

# Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

## *Review of Complex Needs Services*

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

Name of Directorate and Service Area	Health and Adult Services, Learning Disabilities Service
Lead Officer and contact details	Mike Webster, Assistant Director Quality and Engagement
Names and roles of other people involved in carrying out the EIA	Denise Barden, Business Development Officer
How will you pay due regard? e.g. working group, individual officer	North Yorkshire 2020 Programme and staff and service user engagement / consultation.
When did the due regard process start?	Project start up - August 2015

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The EIA supports 'The review of complex needs services' project which is part of the Care and Support Where I Live (CASWIL) programme. The aim is to establish where efficiencies and savings can be made and where the delivery of services can be improved for existing and future

individuals who access them. A detailed options appraisal with the following options has been completed:

- Status Quo
- Continuous review
- Potential outsourcing
- Amalgamation of services
- Cease/de-commissioning of services and buildings

After submission and agreement through the appropriate decision making processes (HASLT, HASEX and Operations Group), it was agreed to progress forward with the following recommendations, subject to consultation:

- To cease the learning disability service currently based in Duke Street, Settle due to very low numbers of people attending whilst ensuring improved outcomes through a range of personalised services
- Review of the staffing levels within South Craven Day Services (SCDS), to include Management, currently based within Jubilee Lodge, Skipton.
- Review of the respite service based in 80 High Street, Harrogate due to reduced demand.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)**

This project forms part of a fundamental transformation of the HAS operating model and by 2018 it aims to:

- Deliver savings within the social care budget of £250k in the period 2015/18;
- Lead to better outcomes for individuals through personalised services;
- Lead to better outcomes for NYCC through effective and efficient use of resources, including re-examination of staff and buildings;
- People with learning disabilities and complex needs to have personalised services whilst maximising their independence in line with the transformation and personalisation.
- Clearer focus on services delivered to people with complex needs
- Supports and involves staff to deliver good practise.

**Section 3. What will change? What will be different for customers and/or staff?**

The recommended option to cease the day service at Duke Street due to peoples support needs being able to be provided differently, has been subject to a 30 day formal consultation with staff (27.6.16 – 26.7.16) and individual discussions with the people currently using the service with a reassessment of their support needs.

With regard to individuals and their carers it is anticipated that any impact arising from changes to their current service will be mitigated by achieving better outcomes for the individuals through personalised services.

In line with the transformation agenda there is an emphasis on moving day activity away from traditional building based /service led services to person led approaches that support individual choice and inclusion within their own community. This will focus on people's abilities and what is needed to support them, to encourage more independence, choice and control.

We anticipate this change in support will be positive as those people will receive a service that is

focused on developing and maintaining independence, giving them more choice and control over their daily lives, as well as an active role in their community, in line with Valuing People Now principles and best practise approach. However it has been identified that people with complex needs will require a building based specialist service in order for their needs to be met.

### **South Craven Day Services, Skipton:**

Within SCDS LD day service, which is aimed at people with complex needs, a full review has been completed of the 'core' (base line) staffing hours, in line with the 2011 service redesign, to ensure they are appropriate to the support needs of the individuals who currently access the service. The reason for this is the recent significant reduction in the number of people attending, whilst staffing levels remained the same. Twenty one people previously attended however that reduced to 10 as a number of people have been supported to access alternative services of their choice, via personal budgets or community provision.

As part of this work we also need to ensure effective use of current NYCC resources, including staff and buildings and services.

A full review has been undertaken as agreed at HASLT; HASEX and Operations Group.

The outcome of this review is there will not be a need for any staffing restructure as whilst the core hours have been identified, additional staffing hours are also required for people who have CHC funding, which will be paid by CHC.

There will be no change to current services / activities for the people accessing South Craven Day Services.

### **Duke Street day services, Settle:**

The 2011 service redesign resulted in reduced numbers attending this facility as people chose to access more personalised, community based and universal services instead.

Five people currently attend this day service over various days, Monday to Friday, for 51 weeks per annum with an additional 3 people in the 'transitions' stage between children's and adult services attending either 1 or 2 days per week for 14 weeks during the school holidays.

The building is old with regular maintenance needed and wheelchair access is at the back of the house via a cobbled yard. There are three floors in which the day service has the ground and first floors, both of which are much underutilised due to a low number of people attending.

The recommendation is to cease the LD service based in Duke Street due to the low number of people attending and the inefficient use of staff and building. This option has been subject to a 30 day formal consultation with staff (27.6.16 – 26.7.16), with the outcome to move forward and cease the learning disability service in Duke Street and replace with a range of personalised activities.

The individuals who access the service have all had a reassessment of their needs under the Care Act 2014. The assessment staff have worked individually with everyone who uses the service and their families in carrying out the reassessments which have explored their support needs, aspirations and how they can be met. This will mean a significant change in the way people are offered support, including an increase in the use of personal budgets/direct payments which will enable people to have more choice and control over what and when they want to do things.

We anticipate this change in support will be positive as those people will receive a service that is focused on developing and maintaining independence, giving them more choice and control over their daily lives, as well as an active role in their community, in line with Valuing People Now principles and best practise approach.

Assessment and LD staff will continue to work closely with everyone who uses the service and

their families to ensure the support the person receives is right for them, although it may be through different types of support. Opportunities will be explored in the local area and will include working with people in that community to look at individual support needs and how they can be best met.

Staff will play a key role in this process as they have the skills and detailed knowledge of the people they support to make the changes as smooth as possible.

Established friendships will be supported to continue if this is what individuals want. In other places where services have changed, some people have pooled their personal budgets and with some support continued to socialise with each other.

We will make sure they have the opportunity to discuss their needs in full as the process continues and during this time we will also monitor the impact of the changes on individuals and their carers.

The effect of the changes will be alleviated by a staged transition with personalised support plans being implemented. This is a planned process therefore there will be no sudden changes in support levels or the way people are supported. Carers will continue to receive respite care if it is an assessed need and staff will work closely with all involved. We will continue to monitor the impact these changes may have on individuals and their carers

This will include planned review meetings / post implementation reviews with their Social Care Assessors which will be ongoing from December 2016 until April 2017.

We are also aware that a wider group of people use Duke Street as a community resource once a month. This is not the core purpose of Duke Street but something that has developed over time. Once the service in Duke Street ceases this will no longer be available to use and an alternative will need to be sourced. As part of the action plan from the Discovery Day we will take account of this group of people.

#### **Respite services provided at 80 High Street, Starbeck, Harrogate**

This is an eight-bedded respite unit within a large and very under-used building; evidence of occupancy over the last three years shows that 3-4 beds are required.

Whilst the respite service continues to meet the needs of the individuals, the building itself in its current state no longer provides services that are up to modern standards and expectations i.e. bedrooms with no en-suite etc. It is also an extremely underutilised and largely redundant building.

The respite unit occupies some of the ground floor area and until recently the Community Team for Learning Disabilities (CTLD) occupied all of the first floor and three rooms on the ground floor, making it an extremely underutilised and largely redundant building.

It has recently been agreed to manage capacity at 80 High Street to match current demand. This is based purely on current demand and has no impact on the numbers or services of those accessing the service currently.

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

#### **Duke Street day services, Settle:**

The formal staff consultation started on 27.6.16 until 26.7.16 with the 4 affected staff receiving a full consultation pack during the formal meeting with Senior and local management, HR and

Unison, when the proposed changes were discussed, why they were happening and the implications for them.

One to one meetings with HR (Human Resources) have taken place as well as continued supervision meetings, team meetings and a management feedback meeting to inform the staff of the outcome of the consultation.

Management continue to work closely with staff and will do so throughout the process.

Management have engaged with users and carers affected to inform them of the proposed changes, the reasons why and what it means for them. Contact details were also given out should anyone feel the need to speak to local management.

LD staff are continuing to support people through this change process and have explained the changes and reasons why with them ensuring that everyone has fully understood this. Staff will inform management/assessment staff of any concerns so they can be addressed.

