

Fairness and Equalities Impact Assessments F&EIA (2014)

This form provides an assessment of a policy or proposed change to see whether it promotes fairness and equality, eliminates any unintended discrimination and has positive outcomes for the population of Newport. This Impact Assessment should be used to affect policy and service planning decisions.

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. We also consider promoting the Welsh language.

This assessment provides evidence that we have considered the General Equality Duty (below) in our decisions, to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

Service Area Adult Social Care	Head of Service: Chris Humphrey	Person responsible for the assessment: Angela Turner	Date of Assessment 16th July 2015 Version (if applicable) 5
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1. What is the service/ policy being assessed?

Transport Policy for service users of Adult Social care

2. What is the purpose of the policy/ service change?

To review and minimise the provision of funded transport for service users of adult social care through a new assessment framework. This will result in a significant cost saving to the council and:

Help move towards a consistent and equitable approach to funded transport, specifying an open and transport eligibility process.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users?	If we take this decision what is the potential impact? The impact may be either positive or negative. Explain in what way they may be affected and the evidence of this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who will be responsible?	Timeframe to review
Age	Older people Young adults Breakdown of users by age is as follows:	In the short term there could be a negative impact on service users who need to find and use alternative transport solutions to access	In order to minimise the impact and ease the transition into the new regime, a number of actions are being proposed: <ul style="list-style-type: none"> • Travel training and travel buddies. 	Service Managers Project Manager Community Development Integrated Transport Unit	Annual

	18 - 64 77 65 - 75 2 75+ 8 Total 87	community services, respite or educational opportunities. A positive impact is that service users will be supported to be more independent and exert choice over their transport provision.	<ul style="list-style-type: none"> • Support for community transport / social enterprise development to provide alternative solutions • Direct payments • Support to better utilise mobility allowance payments for the purpose they are intended The consultation will potentially highlight other solutions to mitigate the impact and these will be considered as part of the policy.	(ITU)	
Gender reassignment	No breakdown available for this category	No specific impact identified other than that highlighted for the general cohort.	As above	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual
Disability	Service Users with: Learning Disabilities Physical Disabilities Mental Health issues Breakdown of main categories is as follows:	Advance equality of opportunity between those individuals who share a relevant protected characteristic (this Policy is particularly relevant to those who have the	As Above	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual

	<p>Child N1 - Abuse or Neglect - 1</p> <p>Learning Disability - 69</p> <p>MH - Dementia (Organic Mental Health Problem)- 3</p> <p>MH - Mental Health (Functional Mental Health Problem)- 4</p> <p>Other Vulnerable People - 4</p> <p>Physical and/or Sensory Disability/Frailty- 1</p> <p>Physical Disability- 5</p> <p>Total 87</p>	<p>protected characteristic of age or disability) and those individuals who do not share it</p> <p>Foster good relations between those who share a relevant protected characteristic and those who don't.</p> <p>The Policy also takes account of the need to eliminate discrimination against those individuals, like carers and family members, who may be affected through their association with older or disabled people.</p>			
Marriage/Civil Partnership	N/A	N/A	N/A	N/A	N/A

Pregnancy and Maternity	Should any service users be pregnant then an additional risk assessment will need to be carried out as part of the overall assessment to identify any additional risks and address appropriately	There may be an adverse impact on a service user that is pregnant and their ability to use alternative transport.	Any negative impact should be addressed through a specific maternity risk assessment	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual
Race	Some service users will have particular cultural or language needs which will mean they need to have specific consideration	There could be a negative impact for service users who have particular cultural needs or language barriers. However, the impact should be neutral as the re-assessment process will assess eligibility against criteria and identify any issues / barriers as part of the risk assessment.	Ensure that as part of the risk assessment and transition process that specific cultural and language needs are identified and solutions identified. This should form part of the travel training where appropriate.	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual
Religion/belief (or the absence of)	Some service users will have particular religious faith or culture which will mean they need to have specific	There could be a negative impact for service users who have particular cultural needs or language barriers.	Ensure that as part of the risk assessment and transition process that specific cultural and language needs are identified and solutions identified. This should form part	Service Managers Project Manager Community Development Integrated	Annual

	consideration	However, the impact should be neutral as the re-assessment process will assess eligibility against criteria and identify any issues / barriers as part of the risk assessment.	of the travel training where appropriate.	Transport Unit (ITU)	
Sex		Impact on users is equal regardless of their gender and mitigated through the reassessment process	<p>In order to minimise the impact and ease the transition into the new regime, a number of actions are being proposed:</p> <ul style="list-style-type: none"> • Travel training and travel buddies. • Support for community transport / social enterprise development to provide alternative solutions • Direct payments • Support to better utilise mobility allowance payments for the purpose they are intended <p>The consultation will potentially highlight other solutions to mitigate the impact and these will be considered as part of the policy.</p>	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual
Sexual Orientation	No breakdown of sexual orientation of users identified	Impact on users is equal regardless of their sexual	As Above	Service Managers Project Manager	Annual

		orientation and mitigated through the reassessment process		Community Development Integrated Transport Unit (ITU)	
Welsh language	No breakdown of Welsh speakers within the user group available	Impact on users is equal regardless of their language needs and mitigated through the reassessment process	As above with welsh language requirements forming part of the reassessment and risk assessment	Service Managers Project Manager Community Development Integrated Transport Unit (ITU)	Annual

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation and at this stage should be along broad themes, rather than specific proposals. It is appropriate to ask what services are valued, how services could be changed and / or what could be done differently within a specific range of services. This feedback should then inform your business case proposals and the F&EIA. However, you will also have to note here the specific groups you will need to consult with once proposals are formulated and the timescales for doing so.

