

TITLE OF REPORT: Case Study - Equality Impact Assessments and the Council Plan – Progress Report

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Summary

This report summaries the work undertaken to monitor the impact of spending proposals over the period of the 2011/12 to 2016/17 budgets, that were identified as potentially having a significant impact in terms of protected characteristics as determined by the Equality Act 2010. The report outlines an assessment of the impact that occurred following implementation, along with any activity taken to mitigate this.

1. Background

1.1 As part of the 2011/12 Budget process, the Council assessed the potential impact of spending decisions in terms of equalities. Since then the process has been developed further to consider the potential impact of decisions on the achievement of the new Council Plan 2015-20, in addition to the Council's responsibilities under the Equality Act 2010, by means of an Equality Impact Assessment (EIA) tool. This has continued annually through each of the subsequent budget processes, with a number service proposals identified for monitoring by Corporate Resources OSC where mitigation is considered not to have been fully identified.

2. Council Responsibilities under the Equality Act

2.1 The Council must comply with the Public Sector Equality Duty (PSED) - introduced by the Equality Act 2010. In summary, this means in the exercise of its functions, the Council must have **due regard** to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

2.2 Section Four of the Equality Act lists nine protected characteristics in terms of prohibited conduct. These characteristics are:

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|--------------------------------|----------------------|
| • Age | • Race |
| • Disability | • Religion or Belief |
| • Gender Reassignment | • Gender |
| • Marriage & Civil Partnership | • Sexual Orientation |
| • Pregnancy and Maternity | |

3. Approach and Methodology

3.1 When taking budget decisions, the Council must consider that these decisions are taken following an assessment of the impact on diverse groups, to aid understanding of potentially adverse issues arising for particular groups such as faith; disability or age, and

to identify ways in which any adverse impacts could be reduced or removed. The EIA is a tool used in the budget setting process to avoid disproportionate impact on vulnerable individuals and communities.

- 3.2 The ongoing review of monitoring the impact on equalities from budget proposals has seen the development of a revised approach, which seeks to focus more on equalities and whether we are having an appropriate due regard to equalities impact. Therefore an *Equality Impact Assessments* (EIAs) approach for 2016/17 budget proposals was adopted, to ensure the core focus of the PSED is considered and given the appropriate regard.

4. Analysis of impact

- 4.1 This section outlines the impact of the budget decisions as assessed by each service director and how identified adverse impact has been mitigated. In addition, it also includes a recommendation of whether the proposal requires further monitoring by the Committee, or whether it is considered to have been mitigated.
- 4.2 A summary of the 27 budget decisions is provided below:

2014/15 agreed proposals

- 4.3 *Community Centre Review Phase 3* - The proposal was to continue to implement the Community Centre Review and continue to hand responsibility for operating and manage community centres to community organisations. Phase 3 is now complete with Phase 4 due to be completed in March 2017. The Neighbourhood Management and Volunteering Team continue to provide advice and support to management committees as required and the Gateshead Fund is available to groups who wish to supply for support and development costs. The recommendation is for continued monitoring due to potential impact in the future.
- 4.4 *Sport and Physical Activity* - During 2016/17, the Get Active project (funded by Sport England) has been taking place to encourage residents to lead an active and healthy lifestyle. It targets those currently less likely to take part in sport and physical activity such as, women and girls, people living in disadvantaged communities, those with a disability and BME groups. This ends in March 2017 although efforts will be made to consider alternative funding to continue delivery. The service also remains a key deliverer of the Live Well Gateshead service, with resources committed until March 2017, with further resource confirmed for 2017/18, subject to the Council's annual budget setting process. It is proposed the sport and physical activity will be reported together with the Leisure proposal around reduction in overall provision. The recommendation is for continued monitoring due to potential impact in the future.
- 4.5 *Library Network* - In February 2016, Cabinet agreed the removal of the remaining 50% mainline buildings budgets for the volunteer operated libraries. The operating volunteer libraries now either pay operating costs directly or are recharged these by the Council. Volunteer libraries have been supported through payments from the Capacity Building Fund and it has been assessed that all volunteer operated libraries have finances to operate until approximately March 2018. All volunteer libraries continue to develop and embed a range of activities for local communities. Lobley Hill Volunteer Library Association took the decision to cease operation from April 2016, due to the low level of business. Library provision has been sustained through the creation of a community book collection that can be used by customers on a self-serve basis. In November 2015 Dunston Library, part of Dunston Activity Centre, transferred to volunteer operation as part of the asset transfer of these premises. The sustainability of this volunteer library benefits from the

income generated by the larger building. The recommendation is for continued monitoring due to potential impact in the future.

- 4.6 *Gateshead Fund* - The Gateshead Fund in 2016/17 received 92 applications requesting funding totalling £212,777. A total of 84 applications have been supported with funding totalling £159,702. Over fifty organisations received grants used to promote and increase volunteer opportunities. Although GVOC experienced difficulties in 2015, advice and support through *The Gateshead Offer* continued to be made available to organisations as well as voluntary and community groups by Council Officers. Additionally, an online resource of ready-made products was made available including model constitutions, business plan template, cash flow spreadsheets and access to support through the *Our Gateshead* website. Gateshead Council has maintained its commitment to providing advice, guidance and representation to Gateshead groups and organisations for 2016/17 with the commissioning of Newcastle CVS. This is an interim arrangement whilst the Council considers options for providing these services from 1st April 2017 onwards. It is suggested that, as the Gateshead Fund is subject to a separate annual report to Corporate Resources OSC, and to avoid duplication, that equalities impact is ceased to be monitored via this report, but is instead included in the Gateshead Fund annual report.
- 4.7 *Highways R&M* - The recommended reduction in highways repairs activity and methodology has been reviewed since the publication of the Highways Maintenance and Efficiency Programme report in April 2012. Areas are prioritised in terms of high footfall or high traffic such as classified roads, school routes, shopping areas and bus routes. Whilst it has proved difficult to monitor equalities impact as no meaningful data has been collected regarding the protected characteristics, the Council's Insurance and Risk section are hopeful a new claims handling system will be able to provide better data as claims move to being handled internally. Recommendation is for continued monitoring.
- 4.8 *Post-16 Home to School Transport* - Following a consultation exercise between October and December 2013, the Council agreed at its budget meeting on 27 February 2014, to introduce a charge for post-16 home to college transport for learners with SEN from September 2016. However, the decision has since been reviewed and a financial contribution to Post-16 transport in the academic year 2016-17 was not introduced. The Council will review this decision again during 2017. It is proposed that this proposal should cease to be monitored, until a new policy is fully agreed and implemented.
- 4.9 *Older Peoples Assembly* - The Council awarded the Older People's Assembly (OPA) a grant from the Capacity Building Fund of £9,925 to support the Assembly during transition. The Assembly now operate from Deckham Community Centre, an arrangement the Council brokered with the existing management committee, which helped to substantially reduce their operating costs. Partly as a result of the Capacity Building Fund grant, the OPA has now been able to appoint a community development worker, who has successfully implemented a number of projects and initiatives that are responding to the needs of older people across the Borough and generating income for the organisation. The budget proposal to withdraw funding for the OPA has been mitigated and it is proposed that it should cease to be monitored.
- 4.10 *Leisure Service* - The reduction in the overall provision of leisure services has assessed that the impact on employees of reduced opening hours has been mitigated by the utilisation of previously vacant posts and a reduction in the dependence on casual employment contracts. The impact on the public of reduced pool opening times has been mitigated by moving swimming club use of pools to outside of public swimming times. As the swimming clubs are now charged more for pool use we have been able to

accommodate the costs of opening the pools outside of core hours for their use. This also simplifies the timetables for the public use of swimming pools across the borough. Council officers continue to work with the swimming clubs to support them and assist in ensuring their continued financial viability. Reduced catering provision at Gateshead International Stadium has not required mitigation as it now more accurately reflects patterns in usage of the facility. Recommendation is for continued monitoring due to potential future impact.

- 4.11 *Older People's Support Service* - The proposal to withdraw funding from the Older People Support Service (OPSS) was assessed as potentially having a negative impact on some individuals due to their age and/or disability. Transitional funding was provided for the financial year 2015/16, to assist in the development of an alternative, sustainable service. The OPSS was amalgamated with the Home Support Service to create the Supporting Independence Service (SIS), which provides support to over 400 residents with housework, shopping, the accompaniment of older people to appointments and assistance with household management issues. The new service is VAT exempt, thereby keeping costs down for the clients. Of the existing OPSS customers 49 did not sign up to SIS. The price of the service will in future be closely monitored to ensure that the SIS continues to be financially sustainable. It is recommended this proposal should cease to be monitored.

