

## **Appendix D - Equality & Human Rights Impact Assessment (EHRIA)**

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service\*\* for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service\*\* may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or [equality@leics.gov.uk](mailto:equality@leics.gov.uk)

*\*\*Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

<b>Key Details</b>	
<b>Name of policy being assessed:</b>	Leicestershire Adult Social Care Accommodation Strategy for Working Age Adults 2017-2022
<b>Department and section:</b>	Adults & Communities Department
<b>Name of lead officer/ job title and others completing this assessment:</b>	Amy Lewis Strategic Planning and Commissioning Officer
<b>Contact telephone numbers:</b>	0116 305 9212
<b>Name of officer/s responsible for implementing this policy:</b>	Sandy McMillan Assistant Director, Adults & Communities
<b>Date EHRIA assessment started:</b>	31/1/17
<b>Date EHRIA assessment completed:</b>	23/2/17

## **Section 1: Defining the policy**

## Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p><b>What is new or changed in this policy?</b> <i>What has changed and why?</i></p> <p>This 5 year strategy has been prepared as part of the development of the working age adults programme and will underpin the future MTFS accommodation projects.</p> <p>The strategy aims to achieve:</p> <ul style="list-style-type: none"><li>• A shared vision and understanding on our future accommodation needs for vulnerable people</li><li>• A plan that sets out what accommodation options we want to see developed in Leicestershire and the standard's we would expect it to meet</li><li>• An evidence base that can support bid and grant applications and inform business plans and individual strategies</li><li>• Raise awareness for individual and their families/support networks, about independent living and planning for the future, by ensuring access to advice and information about supported accommodation.</li></ul> <p>Although Adult Social Care doesn't directly provide accommodation, the strategy relates to how the Department will work alongside partners, particularly across local councils, the NHS and housing partners to develop supported accommodation models, choice and services, to fulfil the Council's responsibilities in relation to accommodation, in line with the Care Act Guidance 2014. In this context, 'wellbeing' as referred to in the Care Act, includes consideration of the 'suitability of living accommodation' to meet an individual's needs.</p> <p>This EHRIA is concerned with the newly developing strategy and does not replace any previous strategy and/or policy in this area. It sets out the Leicestershire position around supported accommodation, bringing together the aims of Districts, Boroughs, the County Council, Clinical Commissioning Groups, Providers, individuals/families and other key stakeholders.</p> <p>The direction explained will facilitate delivery of suitable accommodation options for all Leicestershire County Council's adult social care client groups, aged 18-64, with reference to Leicestershire's children and young people, who may require access to housing opportunities through being a Care Leaver or through the transition from Children and Family Services to Adult Social Care, if they have disabilities.</p> <p>The objectives of this Strategy are to:</p> <ul style="list-style-type: none"><li>• provide an understanding of current levels and range of</li></ul>
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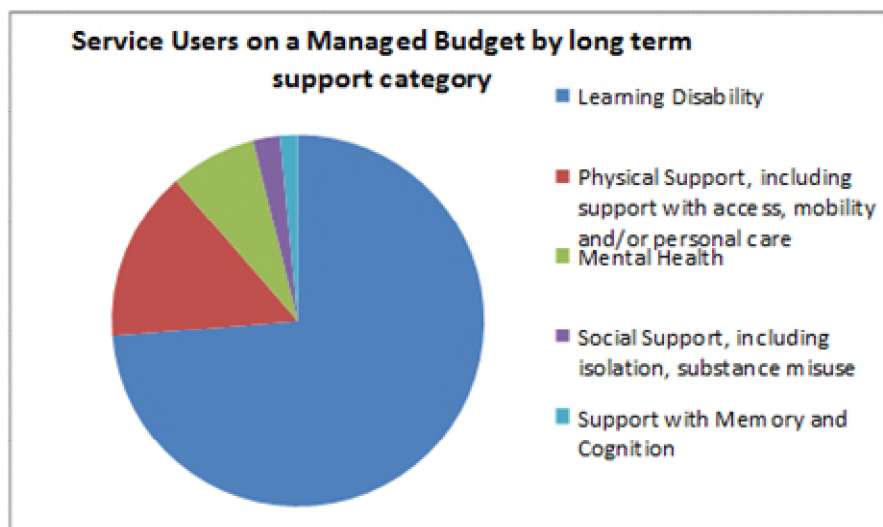
	<p>accommodation options, including identification of gaps in provision</p> <ul style="list-style-type: none"> <li>• provide a shared understanding of future supported accommodation needs</li> <li>• help plan future accommodation provision, including re-modelling of existing provision to meet predicted needs</li> <li>• inform Market Position Statements about future commissioning</li> <li>• positively inform and support District/Borough Councils to demonstrate how they will meet local needs, both in the short term and in future years</li> <li>• help shape the housing and other Provider markets, to ensure a range of appropriate accommodation and support options are available for individuals</li> <li>• enable Leicestershire to adequately plan for future capital and revenue housing and care home expenditure.</li> </ul> <p>The LCC adult social care client groups referred to in this strategy include all current and future individuals aged 18-64 with an eligible social care need who have:</p> <ul style="list-style-type: none"> <li>• Learning Disabilities and/or People with Autism</li> <li>• Mental Health Needs</li> <li>• Physical Disability (+ sensory impairment/acquired brain injury)</li> <li>• A learning disability and/or autism and/or a mental health condition, who display behaviour that challenges (who may fall under the Transforming Care Partnership (TCP))</li> <li>• Young people potentially transitioning into Adult Services</li> </ul> <p>The following definition of Supported Accommodation/Housing is being used; 'accommodation which is designed, structurally altered, refurbished or designated for occupation by, and made available to, individuals who require support in order to enable them to live, or adjust to living, independently within the community' .</p> <p>The strategy relates to people living in different types of accommodation, including general purpose housing, specialist accommodation, inpatient facilities and extra care, if people live alone or with others.</p> <p>Data extracted as a snapshot in January 2017 identified up to 362 individuals accessing Supported Living services commissioned by LCC (via a 'managed budget' and provided by the independent sector. This figure includes 44 individuals accessing LCC's in-house Supported Living service and an indicative figure of 62 individuals currently accessing Supported Living via a Direct Payment across the County. Potential demand and supply for supported accommodation has also been analysed across all 7 Districts/Boroughs to determine the changes required and the potential impact of those changes.</p> <p>Medium Term Financial Strategy Savings targets are £1.16 million over a four year period, agreed by Cabinet in February 2016, the budget for supported living in 15/16 was £12.4 million. January 2017's MTFS references supported accommodation in relation to reductions in inappropriate residential care placements. The current MTFS states:</p>
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	<p><b>**AC 4 (Eff) Review of individual long term residential placement costs – £250,000 in 2017/18 rising to £1,000,000 by 2020/21 - There are a range of factors increasing costs in the residential and nursing care sector and any savings are at best likely to be modest in what is the Council's biggest single area of expenditure.</b></p> <p>37. Savings and/or avoided costs could be achieved through placing more service users in a lower cost banding and using a more robust approach to prices for supplementary needs.</p> <p>38. We have 396 people with a learning disability in residential care and the top 100 highest cost placements have an average cost of £2,012 per week (some of which are 100% CHC funded or receive joint funding or funded solely by ASC). Annual spend is approximately £10.5m a year.</p> <p>39. Most high cost packages incur significant non-care costs, i.e. hotel and management costs. The national Care Funding Calculator (CFC) is used as a negotiating tool in terms of staff support, and work has recently been undertaken to develop a costed model for non-care costs to be used alongside the CFC to assist in reducing the overall costs of placements and contribute to the MTFs savings. The approach to delivering savings is to invest ASC resources (potential two workers plus management time from the Accommodation Review Team) and establish a joint team with the CCGs (including a CFC expert, nurse and business support). The team will undertake a robust review of the top 100 most expensive placements.</p> <p>40. Savings can be achieved across social care and health budgets (pooled budget). This can be achieved through reducing hotel costs, setting clear goals as part of a progression model to reduce support staffing costs and by ensuring that AT and equipment is integral to the placement. Further benefits will be delivered by identifying the potential for supported living, where accommodation is eligible for housing benefit. The target is to reduce weekly costs which it is estimated would deliver savings of £1million per year.</p> <p>Engagement has taken place with the supported accommodation market as well as targeted service users and their families/carers, as part of the preparation process for developing the strategy.</p> <p>Key views from sector engagement , which focused specifically on the strategy, included:</p> <ul style="list-style-type: none"> <li>• A lack of suitable, well located and affordable housing that can be used as supported accommodation was cited as the core problem. Properties within existing stocks are not deemed appropriate to the needs of service users, could potentially place adults in a vulnerable situation and an overall reluctance to rent to those people with a disability is further restricting access.</li> <li>• Self-contained properties with on-site support are needed across all groups, alongside capital investment, to increase capacity within the market.</li> <li>• Matching and compatibility of potential housemates is very difficult and has a risk of break down over time. Needs of individuals within this</li> </ul>
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	<p>cohort also vary considerably.</p> <ul style="list-style-type: none"> <li>• Individuals and Services often face concerns from families and carers about living independently in their own accommodation.</li> <li>• Concerns from housing providers that tenancies are appropriately supported so they can be maintained by the individual in the long term.</li> <li>• Capital investment, to increase capacity within the market is key</li> <li>• Accommodation designed to incorporate a 'clean' environment'</li> <li>• Difficult national housing picture affecting local provision</li> <li>• More internal resources needed to facilitate supported living</li> <li>• More step-down provision needed</li> <li>• The key role of information and advice for families</li> </ul> <p>Key views from service users/family/carers, which again focused specifically on the strategy included:</p> <ul style="list-style-type: none"> <li>• I want to stay in the village that I live in as I have good friends, the church and know the bus routes to help me stay independent.</li> <li>• I recently moved into my own flat. You need confidence to become independent</li> <li>• I think it's wrong that I'm always telling people/ agencies that they need to make their complaints systems and forms easier to understand</li> <li>• I think it's difficult to get the right flat and house which can be adapted to your needs.</li> </ul>
2	<p><b>Does this relate to any other policy within your department, the Council or with other partner organisations?</b> <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>The Adult Social Care Strategy 2016 - 2020 has been prepared to outline the vision and strategic direction of social care support for the next 4 years. The life of the strategy has been determined by matching to the life of the current Medium Term Financial Strategy (MTFS), in order for us to meet our financial targets and implement our new approach to adult social care.</p> <p>The need for a new strategy arose from new and updated legislation (e.g. the Care Act), increasing demographic pressures, ongoing budget cuts and plans for the integration of health and social care services. All of these factors will have a significant impact on our approach, and on how people are supported in the future.</p> <p>The new model of social care outlined in the ASC Strategy is a 'stepped' approach, designed to ensure that people can get the right level and type of support, at the right time to help prevent, delay or reduce the need for ongoing support, and maximise people's independence. The 'stepped' approach outlines how the Department can support people with different levels of need in order to:</p> <ul style="list-style-type: none"> <li>• prevent a need for social care (by making universal services e.g. advice and information, public health wellbeing initiatives available), reduce the need for social care (through targeted interventions, e.g. social groups),</li> <li>• delay the need for social care (through reablement and rehabilitation</li> </ul>

