

# Equality Impact Assessment (EIA) Form

*Please read EIA guidelines when completing this form*

## 1. Name of Service Area/Directorate

Name of Head of Service for area being assessed: Jas Kakkar -Care Consultant

Directorate: Adults and Communities Directorate

Individual(s) completing this assessment:

- Phil Hamer - Senior Commissioning Officer
- Jas Kakkar - Care Consultant

Date assessment completed October 2021

## 2. What is being assessed

Activity being assessed (e.g. policy, procedure, document, service redesign, strategy etc.)

Approve a preferred option for the development of a new care facility in Herefordshire for meeting future demand and service delivery.

What is the aim, purpose and/or intended outcomes of this activity?

The Council has identified that demographic changes and the development of local care home market will bring pressure on existing capacity through increasing numbers of older and disabled people with complex needs. Additional care home bed capacity will be required to meet needs in such a way that the council can ensure access to care when it is needed and that the care is of high quality. There is also an opportunity to create new care facilities, which are high specification and fit for the future, for the delivery of care and support. Some of the options for consideration would see those facilities address the council's environmental priorities, ensuring they are built to Herefordshire's Future Homes Standard.

The options appraisal explores how the council can achieve 80 additional high quality care home beds under its control and sets out different options for doing so:

1. Do nothing;
2. Enter into long-term block contractual arrangement with existing providers in the local market;
3. Purchase buildings on the open market, redevelop and refit, to operate directly;
4. Invest and develop the council's own, large scale care home facility;
5. Work with an investment and/or delivery partner to develop a new large-scale care home facility.

The options set out in the options appraisal offer different approaches to achieving an increase in care home beds. In considering the options, the council is fulfilling a requirement in the Care Act 2014 for local authorities to help develop a market that delivers a wide range of sustainable high-quality care and support services, available to their communities. The Care Act also requires that local authorities assess need and ensure future services meet those needs.

Name of lead for activity

Ewen Archibald - Acting Assistant Director – All Ages Commissioning

Who will be affected by the development and implementation of this activity?

- Service users
- Patients
- Carers
- Visitors
- Staff
- Communities
- Other:

Is this:

- Review of an existing activity/policy
- New activity/policy
- Planning to withdraw or reduce a service, activity or presence?

What information and evidence have you reviewed to help inform this assessment? (Name your sources, e.g. demographic information for services/staff groups affected, complaints etc.)

The development of a care home facility supports Herefordshire council's commitments to the County Plan to sustainability and community, and theme of connectivity. It will also assist priorities in the corporate delivery plan in complementing the Talk Community programme and deliver specialist care home facilities and accommodation for vulnerable adults.

It also supports the position in the Herefordshire's Market Position Statement (MPS) 2020-2025. The MPS summarises the supply and demand of care and support needs across Herefordshire.

The Social Care Institute for Excellence (SCIE) states that, 'communities create the right conditions for improvements in physical health, mental health and general wellbeing by being connected, sustainable and resilient to changing times and climates.

Capacity to meet demand for complex care in nursing environments in Herefordshire is limited. The council often has difficulty in both finding placements for people with high needs and controlling the cost of these placements. This can lead to placements out of county. Currently the council is reliant on spot purchasing care at significant cost from dozens of homes run as commercial business and with varying levels of quality and reliability. As the numbers of people aged 85 and older and those with complex needs grow, so do the challenges in finding the right care at an appropriate quality and price. This is especially so for people with complex needs arising from frailty and dementia.

Summary of engagement or consultation undertaken (e.g. who and how have you engaged with, or why do you believe this is not required)

Cllr Norman to sign off Political Group Consultation	Sept 15
Circulate Political Group Consultation (10 working days)	Sept 16
Commence officer circulation on mod.gov	Sept 24
Core DLT sign off options appraisal & report	Sept 29
Cabinet member briefing Cllr Norman	Sept 27
Political Group Consultation Closes	Sept 27
Papers for Management Board	Sept 30
Officer circulation complete by	Oct 4
Management Board	Oct 5
Papers for Cabinet Briefing	Oct 8
(Cllr Norman) Cabinet Member Briefing (sign off decision report)	Oct 11
Cabinet Briefing (Cabinet Feeder)	Oct 14
Governance Publish Report (start of 5 days)	Oct 21
<b>Cabinet</b>	<b>Oct 28</b>
<b>Call in Period over (4 Days) - can implement decision if not called in.</b>	<b>Nov 3</b>

Members of the council have been consulted via political groups. One member expressed concern that working with an investment or delivery partner would compromise the council's control of access and quality and be expensive and contractually restrictive.

Council commissioners engage continually and intensively with the local care home market, both among independent providers and associations, working closely with NHS agencies. This has provided significant clarity on the priorities, challenges and outlook of the care home market.

Engagement on the proposals has also taken place over a period with NHS agencies through the emerging Integrated Care System. They have been broadly supportive of the options to develop new services on this scale.