2016/17 agreed proposals

- 4.12 *Recommission Looked After Children Residential Placements* - The proposal to recommission residential placements for looked after children and the subsequent closure of Crawcrook in-house provision has been achieved. Five children and young people were satisfactorily relocated and it is therefore recommended that this proposal should cease to be monitored.
- 4.13 *Re-provide Respite Care for Disabled Children* - The aim of re-providing respite care for children with a disability is progressing. The service is currently exploring options and ways of making the necessary savings, while at the same time supporting the provision to continue through a different model of delivery. The service will be further developing this proposal through discussions with elected members as part of a future options paper. As this proposal received mitigation from the Council's reserves, there has been no disproportionate impact. It is therefore recommended that this should cease to be monitored until future service delivery is clear.
- 4.14 *Early Help Service* - The proposal to reconfigure the Early Help Services is not due to be implemented until 1 April 2017. It is therefore recommended that this continue to be monitored.
- 4.15 *Remodel 0-5 (Early Years/5-19 Children's Public Health* - The savings proposal for 2016/17 was removal of the CQUIN (quality improvement incentive) part of the current contract in 16/17 (£94,636) for health visiting and family nurse partnership programmes. This was part of the former contract with the NHS which local authorities are no longer obliged to include. As this was a quality improvement incentive, and not directly linked to service provision, there has been no mitigation required in this instance. It is therefore recommended that this should cease to be monitored.
- 4.16 *Reduction in funding for NHS Checks (40-75 year olds)* - The NHS Health Checks Programme is a mandatory Public Health function and Local Authorities have a duty to ensure an NHS Health Check is offered to all of their eligible residents aged between 40 and 75 years old. NHS Health Checks are currently delivered by all 31 GP practices in Gateshead, three pharmacies and Gateshead Council Occupational Health Department. The data for quarter 1 of 2016/17 was received in August 2016 and showed that 4,627

people were offered a NHS Health Check (7.8% of eligible population), and 2,067 people received a check (44.7% of the 4,627 invited). This indicates minimal impact to date in terms of the Age protected characteristic. However, as there will be a requirement for 2017/18 NHS Health Check service specifications to give specific consideration for those who share a protected characteristic, it is recommended that this proposal continues to be monitored so that the Council can be confident there will be no disproportionate impact across any of the 9 protected characteristics.

- 4.17 *MESMAC* – This organisation is a specialist sexual health service based in Newcastle, targeting HIV prevention and testing services toward men who have sex with men (MSM). MSM are categorised as a high risk group for the transmission and burden of STIs and HIV. Gateshead Council had a rolling 12 month contract with MESMAC, an organisation under the auspices of Newcastle City Council. This was in place prior to transfer of Public Health to local authority control. The MESMAC contract has now ended and the organisation has been instructed to refer Gateshead residents to the new Gateshead Integrated Sexual Health Service (GISHS), which is a new service model procured in April 2015. People are still able to access the specialist online service content and will receive a similar service from the GISHS, which includes assessment, advice, screening, psycho-social counselling, and onward referral to other HIV specific groups and organisations that offer broadly similar provision to that provided by MESMAC. It is recommended that this proposal has been mitigated and should cease to be monitored.
- 4.18 *Labriut Centre* - The funding for Labriut ends in March 2017. The Centre is currently making bids to other funding sources to enable it to continue to deliver services. NHS England will monitor immunisation programmes, although data is not collected by ethnic origin, to ensure relationships between the NHS and this community are maintained. Most of the Jewish population in Gateshead are registered with two GP practices and comparatively easy to monitor. NHS England are aware of the potential closure of the Labriut Centre and have communication links with GP practices and commented formally to the consultation to maintain relationships with this community. Continued monitoring for 2017/18 is recommended by the Director of Public Health, as the funding withdrawal does not commence until 2017/18.
- 4.19 *Public Health Funded Posts* - The proposals that removed funding for a full time midwife post at the Queen Elizabeth (QE) Hospital and a part-time breastfeeding nurse, also based at the QE, will not provide validated data to allow the impact of the proposal and the success of the suggested mitigation to be measured until November 2017. It is proposed by the Director of Public Health that these two proposals cease to be monitored, however, should the validated data provide any areas of concern a report will be brought back to Corporate Resources OSC for their consideration.
- 4.20 *Drug and Alcohol Treatment* - A number of budget proposals were agreed in the 2016/17 Budget relating to drug and alcohol treatment services. Public Health has been working in partnership with the QE Gastroenterology Department and the Hepatology Nurse to support them in the development of an exit strategy. There is a continued commitment from Public Health to the Alcohol Brief Intervention & Screening work. The QE is also involved in Hepatitis C pilot (led by the Freeman Hospital), and the development of a local Liver Strategy. All of this should help mitigate the impact of this reduced funding, however until such time as it is demonstrable that there has been no disproportionate impact, it is recommended that monitoring of this proposal should continue.
- 4.21 *Review of support for people to live independently* - The Council currently operates four Promoting Independence Centres (PICs); Eastwood at Felling, Southernwood at

Allerdene, Tynedale at Ryton and Shadon House, a specialist dementia facility at Birtley. These PICs provide short stay interventions of up to 6 weeks within a residential environment to optimise the functional ability of a service user, maximising the prospect that they can then be safely discharged to continue living independently within their own homes. The proposal is to close Tynedale PIC at Ryton and externalise respite provision at Southernwood in Allerdene to independent sector residential care homes, which are in close proximity to those two centres. Southernwood will remain open as a centre which solely provides assessment provision to service users. As this proposal has not been fully implemented, it is recommended that continued monitoring is required.

4.22 *Independent Supported Living Schemes* - This proposal is due to commence from 1 April 2017 with the introduction of a framework for the provision of support at home and in the community for adults with a learning disability. The service is suggesting a positive impact for all the protected characteristics, however as this proposal is yet to be implemented, it is recommended that monitoring should continue.

4.23 *Recommissioning Day Services* - The proposal for Recommissioning Day Services has been put on hold, pending a full market review with the Clinical Commissioning Group (CCG). It is recommended that this proposal should cease to be monitored – pending potential alternative proposals being brought forward.

4.24 *Adult Social Care Demand Management model* - One of the pivotal Council proposals is the move to a demand management model for Adult Social Care (ASC). There is a phased implementation of the demand management model and the service. This model is interdependent on the implementation of all other ASC spending decisions. It is, therefore, proposed that monitoring of this model should continue while the model is implemented fully. For example, the review into reducing residential care admissions is ongoing and is reliant on the need to develop the market for overnight care at home and the necessary extra care housing provision. It is extrinsically linked to the revised demand management model for ASC, as it requires a change in social care assessment practice, which is also subject to an ongoing review. Additionally, the proposal for domiciliary care packages by enhanced early intervention is also linked to the revised demand management model for ASC. The aim is that enhanced enablement will be introduced and will maximise independence and result in a reduced number of packages of long-term domiciliary care being required. As these proposals are not yet implemented, it is recommended they continue to be monitored

4.25 *Recommissioning Learning Disability Care Packages* - when undertaking assessments on individuals, the protected characteristics are taken into account and reflected in their Care and Support Plans. The service is yet to complete re-assessments of all current service users, therefore it is recommended that continued monitoring is required.

Crosscutting Proposal

Community and Voluntary Sector

4.26 *Voluntary and Community Sector* - The monitoring of impact on the community and voluntary sector in relation to equalities has continued throughout 2016/17. As part of a review of funding to the VCS sector, in January 2016, Cabinet agreed to review its approach to supporting the provision of a CVS in Gateshead (a function previously delivered by GVOC). To ensure continuity of support for community organisations during 2016/2017, the Council invited Newcastle CVS to come in to stabilise the sector's support for 2016/17, while the Council took views and considered the options for support for future years. With a reduced annual budget of £160,000 in 2016/17, Newcastle CVS commenced the Agreement in April 2016 to provide "Support, Development, Networking

and Representation to the Voluntary and Community Sector in Gateshead". The commitment to an active, diverse voluntary and community sector is viewed as integral to the future of the Borough and it is recommended that the importance of this impact should continue to be monitored.

5. Recommendations

- 5.1 The views of the Corporate Resources Overview and Scrutiny Committee are sought on:
- i. the continuation of the approach adopted to identifying and monitoring potential equalities impact of budget proposals, and the mitigating actions taken to reduce or remove any adverse impact of budget decisions;
 - ii. the recommendations of the Service Directors that:
 - 14 proposals still require monitoring, including the cross cutting impact assessment on voluntary and community sector;
 - future monitoring of equalities impact relating to Sport & Physical Activity and Leisure Service are combined
 - the Equality Impact Monitoring of the Gateshead Fund will in future be incorporated into the Gateshead Fund annual report.
 - 3 proposals relating to Post 16 Home to School/College transport, provision of respite care for disabled children and the recommissioning of day services, should cease to be monitored pending revised policy implementation.
 - 2 proposals relating to midwifery and breastfeeding posts at the Queen Elizabeth Hospital should cease to be monitored due to a lack of available data until 2017, and should be brought back to this Committee if this data raises concern.
 - 5 proposals should cease to be monitored following mitigation.
 - iii receiving a further report in autumn 2017, on proposals where the impact is considered not to have yet been fully mitigated.