

Equality Analysis (EIA) Form

A) Description

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

Adult Wellbeing Assisted Transport Policy

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

AWB Commissioning

Date of assessment

February 2018

Names and job titles of people carrying out the assessment

Laura Ferguson – Senior Commissioning officer

Accountable person

Director Adult and Wellbeing

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

To provide a policy framework for implementation in regard to the councils responsibilities in relation to provision of transport to meet eligible social care needs.

The aim of this policy is to reflect national and local priorities as set out in the Care Act 2014 and Herefordshire's Health and Wellbeing Strategy complementing Herefordshire Council's approach to delivering Adult's and Wellbeing Services within a framework of promoting independence.

It will do this by:-

- Ensure that council funding is used appropriately to meet eligible social care needs of Herefordshire citizens.
- Ensure the council meets its responsibilities under a legal framework.
- Set out the principles for funding transport in line with the council's strategic direction.
- Provide clear eligibility which will determine the need for transport.
- Ensure an equal approach to all customers.
- Link to the current assessment and care management systems.
- Provide a clear charging structure.
- Provide a mechanism for complaints and appeals.

The corporate plan 2016-2020 states "the council will face increasing demands on the services it provides whilst simultaneously making savings totalling £87 million. This means that the council needs to significantly

change how it operates and the services it runs to focus on greatest need.”

The aim of the policy is to reflect national and local priorities and is based on the following principles:

- Promoting Independence and enablement
- Maximising choice and control
- Compliance with Human Rights Act
- Promoting dignity
- Improving quality of life
- Supporting health and wellbeing
- Accessing local and universal services
- Risk enablement and safety management
- Person-centred and personalised outcomes

Location or any other relevant information

Countywide coverage with a focus on localism for each individual

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

There is currently no transport policy for Adult Wellbeing services.

There are linkages to the following;-

- Care and support meeting your needs policy 2015 states

6.52 (page 25) Costs for transport to an activity or service should usually be met by usage of Disability Living Allowance, Personal Independence Payments, Attendance Allowance or other sources of income of the individual. The council would not expect to pay for transport to an activity or service unless it is established as a clear unmet need for individuals with assessed eligible needs and there are no alternative ways for the needs to be met (i.e. all other potential solutions have been exhausted, such as full or partial funding by the individual).

- Direct Payments policy
- Charging and Support Charging Policy

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

Customers in receipt of social care services funded by the local authority to meet their eligible needs.

- There are currently 51 people whom the council directly commissions transport for .In addition there are people whom receive a direct payment whom may use the direct payment to purchase transport
- The policy will provide an equitable approach via a fair and transparent process to define who receives funded transport support whilst ensuring peoples social care needs are met.

- The policy will ensure the primary outcome is that people's social care needs are met, however it will also provide the flexibility to ensure people can choose alternatives which may be more expensive so long as those individuals meet the funding gap, and so promote choice and control.
- The policy will ensure financial equity by taking account of customers who are also in receipt of the mobility component of Disability Living Allowance (DLA) or Personal Independence Payment (PIP) benefits, which provide financial support to people who have mobility problems with severe difficulty walking or who need guidance or supervision to help them with getting around outdoors and in the community.

Who are the stakeholders? What is their interest?

- Customers who use day opportunities services (of which some will utilise transport)
- 132 adults with a LD accessing commissioned day opportunities and 31 none LD customers using day opportunities. Total 163
- Of the commissioned day opportunities customers 31% use directly commissioned transport
- Informal carers
- Commissioned transport providers
- Herefordshire Council Adult Wellbeing Department
- Herefordshire Councils EEC transport Department

B) Partnerships and Procurement

If you commission services externally or works 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, i.e.

- 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?

Herefordshire Council commissions with a number of transport providers through a framework. A new dynamic purchasing framework (DPS) will be opened in July 2018.

The providers on these frameworks are or will be under contract to deliver a service within an agreed specification which sets out the Equality Duty under the contractual arrangements. The specification determines the performance measures and the contract management function monitors quarterly returns and ensures that contractual commitments are met.

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:

The policy will ensure an equitable approach to transport across Herefordshire.

1. Upon establishing the eligible need for a service or upon individual review; using the guidelines set out in the policy, people will be directed to more local services which can meet their eligible social care needs. For those people they will be offered the option of choosing services further afield if they can fund the transport difference. In this instance it is the addition of choice of service location to meet eligible need which will trigger any additional funding requirement. Any extra funding is choice based, and the council will ensure they offer an option which meets the individuals social care needs. Any additional will be funded via any benefits the person qualifies for, which include mobility components, or the options to fund the transport themselves or a mixture of both.
2. The policy will direct people to use their mobility funded vehicles to meet or contribute to their transport needs, where these aren't currently used to provide transport to enable customers to access social care services to meet eligible needs.

Whilst the policy support the strengths based pathway, it envisages that these two points may be cause for concern for existing customers currently in receipt of services and recognise:-

- The expectation of what the council will fund has already been set, and the changes will impact by limiting the choices which had previously been offered
- Maintaining the choice but impacting financially upon the individual or family if they haven't previously used the mobility component to fund the transport or if they choose to continue to access services not closest to their home.

It is recognised that this reduction will have a negative impact upon a small cohort, but the council will have met its legal obligations to meet eligible needs and can demonstrate it is meeting needs in an equitable way using a best value model in order to meet its legislative duties, manage the budget and social care resources to ensure it reaches those that need them most.

C) Information

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

The council currently commissions transport for 51 people in receipt of Adult Wellbeing services.

The council runs 3 in house fleet vehicles and purchases from a range of transport providers which include in house fleet vehicles, commercial taxis and community transport providers who are on the council framework.

D) With regard to the stakeholders identified and the diversity groups set out below;

	<i>Is there any potential for (positive or negative) differential impact?</i>	<i>Could this lead to adverse impact and if so what?</i>	<i>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason?</i>	<i>Please detail what measures or changes you will put in place to remedy any identified adverse impact.</i>
Disability	There is potential for negative impact but not in terms of meeting eligible need, but may impact on choice.	Yes, the evidence shows us that whilst there is potential to have a negative impact for some, this is a minority, and the council will still continue to meet its legal duty in meeting eligible social care needs.	The council needs to reduce its spend and considers the policy implementation to have less adverse impact than reduction in budgets to direct services for disabled people.	Any changes will be on a case by case basis at the point of review and so the full individual impact will be considered.
Age	Age related impact, independence and aspirations will all be factored in at the point of assessment. There will be a higher level of expectation of current customers in the social care system than new customers	Yes, the evidence shows us that whilst there is potential to have a negative impact for some, this is a minority, and the council will still continue to meet its legal duty of care in meeting eligible needs.	Through the strategy the resources can be focussed on the people in greatest need and where the benefits will be maximised. Age related impact is considered as part of the social care assessment and also within the support plan.	Any changes will be on a case by case basis at the point of review and so the full individual impact will be considered.
Gender	The data tells us that there is an even split of gender. There is equality of access to this service.	No, there is no impact as a result of gender		
Race	Almost all service users are White British.	No. The composition of service users according to this equality strand is broadly reflective of local demographics in Herefordshire generally (6% of the population describe themselves as not White British)		
Sexual Orientation	<i>No data available to allow analysis</i>			
Religion- belief/none belief	<i>No data available to allow analysis</i>			
Pregnancy/maternity	<i>No data available to allow analysis</i>			

Gender reassignment	<i>No data available to allow analysis</i>
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E) Consultation

Did you carry out any consultation? Yes No

Who was consulted?

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

- Department of Health 2014, Care and statutory guidance: issued under the care act 2014
- Department of health 2014, Impact assessment- The Care Act (2014) regulations and guidance for implementation of Part 1 of the care act in 2015/16
- Think local act personal 2014, Information, Advice and Brokerage, Part 1: Shaping the future- planning, commissioning and delivering information, advice and brokerage in the context of the Care Act.
- Adult and Wellbeing Care and Support and Meeting Your Needs Policy 2015
- Herefordshire Carers Strategy 2012- 2015
- Adult Social Care - Developing a New Relationship with Citizens November 2014
- Herefordshire Health and Wellbeing Strategy
- Human Rights Act 1998
- Making it Real

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?

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

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

<https://factsandfigures.herefordshire.gov.uk/>

F) Conclusions

	Action/objective/target OR justification	Resources required	Timescale	I/R/S/J
a)	Commissioning activity to launch the policy	Staff time	April 2018	I
b)	Operations staff at point of review through assessment and support planning	business as usual	In year- at point of review	I
c)	Community broker in seeking local ways to meet need	Business as usual	In year- at point of outcome of review	I
d)	Transport dept in managing changes to support plan.	Business as usual	In year- at piont of confirmation of support plan	I

(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.