

Shropshire Equality and Social Inclusion Impact Assessment (ESIIA)

Contextual Notes 2014

The What and the Why:

The Equality and Social Inclusion Impact Assessment (ESIIA) tool replaces the Equality Impact Needs Assessment (EINA) tool previously in use by Shropshire Council. It is a tool to help us to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

What we are now doing is broadening out such assessments to consider social inclusion. This is so that we are thinking as carefully and completely as possible about all groups and communities in Shropshire, including people in rural areas and people we may describe as vulnerable, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age, eg Gender Reassignment. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services, such as through a new policy or a change in procedure. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010 to have what is called *due regard* to the three equality aims in our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

The How:

The assessment comprises two parts: a screening part, and a full report part.

Screening (Part One) enables energies to be focussed on the service changes for which there are potentially important equalities and human rights implications. If screening indicates that the impact is likely to be positive overall, or is likely to have a medium or low negative or positive impact on certain groups of people, a full report is not required. Energies should instead focus on review and monitoring and ongoing evidence collection, enabling incremental improvements and adjustments that will lead to overall positive impacts for all groups in Shropshire.

A **full report (Part Two)** needs to be carried out where screening indicates that there are considered to be or likely to be significant negative impacts for certain groups of people, and/or where there are human rights implications. If you are not sure, a full report is recommended, as it enables more evidence to be collected that will help you to reach an informed opinion.

Shropshire Council Part 1 ESIIA: initial screening and assessment

Please note: prompt questions and guidance within boxes are in italics. You are welcome to type over them when completing this form. Please extend the boxes if you need more space for your commentary.

Name of service change

Maesbury Metals and Cornerpatch day opportunities.

Aims of the service change and description

To transfer the services at Maesbury Metals and Cornerpatch to an external provider in line with the Council's wish to no longer provide all day opportunities and develop a diverse social care market.

Following transfer the service can attract investment and grants into the service which the Council is not in the best position to access.

To widen target service user group and enable people to move to more open employment or training.

Intended audiences and target groups for the service change

Day centre users with a learning disability

Day service staff

Families of Service Users

Carers of Service Users

Advocacy organisations

Evidence used for screening of the service change

Appendix 1 has details of consultation and service user views.

Consultation meetings – see below

Group advocacy meetings for ALD clients facilitated by Taking Part (Advocacy organisation). Taking Part have supported service users throughout the procurement process leading up to transfer.

Accessible documents have been produced by Taking Part and shared with Shropshire council, reflecting the views and wishes of the service users attending the two services and highlighting the things that are most important to them at this time.

Overall continuity of care will remain for existing users with the same staff group and key working staff as the staff team will transfer under TUPE regulations to the new provider.

The existing workforce will have terms and conditions of employment protected through a

transfer to the preferred bidder under TUPE regulations.

The preferred bidder will bring additional expertise, diversity and choice to the care sector in Shropshire.

Specific consultation and engagement with intended audiences and target groups for the service change

Appendix 1 has details of consultation meetings and service user views.

Maesbury Metals service users, carers and staff on
3rd June 2015,
17th June 2015,
30th July 2015,
17th August 2015,
16th June 2016,
6th October 2017.

Cornerpatch service users, carers and staff on
29th May 2015,
30th July 2015,
19th August 2015
17th October 2016,
6th October 2017.

Potential impact on Protected Characteristic groups and on social inclusion

Guidance notes on how to carry out the initial assessment

Using the results of evidence gathering and specific consultation and engagement, please consider how the service change as proposed may affect people within the nine Protected Characteristic groups and people at risk of social exclusion.

1. Have the intended audiences and target groups been consulted about:
 - their current needs and aspirations and what is important to them;
 - the potential impact of this service change on them, whether positive or negative, intended or unintended;
 - the potential barriers they may face.
2. If the intended audience and target groups have not been consulted directly, have representatives been consulted, or people with specialist knowledge, or research explored?

3. Have other stakeholder groups and secondary groups, for example carers of service users, been explored in terms of potential unintended impacts?
4. Are there systems set up to:
 - monitor the impact, positive or negative, intended or unintended, for all the different groups;
 - enable open feedback and suggestions from a variety of audiences through a variety of methods.
5. Are there any Human Rights implications? For example, is there a breach of one or more of the human rights of an individual or group?
6. Will the service change as proposed have a positive or negative impact on fostering good relations?
7. Will the service change as proposed have a positive or negative impact on social inclusion?

Guidance on what a negative impact might look like

High Negative	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available: urgent need for consultation with customers, general public, workforce
Medium Negative	Some potential impact, some mitigating measures in place but no evidence available how effective they are: would be beneficial to consult with customers, general public, workforce
Low Negative	Almost bordering on non-relevance to the ESIIA process (heavily legislation led, very little discretion can be exercised, limited public facing aspect, national policy affecting degree of local impact possible)

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg young person with disability)				Minimal impact. These services will continue to meet the needs of people 18 and upwards as they currently do.
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				Minimal impact. The day services are currently provided for people with learning disabilities who may also have a mental health issue and some physical disabilities and this will

				continue under a new provider.
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Minimal impact. The day services is available to all users regardless of gender.
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				Minimal impact. The day service is available to all users regardless of marital status.
Pregnancy and Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Minimal impact. The day service is available to all users subject to the appropriate risk assessment for that environment.
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				Minimal impact. The day service is open to all users regardless of race.
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				Minimal impact. The day service is open to all users regardless of religion or belief
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)			There are currently 8 female service users and 16 male users at Maesbury metals and Cornerpatch	Minimal impact. The day service is open to all users regardless of sex and users will be supported accordingly
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				Minimal impact. The day service is open to all users regardless of sexual orientation
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people you consider to be vulnerable)				Minimal impact. The level of service offered under a new provider will be the same as current and the benefits to carers will remain the same. The level of service can only change following a reassessment under the Care Act. The fairer charging policy will continue to apply to the care package. The services provide employment for 4 female staff, some of whom work part time. Staff would be protected by TUPE transfer.

Decision, review and monitoring

Decision	Yes	No
Part One ESIIA Only?	Yes	
Proceed to Part Two Full Report?		No

If Part One, please now use the boxes below and sign off at the foot of the page. If Part Two, please move on to the full report stage.

Actions to mitigate negative impact or enhance positive impact of the service change

The provider selected has national experience of supporting people with a learning disability and experience of developing employment and task focussed services.

The provider has spent time in both services to get to know the service users and staff to ensure continuity of care following transfer.

Overall continuity of care would remain for existing users with the same staff groups and key working staff as the staff teams would transfer to a new provider.

The service will continue to provide daytime respite for carers and families.

The existing workforce will have terms and conditions of employment protected through a transfer to the preferred bidder under TUPE regulations.

A new provider will aim to increase opening days at Cornerpatch shop which will enable more referrals to be considered.

The services will continue to contribute to the local economy.

The new provider may be able to access grant funding that is unavailable to the council.

Actions to review and monitor the impact of the service change

Regular Learning disability Service user forums and regular learning disability carers/family forums are held which will provide continued opportunity for feedback from users and families on social care services.

Following any change in provider, Taking Part, a local advocacy organisation, will continue to talk to the service users on a regular basis and provide feedback to the Council on the quality of the service.

Regular contract monitoring meetings will be held between Adult Social Care and contracts with the new provider to ensure that the quality of the service is maintained.

Activity at Part One screening stage

Names (list those involved in carrying out assessment)	Job titles	Contact details
Gavin Bayliss	Day service manager	01743 257707
Date commenced	15/06/2017	
Date updated		
Date transferred to ESIIA	20/10/2017	
Internal Scrutiny by		

Scrutiny at Part One screening stage

People involved	Signatures	Date
<i>Lead officer carrying out the screening</i>		
<i>Any internal support</i>		
<i>Any external support</i>	Advocacy organisation Taking part	
<i>Head of Service</i>		

Sign off at Part One screening stage

Name	Signatures	Date
<i>Lead officer's name</i>		
<i>Head of service's name</i>		

Appendix 1

Maesbury Metals

Consultation meetings and updates on the outsourcing and transfer were held with Maesbury Metals service users, carers and staff on 3rd June 2015, 17th June 2015, 30th July 2015, 17th August 2015 and the 16th June 2016.

The service users were supported throughout the process and in the meetings by Taking Part, local learning disability advocacy organisation.

The consultation was regarding proposals initially for an organisation to support the services to become more self-sustaining and commercially viable and then following this work to put the service out to tender to then be provided by another organisation under contract with the council.

Initial questions raised by service users and carers included

'What will happen with transport?'

'What will happen to the present staff?'

'My concern is the security, and I need to know my son is safe'

People were reassured that the current staff would continue to provide the service, the contract would be monitored by the council and that transport would still form part of the care package.

People asked if the emphasis would become one of profit, would there be referrals for new service users, would the service be able to make its own decisions and would the council continue with the service if there were no tender responses.

'Its our Maesbury Metals and we want to make decisions about it'

'We like the things we make now'

'After 12 months if things don't work out what happens?'

Ruth Houghton, Head of adult social care explained that referrals would continue to be made to the service; good support, not profit would be the important factor for the council; as the service developed making decisions would be an important part of that and that the council would continue to provide the service if there were no tender responses.

Some examples of service user comments were;

'I would like MM to be a flagship in Shropshire'

'Being in control and choice to change'

'We are part of our community and we want to be involved with our community'

'people to respect that we have a job at Maesbury'

Cornerpatch

Consultation meetings and updates on the outsourcing and transfer were held with Cornerpatch service users, carers and staff on 29th May 2015, 30th July 2015, 19th August 2015 and the 17th October 2016.

The service users were supported throughout the process and in the meetings by Taking Part, local learning disability advocacy organisation.

The consultation was regarding proposals initially for an organisation to support the services to become more self-sustaining and commercially viable and then following this work to put the service out to tender to then be provided by another organisation under contract with the council.

Questions initially raised by service users and carers included

'What if no one wants us?'

'Our main worries is that if after twelve months it was not successful, would the service users have a place?'

'How will it affect our people?'

'What advantages/disadvantages would there be?'

'Would the funding that is in place at present, go across?'

Ruth Houghton, head of adult social care explained that the council would still provide the service if the tender was unsuccessful. She explained that the current staff would be transferred to a new provider with the current funding for those posts. There could be advantages to being not part of the council as they would be able to access more grant funding.

There were other questions relating to the safety of service users such as;

'We have vulnerable people, you need to be careful who you employ'

and 'Will there be checks made on people who will work/volunteer there?'

People were reassured that the same checks and balances would apply as they do currently with the council.

People were in general excited about the future; the comments included:

'We would like more people to come to the shop and do different things'

'What about soap making, silk scarf printing?'

'This is an exciting time to expand and be more independent for my sister and she is happy about these changes'

'We want a bigger shop and to be open for more hours.'

'We want to carry on and "build it up" and to be busier!'

'Can we be kept updated all the time during the twelve months?'

'Some of us think change can be good'

'I like the things we make and like the shop is going well'