

# Equality Analysis (EIA) Form

## A) Description

### **Name of service, function, policy (or other) being assessed**

Reprocurement of the Learning Disability Community Health Team contract (contract value £970,000 per year plus accommodation costs, currently expires 31<sup>st</sup> December 2017)

### **Directorate or organisation responsible (and service, if it is a policy)**

Adults & Wellbeing Directorate

### **Date of assessment**

8<sup>th</sup> May 2017

### **Names and job titles of people carrying out the assessment**

Adam Russell, Senior Commissioning Officer

### **Accountable person**

Donna Etherton, AD (Commissioning & Transformation), Adults & Wellbeing Directorate

### **What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?**

The Learning Disability Community Health Service is a self-contained clinical team, provided under Local Authority commercial contract by the 2Gether NHS Foundation Trust. The value of the contract is £970,000, the bulk of which is funded via Local Authority base budget, supplemented by £330,000 from the Better Care Fund.

The LD Community Health Service comprises partly of a multi-disciplinary team with a typical mix of CLD nurses and allied health professionals, undertaking assessment long term case management, co-ordination and liaising with other services, alongside a specialist mental health team, incorporating psychiatry, clinical psychology and counselling and working with learning disabled people in diverse ways including diagnostics, group and individual programmes, medication review and specialist programmes.

Current contracting arrangements end in December 2017 and work is currently underway to transfer lead commissioning responsibility for the service to Herefordshire NHS Clinical Commissioning Group. The provider holding the contract from 1 January 2018 onwards will be subject to an NHS contract, a revised performance monitoring run process in partnership with Herefordshire Council under a joint commissioning agreement and to a revised contract specification that incorporates a process of service modernisation and improvement.

### **Location or any other relevant information**

The Learning Disability Community Health Team is hosted by Herefordshire Council at Elgar House.

**List any key policies or procedures to be reviewed as part of this assessment.**

Key decision – see Forward Plan October '17 to March '18.

**Who is intended to benefit from the service, function or policy?**

Herefordshire Council and the Herefordshire NHS Clinical Commissioning Group will benefit by having this clinical service procured and overseen by the organisation with the appropriate expertise and governance. However, the joint commissioning arrangement will ensure that improvements to the clinical service will be taken within the context of the wider lifelong needs of the local learning disability community.

The provider (current and future) of the CLDT service will benefit by being subject to an NHS contract and clinical governance as befits an NHS Foundation Trust.

The local learning disability community will benefit by having a specialist health service that is jointly commissioned and where decisions about the role of learning disability health provision are taken as part of a wider co-produced strategy to ensure the CLDT contributes to positive long-term outcomes.

**Who are the stakeholders? What is their interest?**

Herefordshire's learning disability community and their families; people with learning disabilities often require very specialised health care, including dedicated psychiatry and psychology services, physio/occupational/speech/language therapies and specialist nursing support to enable them to continue to live within the community.

<sup>2</sup>Gether Mental Health and Learning Disability NHS Foundation Trust; as the current provider of the CLDT service, <sup>2</sup>G employ the staff within the CLDT service to provide a clinical role.

Herefordshire Council; currently act as lead commissioner for the CLDT service for historical reasons but lack the clinical expertise and infrastructure to offer appropriate governance for a statutory health service. The council is the appropriate lead commissioner for all other aspects of services for people with learning disabilities in Herefordshire.

Herefordshire NHS Clinical Commissioning Group; have agreed to act as lead commissioner for the clinical services and have agreed to the transfer of the current contract to manage under NHS terms and within the context of a new joint commissioning strategy for learning disability services within the County.

## **B) Partnerships and Procurement**

If you contract out services or work in partnership with other organisations, Herefordshire Council remains responsible for ensuring that the quality of provision/delivery meets the requirements of the Equality Act 2010, ie.

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity between different groups
- Fosters good relations between different groups

What information do you give to the partner/contractor in order to ensure that they meet the requirements of the Act? What information do you monitor from the

partner/contractor in order to ensure that they meet the requirements of the Act?

