

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:	Shared Lives Fee review
Department and section:	Direct Services
Name of lead officer/ job title and others completing this assessment:	Louise Olley – Business Change Manager
Contact telephone numbers:	0116 3055060
Name of officer/s responsible for implementing this policy:	Zubear Patel – Head of Service, Direct Services
Date EHRIA assessment started:	1 November 2018
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 What is new or changed in this policy? *What has changed and why?*

Shared Lives Carers are self- employed carers who are contracted with Leicestershire County Council to provide long term placements, day services and/ or overnight short breaks. Shared Lives carers are supported and monitored by the LCC Shared Lives Service which is regulated by CQC. Referrals for Shared Lives services are made to the team by commissioning workers placements and services are made by locality commissioning teams.

The focus of this EHRIA is the impact that these changes may have on people in receipt of shared lives services, and not the SHL carers.

Shared Lives (SHL) Carers received an increase in payment rates in April 2018. Prior to this no review or increase had been implemented since 2013. The uplift in April 2018 was agreed on the basis that fee review work is undertaken to establish a methodology for future annual uplifts.

This EHRIA is concerned with the changes that are proposed as a result of the review. The recommendations have been informed by Shared lives Plus Guidance, Shared Lives Carers feedback and any relevant Departmental policies.

The following recommendations are being taken to A&C DMT on 27 February 2019, for approval:

- **To align all long term and short break rates paid in Leicestershire to the UK average long term rates, as recommended by Shared Lives Plus. Where existing rates exceed the UK rates, current rates should continue. This will result in an increase in most payments. Where the current rates are lower than the recommended rates, the existing rates will remain static.**
- **To maintain payments at 100 per cent when individual from a long term Shared Lives Placement is accessing their Shared Lives short break, regardless of the location.**
- **To move cancellation payments to the electronic system by introducing 100 per cent payment within two days of stay.**
- **To reduce the number and standardise the session lengths for Shared Lives Community Life Choices (CLC, previously known as day services) in line with other CLC.**
- **To use Consumer Price Index (CPI) to derive future uplifts for Short Breaks and Long-Term Placements (care and support element only). Other elements continue to be set by Department of Work and Pensions (DWP) and Local Housing Allowance (LHA).**
- **To discontinue payment of separate anti-social supplements, and travel expenses to CLC Shared Lives Carers and introduce Band F equivalent to enable restricted payment of mileage for those eligible.**

	<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>Yes – changes specifically relating to Community Life Choices.</p> <p>In October 2016 Cabinet agreed changes to CLC provision and as part of the implementation of a new model for CLC, standardised sessions times were introduced. This change was not applied to Shared Lives and as such Shared Lives sessions varies from the rest of the sector.</p> <p>The introduction of standard bandings and a move away from wide ranging sessions, enables the application of Shared Lives Plus recommendations regarding minimum hourly rates.</p> <p>The table below shows current and proposed session times, bands and rates:</p> <table><tr><th>Band</th><th>Current session in hrs</th><th>Proposed session in hrs</th><th>Current Rate*</th><th>Proposed Rate</th></tr><tr><td rowspan="3">1 (equivalent to £9ph)</td><td>0-4</td><td>3</td><td>£21</td><td>£27</td></tr><tr><td>4-6</td><td>6</td><td>£31</td><td>£54</td></tr><tr><td>7-8</td><td>~</td><td>£41</td><td>N/A</td></tr><tr><td rowspan="3">2 (equivalent to £10.50ph)</td><td>0-4</td><td>3</td><td>£34</td><td>£34 (£31.50)</td></tr><tr><td>4-6</td><td>6</td><td>£57</td><td>£63</td></tr><tr><td>7-8</td><td>~</td><td>£68</td><td>N/A</td></tr><tr><td rowspan="3">3 (equivalent to £11.50ph)</td><td>0-4</td><td>3</td><td>£44</td><td>£44 (£34.50)</td></tr><tr><td>4-6</td><td>6</td><td>£69</td><td>£69</td></tr><tr><td>7-8</td><td>~</td><td>£82</td><td>N/A</td></tr></table> <p>The discontinuation of payment of travel expenses for SHL carers who provide day services is in line with all other service areas where an individual is responsible for funding their own transport unless eligible for transport (applying the current Transport Policy).</p>	Band	Current session in hrs	Proposed session in hrs	Current Rate*	Proposed Rate	1 (equivalent to £9ph)	0-4	3	£21	£27	4-6	6	£31	£54	7-8	~	£41	N/A	2 (equivalent to £10.50ph)	0-4	3	£34	£34 (£31.50)	4-6	6	£57	£63	7-8	~	£68	N/A	3 (equivalent to £11.50ph)	0-4	3	£44	£44 (£34.50)	4-6	6	£69	£69	7-8	~	£82	N/A
Band	Current session in hrs	Proposed session in hrs	Current Rate*	Proposed Rate																																									
1 (equivalent to £9ph)	0-4	3	£21	£27																																									
	4-6	6	£31	£54																																									
	7-8	~	£41	N/A																																									
2 (equivalent to £10.50ph)	0-4	3	£34	£34 (£31.50)																																									
	4-6	6	£57	£63																																									
	7-8	~	£68	N/A																																									
3 (equivalent to £11.50ph)	0-4	3	£44	£44 (£34.50)																																									
	4-6	6	£69	£69																																									
	7-8	~	£82	N/A																																									
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Shared Lives Carers are the main group of people affected by these proposals, however there will be some residual impact of those people who use the services particularly in the areas mentioned above due to the changes in the banding and the withdrawal of</p> <p>SHL Payment rates are due to increase as a result of the review and subsequent recommendations. The overall impact of these changes is therefore assessed as being positive.</p> <p>Theoretically any increase in social care services has a residual impact on individuals, although there is no one in receipt of the service who is fully funding their care and support, therefore they will not be affected in this way. Future users who may be eligible to pay full costs for their care would be, however this is not justification to not increase rates in line with guidance.</p>																																												

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 protected groups who are of principal concern in this review are people with a range of physical, learning disability and mental health problems. Others may also be affected. Appropriate payment levels will ensure that the legal protections are observed.
	Advance equality of opportunity between different groups	X	Ensuring fairness across the range referred to above assists in meeting this requirement.
	Foster good relations between different groups	X	Success in achieving the aims set out in the above two responses will assist in meeting this requirement.

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? a) their current needs and aspirations and what is important to them; b) any potential impact of this change on them (positive and negative, intended and unintended); c) potential barriers they may face	Yes	No*
		X	
		X	
		X	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		

7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of 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>Extensive engagement with Shared Lives Carers took place to develop/ amend recommendations including a number of workshops across the county and an online forum as a follow up and opportunity to check feedback was collected and reported accurately.</p>		

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 ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age		X	The service is available to anyone eligible for social care regardless of age. There are 107 people accessing the SHL services, 100 of who are under 65 years. Neither working age adults or older adults are not disproportionately affected by these changes. Actual details about who is affected by the changes will be determined only at the point that they receive a assessment/ review.
	Disability		X	All people accessing the services are eligible for social care services and therefore all

				<p>have a disability and the service is open to all disabilities. Actual details about who is affected will be determined only at the point that they receive a assessment/ review but variations may occur due to how people access the service, and not as a result of these changes.</p>
	Gender Reassignment		X	<p>There is no LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to gender reassignment.</p>
	Marriage and Civil Partnership		X	<p>There is no LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to marriage and civil partnership.</p>
	Pregnancy and Maternity		X	<p>There is no LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to pregnancy and maternity.</p>
	Race		X	<p>There is limited LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to race.</p>
	Religion or Belief		X	<p>There is no LAS data available on the service users for this protected characteristic due to what is recorded by</p>

				commissioning teams. However proposals will affect all people using the services which will not vary due to
	Sex		X	There is a relatively similar number of males and females access the service (51 and 56). The changes will affect all people using the services.
	Sexual Orientation		X	There is no LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to sexual orientation.
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities		X	There is no LAS data available on the service users for this protected characteristic due to what is recorded by commissioning teams. However proposals will affect all people using the services which will not vary due to being in other groups.
	Community Cohesion		X	SHL services are intended to support vulnerable individuals in a family and community setting. This model of support should have a positive impact on community cohesion and the proposals aim to improve reach of the service.
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 individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		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	
	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		SHL services are intended to support vulnerable individuals in a family and community setting. This model of support has a positive impact on individual's right to respect for private and family life and the proposals aim to improve reach of the service
	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			
	Article 2: Right to education			
	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;	Yes		Unknown
				X

	b) any section of the community may face barriers in benefiting from the proposal			
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 checked="" type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" 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 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.				
	<table border="1"> <thead> <tr> <th></th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>		Comments		
	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.	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	
	Article 7: No punishment without law	
	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.	<p>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.</p>

--

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: