

Equality Impact Assessment

Name of project/proposal

Permission to consult on proposals to close two overnight respite residential homes for children with disabilities as the Council moves towards a wider range of overnight respite services.

Contact name

Amber James

Department

Childrens Services

Date to be published on Hantsweb

07 Jul 2017

Purpose for project/proposal

Overnight residential respite is designed to give parents or full time carers an opportunity to have a break from caring whilst their children/young people with disabilities are cared for in a safe and supportive environment. Hampshire County Council currently operates three in-house overnight residential respite homes and buys services from other independent providers, in accordance with a Framework Agreement. It is proposed to close two of Hampshire County Council's residential homes: Merrydale in Kings Worthy, Winchester; and Sunbeams in Aldershot, directly impacting on 47 children and their families who currently use the homes. The proposal to close the homes would mean a potential reduction in staffing equivalent to 31.45 FTE (42 headcount) of which 23.31 FTE are permanent employees and 8.14 FTE are temporary employees.

Consultation

Has engagement or consultation been carried out? Planned

It is proposed to hold a public consultation, commencing on Monday 7 August 2017, for eight weeks. The aim of the consultation would be to seek the views of children and young people who use the two homes, and their families, as well as views from wider stakeholders, on the proposed closure of the two homes.

If the proposals to open a public consultation are agreed, a separate consultation, on the proposed staffing changes and the implications, would take place with staff and trade unions between 7 August and 2 October 2017. Managers, together with dedicated HR support, would ensure staff members are given every opportunity to ask questions and offer feedback throughout the staff consultation process.

The proposal would include the opportunity for staff to apply for Enhanced Voluntary Redundancy (EVR2) to minimise compulsory redundancy. The application window would be extended to allow for the proposed closing date for EVR2 applications to be after the Executive Lead Member's decision on the proposals, allowing staff time to consider their application with full knowledge of the decision outcome. Redeployment and outplacement support would be provided.

If it is agreed to undertake a public consultation on the proposed closure of Merrydale and Sunbeams, findings would be published in a report to the Executive Lead Member for Children's Services, for a decision on the proposed closures by the end of 2017. Outcomes from the consultation would also be used to update the Equality Impact Assessment, presented to the Executive Lead Member for Children's Services.

Statutory considerations

Impact

Age

High

Disability	High
Sexual orientation	None
Race	Low
Religion and belief	None
Gender reassignment	None
Sex	Medium
Marriage and civil partnership	None
Pregnancy and maternity	None
Other policy considerations	
Poverty	Medium
Rurality	Medium
Other factors	None
If other please describe	

Geographical impact All Hampshire
Have you identified any medium or high impact? Yes No

Equality statement

Equality Statement

This Equality Impact Assessment outlines the potential impacts upon service users and staff within each protected characteristic, and the actions which would be taken by the County Council to minimise this impact. Data is based on users of the homes as at 31 March 2017. Staff data is based on HR data as at June 2017.

Age

Potential Impact on service users: High – children

Impact after mitigation: High – children

Specific issues for service users:

- The homes currently serve children and young people with disabilities from the age of 10 to 17. Stays in the two overnight residential homes, Sunbeams and Merrydale (or other providers) are agreed following a social work assessment of need, and the allocations of overnight stays for each child determined by the County Allocation Panel (CAP).
- There are currently 19 children and young people using Sunbeams: one aged between 10 and 11, 9 aged between 12 and 14, and 9 aged between 15 and 17.
- There are currently 28 children using Merrydale: 4 aged between 10 and 11, 9 aged between 12 and 14, and 15 aged between 15 and 17.

- The proposed closures would negatively impact children with disabilities aged between 10 and 17 who currently use the homes for overnight respite. Many of the children and young people, and their families or carers, may find the proposed move to another overnight residential respite setting or alternative form of provision difficult; there may be uncertainty about the quality or quantity of care not being the same, or children and young people may have difficulty settling into unfamiliar care surroundings. Service users may feel 'emotionally attached' to the two homes and the staff who work there.

Mitigating action for services users:

- There would be a range of other suitable services offered – the child and family's overnight residential respite allocation would remain the same, and they would be offered either an overnight residential respite service with a different provider, or an alternative and suitable care package that would meet their assessed needs.
- The County Council would continue to actively work with independent providers to develop the market place for overnight residential respite and a range of other services.

Potential impact on staff: Medium

Impact after mitigation: Low

Specific issues for staff:

- 42 members of staff work in Sunbeams and Merrydale. 18 in Sunbeams and 24 in Merrydale - these staff are contracted to work a variety of hours. At Merrydale, 22 out of 24 staff (91.6%) are aged between 30 and 59. At Sunbeams, 15 out of 18 (83.3%) are aged between 30 and 59. Both are higher than the averages for all Hampshire County Council staff across those ages - 77.8% and for Children Services Department at 80.7% respectively
- Some staff in both homes have achieved significant continuous local government service:
 - Sunbeams: 7 have worked between 0-10 years, 8 between 11-20 years, 2 between 21-30 and , and one member of staff has worked between 31-40 years.
 - Merrydale: 13 have worked between 0-10 years, 7 between 11-20 years, 2 staff have worked between 21-30 years, and 2 between 31 and 40 years.
- Staff who are older and employed in local government service for a long time, may be impacted by these proposals. It may be, or perceived to be, difficult for older staff to find new employment.

Mitigating action for staff:

- If the proposals to open a public consultation are agreed, a separate consultation, on the proposed staffing changes and the implications, would take place with staff and

trade unions.

- A key way to reduce the impact on staff would be to offer Enhanced Voluntary Redundancy (EVR2) which would be available to all eligible staff in scope of the review, with more than two years of service. This would provide an attractive severance package of 20 weeks pay (or up to a maximum of 30 weeks pay for staff who qualify for more than 20 weeks redundancy pay).
- If a decision is made to close the homes, staff who have been issued notice of compulsory redundancy would be given redeployment status and support for a three month period.
- If a decision is made to close the homes, staff aged 55 and above would be able to access their unreduced pension benefits.

Disability

Potential Impact on service users: High – children

Impact after mitigation: High – children

Specific issues for service users:

- The number of nights a child or young person receives is allocated by the County Allocation Panel (CAP) as a component of their overall care package. Staff at the homes provide overnight residential care for children with a variety of different disabilities. The homes are used by people who are eligible, and the County Council recognises that their needs can vary over time. The severity of the child's disability in itself would not necessarily lead a family to be allocated overnight residential respite at the homes, rather the assessed impact on a family of a child's disability. Key factors that might lead to an offer of overnight residential respite include: frequent disturbance in the family home during the night, disrupting siblings and other family members' sleep, frequent and regular requirements to check on or intervene with the child throughout the night and very challenging behaviour arising from the child's disability. The County Council can see a peak in demand in certain age brackets, linked to key life transitions for the child. For example, there is more demand for respite services at age 11, and at ages 13-17.
- As at 31 March 2017, Sunbeams and Merrydale provided services for children and young people with a range of mobility, learning, physical and sensory disabilities. The majority of users are recorded as having one or more types of disability. Conditions include: severe learning disability, profound and multiple learning disabilities and complex health care needs; often in combination with other disabilities such as ADHD

Mitigating action for services users:

- To undertake significant, supported engagement activity during the consultation

period to seek the views of vulnerable children and their families.

- To design consultation materials/documents which place the needs of the child or young person first in tone and use of language, avoiding large and/or difficult amounts of data or narrative.
- Many of the children who access respite services may not understand the concept of a 'proposal', only understanding absolutes - the homes "will" or "will not" close. It may be necessary to present absolutes to some children with disabilities, following prior discussion between a child social worker and child's parents and on a case-by-case basis. Parental consent would be sought to discuss the consultation proposals with the child.
- To ensure that every child and family would be offered an alternative and suitable care package that would meet their assessed needs.

Potential impact on staff: None

Impact after mitigation: None

Sex

Potential Impact on service users: Medium

Impact after mitigation: Medium

Specific issues for service users:

- Sunbeams and Merrydale support both male and female service users. There are more males using both homes for residential respite. As at 31 March 2017, at Sunbeams, there are currently 13 males and 6 females, and at Merrydale, there are currently 21 males and 7 females.

Mitigating action for services users:

- Services providing overnight residential respite would remain open and inclusive.

Potential impact on staff: Medium – Women

Impact after mitigation: Low

Specific issues for staff:

- The staff who work in the two homes are predominantly female. The data shows that of the staff employed to work in the homes, 94.5% of staff (17 out of 18) who work at Sunbeams are female, and 70% of staff (17 out of 24) who work at Merrydale are female. Sunbeams is higher than the whole Hampshire County Council percentage of female staff at 86.38% and Children Services Department at 84%, and Merrydale is lower.

Mitigating action for staff:

- Consultation with staff and trade unions would be designed to ensure that all staff, regardless of sex, are equally consulted on the proposals. Furthermore, the EVR scheme would be open to all eligible staff and consideration of all applications EVR would be carried out fairly regardless of the sex of the applicant. The terms of the EVR scheme represent an enhancement ameliorating the adverse impact of the reduction of staff numbers (FTE).

Poverty

Potential Impact on service users: Medium

Impact after mitigation: Medium

Specific issues for service users:

- The proposed closure of the two homes could change the market of providers of overnight residential respite services. Should there be a change in the marketplace, there is a risk that children and young people with disabilities and their families may not be able to access their preferred overnight break, or a break that they need. In some areas of the county, it could mean that children and their families need to travel further, potentially increasing travel time and cost. As a result, families on low incomes and people in rural areas may experience an increased sense of isolation and pressure.
- A study by the Equality and Human Rights Commission, 'Being disabled in Britain: a journey less equal', published on 3 April 2017, found that:
 - Across Great Britain, 59% of families with children, that were in income poverty and that contained a disabled person, lived in material deprivation in 2014/15, compared with an average material deprivation rate of 20%.
 - Across the UK, 18.4% of disabled people aged 16-64 were considered to be in food poverty compared with 7.5% of non-disabled people
 - Families in the UK with a disabled member were more likely to live in relative poverty than non-disabled families.

(See report at: <https://www.equalityhumanrights.com/en/publication-download/being-disabled-britain-journey-less-equal>)

Mitigating action for services users:

- This potential impact is only when suitable alternative provision may not be available. To guard against this risk, the County Council would continue to work with service providers to develop the market. Significant engagement activity has already been undertaken and more are planned for the future, with parent groups, voluntary sector, providers and other key stakeholders.

Potential impact on staff: Medium

Impact after mitigation: Low

Specific issues for staff:

- The majority of staff working in the two homes work in relatively low paid positions.
- The majority of staff in both homes earn salaries at Grade D (salary range: £19,848 - £22,338): At Sunbeams, 72.2% earn a salary at grade D, and at Merrydale, 70.8% earn a salary at grade D. This compares to the whole of the County Council, where 64% earn between £19,848 - £27,600 and the Children Services Department where 25% earn a salary at Grade D (and 20.7% at Grade E, thus 45.6% combined). This is less than the national average salary of £27,600 (Annual Survey of Hours and Earnings – Office for National Statistics).
- The proposal could lead to voluntary redundancy or compulsory redundancy, leading to loss of earnings and confidence in going for further employment.

Mitigating action for staff:

- The opportunity for eligible staff to apply for EVR2 is intended to provide a severance package to those individuals who are at risk of redundancy over and above what they would be entitled to receive in a compulsory redundancy situation.
- If a decision is made to close the homes, staff who have been issued notice of compulsory redundancy would be given redeployment status and support for a three month period.
- Should the decision be made to close the homes, employment support workshops may be arranged which would include training in such skills as CV writing.

Rurality

Potential Impact on service users: Medium

Impact after mitigation: Medium

Specific issues for service users:

Using the district council area as an indicator of the service user's home location:

- Sunbeams: the 19 current users live in the Hart (3), Rushmoor (10) and East Hampshire (6) district council areas of the county.
- Merrydale: the 28 service users live in more geographically diverse locations: Eastleigh (8), Fareham (1), Test Valley (6), New Forest (2), and Winchester (11) district council areas of the county.
- Pending the outcome of the tender process, there could be a lack of alternative overnight services located in the centre, north and east of the county, with the main service providers operating in the south and west of the county.
- The geographical location of the setting would be different, and additional travel would be required.

Mitigating action for services users:

- The geographical location of independent service providers is a continuation of the current position.

Potential impact on staff: None

For the groups which are categorised under the EIA criteria listed below, there is low or no impact:

- Sexual orientation – None
- Race – Low. Users of both Sunbeams and Merrydale identified as predominantly 'White British' (Sunbeams: 16 out of 19; and Merrydale: 27 out of 28).
- Religion and belief – Low. Users at Sunbeams describe themselves as: Christian, Church of England (5), Roman Catholic (2), no religion or belief (2). Religion and belief are not known for 10 current users. Users at Merrydale describe themselves as: Christian, Baptist, Church of England (12), Roman Catholic (1), no religion or belief (7). Religion and belief are not known for 8 current users.
- Gender reassignment – None
- Marriage and civil partnership – None
- Pregnancy and maternity – None

Reason for low or no impact: The service provided by the homes, and by providers

contracted by the County Council to provide overnight residential respite, is intended to be inclusive, focusing on the individual needs of vulnerable children and young people, and their families. This would ensure that the needs of service users in relation to the above criteria would be fully met.

Date to review actions

03 Oct 2017

Final decision date

Final decision date due

Decision to be made by

Executive Member