

# Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

## What is Equality Impact Analysis?

The Equality Act 2010 seeks to eliminate discrimination and meet the positive promotion aspects of equality legislation. An Equality Impact Analysis uses equality information and the results of engagement with groups to understand the actual or the potential effect of change or key decisions on our workforce and the general public. Completing this analysis will assist Members and officers to identify practical steps to address any negative effects and to highlight positive interventions.

## Section 1 - Ownership

This section identifies the individual(s) responsible for identifying the potential positive and negative impacts from developing and implementing the spending reductions. There will be a number of potential positive and negative internal impacts which should be undertaken and monitored by the person responsible for implementing the proposed reductions

<b>Title:</b>	Equality Impact Assessment on the proposed changes to funding / spending reductions in the voluntary sector			
<b>Service impacted by proposed spending review</b>	<p>Carers Trust - Young Carers (siblings with a special need or disability); Young Carers Saturday Club (24 sessions)</p> <p>The Saturday Club provides a safe and stimulating environment for young people with a disability to develop social, physical and recreational skills. Sessions run for 3 hours for 24 weeks a year. A maximum of 15 young people attend each session.</p> <p>The Fun Fit Club is for any family in the London Borough of Havering that has a family member under the age of 18 with a disability or chronic illness. The club encourages and promotes social interaction, physical exercise, well-being and confidence amongst all family members (including siblings) through low impact exercise and games. The sessions run on</p>			
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<b>Key Issues:</b>	<b>Impacts on:</b>	<b>Mitigating Action Taken:</b>
being transferred to Learning and Achievement		Achievement.

### Section 3 - Potential Workforce Issues

All staff are employed by the provider.

Saturday Club sessions are staffed by one Lead Worker, one Care Support Worker and four Play Workers. There are no volunteers.

The Fun Fit Club is run by a qualified instructor, assisted by a Care Support Worker. Parents and carers facilitate their children during the sessions.

If 50% of paid employed staff time is spent on this contract they will be subject to TUPE as part the tender process.

No other specific workforce issues have so far been identified.

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age						
Disability						
Sex						
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity						
Race						
Religion or Belief						
Sexual						

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Orientation						
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### Section 4 - Communication and Engagement Activity

Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
Carers Trust	11/09/2015	Initial information and consultation meeting	Providers were anxious about the outcome of the review (i.e. decommissioning) but welcomed the opportunity to describe their service in detail and the level of engagement	No further action	completed	closed	VB
Carers Trust		Letter of termination questionnaire	Questionnaire was completed	Clarification questions raised.	completed	closed	VB
Carers Trust	03/11/2015	Clarification	Further clarifications were raised in a couple of areas	No further action	completed	closed	VB
Carers Trust	03/11/2015	Meeting and additional questionnaire	<p>Joint meeting with the Learning and Achievement team –</p> <p>The provider suggested that there may be young carers in the community that we are unaware of.</p> <p>Feedback on the self-review process - The provider found the questions repetitive and suggested that general questions about their service could be</p>	<p>The identification of young carers has been built into other contracts such as the adult drug and alcohol service.</p> <p>Additionally if the Early Help service carries out young carers assessments (as is planned), further young carers maybe identified</p>	completed	closed	VB

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Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
			<p>collated together.</p> <p>Cares Trust informed us that they will not be able to continue providing the service to young carers should the contract value be reduced.</p>	<p>It was agreed that the questions were repetitive however service specific information was required.</p> <p>No action required. All young carers, irrespective of age, will have access to the newly commissioned young carers support.</p>			
Providers of Young Carers Support		Retendering		Procurement to be undertaken	To be initiated	open	VB

### Section 5 - Service Delivery Impacts and Issues

#### Due regard – Brown principles

These principles have been taken from the Equality and Human Rights Commission’s paper on making fair financial decisions (Equality and Human Rights Commission, 2012).

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Case law sets out broad principles about what public authorities need to do to have due regard to the aims set out in the general equality duties. These are sometimes referred to as the 'Brown principles' and set out how courts interpret the duties. They are not additional legal requirements but form part of the Public Sector Equality Duty as contained in section 149 of the Equality Act 2010.

Under the duty local authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

In summary, the Brown principles say that:

- Decision-makers must be made aware of their duty to have 'due regard' and to the aims of the duty.
- Due regard is fulfilled before and at the time a particular policy or proposal that will or might affect people with protected characteristics is under consideration, as well as at the time a decision is taken.
- Due regard involves a conscious approach and state of mind. A body subject to the duty cannot satisfy the duty by justifying a decision after it has been taken. Attempts to justify a decision as being consistent with the exercise of the duty, when it was not considered before the decision, are not enough to discharge the duty. General regard to the issue of equality is not enough to comply with the duty.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty has to be integrated within the discharge of the public functions of the body subject to the duty. It is not a question of 'ticking boxes'.
- The duty cannot be delegated and will always remain on the body subject to it.
- It is good practice for those exercising public functions to keep an accurate record showing that they had actually considered the general equality duty and pondered relevant questions. If records are not kept it may make it more difficult, evidentially, for a public authority to persuade a court that it has fulfilled the duty imposed by the equality duties.

### **Potential Service delivery impacts (Positive and Negative)**

The service will be re-commissioned as part of a generic young carers support service

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Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The young carers Saturday Club provides 24 sessions for all aged children.		The newly commissioned young carers support will cater for all age children.	To be taken forward through the retendering process	open	VB
Disability	<p>Ensuring the service is in close proximity to the young carers' homes so that a parent with a disability can manage transport.</p> <p>The existing service has had to relocate and is sourcing an alternative location.</p> <p>A change of premises could also impact on those children with physical needs.</p>	21/12/2015	This will be a quality question that will be raised and scored during the tender. We will investigate with the new provider a location for continuity of provision	Establishing the likelihood of succession planning at the new location.	open	VB
Sex						
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity						
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### Section 6: Data Sources

Data used	How has this information informed your decision
Contract monitoring data	The service is contracted to provide 24 sessions per annum with a maximum of 20 children per sessions. In total only 13 children have attended the booked sessions which means the service is underused.