Internal consultation with Service managers is ongoing and consultation with other local authorities who have or are about to implement similar Transport Policies.

It is proposed that before the implementation of the policy that extensive consultation is undertaken with service users, their families and any relevant representative stakeholder groups. This will be publicised widely and inserted on the council's Website.

Timescales -

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

2. Legal Framework

Newport City Council has a duty to provide transport to users of services in certain circumstances set out in:

- Section 29 of the National Assistance Act 1948
- Section 2 of the Chronically Sick and Disabled Person Act 1970.
- Section 47 of the National Health Service Community Care Act.
- The Carers (Equal Opportunities) act 2004
- Social Care Charges (Wales) Measure 2010
- Local Authority Social Services Act 1970
- Carers and Disabled Children Act 2000.
- Social Care Charges (Means Assessment and Determination of Charges) (Wales) Regulations 2011
- Social Care Charges (Direct Payments) (Means Assessment and Determination of Reimbursement or Contribution) (Wales) Regulations 2011

The Policy has been formulated after giving due consideration to the Council's duties under the Equalities Act 2010. The Council is aware that there is a need to:

- Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between those individuals who share a relevant protected characteristic (this Policy is particularly relevant to those who have the protected characteristic of age or disability) and those individuals who do not share it

- Foster good relations between those who share a relevant protected characteristic and those who don't. The Policy also takes account of the need to eliminate discrimination against those individuals, like carers and family members, who may be affected through their association with older or disabled people.
- Mitigate any adverse impacts if individuals are identified as not needing further assistance with transport.

Adult social care services are facing considerable challenges. People are living longer meaning that there are higher proportions of older people across our communities. People are living longer with complex conditions, dementia and chronic illnesses. The way that all councils across Wales provide social services is also changing. Through legislation such as the Social Services and Wellbeing Act (Wales) and The Future Generations Act the council is changing the way in which it responds to need.

We want to provide individuals with:-

- More choice and control over the services they receive;
- Spend more time listening to their views and feelings;
- Opportunities that treat people with respect; and are flexible allowing for people's different cultures, beliefs, language needs and other issues
- Access to universal services including transport, leisure, training and employment
- Opportunities to be part of their local and wider community and to have support from friends and family;
- Help to stay independent for as long as possible.

6. How will the relevant groups be advised of the changes and the F&EIA?

The policy and changes will be subject to a consultation process to include individuals, their families and key stakeholder groups. This will include open for a with relevant officers of the council and other interested parties. The consultation will be published on Newport City Council's website and consultees will be invited to respond and put forward any ideas or suggestions about alternative solutions to some of the challenges raised as a result of the policy.

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

Some of these groups above may be experiencing physical disabilities or mental health issues. Transport for service users is also provided to support people to access educational and skills development opportunities so there is a potential impact on their ability to access these. The aim of the policy is not to negatively impact on these groups but to provide a more fair and equitable approach and to give users choice and promote independence. Whilst initially there may be the perception of a negative impact on the affected individuals, the aim is to make the provision of transport fairer and in line with the new Social Services and Well Being Act.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

This change seeks to promote a fairer and more equitable approach to the provision of transport and provide choice to service users to access more local community based services. This links to the empowerment approach of Communities First / Community Development who will be supporting the implementation of this policy through assisting with travel training etc. There is no negative impact on local area deprivation.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

This policy will help to foster good relations between those who share a relevant protected characteristic and those who don't. The Policy also takes account of the need to eliminate discrimination against those individuals such as carers and family members, who may be affected through their association with older or disabled people.

This policy will help service users who share a protected characteristic to be more independent and integrate into the wider community, making use of mainstream transport options and breaking down barriers with the general population. It is anticipated that this will create a greater understanding of the issues faced by people with disabilities and promote a more cohesive community.

10. In summary, how does the changed service /policy promote equality?

This policy aims to promote equality through:

- Promoting independence
- Maximising choice and control
- Supporting a healthy lifestyle
- Improved quality of life
- Maximising dignity and respect
- The provision of local accessible services and support

We believe that the introduction of this policy will provide a more fair and equitable service to all by:

- Advancing equality of opportunity between those individuals who share a relevant protected characteristic (this Policy is particularly relevant to those who have the protected characteristic of age or disability) and those individuals who do not share it
- Fostering good relations between those who share a relevant protected characteristic and those who don't. The Policy also takes account of the need to eliminate discrimination against those individuals, like carers and family members, who may be affected through their association with older or disabled people.
- Mitigating against any adverse impacts that may affect individuals who are assessed as ineligible for transport.

11. In summary, how does the changed service /policy eliminate discrimination?

Individuals will be assessed according to their need, with a full risk assessment which will ensure that there is equity within the decision making process.

This policy supports people to lead more independent lives and exercise choice. It will aid integration into the wider community, breaking down barriers and promoting understanding within the wider community thereby reducing discrimination.

Completed by/ Date:

Signed off by/ Date: