

Appendix J

**Business Planning
2019/20-2023/2024**

**Cumulative Equalities Impact
Assessment (CEIA)
2019/20**

Strategy Unit, Commissioning Group

1. Introduction and scope of assessment

Barnet Council, in line with its statutory responsibilities, undertakes Equality Impact Assessments (EIAs). EIAs provide a systematic way of assessing the impact of decision making on different equality groups. During the Council's annual budget cycle, EIAs are completed for all proposals identified as requiring them to inform decision making. An EIA should be completed if a proposal may affect residents or staff with protected characteristics; these characteristics are set out on page two of this appendix.

This document summarises the Equality Impact Assessment for the budget proposals for the financial year 2019/20 and also takes account of previous CEIA reports. Budget decisions can have different impacts on different groups of people, either through changes to individual services or changes to a range of services, which have an impact cumulatively on a particular group. This report highlights:

- The key impacts of potential budget decisions for legally protected groups
- Where a series of decisions might have a greater negative impact on a specific group
- Ways in which negative effects across the council may be minimised or avoided, and where positive impacts can be maximised or created

2. Legal duties

The Equality Duty, section 149 of the Equality Act, came into effect on 5th April 2011 and places a duty on all public bodies and others carrying out public functions.

The Act was designed to ensure public bodies consider the needs of all individuals in their day to day work, including: shaping policy, delivering services and employment of employees. It requires public bodies, such as local councils not to discriminate against any person on the basis of a protected characteristic such as disability. The legislation strengthened existing provisions about discrimination to also include associative and perceptible discrimination as well as direct and indirect discrimination.

Direct discrimination occurs when a rule, policy or practice offers less favourable treatment to a group with a protected characteristic. Indirect discrimination occurs where a rule, policy or practice applies to everybody but results in people with certain protected characteristics (e.g., race or gender) being put at a disadvantage. Direct discrimination will always be unlawful. Indirect discrimination will not be unlawful if it can be justified, for instance it can be shown that the rule, policy or practice was intended to meet a legitimate objective in a fair, balanced and reasonable way.

In considering whether or not any indirect discrimination is justified, the Council must consider whether or not there is any other way to meet their objective that is not discriminatory or is less likely to disadvantage those with protected characteristics. This may well mean setting out clearly whether or not consideration has been given to other ways of achieving these objectives.

The Public Sector Equality Duty (the Equality Duty) replaced three previous public sector equality duties – for race, disability and gender, and broadened the breadth of protected characteristics to include:

- Age
- Disability

- Gender reassignment
- Marriage and civil partnership, but only in respect of the requirements to have due regard to the need to eliminate discrimination
- Pregnancy and maternity
- Race – ethnic or national origins, colour or nationality
- Religion or Belief – including lack of belief
- Sex (Gender)
- Sexual orientation.

The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment, rather it requires public bodies to demonstrate their consideration of the Equality Duty and the conscious thought of the Equality Duty as part of the process of decision-making. This entails an understanding of the potential effect the organisation's activities could have on different people and a record of how decisions were reached.

In addition to the protected characteristics identified within the Equality Duty, Barnet Council also considers the impact of decision making on other groups who may be considered disadvantaged and/or vulnerable. This includes carers, unemployed people, families on low wage, and people with a particular disability such as a learning disability or a mental health condition which might mean that our proposals will impact more heavily on them.

3. Our approach

In Barnet we use the EIA process to identify the main potential impacts on groups covered by legislation (the protected characteristics in the Equality Act 2010). The budget savings report includes a line for each savings proposal, indicating whether or not an EIA is required. An EIA is required for any proposal which alters service delivery and is assessed that it may impact those with protected characteristics.

This report identifies areas where there is a risk that changes resulting from individual budget proposals for 2019/2020, may have, when considered together, a negative impact on particular groups.

It is important to note this is an ongoing process. As individual budget proposals are developed and implemented, they will be subject to further assessment. This assessment also describes mitigating actions that are being put in place.

4. Context

We have big ambitions for Barnet, but like all councils we're in a difficult financial situation, with over £60m to save over the next five years. This is in the context of more and more people needing our services, increasing costs, and uncertainty about our future funding.

So far, Barnet has been innovative in its approach to tackling this financial challenge by being open to new ways of doing things, finding ways to become even more efficient and working closely with partners across the public, private and voluntary sectors. But having already made a significant amount of reductions, the process of finding further savings is getting increasingly more difficult.

Going forward, the council will need to make some tough decisions about priorities and how we spend our limited resources, and it is important for us to ensure we get residents views and feedback on what matters to them and how we should approach this. In March 2019 Barnet Council will consider and adopt its Corporate Plan: 2020-2024 at Full Council. The three outcomes in the draft Corporate Plan are;

1. A pleasant, well maintained borough that we protect and invest in
2. Our residents live happy, healthy, independent lives with the most vulnerable protected
3. Safe and strong communities where people get along well.

The Corporate Plan 2020-2024 also includes the Council's updated Strategic Equalities Objective: Ensuring that residents are treated equally, with understanding and respect, and all have access to quality services.

During the autumn, we consulted with residents on what their priorities for the borough are and found that there was strong agreement for our outcomes of; protecting the most vulnerable, maintaining our pleasant borough and having safe and strong communities. There was also a clear theme around how we balance our council tax rates with being able to deliver services.

5. Findings from previous years

The CEIA for 2017/18 showed that the Budget proposals would have positive and neutral benefits on Barnet residents and businesses including the protected characteristics. However, minimal negative impacts were identified in the following areas, where mitigating actions would need to be introduced:

- The Adult Social Care fairer contributions policy will impact on older residents. The mitigation is that an affordability assessment will be carried out in each case.
- People with mental health issues, older people, people in receipt of social care benefit, carers and some people with disabilities including learning difficulties will be affected by service changes to mental health support, floating support and grant funding changes to Chinese Mental Health Association, Asian Women's Association, Community Focus and Inclusion Barnet. Mitigations include a changed service delivery model and sustained communication with service users and service provider organisations.

6. 2019/20 Savings Proposals with EIAs

The following table summarises the 2019/20 budget savings proposals which have EIAs.

19/20 savings proposals

Key:
Positive +
Negative -
Unknown x

Budget Ref	Description of proposals	Overall Outcome of EIA	Age	Disability	Gender reassignment	Pregnancy and maternity	Race / Ethnicity	Religion or belief	Gender	Sexual	Marital status	Other key groups
Adults and Safeguarding Committee												
E3	Transformation of Your Choice Barnet supported living and day-care services.	Positive	+	+			+	+	+			+
E6	Cost effective accommodation: The council will have due regard for use of resources when support planning to create more cost-effective support plans. This will mean considering the full range of care options to meet eligible needs (e.g. residential care), rather than offering community-based placements (e.g. supported living) by default.	Negative impact / impact unknown	-	-				-			-	- (Carers, people with mental health issues, those on a low income, young people NEET)
I4	Implementing a pre-paid card solution and transitioning 80% of direct payment clients to it.	Positive	-	x								- (Carers, people with mental health issues, those on a low income)
R1	Increasing the independence of older adults / clients with physical disabilities through supporting older people in alternative ways, through a community offer	Positive / Neutral ¹	-	-			-					- (Carers)

¹ The negative impact may affect *some* older people, people with disabilities or those from specific religious backgrounds however, it will not negatively impact all of those identified therefore the overall impact has remained positive / neutral.

	of support, instead of high cost care packages and residential placements.											
R4	Implement a 0-25 disabilities service that better brings together health, care and education to ensure that growth is enabled for young people with disabilities. This should reduce the cost to adult social care arising from lower care package costs for those transitioning at the age of 18 over this period than has been the case for past transitions cases.	Positive	+	+								
R5	Increased use of assistive technology (e.g. sensors, alarms, monitoring systems) both in individuals' homes and in residential and nursing care.	Positive		+								+ (Carers)
R8	Support for working age adults: Review support packages and develop support plans to increase independence, improve wellbeing and reduce costs. This is likely to include the following: step down accommodation setting to less intensive option, step up setting where there is a risk of carer breakdown, support individuals in gaining and maintaining employment, utilise care technologies to improve independence and reduce intrusiveness of care, develop the shared lives offering within LBB and increase the number of referrals.	Positive / neutral	+	+								+ (Carers, unemployed, young people NEET)
Environment Committee												
G4	Fees and charges: Cost recovery from a full review of fees and charges across all Environmental Committee business areas; including parking products and highways services. Fees and charges will be reviewed within the statutory framework. This will include making sure that all fees are collected.	Neutral										- (people with a low income, unemployed, young people NEET)

G8 & P2	Advertising: Renewal of the current JC Decaux Contract	Impact unknown / negative impact	x	x		x							
P3	Street Lighting: Proposed LED retrofit of street lighting across the borough to improve energy efficiency, light quality, and value for money.	Limited negative		-									
Policy and Resources													
P&R1	Council Tax support - Introduction of a banded scheme to support Universal Credit roll out	Negative	-	-		-						-	- (Carers, people with mental health issues, some families and lone parents, people with a low income, unemployed people and young people NEET)
Children, Education and Safeguarding													
S2	Development of 0-19 Family Hubs, including reconfiguration of Council staff into Hubs, with no impact on front line staff	No impact											

7. Analysis of the cumulative equalities impact

For the 19/20 budget there are 13 savings proposals for which EIAs have been conducted. Of these; 7 have forecasted the outcome of a positive or neutral impact, two negative impact and 4 that the impact is negative/unknown.

It is anticipated that there could be a cumulative equalities impact on two of the protected characteristics – age and disability – alongside a cumulative impact on some of the other identified key groups. This includes carers, people with mental health issues, people on a low income, those unemployed and young people who are NEET. Further detail on these impacts and any identified mitigating actions can be found below.

It is important to note that there are also continuations of savings proposals from previous years that may add to any potential cumulative impacts, as discussed in Section 6. People with protected characteristics that were negatively impacted by the 18/19 budget included older residents, people with mental health issues, people in receipt of social care benefit, carers and some people with disabilities including learning difficulties.

Age

Three of the 12 EIAs completed show a positive impact on specific age groups (young people and people of working age), details of which can be found in Table One below.

Of the 12 EIAs completed, four of these show possible negative impacts on older service users and those of working age within Barnet. These are mainly due to the changes to the way in which Adult Social Care services are delivered however also include impacts from changes across other council services. These impacts have been thoroughly considered and the following mitigations have been identified. It is anticipated that further mitigations will be put in place as and when proposals and projects develop.

The table below illustrates the impacts and mitigating actions.

Table One Negative Impact and Mitigations on Age		
Ref.	Impact	Mitigation
E3	There is a positive or neutral impact on older service users as changes to services will enable them to have services that better meets their aspirations for greater choice, inclusion and employment.	
E6	In 2017/18, 81% of new social care placements were for older adults. This means that this change would disproportionately impact older people.	All care packages offered will be the result of needs assessment by a social work professional (or trusted assessor), and continue to take all eligible needs into account. Gaps in provision for this equality strand, or the unlikely event of discrimination based on this strand from providers will

		be monitored and addressed by our Commissioning and Care Quality functions.
I4	Negative impact: Shifting to more online services which older people may feel uncomfortable or unable to do	Support and guidance offered for any services switching online, alongside alternative options where required
R1	Increasing social isolation if more home adaptations lead to less physical visits	Full consultation and engagement with individuals on their care plans and any changes being made, including considering social needs and identifying other ways these can be met. Practice from providers to be monitored by our Commissioning and Care Quality functions
R4	Implement a 0-25 disabilities service that better brings together health, care and education to ensure that growth is enabled for young people with disabilities should have a positive impact on service users with disabilities	
R8	This work is focused on adults of working age receiving social care support. Equalities impact assessments for service user impact has been undertaken and shows positive /neutral impact on service users.	
P&R1	Increases in the amount of Council Tax required to pay for working age claimants due to the revised Council Tax support scheme	Resources to continue to be made available to support the most vulnerable

Disabilities

Four of the 12 EIAs show a possible positive impact on those with disabilities, details of which can be found in Table Two below.

Three of the 12 EIAs show a possible negative impact on those with disabilities. These again centre around the changes in service delivery of Adults Social Care and are similar to the impacts above. These impacts have been thoroughly considered and the following mitigations have been identified. It is anticipated that further mitigations will be put in place as and when proposals and projects develop.

The table below illustrates the impacts and mitigating actions.

Table Two: Negative Impact and Mitigations Disabilities		
Ref.	Impact	Mitigation
E3	Positive or neutral impact on service users, service users with learning disabilities and their carers, as changes to services will enable them to have services that better meets their aspirations for greater choice, inclusion and employment.	
E6	Based on the equality act definition, it is likely that a significant proportion of clients receiving social care could be defined as having a disability. This change would therefore have a greater impact on people with this characteristic compared to the wider population, but this specific change does not discriminate on the basis of disability.	All care packages offered will be the result of needs assessment by a social work professional (or trusted assessor), and continue to take all eligible needs into account. Gaps in provision for this equality strand, or the unlikely event of discrimination based on this strand from providers will be monitored and addressed by our Commissioning and Care Quality functions.
R1	People remaining in their own homes supported through the use of equipment and adaptations as opposed to home care visits may feel more isolated	Full consultation and engagement with individuals on their care plans and any changes being made, including considering social needs and identifying other ways these can be met
R4	Implement a 0-25 disabilities service that better brings together health, care and education to ensure that growth is enabled for young people with disabilities should have a positive impact on service users with disabilities	
R5	There is a potential positive /neutral impact on staff and service users.	
R8	This proposal is anticipated to impact clients positively by improving independence, supporting individuals in gaining and maintaining employment, and reducing the intrusiveness of care.	
P3	Changes to LED street lighting affecting those who have	Researching best practice and putting a limit on the colour temperature for any change in street lighting

	sensitivities to high colour temperature lighting	
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Other key groups

There are five other key identified groups that may experience a cumulative negative impact from the 19/20 savings proposals. This includes; carers, people with mental health issues, people on a low income, those unemployed and young people who are NEET.

Those on a low income, unemployed or young people who are NEET may experience a negative impact from the potential changes in environmental fees and charges (e.g. parking) and the amount of Council Tax they may have to pay due to the revised Council Tax support scheme. However, all fees and charges will be reviewed within the statutory framework and resources will continue to be made available to support the most vulnerable where needed e.g. Discretionary Housing Payments.

Carers may feel that the reduced use of residential placements puts increased pressure on them however we will continue to carry out carers assessments to identify the needs of the carer and the impact of the service users support plan on them and will explore alternative, community-based options for respite.

For those with mental health issues, changing to new ways of receiving care and support or being offered a different placement may cause them to be negatively affected. However similarly to all others accessing Adult Social Care services, including the elderly and those with disabilities, they will be thoroughly engaged with around their individual care needs and consulted on any changes.

8. Results from the budget consultation

The council consulted on its 19/20 budget between 12 December and 16 January. A total of 198 individuals responded to the Budget Consultation survey, with a further nine written responses received.

A break-down of respondents by protected characteristic is provided in the accompanying Appendix H. Due to the low response rate to questions on protected characteristics, it has not been possible to analyse the survey results by protected characteristics.

Related to the cumulative impacts outlined above, nine respondents (15%) raised particular concern for saving E6 from Adults and Communities: Cost effective accommodation. Respondents reported that they disagreed with the saving line and had concerns with regards to its legality. Some respondents also commented that it was 'going in the wrong direction'.

9. Conclusion

For the 19/20 budget there are 12 savings proposals for which EIAs have been conducted. Of these; seven have forecasted the outcome of a positive or neutral impact, two negative impact and four that the impact is negative/unknown.

However, within overall positive and neutral EIAs there are some cumulative negative impacts. Residents with disabilities and those within certain age groups are expected to be negatively impacted from the overall budget for 19/20. There are also some cumulative positive impacts, with young people, those of working age and those with disabilities being positive impacted by the proposed changes.

In addition to those with protected characteristics, the following groups will be negatively impacted by the 19/20 budget: carers, people with mental health issues, people on a low income, those unemployed and young people who are NEET.

The CEIA underlines that as the council takes some difficult decisions about service provision, we identify and take practical steps to mitigate, wherever possible, any negative impacts of specific proposals for our residents including the protected characteristics and other vulnerable groups.

The Council is satisfied that this CEIA demonstrates how we have paid due regard to equalities, analysed the individual and cumulative impacts of our proposals, taking account of any negative impact from previous years and making every effort to avoid, minimise and mitigate any negative impacts wherever possible (as outlined in the individual EIAs). However, given the scale of savings the council is obliged to make, change is inevitable.

10. Looking Forward

The EIA process is an iterative process. As Budget proposals are implemented, they will be kept under review and further equalities analysis will be undertaken and individual EIAs updated as proposals develop.

