

# CHESHIRE EAST COUNCIL

## Cabinet

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<b>Date of Meeting:</b>	9 <sup>th</sup> December 2014
<b>Report of:</b>	Director of Adult Social Care and Independent Living, Brenda Smith
<b>Subject/Title:</b>	Notice of Motion – Risk Assessment before Changes to Current Respite/Short Term Break Arrangements
<b>Portfolio Holder:</b>	Cllr Janet Clowes, Care and Health in the Community

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### 1.0 Report Summary

- 1.1 The Following Notice of Motion Proposed by Councillor Laura Jeuda and seconded by Councillor Dorothy Flude was submitted to Council at its meeting of 16 October 2014 and referred to Cabinet to prepare a report.

*“That this Council adopts a policy of carrying out a thorough risk assessment, using criteria agreed with our Clinical Commissioning Groups, before making any decision or changes to the current respite/short term break arrangements and that the results of the risk assessment will be announced publicly and shared with all Consultees.”*

- 1.2 This report addresses the matters referred to in the motion.

### 2.0 Recommendation

- 2.1 Cabinet is requested to consider the above motion and to agree any further action to be taken in response to it.

### 3.0 Reasons for Recommendation

- 3.1 To enable Cabinet to consider the matter raised in the motion and to propose any action that Cabinet may feel is appropriate.

### 4.0 Wards Affected

- 4.1 All

### 5.0 Local Ward Members

- 5.1 All

## **6.0 Policy Implications**

6.1 This contributes to the delivery of the Cheshire East Council Three Year Plan outcomes:

Outcome 1: Our Local Communities are Strong and Supportive

Outcome 5: Local People Live Well and for Longer

## **7.0 Implications for Rural Communities**

7.1 None

## **8.0 Financial Implications**

8.1 None identified

## **9.0 Legal Implications**

9.1 None identified

## **10.0 Risk Management**

10.1 None identified

## **11.0 Background**

The Council takes its responsibilities extremely seriously in relation to the Equality Act 2010. Our priority is to ensure that no groups within the area are disadvantaged by changes in policy or new ways of delivering care. We are proud of what we do to ensure we uphold the rights of our citizens.

11.1 Cheshire East Council apply as routine the policy of carrying out an Equality Impact Assessment for any proposed changes to services. Within this process it is required that the Council identify any potential risks of adverse or negative impact on people who use the services, or people who may use them in the future. This practice is in compliance with the Equality Act 2010.

11.1.2. Identification and assessment of risk is therefore a key and routine part of the Equality Impact Assessment. In addition the Council, as part of this process, is required to identify how they will mitigate or manage any potential risk of an adverse impact.

11.1.3. The requirements of the Equality Act apply to all public bodies and therefore apply equally to health service bodies as they do to Local Authorities. In cases where there is a joint service or joint commissioning plans, each body will be required to carry out this

process. In most cases where this relates to a joint service, the process will be carried out as a joint approach.

11.1.4. The process and criteria is laid down in legislation and as such all public bodies are required to follow this consistently.

11.1.5. In relation to respite services for carers, a full Equality Impact Assessment has been completed as part of the preparation for proposed changes. The planned changes to residential respite currently being considered by the Council relate only to social care service provision and not health services. The Equality Impact Assessment and therefore the assessment of risk of adverse impact has therefore been carried out by Council Officers.

11.1.6 The Equality Impact Assessment will be placed on the Council website as is required by law and will be referenced in any proposal document which may be taken before formal Cabinet for a decision. This will result therefore in the public having access to the details of the assessment and details of any risks identified together with the details of how the Council propose to mitigate and manage risk. Any consultees who wish to have access to this document will be free to access the document once it is uploaded onto the website. The assessment in relation to the current proposal regarding residential respite provided by Cheshire East, has been finalised to take account of the feedback from the service user and carer consultation exercise recently completed. The assessment has been uploaded onto the website as an appendix to the cabinet report on Residential Respite.

## **12.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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