

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Procurement of accommodation based support
DEPARTMENT:	Adult Social Care Commissioning and Quality
TEAM:	Commissioning, Contracting & Market Management
LEAD OFFICER:	Martin Crick
DATE:	June 28th 2019

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The New Accommodation for Independent Living programme is a major project in Brent to improve access to choice and quality in housing options for adults with learning disabilities including those on the autistic spectrum.

National estimates for the population prevalence of learning disabilities (2.2%) indicates that there are 7,000 adults (18-64 years) living in Brent who have some form of learning disability. Population growth estimates suggest that in Brent the number of adults with a learning disability will increase by a further 8% by 2030. In the same period, life expectancy for adults with a learning disability, which is historically much lower than the population as a whole, is increasing. By 2030 the number of adults with a learning disability aged 65 years or older will increase by 52%.

Of the 3,300 adults in Brent who are registered, with a diagnosis of LD, 640 that are currently known to Brent council as users of statutorily funded services. Of these 190 are currently living in residential care settings with a further 123 in supported living (a setting in which people either own or rent their own home, have choice and control over the support they get and have clear housing rights, i.e. having a tenancy in place) with the majority living with family or in their own accommodation.

In Brent, as elsewhere in London and the UK, housing choices for adults with learning disabilities and autism has been historically limited. The reasons for this are not just about housing supply but also how the sector has thought and worked in traditional ways for many years. This has often resulted in adults being placed in residential or nursing care and in some instances out of borough away from family and social networks.

Brent strategic partnership for learning disabilities is committed to ensuring that adults with learning disabilities and autism have access to housing is 'close to home' ensuring that they have every opportunity to maintain close contact with families and be afforded every opportunity to be an active participant in the community in which they live. However, it has been identified that some people with a learning disability may not want to be located close to family. When identifying suitability of accommodation for individuals, in every circumstance the person's choice and control over where they live is promoted and is central to the Care Act 2014.

The overarching vision for this type of accommodation is to support the individual's journey towards greater choice, control and independence. For some Service Users, this may be to support them to leave 24-hour support and in the future move into more independent living environments. For many Service Users, the accommodation will be a long-term home where they can age in situ and, as far as possible, the care and support provision will change in accordance with their needs.

To support this commitment Brent has invested significantly in the acquisition and refurbishment of housing which offers access to high quality accommodation across the borough. To ensure that all 'tenants are able to full take advantage of this Brent is commissioning housing related support (support can include people receiving support to: set up and maintain their home, manage safety and security of their accommodation) for all of these properties.

The level of care and support will be provided through a combination of block contracted core hours and direct funded support and will reflect the needs and aspirations of tenants. In addition to this housing related support. The client and their family will have direct control of the DPS and will decide who provides this support and how it is used. This will ensure that tenants in NAIL properties will have greater choice and control over who provides the support and how it is used.

2. Who may be affected by this policy or proposal?

This policy will positively affect adults with learning disabilities and /or autism who are residents of Brent, their families and significant others.
The ability to live independently whilst receiving this tailored support has been shown to enable people to achieve better outcomes.

We anticipate a positive impact in relation to most service users across all protected groups, as the opportunity to live independently with the right support and care is a preferable long term outcome than living in institutionalised and restrictive care settings.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

YES: The NAIL programme is designed provide adults of all ages with housing and support closer to home where they can better access local services and have a greater opportunity for integrating with their families and the wider community.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

✓ Characteristic	✓ IMPACT		
	Positive	Neutral/None	Negative
Age	X		

Sex	X		
Race	X		
Disability	X		
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council’s public sector equality duty?	✓	
Does the policy or proposal relate to an area with known inequalities?	✓	
Would the policy or proposal change or remove services used by vulnerable groups of people?		✓
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	✓	
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

National

The rights of people living with a learning disability in enshrined in the convention of human rights. This includes the right not to be discriminated against in all aspects of life, including healthcare, job opportunities, the right to independent living, the right to services and support in the community. The NAIL programme actively promotes these rights to Brent residents with both learning and physical disabilities. The NAIL programme also supports the national agenda to bring ‘care nearer home’ through reducing an historic reliance on out of borough residential care placements, where the model of care offered often fails to support choice and limits opportunities for more independent living.

Local.

Improved access and choice to housing and support nearer home is a stated priority by Brent Strategic Partnership for Learning Disabilities. Demand analysis for the NAIL project draws on a number of data sources including all cases on the residential and nursing care placements register. The emphasis going forward will include the number of young adults currently in residential schools who will require accommodation and support and those older adults who are currently living with ageing parents who need greater support in the future.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	<p>Positive impacts:</p> <p>The number of older adults (65+) with a learning disability is expected to increase year on year. One of the key drivers of the NAIL LD programme is ensure that sufficient supported accommodation for older adults with LD is available to meet future needs. The choice for older adults with a learning disability will extend to Brent Extra Care housing projects. Extra Care Housing is housing designed with the needs of frailer older people in mind and with varying levels of care and support available on site. People who live in Extra Care Housing have their own self contained homes, their own front doors and a legal right to occupy the property.</p>
DISABILITY	
Details of impacts identified	<p>Many adults living with a learning disability also live with physical disabilities and or sensory impairments. This combination of factors can often limit their options in terms of community living, with much of the traditional ‘supported housing’ stock offering limited disabled access and limited potential for adaptation. In order to address this NAIL’s properties that will be delivered will be adaptable and as such the intention is that as someone’s needs change, their home can be adapted around them, allowing them to stay in their home as long as possible.</p> <p>There are a minimum of 6 (15%) of rooms that could be adapted to accommodate wheelchair access. Future consideration will be given to the inclusion of rooms that can be used or adapted for wheelchair users.</p>

	Upon assessment of the individuals care and support needs a decision can be made as to whether an individual can be referred to accommodation for adults with physical disabilities to better suit their current and ongoing needs.
RACE	
Details of impacts identified	<p>Early indications of adults being identified and assessed as potential reflect the diversity of Brent's population. Specifications for contracts to provide accommodation based support highlight this fact and require providers to demonstrate an understanding of, and commitment to ensure that both its operation and ethos reflect the cultural diversity of tenants including gender, ethnicity and faith.</p> <p>Contract monitoring will be carried out on a quarterly basis and will review the agreement between Brent Adult Social Care and the provider (as agreed in the service specification of each scheme). In this respect Brent would be looking to identify that providers have committed to and are continuing to provide training along policies and procedures in relation to the protected characteristics of race.</p>
SEX	
Details of impacts identified	<p>In matching potential tenants group, we are committed to ensuring that individual projects provide a safe and supportive environment and constantly review the nature of referrals and the need to possibly provide gender specific accommodation. Every effort made to ensure a gender balance is maintained in each property and the need for a women's only house is kept under constant review.</p> <p>A spreadsheet of prospective individuals has been created to identify individuals that could move to each specific scheme. Their care and support needs are under scrutiny along with their desire of what type of tenant group they would like to share with.</p>
SEXUAL ORIENTATION	
Details of impacts identified	At present information on this protected characteristic is not collected, so it is not possible to draw any conclusions as to potential impact on this protected group.
PREGANCY AND MATERNITY	
Details of impacts identified	At present there is no information on this protected characteristic.
RELIGION OR BELIEF	

Details of impacts identified	<p>Many of the adults who are eligible for tenancies and support in NAIL LD properties come from family and community backgrounds where religious belief and practice are fundamental to their identity, and how they live their lives. Brent is committed to ensuring that every resident is able to express their cultural and religious beliefs in every way that is important to them.</p> <p>The inclusion of flexible communal spaces within all schemes will be designed to allow a variety of social activities, including enabling faith groups to come together, but also enabling activities that enable inter-faith interaction</p>
GENDER REASSIGNMENT	
Details of impacts identified	<p>At present information on this protected characteristic is not collected, so it is not possible to draw any conclusions as to potential impact on this protected group.</p>
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	<p>At present information on this protected characteristic is not collected, however the project will potentially have a positive impact on this. At present, couples who are married or are in a civil partnership may be unable to live in the same location due to conflicting health and social care needs. The variety and flexibility of the units that will be delivered by NAIL have the potential to enable couples with differing needs to live with or near to one another.</p>

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

Eliminate discrimination, harassment and victimisation

Every single service user has an individual needs led assessment which includes social care eligibility and takes into account all the issues around the protected groups. A support plan will be put into place which will meet the needs of people with all the protected characteristics appropriately.

NAIL settings will provide service users with the choice of how and where to live, in an environment which is fit for purpose, yet at the same time promoting independence. Appropriate care packages will still be in place, as they are currently, to meet the needs of the individual.

For those whose needs demand it, traditional residential settings will remain an option.

Advance equality of opportunity

Brent has produced a Market Position Statement (MPS) which aims to signal our intention to share better, more transparent information with the market; for the benefit of both current and potential providers of Accommodation Based Care and

Support Services (ABCSS). It will support better relationships between Commissioners and service providers, acting as a foundation for better engagement and partnership working resulting in a full range of services that fully meet the needs of people as close to home as possible and to promote real choice for local people.

The following four principles guide our thinking around how we develop models of ABCSS going forward:

- Principle 1: Wherever possible we meet people's needs at home or as close to home as possible and we will build local capacity in the marketplace to achieve this
- Principle 2: We recognise that the needs of individuals may change over time, and we work with individuals receiving care and support to review the services they receive in line with these changes; which may mean a change in service provision to better meet their needs
- Principle 3: We work proactively with the market to ensure that services are always of an excellent quality and value for money is always achieved.
- Principle 4: For local people, who genuinely need residential or nursing care, we actively review and monitor the quality of these services, to ensure they are safe, personalised, and deliver excellent quality and good outcomes for individuals.

Foster good relations

Brent is committed to supporting local residents to stay at home for as long as possible or as close to home for as long as possible with excellent quality, personalised care and support. It must be noted that Adult Social Care play an important role in ensuring that older people; people with learning disabilities, physical disabilities or mental ill health access the right support within the community. Also in doing so, Adult Social Care support social inclusion for these groups within the wider community in Brent.

In addition, it is the intention of the NAIL project to provide suitable, flexible communal space within schemes whenever possible that can be used for a variety of purposes, enabling different groups to participate in activities with one another.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

In matching tenant groups and properties, the NAIL move on team works closely with individual (potential) tenants and their families to ensure that the property and the model/level of support is right for the tenant. Planned developments for 'purpose built' accommodation for autism will engage with families and other stakeholders as part of the design and development process.

Work on providing information in other means of communication such as 'Easy Read' has already taken place. For example, the tenancies used for NAIL properties have also been designed to make them accessible for someone with learning difficulties or disabilities.

5. Please detail any areas identified as requiring further data or detailed analysis.

The profile of adults with learning disabilities is changing. The number of adults with a learning disability in Brent will increase by 7% by 2030. Adults with a learning disability are living longer. As such Brent's NAIL programme is focusing on meeting both current and future demand. This includes ensuring that older adults with a learning disability who can access age appropriate care.

Adults with profound and multiple disabilities are often due to their complexity of need are shown to be the most disadvantaged in terms of accessing housing care and support nearer

home. This is a service user cohort Brent will seek to review in greater detail to identify options for addressing this imbalance.

However, it has been identified that some people with a learning disability may not want to be located close to family. When identifying suitability of accommodation for individuals, in every circumstance the person's choice and control over where they live is promoted and is central to the Care Act 2014.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

There are no negative impacts for this programme

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The contracts for the core hours support provided to tenants in NAIL projects are monitored on a quarterly basis and the findings will be fed back to both the provider of the scheme and the tenants living there. In the first two quarters this will include a focus on how services are supporting adults in transitioning between services, often an unsettling time for adults with a learning disability. The performance management framework for all NAIL LD projects will focus on service user experience in terms of quality and outcomes and the extent to which the services support the wider inclusion and wellbeing framework for learning disabilities.

Work on providing information in other means of communication such as 'Easy Read' has already taken place. For example, the tenancies used for NAIL properties have also been designed to make them accessible for someone with learning difficulties or disabilities.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

NAIL has the potential to have a significant positive impact on all service users, regardless of what protected characteristics they exhibit, by enabling them to have choice and control over their lives, and ensuring that tailored support is provided to them to improve their equality of opportunity and the overall quality of their lives.

NAIL is an evolving programme that continues to review need and demand and respond where there are real benefits to adults with learning disabilities.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an “X”.</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Consider (where appropriate) the inclusion of rooms that can be used or adapted for wheelchair users		NAIL Project Lead	
Contract Monitoring of NAIL Services	The first two quarters of this will include a focus on how services are supporting adults in transitioning between services , often an unsettling time for adults with a learning disability. The performance management framework for all NAIL LD projects will focus on service user experience in terms of quality and outcomes and the extent to which the services support the wider inclusion and wellbeing	Supplier Relationship Manager and Placement Relationship Officers based in the Contracting, Commissioning and Market Management Team	

	framework for learning disabilities.		

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	
REVIEWING OFFICER:	
HEAD OF SERVICE:	