

Southwark Health & Community Services

Equality considerations – update for 2012/13

Policy/programme of work to which considerations relate:

Vision for the future of Southwark adult social care services – 3 year budget strategy
Update for 2012/13

Name of Responsible Manager:

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Directorate:

Health and Community Services

Service:

All

Key aims of work programme:

To design and implement adult social care services that deliver the Council's statutory duties within a reduced financial envelope, in a way that achieves better value for money and promotes independence, supporting people to live independently and well at home and in the community.

Who are the key people affected by this piece of work?

People who need adult social care support.

Which partners are involved in this work programme:

Discussion remains ongoing with key stakeholders, including housing, children's services, Community Action Southwark, trade unions, health colleagues, people using services and carers and provider organisations. The detail of this is dependent on engagement and consultation required for individual projects. This will need to continue within individual pieces of work as they are taken forward in 2012/13 and beyond.

Date of equality analysis review:

18 January 2012

This refreshed analysis builds on the assessment produced to support the budget setting process for 2011/12 and the budget agreed by Council Assembly on 22 February 2011. Key areas in which the analysis has been changed or updated are around:

- To provide further clarity on details included, and the overall approach
- To include detail on achievements in 2011/12
- To include any further information about proposals for 2012/13 onwards that may be necessary.

Section 1: Overview of proposals and key issues

1. Description of policy/service redesign

Nationally, key drivers for this change and budget proposals are the outcome of the Government Spending Review¹ and subsequent financial settlement for local government, which led to significant funding reductions for Southwark Council as a whole. Savings are required in Health and Community services of £7.75 million in 2011/12, around £8.5m in 2012/13, with further savings required in 2013/14 and potentially beyond. The department has therefore had to look at potential savings realisation if services are modernised, resources focused on the most vulnerable and shifting the balance of care for people with eligible care needs towards community based support.

Our approach to transforming adult social care (ASC) services to improve outcomes for people and achieve best value for money is driven by the national Putting People First concordat² and takes into account the national vision for adult social care³.

The vision for Southwark⁴ is to support people to live independent and fulfilling lives, based on choices that are important to them. This requires services to be more effective and more personalised, focusing on individuals rather than institutions and shifting the balance of care away from residential homes and towards more personalised services in community settings. **Shifting the balance of care proposals** also have the potential to achieve savings in key client group areas (older people, physically disabled people and people with learning disabilities). This also requires a different relationship between the council and the community, moving from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their own lives, improving their own health and wellbeing. Proposals for the redesign of services seek to contribute to this overall vision, in line with the financial context of a reduced public purse.

With limited resources, the council also needs to prioritise meeting its statutory duty to offer services to people with eligible care needs. This is currently set at substantial and critical needs in Southwark, as outlined in Department of Health (DH) guidance on eligibility criteria⁵.

¹ HM Treasury (2010), *Spending Review 2010*, London

² HM Government (2007), *Putting People First: a shared vision and commitment to the transformation of adult social care* – HM Government (December, 2007), London

³ Department of Health (2010), *A vision for adult social care: capable communities and active citizens* – Department of Health (November, 2010), London

⁴ Southwark Council (2011), *Vision for adult social care in Southwark*

http://www.southwark.gov.uk/info/100010/health_and_social_care/2086/vision_for_adult_social_care_in_southwark

⁵ Department of Health, 2010 *Prioritising need in the context of Putting People First: a whole system approach to eligibility for social care – guidance on eligibility criteria for adult social care, England 2010*, London

These services are being prioritised within this approach above discretionary services. This includes proposals to make savings on **voluntary sector open access day services** by encouraging them to operate in a more financially self-sustaining way.

Resources in adult social care also need to shift, with more short-term, targeted interventions aimed at helping people get back on their feet and maintain independence. Prevention services need to be based on evidence and targeted, supporting people to do more for themselves and each other. The redesign of services aims to focus resources on helping people to help themselves so as to minimise the impact on disadvantaged groups.

Frontline services have been prioritised above buildings-based provision. New technology and the personalisation approach to support people to live independently and well at home as far as possible means we can continue to provide more services if we reduce fixed costs associated with buildings and realise capital assets for investment. We are looking at **re-shaping day services** across **all client groups** (older people, physically disabled people, people with learning disabilities and people with mental health needs). These proposals are about supporting people to live more independently and engage in their local communities as far as possible, as well as supporting people to make use of personal budgets and take greater control of the money that is to be spent on their care and support.

In addition, the offer of personal budgets to support flexibility and choice in accessing services, will continue to develop in light of the Coalition Government's commitment to offering everyone with an ongoing, eligible care need a personal budget, preferably in the form of a direct payment, by 2013.

There is also an overall drive in commissioning services to work towards ensuring that best value is obtained from contracts and that resources are being targeted most effectively to achieve the best outcomes for people. This includes proposals to achieve efficiencies from a **cross-borough framework approach** to contracting services for **Supporting People**. Across the whole budget period, over 65% of the required savings from Supporting People savings will come from retendering services in this way, not from a reduction of provision or quality for those services that are retendered. Any work around this will need to be sensitive to the particular impact on individual equality strands and take this into account as we seek to develop a system that is focused on personalised services that people can access support from to help meet their own needs. The remaining savings will need to be achieved through reducing funding to certain projects and/or de-commissioning them. Further information on the impact of this can be found later in this document.

Policy on **contributions** made by people towards their care and support is also being considered. We wish to bring greater consistency to our contributions policy and make sure that policy, practice and processes are streamlined to support the system and try to ensure it is as simple as possible for people to use. This may also include bringing our policy more in line with a majority of London boroughs in terms of the maximum allowable amount to be charged.

Finally, there are proposals about how we can adapt our **social care workforce** in order to deliver this new journey for customers and

ensure that a personalised approach is embedded in all the work we do. This includes specific proposals to re-design our approach for young people with learning disabilities coming through **transition**, working to ensure they have a seamless experience moving between services and are supported to live independently and well in the community, achieving the outcomes they want, particularly in terms of education and employment opportunities.

Individual proposals that are agreed to be taken forward may need individual, detailed equality analysis as appropriate.

The budget setting process for 2012/13 is currently underway and will need to be concluded through the relevant democratic processes. As well as refreshing this equality analysis, work is also going on to review the initial proposals put forward for the three-year budget strategy. Some proposals have also been refreshed, with some individual savings figures revised. While this does not mean that service redesign and transformation will not need to occur, it seeks to try and ensure that transformation can be achieved most effectively and with the best outcomes for individuals.

2. Purpose, issues and benefits

<p>Key groups affected by proposals</p>	<ul style="list-style-type: none"> • People who are at risk of needing long term social care support and people who have been identified with eligible care and support needs. • Potential impact on carers of those people accessing services with eligible care needs • Organisations that provide services, including voluntary sector organisations.
<p>Consultation process, including review</p>	<p>The overall vision for the future of adult social care in Southwark was discussed with a range of stakeholder groups in draft form to help support its development and seek input on the overall approach and direction. Presentations were given to the following groups and feedback sought.</p> <ul style="list-style-type: none"> • Adult social care service user and carer panel • Adult social care managers' forum • Health and Wellbeing Board • Adult social care provider market forum • Older People's Partnership Board • Carers' Strategic Forum • Community Action Southwark's Adult Health and Wellbeing sub-group • Mental Health Partnership Board

- Physical, Neurological and Sensory Disability Partnership Board.

Comments were also sought from representatives of the GP pathfinder group and the future budget strategy was discussed with the Learning Disability Partnership Board. A draft version of the vision was made available on the Southwark Council website to invite any further comments.

Feedback from these groups was used to refine the vision but, in general, there was an acceptance of the overall approach and direction for the future of adult social care. A final version of the vision was presented to the council's Cabinet for discussion on 19 April. The Cabinet decided to accept the vision.

Furthermore, the council's Cabinet committed to an open and transparent budget setting process⁶ following the initial settlement. This included undertaking a Southwark Spending Challenge exercise through November and December 2010 to collect public views on where savings could be made across council services. The feedback from around 1,600 people who either participated directly in the exercise or responded to questions about how to meet the immense budget challenges were used to inform the draft budget, which was then open to further public comment before the budget was agreed by Cabinet and, ultimately, the Council Assembly.

Additional engagement and consultation on specific pieces of work with an impact in 2011/12 have been taken forward in line with individual projects.

This strategy and equalities impact will be reviewed at least every 12 months. We will seek to develop a range of success measures to allow us to monitor the impact of changes in terms of access to services, the extent to which individual outcomes are achieved and customer satisfaction levels. The profile of people using services will also be monitored and reviewed through national data returns and performance measures. The Council Plan also includes strategic priorities for Health and Adult Social Care⁷ that can demonstrate the impact of changes.

Individual projects that lead to staffing reorganisations will be reviewed in line with HR policy.

As highlighted previously, detailed equality analysis for specific elements of service redesign proposals

⁶ http://www.southwark.gov.uk/info/200293/a_fairer_future/2054/setting_the_budget/2

⁷ http://www.southwark.gov.uk/info/200347/cabinet_portfolios/2236/health_and_adult_social_care

	<p>arising from the vision and proposals in the budget report may need to be completed and reviewed as proposals develop, in the context of the overall vision framework. This can include seeking the views of organisations, people using services and carers on whom the proposals may impact.</p> <p>We recognise that we will need to work closely with partner across the council, particularly in areas like housing and employment, to understand the cross-cutting impacts of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.</p>
<p>Main issues of proposals in relation to equality, diversity and social cohesion (e.g. access, cultural sensitivity, impact of service change/policy etc.)</p>	<p>The initial assessment produced and published alongside the Policy & Resources Strategy for the council earlier this year was carried out in accordance with Southwark Council’s Equality and Human Rights Scheme, 2008–2011⁸.</p> <p>This was also the case for other equality considerations for individual projects that have been taken forward during 2011. However, it should be noted that this scheme was scheduled to come to an end in May 2011. Further guidance received from the council’s corporate strategy department around that time highlighted that, while equality consideration work remained important, there was no longer a need to send documents to the Equality and Diversity Panel for feedback. The council’s future approach to equalities and human rights was scheduled for discussion and decision at the December 2011 meeting of the council’s Cabinet. This provides a future framework for action and this analysis seeks to be in line with that overall approach.</p> <p>From April 2011, a new Public Sector Equality Duty (PSED) “general duty” was introduced as part of the Equality Act 2010⁹. This requires all public sector organisations to pay due regard to the need to ‘eliminate unlawful discrimination, harassment and victimisation’, ‘advance equality of opportunity’ between people who share protected characteristics and those who do not and ‘foster good relations’ between people sharing protected characteristics and people who do not. It is in this context that the council’s work needs to be taken forward.</p> <p>This document seeks to review and refresh the initial assessment produced earlier in 2011 and seeks to highlight work that has been completed, and outline that individual analysis will be completed for specific</p>

