# Equality Impact Needs Assessment

The Diversity Promise - *Better for all*

<table>
<thead>
<tr>
<th>1. Title of Policy/Service/Project</th>
<th>Direct Payments policy</th>
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</thead>
<tbody>
<tr>
<td>2. Service Unit</td>
<td>Community Learning and Commissioning</td>
</tr>
</tbody>
</table>
| 3. Lead Responsible Officer and Job Title | Sue Hall  
Team Manager  
Children with Disabilities (Inclusion) Team |
| 4. Members of the Assessment Team: | Tony C Smikle (SEN contracts officer)  
Sue Hall (Team Manager Children with Disabilities (Inclusion) Team) |
| 5. Date assessment started:       | 23 September 2016 |
| 6. Date assessment completed:     | 26 September 2016 |

## About the Policy/Service/Project:

<table>
<thead>
<tr>
<th>7. What type of policy/service/project is this? (delete as appropriate)</th>
<th>Amended policy – Direct payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. What are the aims/objectives of the policy/service/project? (please include here all expected outcomes)</td>
<td>The purpose of this policy is to meet the local authority’s statutory obligations and provide guidance for staff members and direct payment recipients. The policy acts as a framework for the effective use and delivery of direct payments. The aim is to clearly communicate the entitlements and responsibilities of direct payments recipients and in doing so, enable children, young people, and their families to make informed decisions about their care and support.</td>
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9. Are there any associated services, policies or procedures?  Yes

If ‘Yes’, please list below:
- Bournemouth Borough Council's Adult Social Care Direct Payments Policy
- Care Act 2014
- Care and Support (Direct Payments) Regulations 2014
- Care and Support Statutory Guidance 2016
- Carers and Disabled Children’s Act 2000
- Children and Families Act 2014
- Children’s Act 1989
- Digital by Default policy
- Equality Act 2010
- Health and Social Care Act 2001
- Mental Capacity Act 2005
- SEN Code of Practice 2016
- Special Educational Needs (Personal Budgets) Regulations 2014
- The Community Care (Direct Payments) Act 1996
- The Community Care, Services for Carers and Children’s Services (Direct Payments Regulations) Regulations 2003
- Corporate Debt Policy

10. List the main people, or groups of people, that this policy/service/project is designed to benefit and any other stakeholders involved?
- The child’s parent/carer receiving the direct payment
- The young person aged 16 or 17 receiving the direct payment
- A parent carer or young carer receiving the direct payment
- Or a person nominated in writing by the child’s parent or the young person to receive direct payments on their behalf.
- The local authority by reducing administrative and financial resources

11. Will this policy/service/impact on any other organisation, statutory, voluntary or community and their clients/service users?
- Schools, colleges and educational establishments providing services
- Organisations providing residential, domiciliary, respite and other care services
Consultation, Monitoring and Research

Where there is still insufficient information to properly assess the policy, appropriate and proportionate measures will be needed to fill the data gaps. Examples include one-off studies or surveys, or holding informal consultation exercises to supplement the available statistical and qualitative data.

If there is insufficient time before the implementation of the policy to inform the EINA, specific action points will be needed to be clearly set out in the action plan. Steps must include monitoring arrangements which measure the actual impact and a date for a policy review.

Consultation:

12. What involvement/consultation has been done in relation to this (or a similar) policy/service/project and what are the results?

- All direct payment users were consulted, of which 17 direct payment recipients responded via an electronic or paper survey
- Bournemouth Borough Council staff
- NHS Dorset
- Borough of Poole Council

The consultation with direct payments recipients identified the following: Service users were:-
- positive about the option to receive direct payments
- negative about being classed as an employer for pension arrangements for the personal assistants
- positive about receiving support from the Council with direct payments
- would like greater explanation of the direct payments processes as some aspects are confusing
- would like a simpler arrangement to manage the finances which is less time consuming

A social worker requested that a ‘direct payments worker’ be employed to chase payments, returns, surplus etc as they are not so good with the financial aspect and wish to do just ‘do their job’

An internal discussion with Council staff commented on reviews, record keeping, the agreed route for direct payments and how to ensure a local contract is in place prior to payments starting.
An internal discussion with SEN Council staff commented on the availability and flexibility of using direct payments to support SEND Personal Education Budgets (PEB’s)

13. If you have not carried out any consultation, or if you need to carry out further consultation, who will you be consulting with and by what methods?

- n/a

Monitoring and Research:

14. What data, research and other evidence or information is available which is relevant to this EINA?

- Bournemouth Equality Profiles. Hyperlink: [Bournemouth equality profiles](#)
- Digital by default EINA. Hyperlink: [EINA digital by default](#)
- Bournemouth Borough Council staff profile. Hyperlink: [Workforce analysis report](#)
- Census data 201. Hyperlink: [2011 census data](#)
- House of Commons paper. Hyperlink: [Social care: Direct payments from a local authority](#)
- NHS rules on direct payments. Hyperlink: [NHS payments for Healthcare Easy read](#)
- Home Office impact assessment on personal health budgets. Hyperlink below [Personal health budgets - Equalities Impact Assessment](#)

"Based on the evaluation of pilot sites, there is no evidence that personal health budgets for healthcare lead to a deterioration in equalities. In areas where personal health budgets for healthcare were implemented well, the beneficial effects were greater. Personal budgets for healthcare could lead to better outcomes for some groups, whose needs were poorly served by conventional health services, including people from different ethnic backgrounds, people with learning disabilities and people with mental health problems. People will clearly need the right information, advice and support to enable them to take up personal health budgets but as long as this is available the potential to create a fairer system is good".
15. Is there any service user/employee monitoring data available and relevant to this policy/service/project? What does it show in relation to equality groups?
- There were 17 respondents to the direct payments consultation. Bournemouth has a total of 51 (Children’s Social Care) recipients of direct payments as of 23 September 2016 (no further monitoring breakdown is available for the 51 recipients).
- The staff profile shows that there is a much higher proportion of females within Children’s Social Care (85%) Adult Social Care (81%) Children and Young People’s Services (80%) Legal and Democratic (79%) and Community Learning and Commissioning (78%).

16. If there is a lack of information, what further information do you need to carry out the assessment and how are you going to gather this?

n/a

Assessing the Impact

<table>
<thead>
<tr>
<th></th>
<th>Actual or potential positive benefit</th>
<th>Actual or potential negative outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>17. Age</td>
<td>Based on government evaluation of pilot sites, there is no evidence that personal health budgets for healthcare lead to a deterioration in equalities.</td>
<td>Not everyone will have access to a bank account, therefore the option of 3rd party banking is available.</td>
</tr>
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<td></td>
<td>There are age triggers built into the policy based on legislation. Key ages 16 and 18 with options for payment or transfer to adult care process.</td>
<td>Free Internet training &amp; access and Wi-Fi is also provided in all Bournemouth libraries and some community centres/establishments</td>
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<tr>
<td></td>
<td></td>
<td>It is vital that appropriate arrangements are in place for the young people moving into adulthood at 18 yrs. Need to ensure continuity of necessary services</td>
</tr>
<tr>
<td>18. Disability</td>
<td>As above (17)</td>
<td>As above (17)</td>
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<tr>
<td></td>
<td>There are mechanisms in place to protect people due to capacity issues based on mental/physical abilities. This process makes it easier to access transport (less bureaucracy)</td>
<td>Consider providing an easy read version of the policy to make the document more accessible to the service users/parents/carers such as the example, NHS payments for Healthcare Easy read</td>
</tr>
<tr>
<td></td>
<td>Actual or potential positive benefit</td>
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</tr>
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<tr>
<td>19. Gender</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong> The policy states that non compliance is a performance issue. Due to the higher percentage of staff being female (85% CSC) then there is a potential adverse impact for disciplinary action</td>
</tr>
<tr>
<td>20. Gender reassignment</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong></td>
</tr>
<tr>
<td>21. Pregnancy and Maternity</td>
<td>As above (17)</td>
<td><strong>As above</strong></td>
</tr>
<tr>
<td>22. Marriage and Civil Partnership</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong></td>
</tr>
<tr>
<td>23. Race</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong> A number of the sections require that communication is in writing. This could adversely impact those who have English as a second language. Many people speak English but cannot read it.</td>
</tr>
<tr>
<td>24. Religion or Belief</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong></td>
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<tr>
<td>25. Sexual Orientation</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong></td>
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<tr>
<td>26. Any other factor/ groups e.g.</td>
<td>As above (17)</td>
<td><strong>As above (17)</strong></td>
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</table>
Stop - Any policy which shows actual or potential unlawful discrimination must be stopped, removed or changed.

28. If impacts have been identified include in the action plan what will be done to reduce these impacts, this could include a range of options from making adjustments to the policy to stopping and removing the policy altogether. If no change is to be made, explain your decision:

Action Plan

Include:
- What has/will be done to reduce the negative impacts on groups as identified above.
- Detail of positive impacts and outcomes
- The arrangements for monitoring the actual impact of the policy/service/project

<p>| 29. Issue identified | Action required to reduce impact | Timescale | Responsible officer | Which Business Plan does this action link to e.g. Service Equality Action Plan/Team Plan |</p>
<table>
<thead>
<tr>
<th>Note</th>
<th>Action</th>
<th>Date</th>
<th>Responsible Person</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not everyone will have access to a bank account, therefore the option of 3rd party banking is available.</td>
<td>It is mandatory to have a bank account to receive direct payments. Potential investigate of pre-paid card system</td>
<td>Review 3rd party banking numbers by 1 November 2016</td>
<td>Maria Vittoria Lonardi/Sue Hall/Lucy Russell</td>
<td>Community Learning and Commissioning</td>
</tr>
<tr>
<td>Free Internet training &amp; access and Wi-Fi is also provided in all Bournemouth libraries and some community centres/establishments</td>
<td></td>
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<td>Consider providing an easy read version of the policy to make the document more accessible to the service users/parents/carers such as the example, NHS payments for Healthcare Easy read</td>
<td>Children’s Social Care management to determine whether provision of an ‘Easy read’ version of the policy is necessary</td>
<td>23 December 2016</td>
<td>Sue Hall</td>
<td>Children’s Social Care</td>
</tr>
<tr>
<td>It is vital that appropriate arrangements are in place for the young people moving into adulthood at 18yrs. Need to ensure continuity of necessary services</td>
<td>Children’s Social Care and Adult Social Care management through use of TOG to manage the transition process and ensure the necessary continuity of services via the direct payments system</td>
<td>26 September 2016</td>
<td>Sue Hall/LD manager/ Hayley Verrico</td>
<td>Children’s Social Care &amp; Adult Social care</td>
</tr>
<tr>
<td>The policy states that non compliance is a performance issue. Due to the higher percentage of staff being female (85% CSC) then there is a potential adverse impact</td>
<td>Ensure all staff are appropriately trained - Monitor the use of performance issues for non compliance with Direct Payments to see if there is an adverse impact</td>
<td>31 March 2017</td>
<td>Sarah Langdale</td>
<td>Human Resources and CSC management</td>
</tr>
</tbody>
</table>