We believe that overall the changes will be positive but in the process change will be deemed challenging for some, especially if they have attended Duke Street day services for a long period of time.

The individuals who access the service have all had a reassessment of their needs under requirements of the Care Act 2014. The assessment staff have worked individually with everyone who uses the service and their families in carrying out the reassessments which have explored their support needs, aspirations and how they can be met.

This is to ensure the support the person receives is right for them, although it may be through different types of support. Opportunities are being explored in the local area and will include working with people in that community to look at individual support needs and how they can be best met.

In terms of governance arrangements, the outcomes of the reassessments have been shared within a project team led by the Head of Provider Services and discussed at project board which is chaired by the Project Sponsor Assistant Director.

During this change process staff will play a key role in supporting individuals who attend Duke Street as they have the skills and detailed knowledge of the people they support to make this managed transition as smooth as possible.

Individuals and their carers will have the opportunity to discuss their needs in full as the process continues and during this time any impact will be monitored.

The effect of the proposed changes will be alleviated by a staged transition with personalised support plans being implemented. As this is a planned process there will be no sudden changes in support levels or the way people are supported. Carers will continue to receive 'respite' care if it is an assessed need and staff will work closely with all involved. From December through to June 2017 planned review meetings/post implementation reviews will be arranged with the appropriate people to enable monitoring of any impact these changes may have on individuals and/or carers.

We are currently working closely with NYCC Stronger Communities and Living Well teams looking at future planning for this area and to support this a Discovery Day took place in Settle on 20<sup>th</sup> July to identify gaps, areas for development and partnership opportunities.

The aim was to bring together businesses, voluntary and statutory organisations to discuss how they can work together make a difference to the lives of the people living in and around Settle by gaining and sharing knowledge across sectors as to what is on offer for older and disabled people in that area.

The day itself created the time and space to encourage people to share their thoughts and ideas about new approaches, find out more about who is doing what, any gaps that exists and how people can partner with other organisations to achieve even more, to include finding out how North Yorkshire County Council Stronger Communities can offer support.

Discussions around ways to support the continuation of a couple of the activities but in a more

personalised way were also explored.

All of the information collated is being transcribed so that we have some clear messages to share from the day and actions to take forward. These messages will be shared with all of the attendees and the wider community, hopefully opening up further opportunities for people living in the area. This will include people who currently are involved with activities at Duke Street in a volunteer capacity.

We have further work to do to establish whether the group that also uses DS needs any support to find an alternative venue.

### **South Craven Day Services, Skipton:**

The outcome of this review is there will not be a need for any staffing restructure and therefore no changes to terms and conditions for any staff. Core operational hours needed were identified, in line with the 2011 service redesign and additional CHC hours were added for those people assessed as needing it.

There will be no change to current services/activities for the people accessing South Craven Day Services.

### **Respite provided at 80 High Street, Harrogate:**

It has recently been agreed, via the CASWIL programme board, to manage capacity at 80 High Street to match current demand in the short term. This is base purely on current demand and has no impact on the numbers or services of those accessing the service currently.

This is unlikely to have a major impact on current employees as there are a number of vacant posts there at present.

### **Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

The review of the in-house learning disability services is part of the Care and Support Where I Live (CASWIL) programme. This programme is, in part a continuation of work which has been on going in HAS over the last 5 years, which has delivered savings in excess of £4m.

Specific in-house services for people with learning disabilities have been reviewed to ensure that their staffing establishment and budgets reflect current and anticipated usage over the next few years.

Over recent years there has been a targeted approach in supporting people to take personal budgets (the cost of their eligible care needs) to choose alternatives/options for their respite and day time support giving them greater choice, control and independence over their lives.

This has resulted in some services experiencing lower occupancy levels.

Some vacancies/ posts being disestablished will generate savings. However with the caveat that community support budgets (CSB) may have to be increased to take into account people's choices in accessing community based services and therefore savings delivered will be net of this.

