

Adult Social Care Scrutiny Commission Report

Future of the Disabled Persons Support Service

Date: 4th December 2018

Lead Assistant Mayor: Cllr Vi Dempster

Lead Strategic Director: Steven Forbes

Useful information

- Ward(s) affected: All

- Report author: Cathy Carter
- Author contact details: cathy.carter@leicester.gov.uk
- Report version number: 1

1. Purpose

- 1.1 To provide the Adult Social Care Scrutiny Commission with an overview of the findings of the consultation exercise, that proposes to end the Disabled Persons Support Service (DPSS) contract.
- 1.2 The report seeks to end the DPSS contract held by Leicestershire Centre for Integrated Living (LCIL) and to replace it with a new participation service. The new service will require a formal procurement process.
- 1.3 It is proposed to start the new service with effect from 1.4.2019 and to end the DPSS contract on 30.6.2019. This will give an overlap of three months from the new service starting and the DPSS ending.

2. Summary

- 2.1 The purpose of the Disabled Persons Support Service (DPSS) is 'to provide and maintain an appropriate infrastructure organisation that represents and supports disability groups, and the communities they serve in Leicester'.
- 2.2 Whilst the DPSS has successfully supported groups to develop over the years, one of the key issues for Adult Social Care (ASC) is the lack of direct service user participation and representation, especially at the various strategic boards that are used to shape policy and develop services.
- 2.3 The Care Act 2014 requires local authorities to ensure there is effective service user engagement to enable the co-production of local plans and strategies for people with a learning disability, mental health problem, people with autism and people who are moving from using children's social care to adult social care services.
- 2.4 Therefore, it proposed to cease the funding to the DPSS and to create a new participation service. A report detailing the new service will be presented separately.
- 2.5 The current funding for the DPSS is £46,200 per annum and the existing contract expires on 31.3.2019. However, this can be extended to the end of June 2019 to give an overlap of three months from the new service starting and the DPSS ending.
- 2.6 Only 7 people responded to the consultation, with 5 disagreeing with the proposal and 2 agreeing. The current provider LCIL also provided a response.
- 2.7 An overview of the consultation is detailed at paragraph 4.5 and Appendix 1.

3. Recommendations

3.1 The Adult Social Care Scrutiny Commission is recommended to:

- a) to note the outcomes of the consultation as detailed at paragraph 4.5 and Appendix 1;
- b) to note the outcomes of the Equality Impact Assessment set out at paragraph 4.6 and Appendix 2

4. Main Report

4.1 The purpose of the Disabled Persons Support Service (DPSS) is 'to provide and maintain an appropriate infrastructure organisation that represents and supports disability groups, and the communities they serve in Leicester'. This is an infrastructure contract, rather than providing direct support to vulnerable service users, which is a requirement of the Care Act 2014.

4.2 The Care Act 2014 requires local authorities to ensure there is effective service user engagement to enable the co-production of local plans and strategies for people with a learning disability, mental health problem, people with autism and people moving from using children's social care to adult social care. This is called 'shared endeavour' – *“Local authorities should pursue the principle that market shaping and commissioning should be shared endeavours, with commissioners working alongside people with care and support needs, carers, family members, care providers, representatives of care workers, relevant voluntary, user and other support organisations and the public to find shared and agreed solutions.”*

4.3 On 17th May 2018, the Executive gave approval to undertake a 12 week consultation exercise to understand the impact of ending the DPSS. At the same time an alternative model for service user participation has been developed with a range of stakeholders. A report detailing the new service will be presented separately.

4.4 The consultation on the proposal to end the DPSS is now complete and the consultation methods and findings is detailed at Appendix 1.

4.5 In summary, only 7 people responded to the survey. Of these 5 disagreed with the proposal and 2 agreed. Only 3 people completed the comments box so their comments are shown in full rather than being categorised, together with responses. LCIL also provided a response and this is also detailed in the following table:

Comments in survey	Response
Very simply I have been involved in an equal change to adult VCS in mental health. Many organisations went and the services for existing service users of which I am one is	Funding to Voluntary Action Leicester (VAL) was cut significantly when the service was re-procured in 2017.

<p>decimated. I and many thousands of my mental health peer group no longer have any support.</p> <p>I do think with so many VCS closing that the funding to VAL should be the one being cut.</p>	<p>However, savings also have to be made in ASC as well as the saving on this contract, as a result of significant reductions in Government funding to the council.</p>
<p>My son has autism. Lcil support enables him as an individual with his carer support to actively engage in his local community. Without the support they give he would have less opportunities to give back to the community.</p> <p>I personally think Val is a waste of space. It is very expensive to hire rooms as a community service. They do not have the same can do that lcil has.</p> <p>My son looks forward to a couple of events he goes to every week at lcil. It is in his community. There isn't much around in West Leicester for people like him. They help to make a man with severe autism and learning disabilities part of his local community.</p>	<p>Any performance issues with VAL will be addressed as required.</p> <p>Regarding autism: The Monday Club is an autism spectrum disorder group that operates in the West End from the LCIL building. This service is not part of the current review and will continue to operate.</p>
<p>On average you say the £7.50 is the going rate but there are people who require more. These people are vulnerable and need these funds as a necessity. If cuts are continuing than instead of helping you are restricting people with disabilities. We as people have suffered enough cutbacks with this current government. You need more money ask them.</p>	<p>It is not clear what the £7.50 refers to so unable to comment on this point.</p> <p>We note the comments about the effect of Government cutbacks on disabled people and other vulnerable points. The council continues to lobby Government through bodies such as the Local Government Association.</p>
<p>Comments in LCIL submission 28.08.18</p>	<p>Response</p>
<p>The questions in the consultation did not reflect what LCIL has been delivering.</p>	<p>The purpose of the contract as stated in the specification is 'to provide and maintain an appropriate infrastructure organisation that represents and supports disability groups, and the communities they serve in Leicester'. The consultation focused on a proposal to end the contract because of a proposed new participation service which would do this in a better way – by enabling the direct involvement of people rather than through an intermediary. In addition, VAL provides support to VCS groups – including disability groups</p>

Some disability groups have not been supported by VAL.	Any performance issues with VAL will be addressed as required.
Social media café and LCIL is valued, allowing disabled people to come together socialise, have a meal, discuss and get information and take part in activities.	We recognised the value of the café but there is no clear evidence of how this supports influence or participation in ASC.
LCIL helps disabled people to combat isolation and loneliness.	We appreciate the importance of helping disabled people to avoid social isolation – however this is not the purpose of the contract.
Re: the new proposals for ‘service user voice’ - LCIL believes that this is the service that we already run.	<p>The council is engaging with LCIL and others regarding the proposed new participation service. However, it is not the service that LCIL already runs – for 2 reasons:</p> <ul style="list-style-type: none"> • The new participation service will engage directly without an intermediary • People who use ASC services extend beyond those who would classify themselves as disabled people, eg people with substance misuse problems.

4.6 An equality impact assessment (EIA) of the proposal has been carried out, and this is detailed at Appendix B. In summary, the main findings of the EIA are:

- The proposal may have a negative impact on disabled people or disability groups if LCIL is unable to continue without ASC funding
- However, the new participation service should have a positive impact on disabled people as it will enable them to engage directly with ASC rather than through LCIL.
- In addition, disability groups will continue to have support from Voluntary Action Leicester.

4.7 The main benefits of ending the DPSS are:

- It enables funding to be used to create a new user participation service, which will allow vulnerable people to engage with the various partnership boards and other commissioning activities carried out by ASC, to help shape our priorities and policies
- The proposed new participation service will better support the ethics and spirit of Care Act guidance regarding commissioning, co-production and partnership working with key stakeholders

- The proposed new participation service would be procured at a lower cost than the current DPSS, thus contributing to the ASC savings target for VCS prevention services
- Disability groups will continue to be able to receive support from Voluntary Action Leicestershire

5. Details of Scrutiny

5.1 The ASC Scrutiny Commission was provided with a report on the VCS prevention services review on 29th June 2017 and a verbal update was given on the 19th June 2018.

6. Financial, legal and other implications

6.1 Financial implications

The report is to feedback on the consultation findings and if agreed, to end the current DPSS contract, savings of £46,200 will be achieved. However, it is proposed that £36,000 will be used to fund the new participation service. If this agreed there will be a £10,000 saving which will contribute to the ASC VCS savings of £790,000.

Yogesh Patel - Accountant ext 4011

6.2 Legal implications

This report seeks approval to cease funding the current DPSS service with effect from 30 June 2019. It is also noted that the council proposes a new participation service. The new service, it is noted, should help fulfil requirements under the Care Act in relation to effective service user engagement in social care planning.

To ensure that consultation is undertaken meaningfully, the council should ensure that responses to the consultations have been fully considered.

In relation to the comments from LCIL, officers have provided a response which is supported. There is due to be a separate consultation on a new participation service and the response from LCIL will be relevant to that consultation. However, at this stage the consultation relates to the present contracted service which is for an infrastructure service as detailed in the specification.

