

# Equality Scoping Template

This form will help you decide if you need to undertake a full Equality Impact Assessment. In using the form, please read the guidance document '**Issues you will need to consider when undertaking an Equality Impact Assessment**'. Equality Impact Assessments need to consider the needs for people covered by the equality strands of Age, Disability, Gender, Race, Religion or Belief and Sexual Orientation.

**Title:** Establishing an Arm's Length Council owned company in the form of a Limited Liability Partnership (LLP) to provide Social Care to Adults across the Scottish Borders.

**1. Who does the proposed piece of work/policy/proposal affect?**

Staff	Service Users/Carers	Communities/Voluntary Groups	Public
Yes	Yes	Yes	Yes

**2. What are the aims and objectives of the work/policy/proposal being assessed?** To develop an Arms Length Council owned Company in the form of a Limited Liability Partnership (LLP) to provide Social Care to Adults across the Scottish Borders.

	Yes	No
<b>3. Will the proposal have any impact on equality of opportunity, discrimination between groups or relations between groups?</b>	√	
<b>4. Is the proposal controversial in any way in terms of equality and diversity (including media, academic, voluntary or sector specific interest)?</b>	√	
<b>5. Will the workforce or users of the service be disadvantaged as a result of the proposed work?</b>		√
<b>6. Is there doubt about answers to any of the above questions (e.g. there is not enough information to draw a conclusion)?</b>	√	

*If the answer to any of the above questions is yes or you are unsure of your answers to any of the above a full impact assessment is recommended.*

<b>7. Given the above statement, do you recommend a full impact assessment is completed?</b>	√	
<b>8. If a full impact assessment is not required briefly explain why and provide evidence for the decision.</b>		

**Completed By**

<b>Name</b>	Elaine Torrance	<b>Dept.</b>	People Department
<b>Post</b>	Chief Social Work Officer	<b>Date</b>	23 <sup>rd</sup> October 2014

For your records, keep one copy of this rapid impact assessment along with plus any supporting documentation to evidence your decision.



**Please complete this form in conjunction with the guidance provided. If you have any questions, please contact the Equality and Diversity Officer on 01835 824000 x 5604. (Please note that your policy or function should also be rural proofed. Please refer to Scottish Borders Council’s Rural Proofing Guidance).**

## Record of Equality Impact Assessment (EIA)

### Section One:

Details of Service	
1.1	<p><b>Name and brief description of the service, policy or function:</b>                      Adult Social Care including Home Care, Residential Care, Day Care, Learning Disability Services, Bordercare and Joint Equipment Store delivered by Scottish Borders Council.</p>
1.2	<p><b>What are the aims and purpose of the service, policy or function? (<i>consider explicit and implicit aims and outcomes</i>)</b>                      To establish an Limited Liability Partnership to provide Adult Social Care Services with the benefits of:-</p> <ul style="list-style-type: none"> <li>• The ability to continue to provide quality services that are most cost effective and thereby more affordable to people who will be purchasing care through Self Directed Support (SDS).</li> <li>• The ability to provide and sell a range of services to people who do not meet Council’s current eligibility criteria to provide preventative services</li> <li>• The establishment of a robust business culture and ethos across the new organisation.</li> <li>• More efficient deployment of resources resulting in efficient savings</li> <li>• Ensuring Council continues to be able to meet its statutory responsibilities by establishing a provider of last resort</li> <li>• Ability to provide a more responsive service at a local level to service users and carers.</li> <li>• The establishment of an LLP is designed to ensure the continuation of publically owned services to the people of the Borders in the most cost effective way possible</li> <li>• Meets Council’s priorities by providing high quality support and protection.</li> </ul>
1.3	<p><b>Which groups or individuals have you involved or consulted with about your service, policy or function? (<i>see guidance: Issues you will need to consider when undertaking an Equality Impact Assessment.</i>)</b>                      Staff – series of workshops/briefings provided</p>

<p>Engagement with service user representative groups Discussion with other key stakeholders including NHS</p> <p>Since June 14 report to Council, there have been discussions with staff that are potentially in scope to transfer, managers and Union representatives in the Council about the proposals and written information has also been sent out.</p> <p>In addition a session was held with service user/carer representative groups, namely to explain the rationale and a presentation has also been made to the Integration Shadow Board.</p> <p>Further staff and managers sessions are arranged throughout the implementation phase. The Project Team also continues to meet with the Joint Trade unions on a monthly basis.</p>
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## Section 2: Assessing the Equality Impact of the Service Change

Please use the table below to assess the impact of the service, policy or function on different equality groups. Please mark negative or positive impacts for each equality group.

Equality Groups	Nature of Impact				Please set out details of negative and positive impacts
	Negative		Positive	No Impact	
Age: Effects on children, young people and older people	low	med	high	√	Improved services at reduced cost for older people. No change in staff required so service users should see little change.
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring	low	med	high	√	Services impacted are provided across a range of adult groups including people with a Learning Disability including those that access /Mental Health Services. Aim to improve accessibility and offer services to a wider range of users and carers. No changes in staff required.
Gender: Effects on Male, Female, Transgender and Transsexual people	low √	med	high	√	<p>Currently the service is mainly provided by a female staff group, whilst there will be no initial changes to terms and conditions there will be a requirement to adopt new working practices to ensure the benefits projected are realised. It is anticipated that changes to working practices including staff being full involved in developing rotas will offer up more flexibility in the working pattern and hour's staff chose to work.</p> <p>In order to support staff flexibility the impact on service users may be a great rotation of staff supporting their care although full consideration would be given to gender specific care requirements.</p>

Equality Groups	Nature of Impact				Please set out details of positive and negative impacts	
	Negative		Positive	No impact		
Effects on Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)	low	med	high	√	x	Services will continue to be delivered to all adult groups and training will continue to be offered to staff to assist understanding of needs of minority groups.
Effects on people with Religious or other Beliefs: different beliefs, customs (including atheists and those with no aligned belief)	low	med	high	√		Values of the service will continue to emphasise the importance of religious beliefs.
Effects on Sexual Orientation, e.g. Lesbian, Gay, Bisexual, Heterosexual	low	med	high	√		As above – values emphasise a continued non-discriminatory approach.

Equality Groups	Nature of Impact				Please set out details of positive and negative impacts	
	Negative		Positive	No Impact		
<b>Effects on Poverty Groups:</b> (including impacts on communities in rural areas, people on low wages, who have literacy and other difficulties etc.)	low	med	high	√		The service change aims to reduce costs of services and improve accessibility and choice to all groups through Self Directed Support. Services will continue to be offered in local communities.
<b>Effects on people with health problems/issues or needs</b> (including those with recognised medical and mental health conditions). The effects on public health and the general health of the population caused by the service change should also be assessed here.	low	med	high	√		The range of services to be included in the LLP include some services for people with Mental Health difficulties, Learning Disabilities and dementia. The inclusion of Local Area Co-ordinator services is designed to offer a more preventative approach to improve the general health of the population.
<b>Effects on staff including full time, part time, permanent temporary, job share etc.</b>	low √	med	high √			Managers and staff currently employed in the existing services will be TUPE transferred to the new organisation. The business case assures no change to terms and conditions for staff but does anticipate there will need to be new working practices adopted to ensure the benefits projected are realised.  As a result of the flexibility in roles required, it is anticipated this will be a positive impact where staff will have more flexibility in the number of hours they choose to work out with their contract.

## Section 3: Summary Findings of Equality Impact Assessment

3.1	<p><b>Please summarise the general impact of the service, policy or function and its impact on the equality groups:</b></p> <p><u>The general impact of moving to a LLP is positive on both service users and staff alike.</u></p> <p>It is recognised that the move to a LLP is a significant change for staff. They will be TUPE transferred into a new company and it is anticipated there will be a need for new working practices to ensure the benefits projected are realised. For service users and carers there should be no immediate change but the aim is to improve quality and reduce costs and offer a broader range of more flexible services.</p> <p>If the proposal is adopted it is anticipated that it will help SBC to meet our Equality duties through promotion of equality of opportunity and fostering good relations between those who associate with an equality characteristic and those who do not through improved flexibility, choice and value in our service provision.</p>
3.2	<p><b>Please summarise mitigation actions to deal with negative impacts of the service, policy or function:</b></p> <p>Recognising the need to communicate with both staff and service users by various inclusive methods in the development of the new company as well as their involvement in more flexible ways of working so we can be sensitive and adaptive to the needs of our workforce as well as the user base. Union involvement is actively welcomed and regular meetings are and will continue to be held with all relevant recognised union groups.</p> <p>Going forward post go live date, it is anticipated that periodic reviews of the impact assessment would form part of the monitoring group agenda in order to continue to assess impact of implementation, this would be done via service user consultation, staff surveys etc.</p>

## Section 4: Signing off your Equality Impact Assessment

<p>I confirm that this report is an accurate and correct account of the EIA findings for this service change and I am satisfied with the conclusion and outcome of the impact assessment: <input checked="" type="checkbox"/></p>	
<p><b>Agreed by Manager or Head of Service</b></p>	<p><b>Name/Job Title: Elaine Torrance, Chief Officer Social Work.</b></p> <p><b>Date: 23.10.14</b></p>

**For further information, a copy of the full assessment or if you require this information in an alternative format or language please contact:  
Equality & Diversity Officer, Business Consultancy Unit, Scottish Borders Council HQ,  
Newtown St Boswells, TD6 0SA.**

**Tel: 01835 824000**

<b>Telephone No:</b>	01835 825084	
<b>Email Address:</b>		
<b>Names/ Job titles of Assessors</b>		
<b>Summary of Policy / Service /Function aims:</b>	The aim is to develop a Council owned company aiming to continue to provide quality services at reduced cost and improve accessibility.	
<b>Strands Impacted:</b>  <b>Please note:</b> If you leave any box blank in this section you will have decided that your proposed service or function has no impact on that particular strand.	Age <input checked="" type="checkbox"/> Disability <input checked="" type="checkbox"/> Gender <input checked="" type="checkbox"/> Race x Religion or Belief x Sexual Orientation x Poverty/Social Exclusion x Health <input checked="" type="checkbox"/>	
<b>Summary of key issues arising and decisions made</b>	Positive impact expected for equality groups overall, to continue to offer quality services.  Key groups with significant impact expected is staff TUPE. Terms and conditions are protected but significant change to working practices the new organisation will be required, while the new organisation will also offer more flexibility in the number of contracted hours worked. jonathan@jonathanwhitehall.com	
<b>Summary of key recommendations</b>	Effective communication and staff involvement in the development of the new organisation. Union's involvement is actively encouraged and a communication plan in place.	
<b>Agreed by Head of Service</b>	Name:	Date: