

Equality Impact Assessment
Corporate Assessment Template



Appendix C

Policy/Strategy/Project/Procedure/Service/Function Title: Ending Contract Arrangements with Action for Children in providing Short Breaks for Cardiff and securing new arrangements through an in-house provision
New/Existing/Updating/Amending: New

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?	
Name: Angela Bourge	Job Title: OM – Strategy Resources and Planning
Service Team: Children’s Services	Service Area: Social Services
Assessment Date: 05/05/2018	

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

The proposal is to end the current contract arrangements with Action for Children for the delivery of the Cardiff Short Breaks Service based at Ty Storrie Childrens Home.

This will include the following

- Terminating the contract with Action for Children
- Council Registration of the children’s home with Social Care Wales
- Transitioning the service and staff team into the council
- Providing a residential short breaks service to disabled children who meet the access criteria so that families have respite which minimises the risk of family breakdown.

2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

Cardiff Short Breaks services is currently delivered by Action for Children within Ty Storrie, a 2 storey building situated on the Western Learning Campus in West Cardiff, Ely.

Action for Children have held the contract for delivering this service for over 13 years. The service moved from a residential area in Cyncoed to the Ty Storrie, purpose built home in 2011 and therefore contract arrangements were put in place to ensure a smooth transition of services.

An interim contract was in place up to December 2013, with the expectation that new

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arrangements could be put in place in partnership with the UHB for the delivery of an integrated service from this date.

However, a number of tasks required completion before integration could be taken forward, which contributed in the further significant delay of contract arrangements.

The service is now in a position, where integration with the UHB for children with profound health care needs is no longer viable.

Delivery of the service from Cardiff Council will require a transfer of the staff team to ensure continued service delivery and compliance with the Transfer of Undertakings (Protection of Employment) regulations (TUPE).

Further information can be found within the Officer Decision Report and subsequent Appendices.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	X		
18 - 65 years	X		
Over 65 years	X		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Service Delivery

The short breaks services is currently only offered to children and young people up to the age of 18 years, leaving the service on their 18th Birthday.

The service is and will continue to be offered to those assessed to be in need by the Child Health and Disability Teams (CHAD) in Cardiff Social Services. The core objective of the change of service provider is to positively improve the quality of the service provided to young people.

Young people in need of care and support after their 18th birthday are transferred to Adult Social Services assessment and case management teams shortly before the young persons' 18th birthday. They will therefore not be affected by this change.

Staffing

The staff team at Ty Storrie are adults (aged 18+). They will continue to enjoy the same terms and conditions of employment with the Council as they currently have with their

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outgoing employer. TUPE legally protects them against change/harmonisation for an indefinite period. New employees (employed after the transfer) who fill any vacancies which arise will be subject to Council terms and conditions which are considered better than those of the outgoing employer.

What action(s) can you take to address the differential impact?

Any differential impact will be positive.

The service will only be accessed via an assessment of care and support needs undertaken by social workers within the CHAD teams, with a panel decision required to progress a referral.

This will ensure that the service continues to be prioritised for those children and families who need it most, with other services continuing to be available to families and children to provide care and support.

3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	X		
Physical Impairment	X		
Visual Impairment	X		
Learning Disability	X		
Long-Standing Illness or Health Condition		X	
Mental Health	X		
Substance Misuse			X
Other	X		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The decision will have a positive impact on children with disabilities and additional needs, since the change is intended to improve the quality of the service they receive. The service is predominantly providing support to children and young people with learning disabilities and co-morbid conditions. A smaller number of children access the service who have physical and medical needs, including epilepsy and feeding needs. The service is not available for children and young people with mental health conditions only. However, a number of children and young people with learning disabilities with associated mental health conditions could be supported by the service. These eligibility criteria will not change during the transfer of the service between providers.

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The service is not able to meet the needs of those individuals with significant and complex medical support which require the oversight of nurses and are assessed as continuing care.