⁸ http://www.southwark.gov.uk/downloads/download/281/equalities_and_human_rights_scheme_2008_to_2011

⁹ Equality Act 2010 – Part 11, Chapter 1, ‘Public Sector Equality Duty’, 149(1) http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

projects as we move forward. It also seeks to update the position of the council regarding its policy on equalities and human rights, and how this is being developed. It seeks to consider how this programme of work around the budget strategy and vision for adult social care will impact on key equality strands ('protected characteristics') highlighted in the Equality Act 2010. Southwark is aware of the key issues around equalities across an array of groups and we will deliver this programme in a way that is sensitive to people's different backgrounds and needs.

Specific issues are set out below. Overall, the budget proposals are likely to have greatest impact on **older and disabled people in Southwark**. In addition, there is the need to consider the impact on **black and minority ethnic (BME) communities in certain areas**, particularly linked to open access services. For those people with eligible care needs, there is also the potential for an impact on **carers**, the majority of whom tend to be **women**.

It is also acknowledged that savings across this and wider council departments are having to consider a range of options for making savings and reducing budgets, as a consequence of the reduction in central government funding available to local authorities. We recognise that we will need to continue to work closely with partners across the council, including areas such as housing and employment, to understand the cross-cutting impact of the need to reduce spend in these areas and our desired outcomes of helping more people to live independently and well at home and in the community.

The council's previous overall statement on equalities, as part of the budget strategy, acknowledged that many of the savings proposals across different areas would impact on disabled people, older people and women, as these groups tend to have greater need of public services.

In implementing individual proposals, it will be important to monitor and understand the impact on equality strands, including engaging with the community, people using services and families and doing so. As part of the council's work to update its equality and human rights policy, the council will, in future, be working with the Forum for Equalities and Human Rights (FEHRS), who will act as a 'critical friend' for equality. FEHRS can facilitate community engagement in thematic areas. The precise role of FEHRS overall will need to be developed following any decisions made by Cabinet on the council's equality and human rights policy.

Across many proposals, mitigating actions will need to consider about how existing service providers can consider ways in which they can become more self-sustaining and deliver our key aims of supporting

people to live independently and well at home, connecting with their local communities. People with eligible care and support needs will be enabled to be reviewed or re-assessed and think about how they would like to meet their care and support needs in the future, focusing much more on outcomes and involvement in local communities.

Section 2: Pre-implementation equality analysis

This section considers the impact of proposals on the key equality strands outlined as 'protected characteristics' in the Equality Act 2010 and proposes mitigating actions where appropriate.

3.1 Disability (mental, physical, sensory, long term health, learning disabilities)

Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

Disabled people are likely to experience significant impact through proposals as key users of adult social care services. The key impact is around services not continuing to exist or being offered in a different way. As part of our overall vision for adult social care, it is likely that, in future, there will be fewer people receiving ongoing, long-term social care support. In addition, those eligible people entitled to personal budgets may have a reduced offer. However, this in the context of a drive to support people to live independently and well for as long as possible, with choice and control over the support they access so they can effectively use the resources available to them and achieve the outcomes they want. It is also in the context of focusing resources on time-limited interventions, such as re-ablement services, to help people get back on their feet and support people to be able to actively engage in their local community.

In reviewing current **day centre provision** across the borough for older people, mental health, physical disability and learning disability services we will need to examine the effectiveness of current services in meeting our aims of supporting independence, choice and control as well as considering the number of buildings through which services are delivered. To mitigate this, the personalised approach for services by which people have choice and control in achieving the outcomes they want, and know how much is to be spent on their care and support in the form of a personal budget should help people make decisions on the types of services they want to access to lead the lives they wish.

Proposals to reshape the universal offer around **discretionary services** available to people who do not necessarily receive support from the council are about moving away from building-based services to a model of hubs in communities that enable people to access a range of support in one place at a single visit. It is likely that a number of people who access these discretionary services are disabled although they are unlikely to be eligible for Council support in terms of eligibility criteria. The impact of the proposals may result in the number of people receiving such discretionary services is reduced, which could include some people with disabilities.

To try and mitigate the impact on people who currently use discretionary services, the council will investigate pump priming and small injections of cash for projects that support independence and can become financially self sustaining where possible. This is highlighted further in the update below.

Update

As part of the budget setting process and discussion by Council Assembly in February 2011, the council invested £0.5million of reserves to provide further funding to affected voluntary sector organisations to give them more time to think about their future service models and opportunities.

A detailed consultation and engagement process took place on these proposals during 2011. This culminated in the presentation of a paper to Cabinet for discussion and the following decisions were resolved.

- That the council contribution to voluntary sector open access day services/lunch clubs be reduced by ceasing block contracting arrangements and funding eligible individuals through personal budgets.
- That officers work intensively to embed the personal budget model for users of these services with eligible care and support needs, as an alternative means of income for organisations, by end August 2011.
- That an Innovation Fund be launched, where organisations can bid for funding to support transformation and the development of hubs and encourage future financial self-sustainability.
- That agreement be given to the implementation of proposals to re-commission community support services for older people (information, advice, advocacy and befriending) from April 2012 by inviting bids against a revised service specification that supports the objectives of maintaining independence, health and wellbeing and effective personalised services.

An equality impact assessment was completed and made available to Cabinet members to support the decision-making process. A previous draft had also been shared with affected organisations for comment, and the EIA sought to specifically address issues of equalities raised during the consultation process as well as explain the proposed mitigating actions in more detail. This is also available via the Southwark Council website¹⁰.

Following that decision, a process for application and award of the agreed Innovation Fund was undertaken. Final decisions on awards were taken by the Cabinet Member for Health and Adult Social Care through Individual Decision Making (IDM). The IDM report included an assessment of the equality impact of awards made, with many organisations with successful bids supporting disabled people. Again, this is available via the Southwark Council website¹¹.

¹⁰ Agenda item 9 on Cabinet agenda for 19 July 2011 <http://moderngov.southwarksites.com/ieListDocuments.aspx?CId=302&MId=3814&Ver=4>

¹¹ Report: Innovation Fund recommendations <http://moderngov.southwarksites.com/ieDecisionDetails.aspx?ID=2481>

Proposals to move **away from residential care provision** to more personalised services through community support **across all client groups** may also have a long-term positive impact in supporting increased independence and choice for people and providing them with opportunities for supported, independent living to achieve the outcomes they want. This includes further work for those people who use supporting people services. However, it will be necessary to consider the position of people who may have spent a considerable amount of time in residential care and may require additional support during any period of transition.

Another key driver of the proposals are about the importance of partnership involving individuals, communities, voluntary and private sectors, the NHS and the council's wider services, particularly employment and housing. This is designed to create a greater focus on supporting people to help themselves and each other as active citizens, and working with the wider community and voluntary groups to build social capital within communities.

Signposting and effective time-limited interventions such as re-ablement will be further developed and regularly used to work towards supporting people to live independently and well without the need for long-term interventions. This has the potential to help more disabled people through provision of appropriate and accurate information at an earlier stage, as well as support to use resources within their own families and communities. There is some emerging evidence to suggest that the use of re-ablement type services can result in improved health-related and social care-related quality of life, as well as being cost effective and being associated with a decrease in subsequent social care service use over time¹². Early re-ablement work in Southwark has also suggested that a reasonable proportion of people using the re-ablement service have not accessed ongoing care and support afterwards, although further work will be required to understand the longer-term outcomes in this area.

Another key element of supporting people to make informed choices is helping people understand how much is to be spent on their care and support – their personal budget – and supporting them to make their own decisions about how their money should be used in an effective way. It will be important to recognise that people with mental health needs, autism and those with complex care packages may require additional support to access personal budgets (Department of Health, 2010).

Health and Community Services has also invested in support planning capacity for the borough, working with individuals to think about how they wish to achieve the outcomes they want and how best to make use of the money allocated for their care and support in the form of their personal budget. Over the last year, voluntary sector providers have been invited to work intensively with the council's support planning lead and team to develop skills in support planning, leading to an informal accreditation. This offers greater scope for organisations to work with

¹² Glendinning, C, Jones, K et al. (2010) *Homecare Re-ablement Services: Investigating the longer-term impacts (prospective longitudinal study)* – Personal Social Services Research Unit University of Kent & Social Policy Research Unit, University of York

¹³ Compared to Westminster, Kensington & Chelsea, Lambeth, Camden and Tower Hamlets.

individuals to effectively plan how they will meet their needs in a way that supports them to be independent and work in this area is continuing.

Budget proposals on reviewing contributions policy will also necessarily impact on disabled people who are accessing adult social care services. Any changes will need to remain in line with government guidance on this issue, and that is the approach being proposed. It is also important to note that, in Southwark, around 50% of people accessing adult social care services do not contribute anything towards their care and support, due to their financial situation. They would not be affected by any changes in contribution policy because they are already exempt from charging.

For **Supporting People** services, over 27 services have been retendered under the framework agreement since 2010. However, a minority of savings will need to be made through de-commissioning or reducing funding to certain projects. The key changes to this are around:

- Reducing concentration and capacity of homeless hostels in the north of the borough by de-commissioning two hostels
- Removing council funding from a specific accommodation-based support scheme for offenders
- Removing council funding from a voluntary sector substance use accommodation-based service
- Reducing council funding for some dispersed low-level support accommodation services for people formerly homeless, including some people with learning disabilities or mental health needs.

The majority of services in which a funding reduction or de-commissioning proposal has been identified are discretionary, low-level support services. This links in both with the overall vision for adult social care and Southwark Council's Fairer Future promises, which are about focusing on people in those most vulnerable situations and those to whom council has statutory obligation. Similarly, this is why it was agreed that Supporting People budgets would be asked to make more substantial savings, as many of the available services are discretionary.

Individual analysis is to be completed on proposals before final sign or implementation, which will include further analysis of the impact on groups, particularly as there may be more than one way to implement the reductions.

For the homeless hostel work, analysis has shown that a number of people are not from Southwark and have been referred in from other boroughs to the services. This figure equates to one of Southwark's homeless hostels not therefore benefiting Southwark populations at any time. In addition, to decommissioning there will also be a new focus on Southwark referrals to make sure that our attention is directed at the local homeless population. Further mitigation will be through redesigning the pathway for services and focusing on supporting people to move on from the hostel environment, in line with our overall approach to services, which seeks to support people to try and get back into their communities wherever possible.

In addition, even with these reductions Southwark will continue to have capacity for homeless hostel services that is similar or higher when compared with neighbouring inner London boroughs. Capacity is likely to reduce by around 15%, yet the figures vary from a 22–49% reduction in other areas¹³.

For changes to the other community-based support services, mitigation includes the range of other community based visiting/floating support services, which will continue to be available, including to the groups affected. A small number of the affected services also have access to alternative funding as they are not run by the council. Final decision on operation of those services in the future will then be a matter for those local organisations. We are anecdotally aware that some may be able to continue with similar provision through making use of alternative funding routes. Furthermore, where there is accommodation associated with the support service affected, we would expect all residents to be able to remain in their accommodation regardless, through ongoing dialogue with our Registered Social Landlord (RSL) partners. Residents that do remain in the accommodation will continue to be able to access the other visiting or floating support services if that is the best thing for them.

3.2 Age

Likely impacts of proposed changes & mitigating actions

Adult social care services are provided to people over the age of 18. The proposals for the Southwark vision and budget savings for adult social care apply to all adults who may require care and support. Frailty and disability associated with old age means that it is likely the proposals will impact on older people and indeed the majority of users of care and support services in Southwark are over 65.

While the proposed changes mean that fewer people are likely to receive long term support and the personal budget offer may be reduced, we are seeking to mitigate the impact of this by focusing on providing timely and accurate information earlier in the process through a single point of informed contact, signposting people to a wide range of services that are available to them in the wider community. We recognise that it will be important to consider, as part of this, the formats in which information is available locally, to ensure that everyone can make use of the information and advice provided. As part of our launch of a new universal information and advice web solution, supported by a single point of contact, we are offering free sessions on using the facilities at various locations across the borough, including in local libraries.

In addition, there will be a focus on effective time-limited interventions, such as re-ablement, that seek to help people get back on their feet after a period of ill health or trip to hospital, often with reduced or even no need for ongoing care, as covered in more detail in section 3.1

Proposals around targeting prevention work to where there is demonstrable impact on how investment early on can ultimately reduce demand for longer-term social care support may also have a particular benefit to older people in terms of them achieving the outcomes they want. This is a group that often places particular importance in these 'low level' type interventions as a means of supporting them to stay independent and well.

We are specifically looking to review current day centre provision across the borough for older people, mental health and learning disability services. Again, this may include examining the effectiveness of current services in meeting our aims of supporting independence, choice and

control as well as considering the number of buildings through which services are delivered. To mitigate this, the personalised approach for services by which people have choice and control in achieving the outcomes they want, and know how much is to be spent on their care and support in the form of a personal budget should help people make decisions on the types of services they want to access to lead the lives they wish.

Update – older people's in-house day services

During 2011 work was undertaken to close one in-house day service for older people, Holmhurst. An Equality Impact Assessment was produced as part of this, and details were summarised in the paper for the Cabinet Member for Health and Adult Social Care who took the decision. Consultation was also undertaken with service users and families around the impact of the service change. This equality analysis highlighted that the services available from Holmhurst could be appropriately met through other existing services, and also that service users would be sensitively and appropriately reviewed to discuss their future options and minimise disruption for them. Service users were able to continue to access the remaining in-house day services available, if that is the best thing for their needs. Details on the decision, including the location of background papers, are available via the Southwark Council website¹⁴.

The equality impacts considered through the Holmhurst proposal also highlighted the projection of an increased number of people with particular mental health needs, such as dementia, in the future. Considering future proposals for in-house day services for older people need to consider this future demographic, both for in-house and any voluntary sector services, in the longer-term, in terms of the availability of appropriate services for individuals. At present, council in-house day services are involved with a number of clients with mental health issues. At least one voluntary sector organisation offering day services is experienced in offering support to older people with mental health needs and their families. However, as previously mentioned, the pattern of services may well change over time as people start to take advantage of using personal budgets to purchase individual services. The department will need to continue to be aware of this based on the decision of individuals as the market develops.

Consideration is also currently being given to opportunities for the remaining in-house day services for older people to be co-located in a new space in a more central part of the borough that is accessible for all residents and users. Further analysis will obviously be required on the impact of this proposal in line with any suggested timescales.

There are also proposals to reshape the universal offer around discretionary services available to people who do not necessarily receive support from the Council. This is about moving away from building-based services to a model of hubs in communities that enable people to access a range of support in one place at a single visit. The vast majority of these services, which are often lunch clubs/day services are focused on providing a service to older people, although they may not be eligible for council support in terms of meeting relevant eligibility criteria. The impact of proposals may result in fewer buildings based services currently accessed by older people. Community support

¹⁴ <http://moderngov.southwarksites.com/ieDecisionDetails.aspx?ID=2161>

services are also proposed to be re-commissioned in a more cost-effective way for the whole borough and in a way that supports our key aims of increasing independence, choice and control among our residents and service users.

To try and mitigate the impact on people who currently use discretionary services, the Council will investigate pump priming and small injections of cash for projects that support independence and can become financially self sustaining where possible. In addition, there will be an expectation on any services that continue to be commissioned that they are able to deliver even better value, perhaps through increasing the number of placements available, extending opening hours or collaborating with other organisations to meet wider needs.

Details on how this work has progressed during 2011 is highlighted in section 3.1.

There is the potential for a positive impact on all groups as the proposals seek to promote choice and control and support people to live independently and well, and to achieve the outcomes that they want. In terms of the specific personalisation offer of personal budgets, there is currently some national evidence to suggest that older people may need a greater degree of support to access the benefits of personal budgets¹⁵. We know this is important, and some key areas being considered are:

- Focusing on how the council can support development of a diverse provider market in Southwark, so there are appropriate services available on which people can spend their personal budgets
- Access to good quality information and advice (as highlighted above)
- A focus on support planning (discussed in more detail in section 3.1) so that people can identify how best to meet their needs and achieve the outcomes they want, with the development of an effective brokerage service that can also be used to help people access care and support – this model is being developed with a proposal to roll out early in 2012
- Making sure support and advice is available on the implications for people of managing their own money (through a range of providers and support organisations) including payroll and employment requirements, for example.

In addition, proposals to move away from residential care provision to more personalised services through community support may also have a long-term positive impact in supporting increased independence and choice for people and providing them with opportunities for supported, independent living to achieve the outcomes they want. However, it will be necessary to consider the position of people who may have spent a considerable amount of time in residential care and may require additional support during any period of transition.

The former Commission for Social Care Inspection found some evidence to suggest that young people in transition between children's and adults' services (particularly 16–17 year olds) may not be getting the support they need from adult social care services¹⁶. Mitigating actions for this group include the proposals to introduce a new approach to transition, including whole life planning and seeking creative approaches to

¹⁵ Glendinning, C. et al, Individual Budgets Evaluation Network (IBSEN) (2008) *Evaluation of the Individual Budgets pilot programme: final report*, IBSEN, London

¹⁶ Commission for Social Care Inspection (CSCI) (2008) *State of Social Care in England 2007-08*

supporting independence while reducing duplication across services.

Budget proposals on reviewing contributions policy will also necessarily impact on older people in terms of them being a key group to access adult social care services. Any changes will need to remain in line with government guidance on this issue, and that is the approach being proposed. As highlighted previously, around 50% of service users are not required to make a contribution towards their care and support (and we are aware that a majority of people using services in Southwark are 65+). Any changes to contributions policy in terms of the allowable amount for contribution would not affect these individuals as they are already exempt.

3.3 Race/Ethnicity

Likely impacts of proposed changes & mitigating actions

It is not anticipated that this strategy will have a significantly differential impact on race and ethnicity for people entitled to statutory services. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This enables individual culturally sensitive responses to be agreed with individuals. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for black and minority ethnic (BME) groups in terms of improved access to culturally sensitive, tailored support. However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work.

In fact, in Southwark, of those people who use personal budgets (PBs) a higher proportion are from BME communities than compared with the overall ethnicity profile of service users (35.5% of people with PBs are from BME communities, compared with 30.7% of service users from BME communities overall. This figure increases further when we focus on people using direct payments or wholly self-managed personal budgets, to 51.3%¹⁷). This demonstrates there is potential for a positive impact on BME groups given how they have already taken advantage of managing their own money and personal budget models.

Furthermore, our work to shift the balance of care away from residential provision and towards more community-based support will need to take account of particular requirements for culturally-tailored provision, in terms of the role of the council in developing an effective and robust market place for services.

Proposals being considered to reshape resources available for discretionary services, for example lunch clubs, available to people who do

¹⁷ Based on annual performance data for Southwark, 2010/11

not necessarily receive support from the Council, may have an impact on a number of ethnic groups as currently a number of projects commissioned are culturally specific.

To try and take account of this, we are proposing that continued funding for any projects will be dependent on them looking at how they can deliver better value, perhaps through extending the number of places available or opening hours, or working collaboratively with organisations who will not receive council funding in the future. We would expect this to take account of the wide range of different communities that we have in Southwark and seek to promote community cohesion, bringing people together. In addition, proposals are being considered for a small amount of resource to be available to offer pump priming or small injections of cash as part of a process to support financially self-sustaining models of care.

This is covered in detail in the equality impact assessment produced for decisions on this work, highlighted further in Section 3.1 of this document.