The current external provider is subject to a standard Herefordshire Council commercial contract that requires them to adhere to the terms of the Equality Act 2010 and aspects of this are monitored during both the procurement process and through regular contract monitoring for the duration of the contract. Furthermore, as an NHS Foundation Trust, the provider is directly answerable to NHS England's regulations that incorporate the same.

**Are there any concerns at this stage that indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, and outcomes of a scrutiny review. Please describe:**

None.

### C) Information

**What information (monitoring or consultation data) have you got and what is it telling you?**

Current monitoring information tells us that <sup>2</sup>Gether are an effective provider delivering a good service (CQC 'good' rating 2016).

Consultation carried out with users of the service and their families during 2016 indicates a high level of satisfaction with the CLDT service.

### D) Assessment/Analysis

**Describe your key findings (e.g. negative, positive or neutral impacts - actual or potential). Also your assessment of risk.**

Strand/community	Impact
Current provider	<p>To continue with the current arrangement is unsatisfactory without appropriate clinical oversight being in place. Transfer to an NHS contract with appropriate governance to oversee a service modernisation process in line with NHS strategic commitments for learning disability would be a positive impact.</p> <p>The terms of employment would be unchanged under either Council or NHS governance (neutral impact).</p> <p>This provision is a statutory requirement so termination of the service is not an option (potential - neutral impact).</p>

LD service users	<p>To continue with the current arrangement is potentially unsatisfactory as it places the budget for the CLDT services at risk of additional Council financial pressures over the duration of another 3-5 local authority contract. Any degradation or reduction of this specialist service provision would place people with a learning disability at a disadvantage compared to the non-disabled population (potential – negative impact).</p> <p>The planned modernisation of the service with an emphasis on reasonable adjustment where possible would place people with learning disabilities on an equal footing within the context of social role / normalisation (positive impact).</p>
Herefordshire Council	<p>If the Council retains the commissioning lead for this service it will be subject to local authority cost pressures over the short and medium term. This will impact negatively on service levels and staffing within the service and will therefore have a long-term impact on the learning disability community's ability to access specialist support to maximise their ability to live healthy independent lives (potential – negative impact).</p>

## E) Consultation

Did you carry out any consultation?

Yes  No

Who was consulted?

During 2016 the AWB commissioning team carried out consultation with the users of the CLDT service and their families to understand how they felt about the services they received.

They also carried out interviews with the health professionals employed within the CLDT to understand their roles and workloads.

Describe other research, studies or information used to assist with the assessment and your key findings.

N/A

Do you use diversity monitoring categories? Yes  No

*(if No you should use this as an action as we are required by law to monitor diversity categories)*

If yes, which categories?

- Age
- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Race
- Religion & Belief
- Sex
- Sexual Orientation

**What do you do with the diversity monitoring data you gather? Is this information published? And if so, where?**

N/A at this time.

## F) Conclusions

	<b>Action/objective/target OR justification</b>	<b>Resources required</b>	<b>Timescale</b>	<b>I/R/S/J</b>
a)	To use diversity monitoring categories in all future consultation carried out in relation to the modernisation of the CLDT provision.	Existing staff resource.	Jan'18 to Mar'18 and throughout modernisation process.	R
b)	Maintaining the current arrangement will lead to a negative impact on people with a learning disability over the next 3-5 years due to degradation / reduction of service levels. Transfer of the service to the NHS will negate this concern to a significant degree and ensure appropriate governance is in place.	Existing staff and budget.	Ongoing – see Forward Plan for decision making process.	R/S
c)				
d)				

**(I)** *Taking immediate effect.*

**(R)** *Recommended to Council/Directors through a Committee or other Report\*.*

**(S)** *Added to the Service Plan.*

**(J)** *To be brought to the attention of the Equality Manager.*

\*Summarise your findings in the report. Make the full assessment available for further information.

NB: Make sure your final document is suitable for publishing in the public domain.