

## EQUALITY ANALYSIS

This Equality Analysis considers the effect of Bury Council/ Bury CCG activity on different groups protected from discrimination under the Equality Act 2010. This is to consider if there are any unintended consequences for some groups from key changes made by a public body and their contractor partners organisations and to consider if the activity will be fully effective for all protected groups. It involves using equality information and the results of engagement with protected groups and others, to manage risk and to understand the actual or potential effect of activity, including any adverse impacts on those affected by the change under consideration.

<b>SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY</b>	
<i>Refer to Equality Analysis guidance page 4</i>	
<b>1.1</b> Name of policy/ project/ decision	<b>Proposal 2: Persona short stay/ respite</b> To reduce the number of unused places in the short stay service, close Spurr House leaving Elmhurst open for short stay care. This proposal would therefore ensure that one building remained open to offer short stay care for customers. The service offered would not change, however the location where a person goes to for short stay care may change for some people.
<b>1.2</b> Lead for policy/ project/ decision	Adrian Crook, Director of Community Commissioning, OCO
<b>1.3</b> Committee/Board signing off policy/ project/ decision	Community Commissioning Team Meeting and Innovation and Savings program governance meetings
<b>1.4</b> Author of Equality Analysis	Name: Hayley Ashall
<b>1.5</b> Date EA completed	Role: Strategic Lead, Integrated Commissioning, Carers, Physical Disability and Prevention

<b>SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT</b>	
<i>Refer to Equality Analysis guidance page 5</i>	
<b>2.1</b> Detail of policy/ decision being sought	Data indicates there is an over-supply of short stay beds. The block contract is currently for 62 beds (27 at Elmhurst and 35 at Spurr House). Data for the period 2018/19 and 2019/20 shows a trend of declining occupancy at both units. The evidence indicates a number of customers stay beyond the 6 week period which the contract specifies should be the maximum term in the facilities. There are several reasons for this, if these were resolved and customers stayed as specified no longer than 6 weeks then the number of beds required for this time period would be reduced. As a result, it is proposed the most cost effective and efficient way to address the over-capacity would be to reduce the number of unused beds and consolidate short stay to one site (Elmhurst) and to therefore close the other site (Spurr House).
<b>2.2</b> What are the intended outcomes of this?	If the proposal is agreed:

	<ul style="list-style-type: none"> <li>• To reduce the number of unused places in the short stay service.</li> <li>• Close Spurr House leaving Elmhurst open for short stay care.</li> <li>• The service offered would not change, however the location where a person goes to for short stay care may change for some people.</li> <li>• Commitment to ensure customers do not stay longer than six weeks in short stay or respite.</li> </ul>
--	---

**SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS**

*Refer to Equality Analysis guidance pages 5-8 and 11*

Please outline the relevance of the activity/ policy to the Public Sector Equality Duty

General Public Sector Equality Duties	Relevance (Yes/No)	Rationale behind relevance decision
3.1 To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010	Yes	Care Act 2010, outlines a clear requirement for processing assessment of need. The Care Act assessment is undertaken to understand of a client requires services such as respite. This ensures, equal opportunities, dignity, inclusion also promotes independence and building on strengths. Placements will continue to be provided on the basis of assessed need. Performance monitoring of contracts regularly takes place and Social Workers, and families / carers /advocates give feedback. In addition, the Council monitors data on placements made to ensure that there is fair access to all that meet the eligibility criteria.
3.2 To advance equality of opportunity between people who share a protected characteristic and those who do not.	Yes	The care act criteria promotes equality despite a person’s background, beliefs or any protected characteristic. Placements are based on a person’s individual need and offers opportunities for people to live as independently a life as possible including in the wider community.
3.3 To foster good relations between people who share a protected characteristic and those who do not	Yes	The respite service is open to all including self-funders. The nature of respite means that this could be a short term solution for someone who has a one off operation, illness or for someone who feels they need a break from usual care setting and therefore open to those with a long term illness or disability. Having a respite facility open to all fosters a good relationship between people who share a protected characteristic and

	<p>those who do not. In addition, the service support people with disabilities to live within the community thus making sure that disability is accepted and understood by the wider community.</p> <p>Bury Council work with Provider's to ensure that they provide appropriate services to disabled people on a contract and service specification basis and monitoring of service delivery.</p> <p>All Provider's must evidence of how they will treat Service Users with respect and dignity, and create an environment free from discrimination, bullying and harassment for Service Users and staff.</p>
<p><b>3.4</b> Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.</p>	
<p>The list of Human Rights have been explored and this proposal does not have a detrimental impact on any area specified.</p>	

SECTION 4 – EQUALITIES DATA			
<i>Refer to Equality Analysis guidance page 8</i>			
Protected characteristic	Outcome sought	Base data	Data gaps (to include in Section 8 log)
4.1 Age	Yes	Provider and care record collates the client's data including age.	
4.2 Disability	Yes	<p>Provider and care record includes data on any disability as this service is available to those who may have a disability.</p> <p>Over 21,224 people in Bury have a limiting long-term illness, health problem or disability equating to 11.24% of our resident population, compared to 18.8% of the population of England and Wales (Census 2011)</p>	
4.3 Gender	Yes	Provider and care record collates the client's data including gender.	
4.4 Pregnancy or Maternity	No – Not applicable		No – Not applicable

<b>4.5 Race</b>	Yes	<p>Provider and care record collates the client's data including race. BAME population 20,028 (Census 2011)</p> <p>Bury has a Black, Asian and Minority Ethnic (BAME) population of around 10.8% compared to 14.7% of the population of England and Wales (2011 Census).</p>	Limited information on smaller and emerging communities in Bury
<b>4.6 Religion and belief</b>	Yes	<p>Provider and care record collates the client's data including religion or belief. Census 2011 responses: Christian (62.7%, nationally 59.3%), Muslim (6.1%, nationally 4.8% ) and Jewish (5.6%, nationally 0.5%). 18.6% identified as having no religion</p>	
<b>4.7 Sexual Orientation</b>	No – Not applicable	<p>There is currently no national or local data on sexual orientation. However, estimates provided by the LGBT Foundation and Stonewall that between 5% and 7% of the population identify as Lesbian, Gay or Bisexual nationally.</p>	No – Not applicable
<b>4.8 Marriage or Civil Partnership</b>	Yes	<p>Provider and care record collates the clients data including married/ spouse details etc</p> <p>The Census 2011 showed those married as 70,088 and those in a registered same-sex civil partnership status as 253 in Bury</p>	
<b>4.9 Gender Reassignment</b>	No – we don't believe this is currently being collated.	<p>There is currently no national or local data on gender identity</p>	To be reviewed
<b>4.10 Carers</b>	Yes	<p>Provider and care record collates the clients data including whether the person is a carer or supported by a carer</p> <p>Stats in Bury: 19,954 - Census 2011</p>	

		294 carers registered with the Bury Carers Hub	
<b>4.11</b> Looked After Children and Care Leavers	Yes	If the client has transferred from children's services in particular and below the age of 25 we will record if they are a LAC	
<b>4.12</b> Armed Forces personnel including veterans	No – we don't believe this is currently being collated.		To be reviewed Specific question being asked in 2021 census
<b>4.13</b> Socio-economically vulnerable	No – we don't believe this is currently being collated.	15,700 Housing benefit / Council Tax support claimants  NOMIS Claimant Count: 8,135 (October 2020)  356 people whom the council has a homeless duty  Data is collected by BCSN and reported through to Bury Council and GM Humanitarian Aid Group regarding no. of people asking for financial support, advice and food parcels. C. 900 Food parcels distribute per week through Bury Community Support Network (Nov 2020-Feb 2021)	To be reviewed

## SECTION 5 – STAKEHOLDERS AND ENGAGEMENT

*Refer to Equality Analysis guidance page 8 and 9*

	Internal Stakeholders	External Stakeholders
<b>5.1</b> Identify stakeholders	Customers using the services Carer and family of customer Workforce	Potential future users of the service Members of the public
<b>5.2</b> Engagement undertaken	Workforce engagement	N/A
<b>5.3</b> Outcomes of engagement	The engagement has shaped the current and future care provision	
<b>5.4</b> Outstanding actions following engagement (include in Section 8 log)	Any new customers would transfer to the one site and not the site to close, therefore enabling a reduced need for one site. However, some customers may need to be transferred during stay.	Public consultation is required to understand views on this proposal. This would include existing customers, their carers and family, potential future customers, providers, public and wider stakeholders.

	Public consultation is required to understand views on this proposal. This would include existing customers, their carers and family, potential future customers, providers, public and wider stakeholders.	
--	---	--

## SECTION 6 – CONCLUSION OF IMPACT

Refer to Equality Analysis guidance page 9

Please outline whether the activity/ policy has a positive or negative effect on any groups of people with protected inclusion characteristics

Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
6.1 Age	Positive & Negative	<p>There is a higher probability that those of an older age will use the service due to age related illness, disability or frailty.</p> <p>Negative: Some customers will regularly use a respite facility, if they use the facility proposed to close, this change may have a negative impact on them. Also changes in service may mean a change in staff managing/ running the service. The change may create anxiety, the location or building may not be as preferred to them or further to travel to get there. However, both sites are in Bury and the service offer would continue.</p> <p>Positive:</p> <ul style="list-style-type: none"> <li>• Changing venue may impact positively on a client as closer to home and or preferred venue.</li> <li>• Change in staff may generate benefits or an individual in terms of increased social connectivity, may prefer new member of staff.</li> <li>• One facility with more people in it may mean better opportunity for social connectivity.</li> <li>• If proposals are agreed then this would continue a short stay/ respite service provision for customers to use.</li> </ul>
6.2 Disability	Positive & Negative	<p>There is a higher probability that those with a disability may use the service for regular respite.</p> <p>Negative: Some customers will regularly use a respite facility, if they use the facility proposed to close, this change may have a negative impact on them. Also changes in service may mean a change in staff managing/ running the service. The change may create anxiety, the location or building may not be as preferred to them or further to travel to get</p>

		<p>there. However, both sites are in Bury and the service offer would continue.</p> <p>Positive:</p> <ul style="list-style-type: none"> <li>• Changing venue may impact positively on a client as closer to home and or preferred venue.</li> <li>• Change in staff may generate benefits or an individual in terms of increased social connectivity, may prefer new member of staff.</li> <li>• One facility with more people in it may mean better opportunity for social connectivity</li> <li>• If proposals are agreed then this would continue a short stay/ respite service provision for customers to use</li> </ul>
<b>6.3 Gender</b>	None	
<b>6.4 Pregnancy or Maternity</b>	None	
<b>6.5 Race</b>	None	
<b>6.6 Religion and belief</b>	None	
<b>6.7 Sexual Orientation</b>	None	
<b>6.8 Marriage or Civil Partnership</b>	None	
<b>6.9 Gender Reassignment</b>	None	
<b>6.10 Carers</b>	Positive & Negative	<p>Negative:</p> <p>If the cared for experiences negative impacts then the carer may have to deal with those negative impacts on the cared for. Creating an increased need for support.</p> <p>The proposal will impact upon those carers who may access the respite service provision if the cared for can no longer access/or does not wish to access a change of venue.</p> <p>Positive:</p> <p>If there are positive impacts on the cared for this may impact the carer positively to and may lead to a reduced need for input to the cared for's care and support by wanting to use the respite facility more frequently providing a carer break.</p> <p>If proposals are agreed then this would continue a short stay/ respite service provision, which provides a break for carers.</p>
<b>6.11 Looked After Children and Care Leavers</b>	None	
<b>6.12 Armed Forces personnel including veterans</b>	None	
<b>6.13 Socio-economically vulnerable</b>	None	
<b>6.14 Overall impact - What will the likely overall effect of your</b>	Positive & Negative, this will be dependent on the individual. The staff at persona will support the clients and carer of those clients as best as possible and ensure any	

activity be on equality, including consideration on intersectionality?	<p>change is well detailed and planned in order to mitigate any negative impact created.</p> <p>However given the service will continue just in one site rather than across two sites. Also that this facility is short term use. It is felt that the impact can be mitigated by working with clients and planning any closure sufficiently.</p>
--	--

SECTION 7 – ACTION LOG			
<i>Refer to Equality Analysis guidance page 10</i>			
Action Identified	Lead	Due Date	Comments and Sign off (when complete)
<b>8.1</b> Actions to address gaps identified in section 4			
None that will have an impact on this proposal			
<b>8.2</b> Actions to address gaps identified in section 5			
Public consultation will be undertaken	Hayley Ashall	24.05.21 – 02.07.21	Public consultation has been undertaken and the results have informed recommendations included in a cabinet report on the 21.07.21.
<b>8.3</b> Mitigations to address negative impacts identified in section 6			
If the proposals are agreed, support clients to manage a change of venue. This will be done where appropriate on a 1:1 basis and will depend on the individual needs. This will be planned, open and transparent conversation and where possible undertaken over time to minimise any impact, so that planned respite can be continued to meet the individual's needs	Persona team manager	To be started following agreement of savings proposal if agreed	
Carers / family members to be involved in the assessment and transfer process. All carers to be made aware of their rights to a Carers Assessment, along with information on the Bury Carers Hub	Persona team manager	To be started following agreement of savings proposal if agreed	
If the proposals are agreed, support clients to manage a change of staff. This will be done where appropriate on a 1:1 basis and will depend on the individual needs. This will be planned, open and transparent conversation and where possible undertaken	Persona team manager	To be started following agreement of savings proposal if agreed	



over time to minimise any impact.			
<b>8.4 Opportunities to further inclusion (equality, diversity and human rights ) including to advance opportunities and engagements across protected characteristics</b>			
N/A			

<b>SECTION 8 - REVIEW</b>			
<i>Refer to Equality Analysis guidance page 10</i>			
Review Milestone	Lead	Due Date	Comments (and sign off when complete)
Review EA after public consultation	HA	July 2021	Reviewed 07.07.21
Review EA after Cabinet paper July 2021	HA	July/ August 2021	