

Appendix 1 - Equality Impact Assessment (EIA)

Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting 'everyone', additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as 'hard to reach' but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

Proposal Title	Learning Disability Respite Review
Date of Assessment	30 th October 2023 (Reviewed 16 April 2024)
Assessment Lead Officer Name	Lindsey MacAulay – Project Manager
Directorate/Service	Adults Commissioning Team – Complex Needs
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>Current Service - Cheshire East Council currently provides respite services for Adults with Learning Disabilities across three sites within the Cheshire East geographical footprint. Within each of these three sites there are 4 beds that the Council has a block purchasing arrangement for to ensure that they are always available (barring unforeseen circumstances that would require sudden temporary/permanent closure).</p> <p>There is a specific bed at Care4CE’s provision that has been ring fenced for use in emergencies and 1st Enable will accept emergency admissions if they have availability, but this isn’t always feasible.</p> <p>Of these three sites, 1 is operated by Cheshire East Council’s Care4CE called Warwick Mews Short Breaks and 2 are operated by a Commissioned provider. The location of these services are as follows:</p> <p>Care4CE –Warwick Mews Short Breaks in Macclesfield (3x normal beds and 1 x Emergency Bed)</p> <p>Commissioned Provider –</p> <ol style="list-style-type: none"> 1. Hani Grange in Handforth (2 x beds) 2. Valleybrook in Crewe (2 x beds) <p>Learning disabilities respite provision in Cheshire East</p> <p>The current offer has been designed to offer modern and flexible support with a focus on enabling those accessing the service to retain skills and independence as well as further development in these areas. It</p>

	<p>enables carers to have a break from their caring role knowing that the person in receipt of the service is being appropriately supported.</p> <p>The service was originally designed to be able to cater to the respite needs of all eligible Cheshire East residents who have a learning disability. However, it has been identified that both providers encounter challenges in being able to support service users with high intensity needs. As such spot purchasing arrangements have had to be made to ensure that these individuals are able to access some form of respite provision and enabling their carers to have the same option to have a break as their peers whose family members are able to access the commissioned services.</p> <p>A review of overall occupancy across commissioned respite services had shown that usage has dropped significantly compared to pre-COVID levels. The reasons for this are mainly attributed to younger people who have accessed respite successfully transitioning into supported living tenancy (22 people have transitioned in the last five years). Some older individuals who stopped accessing respite during the pandemic have not returned to the services.</p> <p>Figures for the Emergency bed at Warwick Mews Short Breaks remain high but upon greater scrutiny of circumstances of those using the bed it would indicate that the criteria for those accessing it do not necessarily meet the criteria of an emergency either at point of admission or after a period of time where it is identified that a long-term provision is required.</p> <p>As such there has been a requirement for 'spot purchases' to be made where other emergency cases have occurred. Likewise spot purchases have been required when neither of the provisions have been able to meet the needs of those accessing the service which would indicate a shortfall in current service capabilities across both settings.</p> <p>Future Demand</p> <p>The main cohort of the individuals with learning disabilities who access building-based respite services are those who live at home with parents/family. However, the introduction of a supported living style respite</p>
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service provision from the commissioned service has seen an increase in first time accessors (predominantly young people) using the service as a steppingstone to long term supported living.

The Institute of Public Care's Projecting Adult Needs and Service Information (PANSI) tool provides localised projections on the number of individuals with a moderate or severe learning disability living with a parent. The below table, taken from www.pansi.org.uk demonstrates that the number in Cheshire East will remain relatively consistent between 2023-2040.

Cheshire East Total population aged 18-64 predicted to be living with a parent 2023 – 397, 2025 – 398, 2030 – 404, 2039 – 408 and 2040 - 409.

Part of the review of the Learning Disability service offer, and consistent with the strategy to move away from buildings-based respite provision is that younger people in transition to adulthood have told us they would like to access a respite service that are more person centred, promote independence and skills development, and also experience greater access to the community as part of their respite stay.

What we are also seeing is that number of young people aged 18+ with Education, Health and Care Plans (EHCP) has increased significantly in recent years and as a result the numbers with a current funded package has increased which means the overall costs to adult social care have increased significantly. The below table is the latest transitioning trend data:

In 2018 People aged 18+ with an EHCP 698, number of these young people with a current funded package 133 Total cost to adult social care per week £105,340 and Total cost to adult social care per year £5.48m.

In 2020 People aged 18+ with an EHCP 953, number of these young people with a current funded package 176 Total cost to adult social care per week £157,260 and Total cost to adult social care per year £8.18m.

In 2023 People aged 18+ with an EHCP 1436, number of these young people with a current funded package 230 Total cost to adult social care per week £195,290 and Total cost to adult social care per year £10.16m.

	<p>Therefore, as a council we need to ensure that future services continue to meet the needs of a growing cohort of individuals with a learning disability and other complex needs as well as ensuring we get value for money from commissioning services in the most effective way possible.</p> <p>Likewise, the increase in spot purchasing arrangements previously noted would indicate the need to determine whether a service that can accommodate those with complex support needs would be the most cost-effective option for public funds. Or whether the current arrangements are the most appropriate to ensure best outcomes for those who utilised provision in a spot purchased setting.</p> <p><u>Purpose</u></p> <p>The purpose of this review was to carry out engagement with key stakeholders to ensure the respite services we are commissioning are meeting peoples support needs and delivering positive outcomes, or whether there are improvements that can be made for the benefit of those currently accessing the service and those who will access it in the future.</p> <p>Engagement has allowed for the development of a service that is designed to meet all needs of those who will be eligible for the service. The council now has a better understanding on what model meets this need and where changes to services need to be made.</p>
<p>Who is Affected?</p>	<ul style="list-style-type: none"> • Ward Members (All) • People who currently access Respite services • Carers/family members of those who access Respite Services • Care4CE Staff working at Warwick Mews Short Breaks • Social Work teams who support those who access the service and their families • Adult Social Care Providers <p>A level of pre-engagement has taken place with providers, Social Workers and services users and their carers to get a baseline understanding of their view of current services before looking at new service</p>

	<p>development. Recurrent themes are that those using the services and their families like the convenience of current service locations and the support provided at each setting.</p> <p>Operational colleagues have fed back that the environmental and staffing structures of each setting make it difficult for those with higher intensity needs to access both the in house and commissioned services. Warwick Mews Short Breaks not being able to offer enhanced support (1:1,2:1 etc) minimises the provisions ability to access the community, promote independence and develop new skills. Operational colleagues felt that if the service was able to mirror the current options provided by the commissioned provider it would improve outcomes. Pre-engagement with the adult social care market has identified that there is suitable appetite for delivery of respite provisions across different settings (supported living or residential).</p>
<p>Links and impact on other services, strategies, functions or procedures.</p>	<p>As mentioned above, there is the potential for this recommission to be included as part of a wider flexible purchasing system being developed to include most, if not all contracts. Were it to be included in this process it would negate the need for a standalone procurement and would reduce pressures on all normally involved in this process (Commissioners, Operational staff and Procurement). Should the procurement exercise result in new providers being utilised for the provision, mitigating steps would be put in place to ensure that there were no disruptions in the event that proposed new settings were not operational on planned start date.</p> <p>The service is in line with the following aim set out on page 17 of Cheshire East’s Corporate Plan 2021-2025</p> <ul style="list-style-type: none"> • ‘Reduce the reliance on long term care by improving services closer to home and providing more extra care facilities, including dementia services’ <p>The respite service seeks to provide carer respite and enable the service user to remain within the home for as long as possible.</p>

	<p>Without this service it is likely that there would be an increased need for long term service as a result of irreparable carer breakdown. There is also an increased risk of inappropriate hospital admissions when families reached crisis point.</p> <p>Under the Care Act 2014, carers are entitled to a care's assessment. This may result in carers being able to access additional services such as respite which enables them to have a break from their caring responsibilities which in turn supports people in receipt of the service to remain at home rather than in a full-time care setting.</p> <p>The service provided by Cheshire East Council ensures that there is year-round provision available to those exercise this offer. Provision of respite aligns with section 2.10 of the Care Act's statutory guidance in that tertiary services such as respite enables carers to continue to have a life of their own alongside their caring responsibilities.</p>
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<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The service being commissioned is designed to ensure that there is no unlawful discrimination, harassment and victimisation to anyone with a protected characteristic. Age and Disability are the protected characteristics held by those accessing the service currently. However, eligibility for the service is determined by assessed need as set out with the Care Act's legal framework. Therefore, those unable to access the service will be because of assessed needs thresholds not being met rather than any form of discriminatory practice linked to protected characteristics.</p> <p>The service is designed to promote independence and develop new skills and as such there is an expectation that part of the support provided includes integration within wider communities and promoting access to activities/opportunities. By ensuring that the service is coproduced with service users it will enable commissioners to use lived experience of the service to ensure that it is designed to meet varied need.</p>
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Section 2 - Information – What do you know?

<p>What do you know?</p>	<p>What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?</p>
<p>Information you used</p>	<p>Information used comes from a wide variety of sources some of which are freely available to the Public. However, there are some elements that are not freely available to the public as internal data has been used to provide specific information. These are:</p> <ul style="list-style-type: none"> • Usage information of current service • Education, Health and Care Plans cost information • Age profile of those accessing the service (Liquid Logic record system utilised). • Further data on Learning Disability was taken from www.pansi.org.uk. Information on this website is intended for use by local authorities, the NHS and other bodies who need to be informed about trends in the population of adults aged 18 and over in England. As such registration is required before information can be accessed.

	<ul style="list-style-type: none"> • Data from the Consultation including public survey, easy read survey, feedback from consultation events, social workers survey, and provider survey. <p>The elements that Council information that can be accessed by online were the following:</p> <ul style="list-style-type: none"> • Learning disabilities respite provision in Cheshire East • Cheshire East Corporate Plan 2021-2025 • Market Position Statement <p>Care Act Statutory guidance was accessed online Care and support statutory guidance - GOV.UK (www.gov.uk).</p>
Gaps in your Information	<p>At this stage it is not felt that there are any gaps in the information provided.</p> <p>However, from the formal consultation no gaps become apparent to suggest that further research was required to be undertaken to identify what, if any, additional impact these may have on the proposed recommission.</p> <p>The main potential impact on the protected groups linked to this proposal is a potential change in service provider. That is a known risk when any public procurement exercise could lead to a change in service provision. If this occurs, Commissioners, Social Workers, Out-going provider(s) and incoming provider(s) will work together to ensure that a robust mobilisation plan is in place that is designed to minimise any disruptions.</p>

3. What did people tell you?

What did people tell you	What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?
Details and dates of the consultation/s and/or	Between September and October 2023, a number of pre consultation activities took place with those most likely to be impacted by any changes to the current Learning Disability respite service.

<p>engagement activities</p>	<p>In addition to these surveys 2 face to face meetings and 1 virtual meeting were held for Service Users and Carers to meet with Commissioners and Social Workers to discuss the current services provided. These meetings were held on 16th October 2023 at Crewe Municipal Building, 24th October 2023 at Macclesfield Town Hall and 25th October via Microsoft Teams. The overarching themes of which can be found in section 1 'Who is affected'.</p> <p>The purpose of these meetings was to formulate a baseline assessment of the current Learning Disability respite provision. From this information formal surveys will be developed, and the feedback gathered will help to inform service development.</p> <p>Following this further consultation with people with learning disabilities and carers has been undertaken including:</p> <ul style="list-style-type: none"> • October/November 2023 - Survey/Easy Read surveys (38 responses in total) • February 2024 - Consultation of proposed new model (face to face meetings and online) <p>Provider Market Engagement has also been undertaken using a variety of methods.</p> <ul style="list-style-type: none"> • October/November 2023 - Provider Market Engagement Survey (27 providers responded) • February 2024 - Consultation of proposed new model with Providers (42 providers were present). <p>A survey was also undertaken with social work teams to find out their experiences of current respite services and how services could be delivered in the future.</p> <p><u>What did people say?</u></p> <p>Having access to safe and secure accommodation was seen as the most important factor for people and carers who access respite services.</p> <p>From the surveys most respondents would be willing to share a living room / lounge area (29 out of 37 who answered) and a kitchen area (25 out of the 35 who answered) however would prefer to have their own bathroom (23 out of the 36 who answered).</p>
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	<p>People in certain parts of Cheshire East would have to travel significant distances to access respite if we moved to model which only provided respite in one location. From 23 responses 10 respondents stated they would be willing to travel up to 20 minutes, 8 stated 20-30 minutes and 5 stated 30 minutes or longer.</p> <p>In terms of the site itself, some outdoor space for relaxation and activities was seen as the most important aspect of respite facilities. This is currently available at both Warwick Mews Short Breaks and the commissioned respite services.</p> <p>Another aspect that was flagged up was the lack of Wi-Fi at Warwick Mews Short Breaks, which was present at the commissioned service.</p>
<p>Gaps in consultation and engagement feedback</p>	<p>There are no perceived gaps in the consultation that has taken place. Feedback has been received as part of the initial pre-engagement and this will help to develop potential options for the next iteration of the service with a view to the final service being co-produced with key stakeholders (service users and carers).</p>

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	<ul style="list-style-type: none"> • The age range, in the main, of those currently accessing the service is 18-64. All share the common trait that their main residence is their own home living with their carer/family. The service is designed to provide said carer/family member respite from their caring responsibilities. • As such there is a requirement for the service to be able to cater to varying needs and age cohorts at a given time. This is something that will need to continue with the new service. • The age-related data used in this assessment indicates that an increase in younger people is expected into the service. • The younger cohort have indicated that a preference to 	<ul style="list-style-type: none"> • Service users (and their carers) who are older tended to favour the shared living style arrangement provided by Warwick Mews Short Breaks. • Service Users (and their carers) who are younger presented with a mixed view on their preferences to the style of services provided by both Warwick Mews Short Breaks and the commissioned service. However, the areas that people said could be improved such as community access would indicate a style of service more aligned to the one provided by the commissioned service would be more favourable. • Service needs to be accessible to a wide variety of needs. 	<p>As previously mentioned, there is a potential negative implication associated with a change in service provider. However, if this were to occur then a plan to mitigate disruptions would be implemented.</p> <p>No other negative implications have been identified but based on feedback received there are further elements that need to be explored as part of ongoing service development:</p> <ul style="list-style-type: none"> • As part of the service development look at how the service seeks to prepare for transitions from the short-term respite setting to a long term supported living setting. • Based on the feedback consideration needs to be given as to how a blended offer could be developed to capture the key things people favour in each setting.

	<p>the 'own front door' style of supported living rather than the shared living style accommodation that is now viewed as being a dated set up.</p> <ul style="list-style-type: none"> • The new service must continue to be able to cater to the needs of all who use it. 	<ul style="list-style-type: none"> • Service needs to be designed so that supporting independence and developing new skills is part of service ethos. • People are happy that there is a service available within a close geographical proximity. 	<ul style="list-style-type: none"> • Engagement and consultation has been positive and seeking greater input in the procurement phase of any service would help to deliver a service that is coproduced by those who use the service and carers.
Disability	<ul style="list-style-type: none"> • The current service is unable to cater to those with more complex needs. • This can be due to staffing requirements but also the environmental layout of the provision. • The review of the current service will enable Commissioners to seek to co-design services in collaboration with both those who will be accessing them but also those who will be delivering them. • Any changes should seek to ensure the service is person centred and focused on ensuring each individual is able to achieve their desired outcomes from it. • The proposals could have a number of potentially negative 	<ul style="list-style-type: none"> • The service needs to be accessible to a wide variety of needs. • This would relate not only to environmental structure but also a services staffing structure. • Current provision is not always able to accommodate those with more complex needs (including those with profound and multiple disabilities). • There needs to be more focus on developing independent living skills. 	<ul style="list-style-type: none"> • As mentioned above, a potential change in service provider could have an initial negative implication on those using the service but in the event this were to occur then a suitable plan would be enacted to mitigate this. • The positive implication is that by ensuring service user voice continues to be captured the new service will be co-designed and reshaped to meet the needs of those using it.

	<p>impacts on people with learning disabilities and long term conditions (and their carers). The extent of these impacts will depend on such things as accessibility and availability of alternative services that can be accessed locally, ability to cope with a change in location of the service that is being accessed, should their current service be one that no longer operates in the future.</p>		
Gender reassignment	<p>There is no evidence to suggest an impact on this protected characteristic.</p>		
Pregnancy and maternity	<p>There is no evidence to suggest an impact on this protected characteristic.</p>		
Race/ethnicity	<p>There is no evidence to suggest an impact on this protected characteristic.</p>		
Religion or belief	<p>There is no evidence to suggest an impact on this protected characteristic.</p>		

Sex	There is no evidence to suggest an impact on this protected characteristic.		
Sexual orientation	There is no evidence to suggest an impact on this protected characteristic.		
Marriage and civil partnership	There is no evidence to suggest an impact on this protected characteristic.		

5. Justification, Mitigation and Actions

Mitigation	What can you do? Actions to mitigate any negative impacts or further enhance positive impacts
<p>As mentioned above, any changing of service provider has the potential to cause a negative impact on those using the service.</p> <p>In the case of the commissioned service provision, the Council is bound by public procurement regulations and is now at a stage where this provision will need to go out to tender. Extending the contract further is not an option as all of the current contracts built in extension periods have been utilised.</p> <p>Warwick Mews Short Breaks is an in-house provision delivered by Care4CE. Although feedback has been</p>	<p>Operational staff have been present at all engagement meetings with service users and carers which has helped to allay any concerns raised about how this might impact on respite entitlement they current received.</p> <p>As mentioned above, should the new service result in a change of provider(s) then Commissioners, Social Workers and Providers (incoming and outgoing) will develop a robust mobilisation plan in place to ensure minimal disruption. Should any proposed new service not be ready for the proposed start date there would also be the option to extend the current provision(s) due to extenuating circumstances. This would ensure that there is no break in service delivery.</p>

<p>positive from those using the services the current set up does not make it as accessible to those with higher level needs.</p> <p>Likewise, the staffing structure can lead to challenges in supporting people to engage with the wider community. As part of the ongoing review further assessment will take place to see whether alterations can be made so that service can meet the requirements set by those who access the service.</p>	
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6. Monitoring and Review -


Monitoring and review	How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA
Details of monitoring activities	<p>A project team and project group are already in place for the review, whose membership will be continually reviewed by the group on an ongoing basis. This project group will be responsible for the development of the procurement documents, evaluation, and mobilisation of the new service(s).</p> <p>Once new service providers are appointed, we will undertake the following processes.</p> <ul style="list-style-type: none"> • Monthly project meetings with incoming and outgoing providers • Regular communications with current people who access services and their carers. • Visits to new service premises by individuals and carers as part of transition to new service <p>Once the new service is operational there will be regular monitoring and consultation activities including</p> <ul style="list-style-type: none"> • Monthly contract meetings with providers • Monthly performance monitoring returns completed by providers to commissioners.

	<ul style="list-style-type: none"> Annual feedback meetings and surveys with people who use respite and their carers
Date and responsible officer for the review of the EIA	This EIA has been reviewed by Lindsey MacAulay Project Manager and Mark Hughes Programme Lead on 16 April 2024, following the conclusion of the review.

7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Name	Martyn Baggaley, Head of Commissioning Children, Families & Adults with Complex Needs
Signature	
Date	02.04.24

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk