

Equality Impact Assessment Template – Stage Two

Please complete this template if completion of the Stage 1 template has identified that a full Equality Impact Assessment (EIA) is required.

Before proceeding with this EIA, you should discuss the scope of the analysis with service managers in your area and you will need to refer to the equality impact assessment guidance.

<p>What is the decision Executive is being asked to make?</p> <p>Please add a summary of relevant legislation and whether the proposed decision conflicts with any of the Council's key strategic priorities</p>	<p>To seek the approval of members to the updated Short Breaks Services Statement 2017. There is a statutory requirement to update and review the Statement annually. Short Breaks are services which provide disabled children and young people with an opportunity to spend time away from their parents, socialising, gaining independence and having fun. They provide families with a 'break' from their caring responsibilities; they give parents a chance to relax or spend time with their other children.</p> <p>Relevant legislation is, The Children Act 1989 and the Breaks for Carers of Disabled Children Regulations 2011. Also section 27 of the Children and Families Act 2014.</p> <p>Relevant guidance is; Department for Education: Short Breaks for Carers of Disabled Children.</p>
<p>Budget Holder for item being assessed:</p>	<p>Mac Heath</p>
<p>Name of assessor:</p>	<p>Juliet Penley</p>
<p>Name of Service & Directorate</p>	<p>Children and Family Services, Communities Directorate</p>
<p>Date of assessment:</p>	<p>6.11.17</p>
<p>Date Stage 1 EIA completed:</p>	<p>11.10.17</p>

STEP 1 – Scoping the Equality Impact Assessment

This step helps you define exactly what it is that you are going to assess and crucially who it will affect. This is where your consideration of the protected characteristics is important.

Point 1: Tick the relevant boxes to indicate the data or research that you will be using to establish whether there are any equality issues.

Point 2: You need to provide a summary of the findings from the evidence that you have identified in Point 1.

Point 3: If you have identified any gaps when undertaking the earlier data analysis, you need to state what additional research or data will be required eg a needs assessment.

1. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets		Performance Targets	X
User Satisfaction	X	Service Take-up	X
Workforce Monitoring		Press Coverage	
Complaints & Comments	X	Census Data	
Information from Trade Union		Community Intelligence	
Previous Equality Impact Analysis	X	Staff Survey	
Public Consultation	X	Other (please specify)	

2. Please summarise the findings from the available evidence for the areas you have ticked above.
<p>The public consultation started on 14th June 2017 and ran for 6 weeks. There was a limited response with 17 individuals submitting responses. This would indicate that there is general support for current provision.</p> <p>When asked generally about the provision of short breaks services meeting the needs of disabled children, about a third of those that responded (5 individuals) said they agreed, and two thirds (12) did not. The reasons given from respondents who did not feel current provision meets needs were:-</p> <ul style="list-style-type: none"> • Not enough short breaks • Not sufficient variety • Breaks not long enough in duration • Did not meet needs of those children in mainstream school or with physical disabilities and/or medical needs. <p>In respect of mainstream and universal services about half (8) said they did not feel anything was missing from universal services. Those that disagreed felt that it was knowledge and information about the services which was hard to access and find.</p> <p>With regard to amount of short breaks, over 40% felt this was sufficient. Those respondents that disagreed (7) felt that services had reduced alongside funding reductions and key provision such as holiday care was now not sufficient. In respect of accessibility about 70% (8) felt that services were not accessible to everyone primarily as services were not located across the district and transport presented a problem.</p> <p>Respondents were asked about providers increasing fees to enable services to be more viable and only 15% (2) said they disagreed. In terms of age and culture, most people (over 80%) felt services were appropriate. Over 75% of respondents felt that the provision of direct payments or personal budgets to those that are entitled, was a helpful approach. Of those that did not, feedback was that they would like more directly accessible services, they did not feel it was easy to access and families needed to top up the amount allocated and sometimes fight for this service. Clearer guidance was also felt to be needed.</p> <p>A number of meetings with Short Breaks provider services were held in 2017 and in total 10 organisations attended. Their feedback was that there was a high demand for their services and families greatly valued what they provided. They were concerned about the reduction in council funding and most services had introduced charging. A few services had closed but most were continuing – some in a more reduced form. Generally providers felt that they had needed to</p>

review all their services in the light of funding. 9 organisations would intend to continue to provide short breaks in the future but there was concern that high cost services such as holiday play schemes may be at risk.

Feedback on the Short Breaks Services Statement was that two thirds of respondents felt it was useful and informative but needed to be easier to understand and shorter.

Evidence from the data collected quarterly on short breaks by the council show that holiday play schemes and after school clubs are consistently well used and run at capacity. There has been a decrease in demand for befriending services over the past 2 years.

Youth services are consistently well used and new services have been set up, e.g. ASD family help, in response to demand.

3. If you have identified any gaps in the evidence provided above, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research eg a needs assessment?

If 'No' please proceed to Step 2.

Following feedback from a council member, that it would be more helpful and give sense of the strength of response to include actual numbers of respondents as well as percentages, this has now been added to Statement.

No other gaps identified

STEP 2 – Involvement and Consultation

Involving and consulting all groups who may be impacted by this change or introduction is a key part of an EIA. The extent of consultation and involvement will depend on the level of proposed changes and degree of impact.

Point 1: Best practice suggests that consideration should also be given to other attributes that may affect the way in which our decisions impact on people. This could include people who live in rural areas, lone parents, people on low incomes, travellers and gypsies, looked-after children and people with caring responsibilities.

Point 2: The stakeholders that you need to list are anyone who will be impacted by the item eg service users, staff and contactors.

Point 3: You will need to state how the proposed decision will affect the stakeholders listed above after it has been implemented.

1. Please outline below how the findings from the evidence summarised above when broken down, will affect people with the 9 protected characteristics. Where no evidence is available to suggest that there will be an impact on any specific group, please insert the following statement '*There is no evidence to indicate that there will be a greater impact on this group than on any other.*'

Target Groups	Describe the type of evidence used, with a brief summary of the responses gained and links to relevant documents
Age – relates to all ages	Children with disabilities will be more affected. See information in box below

<p>Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.</p>	<p>The public consultation resulted in feedback about impact of short breaks and current provision. Twelve respondents did not agree generally that current short breaks services met the needs of disabled children. The reasons given regarding current provision:-</p> <ul style="list-style-type: none"> • Not enough short breaks • Not sufficient variety • Breaks not long enough in duration • Did not meet needs of those children in mainstream school or with physical disabilities and/or medical needs. <p>In respect of mainstream and universal services about half (8) said they did not feel anything was missing from universal services. Those that disagreed felt that it was knowledge and information about the services which was hard to access and find.</p> <p>With regard to amount of short breaks, over 40% felt this was sufficient. Those respondents that disagreed (7) felt that services had reduced alongside funding reductions and key provision such as holiday care was now not sufficient. In respect of accessibility about 70% (8) felt that services were not accessible to everyone primarily as services were not located across the district and transport presented a problem.</p> <p>Respondents were asked about providers increasing fees to enable services to be more viable and only 15% (2) said they disagreed. In terms of age and culture, most people (over 80%) felt services were appropriate. Over 75% of respondents felt that the provision of direct payments or personal budgets to those that are entitled, was a helpful approach. Of those that did not, feedback was that they would like more directly accessible services, they did not feel it was easy to access and families needed to top up the amount allocated and sometimes fight for this service. Clearer guidance was also felt to be needed.</p> <p>A number of meetings with providers held in 2017 and in total 10 organisations</p>
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	<p>attended. Their feedback was that there was a high demand for their services and families greatly valued what they provided. They were concerned about the reduction in council funding and most services had introduced charging. A few services had closed but most were continuing – some in a more reduced form. Generally providers felt that they had needed to review all their services in the light of funding. 9 organisations would intend to continue to provide short breaks in the future but there was concern that high cost services such as holiday play schemes may be at risk. From the feedback from providers and direct complaints and comments, those services most valued by families were holiday play schemes and youth groups. Holiday play schemes in particular helped families cope during the long school holidays which presented significant pressures and stress.</p>
<p>Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i></p>
<p>Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i></p>
<p>Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i></p>
<p>Race - includes colour, caste, ethnic / national origin or nationality.</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i></p>
<p>Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i></p>
<p>Sex - applies to male or female.</p>	<p><i>There is no evidence to indicate that there will be a greater impact on this group than</i></p>

	<i>on any other.'</i>
Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.	<i>There is no evidence to indicate that there will be a greater impact on this group than on any other.'</i>

2. Who are the main stakeholders (eg service users, staff etc) and what are their requirements?

Families with a disabled child (or children) who require access to appropriate short breaks to provide respite and a break from caring demands and responsibilities.

Children and Young People with disabilities need suitable services to be provided which suit their needs and provide enjoyable experiences away from their primary carers, thereby contributing to their personal and social development and reducing social isolation.

The organisations including voluntary organisations which provide short breaks services. These include the 7 local organisations awarded transition funding by the council to provide short breaks and become more self sufficient. These are West Berkshire Mencap, Crossroads, PALS, Swings and Smiles, Homestart West Berkshire, Dingley Promise and National Autistic Society. Grants were also given to 2 special schools, Brookfield and The Castle.

3. How will this item affect the stakeholders identified above?

There was a limited response to the public consultation which was widely publicised. There were 17 responses from individuals which indicates that, on the whole, people are generally satisfied with current provision. Of those that gave their views, two thirds (12) did not feel current provision meets needs were:-

- Not enough short breaks
- Not sufficient variety
- Breaks not long enough in duration
- Did not meet needs of those children in mainstream school or with physical disabilities and/or medical needs.

In respect of mainstream and universal services about half (8) said they did not feel anything was missing from universal services. Those that disagreed felt that it was knowledge and information about the services which was hard to access and find.

With regard to amount of short breaks, over 40% felt this was sufficient. Those respondents that disagreed (7) felt that services had reduced alongside funding reductions and key provision such as holiday care was now not sufficient. In respect of accessibility about 70% (8) felt that services were not accessible to everyone primarily as services were not located across the district and transport presented a problem.

Respondents were asked about providers increasing fees to enable services to be more viable and only 15% (2) said they disagreed. In terms of age and culture, most people (over 80%) felt services were appropriate. Over 75% of respondents felt that the provision of direct payments or personal budgets to those that are entitled, was a helpful approach. Of those that did not, feedback was that they would like more directly accessible services, they did not feel it was easy to access and families needed to top up the amount allocated and sometimes fight for this service. Clearer guidance was also felt to be needed.

Feedback from providers was that there was a high demand for their services and families

greatly valued what they provided. They were concerned about the reduction in council funding and most services had introduced charging. A few services had closed but most were continuing – some in a more reduced form. Generally providers felt that they had needed to review all their services in the light of funding. All except 1 organisation would intend to continue to provide short breaks in the future but there was concern that high cost services such as holiday play schemes may be at risk.

Feedback from complaints and comments is that provision of holiday play schemes is vital in supporting families to cope with caring for their disabled child(ren).

STEP 3 – Assessing Impact and Strengthening the Policy

At this stage you are seeking to determine if the item will have a potential adverse or differential impact on specific groups, will fail to meet their needs or have a discriminatory outcome.

What have you assessed the impact as being? If there are potential adverse or differential impact on protected groups, what are the measures you will take to mitigate against such impact. Is there any opportunity to promote equality and good relations?

With regard to the feedback and the adverse impacts identified above, the following measures have been taken or are planned-

There has been a new contract awarded and work started on the upgrade of The Local Offer website which will improve accessibility, responsiveness and be more easily available to families on mobile devices. This will be completed by April 2018

Limited council funding has been identified which will be awarded out to organisations to provide those services which are most at risk when transition funding comes to an end. Funding will be directed to after school clubs and holiday play schemes which demonstrate the greatest benefit in terms of supporting families and providing a break from caring. This funding will support those few services that have proved the most difficult in terms of being able to be self sustaining. Grants will be awarded from April 2018.

Feedback from families identified that short breaks services were concentrated in Newbury so access and transport was difficult. It is therefore proposed that it will be a requirement that part of the council funding will support services outside Newbury and to the east of council area.

STEP 4 – Procurement and Partnerships

This step is relevant to service areas where the commissioning of contractors and services is undertaken as a core function and will allow you to assess the impact of any changes to clauses, processes or specifications in the procurement process. It may mean that a contractor will need to be requested to undertake an additional duty as a result of the new service. It is also an opportunity to check that the contractor has an equality policy in place.

Is this item due to be carried out wholly or partly by contractors?

No (please delete)

If 'yes', will there be any additional requirements placed on the contractor? Have you done any work already to include equality considerations into the contract? You should

set out how you will make sure that any partner you work with complies with equality legislation.

No. The council writes and owns the Short Breaks Services statement.

STEP 5 – Making a Decision

Depending on whether you are assessing a new or changing policy, strategy, function or service, you will need to reach a decision and make a clear statement of the final outcome of the assessment. This should be the recommendation being made as a result of the assessment. For example:

- The decision may be put forward for approval subject to stated amendments.
- The decision should be reconsidered.
- The decision shows a negative impact but can be justified by... (and state what the justification is).

Summarise your findings and make a clear statement of the recommendation being made as a result of the assessment. This will need to take into account whether the Council will still meet its responsibilities under the Public sector Equality Duty (Section 149 of the Equality Act), which states:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

- (i) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:-*
 - (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
 - (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

It is recommended that the council approve the updated Short Breaks Services Statement 2017.

The council provides a range of short breaks for disabled children under the Breaks for Carers of Disabled Children Regulations 2011.

The law says that a local authority must provide, as far as is reasonably practicable, a range of services which is 'sufficient to assist carers to continue to provide care or to do so more effectively'. The Short Break regulations require local authorities to:

- Provide a range of breaks, as appropriate, during the day, night, at weekends and during the school holidays

- Provide parents with a Short Break Services Statement detailing the range of breaks and any eligibility criteria attached to them.

A public consultation was held in June 2017 which was open on the council website for 6 weeks. This was extensively promoted. The results and feedback from this consultation and other feedback and information has been incorporated into the updated statement.

Other measures taken as a result of consultation, feedback and the assessment

- new contract awarded and work started on the upgrade of The Local Offer website which will improve accessibility, responsiveness and be more readily available on mobile devices
- Limited council funding has been identified to be awarded out to organisations to provide those services which are most at risk when transition funding comes to an end. These services such as after school clubs and holiday play schemes were those identified by families as most needed, valued and they needed more of. Grants will be awarded from April 2018.
- It is proposed that it will be a requirement that part of the council funding will support services outside Newbury and to the east of council area.
- A SEND providers Forum was established in 2016 with the aim of ensuring that providers are working close together to sustain and improve services within the area. The forum is working well; providers are now sharing costs, for example with training and learning resources. The Forum is also an opportunity for providers to pro-actively share opportunities with each other, such as available grant funding and additional forms of income streams. As a result of the SEND forum being set up, Short Breaks providers co-ordinated the summer activity provision in 2017 to establish a single timetable which minimised duplication and provided families with all the information in one place. This was of enormous benefit to children and their families who welcomed this approach. It is planned to build on this work.
- The council runs its own overnight short breaks service, Castle Gate, for those families who meet the eligibility threshold for childrens social care. This resource is being developed and expanded in terms of availability.

STEP 6 – Monitoring, Evaluating and Reviewing

Before finalising your action plan, you will also need to identify how you will monitor the item following implementation and include any changes or proposals you are making. This is particularly relevant if a funding cut is likely to lead to a reduction or withdrawal of a service.

Once the change has taken place, how will you monitor the impact on the 9 protected characteristics?

Through the contract monitoring and oversight of council grants awarded, which include data collection and meetings

New Local offer website. Feedback and response

SEND Providers Forum: Participation, attendance and feedback. West Berkshire Parent Voice, the organisation representing parents of disabled children locally attend this meeting

Castle Gate Steering group, held quarterly, and includes feedback from parents and users of the service

West Berkshire Youth Forum for young people with SEN. Meets monthly

STEP 7 – Action Plan

Any actions identified as an outcome of going through Steps 1-6 should be mapped against the headings within the Action Plan. You should also summarise actions taken to mitigate against adverse impact.

An EIA may also identify better ways of delivering services so that all service users or employers can benefit from them, which should also be included in the action plan. The real value of completing an EIA comes from the demonstration of evidence-based decisions reflecting user needs across the nine protected characteristics as appropriate. In order to ensure that agreed actions are taken forward, it may be helpful to add them to the service plan so that they can be tracked and mainstreamed. It is all too easy to follow the process on paper, and omit to make the adjustments that an objective impact assessment will highlight.

	Actions	Target Date	Responsible Person
Involvement & consultation	Attend SEND providers Forum	Quarterly and ongoing	Jane Seymour (JS) and Juliet Penley (JP)
	Castle gate Steering group	Quarterly and ongoing	JS
	West Berks Youth Forum for SEN	Monthly	JS
Data collection	Collect quarterly as currently	To continue	J P
Assessing impact	Attend SEND providers Forum	Continue quarterly	JP/JS
	Council meetings with providers	Continue twice yearly	HOS/JP
Procurement & partnership	Allocate grants for short breaks services	April 2018	JP
Monitoring, evaluation and reviewing	Grant/Contract monitoring with providers	Every 6 months. Already in place.	J P
	Local Offer evaluation	Part of new contract already in place	JS

	and review		
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STEP 8 – Sign Off

The officers involved in carrying out the EIA will need to sign it off prior to a quality check by the Head of Service to review the responses provided and add comments or observations. A statement of more detailed analysis from the relevant Head of Service, or Service Manager is advised where the proposed decision is particularly high risk. E.g, there is known potential for legal challenge, or potential for adverse publicity for the Council. This should be referenced as Appendix A to your Report.

When the final product is submitted through the executive cycle for a decision to be made, you will need to present the full set of consultation papers, responses and impact assessment in order to inform the final decision. This will ensure there is transparency in the way that decisions are made, and will provide evidence of how equality was taken into consideration.

The EIA should be published on the Council’s website along with the paper being submitted to a decision making body. The EIA is to be named ‘[report name] Appendix A EIA’;

An EIA relating to management decisions (and therefore not appended to a Committee paper) should be published within the services area of the external Council website and named in the same fashion as above;

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.		
Contributors to the Assessment		
Name: Juliet Penley	Job Title: Project Lead	Date: 6.11.17
Head of Service (sign off) 		
Name: MAC HEATH	Job Title: HEAD OF CHILDREN & FAMILY SERVICES	Date: 16/11/17

