

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

<p>Name or Brief Description of Proposal</p>	<p>Consultation regarding potential change of service in two learning disability registered care homes - Seagarth Lane and Orchard Mews.</p> <p>This will be a working document informed by the results of the consultation process due to the potential impact on these clients who share a protected characteristic i.e. a disability which has a substantial adverse effect on their ability to carry out normal day-to-day activities.</p>
<p>Brief Service Profile (including number of customers)</p>	<p>The service is commissioned to provide registered residential care to clients in two residential care homes with 6 units of accommodation in each. Currently 11 clients are in residence and 1 vacancy is therefore to be filled.</p> <p>The current age range of the clients is 30 to 80 years. Their disabilities include learning disabilities, physical disabilities and autism.</p>
<p>Summary of Impact and Issues</p>	<p>All clients are to have an individual care management assessment in order to review and assess their current needs.</p> <p>These assessments will be Care Act compliant, and may result in possible changes in respect to equipment/the environment for the clients.</p> <p>The assessments will establish whether each client’s needs can be met in supported living as opposed to residential care.</p> <p>Any decision to deregister must be made in the best</p>

interests of the clients.

Where clients do not have capacity, Best Interest decisions will need to be made following the assessments.

If some of the clients' needs cannot be met in supported living, a viability alternative residential home for them will be sought.

Financial assessments will also be undertaken as the move may have a financial impact on them.

Once the assessments are complete, consultation with the clients and their families/carers will then follow to explain the 2 options:

- To de-register from residential care to supported living, subject to a consultation exercise with the clients and their families. As such Dimensions would obtain a direct award of the support contract due to their position as first on the new Domiciliary Care framework agreement.
- To be part of a tender for residential care. As such this could mean a change of support provider, depending on which organisations submit bids. Thus fulfilling our requirement to give other providers an opportunity to show they can provide the service.

De-registration will only proceed if the consultation process gives a clear endorsement that that is the preference of the clients/families.

If the service is deregistered it will mean changes for the clients in 3 main areas: Their home, their support and their money. The changes are summarised in this table which explains the differences between living in registered care and a supported living home.

<u>Supported Living</u>	<u>Residential Care</u>
My Home	My Home
You have your own home, with your own tenancy. You have security of tenure and cannot be moved against your will	You have a Licence agreement with no security of tenure. You can legally be moved out without your consent.

	unless the tenancy is breached.	
	As a tenant you have the right to choose who you live with (if anyone).	Good practice in residential care states that people should be well matched as much as possible, but in practice many people live with people that they have not chosen to live with.
	You have more rights over your life and living arrangements. You have more choice about what happens in your home	The home is managed and run by a care provider who is responsible for all aspects of your daily needs and wellbeing.
	Your accommodation is provided separately to your support.	The accommodation and care service are provided together as a whole package.
	My Support	My Support
	You can choose an alternative support provider (if required) and you can stay in your home.	Your support is provided as part of a package with accommodation, and one element cannot be changed without impacting on the other.
	The service is tailored to you. You have support to live the way you want in your own home	
	My Money	My Money
	You have a legal right to access a range of welfare benefits including housing benefit, income support and disability living allowance. You will be able to receive your benefits directly. This means you are in control of paying your bills and	Residential care limits your rights to some welfare benefits. Most people that pay towards their own care costs access a small personal expenses allowance (of approximately £20 per week) to purchase personal belongings,

	choosing what to do with what is left over	clothes and holidays.
	You have access to other sources of funding, including Direct Payments	You cannot access most additional funding for support.
	You are responsible for paying all utility bills and other associated housing costs. You pay your rent by claiming housing benefit. You should retain more of your income, and have your own money to pay for things you need.	You have your food, heating and general needs paid for as it is included in the fees charged by the care provider
Potential Positive Impacts	See all of the above, should de-registration take place	
Responsible Service Manager	Kate Dench	
Date	05/05/16	

Approved by Senior Manager	Stephanie Ramsey
Signature	
Date	05/05/16

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	Approximate age range of the 11 current clients is 30 to 80. Seagarth Lane and Orchard Mews need to cater for ageing population as well as adults.	We have ensured built into the housing service charges are equipment costs (e.g. for replacement specialist bath).
Disability	All people have a learning disability, some have additional complex needs. Some families said that attitudes to people with learning disabilities are not positive at times, this may help.	No specific action required From the work of Transforming Care (the national model) and the work we are doing locally

	<p>Families have raised a concern that their relative cannot make the choice about having a tenancy.</p> <p>Families asked how de-registration will this affect their relative</p>	<p>to achieve this model, we expect to help change attitudes so that individuals are seen more positively and valued within society, again this links to rights, empowerment and choice.</p> <p>Each service user will have their own individual assessment completed by the social worker. The Financial Assessment and Benefits team are ready to support in the transition to maximise income. They have also stated there was an opportunity to look at Disability Related Expenses (DRE) and making claims through this route to enhance income. If the assessment demonstrates a negative impact financially, we will look at how we could mitigate against this. We have found strong evidence that in most cases, a person gains access to more disposable income through a Supported Living scheme.</p> <p>It is difficult to predict exact changes for service users, and will depend on individual circumstances, through the Care Act assessment process. There will be tailored support plans that take into account the transitional factors for individuals and families</p>
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		<p>(pursuant to section 25 of the Care Act 2014).</p> <p>We expect that there will be more opportunities for choice and independence, appropriate to the needs and strengths of the service users. The Council has to make sure that everyone's needs are assessed and those needs are met pursuant to s.9 and s.18 of the Care Act 2014 respectively.</p> <p>Service users will have their own Care Act assessments and plan to address any remaining negative impacts. This will be person centred and individually tailored to address the specific issue</p>
Gender Reassignment	No impact identified.	No specific action required
Marriage and Civil Partnership	No impact identified.	No specific action required
Pregnancy and Maternity	No impact identified.	No specific action required
Race	No impact identified.	No specific action required
Religion or Belief	No impact identified.	No specific action required
Sex	No impact identified.	No specific action required
Sexual Orientation	No impact identified.	No specific action required
Community Safety	All accommodation options for Supported Living are carefully assessed to ensure the safety of service users within the local community.	Continued training for the Police helps to raise awareness of community safety issues. There are currently good relationships with neighbours and the

		<p>provider supports the service users to maintain positive relationships. Under the contract, the provider knows how to support the service users to respond to any potential Hate Crime issues.</p>
<p>Poverty</p>	<p>Families raised a concern as to whether their relative will have enough money to live on</p>	<p>Service users will have their own Care Act needs assessments and care and support plan to address any remaining negative impacts, which will set out their eligible needs and how this will be met. This will be person centred and individually tailored to address specific issues.</p> <p>Each service user will have an individual Care Act assessment completed by the social worker. The Financial Assessment and Benefits team are ready to support in the transition to maximise income. They have also stated there was an opportunity to look at Disability Related Expenses (DRE) and making claims through this route to enhance income. If the assessment demonstrates a negative impact financially, we will look at how we could mitigate against this. We have found strong evidence that in most cases, a person gains access to more disposable income through a Supported Living scheme.</p>

<p>Health and Well being</p>	<p>Families have raised a concern that the individuals will be left on their own without support.</p> <p>Families have raised a question that their relative cannot be any more independent than they already are, it would not be safe for them, so they are unclear what would change for them.</p>	<p>The support put in place will meet everyone's needs. There is no intention to take support away, we will look at targeting the support in a better way, this will be developed from the Care Act assessment, families will be asked to contribute to this. The Council has to make sure that everyone's needs are assessed and those needs are met pursuant to s.9 and s.18 of the Care Act 2014 respectively.</p> <p>Everyone is an individual. The principles regarding the change relate very much to being valued and empowered. This means having rights and choices like others without a learning disability have. The social work Care Act needs assessment looks at individual's strengths, their interests, how they want to live their life and what support they need, to get the most from their life. The assessment also considers risks and we can support service users to manage risks. It identifies outcomes (e.g. such as being able to maintain a habitable home environment) that the individual is not able to achieve without support and the cumulative impact on the individual's wellbeing of not being able to achieve the outcomes. The change would offer more</p>
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	<p>Families raised a concern that people can lose their tenancy, how is this more secure?</p>	<p>flexibility with support so that key areas of development are targeted, for example, shopping and cooking, personal care or community access. These examples are not an exhaustive list.</p> <p>A tenancy agreement gives certain rights to both you and your landlord and also sets out the responsibilities that you have. For example:</p> <ul style="list-style-type: none"> • Your right to stay in your home unless your tenancy is breached • Your right that you cannot be moved against your will • Your landlord's right to receive rent for letting you live in the property. <p>The Tenancy agreement will also let you know what you can do if you are unhappy with your landlord.</p> <p>The support we commission under the contract for Supported Living services means that within a deregistration process, Dimensions would continue to deliver the contract, but under the Supported Living contract.</p> <p>The council tested all providers about their quality to deliver Supported Living</p>
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		<p>services, we will also provide ongoing monitoring to ensure this is delivered. Within the requirements of the contract, providers must: <i>Support clients where necessary to maintain their tenancy agreement by working proactively with the client and housing provider to manage any risks pertaining to this.</i></p>
<p>Other Significant Impacts</p>	<p>Families have said there will be more work for them to do (as appointees)</p>	<p>Support will be offered during the transition process (in applying for benefits and maximising benefits).</p> <p>Families do have the option to cease undertaking the appointee role if they wish, a reminder of their role as appointee has been shared with them. Dimensions are able to work with families regarding a plan and process, to ensure that weekly amounts of service user's budget are accessible to meet the identified support needs.</p>