3.4 Gender/Gender Identity (inc. gender reassignment)

Likely impacts of proposed changes & mitigating actions

As a result of longer life expectancy more women than men use adult social care services and this is also true for Southwark where a majority of adult social care service users are women. In addition, older women tend to be less well off than older men. There is some evidence to suggest that, from a national perspective, there are nearly five times as many women as men in institutional care but they are less able to afford it¹⁸ (Mayhew, 2009). This all suggests that there is potential for proposals to have a greater impact on women in terms of changes to the number and type of services that will be available in the future as a result of proposals.

Mitigating actions to support this include the specific proposal on re-ablement as a means of helping people get back on their feet and living independently and to attempt to prevent further deterioration and a requirement for ongoing intensive support. The single point of informed contact should also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

Women are more likely to be carers than men (58 percent of carers were women according to the 2001 Census). There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers and impact particularly on women. However, the vision for Southwark recognises the key role that carers play, both in delivering care and in preventing people's care needs from increasing. We are seeking to investigate proposals for effective interventions that can provide help and support for carers. In addition,

¹⁸ Mayhew L. (2009) *The Market Potential for Privately Financed Long Term Care Products in the UK* – Faculty of Actuarial Science and Insurance, CASS Business School

proposals will also need to be carefully considered in the context of the importance of care and support being about partnership between individuals, families, communities, the voluntary and private sector, the wider council and NHS. This means that we are particularly interested in developing social capital within communities and encouraging people to help themselves and each other as active citizens.

During 2011 the council has also awarded a three-year contract to Southwark Carers, who will work with a range of organisations in providing services to carers in the borough. There are a wide range of services available including emergency respite and direct payments to carers to enable them to purchase services appropriate to meeting their needs. Up to 1,000 Carers are known to Southwark Carers. Improving our assessments and services offered to carers is a key strategic priority for the department and are regularly reviewing progress, as outlined through the Council Plan.

There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for transgender people (for example even in just being able to select for themselves the gender of their carer). However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work. As stated previously, enabling people to have greater control over how the money for their care and support needs is spent, there is also the potential for this approach to support future service users who may need specific support.

In addition, organisations would need to make sure that they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

3.5 Religion/Belief

Likely impacts of proposed changes & mitigating actions

As with some other areas considered above, the drive towards personalised services and responses for people, combined with the personal budget offer, can provide opportunities for people to purchase services that are culturally sensitive for their needs. As in other areas, Southwark will need to take a lead role in shaping the market and quality assurance so that providers understand and are in a position to offer the types of services that support these choices for local people. It will also be important to ensure that people using services, carers and organisations affected have the opportunity to engage with and shape future proposals, which in turn should help support a drive towards personalised services for people.

Organisations will also need to ensure they are taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

3.6 Sexual Orientation

Likely impacts of proposed changes & mitigating actions

We are aware the former CSCI found that people from lesbian, gay and bisexual communities may find themselves in an assessment process that fails to correctly identify their needs, which is likely to result in the provision of services that inadequately meet the needs of individuals¹⁹. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This should enable personalised responses to be agreed with individuals, and should take into account any needs arising specifically as a result of an individual's sexual orientation.

3.7 Carers

Likely impacts of proposed changes & mitigating actions

While not a specific equality strand in the Equality Act 2010, it is important to note that the Act covers the issue of discrimination by association, which may have an impact on those caring for people with an adult social care need.

There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers. However, the vision for Southwark recognises the key role that carers play, both in delivering care and in preventing people's care needs from increasing. We are seeking to investigate proposals for effective interventions that can provide help and support for carers. In addition, proposals will also need to be carefully considered in the context of the importance of care and support being about partnership between individuals, families, communities, the voluntary and private sector, the wider council and NHS. This means that we are particularly interested in developing social capital within communities and encouraging people to help themselves and each other as active citizens.

As noted above, the council has, this year, awarded a three-year contract with Southwark Carers to work with a range of organisations in providing services to carers in the borough, in support of our strategic priority to improve availability of services to carers, and the undertaking of carers' assessments, to enable people to be supported to continue in their caring role.

All proposals will need to be considered in the light of how they impact on carers and seek to promote equality. Individual equality analyses will need to undertake further detailed analysis on this as appropriate and seek to engage with carers about the impact of proposals on them.

¹⁹ CSCI (2008) *Putting People First: equality and diversity matters – providing appropriate services for lesbian, gay and bisexual and transgender people* CSCI, London

3.8 Human rights

Likely impacts of proposed changes & mitigating actions

In line with the council's most recent equality and human rights policy, the issue of human rights is also considered within this analysis. In line with a human rights-based approach, we have sought to engage with partners who provide and make use of services to comment on the vision, and also appropriate engagement on specific pieces of work that have already been undertaken this year. This will continue to be important for proposals that are not yet being implemented but covered in the budget strategy.

An approach that supports people to engage with their local communities and use mainstream services wherever possible is also designed to support people while positively considering their human and civil rights.

It is also important to note some details from an Equality and Human Rights Commission (EHRC) report on the future of care and support, particularly in light of the personal budget approach. This highlights the need to consider the balance between risk taking and the financial and personal safety in promoting greater independence for older and disabled people, particularly through personal budgets, and the importance of taking a proportionate approach²⁰. This is something we are considering throughout all of our work to transformation adult social care. The council's policy and processes around safeguarding will remain in place, and we will seek to support and develop a cultures of positive risk-taking that emphasises the need for all partners to engage.

Note: for adult social care it is not expected that proposals will have a differential impact on the equality strand of pregnancy and maternity (as outlined in the Equality Act 2010), consequently it has not been considered in detail here. Furthermore, marriage and civil partnership is included as a protected characteristic in the Equality Act 2010 in relation to the specific need to 'eliminate discrimination, harassment, victimisation or other prohibited conduct'. It is not anticipated that these proposals will have a differential impact on this equality strand in relation to the requirement to have due regard to this. Consequently, it is not considered in detail here.

²⁰ Equality and Human Rights Commission *From safety net to springboard: a new approach to care and support for all based on equality and human rights* (2009)

Section 3: Equality analysis conclusions and further actions

4. Resource Implications	
<p>Will there be any financial or HR implications in ensuring policy/service redesign are non-discriminatory?</p> <p>Provide specific detail where applicable</p>	<p>Individual projects to identify details and work within corporate HR policy. Proposals to workforce redesign will also need to take into account equality and diversity impacts on/for the adult social care workforce.</p> <p>As any proposals are taken forward they will seek to include an assessment of how specific changes will impact on the workforce. This may include collecting anonymised profile data on staff subject to review and looking at whether changes (e.g. in working arrangements) or structural amendments may have an adverse impact on people from a particular group as appropriate. Data is shared with the Trade Unions as part of the formal consultation process, which will include possible measures to mitigate any adverse impact.</p>

5. Further actions			
Based on the Initial Assessment above. Please detail key areas identified as requiring more detailed analysis or key mitigating actions. Please be explicit about actions and provide the name or supporting documents			
Number	Description of Issue	Action & Output	December 2011 update
1	Continued engagement to ensure that a wide range of people are able to feed into the thinking around the vision for adult social care.	Deputy Director to complete presentations for outstanding groups. Publication of adult social care vision on website to seek comments.	Completed. A final version of the vision and summary of feedback received have been published and can be downloaded from the Southwark Council website.
2	Individual projects to ensure that more detailed equality impact analysis is undertaken on proposals	Project leads to complete detailed EIAs on individual proposals.	Ongoing. Key projects with detailed EIAs include: <ul style="list-style-type: none"> • Open access services • Holmhurst Day Centre

			<p>These were made available alongside Cabinet papers for decisions on services. Further proposals are developing equality analysis as appropriate.</p> <p>Nature of analysis and work done will be dependent on decisions taken by Cabinet and Council Assembly on the overall budget and savings proposals.</p>
3	Organisations affected by proposals, service users and carers provided with opportunity to comment on proposals and participate in suggestions for future services	Project leads to develop process for engagement as part of EIA development	Ongoing. This needs to be tailored to individual pieces of work.
4	Baseline information on user profiles available to inform ongoing work and proposals	Performance team to collect and collate user profile baseline information	Information on people making use of care and support services collated as part of national return and available for use in individual projects as appropriate.
5	Understanding of impact of national policy changes on approach to adult social care	Senior management and project leads to review proposals in light of central government proposals on impact for democratic legitimacy and work of the Law Commission on the statutory underpinning of adult social care, as well as proposed social care White Paper, likely to be published following the report of the independent Commission on Funding for Care and Support.	Ongoing. Recent example is the response from Southwark Council to the Department of Health's engagement exercise on reform of adult social care. Further work to be considered in 2012 when White Paper published and further outcomes from funding commission and Law Commission recommendations.
6	Ongoing review of equality impact on policies	Following consultation and engagement, and otherwise at regular intervals, proposals to be reviewed by project leads to ensure that equality impact is well understood and up to date	This refresh is part of this. Further work to be developed in light of the council's overall approach to equalities and human rights.

7	Role of market management in supporting a personalised model, particularly linked to personal budgets	<p>This is an ongoing action to support the development of an effective provider market in Southwark so that services are available on which people want to spend their personal budgets.</p> <p>It includes participating in a pan-London project on personal assistants, seeking to identify key opportunities in building capacity in this area, as well as being clear about the support required for this to be effective.</p>	This is an additional action from the previous equality analysis completed
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6. Publication

This assessment will be made available to the council Cabinet and Council Assembly in order to support the decision-making process. Consequently, it will be published alongside relevant papers in line with the council's timescales for decision-making.

7. Governance and sign off

Detail governance process for this equality analysis, including any sign-off	<p>As part of the decision-making process, this update on equality considerations will be made available to the Council Assembly, and Cabinet as required to support their discussion on budget setting and to inform any decisions on the overall budget. This is in conjunction with analysis from other council departments, which will be completed individually. This equality analysis is to be considered as part of that process.</p> <p>The analysis has also been shared with senior management of the Health and Community Services department to obtain sign off for the approach and content.</p>
Signed-Off by Director, Assistant Director or SRO	<p>Name: Sarah McClinton</p> <p>Date: 18 January 2012</p>