

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 proposals and consider mitigating action.

Name or Brief Description of Proposal	<p>Consultation regarding potential change in three learning disability registered care homes for them to deregister and become supported living properties.</p> <p>This has been a working document informed by the feedback during the consultation period 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>
Brief Service Profile (including number of customers)	
<p>The three residential homes in question have 17 beds in total of which 15 are currently occupied by adults with learning disabilities. The age range of the residents is from 47 to 74 years, their disabilities include Learning Disabilities, physical disabilities and autism. Support within the homes is delivered throughout the day and night. The CQC registered provider for the three homes is Dimensions UK Ltd. The homes are owned by Clarion Housing Group however NHS England hold a legal charge over the properties as the funding for the properties originally came from the NHS in the late 1990’s.</p>	
Summary of Impact and Issues	
<p>A consultation with the residents of the three homes and their families was undertaken between November 2019 and February 2020 to gather feedback in respect of the two options:</p> <ul style="list-style-type: none"> • To de-register from residential care and live in a supported living home • To remain living in a residential care home 	

The preferred option is for deregistration.

If the service is deregistered it will mean changes for the clients in three main areas: their home, their support and their money. The changes are summarised below, explaining the differences between living in registered care and a supported living home.

<u>Supported Living</u>	<u>Residential Care</u>
My Home	My Home
<p>Your accommodation is provided separately to your support.</p> <p>You have more choice about what happens in your home.</p>	<p>The care home is managed and run by a care provider.</p>
<p>You have more rights over your life and living arrangements. You will have a licence agreement or tenancy with the landlord (Southampton City Council).</p>	<p>The home is managed and run by a care provider who is responsible for all aspects of your daily needs and wellbeing.</p>
My Support	My Support
<p>Your home is separate to the support and care package. This means you can choose a different 1:1 support or care provider if you wanted to. If you do this you can stay in your home.</p> <p>The service is tailored to you. You have support to live the way you want in your own home.</p>	<p>Your support is provided as part of a package with accommodation, and one element cannot be changed without impacting on the other.</p>
My Money	My Money
<p>You will be able to apply for welfare benefits. This includes Housing Benefit, Employment Support Allowance, Pension Credit, Universal Credit and Personal Independence Payments.</p>	<p>Residential care limits your rights to some welfare benefits.</p> <p>Most people that pay towards their own care costs access a personal expenses allowance to buy personal belongings, clothes and holidays.</p>

<p>You might need to make claims for new or extra benefits.</p> <p>You will be able to receive your benefits directly or if you lack capacity to manage your finances this can be done by a family member of appointee.</p> <p>This means you are in control of paying your bills and choosing what to do with money that is left over.</p>	
<p>You have access to other sources of funding, including Direct Payments.</p>	<p>You cannot access most additional funding for support.</p>
<p>You should retain more of your income, and have your own money to pay for things you need.</p> <p>You are responsible for paying all utility bills and other associated housing costs.</p> <p>You may be able to pay your housing/rent costs by claiming housing benefit.</p>	<p>You have your food, heating and general needs paid for as it is included in the fees charged by the care provider.</p> <p>This means you do not have to pay for those things.</p>

Potential Positive Impacts

See all of the above, should deregistration take place

Responsible Service Manager	Kate Dench
Date	27 February 2020
Approved by Senior Manager	Carole Binns
Date	27 February 2020

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	All affected residents are aged 18+. A significant number of the residents are older persons. There	A full review of all residents care and support needs and care plan will be undertaken. This will

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	<p>will be no change.</p> <p>Depending on the type of licence or tenancy the residents are granted they may not have lifelong security of tenure</p>	<p>identify any particular risks for older persons and if any transition steps are required, these will be implemented to mitigate any risks.</p> <p>Residents in care homes do not have security of tenure so the residents will have no less protection if the homes are de-registered. The Council though aim to grant the residents the maximum amount of security they can.</p> <p>If residents have to move for whatever reason they would be supported to do so in a person centred way having regard to their best interests and ensuring their needs for care and support are met.</p>
<p>Disability</p>	<p>All affected individuals have been diagnosed with a learning disability and have associated needs. Some individuals also have dementia and could therefore become distressed or confused by change.</p>	<p>Individuals will continue to receive the care and support they need but with the benefit of supported living enabling a more person-centred care plan. Care Act assessments have taken place for all fifteen residents and should deregistration go ahead new Care & Support plans will be completed based on these assessments.</p> <p>If deregistration does go ahead it will not happen straight away, there will be a transition period to allow enough time for the new arrangements to be put in place, including new care & support plans, support for people to receive the right benefits, mental capacity assessments and for license or tenancy agreements to</p>

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	<p>Depending on the type of licence or tenancy the residents are granted they may not have lifelong security of tenure</p>	<p>be signed.</p> <p>There will continue to be independent advocacy available for residents of the homes during and after any deregistration.</p> <p>Residents in care homes do not have security of tenure so the residents will have no less protection if the homes are de-registered. The Council though aim to grant the residents the maximum amount of security they can.</p> <p>If residents have to move for whatever reason they would be supported to do so in a person centred way having regard to their best interests and ensuring their needs for care and support are met.</p>
Gender Reassignment	No identified negative impacts.	Not required
Marriage and Civil Partnership	No identified negative impacts.	Not required
Pregnancy and Maternity	No identified negative impacts.	Not required
Race	No identified negative impacts.	<p>The care provider (Dimensions) will be required to deliver services which are appropriate to culture / race and to ensure their workforce are trained to do so. This is a contractual requirement within the home care framework.</p>
Religion or Belief	No identified negative impacts.	<p>The care provider (Dimensions) will be required to deliver services which are appropriate to religion or belief and to</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		ensure their workforce are trained to do so. This is a contractual requirement within the home care framework.
Sex	No identified negative impacts.	Not required
Sexual Orientation	No identified negative impacts.	Not required
Community Safety	Community safety can be a concern and issue for some individuals. There remains stigma of people with learning disabilities in the community. There have been no issues reported for the residents living in these three homes. The local neighbourhood are supportive of the residents living here and continuing to do so.	The care provider (Dimensions) will be able to provide more personalised care and support to address any potential issues related to community safety.
Poverty	Clients living in residential settings are generally financially worse off than those within supported living or who continue living in family settings. We anticipate that the change to supported living will likely be financially beneficial to residents. Some individuals may not have the capacity to manage their own finances as the current living arrangements do not require it and so there may be concerns that individuals could get into debt.	<p>All residents have received up to date Care Act assessments and individual support plans will be put in place to identify any support needs in relation to managing finances. The offer of a referral to the Life Skills team will be given so residents can pursue opportunities in relation to employment or volunteering should they wish to.</p> <p>The FAB (Finance, Assessment and Benefits) team will undertake individual assessments to maximise client benefits and the social worker as well as care provider will support residents and their families (where relevant) to make the necessary benefit applications.</p> <p>The council will use its discretion on a case by case basis to ensure no residents are unduly caused hardship or worse off financially as a</p>

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	<p>Depending on the type of licence or tenancy the residents are granted they may not have lifelong security of tenure</p>	<p>result of the changes</p> <p>Residents who are assessed as lacking capacity to manage their finances and for whom there is not a suitable family member in place to undertake this role will have an appointee in place from the Council.</p> <p>Residents in care homes do not have security of tenure so the residents will have no less protection if the homes are de-registered. The Council though aim to grant the residents the maximum amount of security they can.</p> <p>If residents have to move for whatever reason they would be supported to do so in a person centred way having regard to their best interests and ensuring their needs for care and support are met.</p>
<p>Health & Wellbeing</p>	<p>People with learning disabilities experience a number of health conditions at an earlier stage than the general population. All of the residents have complex needs, some have dementia and can become distressed or confused by change which in turn could negatively affect their health & wellbeing.</p> <p>Depending on the type of licence or</p>	<p>If deregistration goes ahead, Dimensions will continue to provide the care and support to clients, providing consistency of support. Referrals to health services will be supported should there be a requirement including to specialist Learning Disability health services provided by Southern Health Foundation Trust.</p> <p>Residents in care homes do not have security of tenure</p>

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	tenancy the residents are granted they may not have lifelong security of tenure	<p>so the residents will have no less protection if the homes are de-registered. The Council though aim to grant the residents the maximum amount of security they can.</p> <p>If residents have to move for whatever reason they would be supported to do so in a person centred way having regard to their best interests and ensuring their needs for care and support are met.</p>
Other Significant Impacts	None	Not required.