



Equality Impact Assessment

Project or Service Template

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| Name of the proposal, project or service |
| <p>Reconciling Policy Performance and Resources (RPPR) 2018/19:</p> <p>Proposed changes to Affinity Trust – Cregg Na Ba</p> |

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Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21stCentury Families and Communities, 2008]
- Literacy/Numeracy Skills
- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, project or service

2.1 What is being assessed?

a) Proposal or name of the project or service.

On 6 February 2018, at a full Council meeting, a decision was taken to reduce the Learning Disability Directly Provided Services budget. The subsequent savings proposal has been identified from the block contract held with Affinity Trust for the delivery of six residential homes for adults with a learning disability. The proposal is to close the residential service at Cregg Na Ba, and for the clients living there to move to an alternative residential service within this block contract.

b) What is the main purpose or aims of proposal?

Currently the six residential homes delivered by Affinity are underutilised. This is largely due to the profile of the current residents being similar across the 6 homes but not similar to potential new clients; meaning new referrals are not compatible and therefore not accepted. The proposal to close Cregg Na Ba would mean residents being supported to move to an alternative residential home (run by the same provider), and the potential to use the building to develop a new service and updated service model for people with a learning disability.

c) Manager(s) and section or service responsible for completing the assessment

Richard Lewis, Strategic Commissioning Manager – Learning Disability

2.2 Who is affected by the proposal, project or service?

There are five residents living at Cregg Na Ba who would move to one of the alternative residential services (also provided by Affinity) should this proposal take place, and their families who have been consulted. Staff may also be affected. Potential beneficiaries of a new service are people with a learning disability who are eligible for this type of support.

2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

If the proposal is agreed there will be a shared approach to implementation.

Care Management and Assessment, Affinity Trust, the advocacy provider POhWER, families of and the clients will work together to identify the most appropriate new home, and support the move at a pace that is best for the client. Where clients are deemed to lack capacity under the Mental Health Act, 'Best Interest' meetings will be held to ensure their views and needs are met.

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

Yes – as the Provider Affinity Trust are involved in the planning, meeting with families and will be involved in any move.

PohWER, our advocacy provider, will be involved where clients lack capacity to make decisions about their potential move.

2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?

Eligibility for the service is defined by the Care Act 2014. Strategic planning activity and service review has identified that the service provided by Affinity is underused; eligibility, person centred planning and the quality of service provision can continue to be met if the proposal goes ahead.

2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.

As a registered residential service for people with a learning disability, potential clients need to have a primary need of a learning disability and be able to access support through the Community Learning Disability Team. People are referred through the ASC brokerage team having been assessed as needing a residential service by a care manager.

2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.

Once a referral is made to the service, the provider will carry out their own assessment to see how they can meet the needs of the client referred.

2.8 How, when and where is your proposal, project or service provided? Please explain fully.

Cregg Na Ba is in Battle and provides accommodation and personal care for up to six people who have learning disabilities and some associated physical or/and sensory disabilities. The other homes that residents could potentially move to are in Bexhill, Brede and Broad Oak and are registered to provide similar services.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

| Types of evidence identified as relevant have X marked against them | | | |
|--|---|---|---|
| | Employee Monitoring Data | | Staff Surveys |
| X | Service User Data | X | Contract/Supplier Monitoring Data |
| | Recent Local Consultations | | Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector |
| X | Complaints | | Risk Assessments |
| | Service User Surveys | | Research Findings |
| | Census Data | X | East Sussex Demographics |
| | Previous Equality Impact Assessments | | National Reports |
| | Other organisations Equality Impact Assessments | | Any other evidence? |

3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

No complaints of this nature have been received.

3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

As the residents have significant learning disabilities it is likely that they will not have capacity to make decisions about where they live, or understand abstract discussions about possibly moving. Therefore they have not been consulted at this stage and are being assessed to see if they have capacity under the Mental Health Act.