<b>Section 6. How will this proposal affect</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic</b>
---	------------------	---------------------------	--------------------------	---

people with protected characteristics?				information etc.
Age		x	x	<p><u>Individuals who access services and their Carers</u>  Following the recommendations there is potential for change to the way services are currently configured, subject to the outcome of the consultation.  In the short term there is potential for negative impact on older individuals and their carers who have been using traditional services for many years as change can be seen as challenging. However, it is anticipated the benefits afforded by greater choice and improved outcomes will mitigate the impact. Further work to identify specific impacts will be undertaken as the project progresses.  The ages of the people accessing all three services range from 18 - 70 with the average age being 38.</p> <p>Future demand indicates there are currently low numbers of people coming through transitions, as fewer people are choosing traditional services as options upon leaving school.</p> <p><u>Staff</u>  We will be compliant with the legislation to ensure that staff, are not disadvantaged because of their age.</p>
Disability		x	x	<p><u>Individuals who attend services</u>  The main client group affected will be those with Learning Disabilities and Complex Needs. It is anticipated the benefits afforded by greater choice and improved outcomes will mitigate the initial impact of change. Further work to identify specific impacts will be undertaken as the project progresses.  Established friendships will be supported to continue if this is what individuals want. In other places where services have changed, some people have pooled their personal budgets and with some support continued to socialise with each other. Individuals will have the opportunity to discuss their needs in full as the process continues and during this time any impact will be monitored.</p> <p><u>Staff</u>  At this early stage in the project, it is not possible to identify specific impacts for staff, as proposals are still being formulated</p>

				therefore it is not yet known if the changes will introduce any change in terms of the current disability profile. However, as an organisation, NYCC must continue to meet the requirements of the Equality Act 2010, which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users.
Sex (Gender)	X			<p><u>Individuals who attend services</u> The current service is not targeted at or restricted to those of specific genders. This will remain the case for any new service arising from this project. Everyone who accesses services will have a personalised service/support package whilst maximising their independence, choice and control. However profiling of people with learning disabilities (2011) states there are currently more men than women with a learning disability.</p> <p><u>Staff</u> The majority of staff members across the 3 services are female, however this is due to the nature of the care industry, nationally 80% of workers are female in adult social care. We will be compliant with equality legislation to ensure that staff are not disadvantaged because of their gender.</p>
Race	x			<p>It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the project. 93% of people who currently attend services are White British, however we will look at the profile of specific groups potentially affected to see if there are any differences and build them into the options accordingly.</p>
Gender reassignment	x			It is anticipated there would be no identifiable impact on specific groups in relation to gender reassignment as a result of the project.
Sexual orientation	x			It is anticipated there would be no identifiable impact on specific groups in relation to sexual orientation as a result of the project.
Religion or belief	x			It is anticipated there would be no identifiable impact on specific groups in relation to religion or belief as a result of the project.
Pregnancy or maternity	x			It is anticipated there would be no identifiable impact on specific groups in relation to pregnancy or maternity as a result of the project.

Marriage or civil partnership	x			It is anticipated there would be no identifiable impact on specific groups in relation to marriage or civil partnership as a result of the project.
-------------------------------	---	--	--	---

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?				It has been identified that most people accessing current day services do not live in rural areas. The impact on those who do will be mitigated by the continuation of transport due to lack of public transport.
...have a low income?				The work completed to date indicates there are no negative impacts regarding additional costs as the cost of individual personalised services are in line with current costs.  If there is any negative impact in the future then a financial assessment should mitigate this.
Family / friend carers				Family carers may experience some adverse impact if there is a significant change to the current level or type of service offered to the cared-for person, that then increases the demand on the carer. However, as part of the reassessment process all carers will be offered a carers assessment which will identify their needs to enable them to continue in their caring role. This should mitigate remove or reduce any adverse impact.

<p><b>Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.</b></p> <p>It is anticipated any changes to the current services will impact more on the following:</p> <ul style="list-style-type: none"> <li>• Older people with learning disabilities</li> <li>• Older family carers</li> </ul> <p>The proposals themselves should not have a negative impact on individuals, however these groups are more likely to find change challenging. However any adverse impact should be</p>
---

lessened through managed transition and flexible responsive services as reablement, including support to access employment and universal services within their own communities enabling people to become active citizens.

There is no evidence to suggest that the proposals will change or affect staff differently in terms of their current personal characteristics, other than possible revised travel arrangements, however this will be reviewed post consultation and this document will be updated accordingly.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. <b>No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	
2. <b>Adverse impact - adjust the proposal</b> - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	<b>X</b>
3. <b>Adverse impact - continue the proposal</b> - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. <b>Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>Overall, the proposed changes are anticipated to be positive for the individuals affected as service provision will continue. However, there may be some short-term adverse impact due to the impact of change at Duke Street because some people have received the same service from the same location for a long time and sometimes find change harder to manage than other groups. There will be no changes for the people who attend SCDS and 80 High Street at this time.</p> <p>There may be some adverse impact on family carers if current provision (amount and timings) changes and thus increases the demand on carers or changes the carer's routine. Carers assessments will be offered and this will mitigate the adverse impact but there is potential for some to remain. However, it is anticipated from the information available to us that the likelihood of adverse impact is low.</p>	

**Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)**

The effect of the changes will be alleviated by a staged, managed transition during which the individuals affected have reassessments and personalised support plans put into place. This is a planned process therefore there will be no sudden changes in support levels or the way people are supported. Carers will continue to receive respite care if it is an assessed need and will be

fully involved in the reassessment process with staff working closely with all involved. We will continue to monitor the impact these changes may have on individuals and their carers. The project has a clear project plan, communication strategy and risk log, all with detailed planning which are monitored and updated regularly. There are clear paths to implementation and who our stakeholders are. Everyone is given the opportunity to discuss any individual issues on a 1;1 basis as well as support from staff during the reassessment process.

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
30 day formal staff consultation	JH / JG	26 <sup>th</sup> June – 27 <sup>th</sup> July 2016	Completed	Management feedback and decision
Reassessments for people affected	MW	July 2016	Reassessments completed with support planning ongoing	Once support plans are implemented, monthly post implementation reviews will be ongoing for 6 months
Settle Discovery Day	MM/DB	20 <sup>th</sup> July 2016	Completed	Information being written up so clear messages can be shared with an action plan being created to take forward.
Letters sent to users & carers to inform of the proposals at Duke Street	JH/MM	28 <sup>th</sup> June 2016	Engagement meetings and conversations with users / carers ongoing throughout process	Any impact to be monitored through the post implementation review meetings
6 x monthly post implementation reviews	JH/DB/MM and SCAs	January to July 2017	First review meeting planned for mid-late January 2017	Progress/issues reported to JH/MW

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The purpose of the review of in-house learning disability services is to make effective use of current resources/services whilst at the same time ensure people have improved outcomes in line with the transformation and personalisation agenda.

It is anticipated any changes to the current services will impact more on the following:  
People with learning disabilities, particularly older people with learning disabilities  
Family carers, particularly older family carers.

Because these groups are more likely to find change challenging, there is potential for some negative impact. Therefore, if changes are made to current services, they will need support to make the transition.

For Duke Street we anticipate this change in support being positive as these people will receive a service that is focused on developing and maintaining independence which will give them more choice and control over their daily lives, as well as an active role in their community. The use of personal budgets allows people eligible for social care funding to exercise the same amount of choice and control as those who pay for their own care and support.

For family carers, the carer's assessment and support should mitigate negative impacts.

Due to the potential for some adverse impact, which will be closely monitored and mitigations identified if necessary, 'anticipated impact' has been amended from option 1 to option 2, following discussion with Legal Services in January 2017.

### **Section 13. Sign off section**

This EIA was completed by:

**Name:** *Denise Barden*

**Job title:** *Business Development Officer*

**Directorate:** *Health and Adult Services*

**Signature:**

**Completion date:** 25.7.16 with amendment to section 9 following discussion with Legal Services on 10.1.17

**Authorised by relevant Assistant Director (signature):**

Mike Webster

**Date:** 31 August 2016

**Update approved** 10.1.17