

# Equality Analysis

## Birmingham City Council Analysis Report

<b>EA Name</b>	Procurement Of Major Adaptation Contract
<b>Directorate</b>	Corporate Resources
<b>Service Area</b>	Equalities And Human Resources
<b>Type</b>	New/Proposed Function
<b>EA Summary</b>	DFG budget (Capital) is app 4.4 m per year and released from central government. The DFG is only used for owner occupier or privately rented properties. The Disabled Facilities Grant (DFG) was transferred to the Better Care Programme in 2016 and the Independent Living Service was transferred from the Place Directorate to the People Directorate as part of the Enablement Service in April 2016. Following a recent Audit review report, recommendations were made for a service review and procurement exercise to be carried out in line with BCC procurement rules.
<b>Reference Number</b>	EA001406
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<b>Date Approved</b>	2016-09-05 01:00:00 +0100
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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 a New/Proposed Function.

## 2 Overall Purpose

### 2.1 What the Activity is for

<p>What is the purpose of this Function and expected outcomes?</p>	<p>What is Major adaptation?</p> <p>The Disabled Facilities Grant (DFG) was transferred to the Better Care Programme in 2016 and the Independent Living Service was transferred from the Place Directorate to the Peoples Directorate as part of the Enablement Service in April 2016.</p> <p>Disabled Facility Grants (DFG) are available to all citizens who need to make changes to their homes due to disability which is means tested but does not affect any income an individual might get.</p> <p>To access the DFG service, users are advised to make a referral to the Occupational Therapy Service through People Directorate access teams: ACAP (adults) and MASH (children). The recommendation for provision of major adaptations for housing is made following a completion of an occupational therapy assessment. Last financial year, 2015/2016 approximately 800 referrals were sent to this service on behalf of service users and 400 adaptations were completed.</p> <p>This contract will be for citizens who own their own homes or tenants in rented accommodation which is provided by either housing associations or the private sector rental market. Works for citizens in Council owned housing accommodation is provided through the Housing Repair and Maintenance contract and therefore is not included in the proposed procurement.</p> <p>What is the proposal?</p> <p>This service is non-compliant with BCC procurement and governance policies and procedures. Following an Audit review in 2014 a recommendation was made for a procurement exercise to be carried out for these works as per the Public Sector Procurement Regulations.</p> <p>The adaptations for council properties have already been procured and the contract started 1 April 2016. This exercise was completed before moving this service to the People Directorate from Place.</p> <p>The adaptations for privately owned accommodation are currently carried out by contractors from an internal approved list and work is allocated to these companies on a rotational basis.</p> <p>The proposal is to agree the strategy report for procurement of Major adaptation (DFG) contract.</p>
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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	No
A Prosperous City	No
A Democratic City	No

### 2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	No
Will the policy have an impact on employees?	Yes
<u>Comment</u> There are currently 10,5 FTE members of staff working in Independent Living Service of whom 3 are female and the rest are male. There is also a service review of Independent Living recommended by Audit following their investigations. As a result of this proposal and the service review, 7 members of staff may be affected. The potential affected staff would be all male age between 50 to 64. The make up of possibly affected members of staff in terms of grade is: one grade 5, one grade 3 and 5 grade 4 members of staff. The diversity and demographic of the workforce is not different from the rest of the workforce working in BCC. A separate EIA will be available alongside the service review report.	
Will the policy have an impact on wider community?	No
<u>Comment</u> This proposal will not affect citizens as there would not be any changes to the eligibility criteria or the principles of disabled Facility Grants i.e. promoting independence and well being.	

## **2.3 Analysis on Initial Assessment**

### Back ground

This report provides details of the impacts of proposed procurement strategy for the provision of major adaptations for housing such as refitting of kitchens and bathrooms, installation of hoists, stair lifts, vertical lifts, etc. for citizens in private housing, on service users, staff and current providers.

The Disabled Facilities Grant (DFG) was transferred to the Better Care Programme in 2016 and the Independent Living Service was transferred from the Place Directorate to the Peoples Directorate as part of the Enablement Service in April 2016.

Disabled Facility Grants (DFG) are available to all citizens who need to make changes to their homes due to disability which is means tested but does not affect any income an individual might get.

To access the DFG service, users are advised to make a referral to the Occupational Therapy Service through People Directorate access teams: ACAP (adults) and MASH (children). The recommendation for provision of major adaptations for housing is made following a completion of an occupational therapy assessment. Last financial year, 2015/2016 approximately 800 referrals were sent to this service on behalf of service users and 400 adaptations were completed.

This contract will be for citizens who own their own homes or tenants in rented accommodation which is provided by either housing associations or the private sector rental market. Works for citizens in Council owned housing accommodation is provided through the Housing Repair and Maintenance contract and therefore is not included in the proposed procurement.

### The proposal

This service is non-compliant with BCC procurement and governance policies and procedures. Following an Audit review in 2014 a recommendation was made for a procurement exercise to be carried out for these works as per the Public Sector Procurement Regulations.

The adaptations for council properties have already been procured and the contract started 1 April 2016. This exercise was completed before moving this service to the People Directorate from Place.

The adaptations for privately owned accommodation are currently carried out by contractors from an internal approved list and work is allocated to these companies on a rotational basis.

### Impact on service users

The eligibility and accessibility of this service would not be affected by this proposal; furthermore the means testing process will continue without any changes.

There will be no impact on service users.

### Impact on staff

Independent Living Team consists of:

Grade FTE

Grade 5 1

Grade 4 6

Grade 3 3,5

There are currently 10,5 FTE members of staff working in Independent Living Service and the diversity and demographic of the workforce is not different from the rest of the workforce working in BCC.

There is also a service review of Independent Living recommended by Audit following their investigations. A separate EIA will be available alongside the service review report.

As a result of this proposal and the service review, the following members of staff may be affected:

Grade	FTE	Staff effected
Grade 5	1	1
Grade 4	6	5
Grade 3	3,5	1

Impact on current contractors:

The proposal may have an impact on the current providers however the current providers would be given a fair chance to participate in the procurement process. In addition a training event around procurement and tendering process will be organised by BCC Corporate Procurement Services.

The BCC Corporate Procurement Services will also contact the existing providers in relation to TUPE related matters in case they were not successful in awarding the new contract.

Concluding statement:

Mandatory Disabled Facilities Grants (DFGs) are available from local authorities in England and Wales and the Housing Executive in Northern Ireland. They are issued subject to a means test and are available for essential adaptations. In order to qualify for adaptations in the home:

The person for whom the adaptations are being considered must be someone who is substantially and permanently disabled by illness, injury or from birth.

The person must also be ordinarily resident in the area i.e. Birmingham

The adaptations must be required for meeting the needs of that person, as defined in the Housing Grants Construction & Regeneration Act 1996. That is, essential or of major importance to the person because of the nature of their disabilities.

The most cost effective solution to the problem.

DFG budget (Capital) is app 4,4 m per year and released from central government. The DFG is only used for owner occupier or privately rented properties.

To access the DFG service, users are advised to make a referral to the Occupational Therapy Service through People Directorate access teams: Adults and Communities Access Point (adults) and Multi Agency Safeguarding Hub (children). The recommendation for provision of major adaptations for housing is made following completion of an occupational therapy assessment. The assessment for this provision is a statutory requirement but providing an enhanced internal service to oversee the adaptation is not.

The way allocations take place currently is by awarding work to approved providers on a rotational basis and the allocation of work to providers is recorded on a spreadsheet. If any investigations are taking place in relation to a contractor, further work is not allocated to them until the investigations are completed. This currently affects 3 contractors. The list of providers includes 30 contractors and 4 companies for specialist equipment.

Following a recent Audit review report, recommendations were made for a service review and procurement exercise to be carried out in line with BCC procurement rules.

Adaptation for citizens in Council owned housing accommodation is provided through the Housing Repair and Maintenance contract and therefore is not included in this proposed procurement.

This contract will be for citizens who own their own homes or tenants in rented accommodation which is provided by either housing associations or the private sector rental market.

Last financial year, 2015/2016 approximately 800 referrals were sent from Occupational Therapy teams to this service and 400 adaptations were successfully completed.

Procurement of this contract will not have an impact on service users as the eligibility and accessibility criteria will not change. However, it may be an impact on 7 FTE as a result of the service review and also this proposal.

Conclusion:

This service is non-compliant with BCC procurement and governance policies and procedures. The proposed procurement strategy for the provision of major adaptations for housing such as refitting of kitchens and bathrooms, installation of hoists, stair lifts, vertical lifts, etc. for citizens in private housing is a recommendation of the Audit review report.

### **3 Concluding Statement on Full Assessment**

This service is non-compliant with BCC procurement and governance policies and procedures. The proposed procurement strategy for the provision of major adaptations for housing such as refitting of kitchens and bathrooms, installation of hoists, stair lifts, vertical lifts, etc. for citizens in private housing is also a recommendation of the Audit review report. The procurement of this contract will not have an impact on service users as the eligibility and accessibility criteria will not change. The means testing for this provision will not change.

The procurement for major adaptation for council tenants has already been procured and the new contract started on 1 April 2016.

There are currently 10,5 FTE members of staff working in the service and the diversity and demographic of the workforce is not different from the rest of the workforce working in BCC.

As a result of this procurement and the service review, potentially 7 members of staff may be at risk of redundancies.

### **4 Review Date**

26/02/17

### **5 Action Plan**

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