

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.

<b>Name or Brief Description of Proposal</b>	Recommission the provision of an Integrated Advocacy Service to start 01 April 2020
<b>Brief Service Profile (including number of customers)</b>	
<p>Advocacy is defined as “Taking action to help people say what they want, secure their rights, represent their interests and obtain the services they need”.</p> <p>The Integrated Advocacy service is a holistic advocacy service commissioned to offer a single point of access for and to meet the needs of all eligible referrals. The service provides parity of access to all eligible individuals, regardless of their needs, their reason for seeking advocacy support, or what community they are from. This includes individuals with learning disabilities, autism, mental health issues, physical and sensory disabilities and long term conditions.</p> <p>The service encompasses both statutory and non-statutory advocacy however meeting the demands in relation to statutory advocacy are at all times prioritised over the non-statutory elements of the service.</p> <p>The Service supports and develops the ability of individuals to self-advocate, increasing their confidence and assertiveness skills and enabling them to support themselves as far as is possible in future. This includes providing the opportunity for individuals to train as peer/volunteer advocates, offering additional support to local people.</p> <p>The Service will adhere to principles of personalisation and will be delivered flexibly in a way that offers choice and control to individuals with regards to the advocacy support that they receive, recognising that those receiving support have the most specialised knowledge of their needs.</p>	

The current service received a total of 849 referrals in 2018/19

### **Statutory Advocacy**

This Service will meet all statutory requirements with regards to advocacy support outlined within relevant legislation and statutory guidance. This includes the provision of:

- Independent Mental Health Advocates (IMHA) under the Mental Health Act (2007)
- Independent Mental Capacity Advocates (IMCA) under the Mental Capacity Act (2005)
- Deprivation of Liberty Safeguards (DOLS) under the Mental Capacity Act (2005). This includes the provision of the Paid Relevant Representative Role.
- Independent Advocacy provided under the Care Act (2014 )
- Advocacy to support those with Special Educational Needs under the Children and Families Act (2014).

Independent Advocacy under the Care Act (2014) will require close joint working and flexibility between the Service Provider and the council's operational and commissioning teams. This aspect of the Service is targeted at individuals who require support to be engaged with care assessment and support planning processes and decisions about their needs and wishes in order to secure their rights, represent their interests and obtain the care and support they need. This element of advocacy also includes supporting eligible individuals through Safeguarding Adults Reviews and safeguarding processes.

During the lifetime of the Service, meeting the demands in relation to statutory advocacy will at all times be prioritised over non statutory advocacy.

### **Non Statutory advocacy**

The Service will offer non statutory advocacy in order to support eligible individuals to have their views and wishes heard and acted upon in relation to a variety of issues.

This element of the Service will be needs led and models of delivery will be flexible and developed over time in order to meet the needs of individuals within Southampton in the most effective and appropriate way as demands change.

The Service Provider will be required to manage access and provision of non-statutory advocacy in order to maximise the available resources efficiently and ensure that those most in need receive support. This includes the need to prioritise those at risk, issues relating to safeguarding and those experiencing major life changes.

The provision of non-statutory advocacy may include but is not limited to:

- Supporting parents who have a learning disability and whose child is subject to child protection proceedings. This element of provision will involve supporting individuals through the process of child protection proceedings and within a variety of settings, including in Court should this be required.
- Supporting self-advocacy groups and self-advocates to lead the advocacy support that they receive, attend forums and meetings across Southampton and to understand and have a say over the issues which impact their lives. Self-advocates will be supported to interact with all relevant forums, services and individuals such as commissioners, elected council members, public and voluntary sector service Providers and local decision making boards. This may require the Service Provider to continue the work of self-advocacy groups that are already running in the city and to create new opportunities for individuals to be involved in areas of identified need. There is also a requirement to support self-advocates to attend Southampton's Learning Disabilities Partnership Board.
- Supporting individuals to become peer advocates, enabling people with a shared experience to support and empower each other. This can be in a one to one or group setting. Peer advocacy can often be natural (it is not officially arranged) or unplanned and this may come from creating a network of self-advocates.
- Supporting individuals through the hospital discharge process and decision making about discharge and support options.
- Providing advocacy support to individuals and groups as part of strategic service reviews and system redesign undertaken by public sector bodies. This may involve supporting people to have a voice within statutory consultations or co-production exercises.

### **Learning Disabilities Housing Advocacy**

Included within the scope of this service is the provision of advocacy to support individuals with complex needs who are currently living in residential, nursing or other settings which are not the most appropriate in order to meet individual need.

This may mean a move towards supported living services or other more independent settings. The Service will support individuals through the process, enabling them to have their say and ensuring that their views and wishes are taken into account.

As this project is working with a number of complex individuals it is expected that advocates supporting this project will need experience of:

- Working alongside Best Interest assessments and processes
- Court of protection
- Individuals who have difficulty communicating

### **Substance Use Disorder (SUDS) Advocacy:**

The Service Provider shall facilitate individuals, engaging with, or seeking to engage with treatment for substance use disorders, by;

- Recruiting, training and supporting volunteers to advocate with and/or on behalf of people who are experiencing barriers to accessing the services for which advocacy can provide a solution. It is expected that volunteer advocates will include people with lived experience of substance use disorders and SUDS
- Receiving self-referrals and referrals from SUDS and other stakeholders
- Providing drop in sessions within SUDS and in other venues where need is identified
- Delivering one to one advocacy support
- Negotiating and seeking solutions to any barriers to engagement with SUDS with and/ or on behalf of the individual seeking support
- Signposting and/ or refer people into support and treatment

The Service Provider will be required to develop new and innovative approaches to the delivery of advocacy services during the lifetime of the contract in order to increase capacity and access to services within the available resources.

Eligibility criteria is for residents of Southampton City aged 18 years upwards, who are meet the relevant criteria for the service.

### **Summary of Impact and Issues**

The service specification for the provision of Integrated Advocacy remains largely unchanged but has been reviewed and updated to reflect best national practice; it includes robust management information, performance indicators, service and individual outcomes.

The various forms of statutory advocacy provided by the service, supports adults with disabilities, ensuring that their views and opinions are heard and taken into consideration during care planning, safeguarding, and/or or decisions made on their behalf under legislation (e.g. Mental Capacity Act, Mental Health Act, Children Act).

Non-statutory advocacy supports service users with a wider range of issues e.g. supporting them with benefits tribunals or applications for housing or support for clients with a learning disability to participate in a child protection proceeding.

### **Potential Positive Impacts**

The Care Act 2014 imposes various statutory duties on Local Authorities when exercising Adult Social Care functions including the requirements to commission appropriate, efficient and effective services and encourage a wide range of service

provision to ensure that people have a choice of appropriate services and an emphasis on enabling people to stay independent as long as possible. The act stipulates that individuals may require care and support.

Implementation of an updated services specification has the potential to promote the following:

- implement best national practice into local services
- include more outcome based approaches in the design
- invite innovation/new ideas from service providers
- achieve best value for money

**Statutory advocacy and Non-statutory advocacy** provides parity of access to all eligible individuals, this will include individuals with mental health issues, a learning disability, autism, physical and sensory disabilities, substance use disorder and long term conditions. There is no entitlement to statutory advocacy by virtue of gender, sexual orientation, gender identity, pregnancy, marital status or age alone.

As indicated above, advocacy provides vulnerable people with complex and enduring health or mental health issues with the means to ensure that their voice is heard in any forum and that their needs and wishes are considered and acted upon.

Advocacy is taking action to help people say what they want, secure their rights, represent their interests and obtain services they need. Advocates and advocacy schemes work in partnership with the people they support and take their side.

Advocacy promotes social inclusion, equality and social justice.

Commissioning a new Advocacy service will offer an opportunity to test the market for new and innovative providers and to obtain best value for money. These proposals will encourage the new service to improve awareness of the provision to ensure that those eligible for the service have access to it, including those with protected characteristics.

<b>Responsible Service Manager</b>	Jackie Hall, Commissioner, Quality & Commissioning
<b>Date</b>	
<b>Approved by Senior Manager</b>	Carole Binns, Director of Adult Social Services, Chief Executive
<b>Date</b>	

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	The service is open to all aged 18 and upwards.	There will not be any changes to the eligibility criteria based on age.

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Disability</b>	<p>People with a mental illness, learning disability, autism, physical and sensory disabilities, substance use disorder and long term condition.</p> <p>Any changes could affect continuity of care if there is a change of provider.</p> <p>This proposal will impact individuals with a mental illness, learning disability, autism, physical and sensory disabilities, substance use disorder and long term condition.</p> <p>Any changes could affect current continuity of care if there is a change of provider. Continuity of care and expertise around these disabilities is important to some of these groups.</p> <p>There is also the potential for positive impacts for this group of people as the new contract will include an improved specification with greater focus on promoting and facilitating access to existing services that will minimise relapse and the need for more intensive support.</p>	<p>Any change in provider would be subject to a transition plan, this will ensure the management of the transfer is completed in a way that places high priority in providing reassurance to individuals.</p> <p>A communications plan will be developed which will include ensuring all individuals (and their carers) are kept informed of any changes, the timescale and who to contact with any concerns.</p> <p>An implementation period (3 months) has been factored into the timescales that will allow transfer of support where necessary.</p> <p>Staff delivering the current services are likely to be entitled to TUPE opportunities if a new provider were appointed. This will provide continuity of care to individuals.</p>
<b>Gender Reassignment</b>	<p>No specific detrimental impact upon individuals undergoing gender dysphoria or reassignment. Culturally appropriate services will be delivered by the provider.</p> <p>This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.</p>	<p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity.</p> <p>Transition arrangements will consider any individual need in relation to diversity and continuity of care will be actively considered e.g. where TUPE arrangements apply.</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Marriage and Civil Partnership</b>	No identified impact	
<b>Pregnancy and Maternity</b>	No identified impact	
<b>Race</b>	<p>No specific detrimental impact upon individuals related to ethnicity or race issues is anticipated.</p> <p>This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.</p>	<p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity.</p> <p>The provider will be expected to support and match individuals' cultural needs such as language and support etc.</p>
<b>Religion or Belief</b>	No specific detrimental impact upon individuals related to religion or belief issues is anticipated.	<p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity.</p> <p>The provider will be expected to support and match individuals' cultural needs such as language and support to access religious activities/requirements.</p>
<b>Sex</b>	Men and women might have similar needs and issues which they need support with, the provision does not include priority need based on sex.	<p>There will not be any changes to the eligibility criteria based on sex.</p> <p>There will be consideration of personal choice for gender of key worker where possible.</p>
<b>Sexual Orientation</b>	<p>No specific detrimental impact upon individuals related to their sexual orientation is anticipated.</p> <p>This protected group are often subject to discrimination and there</p>	Service specifications include a requirement for services to work with people with a range of needs including issues of diversity.

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
	<p>is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.</p>	<p>Transition arrangements will consider any individual need in relation to diversity and continuity of care will be actively considered e.g. Where TUPE arrangements apply.</p>
<b>Community Safety</b>	<p>The service will work with individuals to reduce their vulnerabilities enabling people to keep themselves safe.</p>	<p>Improved joint working between agencies to ensure individuals have access to support services linked to prevention and intervention.</p>
<b>Poverty</b>	<p>Provision of this service is not subject to Southampton City Council charging policy; this tender does not involve any changes to that policy.</p> <p>People covered by these proposals are at risk of poverty, the provision may relieve the impact of that potential poverty by offering signposting support to address practical needs such as helping with benefits and developing life skills.</p>	<p>Signposting individuals to support in developing life skills and managing finances.</p> <p>The specification includes approaches to support those experiencing social financial issues.</p>
<b>Health &amp; Wellbeing</b>	<p>The service will work with individuals to reduce their vulnerabilities enabling people to keep themselves safe.</p>	<p>Improved joint working between agencies to ensure individuals have access to support services linked to prevention and intervention.</p>
<b>Other Significant Impacts</b>	<p>No identified impact</p>	