

Equality Impact Analysis Template

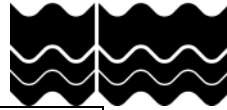
Equality Impact Analysis (EqIA) (or Equality Impact Assessment) aims to make services and public policy better for all service-users and staff and supports value for money by getting council services right first time.

We use EqIAs to enable us to consider all relevant information from an Equality requirements perspective when procuring or restructuring a service or introducing a new policy or strategy. This analysis of impacts is then reflected in the relevant action plan to get the best outcomes for the Council, its staff and service-users¹.

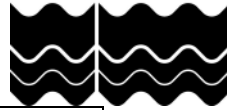
EqIAs are used to analyse and assess how the Council's work might impact differently on different groups of people². EqIAs help the Council to make good decisions for its service-users, staff and residents and provide evidence that those decision conform with the Council's obligations under the Equality Act 2010³.

This template sets out the steps you need to take to complete an EqIA for your project. Guidance for sections is in the end-notes. If you have any questions about your EqIA and/or how to complete this form, please use the contact details at the end of this form.

Title of Project/Service/Policy⁴	Support With Confidence Consultation
Team/Department⁵	Policy and Strategic Development Team
Directorate	Adult Social Care
Provide a comprehensive description of your Project (Service/Policy, etc.) including its Purpose and Scope⁶	<p>Background The Support with Confidence (SWC) scheme was a directory of accredited providers offering care and support services in East Sussex. The majority of providers were personal assistants (PAs) and some were businesses. Due to concerns about how the scheme was operating after taking legal advice, in July 2023 we took the difficult decision to pause the scheme to applications and membership renewals. The concerns included:</p> <ul style="list-style-type: none"> Validating self-employment status - concerns around endorsement (through accreditation) of self-employed PAs who should be employed or, if self-employed, maybe should have



	<p>appropriate registration with the Employment Agency Standards Inspectorate (EAS) and/or Care Quality Commission (CQC).</p> <ul style="list-style-type: none"> • Operating as an introductory or matching agency - concerns about whether we were illegally providing a referral/matching service without registering as an employment agency. • Informal partnerships - concerns about actively encouraging these arrangements as part of contingency planning (such as PA WhatsApp groups) and whether this could constitute operating as an unregulated care agency and/or not in line with self-employment status. <p>We are proposing to offer support to residents and providers in a different way. The consultation started on 27 September and closed on 5 December. The survey was available on our website and was also available in different formats: https://consultation.eastsussex.gov.uk/adult-social-care/swcfuture/.</p> <p>The consultation was widely promoted, with a particular focus on scheme members, social care clients who receive a direct payment, and residents who used the directory. The consultation explained why we were proposing to make this change and gave people the opportunity to shape what we do next.</p> <p>We had originally intended to keep the SWC directory available online until a final decision is made about the scheme in March 2024. Following the decision by the licence owner of the scheme, Action for People, to withdraw the brand, we had to close the East Sussex scheme and directory on 31 December 2023. Despite this decision, we continued with the consultation, as we still wanted to understand what sort of support people would like to see in future.</p> <p>How did the scheme work?</p> <p>Membership was voluntary and open to all providers regardless of whether they are able to register with CQC. Many CQC-registered providers in East Sussex also chose to apply to the scheme to show that they also met local accreditation standards.</p> <p>We made checks on each provider's background, their qualifications and experience, customer service and compliance with legal requirements.</p>
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Approved scheme members were vetted and trained before they joined. Prior to approval they agreed to:

- ensure that they (and their staff) were properly trained for their work;
- the completion of appropriate background checks;
- an enhanced Disclosure and Barring Service check;
- provide suitable references; and
- sign a code of conduct to adhere to the scheme expectations.

Adult Social Care and Trading Standards then continued to monitor scheme members once approved.

Who will the closure of the scheme affect?

The closure of the scheme will affect:

- Residents seeking to engage a PA or accredited business
- Applicants who were in the process of becoming accredited
- Accredited members of the scheme (both PAs and businesses)
- The SWC team:
 - 1x Scheme Manager
 - 1x Senior Project Officer
 - 2x Project Officers
 - 2x Scheme Support Assistants
- East Sussex County Council (ESCC) staff who used the SWC scheme to find support for Adult Social Care clients

The impacts on the SWC team and wider ESCC staff is not within the scope of this EqIA. The SWC team are being supported in accordance with our corporate policies on redeployment and in consultation with the HR team.

Initial assessment of whether your project requires an EqIA

When answering these questions, please keep in mind all legally protected equality characteristics (sex/gender, gender reassignment, religion or belief, age, disability, ethnicity/race, sexual orientation, marriage/civil partnership, pregnancy and maternity) of the people actually or potentially receiving and benefiting from the services or the policy.

In particular consider whether there are any potential equality related barriers that people may experience when getting to know about, accessing or receiving the service or the policy to be introduced or changed.

Discuss the results of your Equality assessment with the Equality Lead for your department and agree whether improvements or changes need to be made to any aspect of your Project.

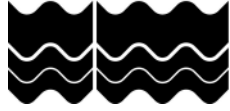
	Question	Yes	No	Don't Know
1	Is there evidence of different needs, experiences, issues or priorities on the basis of the equality characteristics (listed below) in relation to the service or policy/strategy area?	X		
2	Are there any proposed changes in the service/policy that may affect how services are run and/or used or the ways the policy will impact different groups?	X		
3	Are there any proposed changes in the service/policy that may affect service-users/staff/residents directly?	X		
4	Is there potential for, or evidence that, the service/policy may adversely affect inclusiveness or harm good relations between different groups of people?		X	
5	Is there any potential for, or evidence that any part of the service/aspects of the policy could have a direct or indirect discriminatory effect on service-users/staff/residents ?			X
6	Is there any stakeholder (Council staff, residents, trade unions, service-users, VCSE organisations) concerned about actual, potential, or perceived discrimination/unequal treatment in the service or the Policy on the basis of the equality characteristics set out above that may lead to taking legal action against the Council?			X
7	Is there any evidence or indication of higher or lower uptake of the service by, or the impact of the policy on, people who share the equality characteristics set out above?	X		

If you have answered “YES” or “DON'T KNOW” to any of the questions above, then the completion of an EqIA is necessary.

The need for an EqIA will depend on:

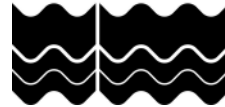
- How many questions you have answered “yes”, or “don’t know” to;
- The likelihood of the Council facing legal action in relation to the effects of service or the policy may have on groups sharing protected characteristics; and
- The likelihood of adverse publicity and reputational damage for the Council.

Low risk	Medium risk	High risk
	X	



1. Update on previous EqlAs and outcomes of previous actions (if applicable)⁷

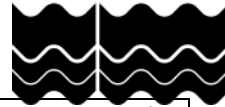
What actions did you plan last time? (List them from the previous EqlA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action Plan below)
N/A		



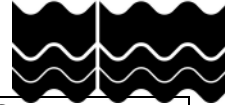
2. Review of information, equality analysis and potential actions

Consider the actual or potential impact of your project (service, or policy) against each of the equality characteristics.

