

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details

ERIA Title and Summary Description	Disability Day Care Commissioning and Procurement Plan		
Service Area	Division	Head of Service	Service Area Reference No.
Health and Social Care	Strategic Planning	Rob McCulloch-Graham	HSC14

(b) What is being impact assessed? Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
<p>1. This ERIA relates to the consultation process with service users with learning disabilities, and their carers. on day care service provision. The views of service users and carers will influence the service specification and the commissioning and procurement plan for day care services for adults with learning disabilities in Edinburgh.</p> <p>Day care services are currently contracted on an individual basis with twenty external providers. As part of a new commissioning plan it is intended that a strategic approach will be taken to the provision of day care services for adults with learning disabilities. The procurement process will establish a common content for the service specification, influenced by service users and carers views, and a common set of terms and conditions.</p> <p>This ERIA will consider any impacts that the consultation and procurement process may have on the equalities and rights of service users, carers and the wider community.</p>	

(c) ERIA Team - Please list all ERIA Team Members:

Name	Organisation / Service Area
1.Tony Rattray	CEC, H&SC Contracts Team
2.Mark Grierson	CEC, H&SC Disability services
3.Robert Hogg	CEC, Corporate Governance
4.Jayne Kemp	CEC, H&SC Strategic Planning

Part 2: Evidence and Impact Assessment

(a) Evidence Base – Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at part 3(i). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
1.The Keys To Life – Improving Quality of Life for People with Learning Disabilities (2013).	
2.Social Care (Self-directed Support) (Scotland) Act 2013	
3. The Same As You, 2000	
4.National Care Standards	

(b) Rights Impact Assessment – Summary - Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

Life	Health	Physical Security	Legal Security	Education and Learning	Standard of Living	Productive and Valued Activities	Individual, Family and Social Life	Identity, Expression and Respect	Participation, Influence and Voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Summary of Enhancements of Rights

Life

Helping people with learning disabilities live as independently as possible in their own communities is a stated aim in the Keys To Life. Day services play an important role in supporting people to have a role in their communities by providing social opportunities, improved health and wellbeing, use of community facilities and providing a break for carers.

Health

Improved health and wellbeing is a key outcome for day services for adults with learning disabilities. The service specification for day services for adults with learning disabilities will include an outcome measure which relates to promoting and facilitating the health and wellbeing of service users.

Physical security

Feeling safe is a key outcome in The Keys to Life and will be included in the service specification for day services for adults with learning disabilities,

Education and learning

Lifelong learning is important for adults who have a learning disability. Day services will have a role in supporting the person in this area.

Standard of living

Signposting to welfare advice services in the City can contribute to improved standards of living and day service providers can support service users in this.

Productive and valued activities

Day services for adults with learning disabilities provide a very important opportunity for service users to take part in a wide range of productive and valued activities. Providers will be required to demonstrate the provision of person-centred activities to meet individual needs and outcomes. Consultation with service users and carers confirmed that this is a key component of day services.

Individual, family and social life

Provision of day services will aim to promote independence and support to service users to live a fulfilled life and the service specification will have a number of outcomes to meet in relation to this. Consultation with service users reflected the value developing friendships with a variety of people.

Identity, expression and self-respect

Provision of a person-centred service, based on individual choice, is central to the service specification for day services for adults with learning disabilities. The service specification will ensure that day services are sensitive to personal beliefs and preferences, respect confidentiality and preserve dignity at all times.

Participation, influence and voice

Day services for adults who have learning disabilities will be required to ensure that service users are fully involved in the development and regular review of their support plans. Additionally services will ensure that there are a variety of opportunities for service users to express their views on the services and that service users can participate in the development of the service.

Summary of Infringement of Rights.

There are no identified infringement of rights.

(c) Equality Impact Assessment – Summary - Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

Age	Disability	Gender Identity	Marriage / Civil partnership	Pregnancy Maternity	Race	Religion/ Belief	Sex	Sexual Orientation
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1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Positive Impacts
<p>Age and disability - day services for adults with learning disabilities will be required to provide equal access to services without hindrance from discrimination and harassment, and to ensure that service users feel safe and are protected from harm – this will be included in the service specification.</p> <p>Sex, sexual orientation , marriage / civil partnership , race , religion/belief – day services for adults with learning disabilities must be welcoming of service users of all gender identities and / or sexual orientation and cultural and religious belief.</p>
Negative Impacts
<p>Age – the services will be provided to people with learning disabilities who are over 16 years of age and so does exclude young people under 16 years of age. However the City of Edinburgh Council provides and funds other services for people under 16 years of age,</p>

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
<p>The promotion of equality of opportunity is a critical aspect of day services for adults with learning disabilities. Consultation with service users and carers has highlighted the importance of inclusion and access to services for people who have learning disabilities. Day services will deliver person-centred services to minimize any disadvantage faced by a person who has a learning disability.</p>
Negative Impacts
<p>No negative impacts are identified.</p>

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
<p>Day services for adults with learning disabilities will be required to tackle prejudice and promote understanding. The service specification requires that service users should have</p>

equal access to services without hindrance from discrimination or prejudice, and to feel safe and protected from harm.

Negative Impacts

No negative impacts are identified.

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(i) Evidence Gaps - Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps

(ii) Recommendations - Please record SMART recommendations to (i) eliminate unlawful practice or infringements of absolute rights, (ii) justify identified infringements of rights or (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name required)	Timescale
1. Ensure that the service specification for day services for adults with learning disabilities includes specific requirements in relation to equalities and rights issues.	Tony Rattray	29/07/2016
2. Ensure that the service specification is influenced by the views of service users and carers in relation to good quality day care provisions and outcomes for adults who have a learning disability.	Tony Rattray / Jayne Kemp	29/07/2016
3. Include a question within the tender documentation on how equalities requirements will be met by the provider, to be evaluated by the panel.	Robert Hogg	29/07/2016
4. Continue to work with providers of adult day services for people with learning disabilities to ensure that good practice is shared between providers.	Jayne Kemp	On-going

(iii) Sign Off - I, the undersigned, am content that: (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base, (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights, (iii) the ERIA recommendations are proportionate and will be delivered, (iv) the results of the ERIA process have informed officer or member decision making, (v) that the record of ERIA has been published on the Council’s website / intranet or (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off (please indicate which reason/s from list (i) to (vi) above)
	Rob McCulloch-Graham	(i) – (vi)

