

## Draft Day Opportunities Strategy & Draft Day Service Model Equality Assessment inc. Consultation

Reference No.	EQUA263
Responsible Officer	John Freeman
Quality Control Officer	Max Vaughan
Accountable Officer	John Williams
1. Purpose of the proposal	<p>3/3/19 The draft Day Opportunities Strategy proposes how day support could be developed in the future for people with learning disabilities, physical disabilities, mental health issues and the older population in line with the Birmingham City Council's Adult and Social Care Vision 2017.</p> <p>The draft Strategy is driven by better outcomes for citizens, underpinned by improved quality and better utilisation of community assets. This will be undertaken whilst ensuring the appropriate level of care or support is available that is centred on the citizen's needs.</p> <p>Six key aspirations are proposed – person centred planning, outcomes, community involvement, improving independence, choice and control and making the most of a vibrant and developing city.</p> <p>Included in the draft Day Opportunities Strategy is a proposed new service model for day opportunities. This includes a stronger focus on enablement to support citizens to become more independent and to be able to be out in the community more doing different activities, in different places, with different people at different times.</p> <p>The proposed model also acknowledges that there are citizens who will require a more personalised approach to their support and citizens who will require specialist, intensive support. The draft model is designed to increase the range of opportunities available and to ensure that citizens receive the appropriate level of support required to achieve the best outcomes. The proposed approach is designed to avoid an adverse impact on any adult who is eligible for support from Adult Social Care to access day opportunities.</p> <p>Both the draft Strategy and the planned public consultation will have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Public Sector Equality Duty; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <p>Please note that this assessment will be reviewed mid-way through the consultation and again when the consultation is completed. Additional text to be added at each stage will be dated.</p> <p>Potential equality related adverse impacts raised through consultation feedback will be considered against future planning post decisions made by Council Cabinet. The Council is committed to a co-production approach to the improvement and development of day opportunities.</p>
2. Age details:	<p>3/3/19 The Council currently arranges a range of day opportunities for younger and older adults including those with mental, physical, sensory and learning disabilities. Elements of the proposals in the draft Strategy might impact differently on adults of different ages, e.g.</p>

	<p>improving employment opportunities for younger adults, provision of day care for older adults with dementia. Attention will be paid to ensuring that adults are not excluded from accessing their day opportunity of choice because of age in any proposed developments in the future.</p> <p>26/9/19 - Emerging messages from consultation events (comments and questions received from attendees) are that the council should acknowledge the increasing number of adults who are growing old with a learning disability and the increasing number of older adults with increased support needs living with dementia. Comments have also been received about the need to respond to and support the needs of ageing carers.</p> <p>16/10/19 Section 19 refers to equality and diversity related comments received through the consultation.</p>
3. Disability details:	<p>3/3/19 The Council currently arranges a range of day opportunities for younger and older adults including those with mental, physical, sensory and learning disabilities. The proposals in the draft Strategy intend for all disabled adults to be supported as appropriate in line with eligible care needs.</p> <p>26/6/19 emerging messages from consultation events (comments and questions received from attendees) are that the council should acknowledge and respond to the diverse range of levels of support needs and the (potential) barriers and challenges for adults accessing more services in the wider community.</p> <p>16/10/19 Section 19 refers to equality and diversity related comments received through the consultation.</p>
4. Gender details:	<p>3/3/19 Currently there is day care provision available that is gender specific to address cultural and religious needs. Consultation will seek to ensure the views of this group are sought.</p> <p>16/10/19 Whilst the consultation did not receive any questions or comments related specifically to gender, consideration will be given to this characteristic as required.</p>
5. Gender reassignment details:	<p>3/3/19 The draft strategy will be inclusive of transgender people. All support and services would be required to be respectful and sensitive to specific needs related to this characteristic in line with The Equality Act and BCC Day Opportunities Quality Standards.</p> <p>16/10/19 Whilst the consultation did not receive any questions or comments related specifically to gender reassignment, consideration will be given to this characteristic as required.</p>
6. Marriage and civil partnership details:	<p>3/3/19 The draft Strategy is not intended to have an adverse impact on adults accessing day opportunities with regard to their marital status.</p> <p>16/10/19 Whilst the consultation did not receive any questions or comments related specifically to marriage and civil partnership, consideration will be given to this characteristic as required.</p>
7. Pregnancy and maternity details:	<p>3/3/19 The draft Strategy is not intended to have an adverse impact on women who are pregnant whilst accessing day opportunities.</p> <p>16/10/19 Whilst the consultation did not receive any questions or comments related specifically to pregnancy and maternity, consideration will be given to this characteristic as required.</p>
8. Race details:	<p>3/3/19 Currently there is provision available for adults, predominantly older adults, which is specific to Asian and Chinese communities. Consultation will seek to ensure the views of this group are sought.</p> <p>16/10/19 Section 19 refers to equality and diversity related comments received through the consultation.</p>