This retains the current service offer, with these children continuing to access services directly from Cardiff and Vale UHB

What action(s) can you take to address the differential impact?

The differential impact is a positive one and will therefore not need to be addressed.

Opportunities to allow Cardiff and Vale of Glamorgan University Health Board to use the building to deliver a stand-alone service independently of the Council service will be considered in parallel with the new service specification process, but do not form part of the service which is being transferred between providers.

3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This activity will have neither a positive or negative impact on this group of people.

What action(s) can you take to address the differential impact?

N/A

3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			X
Civil Partnership			X

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Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This activity will have neither a positive or negative impact on this group of people.

The respite service is available to families, via an assessment conducted by a social worker within the CHAD teams. There are a mix of families who access the service with differing family circumstances.

Respite allocation may be for a number of factors. It should not be assumed that dual parent households are more resilient and therefore less likely to require respite services. In the same way, single parent households should not be assumed to have less resilience.

The assessment process undertaken takes into account a number of factors including the impact of caring for their disabled child in order to assess the need for respite.

It is this assessment process only that determines the need for a service, and not marital status.

What action(s) can you take to address the differential impact?

All assessments will continue to be completed by qualified social workers and requests for short breaks respite is made via a panel with authorisation from a Team Manager.

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy			X
Maternity			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This activity will have neither a positive or negative impact on this group of people.

For those families who have a child accessing the service, there may be flexibilities in delivery of respite as and when required. However, this is on an assessed needs basis and should not be seen as a standard service offer within the specification of the service. This approach will be maintained upon transfer.

Staff who are pregnant or on maternity leave at time of transfer may be impacted in that they could be away from the service at the point of transfer and any associated induction training

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What action(s) can you take to address the differential impact?

Staff transferring to the council under TUPE arrangements who are pregnant or on maternity leave will have to be automatically included in transfer arrangements to avoid any negative differential impact. Arrangements for induction will need to be made upon their return to work.

3.6 Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White			X
Mixed / Multiple Ethnic Groups			X
Asian / Asian British			X
Black / African / Caribbean / Black British			X
Other Ethnic Groups			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This activity will have neither a positive or negative impact on this group of people.

Statistics of children in education, indicate that there are a higher number of children from BME backgrounds represented in Cardiff special schools.

This is reflected in the children and families who receive services from Ty Storrie, with a mix of children from a variety of ethnic groups, including Welsh.

The service already caters for the individual needs of children regardless of ethnicity or cultural need, and has a healthy approach to celebrating diversity, in addition to ensuring that children's health care needs are fully met. This will continue after the transfer to the Council.

What action(s) can you take to address the differential impact?

Ensure that Ty Storrie staff become fully aware of training and development opportunities that exist within the Council to ensure that all cultural needs continue to be recognised and met within the delivery of a short breaks service.

Awareness raising in relation to Council equalities policies and procedures.

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3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist			X
Christian			X
Hindu			X
Humanist			X
Jewish			X
Muslim			X
Sikh			X
Other			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This activity will have neither a positive or negative impact on this group of people.

What action(s) can you take to address the differential impact?

N/A

3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men			X
Women			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Research indicates that there is a higher prevalence of disability amongst males, particularly Autism. This is reflected in the current provision of Cardiff Short Breaks with 21 boys and 7 girls out (of a total 28 children) receiving services. However the decision to change providers will have neither a positive or negative impact on this group of people, since the respite service is only available to families, via an assessment of need conducted by a social worker.

It is this assessment process only that determines the need for a service, and not gender of the child. This process will not change. The balance of males to females may change over time, but would reflect need rather than constraints of the service.

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What action(s) can you take to address the differential impact?
N/A

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual			X
Gay Men			X
Gay Women/Lesbians			X
Heterosexual/Straight			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
This activity will have neither a positive or negative impact on this group of people.
What action(s) can you take to address the differential impact?
N/A

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language	X		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
Cardiff Short Breaks is a service predominantly for children with learning disabilities, who are from a wide range of ethnic groups, including welsh.
Welsh culture is and will continue to be embedded within the opportunities to celebrate diversity within the delivery of the service, and information regarding the service is available both in Welsh and English in compliance with the Welsh Language Standards.
Given the complex range of additional needs of the children accessing the service, spoken or written language may not always be present in the delivery of services.

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Children communicate using gestures and symbols, with some children unable to respond to either English or Welsh directions.

Communication is therefore, simplified and adapted to suit the individual child alongside the wishes of the family.

The Council is subject to the statutory Welsh Language Standards and the Welsh Government's framework for the delivery of Welsh Language Services in Social Care (More than Just Words) as are the Council's commissioned providers. This includes requirements to make an active offer, communicate with all members of the public (including parents and others) in their chosen language and ensure that reception services and public display materials are bilingual, among other standards. The service will have access to higher levels of specialist support in implementing these requirements as an in-house service compared to a commissioned provider. This includes support from the Council's Bilingual Cardiff team and Social Services Welsh Language coordinators.

What action(s) can you take to address the differential impact?

The impact will be positive.

There is and will continue to be an active Welsh offer within the service for staff. Staff will continue to be supported as Welsh learners, and have access to the Council's Welsh language courses

Continued awareness of Welsh Culture within the service within the approach of celebrating diversity.

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

Families have been engaged with at 2 major points.

2016/17 – Engagement with families pre-integrated service delivery

In readiness for integration, families in receipt of services, and those waiting for a service attended an engagement event at Ty Gwyn School.

Approximately 12 families attended all with children of varying need

The purpose of this engagement was to seek the views of existing families of children attending Ty Storrie on the integration of new children to the service, with complex medical conditions.

The outcome of this engagement was positive. Families felt confident to articulate their

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wishes for flexibility in accessing a short break, better options for accessing the service, and self-funding options for families who are in a position to purchase more support. Families were complementary of the service and the staff, although several families experienced frustration relating to poor communication.

2017-18 – Engagement session – general support services

This session was focussed on the general support available to families, particularly within the school holidays. Questions were not specifically related to Ty Storrie, but where mentioned, issues were noted.

Some parents felt that the Ty Storrie Building would be an ideal venue for additional activities when the building was closed to short breaks.

One parent not in receipt of services expressed undocumented concern about how services were delivered from Ty Storrie based on the experiences of a parent friend. One parent had recently raised a complaint due to cancelation of stays impacting on their families respite provision.

One parent noted the ongoing changes in staffing at the service which they had found hard as a family.

No formal engagement or consultation has taken place to support the proposal to end contractual arrangements with Action for Children and deliver Cardiff Short Breaks Services from Cardiff Council due to the sensitive nature of the decision.

It would be expected that once a decision has been formalised, engagement sessions with families and staff groups would take place to ensure the transfer of arrangements in a way that does not disrupt service delivery for these vulnerable children and families.

5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	Clarification of the ages of children that the service will deliver to within regulatory requirements. Currently 6 – 18th Birthday
Disability	Clarity of service specification to outline those groups which the service will cater for, and alternative service delivery options.
Gender Reassignment	None
Marriage & Civil Partnership	None
Pregnancy & Maternity	None
Race	Training and development to ensure cultural needs

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	assessment and celebration of diversity
Religion/Belief	None
Sex	Ongoing monitoring of service delivery
Sexual Orientation	None
Welsh Language	Support to welsh learning staff. Monitoring of the service to ensure compliance with the Welsh language standards.
Generic Over-Arching [applicable to all the above groups]	Further engagement with families and staff groups at point where decision is confirmed to ensure a smooth and successful transition of ownership.

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Eve Williams	Date: 04.06.2018
Designation: Integrated Operational Change Manager	
Approved By:	
Designation:	
Service Area:	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk