



Derby City Council

Equality impact assessment form

**Directorate: Adults Health and Housing
Service area: Integrated Commissioning**

**Appendix 5a: Findings of the Consultation on
Updating the Outcomes for Voluntary Sector
Grant Funded Services**

Date of assessment: January-February 2015

**Signed off by: Adrian McNaney/ Ian Chennery
Cabinet decision**

Date published on website

Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity

- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you

may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity for checking and to publish on our website. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law –Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender reassignment – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls

- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

In addition, we have decided to look at the effects on families and people on low incomes too as we feel this is very important.

Contact for help

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The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt - do one! You never know when we may get a legal challenge and someone applies for Judicial Review.

What’s the name of the policy you are assessing?

Consultation on refreshing the outcomes for voluntary, community and faith sector grant aid and confirmation of grant aid bidding process.

The assessment team

Team leader's name and job title – Adrian McNaney, Voluntary Sector Co-ordinator

Other team members

Name	Job title	Organisation	Area of expertise
Adrian McNaney	Voluntary Sector Coordinator	DCC	Knowledge of VCS, grant/contract processes, funded organisations and diversity issues
Ian Chennery	Voluntary and Community Partnership Manager	DCC	Knowledge of VCS, grant/contract processes, funded organisations and diversity issues
Ann Webster	Lead on Equality and Diversity	DCC	Experience (25yrs) of working with equality and diversity issues
Andrew Findlay		Diversity Forum Member	Assessing the impact of strategies, policies and initiatives on disabled people and making recommendations to improve services for disabled people
Chris Wheeldon	Chair of 50+ Centre, National Pensioners Convention NPC	NPC Unison and Age UK	Experience in Older persons issues
David Fagg	Equality and Human Rights Project Manager. (Supporting SDCCG)	NHS Arden and Greater East Midlands Commissioning Support Unit	Experience of advising and reviewing the impact of decisions around Equality, Inclusion and Human Rights

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

This EIA will inform the decision to carry out a joint Council – Southern Derbyshire Clinical Commissioning Group (SDCCG) grant bidding process for Voluntary, Community and Faith (VCF) organisations. It is being completed prior to any funding recommendations by officers or decisions by Cabinet being made.

The Council and SDCCG currently grant fund a number of VCF organisations to provide a range of preventative and infrastructure services.

The Council and Southern Derbyshire Clinical Commissioning Group are consulting on the updating of the Voluntary, Community and Faith (VCF) sector grant aid outcomes that will inform this grant bidding process. The outcomes will set out the difference grant funded services will make to their service users.

For the Council, these outcomes will update the outcomes in the Voluntary, Community and Faith Sector Grant Aid Strategy 2011-2015

The proposed grant aid process in the future will receive bids for projects within Voluntary, Community and Faith (VCF) sector that will provide preventative, non-clinical services that support the health, wellbeing and independence of adults, whether they are eligible for social care support or not.

These joint draft outcomes will support the following priorities:

- The Derby Plan, promoting self-reliance and resilience in communities so that people are less dependent on public services
- The Health and Wellbeing Strategy, currently being consulted on, including:
 - Objective 1 Health and Social Care transformation – developing a common purpose and providing strong and effective leadership
 - Objective 2 Shift care closer to the individual – ensuring individual choice and control and delivering services in a joined up way
 - Objective 3 Narrow the health inequalities gap – by tackling social inequalities and increasing opportunities for healthy lifestyle choices

- The implementation of the Care Act by supporting the provision of preventative services and high quality information and advice in Derby

The Council and SDCCG are committed to advancing the equality of opportunity for the citizens of Derby and this grant process and outcomes will contribute to this.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The grant bidding process will be managed by Officers from the Council's Integrated Commissioning Team and Officers who manage the commissioning of services within the SDCCG.

The outcomes have been developed by officers of the Council and SDCCG, and have been informed by the strategies and priorities set out section 1.

A parallel consultation is taking place on the outcomes and priorities of the Health and Wellbeing Strategy.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

Grant aided services will be provided by VCF sector organisations to support adult service users who will benefit from preventative services that will support them to maximise their independence in the community.

Changes to the grant aid outcomes, and the proposed grant aid process, will have an impact upon staff and volunteers that support VCF organisations, the service users of VCF organisations and stakeholders who may be affected by changes in these services.

Appendix 5 attached to this EIA provides a full list of the current grant funded organisations, the services that currently provide grant aided services, their main customer group, average number of users per week and how much grant aid is invested in each organisation by both funders.

Step 2 – collecting information and assessing impact

4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to

consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.

The Council and SDCCG have sought to consult with:

- VCF organisations that currently receive grant funding
- Other, none grant funded organisations
- services users of VCF services
- stakeholders who may be effected by any changes
- the public

Notification of the consultation was provided in December 2014 and the consultation period was from 8th January until the 18 February 2015. As part of promoting access to the consultation additional support and translation were offered, and a series of meetings and visits were arranged to support local groups to participate.

The consultation process has involved:

- A mail out to all affected organisations
- Two consultation events, for voluntary and community organisations, service users the public and stakeholders on 14 January and 13 February 2015. These were held in the Council House which is fully accessible. The 14 January event was supported by BSL interpreters.
- Visits to organisations/networks that have requested this to help and support them to provide a response, further details will be found in the Consultation Report that accompanies the Cabinet Report linked to this EIA.

The consultation sought comments on

- the proposed set of grant aid outcomes for preventative services
- which sections of the community should be the priority for preventative services
- proposals to ensure the grant aid process maximises the benefits for the local community

The opportunity for all sections of the community to take part in the consultation was provided by advertising the consultation as widely as possible, including:

- Community Action Derby website and circulation to the 800+ voluntary sector organisations on their mailing list
- Information and Advice Network, Deaf Forum, Diversity Forums and other networks
- Council and SDCCG website
- Internal information (TV) screens and staff newsletters (InTouch)
- Grant funded organisations in EIA Appendix A
- Social media messages that are followed by Radio Derby and Derby Telegraph journalists amongst others, this will facilitate press releases and items on local community based radio.

5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure

Equality groups	What do you already know?	No impact	Positive impact	Negative impact	Not sure ✓
Age	A number of organisations are funded provide services to older people				The impact will depend on the future allocation of grant funding.
Disability	A number of organisations are funded provide services to Disabled people				The impact will depend on the future allocation of grant funding.
Gender reassignment - trans	The services of funded organisations are open to people undergoing gender reassignment and trans				The impact will depend on the future allocation of grant funding.
Marriage and civil partnership	The services of funded organisations are open to all people regardless of their marital status				The impact will depend on the future allocation of grant funding.
Pregnancy and maternity	The services of funded organisations are open to all people including those who are pregnant or on maternity				The impact will depend on the future allocation of grant funding.
Race	All funded organisations offer services to people of all races				The impact will depend on the future allocation of grant funding.
Religion or belief or none	All funded organisations offer services to people of all religions or no				The impact will depend on the future allocation of grant funding.

	religion				
Sex	Funded organisations offer services to both genders unless the service is gender specific				The impact will depend on the future allocation of grant funding.
Sexual Orientation	People of any sexual orientation are offered a service from funded organisations				The impact will depend on the future allocation of grant funding.
Families and people on low income	Families and people on low income are not excluded from the services of funded organisations				The impact will depend on the future allocation of grant funding.

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

6 From the information you have collected, how are you going to reduce any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

The following steps will be taken to reduce any potential negative impact:

a) Assessment process will consider where organisations offer services that specifically target people from a particular protected characteristic, for example women only or men only groups. These services may still be supported by grant aid providing that a reasonable case is put forward to explain the benefits of limiting access to their service. Officers will ensure that services are as accessible as possible within these agreed restraints as part of future management of these services.

b) Information from the consultation and this EIA will be used to make the grant aid bidding process more accessible. To support this the Council and SDCCG are proposing to:

- Review documentation used in the grant process, with input from local VCF organisations and the Council's Lead on Equality and Diversity

- Provide support session/s to assist VCF organisations to understand and effectively complete grant applications
- Provide an extended, 6 week period for grant submissions

c) To support access to the Grant aid process by organisations that work with all equality groups:

- Application forms and supporting documentation will be available online and as paper versions on request.
- The supporting documentation will include advice and information to complete the application form, in addition information events will be held to brief local organisations. Questions raised about the grant aid process, and our responses, will be used to create a publically accessible frequently asked questions document.
- local organisations have had approximately 3 months advance notice that there will be a grant aid process
- local organisations will have access to translation and interpretation services to help them access the grant aid process

d) A further equality impact assessment will be carried out following the grant aid bidding process to support the decision on the award of grant aid and will be considered by Council Cabinet.

e) Organisations that are successful in obtaining grant aid will be required through their Funding Agreement to monitor their equality performance and develop an annual Equality Action Plan to improve the accessibility of their service. Funded organisations are required to have effective equality policies which ensure their services are accessible.

f) We will ensure organisations that have been unsuccessful in obtaining grant aid in the past are aware this does not prevent them from applying again. Organisations that are successful in obtaining grant aid will be encouraged to share best practice with other organisations especially small ones.

g) Application forms and supporting information forms will be reviewed to ensure they are accessible and will have information on them that signposts organisations to other networks and organisations that can support them to deliver their service.

The EIA assessment team are aware that cross cutting issues such as loneliness and isolation can be experienced by the any of the groups with protected characteristics. This will be considered within the grant assessment process.

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1	X	No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
Outcome 2		Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
Outcome 3		Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact.
Outcome 4		Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

The EIA Assessment team have agreed on Outcome Number 1 as the agreed outcome to take and recognised the grant aid process has the potential to have a positive impact on the Council's responsibility to advance equalities of opportunity.

Why did you come to this decision?

The assessment has not identified any potential for discrimination or negative impacts and all opportunities to advance equality have been explored within this draft. It has identified some additional actions to adapt the grant process.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of

the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

- 8 Fill in the table (on the next page) with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.**

Equality action plan – setting targets and monitoring

What are we going to do to advance equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
Future grant application opportunities will be advertised and communicated as widely as possible.	Promoting the grant process through a variety of communication routes, including: press releases and articles, Council and Community Action's website, In-Touch magazine. See Step 2 question 4 for a fuller list.	This work has already started through direct communication with funded organisations and others. Once Council Cabinet approve the grant process in late March.	Voluntary, community and faith groups will be fully informed about the grant aid opportunities available. They will also be aware of where to go and what to do to get further support if needed.	Adrian McNaney/Ian Chennery	A communication plan will be created and updated to ensure all tasks are completed on time. We will monitor promotion and the receipt of applications
We will ensure all funded groups have effective Equality Policies and that they are adhered to.	Council and SD CCG Officers have to check on these policies as part of the application process.	This is done at the application stage, and further compliance is ensured through our regular monitoring.	This will ensure the services are seeking to promote equality.	Council Officers and officers nominated by the SDCCG	All Equality Policies are scrutinized during application and checks in place during 6 monthly monitoring to ensure these policies are adhered to.
All funded organisations are required to create an annual Equality Action Plan appropriate to their service and funding..	All funded organisations are made aware of the need to create an Equality Action Plan and where necessary are helped and supported by Council	Equality Action Plans are submitted with 6 Monthly monitoring returns in April each year.	This ensures the organisations regularly consider equality issues, celebrate where they are doing well, and put actions into place where needed to ensure equality of service delivery.	Council Officers and officers nominated by the SDCCG	Officers will monitor Equality Action Plans to ensure compliance - non-compliance can result in non-payment of grant aid.

	Officers to do this.				
Once the results of the new grant programme are known we will analyse changes in the funding provided to different equality groups	We have information on who holds the grant funding now and will compile this for the new grant funded organisations in the future.	This will be done once the results of the new funding round are known	This will ensure the Council and SDCCG are aware of the impact on equality groups within the grant aid process and support actions to mitigate any negative impacts.	Council Officers and officers nominated by the SDCCG	Reported to Cabinet (and SDCCG) at a date to be confirmed in June/July 2015

Make sure you include these actions in your Directorate service business plans.