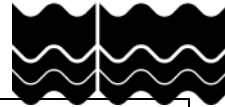
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do¹¹? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age¹²	<p>PAs The average age of a PA was 47 years old, with 10% of the workforce being aged 65 and over.</p> <p>Nationally, 64% of PAs are aged between 25 and 54 (Skills for Care).</p> <p>SWC PA age breakdown: 6% aged 65+ 37% aged 56-65 47% aged 40-55 10% under 40</p> <p>Service users Proportion of population in East Sussex aged 65 and over rose from 22.7% in</p>	<p>The below indicates the ages of respondents to the consultation: 6% aged 18-34 31% aged 35-54 26% aged 55-64 21% aged 65+ 15% no answer</p> <p>PAs During engagement sessions, some PAs raised that being a PA was their 'final career choice' before retirement.</p> <p>Service users Feedback during staff sessions raised that accessibility to any future PA</p>	<p>PAs Some have chosen this career and way of working as their final career choice and so may feel they have lost important networks, guidance and advice with the proposed changes and not know where to turn for this support. There is potential this could lead to early retirement from the PA market leading to loss of capacity in an already challenged environment.</p>	<p>PAs</p> <ul style="list-style-type: none"> • Ensure that the ESCC website offers comprehensive advice for PAs with clear links to relevant support/guidance (such as Skills for Care and HMRC) as well as signposting PAs to local networking opportunities such as the East Sussex PA Network (ESPAN). <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on our website on how to



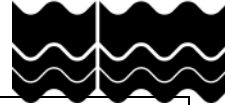
	<p>2011 to 26.1% (Census 2021).</p> <p>170 out of 354 (48%) enquiries to SWC were identified as from/on behalf of an older person (65+). NB – this data is not collected but taken as analysis of the 2023 enquiry log.</p>	<p>database/lists needed to be considered due to lower digital inclusion in the older age groups.</p>	<p>Service users The county has a higher number of older people than most areas in England and this data (48% of enquiries) suggests that they rely on ESCC/SWC for assurance when seeking PA/other care support. Absence of any accreditation status may lead to potential exposure to poor practice/scams etc because of losing a branded/reliable place to go.</p>	<p>engage the services of a PA, including checklists or other downloadable/printable material, including through the Direct Payments Support Service (DPSS). All guidance will be available in printed formats on request for those unable to access the internet.</p> <ul style="list-style-type: none"> • Ensure that any directories including PA services are available in a range of formats to ensure accessibility (e.g. translations, printed copies).
<p>Disability¹³</p>	<p>PAs Results of the national PA survey showed that 6% of the PA workforce recorded that they had a disability. (Skills for Care). SWC did not collect data on disability of members or applicants.</p> <p>Service users</p>	<p>Just over a third of consultation respondents have a physical or mental health condition or illness that they expect to last for more than 12 months. The most common conditions are physical impairments (52%), longstanding illnesses (49%)</p>	<p>PAs No known impact on PAs specifically due to a disability.</p> <p>Service users An ageing population is likely to mean more disabled people (as only 5% of disabled</p>	<p>PAs</p> <ul style="list-style-type: none"> • Continue to offer a comprehensive range of free adult social care training for PAs who are/wish to support people with additional needs related to a disability/long-term illness. For example:



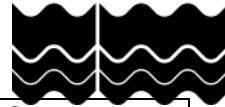
	<p>In the 2021 census, 1 in 5 of the East Sussex population had a long-term health problem or disability that limits day to day activities. That's about 107,000 people or 20%. This is a higher proportion than the South East and for England and Wales at 15.7% and 17.9% respectively.</p> <p>17 out of 354 SWC enquiries self-identified as disabled, approx. 5%. NB – this data is not collected but taken as analysis of the 2023 SWC enquiry log.</p>	<p>and mental health conditions (40%).</p> <p>PAs During engagement sessions, PAs raised that the training on offer around specific illnesses/disabilities was vital to better support Service users with those needs.</p> <p>Service users Feedback from Service users has indicated that it can be challenging to recruit PAs to meet needs for specific conditions, including mental health and learning disabilities.</p>	<p>people are born with an impairment, the rest of us may acquire an impairment through our lives). As the numbers of people presenting with long-term conditions will increase, leading to an increase in demand for PAs trained in specific areas. Increasing demand may impact availability in an already challenged environment.</p>	<ul style="list-style-type: none"> ○ The Social Model of Disability for the Adult Workforce ○ Visual Impairment Awareness ○ Deaf and Hard of Hearing Awareness ○ Multiple Dementia-specific modules ○ Multiple Autism-specific modules ○ Mental Health Conditions: Awareness ○ Moving and Handling of People with Restricted Mobility ● Free adult social care training available to PAs includes a multi-day course on being a care worker which includes training on equality, diversity and inclusion in care work.
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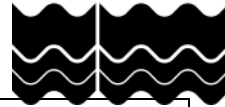
				<p>Service users</p> <ul style="list-style-type: none"> • Ensure that any directories including PA services are available in a range of formats to ensure accessibility (e.g. translations, printed copies, large print, braille), including through the DPSS.
<p>Gender reassignment¹⁴</p>	<p>Around 1,640 (0.4%) of East Sussex residents aged 16+ indicated that their gender identity was different from their sex registered at birth. Of these, 330 (0.07% of all residents aged 16+) identified as a trans woman, 310 (0.07%) identified as a trans man, and 280 (0.06%) identified as non-binary; the remaining 720 (0.2%) either did not answer the follow-up question on gender identity or wrote in a different gender identity.</p> <p>Residents aged 16 to 24 years were the most likely</p>	<p>89% of the consultation respondents identify with the sex they were registered with at birth, while 0.5% (1) do not and consider themselves non-binary. The remaining 10.5% did not answer.</p> <p>PAs There has not been any feedback on issues specifically regarding gender reassignment.</p> <p>Service users Feedback in the consultation suggests that people who have undergone gender reassignment were reassured by the SWC</p>	<p>PAs There is no known direct impact on PAs due to gender reassignment.</p> <p>Service users There is no known direct impact on service users due to gender reassignment.</p>	<p>PAs</p> <ul style="list-style-type: none"> • Ensure that the ESCC website offers comprehensive advice for PAs with clear links to relevant support/guidance on supporting people who have undergone gender reassignment or identify with a different sex to the one they were registered with at birth. • Free adult social care training available to PAs includes a multi-day course on being a care worker which includes training on equality, diversity and inclusion in care work.



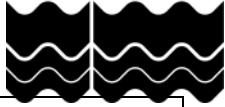
	<p>age group to specify their gender identity as being different from their sex registered at birth (450 residents/1.0% of all 16 to 24 year olds). (Census 2021)</p>	<p>scheme that they could access a PA who would not be prejudiced against them.</p>		<ul style="list-style-type: none"> The DPSS provide additional training and support as part of the recruitment process to ensure PAs can meet each individuals needs and address protected characteristics. <p>Service users</p> <ul style="list-style-type: none"> Ensure that the ESCC website offers comprehensive advice for service users with clear links to relevant support/guidance, including on engaging a PA who will respect a service user's gender identity. All guidance will be available in printed formats on request for those unable to access the internet.
<p>Pregnancy and maternity¹⁵</p>	<p>There are just under 5,000 births per year in East Sussex.</p> <p>Hastings has the highest overall birth rate as well as</p>	<p>PAs</p> <p>There have been concerns that SWC incorrectly endorsed/encouraged PAs to be self-employed, when most (but not all) PA</p>	<p>PAs</p> <p>There is the potential for more PA arrangements in East Sussex to now be on an employed basis,</p>	<p>PAs</p> <ul style="list-style-type: none"> Ensure that the ESCC website has clear links to relevant support/guidance (such



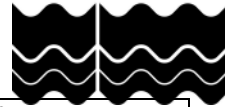
	<p>for women aged 15-19 years.</p> <p>Lewes and then Rother have the highest birth rates for women aged 35-44 years.</p>	<p>arrangements will be on an employed basis. An employed PA has maternity rights (such as time off for prenatal appointments, maternity leave/pay) that a self-employed PA does not receive.</p> <p>Service users Clients have expressed anxiety about arranging cover when their regular PA is on leave (which could include maternity leave), due to the challenges with recruitment.</p>	<p>meaning that more PAs may now be entitled to pregnancy and maternity rights.</p> <p>Service users There is the potential for an increase in the number of service users who act as an employer, meaning more need for them to consider contingency arrangements for long-term leave such as maternity.</p>	<p>as Skills for Care and HMRC) on how to determine the correct employment status of each potential job.</p> <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on how to engage the services of a PA, with clear links to relevant support/guidance (such as Skills for Care and HMRC) on being an employer and how to manage maternity and/or paternity rights of an employee, both on publicly available webpages and via the DPSS for those that use it. • Ensure that there is clear advice available for service users to plan their contingency arrangements to ensure continuity of care if their employee needs to take leave, both on publicly
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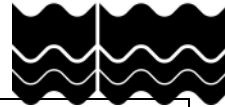
				available webpages and via the DPSS for those that use it.
<p>Race (ethnicity)¹⁶ Including migrants, refugees and asylum seekers</p>	<p>PAs Ethnic diversity of PAs is lower than for care workers at 87% white for the South East. (Skills for Care) Around 93% of PAs had British nationality. (Skills for Care)</p> <p>Service users In East Sussex, 88% identify as White British (Census 2021). 8% of the adult population in East Sussex is from a Black and Minority Ethnic Group (including White minority groups). This compares to 18.8% in England.</p>	<p>Of the consultation respondents, 84% identified as White British, 3% as White Other and 11% did not answer. The remaining percentages ranged from 0% to 0.5% for all other ethnicity options.</p> <p>PAs There has not been any feedback on issues specifically regarding race (ethnicity).</p> <p>Service users A staff group raised that some PAs are chosen based on cultural or language preferences which fit best for the client.</p>	<p>PAs There is no known direct impact on PAs due to their race/ethnicity.</p> <p>Service users As the SWC team worked closely with PAs and businesses during the accreditation process, they possessed knowledge that could aid in helping clients find support from PAs familiar with a specific cultural background. This knowledge may be hard to replicate.</p>	<p>PAs</p> <ul style="list-style-type: none"> • Free adult social care training available to PAs includes a 2-module e-learning course on Promoting Race and Ethnic Equality in Mental Health Care to support ongoing professional development of PAs in this area as well as a multi-day course on how to be a care worker which includes equality, diversity and inclusion in care work. • Ensure that the ESCC website offers comprehensive advice for PAs with clear links on how to access relevant support, including translation/interpretation services. • Clearly signpost to PAs that they can add



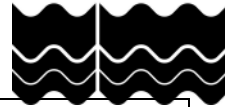
				<p>additional languages they speak to their 1Space listing, as well as personalising the listing with any other experience that may be relevant for service users.</p> <p>Service users</p> <ul style="list-style-type: none"> • Ensure that the public has clear guidance on how to access translated versions of any directories/lists available. • Clearly signpost to clients that they can filter PAs on the 1Space directory by languages they speak in addition to English. • The DPSS can access interpretation and translation services as required for people using direct payments to employ a PA. • The DPSS will continue to support service users with recruitment, including attracting
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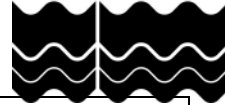
				<p>candidates from BAME groups.</p> <ul style="list-style-type: none"> • ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care and Health Equality and Inclusion Strategy.
Religion or belief¹⁷	<p>In 2021, 45.9% (250,330) of East Sussex residents identified as Christian, down from 59.9% (315,650) in 2011.</p> <p>The second most common religion in East Sussex after Christianity is Islam. The proportion of the population stating they were Muslim increased from 0.8% of the usual resident population (4,200) in 2011 to 1.1% (6,190) in 2021. This is low compared to both the South East regional and the English national averages, with 3.3% of residents in the South East specified their religion as Islam, and 6.7%</p>	<p>Of the consultation respondents, 41% identified as Christian, 38% as no religion and 2% as Buddhist. Nobody identified as Hindu, Muslim or Sikh.</p> <p>PAs There has not been any feedback on issues specifically regarding religion or belief.</p> <p>Service users A staff group raised that some PAs are chosen based on cultural or language preferences, both of which may be related to the service user's religion. When consulted, the Inclusion Advisory Group</p>	<p>Details of the impact upon religion and belief on ASC: Religion and Belief in Health and Social Care Assessments</p> <p>PAs There is no known direct impact on PAs due to their religion or belief.</p> <p>Service users As the SWC team worked closely with PAs and businesses during the accreditation process, they possessed knowledge that could aid in helping Service</p>	<p>PAs</p> <ul style="list-style-type: none"> • Clearly signpost to PAs that they can personalise their 1Space listing with any experience that may be relevant for Service users • Free adult social care training available to PAs includes a multi-day course on being a care worker which includes training on equality, diversity and inclusion in care work <p>Service users</p> <ul style="list-style-type: none"> • The DPSS will continue to support service users with recruitment, including attracting



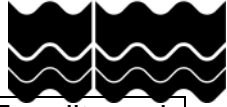
	<p>across the whole of England.</p> <p>Details of the impact upon religion and belief on ASC: Religion-and-Belief-in-Health-and-Social-Care-Assessments-with-Service-Users.pdf (gold.ac.uk)</p>	<p>(IAG) were concerned about how under-represented groups will find good quality care and support services in the future.</p> <p>The following data compares direct payment clients with all ASC clients:</p> <table border="1" data-bbox="965 564 1377 1396"> <thead> <tr> <th></th> <th>All ASC clients (long term)</th> <th>Direct payment clients</th> </tr> </thead> <tbody> <tr> <td>Buddhist</td> <td>0.29%</td> <td>0.34%</td> </tr> <tr> <td>Christian</td> <td>42.25%</td> <td>39.01%</td> </tr> <tr> <td>Hindu</td> <td>0.11%</td> <td>0.13%</td> </tr> <tr> <td>Jewish</td> <td>0.29%</td> <td>0.17%</td> </tr> <tr> <td>Muslim</td> <td>0.63%</td> <td>0.76%</td> </tr> <tr> <td>No Religion</td> <td>14.65%</td> <td>16.28%</td> </tr> <tr> <td>Not Yet Obtained</td> <td>38.72%</td> <td>39.83%</td> </tr> <tr> <td>Other religion</td> <td>2.57%</td> <td>2.96%</td> </tr> <tr> <td>Refused to say</td> <td>0.48%</td> <td>0.53%</td> </tr> </tbody> </table>		All ASC clients (long term)	Direct payment clients	Buddhist	0.29%	0.34%	Christian	42.25%	39.01%	Hindu	0.11%	0.13%	Jewish	0.29%	0.17%	Muslim	0.63%	0.76%	No Religion	14.65%	16.28%	Not Yet Obtained	38.72%	39.83%	Other religion	2.57%	2.96%	Refused to say	0.48%	0.53%	<p>users find support from PAs familiar with a specific religion or belief. This knowledge may be hard to replicate.</p>	<p>candidates experienced in supporting service users with specific religions or beliefs.</p> <ul style="list-style-type: none"> • ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care and Health Equality and Inclusion Strategy.
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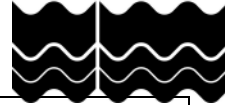
		<table border="1"> <tr> <td>Sikh</td> <td>0.01%</td> <td>0.00%</td> </tr> </table> <p>There are significant gaps in recording of religion and belief on LAS, with this data not obtained for approximately 39% of clients.</p>	Sikh	0.01%	0.00%					
Sikh	0.01%	0.00%								
Sex¹⁸	<p>PAs National data suggests most PAs are female, mirroring the wider care workforce in the UK which is estimated to be 82% female in 2021/22 (Skills for Care).</p> <p>Service users Whilst SWC did not collect data on the sex of service users, the breakdown of ASC/direct payment Service users by sex could be used as an indication:</p> <table border="1"> <thead> <tr> <th></th> <th>All ASC clients (long term)</th> <th>Direct payment clients</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>57.58%</td> <td>56.89%</td> </tr> </tbody> </table>		All ASC clients (long term)	Direct payment clients	Female	57.58%	56.89%	<p>Of the consultation respondents, 72% identified as female, with 18% identifying as male. 0.5% identified as non-binary and 10% did not answer.</p> <p>PAs Most PAs in East Sussex are female.</p> <p>Service users Feedback suggests that many service users may prefer a PA to be a specific sex for reasons of culture, religion or the nature of support provided.</p>	<p>PAs Due to PAs mostly being female, any impacts of the closure of SWC and changes to the way support is offered, will disproportionately affect this group.</p> <p>Service users Males are already under-represented in the PA market, so service users who wish to engage a male PA may be affected by lack of availability/choice if PAs choose to leave the market.</p>	<p>PAs</p> <ul style="list-style-type: none"> Free adult social care training available to PAs includes a multi-day course on being a care worker which includes training on equality, diversity and inclusion in care work. PAs listed on the DPSS run PA Pages can indicate which sex they are able to provide care for to tailor their offering to service users. <p>Service users</p> <ul style="list-style-type: none"> Service users can browse PA listings for free on 1Space to determine suitable
	All ASC clients (long term)	Direct payment clients								
Female	57.58%	56.89%								



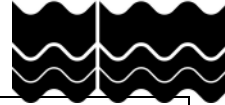
	<table border="1"> <tr> <td>Male</td> <td>42.39%</td> <td>43.07%</td> </tr> <tr> <td>Other</td> <td>0.03%</td> <td>0.04%</td> </tr> </table>	Male	42.39%	43.07%	Other	0.03%	0.04%			<p>candidates based on their preferences.</p> <ul style="list-style-type: none"> • Service users can filter PAs on the DPSS run PA Pages by sex and also by the sex they are able to provide care for.
Male	42.39%	43.07%								
Other	0.03%	0.04%								
<p>Sexual orientation¹⁹</p>	<p>15,200 residents (3.3% of residents aged 16 years and over) identified with an LGB+ sexual orientation. Within this group, 8,260 (1.8% of all residents aged 16 years and over) described themselves as gay or lesbian, 5,590 (1.2%) described themselves as bisexual, and 1,360 (0.3%) identified with a different sexual orientation.</p> <p>Around 1 in 14 (7.1%) of females between the ages of 16 and 44 identified as LGB+ in East Sussex in 2021, compared to around 1 in 25 men (4.1%). By contrast, only around 1 in 60 (1.7%) of females aged 45 and above identified as</p>	<p>PAs There has not been any feedback on issues specifically regarding sexual orientation.</p> <p>Service users There has not been any feedback on issues specifically regarding sexual orientation</p>	<p>PAs There is no known direct impact on PAs due to their sexual orientation.</p> <p>Service users There is no known direct impact on Service users due to their sexual orientation.</p>	<p>PAs</p> <ul style="list-style-type: none"> • Free adult social care training available to PAs includes an multi-day course on being a care worker which includes training on equality, diversity and inclusion in care work <p>Service users</p> <ul style="list-style-type: none"> • Ensure that the ESCC website offers comprehensive advice for service users with clear links to relevant support/guidance, including on engaging a PA who will respect a service user's sexuality. • ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care 						



	<p>LGB+ in 2021, compared to 1 in 38 men (2.6%). (Census 2021)</p> <p>The 2021 East Sussex LGBTQI+ Comprehensive Needs Assessment estimates that there may be between 17,273 and 39,004 LGB+ people living in East Sussex (between 3.1% and 7% of the population).</p> <p>In adults, the GP patient survey found that mental health condition prevalence was significantly higher in LGB+ people (41%), compared to heterosexual people (11%), especially in bi people (56%).</p> <p>The School for Social Care Research found that more than half of LGB+ people using PAs said that they never or only sometimes disclosed their sexual orientation or gender identity to their PAs. Less than one third said that</p>			<p>and Health Equality and Inclusion Strategy.</p>
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	they were 'very comfortable' talking about their support needs pertaining to being LGB+ with their PAs.			
Marriage and civil partnership²⁰	<p>According to 2021 census data, the East Sussex population are:</p> <ul style="list-style-type: none"> • Single 29% • Married 46.5% • Civil partnership 0.4% • Divorced 11% • Widowed 8% 	<p>PAs There has not been any feedback on issues specifically regarding marriage and civil partnership.</p> <p>Service users There has not been any feedback on issues specifically regarding marriage and civil partnership.</p>	<p>PAs There is no known direct impact on PAs due to their marriage or civil partnership status.</p> <p>Service users There is no known direct impact on service users due to their marriage or civil partnership status.</p>	<ul style="list-style-type: none"> • ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care and Health Equality and Inclusion Strategy.
Armed Forces²¹	<p>In 2021, 21,173 people in East Sussex reported that they had previously served in the UK armed forces (4.6% of usual residents aged 16 years and over).</p>	<p>PAs There has not been any feedback on issues specifically regarding experiences of being in the Armed Forces community.</p> <p>Service users There has not been any feedback on issues specifically regarding experiences of being in the Armed Forces community.</p>	<p>PAs There is no known direct impact on PAs due to their experiences in the Armed Forces community.</p> <p>Service users There is no known direct impact on Service users due to their experiences in</p>	<ul style="list-style-type: none"> • ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care and Health Equality and Inclusion Strategy.

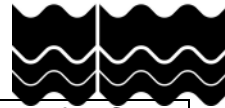


			the Armed Forces community.	
Impacts on community cohesion²²	Not known	<p>PAs There has not been any feedback on issues specifically regarding impacts on community cohesion.</p> <p>Service users There has not been any feedback on issues specifically regarding impacts on community cohesion.</p>	<p>PAs There is no known direct impact on PAs and community cohesion.</p> <p>Service users There is no known direct impact on Service users and community cohesion.</p>	<ul style="list-style-type: none"> ESCC is committed to fostering good relationships between communities as set out in our Adult Social Care and Health Equality and Inclusion Strategy.

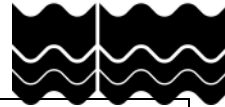
Additional categories

(identified locally as potentially causing / worsening inequality)

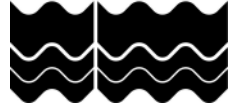
Characteristic	What do you know²³?	What do people tell you²⁴?	What does this mean²⁵?	What can you do²⁶?
Rurality²⁷	<p>PAs 32 SWC PAs were based in rural areas – approx. 11%.</p> <p>Service users</p>	<p>PAs Coverage by SWC PAs into the three more rural district council areas: Lewes – 79 PAs Rother – 50 PAs Wealden – 74 PAs</p>	<p>PAs There is no known direct impact on PAs due to their rurality.</p> <p>Service users</p>	<p>PAs</p> <ul style="list-style-type: none"> Ensure that the ESCC website offers comprehensive advice for PAs with clear links to relevant support/guidance



	<p>Approx 26% of the East Sussex population live in rural districts/parishes (JSNA).</p>	<p>Service users 74 out of 354 enquiries where from rural areas of the county 21%. NB – data on this is not consistently collected but taken from an analysis of our enquiry log for 2023</p>	<p>If PAs choose to leave the market, this could affect choice and availability for rural service users in an already challenging market.</p>	<p>(such as Skills for Care and HMRC) as well as signposting PAs to local networking opportunities such as the East Sussex PA Network (ESPAN)</p> <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on how to engage the services of a PA, potentially in the form of checklists or other downloadable/printable material. • Ensure that service users are aware they can search 1Space using their postcode to find PAs and businesses local to them.
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<p>Carers</p>	<p>PAs Not known</p> <p>Service users There are over 10,000 persons claiming Carers Allowance in East Sussex. (Source DWP Feb 2020).</p> <p>Care for the Carers estimates that there are 69,241 unpaid carers in East Sussex. Approx. 13% of population.</p> <p>72 out of 354 enquiries self-identified as carers – 20%.</p> <p>NB – data on this characteristic is not collected but taken from an analysis of our enquiry log for 2023.</p>	<p>PAs There has not been any feedback on issues specifically regarding impacts on PAs who are also carers.</p> <p>Service users The work of PAs sometimes provides respite for carers. Any impact on PAs that causes them to leave the market may indirectly affect carers and the people they care for (the service user).</p>	<p>PAs There is no known direct impact on PAs due to their experience as an carer.</p> <p>Service users If PAs choose to leave the market, this could affect choice and availability service users in an already challenging market, ultimately impacting the work of carers.</p>	<p>PAs</p> <ul style="list-style-type: none"> • Ensure that the ESCC website offers comprehensive advice for PAs with clear links to relevant support/guidance (such as Skills for Care and HMRC) as well as signposting PAs to local networking opportunities such as the East Sussex PA Network (ESPAN) <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to Service users on how to engage the services of a PA, potentially in the form of checklists or other downloadable/printable material.
<p>Other groups that may be differently affected (including but not only: homeless people, substance users, care leavers – see end note)²⁸</p>	<p>Not known</p>	<p>Not known</p>	<p>Not known</p>	<p>Not known</p>



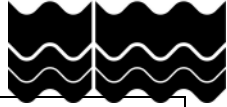
Assessment of overall impacts and any further recommendations²⁹ - include assessment of cumulative impacts (where a change in one service/policy/project may have an impact on another)

The East Sussex Support with Confidence scheme was much valued by PAs, businesses, staff, residents, and communities. It helped PAs and businesses promote their services and gave adults who draw on care and support, and their families and carers, assurance and confidence when choosing services.

The option to continue running the Support with Confidence scheme is no longer available as the brand has been withdrawn. The information we now have relating to employment status and registration, and the legal risks associated with this, mean that we will not be developing a replacement accreditation scheme. We will however continue to support residents to make informed choices about their care and support arrangements and to support PAs and businesses to develop their skills and promote their services in a different way.

What was learned from the consultation:

- The majority of people across all groups disagree with the proposal and some specifically said the scheme should be kept and not altered.
- Members feel let down by the proposal and that the effort they have invested in joining the scheme has been wasted.
- Although the scheme pause has not affected all members and applicants, it has led to less work for a greater number of them. The pause has also had an emotional impact on those who use the directory to find support.
- People are most concerned about the impact on those who need social care support if the proposal goes ahead, with many saying clients will be worse off as a result and need support.
- The scheme has good levels of awareness and people are concerned about losing a valuable resource, while the lack of clarity on what might replace it has created uncertainty.
- Being able to find PAs, offer accreditation of services and have people find out about their service/business are the most important things that people want from any future offer.
- Members value the scheme's sense of community, which prevents them feeling isolated and reassures them that support is available.
- Scheme users are really happy with the care they have now and are worried any changes could lead to them losing their PA.
- Members are concerned too that the changes could lead to PAs leaving the sector, affecting people's ability to find the care they need.



- Scheme users are concerned about other local people's ability to find trusted and competent support if the proposal goes ahead.
- Members are concerned that they will get less or no work from adult social care if the proposal goes ahead and their ability to make a living will be compromised.
- Members want more clarity on their employment status and whether they should be making changes to how they work with their clients.
- People want to be kept informed and for us to provide clear information and support to help them transition to any new offer.

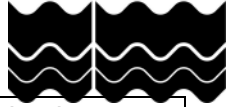
East Sussex County Council (ESCC) remains committed to improving the wellbeing of the local community by promoting independence and supporting people to live in their own homes for as long as possible. Adult social care legislation fully supports the use of direct payments to enable adults with eligible care and support needs and carers to exercise choice and control over the care and support that they need.

The closure of the Support with Confidence scheme does not mean that people can no longer work as, or use, self-employed or employed PAs in East Sussex. There have been, and continue to be, many arrangements operating outside the scheme. As with residential and nursing care, and other support in the community such as home care, many residents have personal assistants and/or access support from businesses without any involvement from Adult Social Care and Health. Our priority is to make sure that individuals arranging their own care and support have the information they need to make informed decisions about their care and support arrangements.

The Council is not able to check every arrangement between individuals and the people supporting them so we will make sure the right information and guidance is available to make informed choices. If agreed, we will codesign this information and guidance in partnership with PAs, businesses and adults with care and support needs. We will also develop our online information for people wanting to use a PA or business and will create a 'checklist' to help individuals and their families and carers know what they should be looking for. It will be available by June 2024 in different formats and will include suggested questions to ask such as whether someone has the correct insurance and core training. This will help people who need care and support to consider the quality of the support they are getting and find trusted and competent workers.

Finding personal assistants and support from local businesses:

- The online [East Sussex 1Space](#) directory (provided and managed by ESCC Adult Social Care) will be the single place to look for care, support and wellbeing services. PAs and businesses will be able to advertise their services free of charge on East Sussex 1Space and indicate whether they are signed up to any external schemes.
- The [East Sussex Care Services Directory | Care Choices](#) is a comprehensive guide to care, featuring detailed listings of all registered care providers available online and can be posted to people who don't have access to the internet.



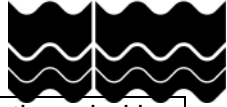
- [East Sussex Community Information Service](#) (ESCIS) is a database of community information and events developed and managed by the ESCC Library and Information Service of, in association with Brighton and Hove Library Service.
- ESCC commissions Direct Payment Support Services (DPSS) from Independent Lives and PeoplePlus. From April 2024, [Independent Lives](#) will be our strategic partner continuing to offer this service which includes a recruitment and training platform, called [PA Pages](#). PAs can advertise their availability for work and individuals wanting to employ a personal assistant can advertise their jobs. They have experience writing job adverts, job descriptions and personal specifications for successful recruitment in urban and rural areas. They also work with several external recruitment platforms including Gumtree.

Training:

- Adult Social Care and Health will continue to offer a comprehensive, free training programme to PAs and others working with adults who need care and support. This training benefits the professional development of PAs and allows clients to make more informed choices when choosing a PA. This covers courses such as moving and handling, safeguarding and first aid and there are opportunities to develop specialisms in areas such as mental health, dementia, autism and self-neglect. In addition to the general training programme for care and support workers, we will develop an 'introduction to care' programme for people new to care who are unable to get this training from an employer. This will cover specific elements such as professional boundaries and lone working, both areas that PAs have fed back that they have found helpful, as well as including a section on equalities, diversity, and inclusion.
- The Independent Lives PA Pages include access to training and an information hub for PAs and small businesses. Independent Lives support educational attainment for PAs by working with Skills for Care and local colleges to identify career and educational pathways which are reviewed annually.
- Skills for Care offer support and online [resources](#) that explain more about the PA role for those interested in working as a PA, and for those already working in the role.

Ongoing support for personal assistants (PAs) and businesses:

- The East Sussex provider bulletin is a weekly email newsletter covering a range of topics affecting PAs and other health and care providers. We encourage all PAs to [subscribe to the mailing list](#).
- The Adult Social Care and Health training department will work with PAs to explore whether it would be helpful to offer bespoke sessions on areas such as vicarious trauma, compassion fatigue, organised reflective practice and peer support.
- ESCC [Trading Standards](#) offer basic advice to East Sussex businesses and signposting to useful resources such as [Business Companion](#) which has information for businesses and individuals that need to know about trading standards and consumer protection legislation.



- The [East Sussex Personal Assistants Network \(ESPAN\)](#) provides a mutually supportive environment and friendly and informal meetings, led by PAs in their local communities. The meetings are open to all PAs, any potential PAs, users of PA services and any care and support service operating within East Sussex.
- Skills for Care's [dedicated pages](#) for individual employers, PAs and supporting organisations bring together a range of resources and useful information for people employing their own care and support. It also has information about the PA role and resources to support organisations that work with individual employers and PAs.

Further engagement:

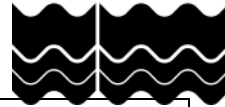
- We will work with people who need care and support, PAs and businesses to codesign aspects of our future offer such as the checklist and training programme for people new to care work. This ongoing engagement will include the East Sussex PA Network and Adult Social Care Citizens' Panel.
- In Spring 2024 we will hold an in-person event to give PAs and businesses an opportunity to learn more about what we offer and the support available. This event will be codesigned with PAs and businesses to best meet the range of needs. We will use this event and other mechanisms to gather feedback on the new ways of working and any suggestions for improvement.

Subject to the agreement of the Lead Member for Adult Social Care and Health on 6 March 2024, we will communicate our future offer to all previous Support with Confidence members by email, with alternative formats available upon request. We will also share a final frequently asked questions (FAQ) document which will be published on the consultation page. The FAQ document will include responses to the queries received during the consultation period and since the scheme was paused that are not included in this report.

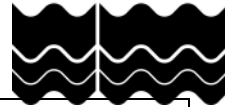
After the Lead Member meeting on 6 March 2024, we will communicate our future offer to all previous Support with Confidence members and applicants by email (other formats will be available on request). We will also share a final frequently asked questions (FAQ) document which will be published on the consultation page. The FAQ document will include responses to the queries received during the consultation period and since the scheme was paused, that are not included in this report.

3. List detailed data and/or community feedback that informed your EqIA

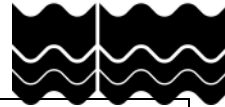
Source and type of data (e.g. research, or direct engagement (interviews), responses to questionnaires, etc.)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Enquiry Log – members of public – age, disability, carers and rurality	January 2023 to 31 August 2023	Data not able to be collated to specific queries and therefore analysis is interpretative.	N/A
Application Form – rurality (from address provided), age (declared), sex (declared), special requirements (optional if declared)	Date received to 30 June 2023	No disability status check made.	Interpretation made from other data available.
Skills For Care Survey of PAs – Adult Social Carer Workforce Data 2023 IE and PA survey 2023 (skillsforcare.org.uk)	2023	There were 2,464 individual employer and 1,947 PA responses from people with varying care needs, ages and from each region of England. This included 86% exclusively in receipt of a direct payment from a social care local authority, 10% exclusively in receipt of a personal health budget from the NHS. The remainder received a combination of direct payments from the local authority, self-funding, an NHS personal health budget or an Access to Work grant.	External report supplemented by information from our database and consultation responses.
Census data 2021 - East Sussex specific info via ESCC intranet.	2021	None	N/A



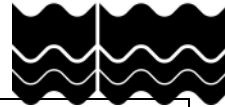
State of County Report 2022 State of the County - Focus on East Sussex East Sussex County Council	2022	None	N/A
JSNA Summary East Sussex East Sussex Joint Strategic Needs Assessment (eastsussexjsna.org.uk)	December 2022	None	N/A
About Care for the Carers Care For The Carers (cftc.org.uk)	2023	Unverifiable – but a trusted source for information.	N/A
The School for Social Care Research LGBTQI+ Disabled People and self-directed social care support (nihr.ac.uk)	2017	The study involved qualitative interviews with 20 LGBTQI+ Disabled People, a focus group of PAs and a survey of 56 LGBTQI+ Disabled adults who use self-directed social care in England.	N/A
CA: cases with entitlement, DWP, February 2020 Accessed via StatXplore: https://statxplore.dwp.gov.uk/webapi/jsf/login.xhtml	February 2020	None	N/A
SCIE – LGBTQI+ Disabled People using Self-Directed Support LGBTQI+ Disabled People using Self-Directed Support SCIE	October 2017	This guidance and data is now 7 years old	Guidance still valuable, no changes needed.



<p>Equality and inclusion strategy – Adult social care and health East Sussex County Council</p>	<p>2021</p>		
<p>SWC Consultation: “Consultation on our proposal to stop offering a Support with Confidence scheme and offer support in a different way instead”</p> <p>Consultation on our proposal to stop offering a Support with Confidence scheme and offer support in a different way instead - East Sussex - Citizen Space</p>	<p>27 September 2023 – 5 December 2023</p>	<p>314 consultation surveys were completed and 26 responses were received through other methods. Over 150 people attended the events we arranged and the meetings we visited to talk about the consultation. This is a total of nearly 500 responses, although some people may have taken part through more than one method.</p> <p>The top respondent group, making up a third of the total, was people who have used the scheme to find services for themselves or another person. A quarter of respondents are Personal Assistants who are members of the scheme, while workers who refer people to the scheme accounted for 14%.</p> <p>We had responses from across the county, although it should be noted that over a third chose not to give their post code. The Eastbourne area had the most respondents, with 22%. The Hastings, Lewes and Wealden areas saw similar response totals,</p>	<p>The consultation feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.</p>



		with 10% for Hastings and 11% for the other two. The Rother area was the lowest, accounting for 7% of respondents.	
Inclusion Advisory Group (IAG) – Approx. 15 attendees	9 October 2023	IAG feedback: Members were concerned about having access to the directory in the future. Members were concerned about how certain under-represented groups will find good quality care and support services in the future.	The action plan acknowledges and addresses these concerns via the 1Space directory and advice/guidance on offer through the new updated webpages
East Sussex Personal Assistants Network – Rother Approx. 20 attendees	10 October 2023	No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	
Direct Payment Champions Group Approx. 21 attendees (ESCC staff)	13 October 2023	No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	
East Sussex Personal Assistants Network – Eastbourne Approx. 24 attendees	16 October 2023	No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	

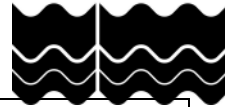


East Sussex Personal Assistants Network – Havens Approx. 15 attendees	23 October 2023	No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	
Support with Confidence virtual engagement session (for PAs and businesses) Approx. 4 attendees	6 November 2023	No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	
1:1 session with ASC operations staff member	14 November 2023	This was a 1:1 session. No specific equality impact feedback but all of the feedback has helped shape our future offer for PAs and service users already employing or wishing to employ a PA.	
East Sussex Personal Assistants Network – Havens Approx. 12 attendees	22 November 2023		

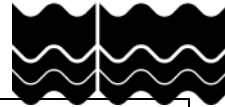
4. Prioritised Action Plan³⁰

NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.

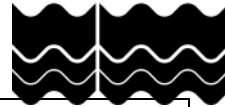
Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
Impact on service users' choice and availability of	PAs	PAs	PAs	12 months (March 2025)



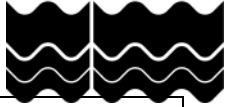
<p>care and support through PAs leaving the market</p> <ul style="list-style-type: none"> • Age • Disability • Sex • Carers • Rurality 	<ul style="list-style-type: none"> • Ensure that the ESCC website offers comprehensive advice for PAs with clear links to relevant support/guidance (such as Skills for Care and HMRC) as well as signposting PAs to local networking opportunities such as the East Sussex PA Network (ESPAN). <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on how to engage the services of a PA, potentially in the form of checklists or other downloadable/printable material, including through the DPSS. 	<ul style="list-style-type: none"> • Have access to clear support and guidance to enable them to remain in the PA market <p>Service users</p> <ul style="list-style-type: none"> • Have access to clear advice and guidance via the new ESCC webpages that enables them to safely engage a PA and make informed choices about their care and support. 	<ul style="list-style-type: none"> • PAs choose to remain in the market This can be measured by rates of direct payment clients successfully employing PAs either staying stable or increasing. <p>Service users</p> <ul style="list-style-type: none"> • Service users report that they can access support from a PA of their choosing on a basis that suits their needs. This can be measured by a survey of direct payment clients in 12 months time, as well as monitoring of complaints and Listening 2 You feedback. 	
<p>Impact on support and guidance for finding a PA</p> <ul style="list-style-type: none"> • Age • Disability • Race (ethnicity) • Religion 	<p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on how to engage the services of a PA, 	<p>Service users</p> <ul style="list-style-type: none"> • Have access to clear advice and guidance that enables them to safely engage a PA and make informed 	<p>Service users</p> <ul style="list-style-type: none"> • Feel supported to make their own decisions around their care and support. 	<p>12 months (March 2025)</p>



	<p>potentially in the form of checklists or other downloadable/printable material, including through the DPSS</p> <ul style="list-style-type: none"> • Ensure that any directories including PA services are available in a range of formats to ensure accessibility (e.g. translations, printed copies). 	<p>choices about their care and support.</p> <ul style="list-style-type: none"> • Have access to a free directory that enables them to make their own decisions about their care and support. 	<ul style="list-style-type: none"> • Know that the support/guidance offered to them is available in a variety of formats (e.g. translated, hard copies). • This can be measured by a survey of direct payment clients in 12 months time, as well as monitoring of complaints and Listening 2 You feedback. 	
<p>Impact on number of employed vs self-employed PA arrangements in the county</p> <ul style="list-style-type: none"> • Pregnancy and maternity 	<p>PAs</p> <ul style="list-style-type: none"> • Ensure that the ESCC website has clear links to relevant support/guidance (such as Skills for Care and HMRC) on how to determine the correct employment status of each potential job. <p>Service users</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available to service users on 	<p>PAs</p> <ul style="list-style-type: none"> • Know how to determine the employment status of every potential job they consider. <p>Service users</p> <ul style="list-style-type: none"> • Know how to (or are supported to via the DPSS) determine the employment status of the PA they wish to engage. 	<p>PAs</p> <ul style="list-style-type: none"> • Feel confident in determining the employment status of each potential job in conjunction with the service user. <p>Service users</p> <ul style="list-style-type: none"> • Feel able to confidently plan their contingency arrangements for any PAs they engage. 	12 months (March 2025)



	<p>how to engage the services of a PA, with clear links to relevant support/guidance (such as Skills for Care and HMRC) on being an employer and how to manage maternity and/or paternity rights of an employee, both on publicly available webpages and via the DPSS for those that use it.</p> <ul style="list-style-type: none"> • Ensure that there is clear advice available for service users to plan their contingency arrangements to ensure continuity of care if their employee needs to take leave, both on publicly available webpages and via the DPSS for those that use it. • 	<ul style="list-style-type: none"> • Know how to (or are supported to via the DPSS) consider and plan for contingency arrangements. 	<ul style="list-style-type: none"> • Feel able to confidently determine the employment status of their PA. • This can be measured by a survey of direct payment clients in 12 months time, as well as monitoring of complaints and Listening 2 You feedback. 	
<p>Impact on quality and experience of PAs available to Service users</p> <ul style="list-style-type: none"> • Age 	<p>PAs</p> <ul style="list-style-type: none"> • Continue to offer a comprehensive range of free adult social care training for PAs, 	<p>PAs</p> <ul style="list-style-type: none"> • Have access to free training that upskills and enables them to meet the needs of the 	<p>PAs</p> <ul style="list-style-type: none"> • Continue to utilise the free training offer available from ASC. 	<p>12 months (March 2025)</p>



<ul style="list-style-type: none"> • Disability • Race (ethnicity) • Religion 	<p>covering a broad range of topics including health and safety, mental health, specific conditions (disabilities and long-term illness), healthcare, moving and handling and safeguarding adults.</p>	<p>growing care and support market.</p>	<ul style="list-style-type: none"> • This can be monitored through uptake figures for the training offer available to PAs 	
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(Add more rows as needed)

EqlA sign-off: (for the EqlA to be final an email must be sent from the relevant people agreeing it, or this section must be signed)

Staff member competing Equality Impact Analysis: Lucy McFarlane

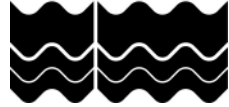
Date: 12 February 2024

Directorate Management Team rep or Head of Service: Sarah Russell

Date: 14 February 2024

Equality lead: Kaveri Sharma

Date: 13 February 2024



Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the Council must be aware of the Council's duties under the Equality Act 2010 and ensure they comply with them appropriately in their daily work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral, rigorous part of your decision-making process and influence the process.
- **Sufficient Information:** you must assess what information you have and what is further needed to give proper consideration.
- **No delegation:** the Council is responsible for ensuring that any contracted services, which are provided on its behalf need also to comply with the same legal obligations under the Equality Act of 2010. You need, therefore, to ensure that the relevant contracts make these obligations clear to the supplier. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy or service is developed/agreed, and when it is implemented and reviewed.
- **Proper Record Keeping:** to prove that the Council has fulfilled its legal obligations under the Equality Act you must keep records of the process you follow and the impacts identified.

NB: Filling out this EqlA in itself does not meet the requirements of the Council's equality duty. All the requirements above must be fulfilled, or the EqlA (and any decision based on it) may be open to challenge. An EqlA therefore can provide evidence that the Council has taken practical steps comply with its equality duty and provide a record that to demonstrate that it has done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the actual and potential impact of our activities on people who share any of the legally 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on the nature of your project, who it might affect, those groups' vulnerability, and the seriousness of any potential impacts it might have. We use this EqlA template to gather information and assess the impact of our project in these areas.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce, minimise or eliminate any negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).

- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ **EqIAs are always proportionate to:**

- The nature of the service, or scope of the policy/strategy
- The resources involved
- The number of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed service or policy on a protected group (e.g. disabled people), the more thorough and demanding our process must be so that we comply with the Equality Act of 2010.

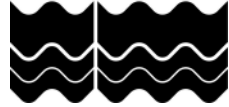
⁴ **Title of EqIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁵ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁶ **Focus of EqIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Analysis (EqIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the service, policy, strategy, practice, or function?
- Who implements, carries out or delivers the service, policy, strategy, practice, or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?



- Who is affected by the service, policy, strategy, practice, or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes, or improvements, are required and what should the benefits be?
- What do existing or previous reviews of the service, policy, strategy, practice, or function indicate to you?
- What is the reason for the proposal, or change (financial, service scope, legal requirements, etc)? The Equality Act requires us to make these clear.

⁷ **Previous actions:** If there is no previous EqIA, or this assessment is for a new service, then simply write 'not applicable'.

⁸ **Data:** Make sure you have enough information to inform your EqIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁸
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups / communities?

⁹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act.

- What do people tell you about the services, the policy or the strategy?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹⁰ Your EqIA must get to grips fully and properly with actual and potential impacts.

- The Council’s obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that you take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don’t exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of “the policy is likely to disadvantage older women”, say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so, the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹¹ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqIA which has attempted to airbrush the facts is an EqIA that is vulnerable to challenge.

¹² **Age:** People of all ages

¹³ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis. Carers of disabled people are protected within the Act by association.

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- ¹⁴ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected
- ¹⁵ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.
- ¹⁶ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.
- ¹⁷ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.
- ¹⁸ **Sex:** Both men and women are covered under the Act.
- ¹⁹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people
- ²⁰ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.
- ²¹ **Armed Forces:** The Armed Forces Act 2021 aims to help prevent service personnel, veterans and their families being disadvantaged when accessing public services. The new duty applies to certain housing, education or healthcare functions, but it is good practice to ensure consideration of impacts on current or former members of the armed forces, as well as their families.
- ²² **Community Cohesion:** potential impacts on how well people from different communities get on together. The council has a legal duty to foster good relations between groups of people who share different protected characteristics. Some actions or policies may have impacts – or perceived impacts – on how groups see one another or in terms of how the council’s resources are seen to be allocated. There may also be opportunities to positively impact on good relations between groups.
- ²³ **Data:** Make sure you have enough information to inform your EqIA.
- What data relevant to the impact on protected groups of the policy/decision/service is available?²³
 - What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
 - What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn’t and why? Are there differences in outcomes? Why?

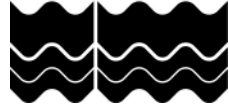
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
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 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?



²⁶ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

²⁷ **Rurality:** deprivation is experienced differently between people living in rural and urban areas. In rural areas issues can include isolation, access to services (eg: GPs, pharmacies, libraries, schools), low income / part-time work, infrequent public transport, high transport costs, lack of affordable housing and higher fuel costs. Deprivation can also be more dispersed and less visible.

²⁸ **Other groups that may be differently affected:** this may vary by services, but examples include: homeless people, substance misusers, people experiencing domestic/sexual violence, looked after children or care leavers, current or former armed forces personnel (or their families), people on the Autistic spectrum etc.

²⁹ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

³⁰ **Action Planning:** The Council's obligation under the Equality Act of 2010 is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.