

Southwark Community Legal Advice Services:

Equalities Impact Assessment December 2019

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Southwark Community Legal Advice Services 2020-2025 Gateway 1: Procurement Strategy Approval
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Department	Place & Wellbeing	Division	Community and Voluntary Sector Engagement
Period analysis undertaken	July –December 2019		

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

This equalities analysis relates to the decision to approve award of contracts for the delivery of community legal advice services for the period 1 April 2020 to 31 March 2025.

The Gateway 1 reports set out that borough wide services will be delivered by 2 contractors through 2 packages:

- Generalist level advice services
- Specialist level legal advice services

The Gateway 1 reports also set out that the services will be procured via single supplier negotiations with the current contractors.

For the financial year 2020-21 onwards there is a budget reduction of £165,000 across all services. This represents a reduction of 15% of the 2019-20 budget. The reduction will be met by an 18% reduction to the budget for the generalist services and a 10% reduction to the budget for the specialist services. The rationale for this differentiated reduction is:

- The current generalist service provider, Citizens Advice Southwark, holds the contracts for both the East and West of borough generalist advice services. There were previously two providers and having one provider will provide economies of scale by reducing organisational infrastructure costs
- The service evaluation and consultation findings
- Some elements of the current generalist services, including welfare benefits advice / income maximisation support are also provided by internal council teams including the Local Support, Financial Inclusion and Sustain teams.
- However the council does not provide the specialist legal advice which is provided by the current specialist legal advice contractors.

The negotiations with the contractors will assess the impact of this reduction on the services and working with the providers will consider how it may be mitigated.

The decision maker is the Strategic Director of Place & Wellbeing.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
<p>Key users of the department or service</p>	<p>Users of the service will be residents of Southwark, who are facing significant difficulties in one or more of the following areas:</p> <ul style="list-style-type: none"> • People facing income poverty and financial exclusion • People needing independent advice and advocacy • People impacted by welfare reform • Lack of knowledge of basic rights and responsibilities • Legal problems relating to access to services • People with limited literacy, numeracy and digital skills • People with language barriers • People with no recourse to public funds • People experiencing possible discrimination • Lack of engagement with statutory services <p>Advice and advocacy will be provided in the following areas</p> <ul style="list-style-type: none"> • Welfare rights • Housing • Debt • Employment • Immigration or asylum • Consumer rights <p>Data from monitoring provision of services provided through the current contracts for the period 2013-19 indicated that people who fall within a number of the identified protected characteristic groups are key users of the services. However, monitoring data does not capture each of the protected characteristics. Monitoring data captures information relating to:</p> <ul style="list-style-type: none"> • Age • Disability • Gender • Race <p>There is no systematic monitoring of pregnancy and maternity, gender reassignment, marriage/civil partnership or religion/belief. Sexual orientation is monitored by 1 provider but it is considered that the very small number declaring LGBTQ+ status is unlikely to reflect the complete picture. Information about service users falling within these protected characteristics is available where there is self-disclosure or where issues raised may directly relate to the grouping. An example of this is when pregnant women seek advice about maternity benefits or employment rights.</p> <p>The services commissioned provide access in a range of different ways. In considering how these services are commissioned account has also been taken of other services provided either directly by the council or through other commissioned programmes. A number of other services are specifically targeted at residents who fall within one or more of the protected characteristics.</p> <p>Monitoring data collated indicates there are a number of key</p>

