

Equality Analysis Report – Community Support Services

(Interim Report – subject to regular updating throughout the consultation period based on feedback received)

UPDATE: 26TH MARCH 2021

Contents

Details of Proposal:	2
Ramifications of Proposal:	4
Are there any protected characteristics that will be disproportionately affected in comparison to others?	5
Consultation:.....	5
Is there evidence that the Public Sector Equality Duties will be met?	6
What actions will follow if proposal accepted by cabinet & Council?	8

Details of Proposal:

(Clearly identify the proposal give details of relevant service provision and the demographics covered by the policy or service)

The proposal relates to the fees payable to Community Support Services during the 2021/22 financial year.

The specific detail of the proposal is a 1.87% increase to the Community Support hourly rate, increasing the rate from £16.04 to £16.34

Community Support services provide access to the community for the following client groups:

- Learning Disabilities
- Mental Health
- Physical Disabilities
- Older People
- Alcohol / Drugs

The demographics of Service Users accessing these services are;

Age Group

Table 1 - Age Group of Community Support Service Users

Age Group	Total	%
Adults	494	83.59
Age 65-74	47	7.95
Age 75-84	40	6.77
Age 85-94	8	1.35
Age 95+	2	0.34
Sum:	591	

Gender

Table 2 - Gender of Community Support Service Users

Gender	Female	%	Male	%
Adults	196	33.16	298	50.42
Older People	52	8.80	45	7.61
Sum:	248		343	

Ethnicity

Table 3 - Ethnicity of Community Support Service Users

	Total Clients Adult	%	Total Clients Older People	%
Any other ethnic group	3	0.51	1	0.17
Asian/Asian British - Any other Asian background	1	0.17		
Asian/Asian British - Bangladeshi	1	0.17		
Asian/Asian British - Chinese	3	0.51	2	0.34
Asian/Asian British - Indian	1	0.17		
Black/Black British - African	1	0.17		
Black/Black British - Any other Black background	2	0.34	1	0.17
Information not yet obtained	50	8.46	3	0.51
Black/Black British - Caribbean			1	0.17
Mixed - Any other mixed background	1	0.17		
Mixed - White and Asian	2	0.34		
Not Recorded				
Mixed - White and Black African	1	0.17		
Mixed - White and Black Caribbean	1	0.17		
White - Any other White background	4	0.68	2	0.34
White - British/English/Welsh/ Scottish/Northern Irish	421	71.24	87	14.72
White - Irish	2	0.34		
Sum:	494		97	

Primary Support Reason

Table 4 - Primary Support Reason of Community Support Service Users

	Female		Female		Male		Male	
	Adults	%	Older People	%	Adults	%	Older People	%
Learning Disability Support	94	15.91	3	0.51	180	30.46	5	0.85
Mental Health Support	38	6.43	3	0.51	55	9.31	14	2.37
Physical Support - Access and Mobility Only	9	1.52	1	0.17	5	0.85	1	0.17
Sensory Support – Dual Impairment	1	0.17						
Physical Support - Personal Care Support	43	7.28	34	5.75	44	7.45	15	2.54
Sensory Support for hearing impairment	1	0.17	1	0.17			1	0.17
Sensory Support – Visual impairment	2	0.34			2	0.34		
Social Support - Substance Misuse Support	1	0.17			1	0.17		
Social Support - Support for Social Isolation / Other	4	0.68	2	0.34	10	1.69	3	0.51
Support with Memory and Cognition	3	0.51	8	1.35	1	0.17	6	1.02
Sum:	196		52		298		45	

Ramifications of Proposal:

The proposals relate to the fees paid to contracted Community Support Providers are;

Table 5 - Fee Proposal for Community Support Providers

Service Type	Rate 20/21	Rate 21/22	Percentage Increase
Community Support	£16.04	£16.34	1.87%

- Consultation period is still ongoing so could potentially raise additional factors that could impact on these client's groups.
- Providers could struggle to recruit and retain suitably qualified staff which could further impact on the availability of staff support for some people with complex learning disabilities, autism and mental health.
- A reduction in Community Support services could impact on elderly carers in the community
- Provider could struggle to train staff appropriately to support complex service users

- Providers could also struggle to deliver small support packages and may request at least a minimum number of support package hours (i.e. a minimum of 8) before they will agree to support the service user

Are there any protected characteristics that will be disproportionately affected in comparison to others?

The protected characteristics under the Equality Act 2010 are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Pregnancy and Maternity

If the fee proposals were to be implemented and the above ramifications were to materialise then the following protected characteristics may be affected;

- **Disability** - Majority of Community Support services are delivered to service users with a learning disability to help them access the community
- **Age** – Many elderly service users require support to access the community

Consultation:

The consultation period commenced on 18th January 2021 up to 21st March 2021 with an initial end date of 21st March 2021.

As part of the outlined proposal the Council stated that it wished to particularly receive and consider feedback in relation to the following:

1. Whether the level of proposed fees set out in the proposals and tables above will cover the cost of delivering Community Support services for the period from 1st April 2021 to 31st March 2022.
2. If you do not agree with the above rates, if you consider that they will not cover the cost of delivering services, please provide budgeted costings, together with evidence of actual expenditure and a breakdown of your hourly rate, in support of your comments.

Providers were also advised that the Council is also wishing to gather further information on COVID-19 specific costs. As a result, this consultation also includes asking Providers to submit details of such costs.

As part of the consultation process a Microsoft Teams consultation meeting was held with Providers on 17th March 2021 in order to outline the Council's current commissioning activity, the fee proposal, the consultation process and timeline and to gain feedback from Providers on the proposals.

On this call Providers raised the following points (however these were primarily raised by Domiciliary Care Providers).

- Commitment to implementing the Real Living Wage needs to be explored
- COVID related costs need to be taken into account as these will most likely still be experienced past 1st April 2021 when any new fee rate is implemented
- Further information on how the historic fee rate was originally devised needs to be provided – principally with respect to the “Other Costs” element of the rate
- There are concerns that the fee rate increase proposed is insufficient to maintain a sustainable market as Providers are already experiencing cost pressures.

A dedicated section of the Sefton Council website has been set up to publish information on the consultation. This includes a running commentary of Questions and Answers to ensure that providers are able to ask questions and receive a response which is anonymised and shared with all providers.

Following the consultation meeting on 17th March 2021 the website will be updated to include the notes of the meeting and further information on how historic fee rates were devised.

The website will also have the notes and presentation from consultation meeting held with providers, together with this EIA which has been updated following the consultation meeting with Providers on 17th March 2021 and will continue to be updated throughout the consultation process and will be a key element of the final consultation report.

Following the consultation meeting on 17th March 2021 it has been decided that the Consultation period will be extended to 4th April 2021 (original period was up until 21st March 2021) in order to afford Providers further time to review the new information requested by them.

Is there evidence that the Public Sector Equality Duties will be met?

The Equality Act 2010 requires that those subject to the Equality Duty must, in the exercise of their functions, have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The options proposed do not involve any change to the criteria for accessing a Community Support service, as this is assessed via the Council’s eligibility criteria, nor do they involve any changes to the capacity of services.

Service User's will continue to have an individual care plan which is reviewed each year in accordance with the Care Act 2014. In assessing the care needs of Service Users Sefton Council is required to have regard to its public sector equality duty.

With respect to the above;

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Community Support services will continue to be provided on the basis of assessed need.

Performance monitoring of contracts regularly takes place and Social Workers and families / advocates give feedback as to the treatment of Service Users. In addition, the Council monitors data on contracts to ensure that there is fair access to all that meet the eligibility criteria.

Advance equality of opportunity between people who share a protected characteristic and those who do not.

Community Support services enable local people to live the lives they want to lead, retain their independence, and are based on a person's individual need to access services in the community and therefore prevent social isolation

Under current eligibility assessments, Service User's religious and cultural needs are taken into account and where specific needs are identified these are met, thus enabling them to participate in public life.

Foster good relations between people who share a protected characteristic and those who do not.

Community Support services support people with disabilities to continue live and become part of the community thus making sure that disability is accepted and understood by the wider community.

Community Support services provide opportunities to connect with others, linking into other support and making service users feel safe and secure.

All Provider's must evidence of how they will treat Service Users with respect and dignity and deliver services in a way which is free from discrimination, bullying and harassment for Service Users and Community Support staff.

In addition;

- The Council will continue to work with Provider's to ensure that they provide appropriate services to disabled people on a contract and service specification basis and monitoring of service delivery.
- The Council as commissioning agent will remind service Provider's, when undergoing changes to their services to treat their staff in accordance with Equality and Employment law.
- Service Users are and will continue to be assessed in a qualitative manner in accordance with national guidance and Care Act 2014.
- Under Section 47 of the National Health Service and Community Care Act 1990, individual services provided will be privy to regular review to assess if those services are meeting assessed needs.
- The current service specification contains specific requirements relating to equalities.
- Community Support services are designed, costed and targeted to support disabled people, older people to remain in the community

What actions will follow if proposal accepted by Cabinet & Council?

Include details of any mitigating action and ongoing monitoring to address any of the equality impacts highlighted above

- Ongoing consultation with Community Support Providers will include obtaining provider views on the economic impact of the implementation of any decision and this information will in turn be used to ascertain any possible economic impacts on clients or regulatory impacts on individual Providers.
- We will continue to explore ways in which we can better support the Community Support sector, including ongoing initiatives on;
 - Recruitment and retention of staff
 - Appropriate training to upskill staff support for more complex service users
 - Identifying scope for reducing overreliance on support and increasing service user's independence to access support in the community via community groups, group support or Peer support
 - Further explore opportunities for floating support
 - Develop linkages to existing community services as an alternative
 - Exploring the use of new assistive technology systems that increase independence, improve service user confidence and encourage positive risk taking when accessing the community
- National and local factors concerning the cost of care and the demand for services will also be monitored, such as changes to the demographic profile of the borough and the demand for more specialist services.
- Risk management work will be conducted which will include analysis of the capacity within the market and the ability of the market to support more complex individuals. This analysis will also be informed by performance information on numbers of Community Support hours commissioned and the ability to meet current and future demand and complex individual needs
- Regular liaison with the Care Quality Commission will also continue and as part of this any issues identified with respect to the quality and financial viability of individual Providers will be monitored.
- The Care Act 2014 gives responsibilities to CQC for assessing the financial sustainability of certain care providers, it also gives them new powers to request information from those providers and to request a provider who they judge to be in financial difficulty to develop a sustainability plan and arrange an independent business review, to help the care provider remain financially sustainable.
- The Council will continue to work with CQC when they share concerns about care providers operating in Sefton.
- With respect to any potential impacts of the decision on the quality of service provided, regular monitoring will continue to take place. This will include monitoring of factors such as meeting Service User needs, the quality and retention of staff, staff training and overall management of services. Monitoring of Safeguarding referrals and regulatory notifications will also continue.

Notes:

This Interim EIA was reviewed on the 26th March 2021 and changes were made to the consultation section to reflect the consultation so far and to ensure it was in an accessible format to comply with the Website Accessibility Guidelines.