Families have been consulted through letter and individual meetings where requested and POhWER have been involved in the process and available for supporting families, where requested.

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

Meetings with and correspondence received from the families of residents living at Cregg Na Ba have shown that all families have been happy with the service their family member receives, and are disappointed that there is a proposal that would involve their family member moving. They have raised concerns that it could cause distress, and that it is unsettling for them as they are well established at Cregg na Ba.

Four of the residents have lived at Cregg Na Ba for nearly 20 years and are therefore very familiar with both the service and the local area, with good connections to the local community. The most recent resident had experienced previous placement breakdowns but is now settled at Cregg Na Ba. Some of the residents have health problems that will require specific attention if facilitating a move.

However the families recognise that the provider would manage any move as well as possible and that all relevant practitioners / clinicians would be utilised to support any move.

Key messages from the consultation:

- People praised the service and the wonderful staff, saying their relatives and friends are happy and settled.
- The area the care home is based in is safe and accessible for residents and the alternatives which have been suggested aren't as well located.
- It would be harder for family to visit as the alternative homes are not easily accessible by public transport and this could mean residents become isolated.
- Many residents are known within the local community and some would be moving away from their Church community.
- The residents have complex needs and adjusting to new things can be traumatic.
- Staff said that it is very important that concerns about the health of residents are addressed as part of the assessment and placement process.
- A permanent move from the home is likely to have a negative impact on residents' health and wellbeing and for some residents it may have serious implications for their life and health.
- Some residents will need extra support during and after the move to allow it to happen and to help them to try and settle in.
- Retaining staff they know would help if the move went ahead.
- Staff requested that any move doesn't take place till after the summer holidays, so that they can fully support residents with the process.
- Staff suggested that it would help residents to visit and to retain their links to their local community if extra disabled parking spaces could be added.

Views on the proposal (relatives)

- They are very happy with the current service and the support their relative receives.

- They are confident the provider will handle the move well if it does go ahead.
- They were reassured that any move would be to a home run by the same provider.
- They were reassured that staff would be moving too.

The impact of the proposal

- About the potential disruption to their relative and their lives.
- A move to a rural location making it harder to visit their relative in the longer term.

These comments are a small selection of the comments we received during the consultation. They have been chosen as they either reflect the key themes or offer a specific suggestion.

Organisation and group comments

“We want to support all the [people] we look after to have fulfilled , happy and settled lives in their twilight years.”

Individual comments including clients, carers, staff and the public

“I am very sad to hear that my [relative] is going to move to another care home. [They have] never been happier than now. [They are] calm, clearly feels safe and enjoys the company of [their] fellow residents. The staff ... are wonderful.”

“[S]taff ensure that [two residents] who are both members of my church are able to attend worship each week. This is an extremely important part of their lives and we would take a very dim view if either of them were denied their right to worship in a place of their choosing.”

“My [relative] has complex needs and finds adjusting to new spaces, people and situations, very traumatic... I am hugely concerned for [my relative's] emotional wellbeing at being moved from [their] stable surroundings permanently.”

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

The overall population of East Sussex is 527,209 (2011 Census data) and is projected to continue increasing over the next few years. The population by age breakdown for East Sussex is:

| Age: | Population |
|---------|------------|
| 15 – 29 | 83,791 |
| 30 – 34 | 90,220 |
| 45 – 64 | 147,613 |
| 65+ | 120,722 |

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The overall number of clients affected by the proposals is 5. The overall age of these clients is outlined below:

| Age | Number of clients |
|---------|-------------------|
| 15 – 29 | 0 |
| 30 – 44 | 0 |
| 45 – 64 | 1 |
| 65+ | 4 |

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Cregg Na Ba is registered to provide care & support for adults with a learning disability of all ages. The other registered residential services have the same registration.

The current age profile of residents is similar across the homes so currently older people will be more affected by this proposal. However, if the proposal were to go ahead younger referrals may have the opportunity to move into the residential homes.

d) What is the proposal, project or service's impact on different ages/age groups?

The primary need of the residents is their learning disability, however four of the residents living at Cregg na Ba are also over 65. Implementing any move would need to be managed sensitively to meet the needs of these older residents, with the length of time they have lived at Cregg na Ba being a significant factor.

There are age-related health needs that will need to be managed if any move takes place.

e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?

If the residents do move to alternative residential services there will be a range of steps to achieve this.

- The most suitable option will be agreed taking into account the resident's care needs, friendship groups and new home.
- Staff from Cregg Na Ba will also move to the new homes to ensure continuity of care.
- The new rooms will be decorated for the new resident – this could be replicating their current room or opting for a new look.
- The Specialist Health Community Learning Disability Team will assess and support and health needs during a move.

f) Provide details of the mitigation.

See above.

g) How will any mitigation measures be monitored?

These mitigations will be managed by:

- Affinity Trust internal processes
- Planning meetings to facilitate any moves
- Monitoring through meetings with the provider
- Client reviews where the client and family will be involved. Advocacy will be provided where required to support the clients involvement.

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

Residents (working age only) with limiting long-term illness in 2011 by districts (numbers)

| Type | All people | People with long-term health problem or disability | Day-to-day activities limited a little | Day-to-day activities limited a lot | People without long-term health problem or disability |
|--------------------|---------------|--|--|-------------------------------------|---|
| Geography | | | | | |
| England & Wales | 56075912 | 10048441 | 5278729 | 4769712 | 46027471 |
| South East | 8634750 | 1356204 | 762561 | 593643 | 7278546 |
| East Sussex | 526671 | 107145 | 58902 | 48243 | 419526 |
| Eastbourne | 99412 | 20831 | 11209 | 9622 | 78581 |
| Hastings | 90254 | 19956 | 10375 | 9581 | 70298 |
| Lewes | 97502 | 19054 | 10583 | 8471 | 78448 |
| Rother | 90588 | 21242 | 11591 | 9651 | 69346 |
| Wealden | 148915 | 26062 | 15144 | 10918 | 122853 |

Residents (working age only with limiting long-term illness in 2011 by districts (%))

| Type | All people | People with long-term health problem or disability | Day-to-day activities limited a little | Day-to-day activities limited a lot | People without long-term health problem or disability |
|--------------------|------------|--|--|-------------------------------------|---|
| Geography | | | | | |
| England & Wales | 100 | 17.9 | 9.4 | 8.5 | 82.1 |
| South East | 100 | 15.7 | 8.8 | 6.9 | 84.3 |
| East Sussex | 100 | 20.3 | 11.2 | 9.2 | 79.7 |
| Eastbourne | 100 | 21 | 11.3 | 9.7 | 79 |
| Hastings | 100 | 22.1 | 11.5 | 10.6 | 77.9 |
| Lewes | 100 | 19.5 | 10.9 | 8.7 | 80.5 |
| Rother | 100 | 23.4 | 12.8 | 10.7 | 76.6 |
| Wealden | 100 | 17.5 | 10.2 | 7.3 | 82.5 |

b) How is this protected characteristic reflected in the reflected in the population of those impacted by the proposal, project or service?

| All people | People with long term health problem or disability | Day to day activities limited a little | Day to day activities limited a lot | People without long-term health problem or disability |
|------------|--|--|-------------------------------------|---|
| 5 | 5 | | | 0 |

a) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Yes – as this is a learning disability service all the people have a learning disability. Some clients also have significant health needs.

b) What is the proposal, project or service’s impact on people who have a disability?

The impact on this group of people would be moving home and the potential distress this could cause. The residents are well established and familiar with their staff and community. They would need to get to know different staff to those working at Cregg Na Ba and to live with some different residents.

Wheelchairs users or people with mobility restrictions could experience difficulty moving to a new environment if it were not fully accessible.

c) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

If this proposal were to proceed, good practice around person centred approaches to care would be adopted to ensure that the people involved would be well supported, including ensuring buildings are accessible and supportive of people in wheel chairs.

d) Provide details of any mitigation.

The residents at Cregg Na Ba are familiar with the other residential services, residents and staff as there are regular social functions held in the different services.

Staff from Cregg na Ba will also be re-locating to alternative residential services so the residents will be supported by familiar staff.

The importance of maintaining access to the local community will be written into the care plan.

Residents will be supported to visit to familiarise themselves with the new surroundings.

e) How will any mitigation measures be monitored?

These mitigations will be managed by:

- Affinity Trust internal processes
- Planning meetings to facilitate any moves
- Monitoring through meetings with the provider
- Client reviews where the client and family will be involved. Advocacy will be provided where required to support the clients involvement.

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

The overall population of East Sussex is 527,209 (2011 Census data) and is projected to continue increasing over the next few years. The population aged 65+ (males) and 60+ (females) by ethnic group for East Sussex is shown in the table in Section 4.1 above.

Census figures below demonstrate ethnic diversity in the area as 8.3% overall. Increases are particularly in the ‘White other’ and ‘mixed’ categories reflecting East European and other white groups migration and other societal changes. Largest overall minority populations are ‘White other’ and Asian and Asian British’.

Ethnic group in 2011 by districts (%)

| Ethnicity | All people | British and Northern Irish | Irish | Gypsy or Irish Traveller | Other White | All Mixed | All Asian or Asian British | All Black or Black British | Other ethnic group |
|--------------------|------------|----------------------------|------------|--------------------------|-------------|------------|----------------------------|----------------------------|--------------------|
| Geography | | | | | | | | | |
| England & Wales | 100 | 80.5 | 0.9 | 0.1 | 4.4 | 2.2 | 7.5 | 3.3 | 1 |
| South East | 100 | 85.2 | 0.9 | 0.2 | 4.4 | 1.9 | 5.2 | 1.6 | 0.6 |
| East Sussex | 100 | 91.7 | 0.8 | 0.2 | 3.4 | 1.4 | 1.7 | 0.6 | 0.3 |
| Eastbourne | 100 | 87.4 | 1 | 0.1 | 5.6 | 1.8 | 2.8 | 0.8 | 0.5 |
| Hastings | 100 | 89.3 | 0.8 | 0.2 | 3.5 | 2.2 | 2.4 | 1.2 | 0.5 |
| Lewes | 100 | 92.5 | 0.8 | 0.1 | 3.2 | 1.3 | 1.4 | 0.4 | 0.3 |
| Rother | 100 | 94.1 | 0.7 | 0.1 | 2.1 | 1.1 | 1.2 | 0.3 | 0.2 |
| Wealden | 100 | 93.8 | 0.6 | 0.2 | 2.8 | 1 | 1.2 | 0.2 | 0.2 |

Ethnic group in 2011 by districts

| Ethnicity | All people | British and Northern Irish | Irish | Gypsy or Irish Traveller | Other White | All Mixed | All Asian or Asian British | All Black or Black British | Other ethnic group |
|--------------------|---------------|----------------------------|-------------|--------------------------|--------------|-------------|----------------------------|----------------------------|--------------------|
| Geography | | | | | | | | | |
| England & Wales | 56075912 | 45134686 | 531087 | 57680 | 2485942 | 1224400 | 4213531 | 1864890 | 563696 |
| South East | 8634750 | 7358998 | 73571 | 14542 | 380709 | 167764 | 452042 | 136013 | 51111 |
| East Sussex | 526671 | 482769 | 3966 | 815 | 17872 | 7473 | 9143 | 2912 | 1721 |
| Eastbourne | 99412 | 86903 | 978 | 66 | 5561 | 1791 | 2795 | 783 | 535 |
| Hastings | 90254 | 80624 | 702 | 150 | 3155 | 1948 | 2126 | 1065 | 484 |
| Lewes | 97502 | 90218 | 757 | 97 | 3087 | 1275 | 1400 | 416 | 252 |
| Rother | 90588 | 85279 | 596 | 134 | 1942 | 1031 | 1103 | 305 | 198 |
| Wealden | 148915 | 139745 | 933 | 368 | 4127 | 1428 | 1719 | 343 | 252 |

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The current residents across the residential homes are white British.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

A disproportionate impact is not anticipated for this protected characteristic.

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

a) How is this protected characteristic target group reflected in the County/District/Borough?

Data from the 2011 Census shows the population of East Sussex to be **527,209**, broken down into the following gender and age groupings:

| | | Total | 18+ | 18-64 | 65+ | 18-64 % | 65+ % |
|-------------------|--------------------|----------------|---------|---------|---------|---------|-------|
| Female | EAST SUSSEX | 273,142 | 222,604 | 154,510 | 68,094 | 69.4 | 30.6 |
| Male | EAST SUSSEX | 254,067 | 200,320 | 147,692 | 52,628 | 73.7 | 26.3 |
| | | | | | | | |
| All people | EAST SUSSEX | 527,209 | 422,924 | 302,202 | 120,722 | 71.5 | 28.5 |

Source: ONS Mid-Year Population Estimates 2011 (based on Census) released on 25th September by ONS. Data around transgender is not currently collected.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

| | Male | | Female | | Total |
|---------------|------|-----|--------|-----|-------|
| | No. | % | No | % | No |
| Home | 1 | 25% | 3 | 75% | 4 |
| Willows | 2 | 67% | 1 | 33% | 3 |
| Jasmine Lodge | 2 | 40% | 3 | 60% | 5 |
| Fairmount | 3 | 50% | 3 | 50% | 6 |
| Cregg Na Ba | 4 | 80% | 1 | 20% | 5 |
| Beckley | 3 | 50% | 3 | 50% | 6 |
| Total | 15 | 52% | 14 | 48% | 29 |

At Cregg Na Ba four people are male and one is female.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

No. Services offered meet the needs of all people, irrespective of their gender. In addition there is a range of staff with the skills and ability to meet a range of needs and to support preferences around male/female support staff. Staff also receive equalities training to support them in their role.

d) What is the proposal, project or service’s impact on different genders?

When agreeing a new home consideration will be given to who residents would prefer to share with, and who is currently living in the home they may move to ensuring that all residents are compatible with who they live with.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Person centred approaches to managing any move will ensure that the clients gender does not disadvantage them.

f) Provide details of any mitigation.

The process of identifying the new residential home will take into account the needs and wishes of clients in choosing who they live with.

Care & Support staff are matched with residents to meet gender specific needs such as personal care.

g) How will any mitigation measures be monitored?

These mitigations will be managed by:

- Affinity Trust internal processes
- Planning meetings to facilitate any moves
- Monitoring through meetings with the provider
- Client reviews where the client and family will be involved. Advocacy will be provided where required to support the clients involvement.

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

None of the five Cregg Na Ba residents are married.

A disproportionate impact is not anticipated for this protected characteristic.

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

A disproportionate impact is not anticipated for this protected characteristic.

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

| Religion in 2001 and 2011 - super output areas | | | | | | | | | | | |
|--|------------|------------|-----------|----------|--------|--------|---------|--------|-----------------|-------------|---------------------|
| Filter variables | | | | | | | | | | | |
| Year, 2011 | | | | | | | | | | | |
| Religions | | All people | Christian | Buddhist | Hindu | Jewish | Muslim | Sikh | Other religions | No religion | Religion not stated |
| Geography | Measure | | | | | | | | | | |
| England and Wales | Number | 56075912 | 33243175 | 247743 | 816633 | 263346 | 2706066 | 423158 | 240530 | 14097229 | 4038032 |
| | Percentage | 100 | 59.3 | 0.4 | 1.5 | 0.5 | 4.8 | 0.8 | 0.4 | 25.1 | 7.2 |
| South East | Number | 8634750 | 5160128 | 43946 | 92499 | 17761 | 201651 | 54941 | 39672 | 2388286 | 635866 |
| | Percentage | 100 | 59.8 | 0.5 | 1.1 | 0.2 | 2.3 | 0.6 | 0.5 | 27.7 | 7.4 |
| East Sussex | Number | 526671 | 315659 | 2190 | 1501 | 1074 | 4201 | 178 | 3508 | 155723 | 42637 |
| | Percentage | 100 | 59.9 | 0.4 | 0.3 | 0.2 | 0.8 | 0 | 0.7 | 29.6 | 8.1 |
| Eastbourne | Number | 99412 | 59232 | 482 | 429 | 211 | 1458 | 53 | 586 | 28995 | 7966 |
| | Percentage | 100 | 59.6 | 0.5 | 0.4 | 0.2 | 1.5 | 0.1 | 0.6 | 29.2 | 8 |
| Hastings | Number | 90254 | 46832 | 475 | 423 | 142 | 1159 | 38 | 668 | 33066 | 7451 |
| | Percentage | 100 | 51.9 | 0.5 | 0.5 | 0.2 | 1.3 | 0 | 0.7 | 36.6 | 8.3 |
| Lewes | Number | 97502 | 55572 | 489 | 257 | 320 | 558 | 42 | 603 | 31641 | 8020 |
| | Percentage | 100 | 57 | 0.5 | 0.3 | 0.3 | 0.6 | 0 | 0.6 | 32.5 | 8.2 |
| Rother | Number | 90588 | 58706 | 290 | 171 | 170 | 460 | 12 | 525 | 22864 | 7390 |
| | Percentage | 100 | 64.8 | 0.3 | 0.2 | 0.2 | 0.5 | 0 | 0.6 | 25.2 | 8.2 |
| Wealden | Number | 148915 | 95317 | 454 | 221 | 231 | 566 | 33 | 1126 | 39157 | 11810 |
| | Percentage | 100 | 64 | 0.3 | 0.1 | 0.2 | 0.4 | 0 | 0.8 | 26.3 | 7.9 |

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

Of the five people living at Cregg Na Ba three identify as CofE and two attend a Christian church regularly.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

No, although it is recognised that those residents who have a connection with and attend church regularly should be supported to continue with this.**d) What is the proposal, project or service's impact on the people with different religions and beliefs?**

If this proposal progresses the residential home that the two people who attend church move to will ensure that they are still able to attend their church. This will be written in to their care plans.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

As above

f) Provide details of any mitigation.

As above.

g) How will any mitigation measures be monitored?

These mitigations will be managed by:

- Affinity Trust internal processes
- Planning meetings to facilitate any moves
- Monitoring through meetings with the provider
- Client reviews where the client and family will be involved. Advocacy will be provided where required to support the clients involvement.

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

A disproportionate impact is not anticipated for this protected characteristic.

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

Rurality

a) How are these groups/factors reflected in the County/District/ Borough?

| Urban-Rural | Urban | Rural |
|-----------------------------------|------------|------------|
| Geography | | |
| England and Wales | 45,726,291 | 10,349,621 |
| South East | 6,875,562 | 1,759,188 |
| East Sussex | 389,946 | 136,725 |
| Eastbourne | 99,412 | 0 |
| Hastings | 90,254 | 0 |
| Lewes | 75,173 | 22,329 |
| Rother | 43,168 | 47,420 |
| Wealden | 81,939 | 66,976 |

b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?

If this proposal proceeds residents will move away from their local community. Some will move to homes that are more rural.

c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?

All of the residents are dependent of transport provided by Affinity Trust and none can access public transport. The families of the residents currently visit by car, however if they were to visit using public transport this could be more difficult.

d) What is the proposal, project or service’s impact on the factor or identified group?

The increased rurality of two of the residential homes could make accessing the local community and seeing family more difficult.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Access to the local community is important and recognised, and will be written in to the care plans of the residents. Residents will be supported to become familiar with their new community.

f) Provide details of the mitigation.

Families currently visit Cregg Na Ba in their own cars. If they were to use public transport and their family member had moved to a home with less public transport links Affinity Trust have agreed to look at how they could support this with options such as meeting people at a nearby station etc.

As the residents are dependent on transport provided by Affinity Trust they will still be able to access the community in Battle or elsewhere. The new services are no more than 15 minute drive from Cregg Na Ba.

g) How will any mitigation measures be monitored?

These mitigations will be managed by:

- Affinity Trust internal processes
- Planning meetings to facilitate any moves
- Monitoring through meetings with the provider
- Client reviews where the client and family will be involved. Advocacy will be provided where required to support the clients' involvement.

4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

| | |
|-------------------|--|
| Articles | |
| A2 | Right to life (e.g. pain relief, suicide prevention) |
| A3 | Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances) |
| A4 | Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults) |
| A5 | Right to liberty and security (financial abuse) |
| A6 & 7 | Rights to a fair trial; and no punishment without law (e.g. staff tribunals) |
| A8 | Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family) |
| A9 | Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches) |
| A10 | Freedom of expression (whistle-blowing policies) |
| A11 | Freedom of assembly and association (e.g. recognition of trade unions) |
| A12 | Right to marry and found a family (e.g. fertility, pregnancy) |
| Protocols | |
| P1.A1 | Protection of property (service users property/belongings) |
| P1.A2 | Right to education (e.g. access to learning, accessible information) |
| P1.A3 | Right to free elections (Elected Members) |

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

We will be paying due regard to the above when supporting clients through the changes, providing services that are accessible and meet their needs and preferences ,taking into account their eligibility for services.

As this proposal would involve people with a learning disability moving home, the focus of attention would be assuring their move meets their needs as well as is possible and any distress is minimised

5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.


| X | Outcome of impact assessment | Please explain your answer fully. |
|---|---|--|
| X | A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups. | If the proposal is agreed, the predominant protective characteristic for the people who could be affected by this proposal is disability, followed by age (as the residents are in the older age bracket). |
| | B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect. | If this proposal progresses the people involved would move to a similar residential home, delivered by the same provider, with familiar staff. |
| | C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate | The evidence suggests the potential for any distress caused by the move will be well managed and time limited. |
| | D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows | |

| | | |
|--|---|--|
| | unlawful discrimination it <i>must</i> be removed or changed. | |
|--|---|--|

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?

Please refer to monitoring of mitigations detailed in this document.

5.4 When will the amended proposal, proposal, project or service be reviewed?

| | | | |
|------------------------|-----------|--|---|
| Date completed: | May 2018 | Signed by (person completing) | Richard Lewis |
| | | Role of person completing | RPPR Lead |
| Date: | June 2018 | Signed by (Manager) |  Samantha Williams, Assistant Director, Planning, Performance and Engagement Adult Social Care and Health |

Part 6 – Equality impact assessment action plan

X

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

| Area for improvement | Changes proposed | Lead Manager | Timescale | Resource implications | Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT) |
|----------------------|------------------|--------------|-----------|-----------------------|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

| Area of Risk | Type of Risk? (Legal, Moral, Financial) | Can this be addressed at a later date? (e.g. next financial year/through a business case) | Where flagged? (e.g. business plan/strategic plan/steering group/DMT) | Lead Manager | Date resolved (if applicable) |
|--|---|--|---|---------------|-------------------------------|
| Best Interest Assessment indicates moving is not in the clients' best interest and Advocate supports this. | Legal | No. However, understanding the mitigations and possible adjustments that are possible may help reduce the risks. | DMT | Richard Lewis | N/A |
| Affinity do not agree to contract change. | Legal/ financial | Continued monitoring and discussion | DMT | Richard Lewis | N/A |