It is noted that the response from LICL suggests that the consultation summary does not reflect what LCIL are actually delivering. However, this is a matter for contract management and the specification for the present service is clear on the scope of the service. Therefore, the summary in the consultation document is accurate.

Subject to the above, and the recommendations within this report being approved, the incumbent provider should be provided with at least three months' notice of cessation of funding. This will ensure compliance with the best value statutory guidance.

Nilesh Tanna, Solicitor (Commercial, Property and Planning) Extension 371434
Jenis Taylor (Principal Solicitor) Commercial Ext 37 1405

6.3 Climate Change and Carbon Reduction implications

There are no significant climate change implications arising from this report.

Duncan Bell, Corporate Environmental Consultant

6.4 Equalities Implications

When making decisions, the council must comply with the public sector equality duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a 'protected characteristic'.

We need to be clear about any equalities implications of the proposed option. In doing so, we must consider the likely impact on those likely to be affected by the recommendation and their protected characteristics.

Protected groups under the Equality Act are age, disability, gender re-assignment, pregnancy/maternity, race, religion or belief, sex and sexual orientation.

An equality impact assessment has been carried out on the proposal, which states there may be a negative impact on disabled people or disability groups if LCIL is unable to continue without adult social care funding. However, the proposed new participation service should have a positive impact on disabled people, as it will enable them to participate directly in the development and review of adult social care policies and services, rather than going through infrastructure groups such as the Leicestershire Centre for Integrated Living.

The participation element will need to be monitored to assess its effectiveness as part of the ongoing work to develop the new participation Service. Disability groups will also continue to have support from Voluntary Action Leicester.

Sukhi Biring, Equalities Officer

6.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

7. Background information and other papers:

8. Summary of appendices:

Appendix 1: Consultation Report

Appendix 2: Equality Impact Assessment

9. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”?

No

Appendix 1

Consultation Report – Disabled Persons’ Support Service

1. Purpose of the consultation

Adult Social Care carried out a consultation from 21st May to 3rd August 2018 on proposed changes to the Disabled Persons’ Support Service commissioned by Adult Social Care.

2. Consultation methods

2.1 Survey

The consultation was advertised using a poster distributed to all council facilities and GP surgeries in the city, and it was publicised via the weekly VAL E-Briefing

The survey was carried out online using the council’s Consultation Hub. The questionnaire was also made available in printed form on request, including an Easy Read version.

2.2 Consultation meetings

A meeting with the current provider, the Leicestershire Centre for Integrated Living (LCIL), was held on 27th June 2018. Officers requested both in a letter and at the consultation meeting that LCIL enable officers to meet with people using LCIL services as part of the consultation. LCIL reported at the Learning Disabilities Partnership Board held on 18th July that they were holding focus groups with service users to put together responses to the consultation. A further reminder was sent on 31.07.18 and on 21.08.18. No response from service users was received before the end of the consultation on 3rd August. Officers then chased further on 21.08.18 – after the end of the consultation period. A response was received on 28.08.18 and this is at Annex A.

At the meeting with LCIL on 27th June, officers explained the consultation, and then talked through the survey document – copies of which were provided at the meeting. LCIL asked questions and made comments during the presentation of the proposals, and then there were further opportunities for questions, comments and feedback at the end of the meeting.

3. Consultation findings

3.1 Survey respondents

There were 7 responses to the survey, either online or on paper.

More detailed information about the characteristics of those completing the survey is available if required. To protect anonymity because of the small sample size, it is not listed here.

The survey also asked respondents to say in what role they were completing the questionnaire:

Service users 4 respondents said they were completing the questionnaire as a service user.

Representatives of service users 3 respondents said they were completing the survey on behalf of someone who was a service user.

Current providers 1 respondent said they were completing the questionnaire as the current provider.

Other organisations no respondents completed the questionnaire on behalf of an organisation that was not a current provider of one of the services included in the survey.

3.2 Survey findings

The survey outlined the following proposal:

ASC is proposing to end the Disabled Persons Support Service with LCIL. In the meantime, ASC will develop a proposal for a new service that will help service users to be involved in the development of adult social care services. The new approach will be developed in consultation with service users and relevant organisations, including LCIL.

Respondents were then asked to select: 'agree', 'disagree' or 'not sure/don't know'

The majority of people disagreed with the proposals:

I agree with the proposal	2
I disagree with the proposal	5
Not sure / don't know	0

Respondents were then asked: *Please provide comments. If you disagree with the proposal, please suggest an alternative.*

Three respondents completed this box. As this is a low number the comments are shown in full below rather than being categorised:

Comment in full
Very simply I have been involved in an equal change to adult VCS in mental health. Many organisations went and the services for existing service users of which I am one is decimated. I and many thousands of my mental health peer group no longer have any support. I do think with so many VCS closing that the funding to VAL should be the one being cut.
My son has autism. Lcil support enables him as an individual with his carer support to actively engage in his local community. Without the support they give he would have less opportunities to give back to the community. I personally think Val is a waste of space. It is very expensive to hire rooms as a community service. They do not have the same can do that lcil has. My son looks forward to a couple of events he goes to every week at lcil. It is in his community. There isn't much around in West Leicester for people like him. They help to make a man with severe autism and learning disabilities part of his local community.
On average you say the £7.50 is the going rate but there are people who require more. These people are vulnerable and need these funds as a necessity. If cuts are continuing than instead of helping you are restricting people with disabilities. We as people have suffered enough cutbacks with this current government. You need more money ask them.

4. Points made at meeting with LCIL 27th June 2018

Key points were:

- Most of the work LCIL do supports individuals rather than providing infrastructure support to disability groups
- A number of disability providers hot-desk at the centre and therefore are available directly to people who visit the centre.
- LCIL has approx. 650 users who visit the centre per week.

- Agree with the proposal to remove infrastructure support, but need to ensure this support to disability groups is provided by VAL.

5. Submission received from LCIL 28th August 2018

A submission was received on 28th August 2018. LCIL advised that they had submitted a response during the consultation period. However, officers cannot find a record of receiving it. The submission is at Annex A. Officers requested further clarification as to how many service users had contributed to it and how. This information has not been received at the time of writing.

Annex A - Submission from LCIL 28.08.19

Many of the point I am going to raise were mentioned when I had a meeting with council officers.

The consultation process was flawed, the questions being asked did not reflect that LCiL had been delivering. The consultation suggested that the current service is a contract to deliver a service that supports disability groups and does not support care and support services directly to vulnerable disabled people at risk of developing social care needs.

I would like to clarify a few points:

LCiL is a user led disability charity with a 22 year track record, all underpinned by a vast experience of listening to the voices of disabled people. During the past 4 years we have developed our Social Media Café which takes place every Friday at our community centre. The Café is attended by a wide range of disabled groups providing a warm and welcoming environment within a fully disabled accessible building - but is open to anyone in the local community thereby building connections between those who identify as disabled and others. At the heart of our Social Media Cafe lies the ability to provide a regular & accessible space to come together, face to face in an informal way, in order to discuss what is possible in a community-focused way. A semi-structured space to come together to meet and discuss with others, but also share ideas and experiences. It provides opportunities to meet socially with others, develop new connections and friendships and links with the wider community. An affordable, healthy, freshly cooked lunch is provided by the Real Junk food Project, with volunteering opportunities for those who want it, and regular information stalls are available promoting other local services as well as welfare and financial support and initiatives. The opportunity to eat a meal with others is particularly valued by those who live alone and we also try to create a 'meal out' opportunity for family and friends.

Our model helps to reduce loneliness by creating opportunities for disabled people to explore new ways to be involved in their community, and is led by the views and feedback received from disabled people. eg via our regular user-led Committee meetings and commitment to co-production in developing services at LCiL. Our work builds connections both peer to peer and also with other stakeholder groups, and we have seen a reduction of loneliness by an improved and genuine sense of belonging. Our Centre is a community hub which is accessible for everyone, including ALL disability groups – Learning disability, physical disability, sensory disability, and people with long term health conditions, mental health and carers. The Centre is currently home to 6 disability charities covering all ages and collectively we see around 650 people through the doors of the centre each week. The activities that take place are a mixture of social, recreational, sport based, skill and support based, and as a result of this work, disabled people have told us that they feel more socially connected and confident to be an active member of their community, ultimately this leads to them feeling less lonely and socially isolated. and also exploring new opportunities for involvement and integration with wider community services eg, the local leisure centre, volunteering etc.

Our specialist skills and the experience of LCIL staff, plus other Projects which access the centre, includes a good track record of involving local community, by supporting and providing information and advice, employment including volunteering, and training and empowering disabled people. Often reaching out to those who are especially isolated, providing activities which enable friendship networks to develop and peer support.

The current climate of austerity means that statutory services are having to focus upon those most in urgent need and in crisis. So now more than ever there is an urgent need to work in a preventative way. Leicester has high levels of deprivation, , leading to increased numbers of people with long-term physical and mental health conditions e.g. Leicester has higher than the national average numbers of people diagnosed with mental illness and related hospital admissions , with poorer outcomes .Social isolation is proven to exacerbate poor mental health and incidence of suicide .Almost half (47%) of people with mental health problems have considered suicide or attempted to take their own lives as a result of social factors such as debt , welfare problems and family breakdown, (MIND charity ‘ Life Support Research findings 2016) LCiL is an accessible and inclusive environment with a track record of including the most diverse and disengaged individuals..

LCiL provides an inter-generational, multi-cultural, fully accessible service. Older and young people of different abilities and cultures and backgrounds taking part in activities side by side. We have done lots of work to raise our profile and insyil confidence with the west end community, the past 4 yaers sinec we moved in we have establish relationships across communities and generations. Leicester’s multi-age, multicultural residents, rough sleepers and those experiencing different levels of addiction. We have provided many opportunities for disabled people and the wider community to access more community opportunities.

We are currently trying to address lonilness in the area and success yo tackling loneliness, are efforts to improve awareness of the issue, both among professionals, and disabled people themselves, reducing the stigma of speaking up about what can seem a deeply personal issue and ensuring that local services understand the role they can play in combating loneliness. Research from the disability charity Scope has found almost half of working-age disabled people are chronically lonely, saying they “always or often” feel lonely. Staggeringly, that works out at about 3 million lonely disabled people in Britain

The Scope research points to what can only be called an epidemic of loneliness for disabled people in this country. It’s possible, of course, to be surrounded by people and still be lonely – but break down this week’s study, and this is about stark isolation. On a typical day, one in eight disabled people have less than a half-hour’s interaction with other people. Loneliness linked with disability and long-term health problems is a stain on decades of people’s lives. Perhaps one of the most disturbing findings of Scope’s research is how younger disabled people, like millennials generally, are affected: 85% of young disabled adults (classed as 18- to 34-year-olds) admit they feel lonely. It’s well established that there’s a stigma around admitting to loneliness – but for disabled people, a stigma around disability is contributing to loneliness. Imagine how lonely day-to-day life can be when the majority of the public avoid talking to you. Britain has a problem with isolating disabled people. Acknowledging that this actually matters is perhaps the first place to start. We believe LCiL can begin to address this.

ALL of our outcome measures reflect the support that we provide to disabled people and we have very little around infrastructure support. However we have provided infrastructure support to many disabled peoples organisations, including, Monday Club, Speak up, Deeap, You in Mind, Strides, Junk Food Project, Living with a balance condition, Brighter futures, who all are based at LCiL. Some of which have not been supported by VAL. We also run the successful Choice Unlimited event giving organisations to showcase their services to hundreds of disabled people, carers and professionals each year. We also provide a weekly opportunity at our social media café. At the heart of being a CIL is that we support other disability organisations and feel we have a good track record of doing this. I ask the question what is the current rate of successful support for disabled people’s organisation from the current provider?

The consultation proposals suggest that the council is double funding and they already pay VAL to provide infrastructure support, although I question how many disabled organisations they have supported, I too would probably agree that we should no longer receive the funding but that isn’t what we deliver.

As for asking our members to comment on a proposal as the questions are set out would be unproductive as the current users won’t understand and feel that it wasn’t relevant to the service they received as they won’t know about the infrastructure support service because that is not what they have access too.

LCiL provides a centre that is fully accessible for disabled people to walk into the centre and get advice and guidance which prevents their need increasing and can be appropriate signposted. Although we do not hold the IAG contract we in fact deal with enquiries on a daily basis some from people who claim that the current holders of the contract were unable to help. We have approx. 650 users who visit the centre per week and we provide a complete service, the centre is a safe environment where individuals can have genuine choice and control over their lives and we empower disabled people and enable them to have their voice heard. We run many workshops, information sessions where disabled people can understand their rights and responsibilities. We hold many focus groups for disabled people to have their say on consultations, proposals and things that matter to them. We also hold workshops, peer support groups and one-to-one peer support to help parent carers and disabled people to increase their knowledge, skills, confidence and resilience.

I understand that the new proposals for 'service user voice' is being developed and I believe that this is the service that we already run. For a number of reasons, one I sit on many of the partnership boards to represent the service user voice, I provide a website, social media and newsletter as a weekly drop in. The question regarding 'all' service users – well disabled people are all people and sit within many characteristics, and to be a service user of adult social care you have to be a disabled person or a carer, so I fail to see the difference. Our service supports ALL disabled people, of ALL ages and carers as well as providing support to you as local authority to ensure disabled peoples voice is heard, listened to and integral to influencing policy and shaping and designing services. We have a good track record of genuine coproduction. Being a user led organisation everything we do is shaped by need and designed by our members.

One of the main reasons that we provide opportunities for people to have their voice heard and particularly disabled people is that when disabled people were asked to state to what extent they were asked for their views about changes to adult social care services, shockingly, 88% of respondents did not feel that they had been adequately consulted prior to LCiL's focus group and 23% saying that felt that their views were not listened to without LCiL's support. This is despite the fact that local authorities have a legal duty to hold a public consultation, and to engage service users in this, if they are closing or significantly changing a service.

We provided several opportunities for our members to contribute to the feedback, we sent out an email and social media update to remind and encourage people to take part, independently, send responses to us directly to feed in or come down on a Friday and talk with us.

Some of the responses included:

"The council are using this as a "a cover for cuts" and fuelling "increased social isolation for service users and added pressure on carers".

"First they shut some centres, then they reduce individuals' budgets so the remaining centres become unaffordable and now they want to shut services that are providing free and much needed support."

"LCiL provides real opportunities, and inclusive environment where everyone is valued. I've seen the difference in people who, previously going from one service to another, have become more integrated into the community. LCiL gives them a solid foundation, supported to make the most of the opportunities for education, work and personal development"

"I love LCiL's newsletter, it has everything and looks very professional, I love that it had disabled people like me in it and also writing in it. It makes me think about what I can do"

"You tell me of one other place where everyone is welcome and genuinely is an equal member where they can eat, socialise and support together "

"As a trustee/director for mosaic shaping disability services charity here in Leicester LCiL is an integral part of our social groups and access to all service. It would be a sad day when we lose a site where our disabled users have such needed changing places toilet and rooms. Surely we could all work together to help support this much needed resource".

"Its a much needed organisation to serve the needs of Leicester Community, Adam from Solutions 4 community support Ltd".

"If LCiL was to close, other organisations in Leicester might think they can take on some of the work, but my fear is that in relativity it will completely vanish. Maybe there will be pockets of support and similar services, but I don't think any organisation could match the amazing level

of work LCiL does. It's hard to comprehend how much they have done – for so many people across the city and county".

LCiL staff and board member involved are fighting to keep the LCiL going, though the threat of closure remains very real but we have hope the charity can continue to help improve the lives of as many people as possible.

Our service support disabled people and disadvantaged people whom others might have considered that they were unable to help, to become motivated volunteers, trainees, and independent individuals enabling them to help themselves to remove barriers and play a fuller role in life and society, positively enhancing their lives.

I honestly do not know of any other organisation in the city that does this.

Appendix 2

Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes

Title of spending review/service change/proposal	Disabled Persons' Support Service	
Name of division/service	Adult Social Care Services & Commissioning	
Name of lead officer completing this assessment	Cathy Carter	
Date EIA assessment completed	08.08.18	
Decision maker	Assistant Mayor Cllr Vi Dempster	
Date decision taken	Decision report planned for City Mayors Briefing meeting 13.09.18	
EIA sign off on completion:	Signature	Date
Lead officer - Cathy Carter	Cathy Carter	08.08.18
Equalities officer – Sukhi Biring	Sukhi Biring	08.08.18
Divisional director - Tracie Rees	Tracie Rees	10.08.18

Please ensure the following:

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome. Will current service users' needs continue to be met?

Please note: This EIA is focussed on the proposal to end the Disabled Persons Support Service currently provided by the Leicestershire Centre for Integrated Living (LCIL). This proposal is, in part, being made in the context of a proposed new participation service. The service is still being developed in consultation with stakeholders at the time of writing this EIA. A separate EIA will be developed to inform final decision-making on the proposal to implement the new participation service. There will be more detailed information about the service in the EIA for that service when it is developed. However, the key feature of the proposed new participation service will be to enable individuals, including disabled people, to participate directly in the development and review of Adult Social Care policies and service, rather than through infrastructure groups such as LCIL.

Adult Social Care currently commissions a 'Disabled Persons Support Service (DPSS) from Leicestershire Centre for Integrated Living (LCIL) at a cost of £46,200 a year. Despite the name of the service, the contract is actually intended to provide infrastructure support to disability groups, and to enable the views of disability groups and disabled people to be communicated to the city council to support the delivery of appropriately designed and targeted services, leading to better outcomes for disabled people, assisted by the council and other statutory agencies such as the Clinical Commissioning Group, Leicester Partnership Trust and UHL Leicester.

Adult Social Care has carried out a review of the service, and as a result of the review, carried out a public consultation exercise for 12 weeks between 21.5.18 to 03.08.18 on a proposal to decommission the service when the contract ends on 31st March 2019.

There are 3 main reasons for this proposal:

- The current contract does not provide care or support services directly to vulnerable and disabled people. ASC is having to prioritise services for disabled people who have these care and support needs;
- The current service supports disability organisations in the city, rather than individuals. It does not enable direct service user involvement in the development of adult social care services. ASC would like to develop an alternative approach, which would do this. This will help ASC to fulfil a requirement under the Care Act 2014 that there is effective service user engagement in adult social care planning. The council wants to improve its approach to service user participation in response to this requirement; and

- The council currently contracts with Voluntary Action LeicesterShire (VAL), to provide support to VCS groups in the city, including disability groups.

ASC is currently developing an alternative model, a new participation service to support all service users, including disabled people, to be involved in the development of adult social care services. The new approach is now being developed in discussion with service users and relevant organisations, including LCIL who are the current provider of the Disabled Persons' Support Service.

As part of the service review, officers analysed the risk of whether LCIL would be unable to operate without Adult Social Care funding. If this were the case, disability groups which are currently supported by LCIL could seek support from other organisations, such as Voluntary Action LeicesterShire (VAL), which is contracted to the council to provide support for voluntary sector groups in the city. In addition, disabled people will have the opportunity to be engaged with ASC through the proposed new participation service.

2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.

	Is this a relevant consideration? What issues could arise?
<p>Eliminate unlawful discrimination, harassment and victimisation How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic</p>	<p>The new participation service will support disabled people to engage with ASC.</p> <p>Disability groups will be provided with infrastructure support by Voluntary Action Leicestershire, which is contracted corporately by the council to provide this function.</p>
<p>Advance equality of opportunity between different groups How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	<p>Disabled people face many barriers to engaging with organisations such as Adult Social Care and being involved in service planning and review. This can often be because many organisations do not</p>

	<p>make effective adjustments to enable effective engagement to take place.</p> <p>The new participation service will support disabled people to engage directly with ASC rather than through a separate organisation. This will be combined with adjustments to working practices in adult social care to support direct participation</p>
<p>Foster good relations between different groups Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	<p>By enabling disabled people to become more directly involved in service planning and review the new participation model will support better integration of disabled people into commissioning work, which will help to develop good relations between professionals and disabled service users.</p>

3. Who is affected?

Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

Current users:

Who: Disabled people and disability groups that are supported by LCIL.

How: May see no change if LCIL continues to provide support to groups without ASC funding. However, the new participation service will seek to enable individuals to have direct involvement with ASC if they wish to, which is intended to be a positive change, giving them a direct voice into the work of the department.

Those who could benefit:

Who: disability groups and disabled people who are not supported by LCIL.

How: Opportunity to have direct involvement with ASC if they wish to.

4. Information used to inform the equality impact assessment

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.

The proposal to develop a new participation service is based largely on research into policy and good practice around user engagement in ASC rather than data on individuals. More detail about these will be provided in the EIA for the new participation service, however key sources are:

- Think Local Act Personal – Making it Real
- NICE Guidance user engagement
- Care Act 2014 – specifically on the concept of the ‘shared endeavour’.

5. Consultation

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders? What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

Consultation on the proposal to end the ‘Disabled Persons Support Service was carried out between 21.05.18 and 03.08.18.

Officers met with LCIL, who agreed that the infrastructure support aspect of their role should be provided by Voluntary Action LeicesterShire, but that the council would need to ensure that this was effective. However LCIL were more concerned about the risk to activities which they deliver to people, such as events which are not the purpose of the contract. Users in the consultation survey reflected these concerns as well.

6. Potential equality Impact			
<p>Based on your understanding of the service area, any specific evidence you may have on service users and potential service users, and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal <u>because of their protected characteristic(s)</u>. Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts.</p> <p>Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially <u>vulnerable groups</u>, are likely to be affected by the proposal. List the relevant groups which may be affected, along with their likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).</p>			
Protected characteristics	Impact of proposal: Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal?	Risk of negative impact: How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the action plan at the end of this EIA.
Age¹	Older people are more likely to be affected by disability. Disabled people will have the opportunity for participation in ASC service planning and review through the new participation service	Unlikely to have significant negative effects as aim of service is infrastructure support and engagement with the council rather than care and support for individuals	Disabled people will have the opportunity for participation in ASC service planning and review through the new participation service

¹ Age: Indicate which age group is most affected, either specify general age group - children, young people working age people or older people or specific age bands

Disability²	As above, particularly relevant to people with physical impairment, sensory impairment and/or Long term health condition.	As above	As above
Gender Reassignment³	Not known	Not known	Not known
Marriage and Civil Partnership	Not known	Not known	Not known
Pregnancy and Maternity	Not known	Not known	Not known
Race⁴	Not known	Not known	Not known
Religion or Belief⁵	Not known	Not known	Not known
Sex⁶	Not known	Not known	Not known

² Disability: if specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

³ Gender reassignment: indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

⁴ Race: given the city's racial diversity it is useful that we collect information on which racial groups are affected by the proposal. Our equalities monitoring form follows ONS general census categories and uses broad categories in the first instance with the opportunity to identify more specific racial groups such as Gypsies/Travellers. Use the most relevant classification for the proposal.

⁵ Religion or Belief: If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city's population. Given the diversity of the city there is always scope to include any group that is not listed.

⁶ Sex: Indicate whether this has potential impact on either males or females

Sexual Orientation ⁷	Not known	Not known	Not known
<p>Summarise why the protected characteristics you have commented on, are relevant to the proposal? LCIL is an organisation for disabled people and disability groups. Older people are more likely to have disabilities so this group may also be more likely to be affected than people from other age groups</p> <p>Summarise why the protected characteristics you have not commented on, are not relevant to the proposal? There is no evidence as to whether people with other protected characteristics are more or less likely to have disabilities than groups without protected characteristics.</p>			

	Impact of proposal: Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs/address inequalities they face?	Risk of negative impact: How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.
Other groups			
Children in poverty	Unlikely to impact		
Other vulnerable groups	Unlikely to impact		
Other (describe)			
7. Other sources of potential negative impacts			

⁷ Sexual Orientation: It is important to remember when considering the potential impact of the proposal on LGBT communities, that they are each separate communities with differing needs. Lesbian, gay, bisexual and transgender people should be considered separately and not as one group. The gender reassignment category above considers the needs of trans men and trans women.

Are there any other potential negative impacts external to the service that could further disadvantage service users over the next three years that should be considered? For example, these could include: other proposed changes to council services that would affect the same group of service users; Government policies or proposed changes to current provision by public agencies (such as new benefit arrangements) that would negatively affect residents; external economic impacts such as an economic downturn.

Disability groups report that new benefit arrangements and economic downturn are disproportionately affecting people with disabilities. Needs for adult social care are also rising – and disabled people are the main service users for care and support. It is therefore all the more important that ASC strengthens service user participation in the design and delivery of services to ensure that they are co-produced with disabled people, to make them fit for purpose and to enhance choice and control. This is the aim of the proposed new participation service.

8. Human Rights Implications

Are there any human rights implications which need to be considered (please see the list at the end of the template), if so please complete the Human Rights Template and list the main implications below:

None

9. Monitoring Impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

1. Monitoring the level and effectiveness of involvement of disabled people under the new participation service

Contracted service is for infrastructure support rather than support for individuals. The key impact for disabled people themselves therefore lies in the extent to which disabled people's involvement in ASC planning will increase/improve as a result of the setting up of the Service User Participation Service. As part of the development of this service, measures will be set up to monitor the extent and effectiveness of involvement. It is intended that disabled people themselves will co-produce the service and participate in the design of the performance measures and the approach to monitoring.

2. Monitoring infrastructure work carried out by VAL for disability groups.

The council has a contract with VAL to provide infrastructure support and the effectiveness of this will continue to be monitored in the City Mayor's Office.

3. Monitoring the effectiveness of Healthwatch acting as the voice of health and social care services.

Healthwatch is contracted by Adult Social Care to act as the voice of users of local health and social care services, and this service is monitored regularly.

10. EIA action plan

Please list all the equality objectives, actions and targets that result from this Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date
Effective involvement of disabled people in designing and reviewing ASC service	Development of new participation service	Mark Aspey	Contract start date 1.4.19
Effective infrastructure support for disability VCS groups.	Monitoring of VAL contract	City Mayor's Office	Quarterly
Effective voice/ local watchdog for local health and social care services.	Monitoring of Healthwatch contract	Caroline Ryan	Quarterly

Human Rights Articles:

Part 1: The Convention Rights and Freedoms

Article 2: Right to Life

Article 3: Right not to be tortured or treated in an inhuman or degrading way

Article 4: Right not to be subjected to slavery/forced labour

Article 5: Right to liberty and security

Article 6: Right to a fair trial

Article 7: No punishment without law

Article 8: Right to respect for private and family life

Article 9: Right to freedom of thought, conscience and religion

Article 10: Right to freedom of expression

Article 11: Right to freedom of assembly and association

Article 12: Right to marry

Article 14: Right not to be discriminated against

Part 2: First Protocol

Article 1: Protection of property/peaceful enjoyment

Article 2: Right to education

Article 3: Right to free elections