	<p>services) and for those most in need,</p> <ul style="list-style-type: none"> <li>• meeting needs with the minimum amount of support by identifying and using a broad set of social resources as well as formal service provision, and through progressive planning.</li> </ul> <p>The following strategies/work streams are related to this area of work:</p> <ul style="list-style-type: none"> <li>• Adult Social Care Strategy 2016-20</li> <li>• Supported Living Framework reprocurement – currently in the process of contract evaluation, new providers to be confirmed in March 2017</li> <li>• Adult Social Care: Accommodation Strategy for Older People 2016-2026</li> <li>• Leicester and Leicestershire Strategic Housing Market Assessment, Leicester and Leicestershire Local Planning Authorities, June 2014. A follow up report is due, the Housing and Economic Needs Assessment (HEDNA) for Leicestershire and Leicester City.</li> <li>• Leicestershire District Council's Housing Offer to Health and Wellbeing.</li> <li>• Whole Life Disability programme</li> <li>• Transforming Care Partnership (LLR)</li> <li>• In-House Services Review</li> <li>• The Adult Social Care Equipment, Adaptations and Assistive Technology Strategy 2016 – 2020.</li> <li>• Adult Social Care Commissioning Strategy</li> <li>• Medium Term Financial Strategy</li> <li>• Adult Social Care Workforce Strategy</li> <li>• Finance</li> <li>• Assessment, support planning and review</li> <li>• Resource allocation</li> <li>• Learning and Development</li> <li>• Performance Management</li> <li>• Integration with health</li> <li>• Market shaping</li> <li>• Information &amp; Advice Strategy</li> </ul>
	<p><b>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</b></p> <p>The potential impact of any changes to the commissioning supported living services is relevant to people aged 18-64, living in Leicestershire with an eligible need or potential need for social care support, who may be suitable for supported accommodation. This may also include their relatives and 'carers'. There is also potential impact upon everyone living in Leicestershire.</p> <p>Data extracted as a snapshot in January 2017 identified up to 361 individuals accessing Supported Living services commissioned by LCC (via a 'managed budget' in this age group, provided by the independent sector. This figure includes a small number living outside the County and City boundaries (seven in October 2016) and approximately 44 Individuals accessing LCC's in-house Supported Living service and an indicative figure of 62 individuals currently</p>

accessing Supported Living via a Direct Payment across the County. Within the individuals accessing Supported Living services commissioned by LCC, the following support categories are represented. This reflects the groups most impacted by the accommodation strategy.



### Summary of the strategy aims

The strategy focuses on ensuring there are a range of personalised options for these groups to ensure people can find the right type of accommodation at the right time to meet their particular needs.

The key aim is to help working age adults to live in their own home as independently as possible, through supported and/or specialist accommodation that continues to maximise people's independence and wellbeing.

The strategy proposes;

- To identifying locations where supported accommodation is currently being accessed, where it is needed and working with partners to facilitate provision.
- To work with local planning authorities, housing partners and other stakeholders to influence the types of supported accommodation and supported living models are available in the County to better meet the needs of these groups in response to the evidence of need.
- To ensure more people are residing in accommodation that meets their individual accommodation, care and support needs, evidenced by cross agency needs assessment
- To take a more proactive approach to providing advice and information, which relates to supported accommodation, to enable more informed choices to be made by individuals, families/carers and local authority staff.

**4** Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? **(Please tick and explain how)**

		Yes	No	How?
	Eliminate unlawful discrimination, harassment and victimisation	x		The strategy recognises the Council serves a diverse population and supports all individual's rights to make decisions and choices about their accommodation.
	Advance equality of opportunity between different groups	x		The strategy aims to improve choices and outcomes for working age adults with a disability
	Foster good relations between different groups	x		The strategy aims to see more adults with a disability living within the community. By living with the general population, communities can break down barriers and so help to foster good relations between different groups

## Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

### Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

### Section 2

#### A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;	X	
	b) any potential impact of this change on them (positive and negative, intended and unintended);		X
	c) potential barriers they may face	X	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	x	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of	X	



	potential unintended impacts?		
8.	<p>*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.</p>		
	<p>Initial engagement has been carried out with key internal and external stakeholders to gather views on the challenges and opportunities around the future of supported accommodation. A targeted survey was completed by 37 individuals representing local authority's, districts, health, housing partners, care providers and the voluntary and community sector during December/January 2017. A full report of the consultation is available and all comments have been fed directly into the formulation of the attached Strategy.</p> <p>Key themes from feedback received can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Lack of suitable, well located and affordable supported housing across the County for all groups</li> <li>• Self-contained properties with on-site support are favoured (core and cluster)</li> <li>• Capital investment, to increase capacity within the market is key</li> <li>• Accommodation design to incorporate 'clean' environment'</li> <li>• Difficult national picture affecting local provision</li> <li>• More internal resources needed to facilitate supported living</li> <li>• More step-down provision needed</li> </ul> <p>Engagement is also ongoing with individuals, families and carers. To date, the future of supported accommodation has been presented and discussed at the January 2017 Learning Disability Partnership Board meeting, the Family Carers Sub Group and Making it Real group.</p> <p>Four individuals and two parent/carers have been interviewed about their journey to support living, their stories noted and experiences reflected and included in the Strategy. This process of engagement will continue; for example, visits to locality groups associated with the Learning Disability Board are planned as the strategy develops.</p> <p>Key themes from individuals already contacted can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Individuals who had moved into supported living found it a positive step</li> <li>• Many had found difficulties in being able to understand/communicate with landlords, especially the format of the information and complaint processes</li> <li>• Some had experienced difficulties from neighbours, and in the community where they lived</li> <li>• Families often felt considerable nervousness around a move to supported living for their loved one</li> </ul> <p>The strategy does not in itself signal a change to contracted services and/or support; however, if an individual's provision were to change as result of the approach stated, it will be managed through transitional/ decommissioning processes to ensure any negative impact to the user is minimised and/ or</p>		

	mitigated.
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## Section 2

### B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;		x
	b) enable open feedback and suggestions from different communities		x

**Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.**

## Section 2

### C: Potential Impact

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' <a href="#">protected characteristics</a> ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	x		<p>This strategy focuses on the 18-64 age group. There are currently 361 in this age bracket living in supported accommodation (as of Jan 2017). Research suggests there are 12 adults aged 55-64 living in Extra Care and 57 individuals aged 65 years and older living in supported accommodation.</p> <p>Due to the parameters of the strategy, these 57 will be excluded from the potential of the strategy along with any future individuals over 64 who are potentially looking for supported accommodation.</p> <p>The Adult Social Care Accommodation Strategy for Older People 2016 to 2026 covers 55+ age group. This strategy is focused on providing positive outcomes for all older people. Both strategies cover Extra Care accommodation.</p>

				Different age groups with the 18-64 range may be affected differently by the strategy, for example, those who are part of the Transitions group (18-25) and older age ranges.
	<b>Disability</b>	<b>x</b>		<p>All people accessing supported living services will be eligible for social care services in line with national eligibility criteria. Data from January 2017 shows that almost 100 per cent of people have social care needs resulting from a disability.</p> <p>This strategy is focused on maximising the safety, independence and quality of life of working age adults with disabilities by promoting accessible accommodation and increasing accommodation options and services. This approach would benefit all disabled people.</p> <p>As a result of this work, changes to people's support package in terms of the way that they are supported and who they are supported by, may potentially occur. It may be that some individuals are asked if they want to relocate to a community based supported accommodation setting.</p> <p>Any associated changes to individuals support/residence will need to consider the best way to do this for the individuals involved, through both transition planning, decommissioning and relocation processes.</p>
	<b>Gender Reassignment</b>	<b>x</b>		<p>The focus on achieving individual outcomes will support equality of service delivery. The strategy promotes that all specialist accommodation should endeavour to provide flexible inclusive services.</p>

			Ongoing monitoring is required to ensure that services are accessible and inclusive.
	<b>Marriage and Civil Partnership</b>	<b>x</b>	The strategy for supported accommodation supports the provision of accommodation for sharing/couples.
	<b>Pregnancy and Maternity</b>	<b>x</b>	Anyone living in supported accommodation, depending on the circumstances around their tenancy, or if they are in shared accommodation and/or their individual situation, may be affected if they become pregnant. Their accommodation and/or support may need to be reviewed/alterd.
	<b>Race</b>	<b>x</b>	Data shows the majority of individuals in supported accommodation are White British. The focus on achieving individual outcomes will support equality of service delivery. Ongoing monitoring is required to ensure that services are accessible and inclusive.
	<b>Religion or Belief</b>	<b>x</b>	The focus on achieving individual outcomes will support equality of service delivery. Ongoing monitoring is required to ensure that services are accessible and inclusive.
	<b>Sex</b>	<b>x</b>	Snap shot data shows there are more men living in supported accommodation than women. The focus on achieving individual outcomes will support equality of service delivery. Ongoing monitoring is required to ensure that services are accessible and inclusive.
	<b>Sexual Orientation</b>	<b>x</b>	The focus on achieving individual outcomes will support equality of service delivery. Ongoing monitoring is required to ensure that services are accessible and inclusive.
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum</b>	<b>x</b>	Partnership working with District and Borough Council's to deliver the strategy will help to identify particular local needs and

