 2019/20, which mainly relate to staffing efficiencies that will not impact service users. **£60,000** of the proposals relate to the scalability of Essex Housing and it is not considered that they will have an adverse impact on persons who share any relevant protected characteristic. An equality impact assessment will be completed as part of the governance and decision making for each individual project.

Education and Skills

- 5.20 The portfolio has identified budget proposals of **£3.3m** for 2019/20, of which the most significant are set out below.
- 5.21 There are **£1.1m** of budget proposals related to our workforce structure through managing the workforce more efficiently, which should not impact service users, together with **£400,000** through the recovery of fees and charges, mainly relating to income from schools for school improvement services and penalty notice charges to parents who take their children out of school without permission.
- 5.22 For concessionary fares there is a budget proposal of **£500,000** where we will undertake negotiation with operators to deliver a statutory scheme and subsequently reflect any changes against budget. This may impact on our current concessionary users but there is no foreseen equality impact.
- 5.23 There are budget proposals of **£360,000** relating to a reduction of the Skills service operational budget to focus on supporting activity that meets our statutory responsibilities. This may impact on service users through reductions in the schools based vocational skills programmes. The statutory tracking and targeted not in education, employment or training (NEET) provision will be protected to ensure that the most vulnerable provision for young people remains in place. Going forward, programme and staffing budgets in this Skills area will be better targeted, both in terms of addressing economic growth and inclusion outcomes as well as geographic targeting in localities. There may be potential impact on service users resulting from a review of Adult Community Learning. Proposals are still in development and appropriate mitigations will be considered to minimise any impact to service users.
- 5.24 There is a budget proposal of **£200,000** in respect of statutory assessments which will look to review the process of assessing individual pupils Education, Health and Care Plan (EHCP) and so this may impact on the time taken to make individual assessments.
- 5.25 We are consulting on some proposed changes to how our passenger transport services are delivered. No savings relating to these proposals are assumed against the 2019/20 budget.
- 5.26 Where not specifically mentioned, proposals are not considered to have a disproportionate impact on persons who share any relevant protected characteristics, however an equality impact assessment will be completed as part of the governance and decision making for each of the above individual projects.

Environment and Waste

- 5.27 The portfolio has identified budget proposals of **£4.2m** for 2019/20. This will be delivered by efficiencies through undertaking a forensic review of budgets and analysing current and historic trends to accurately forecast waste tonnage

volumes, contractual and non-contractual spend and optimising our waste infrastructure for maximum utilisation.

- 5.28 It is not considered that savings proposals will have an adverse impact on persons who share any relevant protected characteristic. However an equality impact assessment will be completed as part of the governance and decision making for each individual project.

Finance, Commercial and Traded

- 5.29 The portfolio has identified budget proposals of **£5.3m** in 2019/20.

- 5.30 The majority of proposals relate to efficiencies through support service redesign and organisational redesign. These changes are not expected to impact on the level of service provided to residents.

Health and Adult Social Care

- 5.31 We currently support about 17,000 adults with social care needs but over the course of a year this figure fluctuates and we have, in 2017/18 for example, supported 21,700 people in total. About 10,800 of these are older people, nearly 4,000 are people with learning disabilities, 2,250 are people with physical or sensory impairments and over 550 are people with mental health needs. We have also offered information, advice and guidance to circa 15,300 people over the last year.

- 5.32 We assess and review around 5,000 carers a year. Clearly, there are variations of older people and those with disabilities across parts of our county. The 2011 Census tells us that an estimated 146,211 adults in Essex provide informal care to relatives, friends or neighbours. This represents 10% of the population.

- 5.33 Our priority is to operate sustainably while fully meeting our legal obligations and in so doing ensure adults, carers, and families have access to the information, advice and tools they need to enable them to live ordinary lives, safely and independently, for as long as possible.

- 5.34 Through transformational commissioning and robust strengths-based practice, we will drive change from an offer based on reactive and frequently long-term support to a sustainable approach founded on personalised, progressive outcomes that promote independence, early intervention and prevention and fully exploits the opportunities offered by technology.

- 5.35 We believe this approach will deliver better outcomes for adults, carers and families, whilst at the same time enabling us to live within our means, safeguard the most vulnerable, and fully meet our legal obligations.

- 5.36 Included within the total net budget of **£406.3m** (total gross budget is **£662.6m**) are savings and efficiencies of **£29.4m** (7.3% of the total or 4.5% of the gross budget) that need to be made in order to achieve financial sustainability and to accommodate demographic and inflationary pressures in 2019/20. Given the

scale of the challenge, and the need to give priority to quality of care, mitigations have been included to offset a possible under-delivery of savings.

- 5.37 Further investment will be made into social care during 2019/20 as there will be additional growth through the Better Care Fund, following the recent Government announcement on winter pressure funding (£5.9m) and there will also be additional funding for social care, £5.1m of which will support sustainability and innovation in this portfolio.
- 5.38 We will ensure that, where people have been assessed as having the financial means to pay for their support, we collect the revenue due to the Council and effectively manage debt. We are committed to ensuring that access to areas, such as our residential care contracts, is fair and transparent.
- 5.39 The main areas impacted by our budget proposals are set out in the following paragraphs.

(a) Physical and Sensory Impairment - Our approach to adults with physical and sensory impairment will become personalised and outcomes focussed, maximising the use of individual assets and strength. We will create the infrastructure required to achieve this, including fully exploiting technology, offering sustainable alternatives to residential care, and actively promoting the uptake of Direct Payments where we will offer better outcomes for the adult and ensure that provision is more sustainable in the longer term.

We will ensure that practice reflects this approach and that practitioners have the support they require to deliver it. By implementing this approach, we will release **£2.4m** in efficiencies and savings which will, in part, be achieved by improving access to and maximising the use of technology to increase people's independence.

Additionally, we will seek to ensure that organisations we support through direct funding are operating efficiently and that our support is comparable with that of other authorities. We do not anticipate any adverse impacts on any group because of this activity.

(b) Mental Health - our strategy is focussed on ensuring that adults whose mental health needs can best be met through the provision of accommodation, are offered an accommodation option that meets their needs and promotes their recovery. The offer is designed to be flexible and the duration of our support will be based on the clinical needs of the adult. By implementing this approach we will release **£324,000** in efficiencies and obtain better longer-term outcomes for the adult. We currently place high numbers of people with a mental health and accommodation need into residential settings, which does not always result in good outcomes for the individuals. In most situations people become deskilled and unable to live independently. Efficiencies will be delivered through placing people in supported living which has a greater focus on recovery and in the longer term will reduce package size. We do not anticipate any adverse impact on any group because of this activity.

(c) Carers – Carers contribute enormously to the outcomes we want to achieve for people and our financial sustainability; we are committed to transforming the lives of unpaid carers to ensure that the support they provide is recognised and that they can balance their caring role with the need to maintain their own lives. Working with NHS partners we will ensure that carers' needs are considered in parallel to those of the cared for adult, and that appropriate information, advice and guidance is offered to allow them effectively to balance the need to continue with their own lives, including employment, and wellbeing, with their caring role. This approach will support and align to the delivery of our wider Physical and Sensory Impairment and Learning Disability approach.

(d) Technology and Information Advice and Guidance (IAG) - We believe there is opportunity to transform both our "front door" and our wider offer to create the infrastructure adults and carers need to be able to inform their decisions on care and support, and access and manage their own care and support arrangements. We are committed to ensuring our offer is robust, accessible and appropriate for all adults.

We will ensure we fully exploit the opportunities offered by technology and where appropriate will use it to replace interventions currently carried out by paid carers.