9. Religion or beliefs details:	<p>3/3/19 The draft Strategy is not intended to have an adverse impact on adults accessing day opportunities with regard to their faith or belief. All support and services will be required to be respectful and sensitive to specific needs related to this characteristic.</p> <p>16/10/19 Section 19 refers to equality and diversity related comments received through the consultation.</p>
10. Sexual orientation details:	<p>3/3/19 Day opportunities will be inclusive of people of different sexual orientation. All support and services will be respectful and sensitive to specific needs related to this characteristic.</p> <p>16/10/19 Whilst the consultation did not receive any questions or comments related specifically to pregnancy and maternity, consideration will be given to this characteristic as required.</p>
11. Please indicate any actions arising from completing this screening exercise.	<p>3/3/19 Post-consultation the EA will be reviewed and amended as required. The first review of the EA will take place in June 2019.</p> <p>16/10/19 This updated assessment will be presented as an Appendix to the Cabinet Report, scheduled currently to go to the December Cabinet meeting. Mitigation of any identified potential adverse impact will be considered in future planning if the draft Strategy and draft Service Model are approved. The Council is committed to a co-production approach to improvement and development of day opportunities.</p>
12. What data has been collected to facilitate the assessment of this policy/proposal?	<p>Demographic data Social care client data Future demand modelling Consultation responses</p>
13. Consultation analysis	<p>3/3/19 Consultation activity is planned to complete in July 2019.</p> <p>26/6/19 Following feedback in response to the consultation the Council extended the consultation period to 4<sup>th</sup> August 2019. The decision to extend the consultation was made on 31<sup>st</sup> May 2019. Analysis of the consultation responses will take place after the consultation is closed.</p> <p>16/10/19 During the consultation period</p> <p>There were 73 consultation events. There was also a series of 173 small friendship group meetings facilitated by the BCC run day centres attended by 1014 service users and carers. A total of 960 standard and easy read questionnaires were completed.</p> <p>Over 700 questions and 3600 comments were received during events and via the on-line and hard copy returns. A set of Frequently Asked Questions is published on the consultation website.</p> <p>The consultation report and supporting appendices will be published on CMIS in advance of the Cabinet meeting.</p>
14. Adverse impact on any people with protected characteristics.	<p>3/3/19 Early analysis of the draft Strategy does not identify potential adverse impacts. The proposed draft aspirations and service model are intended to be inclusive of all adults eligible for support from Adult Social Care.</p> <p>26/6/19 Early themes emerging from the formal consultation events (comments and questions received from attendees) with regard to the equality duty are generally focused on disability and age. Post consultation analysis will confirm if this is consistent across the 119-day consultation period.</p> <p>16/10/19 Comments related to age, race and culture, a range of disabilities and religion were received across the consultation period. They were mainly concerned with how the implementation of the draft strategy proposals might impact on specific groups, e.g. the elderly, and their need for building based services, and a perceived emphasis on support</p>

	for learning disabled adults. However, this assessment is not able to describe how the S.149 duty can be discharged until a decision is made by cabinet regarding next steps.
15. Could the policy/ proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?	<p>3/3/19 Early analysis of the draft Strategy does not identify potential adverse impacts. Any adverse impact to any group identified as the consultation proceeds will be considered in line with BCC policy post Cabinet decision in December 2019.</p> <p>16/10/19 Adverse impacts that might materialise in line with issues raised through comments received from the consultation (section 19) will be considered in next steps post Cabinet.</p>
16. How will the effect(s) of this policy/ proposal on equality be monitored?	<p>3/3/19 Any proposed actions in the draft Strategy will be monitored to ensure that they are compliant with the Equality Act and all relevant social care legislation.</p> <p>16/10/19 This will be confirmed dependent on the outcome of the Cabinet decision in December.</p>
17. What data is required in the future to ensure effective monitoring of this policy/proposal?	3/3/19 Post-consultation a report and recommendations will be developed for Cabinet consideration, which will include regular review of the EA.
18. Are there any adverse impacts on any particular group(s)?  If yes, please explain your reasons for going ahead	<p>3/3/19 Pre – consultation there are no identified potential adverse impacts. This analysis will be reviewed mid and post-consultation.</p> <p>26/6/19 Early themes emerging from the formal consultation events (comments and questions received from attendees) with regard to the equality duty are generally focused on disability and age. Specific adverse impacts have not been identified but the overarching message so far is that the council applies an approach to day opportunities that is responsive to the wide range of support needs of the adults who are eligible for support from Adult Social Care.</p> <p>16/10/19 A number of issues and concerns have been referred to via the questions and comments received across the consultation process. These are described in the next sections.</p>

<p>19. Initial equality impact assessment of your proposal</p>	<p><b>16/10/19</b></p> <p><b>Responses received from the consultation</b></p> <p>The comments and questions relating to equality and diversity in terms of the proposed draft Strategy covered a range of issues.</p> <p>Firstly, generational issues with comments and questions stating that the proposals favour the younger generation more than the older generation of service users. Some respondents felt that there was not enough focus on the older population in the draft Strategy, and that those with dementia need particular consideration and services that are centre based and structured, due to the nature of the condition.</p> <p>The proposed move away from building based provision is also thought to be a risk to those with more complex support needs, those with anxiety issues, adults with language and cultural needs, as well as impacting on established friendships.</p> <p>There were concerns raised about aging carers and the impact on caring for family members as their own circumstances change related to age.</p> <p>There was concern expressed with regard to the younger generation transitioning from school and college and having a day opportunity offer that was relevant to their interests. Ethnic and cultural issues were also mentioned in both the comments and questions.</p> <p>Respondents felt that more engagement and consideration should be given to ensure that cultural, religious, and ethnic groups are accommodated and engaged with in the future model of day opportunities. Some respondents expressed that there needs to be awareness of how cultural practices and religious beliefs may impact on implementation of the proposals in the draft Strategy.</p> <p>Views were also expressed that the draft Strategy was perhaps too broad in scope and that the needs of certain groups should have been included and considered. These include people with; brain/head injury, autism, sensory loss or impairment and people who have multiple disabilities.</p> <p>Questions were asked, and comments made, about what can be done to improve public attitudes towards those with a disability to enable people to have more confidence in accessing the community.</p> <p>All encompassing issues included:</p> <ul style="list-style-type: none"> <li>• Equity of access for different groups,</li> <li>• Avoid defining and separating people based only on their disability</li> <li>• This shouldn't be a one size fits all approach</li> <li>• Reaching out to citizens who have been described as "hard to reach"</li> <li>• Avoid inadvertently excluding people on language and cultural basis</li> </ul> <p>S 147 of the PSED requires the local authority, when disadvantages are identified, to remove or minimise the disadvantages. At this stage, until cabinet confirm their decision regarding next steps for the draft strategy it is not possible to confirm how the issues raised in the comments will be responded to.</p> <p>The Council's commitment to co-production will contribute to ensuring that any need to—eliminate discrimination, advance equality of opportunity and foster good relations will be addressed in partnership with a range of experts including service users, carers, other citizens, and professionals.</p>
<p>20. Consulted People or Groups – consultation process</p>	<p>3/3/19 A 90-day open consultation is planned for 8<sup>th</sup> April – 6<sup>th</sup> July 2019.</p> <p>Meetings will be held at different times across the city using accessible venues. Information and supporting documentation will be available in easy-read formats. If</p>

individual citizens request specific support, then BCC will endeavour to provide this support.

Event booking will be facilitated on-line and by e-mail. Consideration will be given as to how citizens with no access to IT will book to attend public events. For individuals who choose to respond in writing a Freepost address will be available. A telephone contact will be available.

If requested, or if a need is identified to consult with citizens from specific groups – race, gender, disability – then there is capacity to facilitate additional consultation events.

26/6/19 Following feedback in response to the consultation the Council extended the consultation period to 4<sup>th</sup> August 2019.

An amendment was made to the Consultation on the Draft Day Opportunities Strategy document on page number 3. This was publicised via the website, e-mail to consultation event attendees and via service providers.

16/10/19 The consultation was informed by key principles:

- Consultation must be at a time when proposals are still at a formative stage
- The proposer must give sufficient reasons for its proposals to allow consultees to understand them and respond to them properly
- Give sufficient time for responses to be made and considered
- Responses must be conscientiously taken into account

The website continues to be updated and all documentation relevant to the consultation remains available.

Total of all events:

Type of Event	Number of meetings	Attendees
BCC day centre events	30	1048
Small groups / friendship groups	173	1014
Day Care Provider Events	5	90
Public Events	14	83
External day centre events	5	71
Meetings Briefings/Programme Boards	9	-
Specialist Focus Groups	9	95
Open Public events	3	75
<b>Total</b>	<b>248</b>	<b>2476</b>

The specialist focus groups included the Black Carers Group, Special Education schools and colleges, Carers group, Service Users group, adults with mental health, Shared Lives Carers and dementia experts.

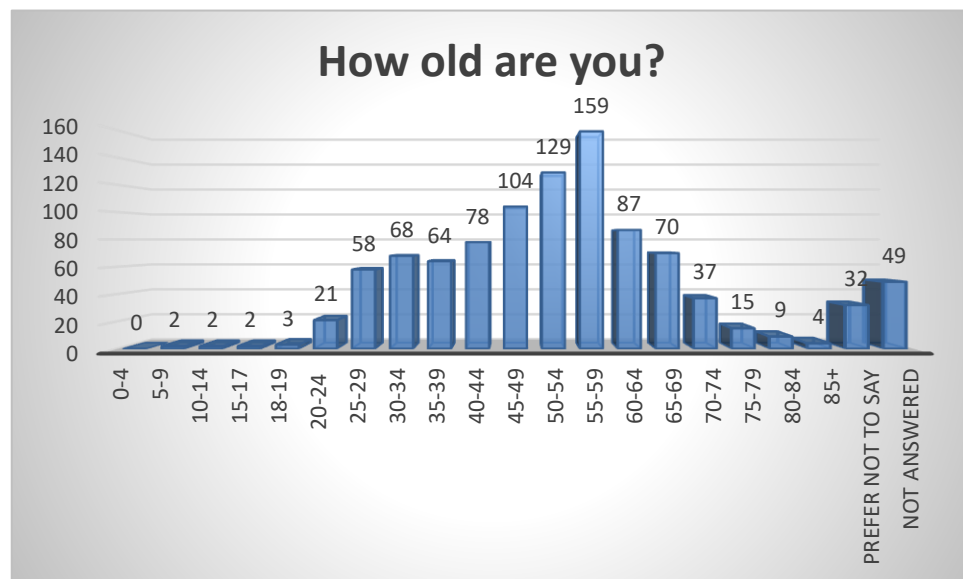
The Cabinet Member for Health and Social Care, Opposition Group Leaders, Chair of Health and Social Care Overview and Scrutiny Committee were briefed regularly.

**16/10/19 Equalities and Demographics from consultation responses**

There were two types of questionnaires available for participants to complete which were a Standard version and an Easy Read version. The Easy Read version was designed primarily for those with a Learning Disability or those who may have difficulty with reading.

## **Profile of Respondents (Combined Questionnaires)**

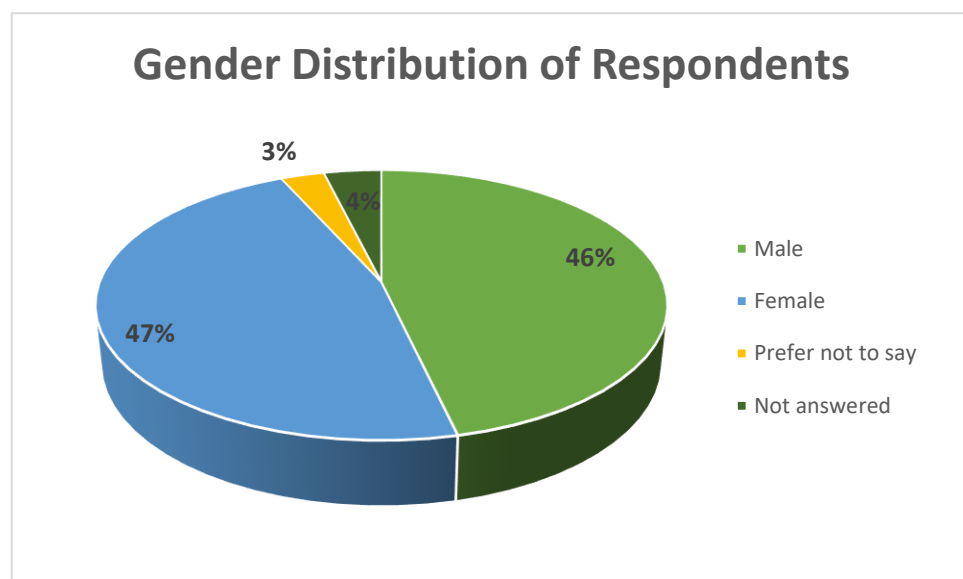
### **Age**



It can be seen from the tables above that the highest number of respondents corresponds with the 55-59 age group. It can also be seen from the responses that the next highest group of respondents is the 50-54 group.

### **Gender**

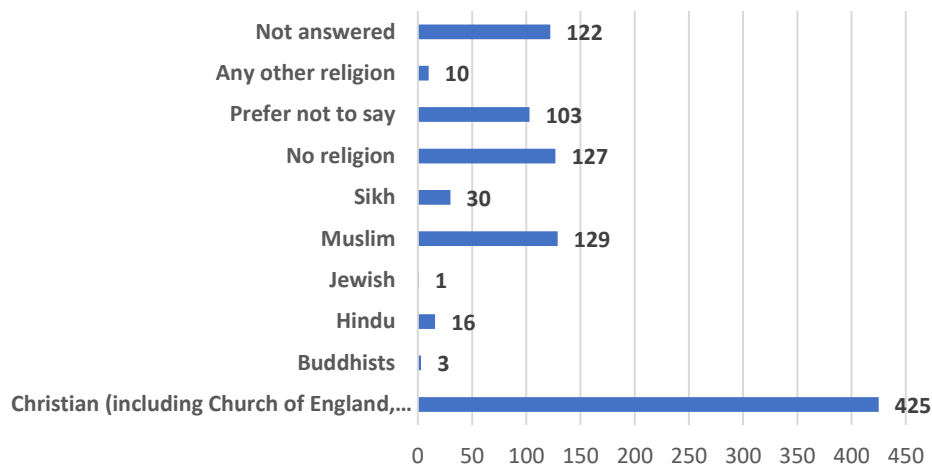
The gender distribution of the respondents shows an even distribution between those who identified as being Male 46% and Female 47% with 3% preferring not to say and 4% who did not answer.



### **Religion or Belief**

Overall there were 966 responses to the question regarding religious beliefs. The greatest number of responses 44% was from those respondents who classified themselves as Christian of all denominations. 13% stated that they were Muslim and 3% were Sikh. This question was not answered by 13% and a further 11% preferred not to say.

