

Southwark Health and Community Services

Adult Social Care

Equality considerations – Stage 2 Equality Impact Assessment (EIA)

Policy/programme of work to which considerations relate:

Voluntary sector open access day services/lunch clubs

Name of Responsible Manager:

Sarah McClinton

Name of Lead Director:

Susanna White

Directorate:

Health and community services – adult social care

Service:

Older people’s services

Key aims of work programme:

To design and implement adult social care services that deliver the council’s statutory duties within a reduced financial envelope, in a way that achieves better value for money and promotes independence, supporting people to live independently and well at home and in the community

Who are the key people affected by this piece of work?

- **Older people using specific services with eligible care needs and those older adults at risk of needing adult social care support.**
- **Voluntary sector organisations that provide these services.**

Which partners are involved in this work programme:

The consultation process included engaging with providers of these services and Community Action Southwark, and was open to comment from people who use these services, their families and carers.

Date of final EIA:

6 July 2011

Section 1: Overview of proposals and key issues

1. Description of policy/service redesign

Nationally, these proposals are driven by the outcome of the government Spending Review¹ and subsequent financial settlement for local government, which meant a 11.3% reduction in funding for Southwark in 2011/12 alone. Savings are required in Health and Community Services of £7.75m in 2011/12, with further savings required across 2012/13 and 2013/14. The department has therefore had to look at potential savings realisation if services are modernised, resources focused on the most vulnerable and shifting the balance of care for people with eligible care needs towards community based support.

In addition, our approach to transforming adult social care (ASC) services, to improve outcomes for people and achieve best value for money is driven by the national Putting People First concordat² and takes into account the national vision for adult social care³.

With this in mind, Southwark has developed a vision for the future of adult social care, which requires a radical rethink in our approach across the ASC system⁴. The vision for Southwark is to support people to live independent and fulfilling lives, based on choices that are important to them. This requires services to be more effective and more personalised, focusing on individuals rather than institutions and shifting the balance of care away from residential homes and towards more personalised services in community settings. This also requires a different relationship between the council and the community, moving from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their own lives, improving their own health and wellbeing. Resources in adult social care also need to shift, with more short-term, targeted interventions aimed to help people get back on their feet and maintain independence. Prevention services need to be based on evidence and targeted, supporting people to do more for themselves and each other. With limited resources, the council also needs to prioritise meeting its statutory duty to provide services to people with eligible care needs. This is currently set at substantial and critical needs in Southwark as outlined in Department of Health (DH) guidance on eligibility criteria⁵.

A series of proposals were put forward as part of the Policy and Resources Strategy for Southwark that sought to contribute to this overall vision and in line with the financial context. This strategy was agreed at the Council Assembly meeting on 22 February 2011.

¹ HM Treasury (2010), *Spending Review 2010*, London

² HM Government (2007), *Putting People First: a shared vision and commitment to the transformation of adult social care*, London

³ Department of Health (2010), *A vision for adult social care: capable communities and active citizens*, London

⁴ http://www.southwark.gov.uk/info/100010/health_and_social_care/2086/vision_for_adult_social_care_in_southwark

⁵ Department of Health, 2010 *Prioritising need in the context of Putting People First: a whole system approach to eligibility for social care – guidance on eligibility criteria for adult social care, England 2010*, London

It included proposals to re-shape open access services (specifically day services and lunch clubs) within the voluntary sector to provide practical and social support in the most affordable and cost effective way, as well as supporting a more self-sustainable set of services. There was a requirement to achieve savings of £1 million in 2011/12 and a further £0.3m in 2012/13. Expenditure on these services for 2010/11 represented just 3.5% of the total budget for older people's services⁶. This is also in the context of the need to make savings of £7.75m in Health and Community Services in 2011/12 and further savings across the wider council budget.

A consultation process on how to achieve savings in open access services was launched on 25 January 2011 and closed on 19 April (extended from 23 March). This proposed a staged approach to re-shaping the services⁷.

Stage 1: Re-shaping day support and lunch clubs

Reduce the number of groups that received a block council funding contribution offering a geographical spread, at a cost of 100,000. It was envisaged there was a possibility for three sites to potentially act as hubs, working with other organisations to make best use of resources and offer personalised, effective and innovative services to local residents. Two sites were identified to receive future council contributions at the same level:

- Golden Oldies Community Care Project, Camberwell
- Goose Green, East Dulwich

It was also proposed that the Age Concern Yalding Health Living Centre, Bermondsey would continue to operate as a third hub with PCT funding.

In addition, the council would invite all groups to bid for part of an Innovation Fund of £200,000, in 2011/12, to support organisations in changing and adapting their business models, becoming more financially self-sustaining in the longer-term through small injections of cash to support them.

Stage 2: A new approach to community support services

Decommission current contracts for advice, information befriending and advocacy projects (to take effect from April 2012) and invite local organisations to bid against a new specification for services that support delivery of personalisation and health and well being to a value of £700,000 (saving a further £300,000).

In the light of feedback received the proposals have been further developed to support transformation and encourage the development of a diverse market of services as people increasingly use personal budgets for the purchase of their care and support.

⁶ *Older People's Health and Social Care Commissioning Strategy 2010–13*, Southwark Health and Social Care, July 2010

⁷ http://www.southwark.gov.uk/downloads/download/2632/open_access_service_consultation

Stage 1

Retain the approach to reduce council contributions by ceasing block contracts to voluntary sector day services/lunch clubs but focus resources on supporting transition to personal budgets as soon as possible for customers with eligible care needs rather than continuing to block fund a small number of specific organisations. This would aim to be achieved by the end of August 2011 and is in line with the wider approach in adult social care to support people to take up personal budgets as a means of exercising greater choice and control over their care and support.

Retain the Innovation Fund model as a one-off opportunity to give organisations the opportunity to develop a business case for innovative solutions for increased financial self-sustainability and future provision of services. This would be in place of the council implementing its proposed hub sites but could provide an opportunity for organisations themselves to shape any future ideas for consolidation of services for example.

Stage 2

To be implemented as outlined in the initial consultation.

The equality analysis focuses on this way forward.

2. Purpose, issues and key benefits

Key groups affected by proposals	<ul style="list-style-type: none"> • People who are at risk of needing long term social care support and people who have been identified with eligible care and support needs. • Potential impact on carers of those people accessing services with eligible care needs. • Organisations that provide services.
Consultation process	<p>The consultation process was launched on 25 January 2011 and closed on 19 April 2011 (following an extension). Copies of the proposal were sent directly to all affected organisations, alongside information about the end of contracts where relevant. Proposals were also made publicly available via the Southwark Council website⁸. Affected organisations were asked to discuss the issues directly with people who used their services, plus families and carers, and incorporate these views into any feedback submitted (as a number of people accessing services did not have eligible care needs and so were not directly known to the department).</p>

⁸ http://www.southwark.gov.uk/info/200148/independent_living_for_adults/2082/adult_social_care_service_consultation

	<p>On 2 March the council Leader, Cabinet member for health and adult social care, plus council’s finance director and deputy director for adult social care, met to discuss concerns with affected organisations. Individual meetings were held between senior officers in adult social care, the Cabinet member for health and social care and voluntary sector organisations throughout March.</p> <p>The proposals were also discussed with key partners at the Older People’s Partnership Board meeting on 9 March 2011 and at the Provider Market Forum.</p> <p>Consultation responses were received from a range of affected organisations, other partners and people using services and their families and carers. Some of the consultation responses raised queries around perceived equalities issues. These are specifically referenced as part of this equality analysis.</p> <p>In addition, future options for all day services for older people were discussed at the health scrutiny committee meeting on 4 May. Recommendations from the committee were considered as part of the consultation process but they did not include recommendations on specific equality issues.</p> <p>Feedback from these various sources has been taken into account in developing the final proposals.</p> <p>In addition, a draft of this EIA was shared with affected organisations in advance of an update meeting with council officers on 17 June 2011.</p>
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<p>Main issues of proposals in relation to equality, diversity and social cohesion (e.g. access, cultural sensitivity, impact of service change/policy etc.)</p>	<p>Consideration of the impact of proposals on equalities is being carried out in accordance with Southwark Council’s Equality and Human Rights Scheme, 2008–2011⁹. It should be noted, however, that this scheme was scheduled to come to an end during May 2011. Further guidance received from the council’s corporate strategy department highlighted that, while equality considerations should still be undertaken, there was no longer a need to send this to the Equality and Diversity Panel for feedback.</p> <p>In addition, from April 2011 a new Public Sector Equality Duty (PSED) “general duty” was introduced as part of the Equality Act. This requires all public sector organisations to ‘eliminate unlawful discrimination, harassment and</p>
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⁹ http://www.southwark.gov.uk/downloads/download/281/equalities_and_human_rights_scheme_2008_to_2011

victimisation’, ‘advance equality of opportunity between different groups’ and ‘foster good relations between different groups’. It is in this context that all the council’s work needs to be taken forward. It is also important to note that, from a national perspective, confirmation is still outstanding on the specific details of requirements to meet the Public Sector Equality Duty (as outlined in the Equality Act 2010¹⁰).

As part of the budget strategy process, an equality impact assessment was completed on the overall vision for adult social care in Southwark and the key budget proposals¹¹. This provided some initial scoping work on the voluntary sector open access day services/lunch clubs. It was published alongside the budget strategy proposals for decision at Cabinet and Council Assembly.

In addition, as part of consultation development, background work was completed to identify key areas for further equality considerations. This highlighted that there was the need for further work on:

- Understanding the number of people with eligible care needs accessing individual services
- Any specific equality considerations raised during the consultation process
- Ensuring that any service specification development recognised the diverse population in the borough and could demonstrate how proposals would support people to access personalised services that acknowledged the needs of different groups of people.

These areas are considered in more detail in the rest of the document. Overall, the proposals have greatest impact on **older and disabled people in Southwark**, both with and without eligible care needs, due to the focus of the services. In addition there is the need to consider the impact on **black and minority ethnic (BME) communities** as a number of services receiving council contributions are for specific individual communities or specifically for Afro-Caribbean communities.

Considering the scoping work with organisations on attendance at services and the population projections for people aged 65+ in Southwark, only around 1.5% of the Southwark 65+ population is represented within the day services/lunch clubs (around 394 people attending and a 65+ population in Southwark of 25,200¹²). When looking at 2010/11 performance data for the number of people receiving adult social care services aged 65+, this suggests up to around 7% of users are accessing these services. Therefore, this relates to only a small proportion of both

¹⁰ Equality Act 2010 – Part 11, Chapter 1, ‘Public Sector Equality Duty’, 149(1) http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

¹¹ http://www.southwark.gov.uk/downloads/download/2631/budget_equality_impact_assessments

¹² Population figure from ONS, 2008 Final Mid-Year Population Estimates (2001 Census based)

the overall older population in Southwark and older adult social care clients. Community support projects are also open access and available to all. Although being re-commissioned, we do not propose for this open access element to change. We will also continue to commission key statutory elements of such services.

For those people with eligible care needs, there is also the potential for an impact on **carers**, the majority of whom tend to be **women**.

It is important to note that, as these are not council-run services, it is not wholly the council's decision as to whether or not they should continue to operate. Mitigating actions are focused around providing organisations with appropriate support to enable them to collaborate and transform to offer personalised approaches, while recognising that there is a need for all services to be able to operate in a more financially self-sustainable way in the future.

In addition, as we seek to move to embed the personal budget model for people with eligible care and support needs, individuals will take greater charge of their purchasing decisions. It may happen that services that do not offer people the opportunities they want to achieve their needs and outcomes find that their services are no longer viable in the local marketplace. The council will continue to ensure that key statutory elements, for example appropriate advocacy, are part of commissioning arrangements and seek to work with people using services and providers to develop a vibrant and effective marketplace in Southwark. However, this does not mean that services may not have to change over time.

Finally, although this analysis is focused on considering these proposals specifically, it is acknowledged that services across health and community services and wider departments are having to consider a range of options for making savings and reducing budgets, as a consequence of the reduction in central government funding available to local authorities. Proposals are also at different stages of implementation and development. We recognise that we will need to work closely with partners across the council, both within adult social care and in areas such as housing and employment, to understand the cross-cutting impact of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.

The council's overall statement on equalities as part of the budget strategy acknowledged that many of the savings proposals across areas would impact on disabled people, older people and women, as these groups tend

to have greater need of public services. This is also the case for these specific proposals. Mitigating actions are focused on trying to support organisations to think about ways in which they can become more self-sustaining and support people to live independently and well at home, connecting with their local communities.

For people with eligible care needs, we are not proposing to remove care but to enable people to be re-assessed and think about how best they would like to meet their care and support needs in the future. It is possible that re-assessment may highlight some people are no longer eligible for services but this would always be carried out in line with national requirements and guidance on eligibility and assessment.

In implementing proposals it will be important to monitor and understand the impact on equality strands, including engaging with the community in doing so. As part of the council's work to update its equality and human rights policy the council will in future be working with the Forum for Equalities and Human Rights (FEHRS), who will act as a "critical friend" for equality. FEHRS is hosted by the CAB and can facilitate community engagement in thematic areas.

Section 2: Pre-implementation equality analysis

This section considers the impact of proposals on the key equality strands outlined in the Equality Act 2010 and proposes mitigating actions where appropriate.

3.1 Disability (mental, physical, sensory, long term health, learning disabilities)

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

This equality strand will be affected by the proposals, as there are a number of people with disabilities who have eligible care needs accessing the voluntary sector day services/lunch clubs. As the services also allow people without eligible care needs to attend, there are likely to be some disabled people accessing the services who do not meet the council's eligibility criteria. In addition, the community support services have historically been open to all people, thereby including people with disabilities.

The risk is that, by removing the ongoing block contract council contribution to organisations and seeking to focus on income from personal budgets, some organisations will not be able to continue to operate long-term. While care and support services would not be withdrawn from anyone with eligible needs if organisations ceased operating, they may need to think about alternative ways of meeting their needs and accessing services in the future.