	<p>characteristics of clients using the services.</p> <p>In 2018-19 approximately 81% of clients, ie 11,588 out of a total of 13,696, were from BME communities. This is significantly higher than the proportion of Southwark residents from these communities which, according to the Southwark Joint Strategic Needs Assessment (Public Health) was 46% in 2017-18. This level of take-up by BME communities is clearly a key factor when considering how best to commission services able to meet client needs.</p> <p>In terms of disability, in 2018-19 one quarter of service users reported having a disability (self defined). This indicates a significant level of need relating to ill-health and disability.</p> <p>There is a likelihood that the cuts to the budget outlined in section 1.1 may have a disproportionate impact on clients who fall into one or more of these protected characteristics. Any likely impact and possible mitigation is considered in section 4 below.</p>
<p>Key stakeholders were/are involved in this policy/decision/business plan</p>	<p>Client survey</p> <p>A survey of advice service clients was carried out over 3 weeks in August to September 2019. This involved both current advice contract holders, and smaller VCS groups funded via the council's Common Purpose programme who also have or host a discrete advice service. While waiting to be seen by their advisor, clients were asked to complete a brief one page paper survey with the option to complete it online if they preferred. The following organisations who support a range of diverse communities participated in the survey:</p> <ul style="list-style-type: none"> • Blackfriars Settlement • Cambridge House Law Centre • Citizens Advice Southwark • Latin American Disabled People's Project • Southwark Law Centre • Southwark Day Centre for Asylum Seekers • Southwark Pensioners' Centre. <p>These represent a range of the large advice contract holders and smaller voluntary sector groups who provide advice services to specific, often vulnerable groups - all located in areas of high need. A total of 377 completed surveys were returned.</p> <p>The questions were focussed around how clients had found out about the services and how they had accessed them. The findings reflect the unmediated voices of clients at various advice locations around the borough.</p> <p>Key messages from the survey have been fed into the development of the commissioning plan and the service specification for the delivery of advice services. Key findings included:</p> <ul style="list-style-type: none"> • Most common method of finding out about services was word of mouth followed by online • Approximately half of clients had tried to get advice from somewhere else first • Almost one quarter of clients were presenting with more than one problem (or a problem that crossed over several categories of law) • Around half of clients were repeat clients.

Online Stakeholder survey

An online survey of advice services stakeholders was carried out over 6 weeks in July to August 2019. 34 responses were received; respondents were as follows

- Common Purpose grant funded: 12
- Other VCS organisation: 2
- Tenant and Resident Associations (TRAs): 7
- Council officer: 6
- Other funder: 1
- Resident: 2
- Current advice provider: 3
- Not known:1

Key issues raised were as follows:

- Not enough provision to meet huge demand
- Digital exclusion a huge problem affecting even those with digital skills
- Groups who are most in need find it hardest to access advice
- Negative long term impacts on not having advice, both for vulnerable individuals and also public services (increased costs)
- Need for help at the right time at early stages before the problem escalates; support with medical assessments and help with appeals
- Multiple access channels are needed; face to face continues to be vitally important and there is need for home visits
- Continued need for advice in other languages, interpretation and translation.

In addition separate specific comments were received from the

- No Recourse to Public Funds service manager (re immigration advice)
- Council's Equalities Lead.

Specific messages from the consultation that have influenced the commissioning process include:

- Migrant communities' needs
- Language needs
- Needs of those claiming Universal Credit

The Gateway 1 reports and subsequent service specification specifically address these identified needs and prioritised the services to be commissioned.

Section 4: Pre-implementation equality analysis

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan

Monitoring data shows that there is relatively lower take up of advice services by younger people.

There is also some evidence that older people make relatively less use of the services; however according to feedback from stakeholders the numbers of those aged around 55 and above, up to retirement age, appears to be increasing. One of the reasons for this is the requirement to claim Universal Credit online. Current contractors have been consistently reporting that the fact that many other services are increasingly accessible online only is having a negative people aged around over 55, particularly men who have worked in manual trades.

For older people there are a range of targeted services commissioned by Adult Social Care and via the Common Purpose grants programme which include some advice services and there is therefore less of an identified gap.

There is some evidence that younger people may be more likely to be impacted by increased conditionality within the benefits system resulting in a greater number of benefit sanctions. However, it should not be assumed that younger people will automatically be able to access on-line services, or that they prefer this form of access. Young people who are NEET (not in education, training or employment) are likely to be disproportionately affected by the impacts of Welfare Reform. At the same time, they are likely to find it more difficult to access services. Ensuring that these people are able to access independent advice is important for maintaining young peoples' engagement with the benefits system and routes into employment.

Equality information on which above analysis is based

Organisations' equality & diversity policies
Monitoring data collected
Monitoring information from other programmes e.g. Common Purpose programme
Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

Some welfare reforms are not being applied to pensioners; for example the 'bedroom tax' and council tax benefit reduction. Under 16s and over 65s are not affected by changes to Disability Living Allowance.

Any impact of the 15% budget reduction on older people may be mitigated by the older people's service hub which is currently being procured by the council's adult social care team (alongside a disability service hub) and is due to go live in June 2020. This hub model will equip the council to manage its "front door" by assisting vulnerable populations to access information, advice, navigation and facilitation support that will link with preventative community opportunities to support independence and wellbeing.

