

Equality Impact Assessment Form

The Equality Act 2010 includes a public sector equality duty (the 'general duty'), replacing the separate duties on race, disability and gender equality. This came into force on 5 April 2011. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services, and that they are kept under review. This will achieve better outcomes for all.

The Council is required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The guidance refers to these three elements as the three 'aims' of the general duty and so when we discuss the general duty we mean all three aims.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Act describes fostering good relations as tackling prejudice and promoting understanding between people who share a protected characteristic and those who do not. Meeting the duty may involve treating some people more favourably than others, as long as this does not contravene other provisions within the Act.

The following principles are drawn from case law on the previous equality duties, and will continue to be relevant in relation to the new duty. To meet the general duty, a public authority must ensure:

- **Knowledge:** those who exercise its functions (its staff and leadership) are aware of the duty's requirements. Meeting the duty involves 'a conscious approach and state of mind'. Decision-makers should therefore be aware of the implications of the duty when making decisions about their policies and practices.
- **Timeliness:** the duty arises before and at the time that a particular policy is under consideration and a decision is taken. A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- **Meaningful consideration:** consideration of the three aims of the general duty must form an integral part of the decision-making process. This is not a 'tick box' exercise – it must be exercised with rigour, with an open mind in such a way that influences the final decision.
- **Sufficient information:** the decision-maker must consider what information s/he has as well as what further information might be needed to give proper consideration to the general duty.
- **Review:** public bodies must have due regard to the aims of the general duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The general duty is a continuing duty.
- **Non-delegation:** Anyone exercising public functions on behalf of a public body is required to meet the duty. This is because the duty rests with the public authority even if they have delegated any functions to another organisation.

The Equality and Human Rights Commission has produced guidance for the performance of the general duty in Wales, known as the specific duties in Wales. The specific duties include guidance on impact assessment and engagement that are both relevant to this process. Copies of the guidance are available on the Commission's website and via the equality section of StaffNet.

An impact assessment is a systematic way of finding out the impact of a policy on different protected groups. Officers who are responsible for policies are required to identify the likely impacts that may result from the introduction of a policy.

This impact assessment form has been developed to ensure that these groups are neither directly nor indirectly discriminated against in the planning and delivery of our services, nor by the decisions that we make.

An equality impact assessment must be carried out at a formative stage so that it is an integral part of the development of the policy, not a later justification of a measure that has already been determined.

How should you assess impact?

1. Identify **the objectives** of your policy and how it will work.
2. Examine local and national **data and research**.
3. Assess **the likely impact** on the protected groups.
4. **Consult and involve** people who are likely to be affected by your policy.
5. Make arrangements to **monitor and review** the impact of your proposal.
6. **Publish** the assessment.

It is the responsibility of the relevant Head of Service or Operational Manager to ensure that an assessment has been completed for the policy, practice, procedure or decision identified.

Complete form electronically and return to the Equalities Section: tsgreaves@valeofglamorgan.gov.uk. For support, ring: 01446 709446

Title and Description of Policy, Procedure, Practice or Decision (referred to as “policy” throughout form).	Relocation of Day Services for Adults with Learning Disabilities currently operating from Woodlands to Hen Goleg, College Fields Close on a temporary basis.
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Who is responsible for developing and implementing the policy?

Name	Amanda Phillips/Suzanne Clifton
Job Title	Operational Manager, Learning Disabilities/Operational Manager, Adults Locality Services
Directorate	Social Services
Division	Adults

1. Background and screening:

Who will be affected by this policy?	Please ✓
Vale of Glamorgan residents	<input type="checkbox"/> X
Internal department(s) (please state which): Catering, Rondel House,	<input checked="" type="checkbox"/> X New Horizons Day Service,
Customers/residents in a specific geographical location	<input type="checkbox"/> Specify location:
Specific group of customers	<input checked="" type="checkbox"/> X those using Day Services
Specify group(for example, a particular age group or gender, gypsy / traveller children in education, people with dementia): <u>People with a learning disability and physical disability</u>	
Others	<input type="checkbox"/>
Please specify:	

What research or baseline information do you have about how your service is used by various groups of people?
The Woodlands Day Service has been operational for a significant period of time and has been provided to support adults with learning disabilities.
The New Horizons Day Service offers support to adults with physical disabilities.
Meals on Wheels is provided across most areas of Vale of Glamorgan and is facilitated through Rondel House.

Will this policy have a significant effect on how services are delivered?

Yes No

Please detail:

Following engagement exercises with service users and staff this move plans to re-provide the existing services at a different location, the same staff will provide the same service to service users from a different base.

Meals on Wheels will still be delivered to homes of individuals and to those groups which we have provided meals to previously, including Trinity.

New Horizons Service users will be minimally impacted, as they will share the spaces available at Hen Goleg

SORTED will be minimally affected by internal moves within Hen Goleg.

Will this policy have a significant effect on how other organisations operate?

Yes No

Please detail:

Does the policy involve a significant commitment of resources?

Yes No

Please detail:

The move requires some investment through the provision of additional kitchen facilities, and the installation of a new lift, however this is managed against savings from the exit of Woodlands Day Centre, the closure of the building and reduction in costs as a result.

Does the policy relate to an area where there are known inequalities (for example, disabled peoples' access to public transport, the gender pay gap, racist or homophobic bullying in schools, educational attainment of Gypsies and Travellers)?

Yes No

Please detail:

The services are provided for people with Learning and/or physical disabilities

What are the intended outcomes of the policy (outcomes to be specific, measurable, achievable, results oriented, time-based)?

Please detail:

To relocate Woodlands Day Service to Hen Goleg and provide a more person centred service that offer more opportunity for people to engage in their local communities.

How will these be measured?

Please detail:

Whether the move has taken place

Questionnaires for service users and staff as to how the move has been implemented.

Supervision with staff

Away day planned for the 12.12.13

Will the policy impact upon other policies or practices?

Yes No

Please detail:

There will be an impact on the MoW service as additional meals will be provided from Rondel House

There will be an impact on some of the activities that can be offered at each of the services – Woodlands, New Horizons and SORTED

dependent on sharing of space

Catering practices will need to be checked so that meal preparation for all service users needs can be achieved

What data or research is available on the policy (for example, statistics, survey results, best practice advice)?

Please detail:

N/A

Are there any gaps in data which necessitate further research or consultation?

Yes No

Please detail:

Is there any evidence that there are different levels of service uptake for different protected groups, for example, do men use the policy more than women?

Yes No

Please detail:

Is there any evidence that there are barriers that might exclude any of the protected groups from accessing the policy?

Yes No

Please detail:

If there are no barriers, what is your evidence to support this?

The service is provided and tailored for specific groups of service users that are supported by the VoG.

Is there evidence that any of the protected groups will have different needs or priorities with regard to the proposed policy?

Yes No

Please detail:

Each of the day services have different needs, all have been considered and catered for adequately.

Is there any evidence that the policy could discriminate, directly or indirectly, against people in any of the protected groups?

Yes No

Please detail:

Service provided to specific groups, tailored to their needs.

Can anything be done further to promote equality of opportunity by altering the policy?

Yes

No

Please detail:

No – other than stop the provision of services based on support needs, instead providing Day services in a more generic manner, which is not currently the strategic direction.

2. Relevance

Is an equality impact assessment relevant to this policy?

Yes

No

Where, as a result of the above screening, the officer responsible for the policy believes that an equality impact assessment is not relevant, they should initially discuss this with the Council's equalities coordinator, and record and explain the decision.

Please detail:

3. Gender

Will the policy have a negative impact, directly or indirectly, on women or men?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on women or men?

Please detail evidence:

No Impacts have been identified

Will the policy have no gender-specific impact?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on men or women?

Please detail evidence:

None, there is equal access for all service users regardless of gender. In addition, mixed staff groups to support individuals in a gender appropriate manner as determined by the service user.

4. Race

Will the policy have a negative impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

No impact, as the service is accessed based on needs identified, not on any racial basis.

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

Retain the access criteria as is, where there is no reference to race. Encourage service users from other

backgrounds to access services, as predominantly our service users accessing Day services are white welsh

5. Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Will the policy have a negative impact, directly or indirectly, on disabled people?

Please detail evidence:

No – the service is designed around people with learning and/or physical disabilities

Will the policy have a positive impact, directly or indirectly, on disabled people?

Please detail evidence:

Services will be retained or replaced in order to offer the same levels of support as currently exist at Woodlands.
The move will also enhance the service provision and provide additional opportunities for people to engage in their local community.

Will the policy have no impact, directly or indirectly, on disabled people?

Please detail evidence: direct impact

The move centres around service users with disabilities and therefore their needs have been identified and solutions found.
Service users and families have been consulted throughout the process and provided with updates.

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on disabled people?

Please detail evidence:

Ensure options within the local community are explored to offer meaningful daytime opportunities. This will then deliver a more inclusive service.

6. Welsh language

Will the policy have a negative impact, directly or indirectly, on the Welsh language?

Please detail evidence:

Individual needs will be addressed via the care planning process.

Will the policy have a positive impact, directly or indirectly, on the Welsh language?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on the Welsh language?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on the Welsh language?

Please detail evidence:

Encourage welsh speaking within the service both for staff and service users.

7. Age

Will the policy have a negative impact, directly or indirectly, on different age groups (e.g. people over 50, people under 16)?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on different age groups?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on different age groups?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on people of different age groups?

Please detail evidence:

Current provision is shaped around ages and support needs and will continue in this way.

8. Religion, belief or non-belief

Will the policy have a negative impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for people with different religions, beliefs or non-beliefs?

Please detail evidence:

9. Sexual orientation

Will the policy have a negative impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

No action required – service provides for individuals regardless of sexual orientation or preference.

10. Gender Reassignment

Will the policy have a negative impact, directly or indirectly, on transgender people?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on transgender people?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on transgender people?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for transgender people?

None required.

Please detail evidence:

11. Pregnancy and maternity

Will the policy have a negative impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

No impacts have been identified

Will the policy have a positive impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

No impacts have been identified

Will the policy have no impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

No impacts have been identified

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for women during pregnancy or maternity?

Please detail evidence:

None required – should service users become pregnant they would be supported in an appropriate manner.

12. Consultation and involvement

What consultation and involvement activities have taken place? (for example focus groups, public surveys, public meeting, etc.)

Please detail:

Individual meetings have been offered to service users and their families/carers

Further planned meetings with service users and families prior to move

Consultation with staff and service users, away days have informed the strategy and action plans to be developed.

What arrangements have been made to consult and involve people and organisations representing the protected characteristics, which have been identified as potentially being affected by the policy? (for example men, women, parents, carers, the black and minority ethnic community (including asylum seekers, refugees, economic migrants), disabled people, the Welsh speaking community, the lesbian, gay and bisexual community, transgender people, different faith groups, etc.)

Please detail:

No impacts have been identified that will exist as a result of this interim move.

How have the results of the consultation been implemented?

Please detail: Concerns have been taken into account and allayed where possible.

13. Monitoring

What monitoring data do you intend to collect? (for example the number of disabled people using your service)

Please detail:

The services support people with learning and/or physical disability therefore we collate this information routinely for individuals accessing the day services.

How often will you analyse and report this data?

Please detail: Annually – as per WG requirements

Where will you publish the report on this data?

Please detail:

14. Publication of policy

How will you publish and publicise the policy to ensure equality of access to this information (including raising awareness with minority groups, producing information in accessible formats, etc.)?

Please detail: Not applicable

15. Further action

Any recommendations for action that you plan to take as a result of this impact assessment (listed in the sections above) should be included in your Team Plan or Departmental Service Plan.

Please detail:

16. Outcome

An equality impact assessment may have four possible outcomes, though more than one may apply to a single policy. Please indicate the relevant outcome of the impact assessment below.

Please tick as appropriate:

No major change – the impact assessment demonstrated that the policy was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

Adjust the policy – the impact assessment identified potential problems or missed opportunities. The policy was adjusted to remove barriers or better promote equality.

Continue the policy – the impact assessment identified the potential for adverse impact or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant policies.)

Stop and remove the policy – the impact assessment identified actual or potential unlawful discrimination. The policy was stopped and removed, or changed.

17. Authorisation

This equality impact assessment must be authorised by the relevant Head of Service or Operational Manager.

Approved by (name)	Amanda Phillips
Job Title	Operational Manager Learning Disability
Date	9 th December 2013

18. Completed Impact Assessments:

A copy of this form must be sent to the Equalities Coordinator for publication on the Council's website.