

EQUALITY IMPACT ASSESSMENT



STAGE I: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?

This EIA assesses a decision to set up a Local Authority Trading Company (LATC) to deliver home care services in Plymouth for Adults 18 years of age and over. This LATC could provide a new option when responding to events that involve the withdrawal, cessation, failure, or likely failure of external adult care services.

Over the past 2 years there have been a number of occasions where homecare sector service providers have failed or advised Plymouth City Council at very short notice that they can no longer deliver their contracted care service provision. Time is of the essence in these circumstances and there is rarely time for market development activities or to run a standard procurement exercise.

The Care Act gives local authorities clear legal responsibilities where a care provider fails. It makes it clear that local authorities have a duty to ensure that the needs of people continue to be met should their care provider become unable to continue to provide care because of business failure, no matter what type of care they are receiving. Local authorities have responsibilities to all people receiving care, regardless of whether they or the local authority pay for that care, or whether it is funded in any other way.

This LATC provides a mechanism to ensure this responsibility is met and will help to avoid the difficulties experienced over recent years by offering a third suitable alternative to the existing in-house and other market solutions.

The strategic objectives of the proposals in this business case are:

1. To provide high quality care services that promote independent living.
2. To increase the options available to the council in order that it can support the care market and mitigate risks of market failure.
3. To be in a position to respond to provider failure if asked to do so, including developing short-notice response and “turnaround” services.

Author

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Department and service

Strategic Co-operative Commissioning

Date of assessment	8 th March 2021
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STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	<p>The average age in Plymouth (39 years) is about the same as the rest of England (39.3 years) but less than the South West (41.6 years).</p> <p>ONS projects a rise in the percentage of the Plymouth 65+ population from 17.9 per cent in 2016 to 22.7 per cent by 2034. An ageing population suggests an increasing need for care and support services and also an increasing burden placed on the working age population (Plymouth Plan, 2019).</p> <p>Older people are less likely to use modern technology than younger people, which can also impact upon social isolation as well as being a potential barrier in the workplace. Over 90 per cent of men and 81 per cent of women use the internet frequently at aged</p>	<p>No adverse impact.</p> <p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported.</p>		

	50 but this drops to a third of men and 14 per cent of women by age 80 (GEO, 2016).			
Disability	<p>A total of 31,164 people (from 28.5 per cent of households) declared themselves as having a long-term health problem or disability (national figure 25.7 per cent of households), compared with the total number of people with disabilities in UK 11.6m (2011 Census).</p> <p>10 per cent of our population have their day-to-day activities limited a lot by a long-term health problem or disability (2011 Census). National evidence suggests a substantially higher proportion of individuals who live in families with disabled members live in poverty, compared to individuals who live in families where no one is disabled.</p> <p>Disabled people also are significantly less likely to live in households with access to the internet than non-disabled people.</p>	<p>No adverse impact.</p> <p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported.</p> <p>Assessment of the way in which care services are delivered would need to ensure an individual's needs were met.</p>		
Faith/religion or belief	Christianity is the biggest faith in the city with more than 58% of the population	No adverse impact.		

	<p>(148,917). 32.9 per cent (84,326) of the Plymouth population stated they had no religion (2011 Census). Those who identified as Muslim was just under 1 per cent while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2011 Census). Data shows that 32.9 per cent of the Plymouth population stated they had no religion. 0.5 per cent of the population had a current religion that was not Christian, Islam, Buddhism, Hinduism, Judaism, or Sikh such as Paganism or Spiritualism.</p>	<p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported. Assessment of the way in which care services are delivered would also need to ensure an individual's faith/religion or belief were met when stated.</p>		
<p>Gender - including marriage, pregnancy and maternity</p>	<p>50.2 per cent of our population are women and 49.8 per cent are men.</p>	<p>No adverse impact. Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported.</p>		
<p>Gender reassignment</p>	<p>There are no official estimates for gender reassignment at</p>	<p>No adverse impact.</p>		

	<p>either national or local level. However, in a study founded by the Home Office, the Gender Identity Research and Education Society (GIREs) estimate that between 300,000 and 500,000 people aged 16 or over in the UK are experiencing some degree of gender variance.</p>	<p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported.</p>		
Race	<p>92.9 per cent of Plymouth's population identify themselves as White British.</p> <p>7.1 per cent identify themselves as Black, Asian or Minority Ethnic (BAME) with White Other (2.7 per cent), Chinese (0.5 per cent) and Other Asian (0.5 per cent) the most common ethnic groups.</p> <p>Recent census data suggests we have at least 43 main languages spoken in the city, showing Polish, Chinese and Kurdish as the top three.</p> <p>Plymouth is a refugee dispersal location under the Vulnerable Persons Resettlement Scheme.</p>	<p>No adverse impact.</p> <p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals currently receiving care or staff directly involved in providing this care will be supported.</p>		
Sexual orientation - including civil partnership	<p>There are no official estimates for sexual orientation at a local level. There is no precise local data on sexual orientation in Plymouth, but based on the ONS Annual Population Survey 2017 estimates, approximately</p>	<p>No adverse impact.</p> <p>Where an external adult's (18+) care provider notifies the Council of a service withdrawal, cessation, failure and a decision to use the LATC is made all individuals</p>		

	1.7 per cent of the UK population is lesbian, gay or bisexual (LGB) . This would mean that there are approximately 3,649 LGB people in the city (Plymouth Report, 2019).	currently receiving care or staff directly involved in providing this care will be supported.		
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STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
We have set one overarching objective to celebrate diversity and ensure that Plymouth is a welcoming city.	No known implications.	
Pay equality for women, and staff with disabilities in our workforce.	<p>This decision sets up an independent LATC that will be responsible for ensuring compliance with all legal responsibilities and duties.</p> <p>It is anticipated that when needed the LATC is needed it will need to use the legal framework of TUPE transferring staff on existing terms and conditions. This is considered to protect their rights at the point of transfer and will ensure staff employment is maintained and that the people they support continue to receive this.</p> <p>Due diligence will be required during and post this TUPE process to ensure the LATC is able to fully understand the employment terms and operational procedures used by the organisation. This diligence will need to indicate if any potential issues arise along with suggested remedial/corrective action.</p>	The LATC will need to complete this due diligence in a reasonable timeframe after any TUPE transfer.
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	This decision sets up an independent LATC and will therefore not be bound by this strategy.	
Supporting victims of hate crime so they feel confident to report incidents, and working with, and	No known implications.	

through our partner organisations to achieve positive outcomes.		
Plymouth is a city where people from different backgrounds get along well.	No known implications.	
Human rights Please refer to guidance	This decision sets up an independent LATC that will be responsible for ensuring compliance with all legal responsibilities and duties.	

STAGE 4: PUBLICATION

Responsible Officer : Gary Walbridge

Date: 16th March 2021