The council's Local Support team provides an income maximisation service which prioritises older adults as well as those with disabilities. It offers home visits if needed and provides outreach appointments across the borough.

In addition to the web portal, contractors are required to provide

- A telephone advice line – a single telephone access point
- Face to face triage and generalist advice. This is to include both open door access and an appointments system, including one evening (5-7pm) session per week.
- Outreach services

It is intended that this range of access routes will meet differing needs among users, including different age groups. For example, older people are more likely to be digitally excluded and therefore would access services via the telephone line or face to face. Contractors are also required to provide information in printed i.e. leaflet form as well as on-line. For frail older people with limited mobility, the outreach services would be more appropriate to their needs. The need for home visits for vulnerable or referred clients will be assessed and either provided or referred on.

Younger and middle aged people are more likely to be at work in the daytime. Those at work during office hours would be not able to access services at that time. In addition to providing telephone and email advice, the generalist contractor is required to provide 2-hourly evening advice sessions (5pm-7pm) once a week, in both the east and west of the borough.

Contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Common Purpose funded organisations that provide generalist advice and signposting to specific groups with particular needs. These include Southwark Pensioners' Centre, Latin American Disabled People' Project, and Southwark Day centre for Asylum Seekers. Southwark Pensioners Centre has a dedicated advice service targeted at people over the age of 50. The organisations will in turn be required to demonstrate that they are working with the advice agencies to ensure smooth signposting.

Contractors will be required to provide ongoing monitoring data on take-up of services against a number of the protected characteristics. They will be required to address any significant areas of under-representation if deemed relevant.

All contractors are required to have an Equalities & Diversity policy in place which is regularly reviewed and covers the following:

- Monitoring take up of service beneficiaries
- Recruitment of staff and how the organisation ensures that there is no discrimination, against the Equality Act 2010 protected characteristics
- Communication of the policy to staff

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Possible impacts (positive and negative) of proposed policy/decision/business plan

Currently over a third of advice service clients have one or more disabilities and there is a likelihood that the 15% budget reduction may have a disproportionate negative effect on this client group. The consultation specifically highlighted the impact of welfare reform on people with disabilities as representing a major challenge in terms of meeting need.

The overall approach to the commissioning of the services has been developed to ensure that the services will provide support to large numbers of disabled people in Southwark impacted by welfare reform.

The move to Personal Independence Payments (PIP) is also having a significant impact often on very vulnerable people with a high number of decisions being overturned on appeal. The advice contractors are supporting claimants to challenge negative decisions which they would not have

the capacity to do without support. 69% of appeals made to the DWP are successful which tells us that nearly 7 out of 10 claims are incorrect. In 2019, for around 40% of claimants nationally, the main disabling condition is a mental health condition. As at November 2018, 8,000 Southwark residents were yet to be migrated to PIPs. Residents also continue to be affected by other welfare reforms including the benefit cap and the 'Bedroom Tax.'

Negotiations with providers will cover how the resources available can work most effectively to meet the needs of this group of people and how to ensure that they complement other resources that meet their needs.

A telephone advice line will continue to be provided which may have a positive impact on some users with disabilities in that they do not have to travel to access services. However, there will be ongoing and high levels of need for face to face advice, advocacy and support with representation particularly for more vulnerable individuals.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies

Monitoring information from other programmes e.g. Common Purpose programme

Feedback from stakeholders

Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services) – in relation to ESA and DLA.

Mitigating actions to be taken

Any impact of the 15% budget reduction on people with disabilities may be mitigated by the disability service hub which is currently being procured by the council's adult social care team (alongside the older people's service hub) and is due to go live in June 2020. This hub model will equip the council to manage its "front door" by assisting vulnerable populations to access information, advice, navigation and facilitation support that will link with preventative community opportunities to support independence and wellbeing.

The council's Local Support team provides an income maximisation service which prioritises those with disabilities as well as older adults. It offers home visits if needed and provides outreach appointments across the borough. It also offers a one off hardship fund for households where there are severe disabilities.

The current advice service contractors are required to prioritise their resources to support people with the most complex needs particularly where these cut across areas of law. Contractors are required to provide advice, advocacy and representation at the appropriate level to people with disabilities impacted by reform of disability benefits.

Current contractors are required to ensure access for:

- People with physical and mental disabilities
- People with sensory impairment
- People with limited literacy, numeracy and digital skills.

Contractors are required to provide a spread of services across the borough, particularly focussed on the geographical areas of highest need. This reduces the need for people with mobility problems to travel long distances.

The current contractors' premises meet disability access requirements under the Equalities Act 2010.

As described above they are required to provide a range of access routes to services. These include outreach services for those unable to travel to the service. The web portal meets accessibility standards.

The need for home visits for vulnerable or referred clients will be assessed and either provided or referred on.

As described above, contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Community Purpose funded organisations that provide generalist advice and signposting to specific groups with particular needs. These include the Latin American Disabled People's Project and Mental Fight Club (mental health support). The Common Purpose organisations are in turn required to demonstrate that they are working with the advice agencies to ensure smooth signposting etc.

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Contractors will be required to provide ongoing monitoring data on take-up of services against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

Gender reassignment - The process of transitioning from one gender to another.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this characteristic which is not monitored though information about the number of service users will be available where there is self-disclosure. No particular changes have been made to the service specification relating to this.

The specialist legal services package offers advice and specialist level legal casework to people experiencing discrimination and this protected characteristic would fall within scope as set out in the legislation.

In relation to staff, see under 'age.'

Equality information on which above analysis is based.

Organisations' equality & diversity policies
No monitoring data is collected
Feedback from stakeholders

Mitigating actions to be taken

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

Possible impacts (positive and negative) of proposed policy/decision/business plan

The consultation did not identify any specific issues relating to marital status or civil partnership.

An issue highlighted in the stakeholder survey was that welfare reform, and associated increased pressure on households, may be leading to increased levels of household conflict, domestic abuse, divorce, separation and custody issues. These issues may compound other problems such as unemployment or insecure employment and language barriers.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
Monitoring data is not collected relating to marital status or civil partnership.
Monitoring information from other programmes e.g. Common Purpose programme
Feedback from stakeholders

Mitigating actions to be taken

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Marriage and civil partnership status is not routinely monitored amongst service users.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Possible impacts (positive and negative) of proposed policy/decision/business plan

There are no specific identified impacts relating to this group of women resulting from the decision. Services will meet the needs of women relating to clarification of statutory entitlements relating to pregnancy and maternity in the areas of welfare benefits, employment law and equal treatment generally.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
 Monitoring data collected relating to claiming of maternity benefits.
 Monitoring information from other programmes e.g. Common Purpose programme
 Feedback from stakeholders
 Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

As described above, contractors are required to provide a range of access routes to services, including a web portal and telephone advice line.

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Sample profile data on the number of service users within this grouping can be obtained as required. Continuous monitoring of this characteristic is not carried out as a matter of course.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Possible impacts (positive and negative) of proposed policy/decision/business plan

Race as a protected characteristic could relate to any grouping of people irrespective of colour or nationality.

Monitoring data from 2018-19 shows that only 19% of clients identify themselves as White British. One third of clients identify as Black African, 13% as Black Caribbean and a significant number are from Latin American countries.

Some residents who fall into the protected characteristic of 'race' may have limited English and so be unable to access services. If they have recently arrived from another country, they are also more likely to be digitally excluded.

The consultation identified that there continues to be high levels of need for immigration advice. Immigration is out of scope of legal aid. There is therefore a likelihood that the 15% budget reduction will impact disproportionately on people with this protected characteristic.

Organisations may be in a position where they are unable to meet the needs of residents who have language or cultural barriers to accessing their services. Providing appropriate support may be particularly resource-intensive and place heavy demands on their services.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
 Monitoring data collected
 Monitoring information from other programmes e.g. Community Capacity programme
 Feedback from stakeholders
 Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

The council provides support to people who may not be eligible for state benefits due to immigration status. This is provided by the council's No Recourse to Public Funds team.

As described earlier, the generalist provider is required to provide 'advice in community languages'. Contractors are required to provide services in the most commonly used community languages in Southwark. Contractors have been required to demonstrate that the number of languages provided will meet community needs.

As described above, contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Common Purpose funded organisations that provide generalist advice and signposting to specific communities with particular needs, for example, Latin American and Somali communities; and refugees and asylum seekers from numerous countries of origin. The Common Purpose organisations will in turn be required to demonstrate that they are working with the advice agencies to ensure smooth signposting etc. These organisations are being encouraged to focus on the provision of level one advice to their users and this may take some pressure off the advice services.

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Contractors are required to monitor race for all service beneficiaries. They will be required to address any significant areas of under-representation if deemed relevant.

The council is also active in influencing resource allocation at a London wide level through government bodies including London Councils and the GLA and cross-sector networks including London Funders. The broad aims of this are to ensure that there is awareness of the impact of reducing resource and increasing need and that steps are taken to mitigate impacts.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Possible impacts (positive and negative) of proposed policy/decision/business plan

The consultation and monitoring data analysis carried out prior to the start of the commissioning process did not raise any specific issues relating to religion or belief.

Users may experience barriers to access services owing to their particular religion or belief. For example, accessing services on particular days / times.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
 Monitoring information from other programmes e.g. Common Purpose programme
 Feedback from stakeholders
 Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

As described above, contractors are required to provide access to face-to-face services at varying times. This may enable access to those whose religion / belief may prevent them for accessing services on certain days of the week. Contractors are also required to have an Equalities & Diversity policy in place. Monitoring of religion or belief is not carried out as part of monitoring of service beneficiaries.

As described above, contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Common Purpose funded organisations that provide generalist advice and signposting to specific communities with particular needs, for example, Muslim women. The Common Purpose organisations will in turn be required to demonstrate that they are working with the advice agencies to ensure smooth signposting etc.

Sex - A man or a woman.

Possible impacts (positive and negative) of proposed policy/decision/business plan

The stakeholder survey highlighted particular groups who are more likely to have unmet advice needs: these included women in abusive relationships, lone parents and young / BME / no resident fathers. Women from particular communities are more likely to be in low-paid or precarious employment. A specific example provided was that of Latin American women. Monitoring data from 2018-19 shows that nearly twice as many women as men accessed the Advice in Community Language service (then provided by Advising Communities) in 2018-19.

The 2018-19 monitoring data shows that across all 4 contracts 56% of clients were women and the pattern over some years has been a higher proportion of female clients than male. However, as stated above current contractors are consistently reporting increasing issues among male clients aged 55+ who have worked in manual trades and are more likely to have health issues and / or be digitally excluded.

There is a likelihood that the 15% reduction to the budget may have a disproportionate negative impact on women and men in these particular groups.

It may be more difficult for women to access services owing to childcare responsibilities.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
 Monitoring data collected
 Monitoring information from other programmes e.g. Common Purpose programme
 Feedback from stakeholders
 Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

Contractors are required to provide a number of access routes including telephone advice line and web portal. They are also required to provide open door access at varying times of the day. This may make it easier for women (or men) with childcare responsibilities to access services. Blackfriars Settlement, who are separately funded by the council via Common Purpose and adult social care, provide a weekly evening legal advice clinic.

The advice service specification will address the needs of those with language barriers, who may be particularly likely to be women, by ensuring that there will be provision of advice in community languages including Spanish, to be provided in a range of outreach settings.

Contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Common Purpose funded organisations that provide generalist advice and signposting to specific communities with particular needs, for example, Muslim women; Latin American women; marginalised men and boys from BME backgrounds. The Common Purpose

organisations will in turn be required to demonstrate that they are working with the advice agencies to ensure smooth signposting etc.

As described above, all contractors are required to have an Equalities & Diversity policy in place.

Contractors will be required to provide ongoing monitoring data on take-up of services against all the protected characteristics. They will be required to address any significant areas of under-representation if deemed relevant.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Possible impacts (positive and negative) of proposed policy/decision/business plan

As this is an area of sensitivity one of the current contractors does not monitor this protected characteristic. The other provider does ask its clients about their sexual orientation but the numbers declaring LGBT status are very low – 16 in 2018-19 – and this is unlikely to be a reflection of the true picture.

In the stakeholder survey a comment was made in relation to access to justice that refugees and asylum seekers – particularly LGBTQ+- are likely to suffer in silence and not complain for fear of repercussions.

Therefore there is a likelihood that the 15% reduction to the budget may have a disproportionate negative impact on this group.

In relation to staff, see under 'age.'

Equality information on which above analysis is based

Organisations' equality & diversity policies
Monitoring data collected
Monitoring information from other programmes e.g. Common Purpose programme
Feedback from stakeholders
Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

Contractors will be required to work with other voluntary and community sector organisations in the borough, in particular Common Purpose funded organisations that provide generalist advice and signposting to specific communities with particular needs. Some Common Purpose funded groups, including Latin American Women's Rights Service and Mental Fight Club are looking to improve access for LGBTQ clients to their services and improve the support they provide them.

As described above, all contractors are required to have an Equalities & Diversity policy in place.

They will be required to address any significant areas of under-representation if deemed relevant.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour. Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of

assembly, Marriage and family, Freedom from discrimination and the First Protocol.

Possible impacts (positive and negative) of proposed policy/decision/business plan

The provision of specialist level legal advice services includes the diagnosis of issues relating to discrimination and specifically Human Rights legislation in the areas of employment, welfare benefits, immigration and housing.

An overarching aim of the programme is to enable access to justice for those facing disadvantage or discrimination.

The approach to these contracts, emphasising improving client experience and better co-ordination of advice services via Southwark Legal Advice Network, is intended to have a positive impact for all clients, with a spread of services across the borough and reduced need for cross-agency referrals.

There is likelihood that the 15% reduction to the budget may have a disproportionate negative impact on people experiencing disadvantage or discrimination. Negotiations with providers will examine what steps can be taken to mitigate these impacts by ensuring that there is a shared approach and agreement on which contract resources are the most critical to meet needs that are not met through other funding resource.

Information on which above analysis is based

Organisations' equality & diversity policies
Monitoring data relating to advice and advocacy provided where discrimination or Human Rights issues have been identified.
Monitoring information from other programmes e.g. Common Purpose
Feedback from stakeholders
Research and analysis of impacts of Welfare Reform (Southwark Council, Exchequer Services)

Mitigating actions to be taken

Key outcomes of the programme that contractors are required to meet include

- **Residents have an improved understanding of their rights and responsibilities.**
Examples include: benefit entitlements; the difference between priority and non priority debts, challenging housing disrepair and immigration rights. This is intended to have a preventative effect, reducing the need for that client to require the support of advice services in future.
- **Residents who are experiencing discrimination are supported to have access to justice.**

Welfare benefits is consistently the biggest subject area of enquiry and in particular the rollout of Universal Credit continues to have a significant negative impact on residents. The Safe as Houses research commissioned by Exchequer Services in 2017 revealed an immediate negative impact on 60% of claimants, who have fallen into rent arrears. Some claimants are able to improve their situation after approximately 3 months but many continue to accumulate arrears and may be at increased risk of eviction and homelessness. As at August 2018 council tenants transitioning to Universal Credit had resulted in an additional £2.4 million in rent arrears.

Many struggle to cope with claiming on line and then managing their claim. There is often confusion about the housing element of the claims. The services are helping residents understand the changes and providing advice and support including help with claiming on-line, and help with challenging negative decisions.

The move to Personal Independence Payments (PIP) is also having a significant impact often on

very vulnerable people with a high number of decisions being overturned on appeal. 69% of appeals made to the DWP are successful which tells us that nearly 7 out of 10 claims are incorrect. The advice contractors are supporting claimants to challenge negative decisions which they would not have the capacity to do without support. Demand is expected to continue: as at November 2018, 8,000 Southwark residents were yet to be migrated to PIPs. Nationally, for around 40% of claimants in 2019 the main disabling condition is a mental health condition. Residents also continue to be affected by other welfare reforms including the benefit cap and the 'Bedroom Tax.'

There are also a number of Common Purpose-funded and other VCS groups in the borough supporting clients with disabilities to secure welfare benefits that they are entitled to, including Latin American Disabled People's Project; Southwark Pensioners Centre (SPC provide advice for over 50s ie including those below pensionable age).

Citizens Advice Southwark one of the contractors provides the Help to Claim Service for Universal Credit.

The council's Local Support team provides an income maximisation service which prioritises older adults as well as those with disabilities. It offers home visits if needed and provides outreach appointments across the borough. .

