

Budget Proposals 2014/15 and 2015/16: Equality Impact Assessment (EIA): Supported Employment Service

Business Unit:	Supporting People	Directorate:	Adults & Resources
Date Started :	30th July 2013	Date of current version:	6th February 2014

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of their proposals on the community. As a council we need to ensure that we are able to deliver the savings that we need to make while mitigating against any negative or adverse impacts on particular groups across our communities.

This EIA will evidence that the Council have fully considered the impact of the proposed changes and has carried out appropriate consultation on those changes with the key stakeholders. This EIA and the evidence provided within it will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

Executive Lead / Head Sign off :

Executive Lead(s)	Cllr Christine Scouler	Executive Head:	Fran Mason
Date:	6th February 2014	Date:	6th February 2014

Summary from Overall Budget Proposals:

Proposals – Outline	Savings for 2014/15 and 2015/16		Implementation Cost <i>Include brief outline + year incurred</i>	Delivery <i>When will this proposal realise income / savings</i>	Risks / impact of proposals <ul style="list-style-type: none"> • <i>Potential risks</i> • <i>Impact on community</i> • <i>Knock on impact to other agencies</i> • <i>If statutory service please state relevant legislation section and Act together with any statutory guidance issued.</i> 	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
<p>. Supported Employment: Supported employment for people with Learning Disabilities (LD) - including those with aspergers and other autistic spectrum conditions. Includes Project Search which is a partnership between the Council, hospital and South Devon College.</p> <p>Total annual contract Value £338,000 (£300,000 Supported Employment £38,000 Project Search)</p> <p>This proposal is to end the community based supported employment service but retain Project Search resulting in a £300,000 budget reduction</p>	Contribution in kind from hospital & South Devon College	Reduce by £300,000		April 2014	<ul style="list-style-type: none"> • Potential for significant impact on people with LD, especially those with aspergers and other autism spectrum conditions. • There is the potential for an increased demand on agencies such as Job centre Plus, and South Devon college who make referrals to the supported employment service. • Consultation and Equality Impact Assessment undertaken to assess the impact of the proposal. 			X

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	<p>Clearly set out the proposal and what is the intended outcome.</p>	<p>The proposal is to alter the service delivery of the Supported Employment Service.</p> <p>The service is currently provided by Pluss and consists of 2 parts:</p> <ul style="list-style-type: none"> • The delivery of a community based supported employment service for 55 people with learning disabilities and people with autistic spectrum conditions • The provision of Project Search, a partnership project with Torbay hospital and South Devon college, which provides internship opportunities, vocational qualifications and job searching, based at Torbay hospital, for 11 young people (aged 18-25) with learning disabilities and autistic spectrum conditions <p>This proposal is to end the community based supported employment service but retain Project Search resulting in a £300,000 budget reduction. The service is funded solely by the local authority.</p>
2.	<p>Who is intended to benefit / who will be affected?</p>	<p>The community based supported employment service works with 55 people who have learning disabilities and people who have autistic spectrum conditions. Within this, a large proportion of these people have Aspergers (higher functioning autism) who have great potential to work due to their academic ability, but struggle to compete in the open job market due to their communication difficulties. Ending the service would therefore also specifically impact on people with autistic spectrum conditions and specifically Aspergers.</p> <p>Retaining Project Search would leave an avenue for young people with learning disabilities and autistic spectrum conditions to access some form of support into employment, but the project only works with 10 people per year, and only with the 18-25 age group.</p> <p>Overall this proposal would specifically impact on people with learning disabilities and autistic spectrum conditions over the age of 25.</p>

Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions/proposals on the Torbay community.

Evidence, Consultation and Engagement

No	Question	Details
3.	Have you considered the available evidence?	<p>Around 3000 people in Torbay have a learning disability, although most of these people have a mild learning disability. This is above average compared to the rest of the country. 750 people in Torbay are counted by their GP as having a learning disability. 450 people receive a service from the specialist Community Learning Disability Team.</p> <p>Around 15% of people with Autistic Spectrum Condition are employed. The 2012/13 Adult Social Care outcomes framework shows that the percentage of people with a learning disability who are employed in Torbay is 4.9% compared to 7.2% nationally. Around 15% of people with Autistic Spectrum Condition are employed. There are no figures available for Torbay.</p> <p>Included as an appendix is the Autism self assessment which was submitted to the Department of Health in September 2013, which lists the Supported Employment service as one of the only support services available in Torbay for adults with autistic spectrum conditions.</p>
4.	How have you consulted on the proposal?	<p>Providers of Supporting People funded services</p> <p>The consultation period ran from Thursday 21 November 2013 to 16 January 2014</p> <p>On 21st November Providers were sent written details outlining the proposal(s) for their service(s) and given the Consultation Summary document detailing the overall proposals for the Supporting People (SP) programme, Equality Impact Assessments (EIAs) for their services and access to view the EIAs of other services online. Initial provider meetings/conversations were set up with SP Contract Managers in the week prior to the formal draft budget announcement. This was to explain the proposals and consultation process to providers and to allow the providers time to arrange meetings with their staff to take place on the day of the budget</p>

No	Question	Details
		<p>announcement (as for many services the proposals will affect staff)</p> <p>A client profile template was developed and sent to Providers to complete to identify clients in support services who were also in receipt of a statutory service. This information was used to inform the service EIAs and evidence where there might be an impact on the expenditure in other parts of the Authority.</p> <p>The Consultation Summary document and questionnaire were available on the Supporting People page of the Council's website.</p> <p>A follow up email was sent to Providers on 8th January asking if they were responding collectively, individually or both; and asking them to encourage referral agencies to respond to the consultation.</p> <p>Current and previous users of Supporting People funded services, and their carers, relatives and advocates.</p> <p>A standard letter outlining the specific proposals for each service was sent to the service provider to distribute to their service users. The letter outlined where service users could access and complete the client consultation questionnaire and explained the consultation process including the opportunity to attend focus groups or face to face interviews.</p> <p>Posters were sent to Providers to insert the details of the consultation events and promote these to service users.</p> <p>A number of focus groups proportionate to size of service were held for each of the affected services. Where services had more than 20 clients then 2 focus groups were offered, with the option for more if required, subject to the availability of resources to facilitate them. Focus groups used the same questions as the client questionnaire. However 1 focus group for clients in the supported employment service used different questions, chosen by by the external agency that facilitated this particular group.</p> <p>Focus groups were facilitated by representatives from Torbay Voice with a member of the SP team present to record comments. Where a focus group was organised but there were no attendees, the focus group has not been counted.</p> <p>Face to face interviews (with Torbay Voice representatives) or telephone interviews were offered to those choosing not to or unable to attend focus groups using the same questions.</p> <p>There may be a small duplication of respondents as some may have completed a questionnaire as well as</p>

No	Question	Details
		<p>attended a focus group</p> <p>Two separate focus groups were held for carers and relatives of service users of the Supported Employment Service.</p> <p>Providers were encouraged to undertake their own consultations using the same questions, and some providers issued the questionnaires to their clients.</p> <p>The client questionnaire was available on the SP page of the Council's website and providers advised of this so that they could direct service users to it, or support service users to complete it themselves.</p> <p>Individual written submissions (email and letter) were received from service users, relatives, and family members.</p> <p>Stakeholders including statutory partners, referral agencies, local and national partner organisations</p> <p>An email was sent to all stakeholders attaching the SP Consultation Summary document and stakeholder questionnaire, a summary of SP services and a link to the EIAs for each service. Stakeholders were also encouraged to respond to the overall Council budget proposals and a link to the wider Council budget consultation was included in the email.</p> <p>Stakeholders included:</p> <ul style="list-style-type: none"> • Torbay and Southern Devon Health and Care NHS Trust • Devon Partnership Trust • Devon and Cornwall Probation Trust • South Devon Clinical Commissioning Group • Torbay Council Housing Services • Torbay Council Children's Services • Police • Referral agencies such as: Community Mental Health Teams, Disability Information Service, Housing Options team, Torbay Hospital

