

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

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

Key Details	
Name of policy being assessed:	Working Age Adult Enablement Pathway
Department and section:	Adults and Communities – Working Age Adult Disabilities
Name of lead officer/ job title and others completing this assessment:	Claire McWilliams – Service Manager
Contact telephone numbers:	0116 3053046
Name of officer/s responsible for implementing this policy:	Claire McWilliams – Service Manager
Date EHRIA assessment started:	29 th July 2019
Date EHRIA assessment completed:	

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>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The adults and communities department is developing a new way of supporting adults of a working age to increase independence and enable people to meet their identified goals and outcomes.</p> <p>The change has been driven by extensive work completed as part of the target operating model which highlighted through case reviews that 60% of people with a learning disability had the potential to be more independent in the future with the right support and 100% of people reviewed had the potential to be more independent in the future.</p> <p>We plan to offer a new Community Enablement Service. The service will offer focused support on an individual basis with the overall aim of increasing a person's independence.</p> <p>The support will take place in the most appropriate setting for example the home, community setting or residential placement. The Community Enablement Service can offer support in key identified area's of a person's life such as meal preparation, accessing the community or maintaining a habitable home.</p> <p>The service will not provide hands on support such as personal care.</p> <p>The Community Enablement service will also offer advice and information and link in with local services for community support where appropriate including the locality partnership groups and the wider partnership board</p>
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>The Care Act</p> <p>The Care Act 2014 and the Care and Support Statutory Guidance issued under it sets out local authorities' obligations towards adults with needs for care and support and carers.</p> <p>Departmental Strategy Context – Promoting Independence, Supporting Communities: Our Vision and Strategy for Adult Social Care 2016-2020</p>

	<p>The department's model for social care continues to focus on delivering the right support to the right person, at the right time, in the right place, and by the right partner. It aims to put the person at the centre, and to ensure that the support they receive can deliver the right outcomes and manage any risks appropriately.</p> <p>The strategic approach for service planning and delivery is well-embedded in the department; it seeks to prevent need through universal services and promoting wellbeing; reduce need through targeted interventions for those at risk; delay need through reablement, rehabilitation and recovery; and meet need by using a broad set of social resources to ensure affordability.</p> <p>These principles combine to form the authority's strategy for promoting adults' independence.</p> <p>The Adult Social Care Outcomes Framework (ASCOF)</p> <p>Adults and Communities Department is performance measured on the number of people accessing reablement services as part of the Adult Social Care Outcomes Framework (ASCOF). Outcome 2D reflects the proportion of new people who receive a short term reablement service, where no further request was made for ongoing support.</p>														
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The model will focus on adults of a working age (18-65) who has a learning disability, learning difficulty or ASD.</p>														
4	<p>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)</p> <table border="1"> <thead> <tr> <th></th><th>Yes</th><th>No</th><th>How?</th></tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td><td style="text-align: center;">✓</td><td></td><td> <p>One of the aims of the new way of working is to ensure a consistent approach which will be delivered fairly. This will continue to ensure that people are not discriminated against.</p> <p>Leicestershire County Council and the Adults & Communities Department adheres to robust Equalities, Diversity and Human Rights policies in its delivery of service, both statutory and non-statutory.</p> </td></tr> <tr> <td>Advance equality of opportunity between different groups</td><td style="text-align: center;">✓</td><td></td><td>The Council will assess each person's needs individually through an individualised approach to care.</td></tr> </tbody> </table>				Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	✓		<p>One of the aims of the new way of working is to ensure a consistent approach which will be delivered fairly. This will continue to ensure that people are not discriminated against.</p> <p>Leicestershire County Council and the Adults & Communities Department adheres to robust Equalities, Diversity and Human Rights policies in its delivery of service, both statutory and non-statutory.</p>	Advance equality of opportunity between different groups	✓		The Council will assess each person's needs individually through an individualised approach to care.
	Yes	No	How?												
Eliminate unlawful discrimination, harassment and victimisation	✓		<p>One of the aims of the new way of working is to ensure a consistent approach which will be delivered fairly. This will continue to ensure that people are not discriminated against.</p> <p>Leicestershire County Council and the Adults & Communities Department adheres to robust Equalities, Diversity and Human Rights policies in its delivery of service, both statutory and non-statutory.</p>												
Advance equality of opportunity between different groups	✓		The Council will assess each person's needs individually through an individualised approach to care.												

	Foster good relations between different groups	✓		Care and support will be determined as per the Care Act Eligibility Criteria. Each person will be individually assessed/reviewed as per the Care Act 2014.

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 potential unintended impacts?		X
8.	*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.		
	The changes being made to the service aim to increase the number of people able to benefit from reablement and improve the outcomes that can be achieved. The current enablement offer for people with a learning disability, difficulty and ASD varies from locality to locality the new process		

	<p>will ensure the offer is consistent in each area.</p> <p>This will be achieved by ensuring that people have clear goals to work towards and that once they have achieved these, support will be withdrawn. Where people are no longer able to make any further progress towards their goals and may need ongoing support, this will be arranged in a timely manner.</p> <p>The aim of the new model is to promote person centred working and increasing independence. The new model will ensure we are working collaboratively with community life choice providers and supported living providers to ensure we are maximising the opportunities for independence in a variety of settings.</p>
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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;	✓	
	b) enable open feedback and suggestions from different communities	✓	

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 '[protected characteristics](#)' may potentially be affected by this policy and describe any positive and negative impacts, including any barriers.

	Yes	No	Comments
Age	✓		The working age adult disability team supports individuals of a working age (18-65). The new model of enablement will target people of a working age only promoting opportunities for increased independence. Adults above working age ie 65 plus can access the HART

				enablement/reablement service when appropriate
	Disability	✓		The service will be available universally across all disability groups where individuals have been assessed as meeting the Eligible criteria within the Care Act 2014 with a primary focus on individuals with a learning disability, learning difficulty and ASD
	Gender Reassignment		✓	Neutral
	Marriage and Civil Partnership		✓	Neutral
	Pregnancy and Maternity		✓	Neutral
	Race		✓	Neutral
	Religion or Belief		✓	Neutral
	Sex		✓	Neutral
	Sexual Orientation		✓	Neutral
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities		✓	Neutral
	Community Cohesion		✓	Neutral
11.	<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? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of</p>			

individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]			
	Yes	No	Comments
Part 1: The Convention- Rights and Freedoms			
Article 2: Right to life		X	
Article 3: Right not to be tortured or treated in an inhuman or degrading way	X		The enablement support proposed aims to ensure people are not treated in a degraded or inhuman manner. The department works in line with the Care Act legal requirement to ensure vulnerable adults are safeguarded against abuse.
Article 4: Right not to be subjected to slavery/ forced labour		X	
Article 5: Right to liberty and security		X	
Article 6: Right to a fair trial		X	
Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life		X	
Article 9: Right to freedom of thought, conscience and religion		X	
Article 10: Right to freedom of expression		X	
Article 11: Right to freedom of assembly and association		X	
Article 12: Right to marry		X	
Article 14: Right not to be discriminated against		X	
Part 2: The First Protocol			
Article 1: Protection of property/ peaceful enjoyment		X	
Article 2: Right to education		X	
Article 3: Right to free elections			
Section 2			
D: Decision			

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 checked="" type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input type="checkbox"/>	No <input checked="" 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);
- b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);
- c) likely barriers that individuals and community groups may face (including human rights)

16. Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?

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.	
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?
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?

Section 3
B: Recognised Impact

19.	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.	
		Comments
	Age	
	Disability	
	Gender Reassignment	
	Marriage and Civil Partnership	
	Pregnancy and Maternity	
	Race	
	Religion or Belief	
	Sex	
	Sexual Orientation	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	Community Cohesion	

20.	
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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?	
	Comments
Part 1: The Convention- Rights and Freedoms	
Article 2: Right to life	
Article 3: Right not to be tortured or treated in an inhuman or degrading way	
Article 4: Right not to be subjected to slavery/ forced labour	
Article 5: Right to liberty and security	
Article 6: Right to a fair trial	
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Article 8: Right to respect for private and family life	
Article 9: Right to freedom of thought, conscience and religion	
Article 10: Right to freedom of expression	
Article 11: Right to freedom of assembly and association	
Article 12: Right to marry	
Article 14: Right not to be discriminated against	
Part 2: The First Protocol	
Article 1: Protection of property/ peaceful enjoyment	
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.
<p>N.B.</p> <p>i) If you have identified adverse impact or discrimination that is <u>illegal</u>, you are required to take action to remedy this immediately.</p> <p>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.</p>	
22.	<p>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.</p> <ul style="list-style-type: none"> 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
<p>Section 3</p> <p>D: Making a decision</p>	
23.	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.

Section 3

E: Monitoring, evaluation & review of your policy

24.	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?
25.	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i>

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

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, 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 ☐

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair): 

Date: