

Equality Impact Assessment [version 2.9]



Title: Budget Proposal – Review and Recovery of ASC Direct Payments monies in excess of contingency.	
<input checked="" type="checkbox"/> Budget Proposal ASC2	<input checked="" type="checkbox"/> Changing
Directorate: People	Lead Officer name: David Toole
Service Area: Adult Social Care	Lead Officer role: Contracts and QA Manager

Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use [plain English](#), avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

Budget context:

Bristol City Council is required by law to set a balanced budget however we face a potential gap in our core budget of around £23.1 million next year. With such a significant challenge the budget cannot be balanced without additional funding, making greater efficiencies (doing the same for less money) or by transforming the way we do things.

The Council has defined statutory responsibilities, but deliver against a far broader agenda, providing universal services benefiting the whole community, and targeted services aimed at individuals, communities with particular needs, and businesses – administered by our workforce, city partners, stakeholder organisations and commissioned services.

The COVID-19 pandemic has been far reaching, with a lasting impact on our people and our economy. Our finances are stretched to the limit, and the UK Government has stopped funding local COVID-19 responses. Up and down the country councils are facing this funding crisis with less money to keep services going. This is because more money is needed to: help citizens with the impact of the COVID-19 pandemic; support low-income households and local businesses in need of support post-COVID-19; support more people than ever with mental health and social care services; and meet the rising need and cost of home to school transport for children with special educational needs and disabilities (SEND) etc. At the same time, the pandemic saw us receive less income from business rates, commercial rentals, parking, sports facilities, and our museums, shops and cafes.

The [Medium Term Financial Plan](#) underpins the Council's financial planning process and outlines the approach we will take to meet the challenges presented by focusing primarily on delivering efficiencies, service re-design programmes which cut across directorate boundaries, and increasing external income and Invest to Save revenue.

This Proposal:

A Direct Payment (DP) is money Adult Social Care give to individuals so they can pay for their care and support needs. [Get direct payments - bristol.gov.uk](#)

In line with section 12 of the Statutory Guidance of the Care Act 2014 and the Adult Care Direct Payments Agreement between the Council and the DP recipient, recipients hold an amount of money in their account as contingency to use. This EqIA relates to the review and potential recovery of excess contingency.

Adult Social Care (ASC) has recovered Direct Payment monies in excess of contingency since 2018, however with additional resources now available the team are able to carry out this work quarterly and provide additional support to DP recipients including financial auditing of direct payment accounts. Without this additional work the money would not be recovered and hence is contributing to MTFP.

1.2 Who will the proposal have the potential to affect?

<input type="checkbox"/> Bristol City Council workforce	<input checked="" type="checkbox"/> Service users	<input type="checkbox"/> The wider community
<input type="checkbox"/> Commissioned services	<input type="checkbox"/> City partners / Stakeholder organisations	
Additional comments:		

1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage please state this clearly here and request review by the Equality and Inclusion Team.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	[please select]
--	------------------------------------	-----------------

Step 2: What information do we have?

2.1 What data or evidence is there which tells us who is, or could be affected?

Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics: <https://www.bristol.gov.uk/people-communities/measuring-equalities-success>.

Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g. from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here [Data, statistics and intelligence \(sharepoint.com\)](#). See also: [Bristol Open Data \(Quality of Life, Census etc.\)](#); [Joint Strategic Needs Assessment \(JSNA\)](#); [Ward Statistical Profiles](#).

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as [HR Analytics: Power BI Reports \(sharepoint.com\)](#) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the [Employee Staff Survey Report](#) and [Stress Risk Assessment Form](#)

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
<u>Census 2011 and Census 2021</u> <u>2011 Census Key Statistics About Equalities Communities</u>	The Census details the demographic profile of Bristol. The first results of the 2021 census will not be available until Spring 2022, so demographic data is still informed by 2011 census and other population related documents (listed below)
<u>The population of Bristol</u>	Updated annually. The report brings together statistics on the current estimated population of Bristol, recent trends in population, future projections and looks at the key characteristics of the people living in Bristol.
<u>New wards: data profiles</u> <u>Ward Profiles - Power BI tool</u>	The Ward Profiles provide a range of data-sets, including Population, Life Expectancy, health and education disparities etc. for each of Bristol's electoral wards.
<u>Bristol Quality of Life survey 2020/21 final report</u> <u>Quality of Life 2020-21 — Open Data Bristol</u>	<p>The Quality of Life (QoL) survey is an annual randomised sample survey of the Bristol population, mailed to 33,000 households (with online & paper options), and some additional targeting to boost numbers from low responding groups. In brief, the 2020 QoL survey indicated that inequality and deprivation continue to affect people's experience in almost every element measured by the survey.</p> <p>The Open Data 'Equalities View' tool shows at a glance the disparities for each Quality of Life indicator based on people's characteristics and circumstances including protected characteristics, caring responsibility, tenancy, education level, and deprivation.</p>
<u>Citizens' Assembly</u>	The citizens' assembly is composed of 60 randomly selected participants. The group reflects as far as possible the diversity of the population in terms of age, sex, ethnicity, disability, employment status, and geographical location. Bristol Citizens' Assembly was part of a process created by the city of Bristol to gather public input to inform its COVID-19 recovery plan.
<u>Joint Strategic Needs Assessment (JSNA)</u>	The Joint Strategic Needs Assessment reports on the health and wellbeing needs of the people of Bristol. It brings together detailed information on local health and wellbeing needs and looks ahead at emerging challenges and projected future needs. The JSNA is used to provide a comprehensive picture of the health and wellbeing needs of Bristol (now and in the future); inform decisions about how we design, commission and deliver services, and also about how the urban environment is planned and managed; improve and protect health and wellbeing outcomes across the city while reducing health inequalities; and provide partner organisations with information on the changing health and wellbeing needs of Bristol, at a local level, to support better service delivery.
<u>Final report on progress to address COVID-19 health inequalities - GOV.UK (www.gov.uk) December 2021</u>	Multiple sources of data and evidence have highlighted the disproportionate impact of COVID-19

	<p>on equalities communities, and the impact of measures taken to address this. This final report highlights the government response to the original recommendations and the long lasting ‘take homes’. This highlights the importance of not treating ethnic minorities like a homogenous group and nurturing existing local partnerships and networks for public health programmes. It also gives recommendations around communications, developing and providing materials in multiple languages and working with community partnerships to improve understanding and co-create content for key audiences.</p>
<p><u>ASC Power BI analytics</u></p>	<p>Bespoke report on all activity related to ASC DP work. Contents specific demographic and geographic data on recipients of DPs.</p> <p>Currently 933 people receiving direct payments. 61% of these are female, 36% are from black, asian or minority ethnic backgrounds</p> <p>18-24 yrs – 8.1%</p> <p>25-44 yrs – 28.1%</p> <p>45 – 64 yrs – 35.9%</p> <p>65-74 yrs – 12%</p> <p>75 – 84 yrs – 10.1%</p> <p>85+ - 5.7%</p>
<p><u>Feedback from Direct Payment Stakeholders</u></p>	<p>Individual DP recipients and their carers provider feedback. The Council regularly engages with user representative and disability groups on DP policy and procedure. The Council has agreements with two Support Service Providers who collate and feedback issues from the DP recipients they support. There are also complaint reviews and feedback from social work practitioners following their input.</p>
<p>Additional comments:</p>	

2.2 Do you currently monitor relevant activity by the following protected characteristics?

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender Reassignment
<input checked="" type="checkbox"/> Marriage and Civil Partnership	<input checked="" type="checkbox"/> Pregnancy/Maternity	<input checked="" type="checkbox"/> Race
<input checked="" type="checkbox"/> Religion or Belief	<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Sexual Orientation

2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

Although our corporate approach is to collect diversity monitoring for all relevant characteristics, there are gaps in the available local diversity data for some characteristics, especially where this has not always historically been included in census and statutory reporting e.g. for sexual orientation.

2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities. See <https://www.bristol.gov.uk/people-communities/equalities-groups>.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to [Managing change or restructure \(sharepoint.com\)](#) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups and trades unions as well as affected staff.

We held a public Budget Consultation from Friday 5 November 2021 until Friday 17 December 2021. Alongside asking for views on different options for Council Tax next year, we shared some of the broad areas where we were looking at to reduce council spend to seek citizen's view. We made it clear in our communications that "We know we may need to consult with you about some of our more detailed saving proposals before we make any final decisions about them in future, and they may include difficult choices."

The review and recovery of contingency is not a new activity and has been undertaken since the inception of DPs in Bristol so communities and groups have been involved in every stage of the Council's development of DP policy and procedure.

2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

All responses to the Budget Consultation will be analysed and included in a report that will be published on the Bristol City Council website in early 2022. We will take Budget consultation responses into account when developing our final proposals to put to the Cabinet and a meeting of the Full Council for approval. The final decision will be taken by Full Council at its budget setting meeting in February 2022.

There is continued engagement with stakeholders via regular meetings with disability and equality groups, feedback from DP recipients their cares, the Support Services and social work practitioners.

Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above, and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#)

3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories (different kinds of disability, ethnic background etc.) and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

GENERAL COMMENTS (highlight any potential issues that might impact all or many groups)	
The review and recovery of DP contingency is an established process and will only adversely impact on people based on their protected characteristics if officers involved do not follow the process set out in the DP policy and procedures. The policy update was to reflect changing legislation to make sure the policy is Care Act 2014 compliant, good practice etc including learning from the Covid – 19 epidemic. These changes in practice and legislation improve the reach and quality of direct payments in providing choice and control for people.	
PROTECTED CHARACTERISTICS	
Age: Young People	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	Adult Care work with people 18 and over.
Age: Older People	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	•
Mitigations:	See general comments above
Disability	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> Some disabled people may need further support understanding the DP agreement and responsibilities.
Mitigations:	DPs are open to all adults (Service Users/Carers) over 18 years with eligible needs under Care Act 2014. Those without mental capacity can have a nominated individual to act on their behalf. DPs allow people choice and control over their care and support needs. BCC has agreements with two support service organisations who can provide independent support to individuals. BCC arranges for documents to be in large print or easy read; can commission BSL interpreters etc. Social Workers are provided with mandatory training on DPs.
Sex	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Sexual orientation	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Pregnancy / Maternity	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Gender reassignment	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Race	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Potential that those for whom English is not first language may
Mitigations:	To support understanding of direct payments and how they operate, BCC ensures documents are translated, uses translation services and commissions advocacy for individual or family support.
Religion or Belief	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
Marriage & civil partnership	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Potential impacts:	
Mitigations:	
OTHER RELEVANT CHARACTERISTICS	
Socio-Economic (deprivation)	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Access to DP limited by previous financial issues.
Mitigations:	The pre-paid card (BDPA) supports people who are not able to open a bank account due to poor credit rating or similar and supports people with the management of money. Support Services are also available to assist with the management of a DP.
Carers	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	<ul style="list-style-type: none"> • Being a carer can be a huge barrier to accessing services and maintaining employment • We need to consider the timing/availability of services, events etc. to allow flexibility for carers. • As with Disability and Pregnancy and Maternity – policies which aim to restrict driving or parking can have a disproportionate impact on people who are reliant on having their own transport. • Studies show around 65% of adults have provided unpaid care for a loved one. • Women have a 50% likelihood of being an unpaid carer by the age of 46 (by age 57 for men) • Young carers are often hidden and may not recognise themselves as carers_
Mitigations:	See general comments above
Other groups [Please add additional rows below to detail the impact for other relevant groups as appropriate e.g. Asylums and Refugees; Looked after Children / Care Leavers; Homelessness]	
Potential impacts:	
Mitigations:	

3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our Public Sector Equality Duty to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

The review of DP recipients contingency is part of a statutory duty to review all DP accounts regularly. This is an opportunity for the recipient and the council to work in partnership to ensure the smooth running of the arrangement. The overall philosophy of Direct Payments and Personalised Adult Care services is to ensure those with protected characteristics in particular disability or older people have choice and control over the care and support they receive.

Step 4: Impact

4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

Summary of significant negative impacts and how they can be mitigated or justified:

Disabled people and those who need translated information may need additional support to understand the process which will be provided from the additional support that is available as well as supported by current procedures for reviewing Direct payments

Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

n/a

4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

Improvement / action required	Responsible Officer	Timescale
To include data on sexual orientation in the DP Power BI	Dave Toole	By 31/01/22

4.3 How will the impact of your proposal and actions be measured?

How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

Feedback from individuals, DP Support Services, Disability and Equalities groups and other stakeholders, via Social work Practitioners, complaints. Regular reviewing via DP Operational team and Steering Group.

Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the Equality and Inclusion Team before requesting sign off from your Director¹.

Equality and Inclusion Team Review: Reviewed by equality officer	Director Sign-Off: Lucia Dorrington
Date: 4/1/2021	Date: 04/01/2022

¹ Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.