

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a '**General Duty**' on all public bodies to have '**due regard**' to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity for those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Please complete the equalities screening form. If screening identifies that your proposal is likely to impact on protected characteristics, please proceed to stage 2 and complete a full Equality Impact Assessment (EqIA).

Stage 2 – Full Equality Impact Assessment

An EqIA provides evidence for meeting the Council's commitment to equality and the responsibilities under the Public Sector Equality Duty.

When an EqIA has been undertaken, it should be submitted as an attachment/appendix to the final decision making report. This is so the decision maker (e.g. Cabinet, Committee, senior leader) can use the EqIA to help inform their final decision. The EqIA once submitted will become a public document, published alongside the minutes and record of the decision.

Please read the Council's Equality Impact Assessment Guidance before beginning the EqIA process.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Positive Behaviour Support Service Framework
Service area	Commissioning Unit
Officer completing assessment	Aphrodite Asimakopoulou
Equalities/ HR Advisor	Paul Green
Cabinet meeting date (if applicable)	14 November 2017
Director/Assistant Director	Charlotte Pomery

2. Summary of the proposal

Please outline in no more than 3 paragraphs

- The proposal which is being assessed*
- The key stakeholders who may be affected by the policy or proposal*
- The decision-making route being taken*

Haringey Council and Haringey Clinical Commissioning Group (HCCG) have undertaken a procurement process to commission a framework to offer an innovative, new and evidence based NICE recommended intervention named as 'Positive Behaviour Support' (PBS) aiming to improve the life outcomes for the most vulnerable social and health care users. One of the main objectives of the PBS framework is to foster the development of a competent Provider market for service users with complex needs so that their needs can be better met in the community. The framework is also expected to deliver financial savings by ensuring that through the PBS intervention positive outcomes for service users are achieved and therefore, their needs for care are reduced. Furthermore, increasing the effectiveness of community based interventions for residents with the most complex needs is part of our wider strategy to promote greater independence and support people to live in their local community. At a time when the public sector is facing unprecedented demand and budgetary pressures, this initiative will help to build a more sustainable approach to commissioning health and social care.

It is noteworthy that, towards these efforts, the Council has been allocated substantial funding from The Big Lottery Fund, England Committee, which has agreed to offer an in-principle award of up to of £1,465,018 revenue funding (over four years).

The key stakeholders that this intervention is aimed for are mainly adults and young people with learning disabilities and/or autism who may also display behaviour that challenges. These are often clients that cost on average from £3,010 to £7,920 per week at an average of £3,530. The service will aim to engage with 10 service users per year. Also, as this service will be available under a framework agreement arrangement there is no commitment for spend as the service will be used on a spot purchasing basis (as and when required whilst targeting those most in need).

This report assesses the potential impact of the PBS service on the service users.

The decision making route being taken is through Cabinet Approval (14th of November 2017) in order to award the contacts to successful providers under this framework, following the completion of the procurement competitive process.

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3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis. Please include any gaps and how you will address these

This could include, for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national. For restructures, please complete the restructure EqIA which is available on the HR pages.

Protected group	Service users	Staff
Sex	Data on Haringey Adult Social Care Management System-Mosaic	N/A
Gender Reassignment	No data available	N/A
Age	Data on Haringey Adult Social Care Management System-Mosaic	N/A
Disability	Data on Haringey Adult Social Care Management System-Mosaic	N/A
Race & Ethnicity	Data on Haringey Adult Social Care Management System-Mosaic	N/A
Sexual Orientation	No data available	N/A
Religion or Belief (or No Belief)	Data on Haringey Adult Social Care Management System-Mosaic	N/A
Pregnancy & Maternity	No data available	N/A
Marriage and Civil Partnership	No data available	N/A

Outline the key findings of your data analysis. Which groups are disproportionately affected by the proposal? How does this compare with the impact on wider service users and/or the borough's demographic profile? Have any inequalities been identified?

Explain how you will overcome this within the proposal.

Further information on how to do data analysis can be found in the guidance.

The Positive Behaviour Support Service Framework is a new and evidence based intervention that constitutes one of the few pilots of its kind in the country. The framework will enable us to build a strong offer for people with complex needs, mainly adults and young people with learning disabilities and/or autism who may also display behaviour that challenges.

Data analysis:

1. Age

	LD Service User Group (40 Clients)	All Service Users	Haringey Population
Age:			
18-64:	92.5%	47.4%	88.1%
65+:	7.5%	52.6%	11.9%

The data shows that 92.5% of service users that will benefit from this service are between the ages of 18 to 64. This is consistent with the life expectancy of this group of the population as individuals with complex needs and learning disabilities do not tend to live as long as the general population. Therefore, we would expect that the age of the majority of service users benefiting from the PBS service is within this age range rather than older (65 plus).

2. Sex

	LD Service User Group (40 Clients)	All Service Users	Haringey Population
Gender:			
M	75.0%	46.7%	50.1%
F	25.0%	53.3%	49.9%

Current data indicates that there is an over representation of males (75%) within the client group that are likely to benefit from this service in comparison to females. This is because males are more likely to be over represented in those with complex disabilities. Therefore, this finding is aligned to our predictions regarding the sex of customers that will predominately use and benefit from this service.

3. Gender reassignment and sexual orientation

We do not hold any service user data on gender reassignment, including the sexual orientation protected characteristic and we do not have any data on the lesbian, gay and bisexual (LGB) population of Haringey. However, we are aware that LGBT people

experience discrimination, harassment and victimisation, including in social care. The Council will continue to adopt their Equality policy to prevent this happening to service users when delivering this service. The service specification also covers Equalities issues extensively and requires that providers have in place up to date policies that are able to apply effectively in order to qualify and become part of this framework.

4. Ethnicity

	LD Service User Group (40 Clients)	All Service Users	Haringey Population
Ethnicity:			
White	52.5%	49.3%	65.0%
Black/African/Caribbean	30.0%	32.7%	15.8%
Asian/Asian British	12.5%	7.3%	9.7%
Mixed/Multiple	5.0%	1.7%	4.6%
Other	0%	3.7%	5.0%
No Data	0%	5.3%	0%

The data shows that there is an over representation of Black, Asian, Minority Ethnic Groups (BAMEs) likely to benefit from this new provision. This is because BAME groups tend to be over represented in social care and specifically in those with complex needs and learning disabilities. As we have already been aware of this trend, during the commissioning process we ensured that the successful providers have in place the right provision and equalities policies that allow to engage effectively with all ethnicity and minority groups.

5. Religion

	LD Service User Group (40 Clients)	All Service Users	Haringey Population
Religion:			
Not Stated	50.0%	41.9%	8.9%
Christian	27.5%	28.2%	45.0%
Catholic	2.5%	6.5%	(No Breakdown)
Hindu	5.0%	1.9%	1.8%
Jewish	5.0%	2.3%	3.0%
Muslim	5.0%	9.7%	14.2%
Sikh	2.5%	0.2%	0.3%
Buddhist	0%	0.2%	1.1%
Greek Orthodox	0%	3.0%	(No Breakdown)
Other	2.5%	2.3%	0.5%
No Religion	0%	4.0%	25.2%

We have limited data on the religion and faiths of people likely to be affected by this provision as on 50% of this group of service users this information is not recorded.

However, from the data we do have, Christianity is the largest religion for this cohort. Christianity is also the largest recorded religion amongst all service users as well as within the borough as a whole. However, we do not have enough data to make a firm judgement and will seek to ensure when implementing the service any discrimination, harassment or victimisation will be tackled and inequalities reduced.

6. Disability

	LD Service User Group (40 Clients)	All Service Users	Haringey Population
Long Term Disability:			
Y	97.5%	72.1%	13.7%
N	2.5%	27.9%	86.3%

Service users with complex needs and a learning disability will be the main user group of this service as detailed in the service specification. This is also reflected in the data above as it is likely that all service users will have long term disabilities in order to qualify for the service.

7. Pregnancy & Maternity

We do not hold data on this protected group. However, we do not envisage an impact of this service based upon this protected group. On the occasions where service users may have additional responsibilities in regards to parenting children, these will be considered appropriately within the delivery of the service and the required equality policies that are expected to be in place by providers.

7. Marriage and Civil Partnership Status

We do not have data for this protected group. Service users and/or carers who are in a civil partnership will be treated the same as if they are married.

Providers on the framework will be asked to collate comprehensive data on all those referred for services through the PBS.

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4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

Please outline which groups you may target and how you will have targeted them

Further information on consultation is contained within accompanying EqIA guidance

As the PBS intervention is a new and more effective offer for existing and new service users with complex needs we are not anticipating that any groups will be disproportionately disadvantaged by this service. Furthermore, due to the nature of the service which caters for highly vulnerable groups we have ensured that in the service specification there are extensive requirements for equalities policies that successful providers will need to adhere in the delivery of the PBS intervention. This will also be monitored on an ongoing basis as part of the performance management process.

During the commissioning process we have consulted extensively with key stakeholders such as carers, providers and key commissioning groups such as the CCG and children's and adult social care clinicians and staff. During the period of the framework we aim to continue engaging with key stakeholders and service users on an ongoing basis through the robust contract monitoring process that will be implemented so that their views can be incorporated into the service development.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

Explain how will the consultation's findings will shape and inform your proposal and the decision making process, and any modifications made?

The PBS is a new and innovative service and constitutes one of the few pilots of its kind in the country. The consultation and engagement activities undertaken all received positive feedback as the PBS intervention delivered under this framework is a more effective offer for existing and new service users with complex needs aiming to improve the life outcomes for the most vulnerable social and health care users. During the consultation process, carers specifically advised to assess providers' competency on various areas that would be applicable to this client group for example, communication and engagement techniques and methods to encourage positive risk taking by service users. During the competitive procurement process the evaluation panel assessed extensively bidders in all areas as indicated by the consultation process.

Also, relevant best practice requirements in relation to the service provision are well embedded in the service specification and unless providers were able to demonstrate that they can adhere to these in all aspects of service delivery they would have failed to qualify and be part of this framework. Finally, during the duration of the framework we aim to continue consulting with key stakeholders and service users on an ongoing basis through the robust contract monitoring process that will be implemented.

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

Please explain the likely differential impact on each of the 9 equality strands, whether positive or negative. Where it is anticipated there will be no impact from the proposal, please outline the evidence that supports this conclusion.

Further information on assessing impact on different groups is contained within accompanying EqlA guidance

Please refer to Table 1- Section 3 above

1. Sex

There is an over representation of males (75%) within the client group that are likely to benefit from this service as males are more likely to be over represented in those with complex disabilities. However, we have ensured through the commissioning process that successful providers are able to offer effective services to female service users as well as that there are robust policies in place that address the needs of females.

Positive	x	Negative		Neutral impact		Unknown Impact	
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2. Gender reassignment

We do not hold any service user data on gender reassignment. However, we are aware that this group of individuals are likely to experience discrimination, harassment and victimisation, including in social care. The Council will continue to adopt their Equality policy to prevent this happening to service users when delivering this service. The service specification also covers Equalities Issues extensively and requires that providers have in place up to date policies that are able to apply competently in order to qualify and become part of this framework.

Positive	x	Negative		Neutral		Unknown	
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				impact		Impact	
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3. Age

The majority of service users that will benefit from this service are between the ages of 18 to 64. The data is consistent with the life expectancy of this group of the population as individuals with complex needs and learning disabilities do not tend to live as long as the general population. We are confident that this service will cater for service users without discriminating because of age factors.

Positive	x	Negative		Neutral impact		Unknown Impact	
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4. Disability

Service users with complex needs and a learning disability will be the main user group of this service as specified in the service specification. This is also reflected in the relevant data indicating that service users receiving this service are likely to have a long term disability.

Positive	x	Negative		Neutral impact		Unknown Impact	
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5. Race and ethnicity

There is an over representation of Black, Asian, Minority Ethnic Groups (BAMEs) that will be accessing this provision; this is because BAME groups tend to be over represented in social care and specifically in those with complex needs and learning disabilities; this is in accordance with relevant social care data.

Positive	x	Negative		Neutral impact		Unknown Impact	
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Sexual orientation

We do not hold any service user data on the sexual orientation protected characteristic and on the lesbian, gay and bisexual (LGB) population of Haringey. However, we are aware that individuals with these characteristics are likely to experience discrimination, harassment and victimisation, including in social care. The Council will continue to adopt their Equality policy to prevent this happening to service users when delivering this service. The service specification also covers Equalities Issues extensively and requires that successful providers have in place up to date policies that are able to apply competently through their practices.

Positive	x	Negative		Neutral impact		Unknown Impact	
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Religion or belief (or no belief)

Although we have limited data on the religion and faiths of people likely to be affected by this provision Christianity appears to be the largest religion for this cohort. As we do not have enough data to make a firm judgement, we will seek to ensure that when implementing the service any discrimination, harassment or victimisation will be tackled and inequalities reduced.

Positive	x	Negative		Neutral impact		Unknown Impact	x
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8. Pregnancy and maternity

Although we do not hold data on this protected group, we do not envisage that this service will have a negative impact upon this protected group. Where service users may have additional responsibilities in regards to parenting children, these will be considered appropriately within the delivery of the service and the required equality policies that are expected to be in place by providers.

Positive	x	Negative		Neutral impact		Unknown Impact	
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9. Marriage and Civil Partnership

Service users and/or carers who are in a civil partnership will be treated the same as if they are in a married.

Positive	x	Negative		Neutral impact		Unknown Impact	
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10. Groups that cross two or more equality strands e.g. young black women

Given the analysis above, we expect a positive impact for those affected by one or more equality strands.

Outline the overall impact of the policy for the Public Sector Equality Duty:

- **Could the proposal result in any direct/indirect discrimination for any group that shares the protected characteristics?**
- **Will the proposal help to advance equality of opportunity between groups who share a protected characteristic and those who do not?**

This includes:

- a) **Remove or minimise disadvantage suffered by persons protected under the Equality Act**
- b) **Take steps to meet the needs of persons protected under the Equality Act that are different from the needs of other groups**
- c) **Encourage persons protected under the Equality Act to participate in public life or in any other activity in which participation by such persons is disproportionately low**
- **Will the proposal help to foster good relations between groups who share a protected characteristic and those who do not?**

This framework agreement intervention is a new and more effective offer for existing and new service users with complex needs and therefore, it is not expected that any groups with protected characteristics will be disproportionately disadvantaged in a direct or indirect manner by this intervention. On the contrary, to decide not to offer this intervention for our most complex and high cost clients especially as there was an opportunity to receive extra funding through the Big Lottery Fund programme would have disadvantaged the life outcomes of our highest need customers as well as would have put additional financial pressures on the Council's budget. Therefore, the proposed intervention is expected to help advance equality of opportunity between all groups that share a protected characteristic as well as those who do not. The proposal also aims to foster good relations across all groups who may or not share a protected characteristic.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying

EqIA guidance			
Outcome			Y/N
No major change to the proposal: the EqIA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <u>If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them.</u>			Y
Adjust the proposal: the EqIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly <u>set out below</u> the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below			N
Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision.			N
6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty			
Impact and which protected characteristics are impacted?	Action	Lead officer	Timescale
N/A			

Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.

N/A

6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:

Key Performance Indicators and methods of measurement are integrated within the service specification and will be monitored through contract monitoring meetings and reports.

Contract monitoring meetings will be held monthly for the first three months and quarterly thereafter. The purpose of monthly monitoring meetings will be to examine the implementation of the service, monitor delivery of the service at an operational level, monitor the equalities impact of the proposal on an ongoing basis and to foster partnership working to facilitate early resolution of problems and/or issues.

7. Authorisation

<p>EqlA approved by</p> <p>.....</p> <p>(Assistant Director/ Director)</p>	<p>Date 31st October 2017</p> <p>.....</p>
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8. Publication

Please ensure the completed EqlA is published in accordance with the Council's policy.

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Please contact the Policy & Strategy Team for any feedback on the EqlA process.