Similarly, for people who may have disabilities that are below the eligibility criteria for ASC support (a minimum of 39% of people currently accessing the day services/lunch clubs according to information provided by the affected organisations) may need to find alternative arrangements or considering making a contribution to the services they access. In fact, a number of organisations currently make a charge for lunch to those attending their services. Scoping work with organisations suggests that a majority of people attending the services are doing so for issues around social isolation and a proportion are to support respite for carers.

In addition, we need to consider that day services are being reviewed across all client groups in adult social care, so there is the potential for multiple impacts. This is part of the transformation and savings process. The timing of proposals differs for different services and so it will be important to consider the wider potential impacts on making decisions in the future.

During the consultation feedback process, it was suggested by some organisations that people who did not have eligible care needs were not able to make use of transport themselves in order to attend services. However, it was not clear as to the evidence base for this assertion.

A summary of mitigating actions around this is outlined below.

Mitigating actions

Some of the mitigating actions around continued operation may actually also be impacted by decisions of the organisations themselves. In information conversations with organisations as part of the consultation process, several have suggested that they could continue to operate for a further period after current council funding arrangements ceased by making use of some of their organisational reserves (to which council funding is likely to have contributed) as they continued to work to develop future business models use of organisational reserves.

Work with organisations during the consultation period to scope out the number of people at each service with eligible care needs resulted in a higher figure than originally anticipated across a number of services. This supported and influenced the recommendation to focus on a move to a personal budget model in a timely way as a means of enabling people to choose to purchase culturally appropriate services that best meet their needs, recognising the diverse range of provision in the borough, and in preference to selecting a smaller number of specific groups to receive ongoing council block contract funding. The council supports embedding a personal budget model across all services to enable people to exercise greater choice and control over the care and support they access and promoting independence. This means that people will increasingly become purchasers of their own care and support, and may decide to employ people directly to support them in meeting their outcomes both for personal care and for issues such as social isolation.

Adult social care services have also been developing a new model for day opportunities for people with physical disabilities, in the form of the Southwark Resource Centre. This aims to support people to develop training and skills and engaging with the local community to support greater independence for individuals and will remain available for disabled people in the borough.

Furthermore, our approach to wider adult social care services is an increasing focus on short-term interventions to support people to maintain or regain their independence, rather than a long-term dependency on specific services, for example through re-ablement services. This approach is to be embedded in all adult social care services and providers will need to make sure that their approach is supportive of personalised services that promote independence and wellbeing. There is some emerging evidence to suggest that the use of re-ablement type services can result in improved health-related and social care-related quality of life, as well as being cost effective and being associated with a decrease in subsequent social care service use over time¹³. Early re-ablement work in Southwark has also suggested that a large proportion of people using the re-ablement service have not accessed an ongoing care package afterwards although further work will be required to understand the longer-term outcomes in this area.

A decision has recently been taken to close one of the council's in-house day services for older people, Holmhurst, which may contribute to multiple impacts for disabled people accessing services. Consideration of equality impacts was completed separately as part of this proposal, including a range of mitigating actions. This equality analysis highlighted that the services available from Holmhurst could be appropriately met through other existing services, and also that service users would be sensitively and appropriately reviewed to discuss their future options and minimise disruption for them. Service users will continue to be able to access the remaining in-house day care services available, if that is the best thing for them to meet their needs.

The equality impacts considered through the Holmhurst proposal also highlighted the projection of an increased number of people with particular mental health needs, such as dementia, in the future. It will be important to consider this future demographic, both for in-house and voluntary sector services, in the longer-term, in terms of the availability of appropriate services for individuals. At present, council in-house day services are involved with a number of clients with mental health issues. At least one of the voluntary sector organisations are also experienced in offering support to older people with mental health needs and their families. Furthermore, the council commissions a specific number of mental health day services, which remain available to people. However, as mentioned previously, the pattern of service may well change over time as people start to take advantage of using personal budgets to purchase individual services. The department will need to continue to be aware of this based on the decisions of individuals as the market develops.

Proposals for day services in other client groups are being considered later in the budget period and will also need to take into account the impact of decisions in this area as well as the long-term vision for the future of services.

The council has already invested £0.5million of reserves in providing further funding to organisations to give them time to think about their future service models and opportunities, including accessing alternative sources of funding, thinking about charging for some services, fundraising for additional support, making more use of volunteers rather than paid staff, etc. This has extended the funding period for organisations until the end of August 2011.

¹³ Glendinning, C, Jones K, et al. (2010) *Homecare Re-ablement Services: Investigating the longer-term impacts (prospective longitudinal study)* –Personal Social Services Research Unit University of Kent & Social Policy Research Unit, University of York

The proposal to include an innovation fund, supporting organisations to become financially self-sustaining and promote community cohesion, as well as supporting effective, personalised services that promote independence and wellbeing and support people to engage in their local communities is a further mitigating impact. Organisations could consider their future business model and work with other organisations, as appropriate, to develop innovative solutions for future operation. The criteria would need to be developed to recognise the diverse range of provision in the borough and consider how best to support this, alongside a desire to promote community engagement and cohesion along with ongoing financial sustainability and providing effective, personalised services for individuals. This could also enable continued operation of a range of services to give people ongoing choice and control of services on which they wish to spend their personal budgets.

Good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners in developing this – getting the views of people who use services will remain important. In addition, a single point of informed contact for adult social care services is being developed. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

On the issue of transport, there are a range of options for people who need support in being able to get out and about. The council continues to offer Freedom Passes for disabled people, and older people of retirement age (recognising that this is changing in line with the national changes to retirement age). This offers free/subsidised travel to support people in getting out and about. The council also offers a Dial-A-Ride service available for disabled people who cannot use trains, buses or the Tube. In addition, for people with eligible care and support needs, there is additional support available through a Taxicard scheme. Although a consultation is currently being held on how to ensure best use of resources for this in the future, there are no proposals to withdraw the scheme for Southwark residents¹⁴. There are also other local initiatives around offering low-cost transport for community groups and local people (such as Lambeth and Southwark Community Transport (LASCOT)).

In addition, there has been some interesting work by St Christopher's Hospice, which provides support for people approaching the end of life and their carers and families, made use of national and local research and focus group work to redefine their approach to day care provision and reshape services based on what worked best for individuals using the service. This included looking at transport options for people attending services. The centre currently has 44% of people making their way to the centre independently, compared to just 9% before the service transformation.

Access will also be an important consideration in assessing bids for the innovation fund and location of appropriate services. Based on information provided by organisations, almost a quarter of people using services are based in the SE15 postcode, the largest concentration of any postcode in the borough.

¹⁴ http://www.southwark.gov.uk/info/200148/independent_living_for_adults/2145/taxicard_consultation

3.2 Age

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

All of the voluntary sector day services/lunch clubs are focused on providing services to older people (65+), although the BEGS Somali project also supports people from 55+. Scoping work with relevant organisations suggests that there are around 394 people (aged 55+) accessing these services. This represents around 1.5% of the 65+ population in Southwark (as highlighted previously).

Community support services are commissioned for all age ranges, although some providers do have particular experience of supporting older people. However, we still wish to commission these services in future, but are thinking about a more cost-effective model.

There is again the issue around the council's in-house day services for older people being reviewed at the same time. Key issues and mitigation are covered in the above section.

Similarly, the issue of transport raised through the consultation is important for this strand too. A summary and mitigating actions are covered in the above section.

Mitigating actions

It is recognised (and was raised as part of the consultation process) that there is some evidence to suggest that issues such as social isolation, depression and potentially malnutrition can all impact on people being able to remain independent and well at home. However, the evidence is much less clear on the best mechanism to support and achieve this. Work done with older people in the borough by the Southwark Circle Community Interest Company in building their business case highlighted that low level help is important to keeping older people feeling well. It also noted that people's needs are episodic and fluctuate, which means that they do not always need ongoing services. It also highlighted that older people want to contribute and participate, being part of wider society, in big and small ways – social connections are also very important¹⁵. Furthermore, scoping work has suggested that a majority of attendees at the services are attending to support them in minimising social isolation.

In recognising that these things are important, it is also vital to note that there are a range of services available to individuals in Southwark that operate in this way and can support people to engage with their local communities and access social and practical support. The SE Village, HOurBank and Southwark

¹⁵ Southwark Circle CIC *Southwark Circle CIC, Business Case* (2009)

Circle are all self-sustaining models that are open to all for social, practical support, which people can choose to access if they wish. While there are some charges associated with some services in terms of provision of practical support, it is generally envisaged that people would make use of appropriate benefits in support of this (and indeed is broadly the intention of those nationally-available benefits). Local information also suggests that people are prepared to pay an appropriate charge for these services if necessary.

As highlighted above, good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners in developing this – getting the views of people who use services will remain important. In addition, work has begun to develop a single point of informed contact for adult social care services. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available. We recognise that it will be important to consider, as part of this, the formats in which information is available locally, to ensure that everyone can make use of the information and advice provided. This will be available to all residents.

The opportunity for people to take advantage of personal budgets so that they can choose to purchase the services that best meet their needs may also provide support to older people in accessing the services they want and that support them to live independently and well. There is, however, currently some national evidence to suggest that older people may need a greater degree of support to access the benefits of personal budgets¹⁶. We know this is important, and some key areas that are being considered are:

- Focusing on how the council can support development of a diverse provider market in Southwark, so there are appropriate services available on which people can spend their personal budgets
- Access to good quality information and advice (as highlighted above)
- A focus on support planning so that people can identify how best to meet their needs and achieve the outcomes they want, with the development of an effective brokerage service that people can also use to access services – this model is being piloted and will be used to agree and roll out a model for the whole system during 2011
- Making sure support and advice is available on the implications for people of managing their own money (through a range of providers and support organisations), including payroll and employment requirements, for example.

It is also important to note that a survey of social care service users in Southwark, undertaken by DEMOS in Autumn 2010, indicated that although older people wanted to socialise and decrease isolation, they were less likely to use personal budgets to fund traditional day services than previously anticipated (a reduction of 12% in numbers for people who took up the personal budget option (or who stated how they believed they would spend their personal budget in the future)¹⁷. These findings are consistent with those found nationally by DEMOS.

¹⁶ Glendinning, C. et al, Individual Budgets Evaluation Network (IBSEN) (2008) *Evaluation of the Individual Budgets pilot programme: final report*, IBSEN, London

¹⁷ The sample is based on initial findings of the 156 DEMOS respondents in Southwark who answered both before and after questions on the survey.



3.3 Race/Ethnicity

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

The current lunch club/day services offered by the voluntary sector provide provision for a number of specific communities. Of the 12 lunch clubs/day services currently receiving some form of council funding, one third (4) are open to all communities, one quarter (3) are specifically for Afro-Caribbean communities and the remaining five are for specific individual communities. This clearly represents a diverse range of provision in the borough. We recognise that any reduction in the council contribution to these groups could possibly have an impact on the discretionary services available to people in those communities, particularly around the availability of culturally-sensitive services. The ethnicity profile for older service users in Southwark (based on annual performance data for 2010/11) is broadly in keeping with the ethnicity profile for the borough as a whole, although it appears that a slightly larger proportion of people who consider themselves to be Black or Black British use adult social care services when compared with the overall population for people aged 65+¹⁸. However, the day services/lunch clubs available do not particularly reflect the balance of ethnic profile for older people in the borough, or of adult social care service users, as the specific communities (excluding Black/Black British/Afro-Caribbean communities) make up less than 5% of the 65+ population in Southwark¹⁹.

During the consultation process, there was feedback from some provider groups that a number of services offered translation/interpretation services to their customers (though not necessarily as part of their contractual obligation) and they felt there was a risk that this could be lost with reduced funding, with a corresponding negative impact.

The mitigating actions outlined below demonstrate how the council is trying to make sure that culturally appropriate services are available and that people can choose the types of services that would best meet their own needs.

Mitigating actions

During the initial consultation period, we worked with organisations to scope out the potential number of users at each service with eligible care needs. The result was a higher figure than initially anticipated, based on the information provided by organisations. This has supported our recommendation to focus on a move to a personal budget model as fast as possible to enable people to choose culturally appropriate services that best meet their needs, recognising the range of diverse provision in the borough, rather than selecting one or two specific groups to receive ongoing council funding.

¹⁸ Compared with 2007 data on whole population ethnicity in Southwark from www.poppi.org.uk
¹⁹ Based on information from POPPI experimental estimate statistics on ethnicity of people 65+, year 2007, www.poppi.org.uk

The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This enables individual culturally sensitive responses to be agreed with individuals. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for black and minority ethnic (BME) groups in terms of improved access to culturally sensitive, tailored support. However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work.

In fact, in Southwark, of those older people who use personal budgets a higher proportion are from BME communities than compared with the overall ethnicity profile of service users (26% of people 65+ with PBs are from BME communities, compared with 17% of service users from BME communities overall. This figure increases further when we focus on people using direct payments or wholly self-managed personal budgets, to 41%²⁰.) This demonstrates there is potential for a positive impact on BME groups given how they have already taken advantage of managing their own money and personal budget models.

Our proposal to include an Innovation Fund, supporting organisations to become financially self-sustaining, and promote community cohesion, in line with the wider corporate approach to the voluntary sector could also support organisations to refine their business model and continue to operate effectively. The innovation fund criteria could also be developed recognising the diverse range of provision, and how this can best be supported, while recognising the need to become financially self-sustaining and potentially consolidate further. We will also need to consider how support can be available in a way that promotes community cohesion and fosters better relationships between groups with and without protected characteristics (as highlighted in the Public Sector Equality Duty from the Equality Act 2010²¹). Organisations will also have the opportunity to bid for the re-developed service specification for open access community support projects. Again, personalised effective services, supporting community engagement and connectedness for local people will be key parts of this specification, which we will develop over the coming months in conversation with local partners.

