

Equality Analysis Form

Delivering for Croydon

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1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Adult Social Care and Health
Title of proposed change	Re-procurement of care and support provision for older people
Name of Officer carrying out Equality Analysis	Sasha Lindsay

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered/anticipated outcomes. What is meant to achieve and how is it seeking to achieve this? Please also state if it is an amendment to an existing arrangement or a new proposal.

This service relates to the outsourcing of care services at the Homes for the Future residential care facilities schemes (the care services). The Residential & Nursing Care homes and the Extra Care site were developed as part of the Homes for the Future P.F.I scheme. Four new schemes were developed:

- Heavers Resource Centre (60 beds) opened in 2008;
- Addington Heights (50 beds) opened in June 2010;
- Langley Oaks (40 beds) in July 2010.
- Fellows Court (32 x 1 bedroom and 8 x 2 bedroom social rented flats)

The nursing and residential care for all 3 sites has been provided by one care provider, Care UK, since 2011 and this contract is due to expire on 31st March 2023. The care for Fellows Court has been provided by London Care and currently out of contract. In line with the contract expiry for the we are planning to re-procure this service.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
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Age	<p>If a new care provider is procured, TUPE will apply. Therefore, residents would benefit by having maintained relationships with staff. Which would result a continuation of quality care. Safeguarding vulnerable clients and ensuring that their physical and mental health is maintained.</p> <p>However, it would allow for a new service specification to ensure that residents needs are met.</p> <p>This could result in having more specialized or higher trained staff providing care.</p> <p>Also, the provider would be required to have Equality and Diversity policies in place.</p>	<p>A change of service provider may mean that residents may need to adjust to new procedures.</p> <p>The standard of care is not guaranteed.</p> <p>If the cost of the care bed increases, the increased cost could get passed on to the client if they are a self funder, which would be determined through a financial assessment. Those who are not self-funders would not be affected.</p>	Local Partnership Review 65 years+
Disability	<p>If a new care provider is procured, TUPE will apply. Therefore, residents would benefit by having maintained relationships with staff. Which would result a continuation of quality care. Safeguarding vulnerable clients and ensuring that their physical and mental health is maintained.</p> <p>However, it would allow for a new service specification, whereby the needs of those with complex conditions or challenging behavior could be met.</p> <p>This could result in having more specialized or higher trained staff providing care.</p> <p>Also, the provider would be required to have Equality and Diversity policies in place.</p>	<p>A change of service provider may mean that residents may need to adjust to new procedures.</p> <p>The standard of care is not guaranteed.</p> <p>If the cost of the care bed increases, the increased cost could get passed on to the client if they are a self funder, which would be determined through a financial assessment. Those who are not self-funders would not be affected.</p>	Local Partnership Review
Gender	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A
Gender Reassignment		N/A	N/A

	The provider would be required to have Equality and Diversity policies in place.		
Marriage or Civil Partnership	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A
Religion or belief	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A
Race	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A
Sexual Orientation	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A
Pregnancy or Maternity	The provider would be required to have Equality and Diversity policies in place.	N/A	N/A

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:		
Additional information needed and or Consultation Findings	Information source	Date for completion
Engagement with residents and families through residents meetings at the 3 care sites.	Meeting to take place at one of the PFI Homes	tbc
Engagement with social workers, CCG, Commissioning relating to the service specification	Task and Finish Group	

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example
- **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

S e	3	3	6	9
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	2	2	4	6
	1	1	2	3
		1	2	3
Likelihood of Impact				

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 3 – Impact scores

Column 1 PROTECTED GROUP	Column 2 LIKELIHOOD OF IMPACT SCORE Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 3 SEVERITY OF IMPACT SCORE Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 4 EQUALITY IMPACT SCORE Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group. Equality impact score = likelihood of impact score x severity of impact score.
Age	3	1	3
Disability	3	1	3
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	n/a	n/a	n/a

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	<p>1: A change of service provider may mean that residents may need to adjust to new procedures.</p> <p>2: The standard of care is not guaranteed.</p>	<p>(Although there are no major changes. The following actions will be taken as precaution.)</p> <p>1: Regular engagement with residents and families to keep them updated about the relevant changes and stages</p>	Older People Commissioning team	tbc

Equality Analysis

	<p>3: If the cost of the care bed increases, the increased cost could get passed on to the client if they are a self funder, which would be determined through a financial assessment. Those who are not self-funders would not be affected.</p>	<p>of the tender process. An implementation period is written into the procurement timeline, allowing transition from old provider to new provider and to allow the Council to have oversight of the transition.</p> <p>2: At the point of tender, providers would be required to submit a range of documents relating to policies and practices and CQC inspection/rating giving an indication of their quality. References will be obtained from other Local Authorities. The tender will weighted at 60% quality/40% price.</p> <p>3: A price cap will be included in the tender documents based on the range indicated in the cost of care exercise that is taking place nationally.</p>		
Race	N/A	N/A	N/A	N/A
Sex (gender)	N/A	N/A	N/A	N/A
Gender reassignment	N/A	N/A	N/A	N/A
Sexual orientation	N/A	N/A	N/A	N/A
Age	<p>1: A change of service provider may mean that residents may need to adjust to new procedures.</p>	<p>(Although there are no major changes. The following actions will be taken as precaution.)</p>	<p>Older People Commissioning Team</p>	<p>tbc</p>

Equality Analysis

	<p>2: The standard of care is not guaranteed.</p> <p>3: If the cost of the care bed increases, the increased cost could get passed on to the client if they are a self funder, which would be determined through a financial assessment. Those who are not self-funders would not be affected.</p>	<p>1: Regular engagement with residents and families to keep them updated about the relevant changes and stages of the tender process. An implementation period is written into the procurement timeline, allowing transition from old provider to new provider and to allow the Council to have oversight of the transition.</p> <p>2: At the point of tender, providers would be required to submit a range of documents relating to policies and practices and CQC inspection/rating giving an indication of their quality. References will be obtained from other Local Authorities. The tender will be weighted at 60% quality/40% price.</p> <p>3: A price cap will be included in the tender documents based on the range indicated in the cost of care exercise that is taking place nationally.</p>		
Religion or belief	N/A	N/A	N/A	N/A
Pregnancy or maternity	N/A	N/A	N/A	N/A
Marriage/civil partnership	N/A	N/A	N/A	N/A

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter **X** in column 3 (**Conclusion**) alongside the relevant statement to show your conclusion.

Equality Analysis

Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	X
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: Cabinet Date: July 2022

7. Sign-Off

Officers that must approve this decision	
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Equality Analysis

Equalities Lead	<p data-bbox="974 311 1265 438"></p> <p data-bbox="459 422 1489 534">Name: Gavin Handford Date: 27 May 22 Position: Director of Policy, Programmes and Performance</p>
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