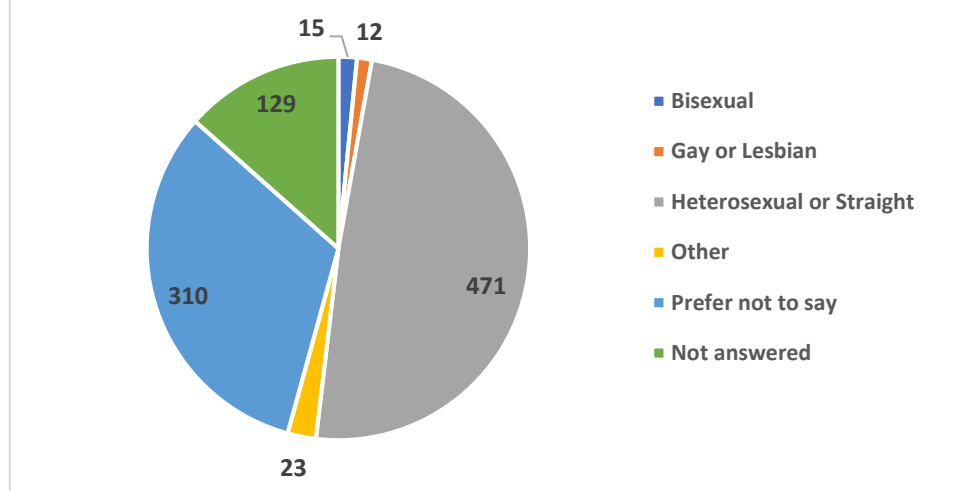
## Overall distribution based on Religion or Belief



## Sexual Orientation

Of the 960 people who responded to the question on sexual orientation the majority of respondents, 49% identified as being heterosexual or straight, 32% preferred not to state any sexual preference and 13% did not respond to this question. There were however, 2% of people who identified as being 'other' 1.25% stated they were Gay or Lesbian.

## Distribution Based on Sexual Orientation

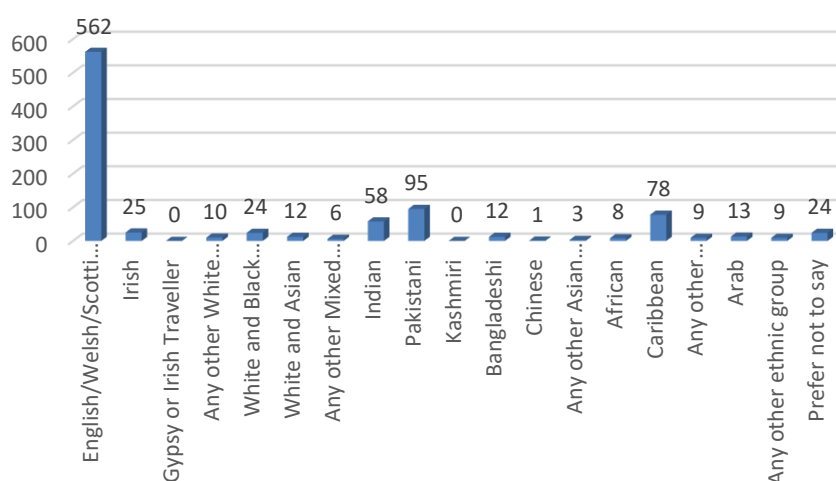


## Ethnicity of Respondents

When asked the question "What is your Ethnic Group?" the majority of those that responded, 59% completed the box with the label "English/Welsh/Scottish/Northern Irish/British". The next 3 with the highest scores were Pakistani with 10%, Caribbean with 8% and Indian with 6%. 2.5% reported that their background was of mixed White and Black Caribbean/African heritage. There were 2.5% of respondents who preferred not to state their ethnicity.



**Ethnicity of Respondents to the combined Questionnaires**

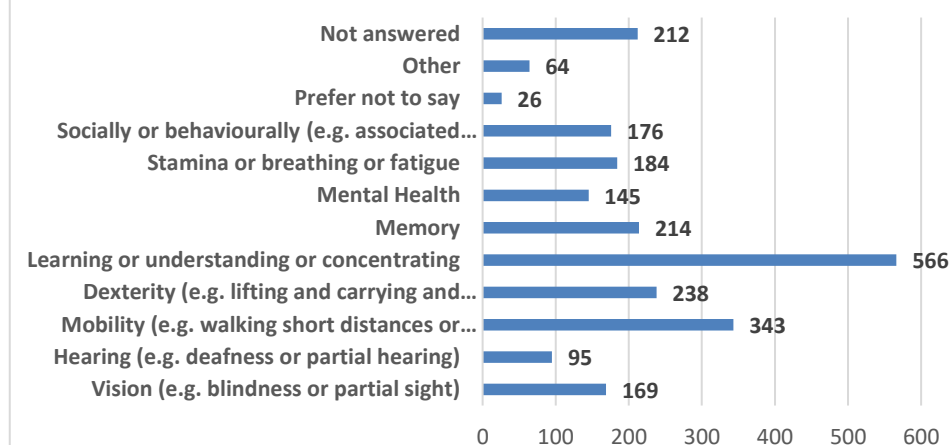


**Long term Physical, Mental or Illness greater than 12 months.**

Respondents were asked the question “Do you have any physical or mental health conditions / illness lasting or expected to last more than 12 months?” Of the 963 overall responses 70% said that they did have a long-term condition, 14% replied that they did not. This was further broken down as follows:

Of those that responded the greatest number of people, 23% stated that they had a difficulty with “learning, Understanding or Concentration”. This was closely followed by 14% who report that they have a mobility disability, the next highest groups were those who had a form of dexterity problem at 10% and memory problem at 9%.

**Breakddown of Reported Physical or Mental Health Conditions from the Combined Questionnaires**



21. Informed People or Groups

Pre-consultation - Cabinet Member for Health and Social Care, Chair of Health and Social Care Overview and Scrutiny Committee, AHMT councillors, MPs, service users and carers, day centre staff.

22. Summary and evidence of findings from your EIA

3/3/19 The key proposals in the draft Day Opportunities Strategy in summary are:

- Focus on the individual, their strengths, choices, assets, and goals through person centred planning.
- Focus on the outcomes that service users and carers wish to achieve.
- Provide support that enables the person to access a range of opportunities in the wider, and their own, community as an active and equal citizen.
- Focus on skills development, improving independence in daily living i.e. travel training and employment where possible.
- Maximise the opportunity to use citizens personal social care budgets or direct payments to access support or activities of the citizen’s choice.

- Make the most of a vibrant and developing city, ensuring access to the wide range of opportunities Birmingham has to offer.

Ongoing service development and improvement is proposed to continue through co-production with the key stakeholders which includes service users, carers and providers of provision.

In line with the council's duty under the Equality Act the draft Day Opportunities Strategy has specific relevance to the protected characteristics of disability, race, gender and age and we are, at this stage, confident that a timely and considered approach to implementing the recommendations in the strategy is likely to have a positive impact upon customer groups in terms of the proposed delivery models, which will promote and maximize the independence of adults to remain within their communities and to access community based resources that are responsive to a range of needs related to individual's support needs and cultural preferences and requirements. Greater choice and control for adults will be encouraged through the encouragement to take up direct payments.

All of the above are underpinned by a commitment to being inclusive so that every citizen who is eligible for and chooses to access a day opportunity will be supported to do so in the best possible way to respond to their individual needs and be sensitive to their protected characteristics and circumstances.

Post-consultation the draft Strategy and the embryonic Equality Assessment will be reviewed to ensure that it is inclusive to all eligible adults regardless of their protected characteristics. Any specific needs or support related to the protected characteristics will be addressed accordingly.

16/10/19

Whilst, pre-consultation, the draft Strategy and the proposals contained in it were assessed as being inclusive and intended to improve and increase equality of opportunity and, for example, foster good relations between people of different characteristics by increasing access to local, community-based activities, feedback from consultation respondents highlighted issues, including safety, availability of suitable transport, access to alternative support and accessibility of community activities, that will have to be considered in any future implementation of the draft proposals moving forward.

Co-production, when applied effectively, will enable the Council to draw on the expertise of a range of citizens and other stakeholders to ensure that the opportunity to minimise any unintended disadvantage is utilised.

7/1/20

Since the last review of this EA there has been a delay in the governance process because of the general election and the enforced period of purdah. The consultation report is scheduled to be presented to Cabinet on 11<sup>th</sup> February 2020.