Furthermore, the council continues to offer all residents the benefit of a translation and interpretation service to enable them to access and make use of council services²². For individuals who are adult social care customers, translation/interpretation is available during assessment or review processes. We are not aware of any proposals to remove this service.

Informal conversations with some of the groups have suggested some of them are already looking at how they could get the best out of their resources by sharing building space. This would enable them to offer the culturally-tailored support to individuals as necessary but could share buildings to do this. As

²⁰ Based on annual performance data in Southwark for 2010/11

²¹ Equality Act 2010 – Part 11, Chapter 1, 'Public Sector Equality Duty', 149(1) http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga20100015_en.pdf

²² http://www.southwark.gov.uk/a_to_z/service/134/translation_service

only a minority of the groups operate throughout the week, there is scope for this to be achieved through discussion and collaboration.

3.4 Gender/Gender Identity (inc. gender reassignment)

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

As a result of longer life expectancy more women than men use adult social care services and this is also true for Southwark where a majority of adult social care service users are women. It remains true for people using these particular voluntary sector day services/lunch clubs. In addition, women are more likely to be carers than men (58 percent of carers were women according to the 2001 Census). This has the potential for a greater impact on women if these organisations do not continue to operate in the future.

We are not aware that any specific gender re-assignment issues are currently being addressed through these services. However, organisations would need make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for transgender people (for example even in just being able to select for themselves the gender of their carer). However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work. As we are seeking to focus on supporting people who use these services to take advantage of personal budgets (as part of the wider approach in ASC), there is also the potential for this to support any future service users who may need specific support.

The issue around carers is considered in more detail in section 3.7 below.

Mitigating actions

Mitigating actions are similar to those outlined above. This includes supporting organisations to have a future income stream through personal budgets, if service users wish to take advantage of this and the availability of an Innovation Fund to support new ideas and models that promote independence, wellbeing, community engagement and personalisation, as well as being self-sustaining.

Good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners as to key things that should be considered in commissioning this. In addition, a single point of informed contact for adult social care services is being developed. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

3.5 Religion/Belief

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

The current organisations do not receive council funding for specific activities linked to religion or belief. However, we are aware that some groups, for example the BEGS Somali group, do assist their customers to appropriately practise their beliefs while using services. In addition, organisations will need to make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

As with some other areas considered above, for people with eligible care needs who access services, the drive towards personalised services and responses for people, combined with the personal budget offer, can provide opportunities for people to purchase services that are culturally sensitive for their needs. We would expect organisations to be aware of this if they wish to take advantage of the personal budget model and charge people with personal budgets for services they can provide.

3.6 Sexual Orientation

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

We are not aware that any of the current services (either day services/lunch clubs or community support services) provide specific services for those from the lesbian, gay or bisexual communities. However, organisations would need make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

We are aware the former Commission for Social Care Inspection (CSCI) found that people from lesbian, gay and bisexual communities may find themselves in an assessment process that fails to correctly identify their needs, which is likely to result in the provision of services that inadequately meet the needs of individuals²³. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This should enable personalised responses to be agreed with individuals, and should take into account any needs arising specifically as a result of an individual's sexual orientation.

²³ CSCI (2008) *Putting People First: equality and diversity matters – providing appropriate services for lesbian, gay and bisexual and transgender people* CSCI, London

3.7 Carers

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

While not a specific equality strand in the Equality Act 2010, it is important to note that Act covers the issue of discrimination by association, which may have an impact on those caring for people with an adult social care need.

There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers. The role of services in supporting carers was also raised as part of the consultation feedback process. We recognise the key role that carers play, both in delivering care and in preventing people's care needs from increasing.

We also recognise the fact that day opportunities need to think about the availability of respite for carers in certain circumstances. It is possible for people with caring responsibilities to request a carer's assessment to look at how carers can continue with their caring responsibilities, maintain their own health and well-being or help when they can no longer care.

Mitigating actions

In adult social care services, we are already developing proposals for effective, targeted interventions that can provide help and support for carers. This includes working with carers' representatives to target commissioning activity through a carers' hub. This is anticipated to provide a more effective service and place greater emphasis upon locating and supporting carers who are in crisis and greatest need. We continue to recognise the need for respite care for people with caring responsibilities and all of our work towards service transformation and giving people choice and control over their care and support is designed to enable people to make the best choices for them about how that support should be delivered.

Carers' assessments remain available for people with a role to request from the council, in terms of thinking about support to enable them to continue with that caring role.

3.8 Pregnancy and maternity

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

It is not expected that proposals will have a differential impact on the equality strand of pregnancy and maternity (as outlined in the Equality Act 2010), consequently it has not been considered in detail here.

3.9 Marriage and civil partnership

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

Marriage and civil partnership is included as a protected characteristic in the Equality Act 2010 in relation to the specific need to ‘eliminate discrimination, harassment, victimisation or other prohibited conduct’. It is not anticipated that these proposals will have a differential impact on this equality strand in relation to the requirement to have due regard to this. Consequently, it is not considered in detail here.

3.10 Human rights

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

In line with the council’s equality and human rights policy, the issue of human rights is also considered within this analysis. In line with a human rights-based approach, we have sought to engage with partners who provide and make use of these services to comment and, where appropriate, propose alternatives for the delivery of savings and transformation of services. There is further detail on this engagement in the ‘Consultation’ section of this document. An approach that supports people to engage with their local communities and use mainstream services wherever possible is also designed to support people while positively considering their human and civil rights.

It is also important to note some details from an Equalities and Human Rights Commission (EHRC) report on the future of care and support, particularly in light of the personal budget approach. This highlights the need to consider the balance between risk taking and financial and personal safety in promoting greater independence for older and disabled people, particularly through personal budgets and the importance of taking a proportionate approach²⁴. This is something we are considering throughout all of our work to transform adult social care. The council’s policy and processes around safeguarding will remain in place, and we will seek to support and develop a culture of positive risk-taking that emphasises the need for all partners to engage.

²⁴ Equality and Human Rights Commission *From safety net to springboard: a new approach to care and support for all based on equality and human rights* (2009)

Section 3: Equality analysis conclusions and further actions

4. Resource Implications	
<p>Will there be any financial or HR implications in ensuring policy/service redesign are non-discriminatory?</p> <p>Provide specific detail where applicable</p>	<p>These proposals are focused on charitable/voluntary sector organisations, consequently no council employees are directly affected by these proposals.</p> <p>The savings identified are part of the overall budget proposals to achieve the necessary spending reductions as a consequence of the reduced grant available to local authorities from central government. The council has recognised that, in order to support a move to personal budgets for organisations in a timely way, there will need to be an investment in council staffing resources in order to complete the necessary re-assessments/reviews of individuals. The estimated cost of an appropriate team is £7,000 per week (estimated timescale of eight weeks so total estimated cost £58,000). Funding for this will be from budget identified to support clients transferring to new home care contracts.</p>

5. Further EIA Actions		
Based on the Initial Assessment above. Please detail key areas identified as requiring more detailed analysis or key mitigating actions. Please be explicit about actions and provide the name or supporting documents		
Number	Description of Issue	Action & Output
1	Ensure that relevant individuals are reviewed/re-assessed to understand and identify their key needs and outcomes, including supporting them to take advantage of personal budgets to purchase their own care and support services (by end August 2011)	Support service users to access personalised services that best meet their identified needs and outcomes. Provide clarity to organisations on potential income available from personal budget model and enable them to develop their own charging mechanisms.
2*	Develop and launch innovation fund	Support transformation to model of self-sustainable, innovative models of service for older people that promote independence,

		wellbeing, community engagement and outreach work
3*	Develop and launch revised service specification for community support services, with partners by April 2012	Support transformation to model of self-sustainable, innovative models of service for older people that promote independence, wellbeing, community engagement and outreach work, as well as supporting social inclusion, quality information and advice to support people to support themselves and stay independent and well for as long as possible
4	Ongoing discussions between departmental project leads on interactions and dependencies of day services savings projects across different client groups	Enable a holistic approach to service transformation and better understanding of multiple impacts to inform recommendations, service design and delivery
5	Market management role in commissioning (ongoing)	Supporting development of an effective provider market in Southwark so that there are services available on which people want to spend their personal budgets
6	Ongoing review of equality impact on policies	Following consultation and engagement, and otherwise at regular intervals, proposals to be reviewed by project leads to ensure that equality impact is well understood and up to date, in line with any national requirements and finalisation of council's equality and human rights policy.

Note: actions marked with '*' are subject to any final decision made by Cabinet on the proposals.

7. Publication

This assessment will be made available to both the council's Corporate Management Team and the council Cabinet in order to support the decision-making process. Consequently, it will be published alongside relevant papers in line with the council's timescales for decision-making.

8. Governance & Sign Off

Detail governance process for this EIA, including any sign-off

As part of the decision-making process, information on equality considerations will be made available both to the council's Corporate Management Team (CMT) and to the council Cabinet. While the decision can be taken by individual decision-making, in this case the matter is being referred to Cabinet for a

	<p>decision. This EIA is therefore being considered as part of that process and not separately.</p> <p>Comments can be received either from CMT or the Cabinet and will then be addressed accordingly.</p>
Signed-Off by Director, Assistant Director or SRO	<p>Name: Sarah McClinton</p> <p>Date: 6 July 2011</p>