

## Equality Impact Assessment (EIA) Form

Please read EIA guidelines when completing this form

### 1. Name of Service Area/Directorate

<b>Name of Head of Service for area being assessed</b>	Ewen Archibald - Acting Assistant Director – All Ages Commissioning
<b>Directorate</b>	Adults & Communities

<b>Individual(s) completing this assessment</b>	<b>Name</b>	<b>Job Title</b>
	Jas Kakkar	Care Consultant
	Amy Swift	Senior Project Manager, Corporate Services
<b>Date assessment completed</b>	February 2022	

### 2. What is being assessed

Activity being assessed (e.g. policy, procedure, document, service redesign, strategy etc.)	Transfer the registered services and staff under TUPE arrangements to Hoople Limited (Hoople Care).			
What is the aim, purpose and/or intended outcomes of this activity?	<p>This proposal aims to assess the impact of the recommended decision to transfer the registered services nominated individual responsibility from Herefordshire Council to Hoople Limited and the formal transfer of registered social care provider services to Hoople Care, as part of Hoople Ltd. The services involved in the transfer of registration at this stage are:</p> <ul style="list-style-type: none"> <li>• Home First re-ablement service</li> <li>• Hillside Care Centre</li> <li>• Residential services for learning disabled people at Southbank Close and Ridgemoor Road.</li> </ul>			
Name of lead for activity	Paul Smith - Interim Director for Adults and Communities			
Who will be affected by the development and implementation of this activity?	<input checked="" type="checkbox"/> Service Users <input type="checkbox"/> Patients <input type="checkbox"/> Carers <input type="checkbox"/> Visitors	<input checked="" type="checkbox"/> Staff <input type="checkbox"/> Communities <input type="checkbox"/> Other		
Is this:	Review of an existing activity			
What information and evidence have you reviewed to help inform this assessment? (name sources, e.g. demographic information for services/staff groups affected, complaints etc.)	<p>The data has been taken from the Market Position Statement 2020-2025.</p> <p><a href="https://councillors.herefordshire.gov.uk/documents/s50084582/07a_Appendix_Herefordshire%20Market%20Position%20Statement%202020-2025.pdf">https://councillors.herefordshire.gov.uk/documents/s50084582/07a_Appendix_Herefordshire%20Market%20Position%20Statement%202020-2025.pdf</a></p> <p><b>Learning Disabilities Services</b></p> <ul style="list-style-type: none"> <li>• Over the 20 year period between 2015 and 2035 it is estimated that the number of all age registered Learning Disability cases in Herefordshire will increase from 976 to 1,019, which represents a proportional rise of 4.4%.</li> <li>• It is predicted that by 2035 the number of people living with a learning disability in the majority of age groups will increase, particularly in those aged 70 and</li> </ul>			

	<p>over with a predicted rise of 36.7% for the 70–74 age group and 71.4% for the 75+ cohort.</p> <ul style="list-style-type: none"> <li>• This reflects a general improvement in life expectancy for people with LD. Although the number of LD cases are predicted to rise over this 20-year period, the overall prevalence is predicted to fall, with the all age figure falling from 0.52 to 0.49% and the adult figure from 0.61 to 0.57%.</li> <li>• There are currently 21 females and 17 males who are either live at the learning disabilities residential home or use the respite provision at Southbank Close.</li> </ul> <p><b>Reablement and Enablement Services</b></p> <ul style="list-style-type: none"> <li>• Hillside Intermediate Care is a 22-bedded unit to support for adults its primary objective is to deliver a strength-based model, which is built upon an enabling ethos, to support people regain skills and enable independence.</li> <li>• Home First delivers short-term support packages in people’s own homes, which are flexible, based upon people’s strengths and tailored to their individual needs for up to six weeks.</li> </ul> <p><b>Staff TUPE</b></p> <ul style="list-style-type: none"> <li>• The TUPE process is a formal UK employment law requirement. The transfer of staff should be completed as a <b>TUPE transfer in line with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)</b>.</li> <li>• Herefordshire Council is also obliged - as a ‘public body’ under the Equality Act 2010 to conduct an equality analysis into any significant organisational, service delivery or structural changes affecting staff with regards to protected characteristics.</li> <li>• The groups of staff impacted by the TUPE process are currently employed to work at Homefirst re-ablement service and the Hillside Care Centre.</li> </ul>
<p>Summary of engagement or consultation undertaken (e.g. who and how have you engaged with, or why do you believe this is not required)</p>	<p>Members of the council have been consulted via political groups. Members have expressed the following:</p> <ul style="list-style-type: none"> <li>• Provision should be made to review Hoople Care’s performance on a regular basis by the council, not just the CQC, to ensure that the outcomes we were aiming for in our Market Position Statement are realised for those receiving such services from Hoople Care.</li> <li>• As a condition of any new contract awarded by Herefordshire Council and in line with our commitment to Carbon zero by 2030, new vehicles purchased in connection with work Hoople is carrying out for Herefordshire Council, should no longer be fossil fuel. It would seem that Hoople has been purchasing new vehicles recently on the back of contracts awarded by Herefordshire Council, which are fossil fuel. This is one area in which we have a measure of control in view of the fact Hoople Limited is effectively owned by Herefordshire Council.</li> </ul> <p>Staff will be engaged in the proposal through briefing sessions and team-briefing arrangements, the engagement will be lead by Herefordshire Council Human Resources and Adult Social care Operational Managers. A communication plan is in development to ensure all staff are fully sighted on the proposed changes.</p>

Summary of relevant findings	<p><b>Transfer of Services and Service Users</b></p> <p>The council has established Hoople Care in order to assume the management of adult social care services that have been in-sourced. The council has recognised that some services cannot be provided in social care markets with the appropriate consistency of quality and value for money. It has therefore taken decisions to in-source or create new services over recent years. There are challenges for the council in directly employing staff and managing directly some of these services.</p> <p>Hoople Care already employs a number of re-ablement staff, as part of Home First. Following a recent decision to align rates of pay, Hoople launched a recruitment campaign for Home First.</p> <p>The transfer of service to the council will give service users and their families/carers confidence and reassurance that the service will continue to operate in its current state, with the same groups of staff and ensure a high standard of care is provided to service users.</p> <p>Service Users with certain protected characteristics or additional vulnerabilities are protected under the Care Act 2014 and the Equality Act 2010.</p> <p><b>Workforce</b></p> <p>The council and partners have worked together to promote the care sector particularly through the 'Herefordshire Cares' brand and this will continue to build upon a strong relationship with the market to improve terms and conditions for the workforce.</p> <p>There is an opportunity to grow the workforce and recruitment, have a broadly representative workforce through Hoople Limited, and increase the participation from under represented communities in this sector.</p> <p>The proposal is for staff from Hillside and Homefirst to transfer to Hoople Care by late summer 2022. It is expected that the transferring Council staff will have statutory protection in accordance with the Transfer of Undertaking Protection Regulations (TUPE). It is expected that length of Service and membership of the Local Government Pension Scheme will be protected for transferring staff. At this time, any changes affecting employees will be implemented in accordance with requirements of employment law.</p> <p>All staff transferring from Herefordshire Council to Hoople Care will remain on the on their existing or similar Terms and Conditions, the impact on staff is considered as neutral/positive.</p>
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### The impact of this activity

Please consider the potential impact of this activity (during development and implementation) on each of the equality groups outlined below. **Please tick one or more impact box below for each Equality Group and explain your rationale.** Please note it is possible for the potential impact to be both positive and negative within the same equality group and this should be recorded. Remember to consider the impact on staff, public, patients, carers etc. in these equality groups.

### Workforce Data

Protected Characteristic	Equality Group	Hillside	Homefirst
Gender	Male - 1 Female - 24	5	20
Age Group		40 +	30+

<b>Ethnicity</b>	White British Irish Other White	None Recorded	None Recorded
	Mixed White and Black Caribbean White and Black African White and Asian Other Mixed	None Recorded	None Recorded
	Asian and Asian British  Indian Pakistani Bangladeshi Other Asian	None Recorded	None Recorded
	Chinese Other Ethnic Group	None Recorded	None Recorded
<b>Disability</b>	Physical Co-ordination Hearing Vision Speech Reduced physical capacity Learning Difficulty Mental Illness Mobility	None recorded	None recorded
<b>Gender Identity</b>	Transsexual/Transgender	Not Applicable	Not Applicable
<b>Pregnancy/Maternity</b>	Pregnant	Not Applicable	Not Applicable
<b>Religion or Belief</b>	Christian Buddhist Hindu Jewish Muslim Sikh Other religions No religion Not stated	Not Applicable	Not Applicable
<b>Sexual Orientation</b>		Not Applicable	Not Applicable
<b>Marriage and Civil partnership</b>	Married Single Widowed Divorced In Civil partnership	Not Applicable	Not Applicable