This programme will drive efficiency savings but due to the innovative nature of this activity it is difficult at this stage to identify a realistic level of efficiency in the period 2019/20 and therefore this is one of the areas where we are planning to use one off provisions during the year to mitigate whilst we continue to make more sustainable plans for the **£4.2m** of savings attributed to this in 2019/20.

We believe there is opportunity in our technology, it is a key element in our approach across the whole of the portfolio. This programme does not distinguish between client groups so has the potential to impact all through an enhanced experience.

- Older people** – We are refocussing our offer firmly on prevention in line with our wider technology and IAG approach, while helping people regain their independence following a period of frailty through a short-term support service that complements and strengthens our reablement offer. In addition, we will also be reviewing the support we are currently offering to ensure that it is both appropriate and sustainable.

We will do this through undertaking robust person-centred reviews using the strengths and assets model and exploiting the potential of technology where appropriate. It is possible that for some people the review may result in a change in the way we offer support. In all cases this will be based on our assessment of need and professional judgement on how those needs can most appropriately and sustainably be met.

We anticipate that this approach will release **£10m** in savings and efficiencies.

This approach should have a neutral impact on older people, as we focus on meeting their assessed needs appropriately. For some older people, we anticipate there will be a positive impact as we meet their needs through alternative and improved methods of support.

- **Learning Disability** – We believe that everyone should have the opportunity to lead as independent a life as possible. Success depends on ensuring adults have the skills they need to live meaningful lives. As part of this work we are, alongside the Children and Young People with Disabilities service, working towards implementing an integrated pathway for young people transitioning to adult services to ensure that they are enabled to develop the skills they need to live meaningful lives as independently as possible, while promoting better longer term financial planning and more sustainable outcomes.

We have recently implemented a day opportunities framework agreement so that we can ensure the support offered is personalised and outcomes based. This approach will generate better outcomes for people as well as providing some efficiency savings.

In addition, we are also seeking to strengthen adults local support networks by reviewing our out of county placements and bringing adults back to Essex where this is the appropriate thing to do. We are also supporting adults to access support from other sources, such as Continuing Health Care or Funded Nursing Care at home where this is appropriate, on the basis that this will better meet their needs and ensures appropriate use of public money.

At an organisational level we are committed to ensuring that we maximise the use of our in-house provision, to ensure we can offer flexibility in provision of planned respite care and meet the needs of those requiring urgent support to prevent social care placements or hospital admissions. We will also fully exploit the opportunities offered by assistive technology to meet needs and reduce funded care where this is appropriate. We anticipate that the initiative outlined above will release **£10m** in savings and efficiencies.

- **Public Health** – the savings will again be achieved through efficiencies and it is not expected that there will be any adverse impact on the delivery of services although this will be carefully monitored in the case of the Housing Related Support contract re-provision.
- **Charging and Debt** – we will continue the work already underway to ensure that we have a system of charging and debt recovery that is fit for purpose and operating fairly and transparently. The key priority for 2019/20 is to ensure we effectively review adults covered by S117, Mental Health Act, 1983. This section of the act explains if you can get free help and

support after leaving hospital and when it would end. This will be done in partnership with the NHS and no one who is assessed as requiring S117 aftercare support will lose it.

Adults who have been assessed as no longer requiring S117 support will be financially assessed and charged in a manner fully compliant with the guidance set out in the statutory Care and Support Guidance (Department of Health and Social Care, 2018, as revised). We anticipate that this work will generate **£300,000** in income.

- 5.40 The remaining **£2m** of savings and efficiencies will be made through the workforce and removal of non-essential incidental spend. It is not anticipated to have any impact on service users.
- 5.41 In order to ensure that we pay due regard to the PSED, individual equality impact assessments will be undertaken in order to ensure that we are mitigating, where possible any adverse impact on citizens accessing Adult Services

Leader

- 5.42 The portfolio has identified budget proposals of **£1.5m** in 2019/20, the majority of which relate to efficiencies through support service redesign and organisational redesign. These changes are not expected to impact on the level of service provided to residents.