

# Equality Impact Assessment

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 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 protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion of belief
- Sex
- Sexual orientation

The duty also covers marriage and civil partnership but only with regard to eliminating discrimination. And in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

Further advice on completing impact assessments can be found on StaffNet

<http://staffnet.valeofglamorgan.gov.uk/Directorates/Managing-Director-and-Resources/Performance-and-Development/Equalities/Equalities-Impact-Assessments/Equality-Impact-Assessments.aspx>

Title and description of the policy, procedure, practice or decision (referred to as “policy” throughout form).	Decommissioning of Rhoose Road Respite Service, with people’s needs being met through alternative arrangements such as Adult Placement Service (APS), direct payments and external providers.
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Who is responsible for developing and implementing the policy?

Name	Linda Woodley
Job Title	Interim Operational Manager Cardiff and Vale Learning Disabilities
Directorate	Social Services
Division	Adult Services

**1. Who will be affected by this policy?**

Examples may include Vale of Glamorgan residents, internal department(s), a specific group of customers or employees, customers or residents in a specific location.

Please specify:

**Background**

31 Rhoose Road provides short term respite accommodation within the Vale of Glamorgan and is registered with Care and Social Services Inspectorate for Wales (CSSIW) for the following service user groups:

- Younger Adults with learning and physical disabilities
- Older Adults with learning and physical disabilities

The facility can accommodate three service users at any one time and offers one downstairs bedroom (for those with mobility issues) and two upstairs bedrooms.

There are currently 36 users of the service; 12 of whom are users of the downstairs bedroom and 24 who use the two rooms located upstairs in the building. Of the 24 service users who use the bedrooms upstairs, 8 of them are currently known to the Adult Placement Service (APS), and

the remaining 16 would be eligible to use the service.

There are currently a number of issues with the service, which are mainly related to the usability and suitability of the premises not best meeting the needs of people. The service is also operating on high vacancy levels ( see table below).

	2012/13	2013/14	2014/15	2015/16
No. of available respite nights	1095	1059	1062	1065
No. of occupied nights	920	996	968	821
Occupancy %	84.02%	94.05%	91.15	77.09%

### Who is Affected?

This policy affects adults with a learning disability who currently use Rhoose Road residential respite service and young people coming transitioning from Children to Adult Services who will be requiring residential respite in the future. This on average equates to 3-4 people per year.

The policy also affects parents/carers as this service provides them with a break from their caring role.

The policy will also impact upon current employees of the service: 1 Full-time manager, 7 part-time permanent staff, 2 part-time temporary staff and 5 casual staff.

2. 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; the educational attainment of Gypsies and Travellers)?

Yes

No

Please detail:

Adults with learning disabilities will be affected by the proposed changes as outlined above in question 1.

**3. What will be the impact of this policy / decision / practice on people because of their age?**

- Positive
- Negative
- Neutral / insignificant

What age groups will the policy impact upon?

- Young people (children and young people, up to 18)
- People 18- 50
- Older people (50+)
- All
- Other (please specify) \_\_\_\_\_

Reasons for your decision (including evidence) / How might it impact?

The current number of people in the 18-50 age bracket accessing the service is 30.

The current number of older people (50+) is 6

Future services would continue to provide respite based on eligible need irrespective of age.

In respect of the staff group there are 3 people who are over the age of 60 years. This will need to be considered alongside the points raised in response to question 5 as these people are nearing the age of retirement.

**4. What will be the impact of this policy / decision / practice on disabled people?**

- Positive
- Negative
- Neutral / insignificant

Which impairment(s)?

- Visual
- Hearing

- Physical disability
- Learning disability
- Mental health condition
- All
- Other (please specify) \_\_\_\_\_

Reasons for your decision (including evidence) / How might it impact?

The people accessing Rhoose Road all have a diagnosed learning disability but in addition to this there are 12 people who also have a physical disability, 4 people with an additional visual impairment and 2 with a hearing impairment. All people with eligible needs would continue to receive an appropriate service which would include 24/7 support for those people requiring it.

Feedback collated from meetings and questionnaires, both part of the consultation process, indicates that the current service model is valued by carers because of the stability and security of the service. People indicate that they like the current arrangement because they get to be with friends and staff that they like. They also appreciate the opportunities provided by the service to go out on day trips.

The proposed changes would alter the delivery of respite. The process of change and adjusting to a different provider (whether that be an APS host, direct payment personal assistant or external provider), initially may have a negative impact, because they would need to manage a change, on some people, however, services would be commissioned on the basis that they meet the requirements of individuals and carers which would include being able to meet the areas identified as important to their wellbeing.

A transition timetable would be required to ensure each person and their carer's are able to build a relationship with the new provider.

A consultation process has taken place and is fully outlined in answer to Question 15. Below is a summary of the process and the views of people using the service and of parents/carers who responded to the questionnaire.

### Consultation Summary

- 41 letters and questionnaires were sent out.
- 18 parent/.carer questionnaires were returned (43%)
- 15 service user questionnaires were returned (37%)
- 5 returned questionnaires were from people who also attended the consultation (12%)
- 11 individual (parent/carers and person) consultations took place (27%)

Out of the 15 questionnaires returned, the top three comments under each heading on the **Service User Questionnaire** are as follows:

**How does respite help you?**

Get to have a break  
Get to see friends  
Independence

**What do you like best about respite?**

Seeing friends  
Staff  
Trips

**How could respite be made better?**

It's perfect/Keep it going  
More days at RR  
Nurses to do medicine

**How would you feel if respite was changed?**

Would be sad/not happy if it was changed.  
Not good with change  
Keep it as it is.

Out of the 18 questionnaires returned, the top three comments under each heading on the **Parent/Carer Questionnaire** are as follows:

**How does respite help you?**

A welcome break/time apart  
Re-charge batteries  
Being able to stop worrying about providing care/small measure of freedom

**Thinking about current services offered, what do you feel is most beneficial to you or to the person you care for?**

Rhose Road – Security of service  
Day care and respite

Equality Impact Assessment Form  
Reviewed March 2016

Stability – well trained staff

**Please could you share any ideas you have about how respite could be improved and delivered in the future?**

Happy as it is/works fine as it is

Plan respite for a year/more organised with the bookings

Bigger version of RR/more houses like RR

**If respite were delivered in a different way, what impact would this have on you?**

Depends on what way it is different

Would be very sad/would have a detrimental impact

Opportunities for respite would be reduced.

These comments were reiterated during the 1:1 consultation sessions.

**5. What will be the impact of this policy / decision / practice on different genders?**

Positive

Negative

Neutral / insignificant

Will the impact be on:

Men

Women

Reasons for your decision (including evidence) / How might it impact?

There is no differential impact on men and women in respect of this policy. 21 women utilise Rhoose Road and 15 men. All people eligible for respite would receive a service irrespective of gender.

The effect on carers of the policy: recognising that a higher proportion of women are carers, would be neutral as alternative provision would be provided in accordance with the Council's statutory obligation under the Social Services and Wellbeing (Wales) Act 2014

In respect of the staff team, there are more women currently employed (11) than men (4). Alternative employment arrangements would be in accordance with council policy, in particular the Change Management and the Avoiding Redundancy policy and procedures. Where possible, opportunities to mitigate the displacement of staff will be fully explored through matching existing staff to appropriate posts or redeploying to suitable existing vacant positions within the Service and the wider Council. The Council will also continue to work with partner organisations

to determine whether the potential exists to support staff in acquiring employment in other organisations, if required.

The Council is committed to offering voluntary redundancy opportunities to staff in circumstances where change of this scale is being proposed. This will be progressed using an agreed set of criteria and discussed with Trade Unions and staff throughout the process.

**6. What will be the impact of this policy / decision / practice on trans people?**

- Positive
- Negative
- Neutral / insignificant

Reasons for your decision (including evidence) / How might it impact?

Currently there is no specific data available in regards to the number of trans people attending Rhoose Road. However, with reference to the care and support plans of the 36 people attending, this is not identified by any individuals as a specific need.

In accordance with Council Policy, we are committed to promoting equal access to services for all people according to their needs, to ensure equality of opportunity and outcome. Care and support plans would identify any specific needs/outcomes that an individual has in respect of their gender.

**7. What will be the impact of this policy / decision / practice on marital status and civil partnership? (<sup>1</sup> see note on page 1)**

- Positive
- Negative
- Neutral / insignificant

Reasons for your decision (including evidence) / How might it impact?

There are currently no people accessing the service who are in a civil partnership or married. However, in accordance with Council Policy we are committed to promoting equal access to services for all people according to their needs, to ensure equality of opportunity and outcome. Care and support plans would identify any specific needs/outcomes that an individual has in respect of their civil partnership or marital status.



8. What will be the impact of this policy / decision / practice on pregnancy and/or maternity?

- Positive
- Negative
- Neutral / insignificant

Reasons for your decision (including evidence) / How might it impact?

There are currently no people accessing the service who are pregnant or parents. However, in accordance with Council Policy we are committed to promoting equal access to services for all people according to their needs, to ensure equality of opportunity and outcome. Care and support plans would identify any specific needs/outcomes that an individual has in respect of their civil partnership or marital status.

9. What will be the impact of this policy / decision / practice on different groups because of their race?

- Positive
- Negative
- Neutral / insignificant

Please indicate groups that may be affected:

- Ethnic minorities
- Nationalities
- Asylum seekers / refugees
- Gypsies / Travellers
- All
- Other (please specify) \_\_\_\_\_

Reasons for your decision (including evidence) / How might it impact?

All current people using Rhoose Road have their ethnicity recorded as White British.

In accordance with Council Policy, we are committed to promoting equal access to services for all people according to their needs, to ensure equality of opportunity and outcome. Care and support plans would identify any specific needs/outcomes that an individual has in respect of their race.

The information recorded on race in respect of the staff group, indicates that there would be no impact on any specific group if the decision to decommission Rhoose Road is made.

**10. What will be the impact of this policy / decision / practice on different groups because of their religion, belief or non-belief?**

- Positive
- Negative
- Neutral / insignificant

Please indicate groups that may be affected:

- Religious group(s)   
(please specify) \_\_\_\_\_
- Belief (e.g. Humanism)   
(please specify) \_\_\_\_\_
- Non-belief   
(please specify) \_\_\_\_\_
- All

Reasons for your decision (including evidence) / How might it impact?

Out of the 36 people currently utilising Rhoose Road data on religion is recorded for 10 individuals. The specific religions identified come within the umbrella of Christianity.

An individual's right to practice their religion would be upheld and respected in all settings commissioned by the authority and this would be included within their care and support plan.

**11. What will be the impact of this policy / decision / practice on different groups because of their sexual orientation?**

- Positive
- Negative
- Neutral / insignificant

Please indicate groups that may be affected:

- Gay men
- Lesbians
- Bisexuals
- All

Other (please specify) \_\_\_\_\_

Reasons for your decision (including evidence) / How might it impact?

The sexual orientation of people currently using the service is not known. However, in accordance with Council Policy we are committed to promoting equal access to services for all people according to their needs, to ensure equality of opportunity and outcome.

**12.** What will be the impact of this policy / decision / practice on the Welsh language?

Positive

Negative

Neutral / insignificant

Reasons for your decision (including evidence) / How might it impact?

There are currently no Welsh Language speakers utilising the service. The service is not currently provided in Welsh. All newly commissioned services would consider Welsh Language in the assessment process and ensure that an individual could access support in their chosen language.

**13.** If you have identified any positive or negative impact (other than negligible) upon any protected characteristic groups or individuals then you must complete a full impact assessment.

Is a full equality impact assessment required Yes  No

This decision must be authorised by the relevant Director, Head of Service or Operational Manager

Approved by (name)	Linda Woodley
Designation	Interim Operational Manager Cardiff and Vale Learning Disabilities

Date	4/11/16
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If it has been identified that there is a requirement to produce a full equality impact assessment, you must continue overleaf. If, however, you have determined that a full assessment is not necessary, then you are required to submit an authorised electronic copy of this document to [tsgreaves@valeofglamorgan.gov.uk](mailto:tsgreaves@valeofglamorgan.gov.uk)

Only complete these sections if you have identified the need for a full equality impact assessment

**14. Who will be affected by this policy?**

Examples may include Vale of Glamorgan residents, internal department(s), a specific group of customers or employees, customers or residents in a specific location.

Please specify:

31 Rhoose Road provides short term respite accommodation within the Vale of Glamorgan and is registered with Care and Social Services Inspectorate for Wales (CSSIW) for the following service user groups:

- Younger Adults with learning and physical disabilities
- Older Adults with learning and physical disabilities

The facility can accommodate three service users at any one time and offers one downstairs bedroom (for those with mobility issues) and two upstairs bedrooms.

There are currently 36 users of the service; 12 of whom are users of the downstairs bedroom and 24 who use the two rooms located upstairs in the building. Of the 24 service users who use the bedrooms upstairs, 8 of them are currently known to the Adult Placement Service (APS), and the remaining 16 would be eligible to use the service.

There are currently a number of issues with the service, which are mainly related to the usability and suitability of the premises not best meeting the needs of people. The service is also operating on high vacancy levels.

### **Who is Affected?**

This policy affects adults with a learning disability who currently use Rhoose Road residential respite service and young people coming transitioning from Children to Adult Services who will be requiring residential respite in the future. This on average equates to 4 people per year.

The policy also affects parents/carers as this service provides them with a break from their caring role.

The policy will also impact upon current employees of the service: 1 Full-time manager, 7 part-time permanent staff, 2 part-time temporary staff and 5 casual staff.

**15.** Decisions must be based on robust evidence. Please detail the evidence that you have used to inform your assessment. What evidence do you have about how your service is used? What was the strength of the evidence and did you identify any gaps? Did the evidence identify any barriers to services, or different needs and priorities for protected characteristic groups? If the evidence was weak or gaps were identified, what action have you taken to address this?

A letter was sent out to all current people using the service and their carer's as well as young people known to have a future need of residential respite. The letter was sent out on the 12<sup>th</sup> September 2016 in both written and pictorial/accessible formats, explaining that the council were looking at residential respite services and outlining the proposed changes. The letter invited people to fill in attached questionnaires and to attend individual consultations. Letters and questionnaires were sent out in written and accessible formats.

All individuals are known to social services and have in depth individual assessments outlining their needs and preferred outcomes.

### **Consultation Summary**

- 41 letters and questionnaires were sent out.
- 18 parent/.carer questionnaires were returned (43%)
- 15 service user questionnaires were returned (37%)
- 5 returned questionnaires were from people who also attended the consultation (12%)
- 11 individual (parent/carers and person) consultations took place (27%)

To ensure as many people attended the individual consultation sessions as possible, after the letters were sent out, telephone calls were made to each person/parent/carer to remind them of the event and check whether they wished to attend. Where people didn't attend their booked session, follow up telephone calls were made and sessions re-booked, or as occurred on one occasion discussion took place over the phone.

The top three comments under each heading on the **Service User Questionnaire** and confirmed during the consultation sessions were as follows:

**How does respite help you?**

Get to have a break  
Get to see friends  
Independence

**What do you like best about respite?**

Seeing friends  
Staff  
Trips

**How could respite be made better?**

It's perfect/Keep it going  
More days at RR  
Nurses to do medicine

**How would you feel if respite was changed?**

Would be sad/not happy if it was changed.  
Not good with change and confirmed during the consultation sessions  
Keep it as it is.

The top three comments under each heading on the **Parent/Carer Questionnaire** and confirmed during the consultation sessions were as follows:

**How does respite help you?**

A welcome break/time apart

Re-charge batteries

Being able to stop worrying about providing care/small measure of freedom

**Thinking about current services offered, what do you feel is most beneficial to you or to the person you care for?**

Rhose Road – Security of service

Day care and respite

Stability – well trained staff

**Please could you share any ideas you have about how respite could be improved and delivered in the future?**

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Plan respite for a year/more organised with the bookings

Bigger version of RR/more houses like RR

**If respite were delivered in a different way, what impact would this have on you?**

Depends on what way it is different

Would be very sad/would have a detrimental impact

Opportunities for respite would be reduced.

**16.** There is a legal duty to consult and involve people and organisations representing the protected characteristics where it is identified that they are potentially 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 engagement activities that have taken place – internally and externally:

**Please refer to the answer in response to Question 15 above.**

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

Yes ✓

No

Please detail:

### **Current Service Delivery Model**

The Vale of Glamorgan Council offers respite care in a number of ways to adults with learning disabilities and their families. Respite care is provided through Rhoose Road, Adult Placement Service, Direct Payments and the spot purchasing of Residential Home Placements.

#### **Rhoose Road**

The Council's Residential Respite facility, Rhoose Road, has provided short term respite accommodation within the Vale of Glamorgan for over 22 years. Rhoose Road is registered with CSSIW to provide short term residential care for both younger and older adults with learning and physical disabilities.

The facility can accommodate three service users at any one time and offers one downstairs bedroom (for use by those with complex health and social care needs) and two upstairs bedrooms. People who attend the service and their carers have been assessed as requiring a period of respite to meet their presenting needs.

Throughout the year, in total there are 36 users of the service; 12 of whom are users of the downstairs bedroom and 24 who use the two rooms located upstairs in the building. Of the 24 service users who use the bedrooms upstairs, 8 of them are currently known to the Council's Adult Placement Service, and the remaining 16 could be eligible to use the service if desired.

### **Proposed Service Delivery Model**

The proposals are to offer an alternative to the respite care provision that is currently offered at Rhoose Road in order to better meet presenting needs. This would be achieved in two ways as described below.

- Element 1: Where an assessment shows that respite care services should be provided and service users choose not to receive direct payments, the Vale of Glamorgan's Adult Placement Service is offered to people and their carers as a default option. The service currently has capacity to host additional placements and offers greater flexibility and opportunities to people and their carers.



There are currently 24 of the 36 current users of Rhoose Road who could have all of their respite care needs met by the Adult Placement Service. Eight of these people currently access Rhoose Road and the other 16 could access the Adult Placement service. The service has the capacity to accommodate this level of growth as it currently stands.

Element 2: For those who have particularly high level care needs (12 of the 36 current users of Rhoose Road) who have been assessed as requiring residential respite provision. The Council's Adult Placement Service would not be suitable and it is therefore proposed that the Council would look to provide the required 24 hour high level support to meet the needs of this client group through an external provider.

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

Yes  No

Please detail:

There are a small number of Continuing Health Care (CHC) and joint funded cases and so Cardiff & Vale University Health Board would be affected. However they would be able to utilise the proposed new model and also have further health options available, therefore the impact on other organisations would not be significant.

**19.** Will the policy impact upon other policies or practices?

Yes  No

Please detail:

The proposed changes would lead to increased use of the Adult Placement Service ( APS) and Direct Payments.

