City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		Adult Social care Integrated Directorate		
Service Area:		Adult Social care Integrated Directorate		
Name of the proposal :		Advocacy Service- York		
Lead officer:		Edward Njuguna		
Date assessment c	ompleted:	28/06/2024 V1 25/07/2024 V2		
Names of those wh	o contributed to the assess	sment:		
Name	Job title	Organisation	Area of expertise	
Uzmha Mir	Contracts and Quality Improvement Manager	City of York Council	Contracts and Quality Manager, Equality and Diversity.	
Edward Njuguna	Commissioning Manager	City of York Council	Commissioning Manager, Advocacy services	

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.			
	Advocacy is defined as; "to help to ensure that people's voices, wishes and preferences are heard, their rights are upheld and their needs are met, particularly when they have difficulty in speaking up for themselves or are concerned that they are not being heard".			
	The advocacy service will offer a single point of access for and to meet the needs of all eligible referrals. The service provides equivalence of access to all eligible individuals, regardless of their needs, their reason for seeking advocacy support, or what community they are from. This includes individuals with learning disabilities, autism, mental health issues, physical and sensory disabilities and long-term conditions.			
	The service will involve both statutory and non-statutory advocacy however meeting the demands in relation to statutory advocacy are at all times prioritised over the non-statutory elements of the service.			
	The Service will support and develop the ability of individuals to self-advocate, increasing their confidence and assertiveness skills and enabling them to support themselves as far as is possible in future			
	The Service will adhere to principles of personalisation and will be delivered flexibly in a way that offers choice and control to individuals with regards to the advocacy support that they receive, recognising that those receiving support have the most specialised knowledge of their needs.			
	Statutory Services and legal rights to services			
	The Service will meet all statutory requirements with regards to advocacy support outlined within relevant legislation and statutory guidance. This includes the provision of:			

- Independent Mental Health Advocates (IMHA) under the Mental Health Act (2007)
- Independent Mental Capacity Advocates (IMCA) under the Mental Capacity Act (2005):
- Deprivation of Liberty Safeguards (DOLS) under the Mental Capacity Act (2005). This includes the provision of the Paid Relevant Representative Role.
- NHS Complaints advocacy

Non Statutory advocacy

The Service will offer non statutory advocacy to support eligible individuals to have their views and wishes heard and acted upon in relation to a variety of issues. This element of the Service will be needs led. The Service Provider will be required to manage access and provision of non-statutory advocacy to maximise the available resources efficiently and ensure that those most in need receive support. This includes the need to prioritise those at risk, issues relating to safeguarding and those experiencing major life changes.

The provision of non-statutory advocacy may include but is not limited to:

- Supporting parents who have a learning disability and whose child is subject to child protection proceedings. This element of provision will involve supporting individuals through the process of child protection proceedings and within a variety of settings, including in Court should this be required.
- Supporting self-advocacy groups and self-advocates to lead the advocacy support that they receive, attend forums and meetings across York and to understand and have a say over the issues which impact their lives.
- Supporting individuals through the hospital discharge process and decision making about discharge and support options.
- Providing advocacy support to individuals and groups as part of strategic service reviews and system redesign.

The Care Act 2014 imposes various statutory duties on Local Authorities when exercising Adult Social Care functions including the requirements to commission appropriate, efficient, and effective services and encourage a wide range of service. The service is open to all aged 18 and upwards. There will not be any changes to the eligibility criteria based on age. provision to ensure that people have a choice of appropriate services and an emphasis on enabling people to stay independent as long as possible. The act stipulates that individuals may require care and support. Implementation of an updated services specification has the potential to promote the following:

- Best value for money
- Implement best national practices into local services
- Invite new ideas
- Include outcomes-based approach

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1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	As a local authority, the City of York Council (CYC) has a duty under the Care Act 2014, to prevent, reduce and delay formal intervention for people with care and support needs.
	The All-Age Commissioning Strategy, Market Sustainability Plan and the 10-year vision 'People at the Heart of Care: adult social care reform paper' clearly outlines that the Council will work with existing Providers within the market to provide sustainable, quality and value for money services. The Care Act 2014 statutory guidance outlines outcomes for individuals, groups and local populations and makes specific references to people with an impairment.
	The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:
	a) Health-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach.
	b) Equalities and Human Rights- Equality of opportunity
	c) Affordability- Tackling the cost-of-living crisis.
	The option proposed will comply with CYC's CPRs, the Procurement Regs and the Procurement Act in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.
	Further, the provision of the Advocacy Hub Service ensures the Council meets the statutory duty of the Care Act 2014, the Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market. The Council would also meet the needs vulnerable adults identified as benefiting from non-statutory advocacy.

1.3	Who are the stakeholders and what are their interests?		
	Stakeholders: York Advocacy Hub-Mind, Brainkind, York and Scarborough Teaching Hospitals, NHS Humber and North Yorkshire Integrated Care Board, Tees Esk Wear Valleys NHS FT, Clifton House, Stockton Hall and Mill lodge, Age UK, Healthwatch, Patient Advice & Liaison Service (PALS), Care homes, York Medical Group, Independent Care Group, York People First, Disability Advocacy in York, York Disability Rights Forum, City of York Council (CYC) Access Team, CYC pathway to recovery Team, CYC Housing, Benefits, and client's affairs team, CYC DoLS Team, CYC Children's Social Care, CYC Mental Health Social Workers/AMPH's, CYC Adult Safeguarding, Local food banks, OCAY, McKenzie Friend Scheme York, Supported Living customers in York , Social Prescribers, Voiceability, York Older People's Assembly, Age Friendly York Older Citizens Group, Dementia Strategy Group, Carers Groups/Forums , York CVS, North Yorkshire Police, Other stakeholders.		
	These stakeholders will value a service which effectively delivers long term advocacy outcomes for service users with complex needs, and which delivers health and wellbeing improvements for some of the City's most vulnerable residents.		

1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans.
	The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:
	 Health-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach. Equalities and Human Rights- Equality of opportunity
	 This are related to the following outcomes for the service. Prevent, Reduce and Delay the need for ongoing Support- This are related to the statutory duty under Section 2(1) of the Care Act 2024 to contribute towards preventing or delaying the development by adults in its area of needs for care and support. This is related to Health and wellbeing and reducing inequalities within the council plan
	 Provide Excellent Experiences of Care and Support- focus on the provision of consistent / joined-up provision, effective promotion of the service, timeliness and responsiveness of the

 service. Examples of publicity, awareness raising, marketing and promotional activities undertaken. This is related to Health and wellbeing and reducing inequalities within the council plan Flexible, Choice and Control- focus on work undertaken to involve customers, families and their carers in the planning of their care and support, evidence of delivering support tailored to the needs of the individual rather than a one size fits all approach, evidence of remaining in ongoing contact with customers, how service provision is internally evaluated and monitored. This is related to Health and wellbeing and reducing inequalities within the council plan Linkages and Connections; focus on work undertaken to strengthen the connections between homeless provision and other forms of support for customers - health, housing, voluntary sector provision, leisure, community initiatives etc. Evidence of strong and effective partnership working with a range of other agencies and support organisations. This is related to Health and wellbeing and reducing plan Provision of accessible daily equipment. This is related to Health and wellbeing and reducing
inequalities within the council plan

Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports	
	the views of equality groups, as we	ell your own experience of working in this area etc.
Source of data/supporting evidence		Reason for using

All Age Market Position Statement, City of York Council, 2023-2025 <u>all-age-market-position-</u> statement-2023-to-2025 (york.gov.uk)	Includes outcomes for City of York Population and outlines key priorities
York Local Health and Wellbeing Strategy 2022- 2032, <u>York Joint Health & Wellbeing Strategy</u>	Details the health and wellbeing priorities for the city will be and how these will be addressed
City of York All Age Commissioning Strategy 2023- 2025	Includes outcomes for City of York Population as well as detailing key priorities
The Council Plan 2023 to 2027, One City, For All https://www.york.gov.uk/council-plan-1/one-city- 2023-2027	

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
Some impacts are not currently monitored as part of the service data collection.		Development of new performance framework of the service to cover the outstanding areas.	

Step 4 – Analysing the impacts or effects.

4.1		gative) on people lid not make any sal offers		
and	y Groups Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age		Impact identified: Positive impact of the advocacy services on individuals: • The service is open to all aged 18 and upwards. The recommendations of the executive report are intended to Improve the quality of life and independence for vulnerable people; and enable to collect better data to understand the positive impact and address negative impact in service delivery. Mitigation: There will not be any changes to the eligibility criteria based on age. CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/ The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.	Positive (+)	High (H)

Disability	Impact identified:	Positive (+)	High (H)
	People with a mental illness, learning disability, autism, physical and sensory impairment, substance use disorder and long term condition.		
	Any changes could affect continuity of care if there is a change of provider. This proposal will impact individuals with a mental illness, learning disability, autism, physical and sensory impairment, substance use disorder and long-term condition. Continuity of care and expertise around these disabilities is important to some of these groups.		
	The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.		
	Mitigation: Any change in provider would be subject to a transition plan, this will ensure the management of the transfer is completed in a way that places high priority in providing reassurance to individuals. A communications plan will be developed which will include ensuring all individuals (and their carers, social worker or support workers) are kept informed of any changes, the timescale and who to contact with any concerns. An implementation period (3 months) has been factored into the timescales that will allow transfer of support where necessary.		
	CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.		
	All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information		

	can be found on the Live Well York site that can be accessed <u>https://www.livewellyork.co.uk/</u> The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.		
Gender	Impact identified: The service will continue to provide a person centred approach to take into account individual needs. Men and women might have similar needs and issues which they need support with, the provision does not include priority need based on gender. Mitigation: There will not be any changes to the eligibility criteria based on sex. There will be consideration of personal choice for gender of advocate/support worker where possible. CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/ The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.	Positive	Low(L)

Gender Reassignment	Impact identified:	Positive	Low(L)
	No specific detrimental impact upon individuals undergoing gender dysphoria or reassignment. Culturally appropriate services will be delivered by the provider. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.		
	The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.		
	Mitigation:		
	Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. Transition arrangements will consider any individual need in relation to diversity and continuity of care will be actively considered		
	All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <u>https://www.livewellyork.co.uk/</u>		
	The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.		
Pregnancy and maternity	Impact identified:	Positive	Low(L)

	The service will continue to provide a person centres approach to take into account individuals needs. The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery. Mitigation: CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <u>https://www.livewellyork.co.uk/</u>		
Race	 Impact Identified: Positive impact of the Advocacy service and no specific detrimental impact upon individuals related to ethnicity or race issues is anticipated. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust on individuals including: New refugees York Gypsy and Travellers group BAME People with English as a second language 	Positive	Medium (M)

	 The service will continue to provide a person centres approach to take into account the individual's needs. . The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery. Mitigation: CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/ 		
Religion and belief	Impact Identified:The service will continue to provide a person centres approach to take into account the individual's needs. No specific detrimental impact upon individuals related to religion or belief issues is anticipated.The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better 	Positive	Low(L)

	Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. The provider will be expected to support and match individuals' cultural needs such as language and support to access religious activities/requirements. CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/		
Sexual orientation	Impact Identified:	Positive	Low(L)
	The service will continue to provide a person centres approach to take into account the individual's needs. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust. The recommendations of the executive report are intended to improve the integration across the Advocacy service and enable to collect better data to understand the positive impact and address negative impact in service delivery. Mitigation:		
	Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. Transition		

	 arrangements will consider any individual need in relation to diversity and continuity of care will be actively. Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations. All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/ 		
Other Socio- economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	Impact Identified:	Positive	Medium(M)
	 Positive impact of the Advocacy Service on individuals including: Unpaid Carers Adult carers Young Adult Carers Young Carers Children in Care The service will continue to provide a person centres approach to take into account the individual's needs. 		

	The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery. Mitigation: CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.	
	All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <u>https://www.livewellyork.co.uk/</u>	
Other	Employee Wellbeing Support(CYC staff) To continue to support the wellbeing of our staff during this demanding and difficult time, the Employee Wellbeing Line and email has been setup. The service is for all staff HR related queries, worries or concerns; relating to working hours, pay, health or wellbeing.	
	Email: employeewellbeing@york.gov.uk	
Impact on human rights:		

List any human rights impacted.	There will be no impact on human rights with the change of provider.	
	Ongoing reflection and feedback from users of the service to learn and improve Human Rights and Equalities Board. The City of York Council and the York Human Rights City Steering Group established the Human Rights and Equalities Board with a remit to:	
	 provide strategic direction for the council's human rights and equalities work tackle the issues raised within the York Human Rights City Indicator Report Any services being developed and put in place to provide person centred care must adhered to these principles.	

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

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High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?	
an advoca market to	There will be no negative impact on the above characteristic groups and subsequent clients of the advocacy would benefit from having an advocate of appropriate quality for their case. Advocates may benefit as the scheme would further enable competition within the market to be conducted based on quality. The council may benefit due to greater levels of assurance that the quality of advocacy work baid for meets specified standards in addition deploy the most effective early intervention and prevention tools: The council will support access to financial advice, skills and employment services. The council will build on skills and workforce within the voluntary sector partners to deliver free and independent debt. The service will not change in any way that will have detrimental equality impact on individuals, the council will be delivering services n accordance with the robust specification.	
	in the above EIA have been provided to provide reassurance that any impacts that we foresee will be minimised by the tlined in the EIA.	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:

- **No major change to the proposal** the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.
- Adjust the proposal the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	The impacts from the proposals are limited and expected to be positive with mitigations in place to deliver on these aims.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by	What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale	
Equality and Human Rights Act	Quality Assurance	Laura Williams		

Step 8 - Monitor, review and improve

8.1	How will the impact of your proposal be monitored and improved upon going forward Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalise on and embedded?		
	The approach to the market for the Advocacy service reflects the journey outlined in our commissioning Strategy as this has been developed to focus on outcomes and principles for commissioning services, in line with the Council's Strategy and plan. Each contract will have Key Performance Indicators that will measure the outcomes with our providers included in the specifications. Training and outcomes expressed as part of the returned surveys will be incorporated into key documents.		
	The procurement of the new contracts should have no negative impact on the end recipient of services. Any future changes will be assessed at the time they are proposed; however, it is unlikely that any of these will have a negative impact.		