

## Public Health 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

<b>Title:</b>	Equality Impact Assessment on the proposed changes to funding / spending reductions in Public Health Programmes				
<b>Service impacted by proposed spending review</b>	Relate – Phoenix Counselling Service (de-commission)				
<b>Date Created</b>	08/01/16	<b>Review Date:</b>	xxx Jan 2016	<b>Version:</b>	1
<b>Author:</b>	Daren Mulley				

<b>Person completing EIA:</b>	
<b>Signed:</b> 	<b>Date:</b> 08/01/16
<b>Person supervising EIA:</b>	
<b>Signed:</b> 	<b>Date:</b> xxxx

### Section 2 - Potential Issues

<b>Key Issues:</b>	<b>Impacts on:</b>	<b>Mitigating Action Taken:</b>
The closure of the service will lead to children and young people being unable to receive counselling.	CAMHS, Schools, children, young people, children and young people services	<ol style="list-style-type: none"> <li>1. The children and young people’s mental health service is part of a borough wide transformation programme that will include a Wellbeing Hub. The wellbeing hub will consist of a multi-disciplinary mental health team which will make an assessment and will include supervised self-management, telephone and online counselling, group therapy, behaviour pathway or specialist treatment. The programme will also implement a resilience building training programme for all teachers and support staff to help them build resilience with their students.</li> <li>2. Schools will have the opportunity to fund counselling for pupils under the care of their school but this is not guaranteed which could have an impact on the local Child and Adolescent Mental Health Service (CAMHS) (i.e. longer waits for service or no service).</li> <li>3. The Early Help service provides support to young people who are resident in the borough. Services can refer young people to the Early Help Service if they require emotional support or help with managing relationships. This service can</li> </ol>

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Key Issues:	Impacts on:	Mitigating Action Taken:
		also provide support to the wider family if appropriate.
Closure of the service may increase demand on the local Child and Adolescent Mental Health Service (CAMHS), school budgets and other services that work with children.	CAMHS	<p>1. The children and young people's mental health service is part of a borough wide transformation programme that will include a Wellbeing Hub. The wellbeing hub will consist of a multi-disciplinary mental health team which will make an assessment and will include supervised self-management, telephone and online counselling, group therapy, behaviour pathway or specialist treatment. The programme will also implement a resilience building training programme for all teachers and support staff to help them build resilience with their students.</p> <p>2. The Early Help service provides support to young people who are resident in the borough. Services can refer young people to the Early Help Service if they require emotional support or help with managing relationships. This service can also provide support to the wider family if appropriate</p>
Reduction in the availability of children and young people's mental health services in Havering	Children and young people / families / schools	<p>There has been nationally allocated NHS funding for Children's IAPT (improved access to psychological therapies) that will be given to NELFT. The local financial envelope is circa £110k</p>

**Section 3 - Potential Workforce Issues**

The two part-time service staff is highly likely to lose the 16 counselling hours to operate the Phoenix Counselling Service. Staff could be transferred into other services that Relate are commissioned to provide, for example, the Council's proposal to expand the Family Therapy team. 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 Orientation						

**Section 4 - Communication and Engagement Activity**

Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
Relate	31/11/15	Letter of termination Notice	Email acknowledging the notice letter sent by provider	Council to send out questionnaire and arrange meeting to discuss findings and closure planning with provider	completed	closed	DM
Relate	18/01/16	Decommissioning Service Questionnaire	Feedback unavailable; Questionnaire to be sent out mid-January and meeting to take place in February		not complete	open	DM

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Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
Relate	15/02/16	Meeting and questionnaire	Feedback unavailable; meeting to take place in February		not complete	open	DM

### 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.
- 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)

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The counselling service is currently offered to children and young people aged 13-21 and withdrawal of the service will lead to children and young people being unable to access the service.	08/01/2016	1) Early Help support is available from across a range of venues and may provide some level of support and care to children and young people.  Support available from the well-being hub may support young people who would have been referred to the counselling service.  Services will be supported to consider how	Further discussions to take place in February 2016	Open	DM

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Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Disability			<p>they provide support to children and young people in the future and review their processes of referral on to other local mental health services.</p> <p>2) Improving Access to Psychological Therapies (IAPT) has been improved and is due to be implemented (CCG / NELFT)</p>			
Sex	<p>The counselling service is currently offered to children and young people aged 13-21. Over 90% of clients are female so the closure of the service will have a negative impact on this characteristic.</p>	08/01/16	<p>1) Early Help support is available from across a range of venues and may provide some level of support and care to children and young people.</p> <p>Support available from the well-being hub may support young people who would have been referred to the counselling service.</p> <p>Services will be supported to consider how they provide support to children and young people in the future and review their processes of referral on to other local mental health services.</p> <p>2) Improving Access to Psychological Therapies (IAPT) has been improved and is due to be implemented (CCG / NELFT)</p>	Further discussions to take place in February 2016	Open	DM
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity	<p>The counselling service receives referrals for young women who are pregnant</p>	08/01/16	<p>1) Early Help support is available from across a range of venues and may provide some level of support and care to children and young people.</p> <p>Support available from the well-being hub may support young people who would have been referred to the counselling service.</p> <p>Services will be supported to consider how they provide support to children and young people in the future and review their processes of referral on to other local mental health services.</p>	Further discussions to take place in February 2016	Open	DM
Race						
Religion or Belief						
Sexual Orientation						

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### Section 6: Data Sources

<b>Data used</b>	<b>How has this information informed your decision</b>
Contract monitoring data	The counselling service activity data has enabled the Council to identify the specific protected characteristics that will be negatively affected by the decommissioning of the service.
Havering Children and Young People's Mental Health Transformation Plan	The transformation plan includes a number of initiatives that will provide a more equitable service for young people than is currently available.