The views of stakeholders is critical in the delivery of the chosen option. The following key stakeholders will be consulted to help design and develop the option:

- Herefordshire residents
- Unpaid and family carers
- Herefordshire and Worcestershire CCG
- Wye Valley NHS Trust
- Independent care home providers and associations

- Commercial/consultants

#### Summary of relevant findings

In considering the options, the council is fulfilling a requirement in the Care Act 2014 for local authorities to help develop a market that delivers a wide range of sustainable high-quality care and support services, available to their communities. The building of new large-scale care facilities offers abundant opportunities for co-location of activities and for community participation, engagement and shared use of resources.

In delivering a preferred option, the council will endeavour to align to the following success measures outlined in the County Plan:

- Increase flood resilience and reduce levels of phosphate pollution in the county's river
- Reduce the council's carbon emissions
- Work in partnership with others to reduce county carbon emissions
- Improve the air quality within Herefordshire
- Improve residents' access to green space in Herefordshire
- Improve energy efficiency of homes and build standards for new housing
- Increase the number of short distance trips being done by sustainable modes of travel - walking, cycling, and public transport.

The proposals explored the preferred option may enable many of these success measures to be achieved or advanced. The options, which involve building new care facilities on a local site, offer an opportunity for the council to use environmental building methods and materials to create a high specification care home, built to the Herefordshire's Future Homes Standard. This would not only address the council's environmental priorities but also serve as an exemplar regionally and nationally.

### 3. 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, partner organisations, etc. in these equality groups.

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Age		✓		
Disability		✓		
Gender Reassignment		✓		
Marriage & Civil Partnerships		✓		

<b>Equality Group</b>	<b>Potential <u>positive</u> impact</b>	<b>Potential <u>neutral</u> impact</b>	<b>Potential <u>negative</u> impact</b>	<b>Please explain your reasons for any potential positive, neutral or negative impact identified</b>
<b>Pregnancy &amp; Maternity</b>		✓		
<b>Race</b> (including Travelling Communities and people of other nationalities)		✓		
<b>Religion &amp; Belief</b>		✓		
<b>Sex</b> (including issues of safety and sexual violence)		✓		
<b>Sexual Orientation</b>		✓		
<b>Other Vulnerable and Disadvantaged Groups</b> (e.g. carers, care leavers, homeless, social/ economic deprivation, etc)		✓		
<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)		✓		

**What actions will you take to mitigate any potential negative impacts?**

## Negative Impacts / opportunity

Not taking action to meet demand. This would prevent preparation to meet increasing need for care among people with complex needs. In turn this is likely to lead to an insufficiency of care home beds and poor outcomes for people with complex needs, along with escalating costs.

There is a risk with larger suppliers moving in to the county as they recognise the business opportunity associated with our demography, giving us limited control to provision, quality, and costs.

Adopting option two would risk not actually increasing capacity and having little influence over increasing quality of provision for people with complex needs. It would also not reduce costs.

Adopting option three involves risk of not identifying sufficient suitable sites for acquisition or being unable to acquire them owing to commercial factors and the council's governance processes.

Option three would involve a substantial risk of not being able to achieve Herefordshire's Future Homes Standard in creating additional capacity. Conversion of older buildings also would bring to the council significant financial risk around the maintenance and repair.

Options three, four and five all involve the risks associated with any major capital project including budget overspend, delay and reputational harm

Challenges in securing a suitable site or for an 80 bedded care home facility.under options four or five, leading to significant delay.

## Mitigation

The risks of taking no action as in option one could be mitigated by adopting one of the other options set out in the appraisal.

This could be mitigated by adopting another preferred option.

Opportunities will arise in the market and the council regularly monitors those which may be suitable for acquisition or conversion

Amongst the three sites potentially required for option three, the council may identify one or more where there is opportunity to build new facilities to complement existing buildings.

Capital investment of £14m has been provisionally confirmed through the Capital Programme to develop option four, investing in a new care home facility. The council has significantly expanded programme management resources and expertise to support its capital programme.

A suitable site is identified at Station Approach, and a review of other site options is advised.

Opting to prefer one of the other options would mitigate this risk.

Working with external partners to develop option five bring significant financial, legal operational and reputational risks. These arise from a partner's need to secure their investment in a way which ties the council to substantial and very long term spending which no exit options. Risks also arise around the quality and reliability of services provided by or via the partner organisation, again over an extended period.

Ensure experienced developer/s are included within the project.

Where an impact on any of the Equality Groups is realised after the implementation of the project/service/policy, Commissioners and/or providers of the project/service/policy will seek to minimise the impact and carry out a full review of this EIA.

A detailed Equality Impact Assessment will be completed once Cabinet approves the preferred approach. The Equality Impact Assessment will identify a set of actions aimed at mitigating risks to citizens in the protected characteristic groups.

## Monitoring and review

How will you monitor these actions?

This is currently at the options appraisal stage and the EIA will be kept under review throughout the design, planning and implementation stage.

When will you review this EIA? (e.g. in a service redesign, 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 9 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.

Signature of person completing EIA

Date signed