Equality Group	Potential positive impact	Potential neutral impact	Potential negative impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Age			✓	No disproportionate impacts found
Disability		✓		No known
Gender Reassignment		✓		Not Applicable
Marriage & Civil Partnerships		✓		Not Applicable
Pregnancy & Maternity		✓		Not Applicable
Race (including Travelling Communities and people of other nationalities)		✓		No known
Religion & Belief		✓		Not Applicable
Sex			✓	No disproportionate impacts found
Sexual Orientation		✓		No known
Other Vulnerable and Disadvantaged Groups (e.g. carers, care leavers, homeless, social/ economic deprivation, etc.)		✓		No known
Health Inequalities (any preventable, unfair & unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)		✓		No known

### Service Delivery

Equality Group	Potential positive impact	Potential neutral impact	Potential negative impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Age		✓		Homefirst - The service is exempt from the Herefordshire Council eligibility criteria. People who are residents of Herefordshire and aged over 18 will be eligible. All care plans will be delivered within the individuals own home environment  Hillside - People who are residents of Herefordshire and aged over 18 will be eligible.

Equality Group	Potential positive impact	Potential neutral impact	Potential negative impact	Please explain your reasons for any potential positive, neutral or negative impact identified
				The Learning Disability services are aimed at those individuals with a learning disability registered with a GP aged 18 and above for annual health checks and an assessed social care need.
<b>Disability</b>		✓		As above
<b>Gender Reassignment</b>		✓		Not Known
<b>Marriage &amp; Civil Partnerships</b>		✓		Services will be accessible equally to people who are married or in a civil partnership.
<b>Pregnancy &amp; Maternity</b>		✓		N/A
<b>Race</b> (including Travelling Communities and people of other nationalities)		✓		The service provides equitable access regardless of race.
<b>Religion &amp; Belief</b>		✓		The service provides equitable access and will be sensitive to any cultural or religious beliefs
<b>Sex</b>		✓		The service provides equitable access.
<b>Sexual Orientation</b>		✓		There is limited research around LGBT identities and learning disabilities, but research conducted by University of Bristol, evidences that LGBT people with learning disabilities often face specific issues and barriers to support and inclusion.  Valuing People 2011 advocates for services for people with learning disabilities that seeks to address their sexuality and relationship needs, including opportunities to form sexual relationships and access to sex education.
<b>Other Vulnerable and Disadvantaged Groups</b> (e.g. carers, care leavers, homeless, social/ economic deprivation, etc.)		✓		Responsive to the service users, with consideration of age, disability, ethnicity, gender, religion, sexual orientation and socio-economic status.
<b>Health Inequalities</b> (any preventable, unfair & unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)		✓		No impacts have been identified. There is equal access to reablement provision in Homefirst and Hillside and there is a personalised approach in the service delivery.

What actions will you take to mitigate any potential negative impacts?	Risk identified	Actions required to reduce/eliminate negative impact	Who will lead on the action?	Timeframe
	Insufficient workforce to deliver the services	A workforce recruitment plan is in place and is regularly updated. There is an ongoing recruitment drive to fill any vacancies as they arise. There is funding available to support the workforce recruitment and retention.		On-going
	Change to service users provider	<p>There is no negative impact or risk to service users at Hillside and Home First, as these are transactional cohort of service users.</p> <p>The residents at the learning disabilities residential and respite service have already transferred over to Hoople Limited.</p>		March 2022
	Staff TUPE transfer	<p>Since all affected staff will be transferring over to Hoople Care on their existing terms and conditions, there was no material change to their Individual circumstances, or to their working practices. As a result, we believe the overall impact will be neutral.</p> <p>HR and the Operational leads will lead on TUPE discussions with staff.</p> <p>The Council will continue to engage with Trade Unions and Staff as they prepare to transfer the staff to Hoople Care.</p> <p>Staff will be engaged in the proposal through briefing sessions and team briefing arrangements.</p> <p>A communication plan is in development to ensure all staff are fully sighted on the proposed changes</p>	Herefordshire Council Human Resources and Adult Social Operational Managers	May/June 2022

### 3. Monitoring and review

<b>How will you monitor these actions?</b>	<p>The performance of the services will be monitored through a quasi-contractual and commissioning arrangement and will be measured using the Standards for Delivering Quality Care and Support Services Herefordshire's Quality Assurance Framework (QAF). In addition, annual contract review meetings will be held between Hoople Care and Commissioners. Transferred staff will continue to have one to one meetings, team meetings, annual appraisals/performance and development plans with their line managers.</p>
<b>When will you review this EIA? (e.g. in a service redesign,</b>	Annual contract review meetings and ongoing performance monitoring.

this EIA should be revisited regularly throughout the design & implementation)	
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#### 4. Equality Statement

- All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the nine protected characteristics.
- Herefordshire Council will challenge discrimination, promote equality, respect human rights, and design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.
- All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carers etc, and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.

<b>Signature of person completing EIA</b>	
<b>Date signed</b>	