

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**  
**EQUALITY IMPACT ASSESSMENT**

**EqlA : Review of packages and right sizing**

**Essential information**

Items to be assessed: (please mark 'x')

<b>Strategy</b>		<b>Plan</b>		<b>Project</b>		<b>Service procedure</b>	x
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<b>Responsible officer</b>	Hilary Hall	<b>Service area</b>	Adult social care	<b>Directorate</b>	Adults, Health & Housing
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<b>Stage 1: EqlA Screening (mandatory)</b>	Date created: 14/10/2021	<b>Stage 2 : Full assessment (if applicable)</b>	Date created : N/A
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**Approved by Head of Service / Overseeing group/body / Project Sponsor:**

*"I am satisfied that an equality impact has been undertaken adequately."*

**Signed by (print):** Michael Murphy, Director of Statutory Services and Deputy DASS

**Dated:**28/10/202

**Guidance notes**

**What is an EqlA and why do we need to do it?**

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### **EqlA : Review of packages and right sizing**

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

#### **What are the "protected characteristics" under the law?**

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

#### **What's the process for conducting an EqlA?**

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

#### **Openness and transparency**

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

#### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

### **Stage 1 : Screening (Mandatory)**

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#### 1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

Adult Social Care aims to promote well-being, increase and maintain independence and ensure people with support needs have as much choice and control over their lives and care as possible. We are therefore, proposing to strengthen our reviewing function to ensure consistent reviewing practice at the six week review to ensure a clear focus remains on promoting an individual's well-being and increasing independence. This includes reviewing circumstances where an increase in care and support was provided for a short term period but not reviewed and working with individuals and their carers/families to identify a range of ways to meet their needs. Practice experience indicates that an individual's need for support is likely to reduce following the initial assessment.

The service will follow a well-established process for carrying out the reviews and therefore, there is unlikely to be a negative impact on any protected characteristic. The aim is to ensure that everyone with support needs receives care and support which is safe, personalised and affordable.

In addition, we have identified a number of people who have complex needs and who are currently supported by adult social care and subject to charging. We believe that for some people, these needs should be supported by the NHS via Continuing Health Care arrangements. This is a well-established process based on a joint assessment between health and social care practitioners. The joint assessment is carried out within the national Continuing Health Care guidance and is a statutory responsibility. The joint assessment of eligibility for Continuing Health Care is conducted under the same legal equalities framework as assessments for Social Care. If the person is assessed as not eligible for support via Continuing Health Care, the existing support package is continued.

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".**

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**EQUALITY IMPACT ASSESSMENT**

**EqIA : Review of packages and right sizing**

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### EqlA : Review of packages and right sizing

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Relevant	Medium	Positive/negative	<p>These reviews will be undertaken with individuals and will not focus on, or be primarily differentiated, by a person's age or disability. However, these reviews will only be relevant to people who receive support from adult social care. Each person will be part of a review to identify support needs and ways of meeting those needs in a personalised and cost effective way. This is a statutory responsibility and will be paramount in any consideration. A service which safely reduces people's reliance on high levels of care through smarter working will have better outcomes for the person. The joint assessment of eligibility for Continuing Health Care is conducted within equalities legislation. Review of these arrangements will impact on older or disabled people receiving a support package from Adult Social Care.</p> <p>There are only two outcomes from the reviews; either the support package continues to be provided by adult social care or some or all of it is delivered by the NHS. The latter outcome will reduce or remove any direct cost to the individual and there is no adverse impact.</p>

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<b>Disability</b>	Relevant	High	Positive/Negative	These reviews will be undertaken with individuals and will not focus on, or be primarily differentiated, by a person's age or disability. However, these reviews will only be relevant to people who receive support from adult social care. Each person will be part of a review to identify support needs and ways of meeting those needs in a safe, personalised, and cost effective way. This is a statutory responsibility and will be paramount in any consideration. A service which safely reduces people's reliance on high levels of care through smarter working will have better outcomes for the person. The joint assessment of eligibility for Continuing Health Care is conducted within equalities legislation. Review of these arrangements will impact on older or disabled people receiving a support package from Adult Social Care. There are only two outcomes from the reviews; either the support package continues to be provided by adult social care or some or all of it is delivered by the NHS. The latter outcome will reduce or remove any direct cost to the individual and there is no adverse impact.
<b>Gender re-assignment</b>	Not Relevant			
<b>Marriage/civil partnership</b>	Not Relevant			
<b>Pregnancy and maternity</b>	Not Relevant			
<b>Race</b>	Not Relevant			
<b>Religion and belief</b>	Not Relevant			
<b>Sex</b>	Not Relevant			
<b>Sexual orientation</b>	Not Relevant			

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#### Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	Not at this stage		
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	Not at this stage		

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

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## EQUALITY IMPACT ASSESSMENT

### EqIA : Review of packages and right sizing

#### Stage 2 : Full assessment

#### 2.1 : Scope and define

**2.1.1** Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

**2.1.2** Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.



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### EqIA : Review of packages and right sizing

**2.1.2** Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

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### 2.2 : Information gathering/evidence

**2.2.1** What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

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**2.2.2** What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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**Eliminate discrimination, harassment, victimisation**

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## EQUALITY IMPACT ASSESSMENT

### EqIA : Review of packages and right sizing

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

**Advance equality of opportunity**

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Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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## EQUALITY IMPACT ASSESSMENT

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#### Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

**2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.**

*These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.*