

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 effects 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

Title:	Equality Impact Assessment on the proposed changes to funding / spending reductions in the voluntary sector				
Service impacted by proposed spending review	Sycamore Trust – Advice and information on Autistic Spectrum Disorders				
Date Created	22/12/15	Review Date:	N/A	Version:	1
Author:	Deborah Redknapp				

Person completing EIA: Insert name of individual(s) writing EIA	
Signed: 	Date: 22/12/15
Person supervising EIA: Insert name of individual responsible for agreeing activities and ensuring that the activities are undertaken	
Signed: 	Date: 22/12/15

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Section 2 - Potential Issues

Key Issues:	Impacts on:	Mitigating Action Taken:
<p>This service provides advice and information rather than support for young carers. As a consequence it will be de-commissioned.</p>	<p>Parents / families who need advice and information about Autistic Spectrum Disorders</p> <p>Children and families having specialist support, in regard to level of capacity and expertise needed</p> <p>Parents / families who are given strategies for managing difficult behaviour.</p>	<p>Parents / families will be signposted to alternative sources of information, such as the newly commissioned Autistic Spectrum advice shop in Romford town centre, the internet, their GP and other health professionals</p> <p>Sycamore Trust will continue to be commissioned by Learning and Achievement to provide short breaks so will remain in the borough as a provider with specialist knowledge.</p> <p>The Early Help team will undertake the young carers assessments and any preventive interventions that are required by the family. This is especially pertinent to young people caring as a consequence of substance misuse, mental health issues etc. so as to prevent family breakdown</p>
<p>The number of children in the borough being diagnosed with autism is increasing. If the current level of funding is reduced, the provider would not be able to maintain the current level of service delivery</p>	<p>Sycamore Trust</p>	<p>Provider to consider developing its approach to Personal Budgets and Direct Payments, and to investigate trading its training to schools and employers.</p> <p>Support to be offered to the provider to identify and apply for alternative funding sources.</p>
<p>Decommissioning the information and governance provision could de-stabilise the organisation</p>	<p>Parents / families who need advice and information about Autistic Spectrum Disorders</p>	<p>The information and governance contribution to Sycamore Trust is £18K. Learning and Achievement fund £65,509 for short breaks and this will continue.</p>

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Section 3 - Potential Workforce Issues

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

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	<p>A survey will be carried out of the staff employed by Sycamore Trust to determine those with protected characteristics; however the process will need to comply with Sycamore Trust process for existing staff.</p> <p>The service provision is provided by one part time employee (3 days per week)</p>	January 2016	<p>The service will be offered support to seek and apply for alternative funding sources</p> <p>The organisation will be expected to follow its own organisational policies on managing the impact on existing staff if required.</p>	<p>To be initiated</p> <p>Not yet required</p>	Open	VB / Community Development team
Disability						
Sex						
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity						
Race						
Religion or Belief						
Sexual Orientation						

Section 4 - Communication and Engagement Activity

Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
Sycamore Trust	11/09/15	Initial information and consultation	Providers were anxious about the outcome of the review (i.e. decommissioning) but welcomed the opportunity to describe their service in	No further action	completed	closed	

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Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
		meeting	detail and the level of engagement.				
Sycamore Trust		Letter of termination questionnaire	Questionnaire was completed	Clarification questions raised.	completed	closed	VB
Sycamore Trust		Clarification	Further clarifications were raised in a couple of areas	No further action	completed	closed	VB
Sycamore Trust	21/10/15; 02/11/15	Meeting and additional questionnaire	<p>Priorities could change but this would have a consequential effect on support to the parents and families. It would create a gap, as they have to work with the families as a whole, rather than just the young carer.</p> <p>A generic service may not have the same level of specialisation around autism</p>			Closed	VB
Young carers / families	23/12/15	Visited the information shop in Romford town centre to assess quality of information.	<p>The shop currently provides information for adults. There is the potential to develop the website to provide information for children.</p> <p>Families who come into the shop and have children in the family unit are referred on to the Independent Family Worker, who can give advice and support to the whole family.</p>		completed	closed	VB
Providers		Retendering		Procurement to be	To be	Open	VB

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Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
of Young Carers Support				undertaken	initiated		

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).

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.

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- 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

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The current young carers services are commissioned by a number of factors including age (8+)	September 2015	All young carers, irrespective of age, will have access to the newly commissioned young carers support.	Service specification to be finalised.	open	VB
Disability	Ensuring the service is in close proximity to the young carer's home so that a parent with a disability can manage transport.	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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Race						
Religion or Belief						
Sexual Orientation						

Section 6: Data Sources

Data used	How has this information informed your decision
Contract monitoring data	The service is contracted to provide a number of functions and the contract monitoring data has not been presented in such a way as to separate out the various provisions. This has been requested from the provider so that we can establish the capacity in the areas that we will continue to provide as part of the service tender.