Debt: the 5 week delay before receiving the first Universal Credit payment (which may take as long as 13 weeks) is causing significant numbers of claimants to go into rent arrears. Debt may also arise as a result of precarious or fluctuating income including zero hours contracts, council tax changes; difficulties with managing Universal Credit as a monthly rather than weekly payment, and fuel poverty, and many clients end up resorting to doorstep lenders. This is leading to severe hardship and an increase in foodbank use. The Mayor's Survey of Londoners 2019 found that one quarter of Londoners who owe money find it to be a heavy burden and this is strongly linked to deprivation. Contractors support clients to agree affordable repayment plans with creditors as well as to maximise benefit income to enable them to pay off their debts.

The council's Local Support team also offers a one off hardship fund for households where there are severe disabilities which are facing financial hardship as a result of welfare reforms. The payment can be used to reduce priority debts such as rent, council tax or utility arrears or non priority debts such as credit cards or payday loans.

Homelessness: rates of homelessness in the borough are high and growing. Average private sector rents have increased significantly while the Local Housing Allowance has been frozen. The numbers of families in temporary accommodation increased by two thirds from 2010 to 2016 (Review of Homelessness in Southwark, 2017). As people struggle to pay market rents in the private sector many are living in overcrowded conditions or properties that are in a state of disrepair. Homelessness acceptances currently cost the council around £8,000 per case; the cost of preventing homelessness is around £1,000 per case. The contractors provide support and representation in cases involving homelessness, possession, eviction and disrepair.

Blackfriars Settlement who are separately funded by the council via Common Purpose and adult social care, host a weekly evening legal advice clinic covering housing and employment law.

The council's Financial Inclusion team provides discretionary housing payments and also the hardship fund which is described above.

Immigration Contractors report that demand for high quality immigration advice is high; the stakeholder survey also highlighted that this is a high area of need. Clients who have been affected by the Windrush scandal are being supported; also EU nationals are being supported to register with the EU settlement scheme.

The council's No Recourse to Public Funds team provides emergency help including emergency accommodation .

Across all these areas of law: London South Bank University provides a drop in legal advice clinic staffed by law students under the supervision of practising solicitors. It provides generalist advice

in any social welfare law matter and specialist advice in family and housing law.

The council provides an Emergency Support Scheme, which is being delivered by Community Action Southwark. This is for people in more urgent need; examples include awards of money to help if benefits are stolen; items of furniture for families who have been homeless and are moving into more permanent accommodation; provision of appropriate furniture / equipment for those with disabilities.

The council separately funds the Forum for Equalities and Human Rights in Southwark, which is hosted by Citizens Advice Southwark, to act as a 'critical friend' to the council in relation to equalities and human rights. Its overarching objectives are to improve social cohesion in the borough; improve awareness of and access to services and promote citizenship rights and responsibilities.

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Resources in relation to need – budget reduction of £165,000 for 2020-21 onwards.	<p>Length of contracts provides contractors with opportunity to plan for medium and long term and to attract additional funding to fill gaps.</p> <p>Contractors are required to focus on geographical areas of highest need and on the most vulnerable clients or those with highest levels of need.</p> <p>Contractors are required to work closely with Common Purpose-funded and other smaller local VCS groups who provide general help level advice and information as well as help with translation, interpretation, form-filling and digital access.</p> <p>Other local and national funders are also supporting advice work in Southwark, for example United St Saviours Charity's funding of support to Universal Credit claimants and advice worker training.</p>	Ongoing
2	Under-representation from particular groups, including those who are facing digital exclusion	Contractors will be required to monitor take up of their services against a number of the protected characteristics and will be required to address areas of under-representation, if deemed to be relevant.	Ongoing
3	Welfare reform impacts result in level of service demand and complexity	Contractors will be required to offer a seamless approach and	Ongoing

	<p>which contractors are unable to manage – particularly in the light of the 15% budget reduction described in item 1 above.</p>	<p>tackle complex, multiple problems at an early stage to avoid escalation</p> <p>Impacts will be evaluated on an ongoing basis through contract monitoring and policy forums. Findings will be fed back through the contractors' partnership forum to enable responses to need to be developed during the term of the contracts. Other funding streams and initiatives will be geared towards the improvement of financial confidence.</p> <p>See also item 1 above.</p>	

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5. Equality objectives (for business plans)				
<p>Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.</p>				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			2020/21	2021/22