

Equality Analysis Evidence Document					
(Please note, this will form part of a public facing document. If you have any questions about this, please contact Equalities@wiltshire.gov.uk)					
Title: What are you completing an Equality Analysis on?					
Recommended closure of 70 Derriads Lane Residential Respite Unit for people with Learning Disabilities.					
Why are you completing the Equality Analysis? (please tick any that apply)					
Proposed New Policy or Service	Change to Policy or Service ✓	MTFS (Medium Term Financial Strategy)	Service Review		
Version Control					
Version control number	1	Date	26-MAR-18	Reason for review (if appropriate)	
Risk Rating Score (use Equalities Risk Matrix and guidance) **If any of these are 3 or above, an Impact Assessment must be completed. Please check with equalities@wiltshire.gov.uk for advice					
Criteria		Inherent risk score on proposal		Residual risk score after mitigating actions have been identified	
Legal challenge		Impact - 2, Likelihood - 1 = 2			
Financial costs/implications		Impact – 1, Likelihood – 2 = 2			
People impacts		Impact – 1, Likelihood – 2 = 2			
Reputational damage		Impact – 2, Likelihood – 3 = 6			
Section 1 – Description of what is being analysed					
<p>70 Derriads Lane is a Residential Respite Unit for People with Learning Disabilities in Wiltshire. The recommendation to close the service has been based on a review and the outcome of a consultation that has taken place.</p> <p>A savings target of £300,000 has been set for the current financial year (2017/18) against Respite for people with learning disabilities to reflect the ongoing reduction of usage and increases in the number of people living in their own accommodation.</p> <p>The recommended closure will not change the eligibility for services nor the allocation of respite with affected customers of 70 Derriads Lane being offered the same amount of respite at other council owned and operated respite services or a direct payment in lieu of directly provided services, if they choose.</p>					

<p>Section 2A – People or communities that are currently targeted or could be affected by any change (please take note of the Protected Characteristics listed in the action table).</p>
<p>The recommended closure of 70 Derriads Lane will affect people with Learning Disabilities.</p> <p>In Wiltshire, there is an estimated 6,893 people with learning disabilities (Projecting Adult Needs and Service Information – 2017 Estimates). Of which around 865 are provided services by Wiltshire Council (12.54% of the estimated people with learning disabilities in Wiltshire).</p> <p>In total 120 people with learning disabilities access residential respite services (13.9%% that are provided services by Wiltshire Council). Out of the 120 people there will be 15 people there are directly affected by the recommended closure who access 70 Derriads Lane Residential Respite Unit (12.5% of people who access residential respite and 1.73% of people who are provided services by Wiltshire Council).</p> <p>The recommended closure will not change the eligibility for services nor the allocation of respite with affected customers of 7 Derriads Lane being offered the same amount of respite at other council owned and operated respite services or a direct payment in lieu of directly provided services, if they choose.</p>
<p>Section 2B – People who are delivering the policy or service that are targeted or could be affected (i.e. staff, commissioned organisations, contractors)</p>
<p>70 Derriads Lane is a council owned and operated service. The staff that are delivering the service are employed by the Council.</p> <p>If the recommendation is approved a separate process will be undertaken regarding the staff of the service.</p>
<p>Section 3 –The underpinning evidence and data used for the analysis (Attach documents where appropriate)</p> <p>Prompts:</p> <ul style="list-style-type: none"> • What data do you collect about your customers/staff? • What local, regional and national research is there that you could use? • How do your Governance documents (Terms of Reference, operating procedures) reflect the need to consider the Public Sector Equality Duty? • What are the issues that you or your partners or stakeholders already know about? • What engagement, involvement and consultation work have you done? How was this carried out, with whom? Whose voices are missing? What does this tell you about potential take-up and satisfaction with existing services? • Are there any gaps in your knowledge? If so, do you need to identify how you will collect data to fill the gap (feed this into the action table if necessary)

70 Derriads Lane is a council owned and operated service. As per the data collection requirements for Adult Social Care, information is collected on customers as part of the assessment process.

A review has been completed of Residential Respite in Wiltshire including the number of nights allocated, the number of nights used and the number of users over the past 3 financial years that has formed the basis for the recommended closure.

The consultation took place between 12 February and 12 March with all customers and their family carers of all in-house residential respite services. Customers and their family carers were notified of the consultation by letter and a questionnaire that included background information about the proposal to close 70 Derriads Lane. As part of the process assistance was offered to people to complete the questionnaire if required.

A full write up of the consultation and the feedback has been completed that will be presented as part of the Cabinet Paper with the recommendation of closure of 70 Derriads Lane. The document provides a full summary of the responses, queries and comments raised during the consultation. This document includes views expressed by customers, their friends and family which officers believe fairly reflect the opinions expressed during the consultation.

In total, there were 26 responses received out of a potential 240 questionnaires that were sent to customers and family carers (10.83% response rate). Of the 30 people (15 customers and 15 family carers) who are directly impacted from the proposals there were 20 responses received (66.66% response rate). In general people are unhappy with the proposal to close 70 Derriads Lane with 75% of responses stating they disagree or strongly disagree with the proposal.

A key concern that was raised was pre-booked respite where families have organized holidays based on the availability of respite. This council will guarantee respite for these pre-booked nights.

The consultation document provides council responses on the feedback received from customers and their family carers.

***Section 4 – Conclusions** drawn about the impact of the proposed change or new service/policy

Prompts:

- What actions do you plan to take as a result of this equality analysis? Please state them and also feed these into the action table
- Be clear and specific about the impacts for each Protected Characteristic group (where relevant)
- Can you also identify positive actions which promote equality of opportunity and foster good relations between groups of people as well as adverse impacts?
- What are the implications for Procurement/Commissioning arrangements that may be happening as a result of your work?
- Do you plan to include equalities aspects into any service agreements and if so, how do you plan to manage these through the life of the service?
- If you have found that the policy or service change might have an adverse impact on a particular group of people and are **not** taking action to mitigate against this, you will need to fully justify your decision and evidence it in this section

The recommended closure of 70 Derriads Lane will directly affect 15 customers and their family carers (12.5% of people who access residential respite and 1.73% of people with learning disabilities who are provided services by Wiltshire Council).

The recommended closure will not impact on the eligibility for services nor the allocation of respite. The closure will result in one of the 4 council owned and operated services closing to reflect lower usage both in terms of number of people accessing residential respite and the number of nights used.

As part of the implementation plan if the recommended closure is approved by cabinet person centered planning will take place with each customer and their family carers regarding how their needs can be met in terms of accessing respite. This will include residential respite at either the 3-remaining council owned and operated services or a Direct Payment in lieu of directly provided services.

A key concern raised in the consultation process was regarding pre-planned respite where families had book respite stays and made plans accordingly. The council will be guaranteeing availability for these stays.

***Section 5 – How will the outcomes from this equality analysis be monitored, reviewed and communicated?**

Prompts:

- Do you need to design performance measures that identify the impact (outcomes) of your policy/strategy/change of service on different protected characteristic groups?
- What stakeholder groups and arrangements for monitoring do you have in place? Is equality a standing agenda item at meetings?
- Who will be the lead officer responsible for ensuring actions that have been identified are monitored and reviewed?
- How will you publish and communicate the outcomes from this equality analysis?
- How will you integrate the outcomes from this equality analysis in any relevant Strategies/Policies?

The implementation of the proposed closure will be overseen by Rhonda Ward, Head of Operations Adult Social Care.

Updates will be provided to the Adult Social Care Departmental Management Team (DMT) as part of the implementation process.

***Copy and paste sections 4 & 5 into any Committee, CLT or Briefing papers as a way of summarising the equality impacts where indicated**

Please send a copy of this document to Equalities@wiltshire.gov.uk

Completed by:		
Date		
Signed off by:		
Date		
To be reviewed by:		
Review date:		
For Corporate Equality Use only	Compliance sign off date:	

Equality Impact Issues and Action Table (for more information on protected characteristics, see page 7)					
Identified issue drawn from your conclusions (only use those characteristics that are relevant)	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions?	When will the action be completed?	How will it be monitored?	What is the expected outcome from the action?
Age					
Disability					
Gender Reassignment					
Marriage and Civil Partnership					
Pregnancy and Maternity					
Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)					
Religion and Belief					
Sex					
Sexual Orientation					
Other (including caring responsibilities, rurality, low income, Military Status etc)					

Calculating the Equalities Risk Score

You will need to calculate a risk score twice:

1. On the inherent risk of the proposal itself (without taking into account any mitigating actions you may identify at the end of the Equality Analysis (EA) process)
2. On the risk that remains (the residual risk) after mitigating actions have been identified

This is necessary at both points to:

- Firstly, identify whether an EA needs to be completed for the proposal and;
- Secondly, to understand what risk would be left if the actions identified to mitigate against any adverse impact are implemented

Stage 1 - to get the inherent risk rating:

1. Use the [Equalities Risk Criteria Table](#) below and score each criterion on a scale of 1 - 4 for the impact and 1 – 4 on their likelihood of occurrence. Multiply these 2 scores together (Likelihood x Impact) to get a score for that criterion (this will range from 1 – 16).
2. Record each of these scores in the [table](#) at the beginning of this document
3. Assess whether you need to carry out an EA using the guidance box below (stage 2).

Stage 2 - to identify whether an EA needs to be carried out:

If your inherent risk score (for any criteria) is:

12 – 16 or Red = High Risk. **An Equality Analysis must be completed.** Significant risks which have to be actively managed; reduce the likelihood and/or impact through control measures.

6 – 9 or Amber = Medium Risk. **An Equality Analysis must be completed.** Manageable risks, controls to be put in place; managers should consider the cost of implementing controls against the benefit in the reduction of risk exposure.

3 – 4 or Green = Low Risk. **An Equality Analysis must be completed**

1 – 2 or Green = Low Risk. **An Equality Analysis does not have to be completed**

Stage 3 - to get the residual risk rating:

1. Repeat the process above when mitigating actions have been identified and evidenced in the [table](#) on page 3 to calculate the **residual risk**
2. Make a note of the residual risk score in the [table](#) on the first page of the EA template

Equalities Risk Criteria Table

<p align="center">Impact</p> <p>Criteria</p>	<p align="center">Low</p> <p align="center">1</p>	<p align="center">Moderate</p> <p align="center">2</p>	<p align="center">Substantial 3</p>	<p align="center">Critical</p> <p align="center">4</p>
<p>Legal challenge to the Authority under the Public Sector Equality Duty</p>	<p>Complaint/initial challenge may easily be resolved</p>	<p>Internal investigation following a number of complaints or challenges</p>	<p>Ombudsman complaint following unresolved complaints or challenges</p>	<p>Risk of high level challenge resulting in Judicial Review</p>
<p>Financial costs/implications</p>	<p>Little or no additional financial implication as a result of this decision or proposal</p>	<p>Medium level implication with internal legal costs and internal resources</p>	<p>High financial impact - External legal advice and internal resources</p>	<p>Severe financial impact - legal costs and internal resources</p>
<p>People impacts</p>	<p>No or Low or level of impact on isolation, quality of life, achievement, access to services. Unlikely to result in harm or injury. Mitigating actions are sufficient</p>	<p>Significant quality of life issues i.e. Achievement, access to services. Minor to significant levels of harm, injury, mistreatment or abuse OR, low level of impact that is possible or likely to occur with over 500 people potentially affected</p>	<p>Serious Quality of Life issues i.e. Where isolation increases or vulnerability is greatly affected as a result. Injury and/or serious mistreatment or abuse of an individual for whom the Council has a responsibility OR, a medium level of impact that is likely to occur with over 500 people potentially affected</p>	<p>Death of an individual for whom the Council has a responsibility or serious mistreatment or abuse resulting in criminal charges OR High level of impact that is likely to occur, with potentially over 500 people potentially affected</p>
<p>Reputational damage</p>	<p>Little or no impact outside of the Council</p>	<p>Some negative local media reporting</p>	<p>Significant to high levels of negative front page reports/editorial comment in</p>	<p>National attention and media coverage</p>

Equalities Risk Matrix

		Acceptable		Actively managed	
Impact	Critical (4)	4	8	12 Significant risk	16 Significant risk
	Substantial (3)	3	6	9	12 Significant risk
	Moderate (2)	2	4	6	8
	Low (1)	1	2	3	4
		Very unlikely (1)	Unlikely (2)	Likely (3)	Very likely (4)
		Likelihood of occurrence			

The protected characteristics:

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). This includes all ages, including children and young people and older people.

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.

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

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.

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.

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' and from 29th March 2014, same-sex couples can also get married at certain religious venues. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

Sex (this was previously called 'gender') - A man or a woman.

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

You are also protected if you are discriminated against because you are **perceived** to have, or are **associated** with someone who has, a protected characteristic. For example, the Equality Act will protect people who are caring for a disabled child or relative. They will be protected by virtue of their association to that person (e.g. if the Carer is refused a service because of the person they are caring for, this would amount to discrimination by association and they would be protected under the Equality Act)