	<p><b>seeker and refugee communities, looked after children, deprived or disadvantaged communities</b></p>			<p>address accommodation issues in relation to rural areas, homelessness, asylum seekers, disadvantaged communities.</p> <p>Family carers and parents have been included in the development of the strategy and their views considered.</p> <p>Integration and partnerships with health services will contribute to addressing health inequalities.</p>
	<p><b>Community Cohesion</b></p>	<p><b>x</b></p>		<p>The focus on maximising use of community resources should promote greater inclusion and community cohesion.</p> <p>It should be noted that there may be increased tensions within communities where individuals have newly been settled.</p>
<p><b>11.</b></p>	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? <b>(Please tick)</b></p> <p>Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		<p><b>Yes</b></p>	<p><b>No</b></p>	<p><b>Comments</b></p>
	<p><b>Part 1: The Convention- Rights and Freedoms</b></p>			
	<p><b>Article 2: Right to life</b></p>		<p><b>x</b></p>	
	<p><b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b></p>	<p><b>x</b></p>		<p>The strategy is underpinned by ASC duty to promote wellbeing and personal dignity. All services, either in house or commissioned, are expected to be delivered at an acceptable standard to maintain health and dignity. The strategy aims to enable people to live in the place of their choice. It also aims to make achievable the opportunity for people to die at home, if that is</p>

			their wish.
<b>Article 4: Right not to be subjected to slavery/ forced labour</b>		<b>x</b>	
<b>Article 5: Right to liberty and security</b>	<b>x</b>		Available accommodation options will prevent people being forced to live in environments that are potentially harmful to their health and wellbeing.
<b>Article 6: Right to a fair trial</b>		<b>x</b>	
<b>Article 7: No punishment without law</b>		<b>x</b>	
<b>Article 8: Right to respect for private and family life</b>	<b>x</b>		The strategy focuses on how to support people to remain independent in the setting of their choice. Relocating individuals to another residence would be planned, person centred through a supportive process.
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>x</b>		Accommodation choices will be expected to include and ensure that a person's cultural and religious needs are understood, respected and supported in relation to where they choose to live.
<b>Article 10: Right to freedom of expression</b>		<b>x</b>	
<b>Article 11: Right to freedom of assembly and association</b>		<b>x</b>	
<b>Article 12: Right to marry</b>		<b>x</b>	
<b>Article 14: Right not to be discriminated against</b>	<b>x</b>		The values and principles of supported living are designed to ensure that no particular groups are intentionally or unintentionally excluded or disadvantaged from accessing or benefitting from them.
<b>Part 2: The First Protocol</b>			
<b>Article 1: Protection of property/ peaceful enjoyment</b>	<b>x</b>		Supporting people to remain independent in the setting of their choice supports this article, together with safeguarding policy
<b>Article 2: Right to education</b>		<b>x</b>	
<b>Article 3: Right to free elections</b>		<b>x</b>	
<b>Section 2</b>			
<b>D: Decision</b>			

12.	Is there evidence or any other reason to suggest that:  a) this policy could have a different affect or adverse impact on any section of the community;  b) any section of the community may face barriers in benefiting from the proposal	Yes	No	Unknown
		X		
		X		
13.	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
14.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

## Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

**Option 1:** If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

**Option 2:** If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

# Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

## Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact

on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

### Section 3

#### A: Research and Consultation

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

**15.** Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you now explored the following and what does this information/data tell you about each of the diverse groups?

- a) current needs and aspirations and what is important to individuals and community groups (including human rights);

Engagement has been carried out with key internal and external stakeholders to gather views on the challenges and opportunities around the future of supported accommodation. A targeted survey was completed by 37 individuals.

This survey was designed to provide a snap shot of views from organisations and stakeholders that have an interest in supported living/accommodation, in lieu of a face to face stakeholder meeting. Due to restricted timescales and the concurrent re-procurement of the existing Supported Living Framework of care providers, a short informal online survey via email was chosen as the best approach. The survey was not intended for service users, families, carers or members of the public. Separate engagement with these groups has been undertaken and more is planned for the future.

The survey was distributed on 14th December 2016, to all Leicestershire County Council adult social care team managers, CCG contacts, partners in all 7 District/Borough Councils, associated property companies, landlords, care providers and relevant voluntary and community sector organisations, with a request for the survey to be forwarded to any appropriate additional contacts. Deadline for submission response was just over 4 weeks later on 13th January 2017. A total of 37 responses were received, with 3 reminders being sent via email.

The survey concentrated on 5 specific areas:

- a) Service User Groups – Barrier and Needs
- b) Accommodation Models
- c) Types of Accommodation
- d) Design Standards



e) Challenges and Opportunities

Of the 37 respondents, 61% were Leicestershire County Council Adult Social Care staff. A breakdown of all participants is shown below:

- Leicestershire County Council Children's & Family Services staff
- District Council staff (1) 3%
- Staff from the NHS (1) 3%
- Staff from a local authority (3) 8%
- City, County or District Councillor (-)
- Representative of a housing organisation/provider (4) 11%
- Representative of an organisation providing Supported Living care services (3) 8%
- Representative of a voluntary sector organisation, charity or community group (2) 6%

Key themes from feedback received can be summarised as follows:

- Lack of suitable, well located and affordable supported housing across the County for all groups
- Self-contained properties with on-site support are favoured (core and cluster)
- Capital investment, to increase capacity within the market is key
- Accommodation design to incorporate 'clean' environment'
- Difficult national picture affecting local provision
- More internal resources needed to facilitate supported living
- More step-down provision needed

Engagement is also ongoing with individuals, families and carers. To date, the future of supported accommodation has been presented and discussed at the January 2017 Learning Disability Partnership Board meeting, the Family Carers Sub Group and Making it Real group.

Four individuals and two parent/carers have been interviewed about their journey to support living, their stories noted and experiences reflected and included in the Strategy. This process of engagement will continue; for example, visits to locality groups associated with the Learning Disability Board are planned as the strategy develops.

Key themes from individuals already contacted can be summarised as follows:

- Individuals who had moved into supported living found it a positive step
- Many had found difficulties in being able to understand/communicate with landlords, especially the format of the information and complaint processes
- Some had experienced difficulties from neighbours, and in the community where they lived
- Families often felt considerable nervousness around a move to supported living for their loved one

	<p>b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);</p> <p>Overall the likely impacts to all groups are positive. This is the first time current provision, future demand and the area of supported accommodation for young adults, has been systematically reviewed and LCC's strategic approach, set out in a public document. Through this evidence base and shared vision of the future of supported accommodation it is intended that the capacity within this housing sector will increase and more individuals are able to live independently within the community if they wish.</p> <p>Furthermore, the strategy does not in itself signal a change to contracted services and/or support; however, if an individual's provision were to change as result of the approach stated, it will be managed through a supported transitional/ process to ensure any negative impact to the user is minimised and/ or mitigated.</p> <p>c) likely barriers that individuals and community groups may face (including human rights)</p> <p>The main barriers which may be faced by individuals seeking supported accommodation are all challenges which are reflected across the Country and which cannot easily be controlled or influenced locally.</p> <p>National reductions in the supply of housing, particularly social housing, proposed welfare reforms, proposed changes to the way supported housing rents are calculated/funded from 2019, ongoing austerity cuts and pressures to statutory services, which also affect the recruitment and retention of skilled local care staff, present significant difficulties for the whole supported accommodation sector and are not easily mitigated. In a financial climate where sources of funding have and continue to reduce, there is a challenge for all partners associated with this strategy to deliver the vision and objectives stated.</p> <p>If the current conditions in the sector prevail and the investment necessary to improve the availability of provision does not emerge, it will be remain difficult to increase capacity within the supported accommodation sector.</p> <p>On an individual level, those looking to relocate may experience resistance from family to support a move to supported accommodation, potential financial inability to afford supported living rents and restricted choice of property in a desired location.</p>
16.	<p>Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?</p> <p>A national consultation is underway around changes to supported accommodation rent limits. Central government would like to bring supported living rents in line with Local Housing Allowance and supply Adult Social Care teams with a 'top up' fund, which will be allocated to individual's on a case by case basis, in order to supplement their universal credit/housing benefit, to cover their supported accommodation rent. Initial consultation ended in Feb 2017 and will be updated and repeated in Spring 2017, with a proposed implementation date of 2019. These changes pose a risk to all those eligible</p>

for supported accommodation now and in the future.

Leics CC adult social care submitted a short response to the consultation in February 2017. The LGA also contributed by compiling a submission. The key messages the LGA is calling for from Central Government are shown below:

- Evidence and assurance that applying the LHA rate and creating a local top-up fund meets the stated objectives for reforming the funding of supported housing.
- Councils to be funded as soon as possible to properly evaluate the gap in funding that this policy creates and to set up the systems needed.
- An examination of the legal ramifications of applying this policy to existing tenancies.
- Only new tenancies to come under the policy from 2019/20, with a phased introduction of existing tenancies.
- A separate LHA rate for supported housing that is designed based on rents and charges in this sector.
- The top-up fund to be sufficient and flexible; and that it is future-proofed and can meet a range of local circumstances.
- Any reform of funding for supported housing to take into account how the support element is funded, particularly within adult social care, and not just the housing element. There should be no expectation that the gap in funding created by applying the LHA costs will be met by other council budgets

The outcome of these reforms will significantly affect the future success of developing existing and new supported accommodation schemes.

When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.

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| 17. | Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups? |
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Following on from the EHRIA Screening, a copy of the full draft strategy has been circulated to all stakeholders who took part in the stakeholder consultation referenced above, as well as key contacts from social care, District/Borough Councils, health and the provider market. The document was also given for preview to the Learning Disability Parent and Carer Subgroup and the parents previously interviewed.

The draft strategy has been well received to date and no major concerns raised.

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| 18. | Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups? |
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	Further ongoing consultation will be required with stakeholders, individuals and parents/carers re the proposed national changes to supported living rents. The development of the strategy and associated action plan will also involve continuous review and engagement to ensure effective delivery.
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**Section 3****B: Recognised Impact**

<b>19.</b>	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <u>likely</u> be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.	
		<b>Comments</b>
	<b>Age</b>	<p>This strategy focuses on the 18-64 age group. There are currently 361 in this age bracket living in supported accommodation (as of Jan 2017). Research suggests there are 12 adults aged 55-64 living in Extra Care and 57 individuals aged 65 years and older living in supported accommodation.</p> <p>Due to the parameters of the strategy, these 57 will be excluded from the potential of the strategy along with any future individuals over 64 who are potentially looking for supported accommodation.</p> <p>The Adult Social Care Accommodation Strategy for Older People 2016 to 2026 covers 55+ age group. This strategy is focused on providing positive outcomes for all older people. Both strategies cover Extra Care accommodation.</p> <p>Different age groups with the 18-64 range may be affected differently by the strategy, for example, those who are part of the Transitions group (18-25) and older age ranges. Specific support is being implemented for families coming through transitions, for example, the Leadership Programme, which is a programme of 6 sessions, where parents and students meet with Adult Social Care services to talk about what is important in relation to work, health, housing options and money. Parents and students have a chance to hear about what is happening locally, talk to other families/people and think about the future, including housing options.</p>
	<b>Disability</b>	All people accessing supported living services will be eligible for social care services in line with national eligibility criteria. Data from January 2017 shows that almost 100 per cent

		<p>of people have social care needs resulting from a disability.</p> <p>This strategy is focused on maximising the safety, independence and quality of life of working age adults with disabilities by promoting accessible accommodation and increasing accommodation options and services. This approach would benefit all disabled people.</p> <p>As a result of this work, changes to people's support package in terms of the way that they are supported and who they are supported by, may potentially occur. It may be that some individuals are asked if they want to relocate to a community based supported accommodation setting.</p> <p>Any associated changes to individuals support/residence will need to consider the best way to do this for the individuals involved, through both transition planning, decommissioning and relocation processes.</p> <p>Advice and information in relation to housing options need to be provided in accessible locations and formats considering people's communication needs and people enabled to exercise choice and control.</p> <p>There is a significant shortage of suitable accommodation compared to the number of people who want or need them. In particular, within the disability groups, those whose behaviour that may challenge, those with autism and/or complex learning disabilities are the most challenging to find suitable housing for, particularly when a bespoke or 'clean' environment is needed within a property.</p> <p>This strategy attempts to raise the profile of this group and highlight their housing needs</p>
	<b>Gender Reassignment</b>	<p>There is no monitoring data available regarding numbers of people in this group in relation to accommodation issues.</p> <p>The focus on achieving individual outcomes will support equality of service delivery.</p> <p>The strategy promotes that all specialist accommodation should endeavour to provide</p>

		flexible inclusive services.
	<b>Marriage and Civil Partnership</b>	The strategy for supported accommodation supports the provision of accommodation for sharing/couples.
	<b>Pregnancy and Maternity</b>	<p>Anyone living in supported accommodation, depending on the circumstances around their tenancy, or if they are in shared accommodation and/or their individual situation, may be affected if they become pregnant. Their accommodation and/or support may need to be reviewed/alterd.</p> <p>The course of action taken in the event of a pregnancy will depend on whether the tenant has a single occupancy tenancy. For example, if an individual is living in a one bed flat within a cluster, with a social landlord, with a single occupancy tenancy, plans would be put in place for them to move to a different property with a different tenancy arrangement.</p> <p>If an individual is living in a shared house where single occupancy is not in place, the situation within that house would be assessed and risks evaluated, the needs of everyone living at the house taken into account, plus the size of the house, landlords requirements, and the support providers ability to be able to support the individual with the baby.</p>
	<b>Race</b>	<p>Data shows the majority of individuals in supported accommodation are White British.</p> <p>Asian/ Asian British-Any other background 2  Asian or Asian British-Chinese 2  Asian or Asian British-Indian 1  Black or Black British-African 1  Black or Black British-Caribbean 1  Not recorded, but not refused 4  Other ethnic group 1  Other mixed background 1  Refused 3  White-Any other White background 3  White-English/ Welsh/ Scottish/ N.Irish/ British 351</p> <p>All areas of service development are expected to address the needs of BME community groups, e.g. through monitoring uptake of services and ensuring individuals needs and preferences are taken into account. Some groups may find it more</p>

		<p>difficult to access services; if such issues are identified then this will aim to be addressed. As we develop our communication plan in connection to delivering this strategy it will present opportunities to ensure information is provided that engages people from different races to ensure they are aware of options available to them.</p> <p>The delivery plan aims to identify innovative solutions to develop community and neighbourhood support which links people to their wider community. This should help to address any barriers for people in this group.</p>
	<b>Religion or Belief</b>	<p>The focus on achieving individual outcomes will support equality of service delivery. Ongoing monitoring is required to ensure that services are accessible and inclusive.</p>
	<b>Sex</b>	<p>Snap shot data shows there are more men living in supported accommodation than women; however the issues regarding available support and supported accommodation options are similar regardless of sex.</p>
	<b>Sexual Orientation</b>	<p>The Office for National Statistics (ONS) estimated that LGBT people represented 1.1% of the East Midlands population in 2010. The focus on achieving individual outcomes will support equality of service delivery.</p>
	<b>Other groups</b> <b>e.g. rural isolation, deprivation,</b> <b>health inequality, carers,</b> <b>asylum seeker and refugee</b> <b>communities, looked after</b> <b>children, deprived or</b> <b>disadvantaged communities</b>	<p>Partnership working with District and Borough Council's to deliver the strategy will help to identify particular local needs and address accommodation issues in relation to rural areas, homelessness, asylum seekers, disadvantaged communities.</p> <p>Deprivation can be an issue for those with disabilities resulting in health inequalities. Loneliness and isolation have also been identified as significant issues for many disabled people.</p> <p>Integration and partnerships with health services will contribute to addressing health inequalities.</p>
	<b>Community Cohesion</b>	<p>The focus on maximising use of community resources should promote greater inclusion and community cohesion.</p> <p>It should be noted that there may be increased tensions within communities where individuals have newly been settled.</p>

		The delivery plan aims to promote the development of community, neighbourhood support and social prescribing and identify opportunities within local communities where people can be supported to consider their future accommodation options.
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20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		<b>Comments</b>
	<b>Part 1: The Convention- Rights and Freedoms</b>	
	<b>Article 2: Right to life</b>	Services are expected to identify any risks to service users and professionals and to have Health & Safety, safeguarding and whistle blowing policies and procedures in place. Findings supported services have policies and procedures in place.
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	<p>The strategy is underpinned by ASC duty to promote wellbeing and personal dignity. All services, either in house or commissioned, are expected to be delivered at an acceptable standard to maintain health and dignity. The strategy aims to enable people to live in the place of their choice. It also aims to make achievable the opportunity for people to die at home, if that is their wish.</p> <p>All service users will be made aware of complaints procedures and the right to have decisions reconsidered. Findings supported services have policies and procedures in place.</p> <p>By increased partnership working opportunities to improve individual's quality of life will be enhanced.</p>
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	
	<b>Article 5: Right to liberty and</b>	Available accommodation options will prevent



<b>security</b>	<p>people being forced to live in environments that are potentially harmful to their health and wellbeing.</p> <p>Increased appropriate accommodation options for disabled people will improve their safety and independence. Evidence suggests some people are not currently aware of some of the preventative services and housing options available to them.</p>
<b>Article 6: Right to a fair trial</b>	
<b>Article 7: No punishment without law</b>	
<b>Article 8: Right to respect for private and family life</b>	<p>The strategy focuses on how to support people to remain independent in the setting of their choice. Relocating individuals to another residence would be planned, person centred through a supportive process.</p> <p>The strategy advocates the need for increased accommodation options to be made available to enable disabled people to have a private and family life.</p> <p>Flexible and innovative housing design, care and support services need to address the current shortfall of suitable accommodation.</p>
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<p>Accommodation choices will be expected to include and ensure that a person's cultural and religious needs are understood, respected and supported in relation to where they choose to live.</p> <p>Services are expected to ensure individuals can live in accommodation that provides people with such freedoms. This is monitored through compliance visits.</p>
<b>Article 10: Right to freedom of expression</b>	<p>Services are expected to ensure individuals can live in accommodation that provides people with such freedoms. This is monitored through compliance visits.</p>
<b>Article 11: Right to freedom of assembly and association</b>	
<b>Article 12: Right to marry</b>	
<b>Article 14: Right not to be discriminated against</b>	<p>The values and principles of supported living are designed to ensure that no particular groups are intentionally or unintentionally excluded or disadvantaged from accessing or benefitting from them.</p>

		The principles of the strategy recognise that the Council serves a diverse population and everyone should have access to the resources and facilities which the Council commissions. When necessary the Council will target delivery of services to individuals and groups to ensure equality of access.
Part 2: The First Protocol		
Article 1: Protection of property/ peaceful enjoyment	Supporting people to remain independent in the setting of their choice supports this article, together with safeguarding policy	
Article 2: Right to education		
Article 3: Right to free elections	.	
Section 3		
C: Mitigating and Assessing the Impact		
Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
21.	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	
N.B.		
i) If you have identified adverse impact or discrimination that is <u>illegal</u> , you are required to take action to remedy this immediately.		
ii) If you have identified adverse impact or discrimination that is <u>justifiable or legitimate</u> , you will need to consider what actions can be taken to mitigate its effect on those groups of people.		
22.	Where there are potential barriers, negative impacts identified and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.  a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination  b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed  c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why	

### Section 3

#### D: Making a decision

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| <b>23.</b> | Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights. |
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The new strategic approach aims to support people to be as independent as possible and plan ahead for their accommodation needs. It requires that vulnerable people are safeguarded, and that community support and engagement are maximised. This strategy meets Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

### Section 3

#### E: Monitoring, evaluation & review of your policy

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| <b>24.</b> | Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact? |
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The action plan will be used to checks on progress of implementation of the strategy. Monitoring the impact and any barriers in relation to equalities and human rights will be integral to the implementation of the action plan.

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| <b>25.</b> | How will the recommendations of this assessment be built into wider planning and review processes?<br><i>e.g. policy reviews, annual plans and use of performance management systems</i> |
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The findings of EHRIAs are incorporated into appropriate plans and policies.

**Section 3:**  
**F: Equality and human rights improvement plan**

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when
Embed equality issues into strategy delivery to support people to live in accommodation that supports their wellbeing and that of their carers.	Consider specific accommodation needs of people living with particular disabilities and support to address.  Work with all relevant staff groups, partner agencies and providers to be aware of the principles and support to implement in their actions.	Specific issues relating to particular groups of individuals are recognised and mitigated where possible.  Disruption caused by changes of accommodation reduced or eliminated.	Strategy Reference Group	Ongoing  EIP Review due for all Actions 03/2018
There is equity of access to service provision without discrimination to any protected groups, as identified in Section 2 (above), particularly in relation to disability, race, religion and belief.	Service specifications for any new or remodelled service or approach to support accommodation will clearly state equality requirements (including expected non-discriminatory access to the service.	All contracts include EHRIA requirements and monitoring arrangements.	Procurement Team	
Ensure accessibility of Information and Advice	All known barriers to accessing these activities,	Information & Advice Strategy 2016.	Planning & Market Shaping Team	

services, and all forms of communication between LCC, its partners and the public.	as outlined in section 3B, are taken into account and adequately resourced.	Information Standards adopted.		
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## Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to [louisa.jordan@leics.gov.uk](mailto:louisa.jordan@leics.gov.uk), Members Secretariat, in the Chief Executive's department for publishing.

### Section 4

#### A: Sign Off and Scrutiny


Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

**Equality and Human Rights Assessment Screening** ☒

**Equality and Human Rights Assessment Report** ☒

1<sup>st</sup> Authorised Signature (EHRIA Lead Officer): A  
Lewis.....

Date: .....17.2.17.....

2<sup>nd</sup> Authorised Signature (DEG Chair): 

Date: 28/03/2017