

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Framework Agreement Extension for adults' services and children's home support
Directorate	People
Service Area	Adults' - Joint Commissioning
Type	Amended Function
EA Summary	This Equality Assessment considers the impact of a contract extension for the commissioning of adults' services and children's home support via a Framework Agreement.
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Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as an Amended Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	<p>The Council has a range of statutory duties and powers to assess the needs of citizens for care and support and commission a range of services that meet these needs. The Council currently commissions a wide range of care and support services, however this assessment focuses, on the commissioning of home support for adults' and children and residential care for older adults', which are the only categories of care currently commissioned through the existing Frameworks.</p> <p>The key outcome for this function is to assist with the Councils overall objective of making a positive difference every day to people's lives. The Framework Agreements allows the Council to commission statutory care services for the most vulnerable citizens - to improve their individual wellbeing.</p> <p>The key outcomes from this commissioning activity being:</p> <ul style="list-style-type: none">• A fair city - providing home support and residential care that ensures that our citizens are safe and that people are cared for with dignity.• A prosperous city - commissioning of services that support the local economy, particularly as the majority of providers are Birmingham-based.• A democratic city - commissioning care services that are designed to support the whole person and to assist with their individual wellbeing needs. This is particularly true of those services commissioned through the Framework Agreements, as a key scoring element for successful bids is based on how well each potential provider can meet the wider aspirations of the citizen.• Council of the future - continuing implementation of the People Directorate's Business Transformation agenda.
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

2.3 Analysis on Initial Assessment

The Framework Agreement was agreed in 2011 and has subsequently been used for commissioning of home support and residential care for older adults' from 2012, and for the provision of home support for children in 2014 – these being the first phases of the implementation of the Cabinet Decision to enter into Framework Agreements. At the time of the decision a full impact assessment was conducted which concluded that the implementation of a Framework Agreement would allow greater personalisation of services to meet service user needs and provide for more open competition in the market place.

A full analysis was completed in 2011 surrounding the impact on groups with protected characteristics and this Equality Analysis contained in Appendix B to the main report. As the Key Decision is to extend these current arrangements, the initial assessment and rationale for the decision remain.

The Framework Agreement has been in operation since 2012 and is used as a standardised method of commissioning assessment packages of care. These packages are commissioned through an electronic micro-tending system which uses anonymised information about the care needs of individuals. The only exception to this is where protected characteristics such as gender or ethnic origin are specifically included with the social work Support Plan as being relevant to that citizen's assessed eligible needs for care and support. On this basis, we believe that this process allows for information regarding packages of care to be largely anonymised and supports equality of service delivery for those with protected characteristics.

This allows each assessed eligible care package to be specified by the Council onto the web portal and for all accredited providers to view and bid upon these requirements. A process of assessing quality and price then allows the Council to award each individual package through a mini-competition. It should be noted that a number of care packages are purchased through citizens exercising their right to choose a care provider; these packages are published through Sproc.net, but only to the selected provider.

3.1 Age

3.1.1 Age - Differential Impact

Age	Relevant
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3.1.2 Age - Impact

Describe how the Function meets the needs of Individuals of different ages?	The Framework Agreements allows for the commissioning of care packages for citizens with assessed care needs for both children (those aged 0 - 25) and also for adults' (those aged 18+). The services commissioned are based on the support plan that is developed by the Social Worker based on assessed eligible need for care and support
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	<ul style="list-style-type: none">- Detailed specifications for each category of care have been developed, as well as more general terms and conditions for providers to comply with.- Individual support plans demonstrate the need for a range of personalised services to be commissioned.
Have you received any other feedback about the Function in meeting the needs of Individuals of different ages?	Yes
Please record the nature of such feedback.	We have received feedback regarding the introduction of a Framework Agreement for younger adults' (18 - 64), however this is not the subject of this report.
You may have evidence from more than one source. If so, does it present a consistent view?	Yes
Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?	No

3.1.3 Age - Consultation

Have you obtained the views of Individuals of different ages on the impact of the Function?	Yes
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If so, how did you obtain these views?	Detailed consultation and engagement activity was conducted in 2011 and 2012 in relation to the implementation of changes to care services and also as part of the Council's wider budget consultation. As a result of this activity, the current Framework Agreement for adults' was entered into. No adverse feedback has been received in relation to the impact on those with protected characteristics since its implementation. A more detailed summary of this was included in the original Full Equality Analysis in 2011 which can be found in Appendix B to the main report.
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals of different ages?	Yes
If so, how did you obtain these views?	Please see above.
Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?	No

3.1.4 Age - Additional Work

	No
Please explain how individuals may be impacted.	As the services commissioned are based on individual needs but are then anonymised to remove details of protected characteristics where they are not relevant to the assessment, it means that providers cannot select based on these protected characteristics.
Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Function has a role in preventing Individuals of different ages being treated differently, in an unfair or inappropriate way, just because of their age?	Yes
Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.2 Disability

3.2.1 Disability - Differential Impact

Disability	Relevant
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3.2.2 Disability - Impact

Describe how the Function meets the needs of Individuals with a disability?	The Framework Agreements allows for the commissioning of care packages for citizens with assessed care needs for both children (those aged 0 - 25) and also for adults' (those aged 18+). The services commissioned are based on the support plan that is developed by the Social Worker based on assessed/eligible need for care and support
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	<ul style="list-style-type: none">- Detailed specifications for each category of care have been developed, as well as more general terms and conditions for providers to comply with.- Individual support plans demonstrate the need for a range of personalised services to be commissioned.
Have you received any other feedback about the Function in meeting the needs of Individuals with a disability?	Yes
Please record the nature of such feedback.	We have received feedback regarding the introduction of a Framework Agreement for younger adults' (18 - 64), however this is not the subject of this report.
You may have evidence from more than one source. If so, does it present a consistent view?	Yes
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	No

3.2.3 Disability - Consultation

Have you obtained the views of Individuals with a disability on the impact of the Function?	Yes
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If so, how did you obtain these views?	Detailed consultation and engagement activity was conducted in 2011 and 2012 in relation to the implementation of changes to care services and also as part of the Council's wider budget consultation. As a result of this activity, the current Framework Agreement for adults' was entered into. No adverse feedback has been received in relation to the impact on those with protected characteristics since its implementation. A more detailed summary of this was included in the original Full Equality Analysis in 2011 which can be found in Appendix B to the main report.
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals with a disability?	Yes
If so, how did you obtain these views?	Please see above.
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	No

3.2.4 Disability - Additional Work

Do you need any more information to complete the assessment?	No
Please explain how individuals may be impacted.	As the services commissioned are based on individual needs but are then anonymised to remove details of protected characteristics where they are not relevant to the assessment, it means that providers cannot select based on these protected characteristics.
Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Function has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	Yes
Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No
Do you think that the Function will take account of disabilities even if it means treating Individuals with a disability more favourably?	Yes
Do you think that the Function could assist Individuals with a disability to participate more?	Yes
Do you think that the Function could assist in promoting positive attitudes to Individuals with a disability?	No

3.3 Concluding Statement on Full Assessment

On the basis that a Full Analysis was conducted in 2011 (contained in Appendix B to the main report) prior to the implementation of the existing Framework Agreements and that an extension to this is currently being sought, there is no further adverse impact.

Having operated the Framework Agreement for 4 years, there have been no adverse comments or feedback received from citizens with protected characteristics, in relation to the contractual framework.

Further consultation has taken place in relation to services for younger adults', however this is not the subject of this report. Furthermore there is no indication that the existing Framework Agreements do not provide appropriate statutory care services for citizens with protected characteristics.

4 Review Date

30/05/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.