No	Question	Details
		<p>Other local and national partners such as: British Association of Supported Employment, Shelter, The Alzheimers Society, MIND and Mencap</p> <p>See Appendix 1 for consultation results</p> <p>Other including members of the public/non service users</p> <p>A general questionnaire was placed on the Council's website by the Council's Policy and Performance Team asking about all of the Council budget proposals including a section on Supporting People. The SP section contained a link to the SP consultation documentation on the specific budget proposals for SP services.</p> <p>Further representations were made in writing (via letter, email and petition) by organisations and members of the public.</p> <p>A total of 285 representations were received, as well as 21 focus groups that were facilitated for clients and carers, where 160 people attended.</p>
5.	Outline the key findings	<p>There were 16 responses received which referred to this proposal. There were also 4 focus groups held for clients and carers where 48 people attended.</p> <p>The respondents expressed the view that the direct consequence of the closure of the service is that current and future generations of adults and young people with learning disabilities and/ or autism, will be unable to move into employment and achieve the independence, choice and control that a job and a working life brings. Service users and their families spoke about having hope since receiving this service and felt that ending the service would have a detrimental effect on those who are motivated to become employed but cannot do so without the support of the service. It was stated that there are no other specialist services in Torbay for people with Autistic Spectrum Conditions (ASC) and the Jobcentre does not have the specialist knowledge to support people with learning disabilities or autistic spectrum condition into work. People at the focus group asked what was the point of the Council investing in special schools if there was nothing afterwards, as the purpose of school is to prepare people for work?</p>

No	Question	Details
		<p>There was concern that the number of organisations willing to employ people with additional needs would reduce as the service plays a key role in working with employers to promote the case for employing people with additional needs and supporting both the organisation and the employee when people are employed.</p> <p>It was felt that ending the service would lead to a further strain on service provisions e.g. learning disability teams, social workers and GP's due to depression and financial strain people will feel and a number of parents stated that without the service their children would be in day services.</p> <p>People at the focus group spoke of the money that would be saved if people got work instead of being reliant on benefits. This was underpinned by further feedback stating "...for every £1 spent on adults with moderate care needs, an average of £1.30 will go back to local government, central government, the NHS and individuals. The National Audit Office (2009) also found that if local services identified and supported just 4% of adults with high functioning autism and Asperger syndrome, the outlay would become cost neutral over time." Currently only 4.9% of adults with a learning disability in the bay are known to be in paid employment."</p> <p>It was also stated that successive national reports have highlighted the need to improve expectations that people with a range of disabilities should participate in paid employment and the critical role of local authorities in leading that work, along with its obligations under the Autism Act.</p> <p>It was expressed that the provider is keen to explore alternative options with the Council to access part-funding from other funding streams, but this cannot be achieved within the timescales given in the proposal.</p>
6.	<p>What amendments may be required as a result of the consultation?</p>	<p>The Provider has submitted alternative savings proposal for consideration by council. If implemented this would mitigate the impact of the initial proposal by retaining a reduced service for this client group for a longer period of time pending investigation of alternative funding sources.</p>

Positive and Negative Equality Impacts

No	Question	Details		
7.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact	Neutral Impact
	Older or younger people		This proposal would impact disproportionately on people over the age of 25, as Project Search which will be retained, only works with people up to the age of 25. Therefore, anyone over the age of 25 would no longer have a supported employment service available to them in Torbay.	
	People with caring responsibilities		This proposal would impact on people with caring responsibilities. This is because the service is free of charge and does not form part of a person's RAS allocation. Therefore if the service(s) were to end, service users would not be entitled to an alternative service, meaning an increase of time spent caring for those with caring responsibilities for them.	
	People with a disability		People with learning disabilities and autistic spectrum conditions would be affected. These services are the only specialist employment services for people with learning disabilities and autistic spectrum conditions in Torbay. People with these disabilities who want to work in Torbay would therefore not be able to access this type of support. (Work Choice has limited numbers of places and is only available to people who are in an immediate position to	

No	Question	Details	
			work 16 hours a week or more) The current service works with people who are capable of working but need more support to achieve this goal.
	Women or men		No differential impact
	People who are black or from a minority ethnic background (BME)		No differential impact
	Religion or belief (including lack of belief)		No differential impact
	People who are lesbian, gay or bisexual		No differential impact
	People who are transgendered		No differential impact
	People who are in a marriage or civil partnership		No differential impact
	Women who are pregnant / on maternity leave		No differential impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)		The proposals will have an impact on the economic well being of people with learning disabilities and autistic spectrum conditions as the services are currently supporting people into employment.
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		No impacts identified
8a.	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified)	The cumulative impact of the ending of other Supporting People services will result in there being no other supporting people services for people with learning disabilities and Autistic Spectrum Conditions to access.	

No	Question	Details
	above)	
8b.	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	We are not aware of any proposals to other public services.

Section 3: Mitigating action

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	<p>Negative impacts identified in Section 7:</p> <ol style="list-style-type: none"> 1. This proposal would impact disproportionately on people over the age of 25, as Project Search which will be retained, only works with people up to the age of 25. Therefore, anyone over the age of 25 would no longer have a supported employment service available to them in Torbay. 2. This proposal would impact on people with caring responsibilities. This is because the service is free of charge and does not form part of a person's RAS allocation. Therefore if the service(s) were to end, service users would not be entitled to an alternative service, meaning an increase of time spent caring for those with caring responsibilities for them. 3. People with learning disabilities and autistic spectrum conditions would be affected. These services are the only specialist employment services for people with learning disabilities and autistic spectrum conditions in Torbay. People with these disabilities who want to work in Torbay would therefore not be able to access this type of support. (Work Choice has limited numbers of places and is only available to people who are in an immediate position to work 16 hours a week or more) The current service works with people who are capable of working but need more support to achieve this goal. 4. The proposals will have an impact on the economic well being of people with learning disabilities and autistic spectrum conditions as the services are currently supporting people into employment. <p>Managing this impact</p>

		<p>Where people have a Care Manager, we will inform them of the ending of the service so they can re assess individuals. However, this will have an impact on the workload of the Care Managers within the Learning Disability Team. This however is unlikely to minimise any impacts, as this service is free and not part of a person's RAS assessment, meaning that in most cases, people would not be entitled to alternate services from Adult Social Care. In addition, more than half the people the service works with have an autistic spectrum condition, and do not have any other support apart from this service. There is no other service to refer them to. We would talk to the Jobcentre as they would be required to support individuals that are currently supported by Pluss. However, a strong theme to emerge from the consultation was that people have not received the level of support they require from the Jobcentre.</p> <p>Monitoring the impact:</p> <p>We will monitor for:</p> <p style="padding-left: 40px;">Employment outcomes for people with a learning disability Employment outcomes for people with Autistic Spectrum Conditions (this may not be possible to source)</p>
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Section 4: Monitoring

No	Action	Details
10.	Outline plans to monitor the actual impact of your proposals	<ul style="list-style-type: none"> • Employment Outcomes for people with learning disabilities – this data is currently collected annually by Adult Social Care and could be reported annually. In addition, data from the Jobcentre could be reported quarterly. • Employment outcomes for people with autistic spectrum conditions – it is not known whether this data is available. As many adults with Autistic Spectrum Conditions do not have a formal diagnosis, this data may be difficult to obtain. We will try to obtain from colleagues at the Jobcentre and report quarterly.

Section 5: Recommended course of action –

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
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11.	<p>State a recommended course of action Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes and justify the reasons for your decision</p>	<p>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</p>		
		<p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</p>		
		<p>Outcome 3: Continue with proposal - Despite having identified some <u>potential</u> for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.</p>	X	<p>The purpose of this proposal is not to discriminate directly or indirectly, and does not amount to unlawful discrimination. The Council has to deliver significant savings, and in doing so has to prioritise its statutory responsibilities. Whilst the consultation has highlighted the benefits derived from the service together with the impact upon those who currently receive the service, this service is not statutory. The Council will endeavour, with its partners and the community, to mitigate against any adverse impacts. If any individual affected by the decision meets the FACS criteria, they will receive a service to meet their needs from Torbay & Southern Devon Health & Care Trust.</p>
		<p>Outcome 4: Stop and rethink – EIA has identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</p>		

Appendix 1

Consultation Results: Supported Employment- Reduce by 100%

There were 16 responses received which referred to this proposal. There were also 4 focus groups held for clients and carers where 48 people attended.

This service is provided by Pluss.

During consultation a proposal was received from the Provider to reduce the contract value and the number of clients supported, and that full details can be found in the EIA.

Category	Examples of comments
Impact on the Health, Wellbeing and Quality of Life of Existing and Potential Clients	<p>“The direct consequence of the closure of the service is that these people, as well as all future generations of adults and young people with learning disabilities and/ or autism, will be unable to move into employment and achieve the independence, choice and control that a job and a working life brings.”</p> <p>“The first time my daughter talked about, “when I get a job”, I wept with joy.”</p> <p>“The support provided by Pluss to my daughter and many others, not only means occupation and employment but helps them gain confidence and gives hope for the future.”</p> <p>“...we are just so pleased that she may soon be able to do some work and be a positive member of society.”</p> <p>“He now has a proper paid part time job and in addition has come to be more self reliant and confident. He loves his work... Pluss helped him in every aspect of work including how to use the bus service, it has changed his life.”</p>

Category	Examples of comments
	<p data-bbox="801 161 1783 228">“The proposal will have an adverse impact on young disabled people who are motivated to become employed.”</p> <p data-bbox="801 272 1832 416">People at the focus groups spoke of having hope since receiving a service from Pluss. Many service users stated that they wanted more than anything to work, some people had families they wished to support. People spoke of being bored and depressed when they cannot work.</p>
<p data-bbox="539 810 741 986">Impact on Statutory Services and National Priorities</p>	<p data-bbox="801 459 1816 751">“Successive national reports have highlighted the need to improve expectations that people with a range of disabilities should participate in paid employment, and the critical role of local authorities in leading that work: Improving Work Opportunities for People with a Learning Disability (DWP, 2006): Valuing Employment Now (HM Govt, 2009): Realising Ambition (DWP, 2009)”</p> <p data-bbox="801 791 1839 967">“The current driver for locally commissioned supported employment provision is the 2012/13 Adult Social Care Outcomes Framework (ASCOF). Torbay clearly has a real need for this service because only 4.9% of adults with a learning disability in the bay are known to be in paid employment.”</p> <p data-bbox="801 1011 1821 1187">“The Torbay requirement to have its offer clear for the delivery of its obligations under the Autism Act and associated strategy serves to reinforce the critical importance of this supported employment service to its delivery. Without the service, Torbay’s offer will be significantly damaged and reduced.”</p> <p data-bbox="801 1232 1839 1343">“Equality Act 2010 - If the service is withdrawn its closure could be seen as potentially in breach of section 20(3) of the Act (particularly when seen against a backdrop of other areas developing dedicated services with</p>

Category	Examples of comments
	<p>integral employment support).”</p> <p>“It doesn’t make sense to end these services as we await a Government paper on disability employment strategy and look to establish a local offer to young people with EHC plans.”</p> <p>“It feels that the rights of the most vulnerable are the first to be targeted and it will lead to a further strain on service provisions eg learning disability teams, social workers and GP's due to depression and financial strain we will feel.”</p> <p>Several people at the focus group stated that their children would be in day services if they weren’t with Pluss. One person stated that she would have been seeking an out of area training place for her son, which would have cost £75,000 per year for 3 years.</p> <p>People at the focus group asked what was the point of the Council investing in special schools if there was nothing afterwards – surely school is there to prepare you for work?</p>
<p>Financial Impact of the Proposals</p>	<p>“If the proposal is implemented there is a high likelihood that significant costs will be incurred elsewhere across Torbay Council in terms of both services and welfare benefits... will inevitably see a displacement of support needs and an increased demand for social care support.”</p> <p>“The supported employment service also contributes significantly to the local preventative agenda and to a reduced take up of other Torbay Council services including adult social care and children’s services.”</p> <p>“...for every £1 spent on adults with moderate care needs, an average of £1.30 will go back to local government, central government, the NHS and individuals. The National Audit Office (2009) also found that if local services identified and supported just 4% of adults with high functioning autism and asperger syndrome, the outlay would become cost neutral</p>

Category	Examples of comments
	<p>over time.”</p> <p>People at the focus group spoke of the money that would be saved if people got work instead of being reliant on benefits. Also, some people would be eligible for day services. One service user spoke proudly of paying taxes to help others now he has a job</p>
<p>Impact on the Wider Community</p>	<p>“The loss of this service will also negatively impact upon service users families and carers (immediately and for future generations) as they will be more likely to be in need of support from the local authority as their cared for family member would probably need more help.”</p> <p>“Cutting the service will barely cause a ripple in the ranks of the mainstream community. People with learning disabilities and their families seldom have a loud voice. Their protests will be easily curtailed or dismissed.”</p> <p>“Pluss has engaged with local employers ...this is beneficial for all future employees (not just those with autism), as it makes a workplace more open to diversity, and supportive of difference.”</p>
<p>Opportunities to Discuss Alternative Options / Source Other Funding</p>	<p>“Working with Pluss to secure part-funding this service from other areas within Torbay Council.”</p> <p>“Working with Pluss to secure part-funding for this service from other agencies and other funding streams.”</p> <p>“Please note that without Torbay Councils continuing investment in this valuable service for people with learning disabilities and people with autistic spectrum conditions, then there will be no realistic likelihood of securing alternative funding streams.”</p> <p>“Pluss remains eager to meet with Torbay elected members and senior</p>

Category	Examples of comments
	<p>Torbay officers to discuss strategies that would see the retention of a supported employment service for the citizens of Torbay, and, could reduce the financial burden that Torbay Council will face if it decides to proceed with a variation on the proposal.”</p> <p>“I am particularly concerned that an invest to save approach is completely absent in the thinking around the cuts when it comes to Pluss's Supported Employment services.”</p>
<p>No Alternative Support or Service available to Clients</p>	<p>“Without the support of Pluss, we would never have had the courage to even 'think' about him working. He would not have been able to access mainstream job seeking services”</p> <p>“We as parents/carers will not be around for ever, so it is vital that people like the qualified, knowledgable workers at Pluss are able to help people who have difficulties to become independent people slowly but surely.</p> <p>People at the focus groups pointed out that Pluss not only worked with individuals, but also with employers, promoting the case for employing people with additional needs, and supporting them fully if they do employ someone. This then promotes confidence in employers that they can successfully employ people with additional needs.</p> <p>It was also stated out that there are no other specialist services in Torbay for people with Autistic Spectrum Conditions (ASC) and Pluss is invaluable in understanding and supporting people with ASC and their families as it is a 'hidden' disability, which employers often struggle to understand.</p> <p>People were clear that the Jobcentre does not have the specialist knowledge to support people with learning disabilities or autistic spectrum condition into work.</p>