

Integrated Impact Assessment

Informing our approach to fairness

Title of proposal	General Residential Care Services
Date of assessment	01/02/18
Officer responsible for Impact Assessment	Angela Jamson
Assessment Team	Commissioning and Procurement
Review Date	February 2018

Version Control

Version	0.1
Date	01/02/18
Replaces version	

Proposal	
This section should outline details of the proposal / function.	
1.	The proposal / function
1.1	<ul style="list-style-type: none"> • Specify services included in the scope of this proposal • Information on the current approach to the service(s) including setting out all core functions • Specify whether the areas included in proposal are statutory or non-statutory. Include info relating to legislation including level of prescription (i.e. general duty or specific duty)
	<p>The People Directorate currently contracts with 26 organisations for generalist residential and nursing accommodation under spot contracts, covering 48 Homes across the City.</p> <p>The current negotiated contract has been in place since April 2014, and reflects the price structure that was agreed by Cabinet in 2016.</p> <p>The delivery of these residential care services enable the Local Authority to meet their statutory duties under the Care Act 2014.</p>
1.2	<ul style="list-style-type: none"> • Description of the proposal / function
	<p>Our current fee setting arrangements end on 31st March 2018. We now need to agree our fee structure for the next four years and develop a new contract which reflects the changing needs of the people we support, the residential care market and our providers.</p> <p>Providers of general residential care services are to be invited to consultation meetings to discuss our proposal and feedback their comments. Following this consultation period a report will be presented to Cabinet which will reflect the feedback received during the consultation exercise. Cabinet will then set the fee structure for residential and nursing care services within the City.</p> <p>Following completion of the consultation and setting of the new fee structure, the aim would be to carry out a one stage procurement exercise for a flexible procurement agreement. Should providers not engage in the consultation exercise, or agree with the fee setting process or fees set, there is the potential that these providers will not take part in the procurement exercise. This could result in there being no overarching contractual framework and a risk of providers refusing to contract on the Council's terms</p> <p>The Council does not intend moving any residents currently living in Homes that may not be in contract with the Authority in the future.</p>

2. Evidence and research – identifying need

What research, information or other intelligence have you used to develop this proposal?

This can include monitoring information, satisfaction surveys, desktop research, professional journals, comments or complaints. It could also include information contained within the Local Information System, MOSAIC, or drawn from the Newcastle Future Needs Assessment, Joint Strategic Needs Assessment etc. Previously Let's Talk Newcastle consultations/engagement is another source of information.

Consider carefully what the information is telling you about your service and its users.

Information source	What has this told you?
Local information systems	Information in relation to spend and budget to help to determine level of current and potential budgetary need.
Budget proposals for 2018/19	Information was gathered from published budget proposals. Publicly available information is available at: Budget 2018-19 Newcastle City Council
Drawn from the Newcastle Future Needs Assessment	This has enabled us to understand the potential demand for services in the future. Information is publicly available at: Newcastle Future Needs Assessment www.wellbeingforlife.org.uk
Market Position Statements	Information was gathered as part of the publication of the Market Position Statement for Residential and Nursing Care Services 2016. This publicly available at: Market Position Statements and Provider Information Newcastle City Council This Market Position Statement will be updated and published as part of our tender documentation.

3. Engagement

In this section provide details of the engagement you have undertaken so far and the engagement still to happen. Please consider the individuals/groups you have/will engage with. This could include service users, groups with protected characteristics - for example BME communities, disabled people, older people, religious organisations, young people - or other groups or communities, such as specific neighbourhoods or staff, that might be affected by the proposal.

Date of engagement	Details of whom you have or will engage with	Number of people invited/attended	Main issues raised
07/02/18 – 21/03/18	Let's Talk – Public Consultation on Residential care Fee Setting	Publicly available	
01/03/18 and 12/03/18	Consultation events for general residential and nursing service providers	20+	

Comments:

4. Assessing the impact

Using the table below, please identify:

- If the proposal could result in some groups being disadvantaged or treated unfairly; or if it could result in an opportunity to promote equality or inclusion.
- Where there is potential for disadvantage or unfair treatment what are your plans to overcome this, mitigate it or justify it.
- If you have not identified any impacts in **section 4**, please explain why your proposal does not impact on any individuals or groups:

Please Note:

We have a duty to consider impacts (actual or potential disadvantage, or beneficial) to individuals/groups with a **protected characteristic** (protected by legislation) or from a **socio-economically** excluded group. As part of the socio-economic impacts we also want to consider impacts to **business** i.e. will the proposal have a direct or indirect impact on businesses which could affect current or future jobs in the city.

We also have a duty to consider if there are implications to **health, Human Rights** and **community cohesion**. Please consider these elements as well when assessing impacts.

Wellbeing and Health - Could people's wellbeing and health be compromised if the proposal is implemented? For instance, could the proposal:

- have an impact on people's ability to maintain and/or improve their wellbeing and health (for example, their ability to be physically active, to afford healthy food, or to access wellbeing and health information)
- cause a change in demand for, or access to, health and social care services

Human Rights - By implementing the proposal, is there the potential for challenge under any of the 16 Articles (Rights) of the Human Rights Act 1998. Select the protected characteristic or socio-economic group(s) who may be disadvantaged. Clearly state why this may be a violation of their rights.

For wellbeing and health and Human Rights implications use the table below to identify the groups who will be affected and clearly highlight the implications.

Community Cohesion – Under the general equality duty, the law requires us to foster good relations between people who share a relevant characteristic and those who don't (community cohesion). You need to explain any potential cohesion impact and how it will be justified or addressed.

We also want to consider impacts on the **Environment** and to **Community Safety** of which links to further guidance can be found at the back on this document and in the associated guidance which covers all the various impacts.

Impact for (staff or service users)	Assess the impact of the proposal(s) on the following specific groups and any others you can identify	Impact (actual/potential disadvantage, beneficial outcome or none)	Detail of the Impact	
			Could the proposal(s) lead to any groups being disadvantaged or treated unfairly? Please explain why.	Could the proposal reduce inequalities or disadvantage? Please explain how.
How will you address this or mitigate any disadvantage?				
People with protected characteristics:				
Service Users	Older people (age)	Potential negative	<p>For those who are eligible and assessed as requiring these services, potential to have a negative impact if rates for services increase and service users charges increase, if rates for services are maintained or reduce there should be no direct impact on service users.</p> <p>If the rates for services are set at a level which provider's believe is lower than that required to meet their operating costs then it is possible that there would be a negative impact on service users. The number of activities available to residents may be affected, catering standards within homes could also be impacted on or the amount of care hours available to individuals.</p> <p>Where providers believe the rate is set at a level which is lower than that required to meet their business needs and homes closed, residents would have to move. This could cause distress and upheaval particularly for those well settled residents with friends amongst the staff and other</p>	<p>To work with finance to identify clients who are likely to be impacted by any rate changes and keep adults and carers / family members fully informed of any changes to fees.</p> <p>Work closely with providers to agree a fee structure and future contracting arrangement that will ensure that where possible the needs of all service users continue to be met.</p> <p>The Council does not intend moving any residents living in Homes that may not be in contract with the Authority and will continue to fund these placements. The ceasing of admissions would only apply to new admissions.</p>

			<p>residents. Unless well managed it could also be injurious to health for the most vulnerable and cause confusion to dementia sufferers.</p>	
<p>Service Users</p>	<p>Disabled people</p>	<p>Potential negative</p>	<p>For those who are eligible and assessed as requiring these services, potential to have a negative impact if rates for services increase and service users charges increase, if rates for services are maintained or reduce there should be no direct impact on service users.</p> <p>If the rates for services are set at a level which providers believe is lower than that required to meet their operating costs then it is possible that there would be a negative impact on service users. The number of activities available to residents may be affected, catering standards within homes could also be impacted on or the amount of care hours available to individuals.</p> <p>Where providers believe the rate is set at a level which is lower than that required to meet their business needs and homes closed, residents would have to move. This could cause distress and upheaval particularly for those well settled residents with friends amongst the staff and other residents. Unless well managed it could also be injurious to health for the most vulnerable and cause confusion to dementia sufferers.</p>	<p>To work with finance to identify clients who are likely to be impacted by any rate changes and keep adults and carers / family members fully informed of any changes to fees.</p> <p>Work closely with providers to agree a fee structure and future contracting arrangement that will ensure that where possible the needs of all service users continue to be met.</p> <p>The Council does not intend moving any residents living in Homes that may not be in contract with the Authority and will continue to fund these placements. The ceasing of admissions would only apply to new admissions.</p>

Service Users	Carers	Potential negative	There is no evidence to suggest that this group would be adversely affected by these proposals.	Dependent upon eligibility and need for services
Service Users	People who are married or in civil partnerships	None	There is no evidence to suggest that this group would be adversely affected by these proposals.	Dependent upon eligibility and need for services
Service Users	Sex or Gender (Includes Transgender, pregnancy and maternity)	None	This group will not be adversely affected by these proposals	Dependent upon eligibility and need for services
Service Users	People's sexual orientation	None	There is no evidence to suggest that this group would be adversely impacted by these proposals at this time.	Dependent upon eligibility and need for services
Service Users	People of different races	None	There is no evidence to suggest that this group would be adversely impacted by these proposals at this time.	Dependent upon eligibility and need for services
Service Users	People who have different religions or beliefs	Potential negative	<p>A number of smaller care home providers historically support people with specific religious needs and, although they are now open to all, still retain that religious focus within the home.</p> <p>Where providers believe the rate is set at a level which is lower than that required this may impact on the catering options within the home which may meet particular religious requirements.</p> <p>Where providers believe the rate is set at a level which is lower than that required maintain their business needs and homes closed residents would have to move. This could cause distress and upheaval</p>	<p>To work with finance to identify clients who are likely to be impacted by any rate changes and keep adults and carers / family members fully informed of any changes to fees.</p> <p>Work closely with providers to agree a fee structure and future contracting arrangement.</p> <p>The Council does not intend moving any residents living in Homes that may not be in contract with the Authority and will continue to fund these placements. The ceasing of</p>

			particularly if people have chosen the home based on their religious denomination as they may feel their other options were limited or there were no other suitable options (based on religious preference).	admissions would only apply to new admissions.
People vulnerable to socio-economic disadvantage:				
Service Users	People living in deprived areas	None	This group will not be adversely affected by these proposals	Dependent upon eligibility and need for services
Staff	People in low paid employment, or in households with low incomes	Potential negative	Where providers believe the rate is set at a level which is lower than that required there is the potential for providers to withdraw from the market, resulting in numbers of people in low paid employment losing their jobs and overall having a negative impact on employment levels in the City.	Work closely with providers to agree a fee structure and future contracting arrangement.
Service Users	People facing barriers to gaining employment, such as low levels of educational attainment	None	This group will not be adversely affected by these proposals	Dependent upon eligibility and need for services
Service Users	Looked after children	None	This group will not be adversely affected by these proposals	Dependent upon eligibility and need for services
Service Users	People facing multiple deprivation, through a combination of factors such as poor health (physical or mental) or poor housing/homelessness	Potential negative	Issues set out above in older/disabled people section	
Businesses:				

Staff and Service Users	Businesses providing current or future jobs in the city	Potential negative	<p>If the rate set by the Council is unsustainable there is the potential for providers to withdraw from the market as they are unable to agree with the fee setting process this could have an adverse impact on the residential and nursing care market in the City which could result in a market which is reliant on large national providers and does not include smaller, local organisations.</p> <p>Closure of services would also have a negative impact on employment levels in the area.</p>	Work closely with providers to agree a fee structure and future contracting arrangement.
Other potential or specific impacts:				
Staff and Service Users	Cumulative or cross cutting impacts. Impacts that may affect numerous groups or whole populations.	Potential negative		

The impact on community cohesion:			
Assess the impact of the proposal(s) on community cohesion	Impact (actual/potential disadvantage/tension, beneficial outcome or none)	Detail of the Impact	If the answer is yes to any of the questions or you're not sure, how will you address this?
Community Cohesion	Potential tension	Could any groups see the proposal as unfair (even if you believe they are fair)? Could the proposal bring different groups into greater contact with each other? Could proposal cause or contribute to conflict or tensions between groups?	We will work closely with providers to understand their concerns and address them through the consultation process.
The impact on community safety:			
Assess the impact of the proposal(s) on community safety	Impact (actual/potential negative impact, beneficial outcome or none)	Detail of the Impact	How will you address this or mitigate any negative impact?
Community Safety		Could the proposal affect actual levels of crime and/or anti-social behaviour? Could the proposal affect the fear of crime, the perception of crime or community confidence in an area? Could the proposal affect road traffic accidents?	

If you have not identified any impacts in Section 4 please explain why your proposal does not impact on any individuals or groups.

5. Authorisation

Authorising Officer	Signature	Date
Director / Head of Service:		
Head of Finance:		
Officer responsible for Integrated Impact Assessment:		

Integrated Impact Assessment Review

Review Date:

Officer:

Provide an update on how the proposal has progressed.

Provide an update for each actual/ potential areas of disadvantage you identified in section 4 of the Impact Assessment.

Detail of the Impact	Actions identified in Section 4	Who is responsible for this?	When will the action be complete?	Update

Please note: If the proposal has changed significantly, you may need another Impact Assessment.

Further Information:

For further information see the Equality Section of the Council's Website www.newcastle.gov.uk/your-council/equality-and-diversity