

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

Business Unit:	Supporting People	Directorate:	Adults & Resources
Date Started :	12/08/13	Date of current version:	06/02/14

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:	06/02/14	Date:	06/02/14

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>Criminal Justice Accommodation Service [CJAS]- 10 units of accommodation for offenders with complex needs on licence who have an assessed local connection with Torbay</p> <p>Annual contract value: £60,000</p>		Reduce by 100%: £60,000		April 2014	<ul style="list-style-type: none"> • Current contract expires March 2014 • Potential increase in homeless offenders who may have multiple and complex needs (e.g. poor mental health, substance misuse). • Potential for increased pressure on other services such as housing options • Potential inability to comply with MAPPA duty to co-operate on high risk offenders. • 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 Criminal Justice Accommodation Service (CJAS) provides 10 units of accommodation at three sites in Torbay. Their purpose is to engage with offenders with a local connection to Torbay, involved in the criminal justice system to help them to settle within the community and then successfully move them on to their own accommodation. The service is therefore an important part in the rehabilitation pathway for a number of people. Referrals are accepted from Devon & Cornwall Probation Trust (DPT), Turnaround (the integrated offender management scheme) and the Prison Service. The priority client group is 18+ year old male and female offenders, offenders discharged from prison, offenders in the community who are subject to statutory supervision by Offender Managers, offenders involved in treatment for substance mis-use. Length of stay is a maximum of 2 years.</p> <p>Proposal: To reduce the contract by 100% for the Criminal Justice Accommodation Service (CJAS). The current value of this contract is £60,000</p>
2.	<p>Who is intended to benefit / who will be affected?</p>	<p>If this service is terminated there will be a lack of offender-specific accommodation in Torbay. There may be an impact on reoffending rates which will impact on the Police and criminal justice system .</p> <p>Key stakeholders are:</p> <ul style="list-style-type: none"> • Current service provider • Current and potential clients, some of whom have complex needs, poor mental health • Devon and Cornwall Probation Trust • Torbay Council Housing Services • MAPPA (Multi-Agency Public Protection Arrangement) process

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>15 people entered this service in the year 2012/13. This represents the number of people who entered the service in the last year, and therefore the service supports a small proportion of the number of offenders involved in the criminal justice system.</p> <p>The service works directly with offenders. The aim is to engage with and resettle people in accommodation as a first step to permanent housing and a change of lifestyle which supports the Council's strategic priority of reducing and preventing homelessness, and also looks to preventing a 'revolving door' of people continually accessing services.</p> <p>Between 1st June 2012 and the 31st May 2013, 4337 offenders commenced an Order with the Devon and Cornwall Probation Trust. Of these, 696 (16%) are supervised within Torquay.</p> <p>Of the 696: male offenders are disproportionately represented, with 86% of the commencements:.</p> <table border="1"> <thead> <tr> <th></th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Male</td> <td>601</td> <td>86%</td> </tr> <tr> <td>Female</td> <td>95</td> <td>14%</td> </tr> <tr> <td>Total</td> <td>696</td> <td>100%</td> </tr> </tbody> </table> <p>Source: <i>Torquay Caseload and Commencement Data - ad hoc report July 2013</i></p> <p>Age range</p> <table border="1"> <thead> <tr> <th></th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>18-24 years</td> <td>178</td> <td>26%</td> </tr> <tr> <td>25-34 years</td> <td>230</td> <td>33%</td> </tr> <tr> <td>35-44 years</td> <td>161</td> <td>23%</td> </tr> <tr> <td>45-54 years</td> <td>94</td> <td>14%</td> </tr> <tr> <td>55-64 years</td> <td>20</td> <td>3%</td> </tr> <tr> <td>65+</td> <td>13</td> <td>2%</td> </tr> <tr> <td>Total</td> <td>696</td> <td>100%</td> </tr> </tbody> </table> <p>Source: <i>Torquay Caseload and Commencement Data - ad hoc report July 2013</i></p>		Number	Percentage	Male	601	86%	Female	95	14%	Total	696	100%		Number	Percentage	18-24 years	178	26%	25-34 years	230	33%	35-44 years	161	23%	45-54 years	94	14%	55-64 years	20	3%	65+	13	2%	Total	696	100%
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		<p>Race</p> <p>Within Torquay, the largest proportion of offenders were recorded as White (90%).</p> <p>Offence Type</p> <p>Within Torquay, the largest proportion of offenders committed an offence of Violence (35%), followed by Theft (12%).</p> <table border="1" data-bbox="562 432 1789 927"> <thead> <tr> <th></th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Burglary</td> <td>59</td> <td>8%</td> </tr> <tr> <td>Criminal damage</td> <td>31</td> <td>4%</td> </tr> <tr> <td>Driving offences</td> <td>70</td> <td>10%</td> </tr> <tr> <td>Drug offences</td> <td>80</td> <td>11%</td> </tr> <tr> <td>Fraud and forgery</td> <td>58</td> <td>8%</td> </tr> <tr> <td>Public order or riot</td> <td>45</td> <td>6%</td> </tr> <tr> <td>Robbery</td> <td>7</td> <td>1%</td> </tr> <tr> <td>Sexual</td> <td>29</td> <td>4%</td> </tr> <tr> <td>Theft</td> <td>86</td> <td>12%</td> </tr> <tr> <td>Violence</td> <td>220</td> <td>32%</td> </tr> <tr> <td>Other</td> <td>9</td> <td>1%</td> </tr> <tr> <td>Unknown</td> <td>2</td> <td>-</td> </tr> <tr> <td>Total</td> <td>696</td> <td>100%</td> </tr> </tbody> </table> <p>Source: <i>Torquay Caseload and Commencement Data - ad hoc report July 2013</i></p> <p>There is no other service that engages with offenders in this way in Torbay.</p> <p>In 2012/13, regarding clients entering short term Supporting People services (across all services):</p> <ul style="list-style-type: none"> • Where known, 122 were accepted as requiring secondary mental health services, and 139 were accepted as requiring Probation/Youth Offending Team services • Where known, 27.6% (293) were statutory homeless with 156 of them owed a homelessness duty, another 137 (12.9%) were not statutory homeless but considered homeless by the service • Where known, 31 were assessed as at high risk of domestic abuse and supported through the MARAC (Multi Agency Risk Assessment Conference) 		Number	Percentage	Burglary	59	8%	Criminal damage	31	4%	Driving offences	70	10%	Drug offences	80	11%	Fraud and forgery	58	8%	Public order or riot	45	6%	Robbery	7	1%	Sexual	29	4%	Theft	86	12%	Violence	220	32%	Other	9	1%	Unknown	2	-	Total	696	100%
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		<p>Lack of accommodation can contribute to re-offending. A Ministry of Justice report in 2013 states that ‘Offenders with accommodation problems have been found to be more likely to reoffend. Access to stable accommodation is important in enabling ex offenders to access employment and training opportunities which may in turn support their rehabilitation. Accommodation needs can also impact on family relationships and the chances of successful reintegration into the community on release from prison, which are important in reducing reoffending.’¹</p>
4.	<p>How have you consulted on the proposal?</p>	<p>Providers of Supporting People funded services The consultation period ran from Thursday 21 November 2013 to 16 January 2014 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 announcement (as for many services the proposals will affect staff) 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. The Consultation Summary document and questionnaire were available on the Supporting People page of the Council’s website. 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. 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. 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</p>

¹ Transforming rehabilitation: a summary of evidence on reducing reoffending, Ministry of Justice Analytical Series, 2013, p5, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/243718/evidence-reduce-reoffending.pdf

No	Question	Details
		<p>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 attended a focus group</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,

No	Question	Details
		<p>Torbay Hospital</p> <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 results.</p> <p>Other including members of the public/non service users 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 was 1 response received which referred to this proposal. There was also 1 focus group held for clients where 3 people attended.</p> <p>Responses suggested that the service helps to:</p> <ul style="list-style-type: none"> • Provide a stable environment • Help to access other services and professionals. • Support people to find their own accommodation • Support people to get into training/education/employment. • Give people a greater self worth • Reduce crime • Avoid relapse in to drug or alcohol abuse. <p>If the service ended, people felt that:</p> <ul style="list-style-type: none"> • There would be an increased risk of homelessness amongst offenders leaving prison, • There would be less chance of rehabilitation from criminal behaviour or drug and alcohol dependency/abuse • There would be an increase in recall to prison.

No	Question	Details
		<p>Without the preventative service being available the respondents felt there would be a greater use of other agencies, including:</p> <ul style="list-style-type: none"> • GPs, • Mental health services • Police • Wider criminal justice sector (e.g. prison). <p>The costs associated with this were thought to be greater than the cost of the service, meaning that any short term savings would soon be lost through the increased spend on other agencies.</p> <p>The provider would “have welcomed the chance to have worked with you to identify savings within our services, this is the approach we have taken with other local authorities. We are still open to work with you to look at how services can be secured.”</p> <p>This proposal would also lead to the redundancy of 2 full time members of staff.</p>
6.	<p>What amendments may be required as a result of the consultation?</p>	<p>Provider organisation and Police, probation and health services request a delay in implementation of the proposals so that alternative sources of funding can be investigated.</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 service is for clients aged 18+ Of these, 3 clients were aged 18 to 24, and 12 were aged 25 to 45. There may be an increase in reoffending rates, referrals to mental health services and homeless applications from offenders.	
	People with caring responsibilities			No differential impact
	People with a disability			No differential impact shown from analysis of clients who entered the service in 2012/13.
	Women or men		The service can be accessed by both men and women, but the client group accommodated tends to be primarily male. (14 out of 15 placements in 2012/13 were male). Therefore males will be disproportionately affected by the proposed change.	
	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

No	Question	Details	
	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)		<p>In 2012/13, where economic status is known, 56% of people who entered short term Supporting People services (across all services) had a status that meant they were eligible for welfare benefits</p> <p>Potential increase in reoffending rates including anti social behaviour and crime</p>
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		No direct link to public health outcomes however successful resettlement into accommodation and support to address lifestyle issues may have a positive impact on life expectancy.
8a.	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	Supporting People are proposing budget reductions of approximately 70% and therefore there will be no other accommodation based or outreach services to meet the needs of offenders.	
8b.	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	The Probation Service will be out-sourced from April 2014 and the impact of this is currently unknown.	

Section 3: Mitigating action

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	<p>Negative impacts as outlined in section 7 above:</p> <ul style="list-style-type: none"> • This service is for clients aged 18+. Of these, 3 clients were aged 18 to 24, and 12 were aged 25 to 45. There may be an increase in reoffending rates, referrals to mental health services and homeless applications from offenders. • The service can be accessed by both men and women, but the client group accommodated tends to be primarily male. Therefore males will be proportionately affected by the proposed change. • In 2012/13, where economic status is known, 56% of people who entered short term Supporting People services (across all services) had a status that meant they were eligible for welfare benefits, Therefore people on welfare benefits will be proportionately affected by the proposed change. <p>It will be very difficult to minimise negative impacts due to the cumulative effect of the overall reduction in Supporting People services, meaning that there are no alternative services to refer people to. We will monitor the impacts as set out in section 10 below on a quarterly basis.</p>

Section 4: Monitoring

No	Action	Details
10.	Outline plans to monitor the actual impact of your proposals	<p>The following impacts will be monitored and reported to the Commissioning for Independence Board, chaired by the Director of Adult Social Services:</p> <ul style="list-style-type: none"> • Monitor for increase in number of clients with offending history requiring homeless assessments and reasons • Monitor for increase in numbers of clients with offending history accepted as statutorily homeless by Housing Options requiring emergency accommodation • Monitor for increase in numbers of clients with offending history seeking advice and assistance from Housing Options and type of advice/assistance required • Monitor re-offending rates through Police and Probation data • Monitor MAPPA compliance for accommodation needs being met

Section 5: Recommended course of action –

No	Action	Outcome	Tick	Reasons/justification for recommended action
11.	State a recommended course of action	Outcome 1: No major change required - EIA <i>has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</i>	✓	
		Outcome 2: Adjustments to remove barriers – <i>Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</i>		
		Outcome 3: Continue with proposal - Despite <i>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’.</i>	X	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.
		Outcome 4: Stop and rethink – EIA has <i>identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</i>		

Appendix 1

Consultation Results: Criminal Justice Accommodation Service - Reduce by 100%

There was 1 response received which referred to this proposal. There was also 1 focus group held for clients where 3 people attended.

The service is provided by Sanctuary Supported Living.

Category	Examples of comments
Impact on the Health, Wellbeing and Quality of Life of Existing and Potential Clients	<p>“Within the Criminal Justice Accommodation there is potentially a significant proportion of these clients who may be at risk of homelessness as a result of the ending of this contract.”</p> <p>"Having somewhere stable with right atmosphere to live - feels like home - staff not on top of you, there when you need them. Lifestyle different"</p> <p>One focus group was held with CJAS service users. They spoke of the impact of the service upon themselves as individuals and how it supported them in signposting to and/or liaising with other agencies and professionals, including mental health services. They also mentioned support to find accommodation and to get into training and apprenticeships. They commented on the emotional support they received and the growth in self belief which made them feel more positive and less inclined to commit crime, and that the loss of the service would lead them to return to drug taking, criminality and ultimately a return to prison.</p>
Impact on Statutory Services and National Priorities	<p>“Clients will resort on emergency front line services to respond to their needs, this will impact on both health and police services. Increase inappropriate use of GP services. This will add to the costs of health and emergency services.”</p> <p>“Vulnerable client will be put at risk from themselves and others, these risk may not be successfully managed or in some cases remain unnoticed by professionals within the Community.”</p> <p>One service user said that this was the longest time he had been out of prison on ten years. All of those attending the focus group expressed concern at what would happen to others coming out of prison if this service were to end. They</p>

Category	Examples of comments
	<p>felt that people would not know where to go for help, have no prospects for education or employment, and that the system would not be able to cope. People would become homeless and sleep rough or return to prison. They felt this would impact on other services including mental health services and the police, and would cost more.</p>
<p>Financial Impact of the Proposals</p>	<p>“These proposed cuts may give the Council a short term gain in their overall budget line figure but the effects of these cuts will have far reaching effects within the Council future expenditure and that of its strategic partners including the police and health services.”</p> <p>“The Cuts will also affect the budgets of Torbay Care Trust, the South Devon Care Trust, “and Fire Service as well as the police as clients who no longer receive support we target or use front line emergency and care services which will mean that resources will have to be redirected to address this counter balance.”</p> <p>“The overall budget is disproportionate to that other departments within the Council with a 70% cut being proposed to Supporting People Budget and only a 25% cut to other departments.”</p>
<p>Impact on the Service / Provider</p>	<p>“Risk of redundancy - A further two members of staff through the closure of the Criminal Justice Accommodation</p>
<p>Opportunities to Discuss Alternative Options / Source Other Funding</p>	<p>“We would have welcomed the chance to have worked with you to identify savings within our services, this is the approach we have taken with other local authorities. We are still open to work with you to look at how services can be secured.”</p> <p>“The budgetary problem will not be solved in isolation it can only be achieved through agencies both statutory and voluntary working together that includes the Council in working with the new Clinical Commissioning Group around saving or future partnership working and integration of social care funding.”</p>