### **Adult Placement**

Adult Placement currently has capacity to provide respite to the 24 people identified as able to utilise this service. The use of the Council's Adult Placement service as a respite facility offers people short term residential placements with host families within their local community. Within the Vale of Glamorgan there are currently 34 host families/addresses that provide respite care for approximately 49 people and their carers. The service is continually growing and has current capacity to accommodate additional clients. The service offers people the opportunity to choose a host family who can better meet their individual needs both personally and geographically. A host family can accommodate a maximum of three people at any one time, allowing friendship groups to receive respite together. Service users also benefit from respite being offered in a homely and family environment.

### **Direct Payments**

The Council offers Direct Payments to individuals and their carers when an assessment shows that care services should be provided. Where respite has been identified as a care need, this cash payment promotes flexibility by allowing individuals and their carers to organise respite care services themselves, by choosing those that are most appropriate. Some people use the money to buy care from an agency whilst others will directly employ their own staff or pay members of their family to carry out the care. This option is often preferred by people and their families as it provides them with greater choice and control over how their needs are met. The promotion of Direct Payments is in accordance with the Social Services and Wellbeing (Wales) Act 2014.

**20.** Have you identified any evidence that the policy could directly or indirectly discriminate against or have an adverse impact on people in any of the protected groups? If 'Yes', what do you intend to do to mitigate against this?

Yes ✓

No

If you do not intend to mitigate against any identified adverse impact please provide justification.

Please detail:

Feedback from some people using the service and some parents/carers has identified the change as negative. Parents/carers fear that respite will be reduced and any change will be destabilising. People using Rhoose Road fear losing friendship groups and familiar staff. (Please see responses to Questions 4 and 14 for full list of concerns).

To mitigate against any actual or perceived negative impact, throughout the consultation and as part of ongoing discourse, the Council's commitment to meeting people's identified need for respite has been emphasised. Any transition to alternative provision would be carefully managed with introductions, tea visits, information sharing sessions and comprehensive care and support plans in place identifying how people wish to have their needs and outcomes met. For those people with high level needs who could not access Adult Placement (APS) or direct payments an external provider that is able to evidence expertise in this area would be sourced. As part of the commissioning and procurement process providers would have to be able to evidence that they could deliver the requirements outlined in the Service Specification. The Service Specification would be developed on the basis of the information gleaned from people through the consultation process about what is important to them.

**21.** What can be done further to promote equality of opportunity by altering the policy?

Please detail, including opportunities to promote good relations and community cohesion:

We will ensure assessments and care and support planning has taken place and where necessary is reviewed to capture an up to date picture of people's needs and outcomes. This will enable transition plans to be put in place that are person centred and responsive to the needs of each individual.

**22.** It is a requirement of the specific duties in Wales to undertake future monitoring of the equality impact of a policy. Please provide

details of the monitoring that you will conduct? (for example the number of disabled people using your service as a proportion of the general population)

Please detail:

We will continue to monitor the use of any respite care contract and APS respite to ensure it continues to meet the outcomes of people and enhances inclusion of people with a disability.

**23.** How often will you analyse and report upon this monitoring information, and where will it be reported?

Please detail:

The utilisation will be monitored on a monthly basis through the supported accommodation monitoring officer. Annual contract monitoring will also be in place.

**24.** 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:

The EIA will be publicised on the council's internet. Information regarding access to social care services will also be available on the internet or through the information, advice and assistance services.

**25.** 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 those actions and where they will be placed:

Adjustments to the team plan will be made to reflect issues highlighted in this EIA.

**26.** An equality impact assessment may have four possible outcomes, though more than one may apply to a single policy. Please indicate the relevant outcome(s) 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.

**27.** Authorisation of full assessment

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

Approved by (name)	Linda Woodley
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Job Title	Operational Manager
Date	4/11/16

Signature \_\_\_\_\_

On completion of this form you must send an authorised electronic copy to the Equalities Section: [tsgreaves@valeofglamorgan.gov.uk](mailto:tsgreaves@valeofglamorgan.gov.uk).