

Midlothian Council Equality Impact Assessment Form



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Section A: Introduction

1. Title of policy, procedure or function being assessed

UNISON Ethical Care Charter for the commissioning of homecare services

2. Divisions/organisations/groups involved in doing this Equality Impact Assessment

Adult Community Care, Older People's services

3. Date started:

6 December 2017

Date completed:

6 December 2017

Section B: Information

4. Please describe the Policy, Procedure or Function you are impact assessing

The charter aims to improve the terms and conditions for employees providing care at home services through the commissioning process. The current contract between Midlothian and care providers complies with the ethical standards of the charter.

5. What information and consultation data do you have to inform your assessment? What does it tell you?

The charter details the key terms and conditions commissioners of home care services should establish within their commissioning and procurement process. Midlothian published a review of care at home services in April 2017 and this involved consultation with care at home providers, informal carers, care workers, procurement teams and data recording the scale of service.

This data tells us that contracts and commissioning process for care at home providers in Midlothian fully complied with the terms and conditions of each of the three stages as proposed within the charter.

The data tells us that the quality of care is the primary factor for both people receiving care and informal and formal carer's, and not adherence to the charter itself.

The quality of care is linked to whether or not the level of care provided meets the outcomes of the person receiving care. The charter can be used to ensure staff are qualified, trained and delivering high quality care in partnership with community services.

The data suggests Midlothian Health & Social Care are over-providing care at home and other care services at times as a result of systems tolerances rather than a coordinated care and support approach across communities and involving families in reviews of packages of care.

Closer review of packages of care in conversation with people and with care providers will enable the commissioning of appropriate, integrated services based on need rather than the continuance of existing packages of care and support.

The data also tells us that the current charter would benefit from review to enable the shift towards an integrated, qualified home care workforce to allow a career in care to be easily accessible across Health & Social Care, third, independent and community sectors.

6. Do you need more information or more consultation/engagement data?

- Do you need anything more:
 - i. to do this Equality Impact Assessment (EQIA)
 - ii. to monitor or assess, in future, the impact of the policy/procedure or function you are EQIAing on people with different equalities characteristics
- Lack of data is not a sufficient reason to conclude there is no impact. It is insufficient to state that a policy will affect everyone equally without having considered the different barriers some people may encounter.

No

Section C: Assessment

Midlothian Council equality impact assesses on **all** of the characteristics in the shaded area below, so you should consider all of these in your assessment. If you want you can consider other groups as well.

Race (this includes ethnic or national origins, colour and nationality)

Disability (e.g. physical disabilities, sensory impairments, learning disabilities, mental health conditions or long-term illnesses)

Sex(male/female)

Age (all ages)

Sexual Orientation (gay man, gay woman/lesbian, bisexual, heterosexual/straight)

Religion or belief (including having no religion or belief)

Pregnancy and maternity (having just had a baby or being pregnant)

Gender reassignment or transgender status (a person who is proposing to undergo is undergoing or has undergone a process to change their sex)

Marriage and Civil Partnership

People experiencing poverty or at risk of poverty: (poverty may be simply defined as not having enough money to meet one's basic daily needs or to have the things that most people in the UK take for granted).

As you answer questions 7i. to 7iv. over the page:

a) Think about the policy, practice or function you are assessing and

- people with the above characteristics
- people associated with them (e.g. a parent or carer)
- people mistakenly assumed to have the above characteristics

Remember to consider impacts on staff as well as communities and customers.

Continued.../

b) Consider whether the above people are likely to have different needs, or be affected in different ways by what you are doing/proposing. e.g.

- People may need, or benefit from, information provided in a particular format, like large print or easyread.
- A queuing system which relies on people standing for long periods will make it very difficult for some people to use the service.
- Charging more for a service is likely to affect people from several of the groups in the shaded area above, as on average they have a lower income.
- Targeting an area of high poverty could leave people experiencing poverty outside the area even worse off in comparison

c) Consider the General Equality Duty requirements to pay due regard to the need to:

- eliminate discrimination, victimization, harassment or other local conduct that is prohibited under the Equality Act 2010 in relation to the characteristics listed in shaded area at the top of this page (except

poverty)

- advance equality of opportunity between and foster good relations between people who share a characteristic in the shaded area and those who do not (except marriage and civil partnership and poverty)

7i. Note any positive impacts on the above equalities groups

The charter will have a positive impact for care workers financially and is part of a national movement towards valuing the role that care workers undertake to reduce risk of household poverty through improved terms.

The charter promotes high quality, person centred, needs based care provided by consistent care workers. The charter looks to improve the independence levels of people who have critical and substantial levels of need and who are at risk of social isolation from across equalities groups. The charter therefore has the impact of improving the quality of life for all people receiving care inclusively.

7ii. Note any negative impacts on equalities groups

There are no identifiable negative impacts on equalities groups as a result of accepting the charter.

7iii. How significant would this negative impact be, and what kind of numbers would be affected?

N/A

7iv. Note any opportunities for making a positive impact on equalities groups.

The charter has the opportunity to look at addressing the current inequality in terms and conditions between NHS and Council terms and conditions in comparison with the terms and conditions across sectors.

The terms and conditions within the charter aim to ensure that care providers look after the health of their staff and compensate appropriately for sickness to reduce the risk from adverse effects of not being paid while sick.

The charter is inclusive and has opportunities to have a positive impact across an integrated community workforce alongside informal carers, volunteers and other community based activities as partners in care.

Section D: Actions and Outcomes

Questions 8 and 9 below ask about actions which have been taken, or will be taken **as a result** of this Equality Impact Assessment (EQIA). Any pre-existing actions should be included in earlier sections.

8. Note any actions you will be taking as a result of this EQIA:

Think about what you can do to:

- minimise or remove any negative impacts, and
- maximise the opportunities for positive impacts

In Midlothian we are looking to remodel the way in which care at home services are delivered. The remodeled service will include the current charter recommendations and extend them to reflect the current context of integration and reducing resources.

9. Please note any actions you have already taken as a result of this EQIA here.

Discussions have commenced with the Midlothian UNISON team to progress and review the current charter to build upon the current charter's progress to reflect the current social, political and economic context and accounts for technology that can support people to live well at home.

A workforce planning evaluation is currently progressing in consultation with care workers across Midlothian.

Projects focused on providing coordinated, localized community care responses are in test stages and include a multi-disciplinary carer workforce.

Through the care providers forum and procurement process discussions have taken place around the more complex issues that are not enforceable by the council. For example:

- It would not be legal for the council to insist that providers pay

the living wage nor is it illegal for a provider to offer zero hours contracts to workers

- In relation to occupational health schemes, this is a matter for each provider and cannot be an enforced condition of contract.

However, through our commissioning and monitoring process we have learned providers are in agreement with the ethics of the charter and have embedded the recommendations of the charter as standard practice.

Community held discussions have taken place with people receiving packages of care and their carers about the approach and progress being made in Midlothian in a service area which is facing multiple challenges both nationally and locally.

Consultations have taken place with care workers about the local challenges, changes to service and the areas we are focusing on to ensure we coordinate care in a more efficient, effective way that reduces the strain for care workers, addresses inequalities of terms and conditions across sectors and of utmost priority, improves the quality of care being provided.

10. How will you track/monitor that the actions you mentioned in 8. have been achieved?

e.g. by adding them to a work plan, service plan etc.

An 5 year high level action plan is in place and regular updates are provided to Corporate management team, Integration Joint Board. Care at home is monitoring of progress is recorded in Midlothian's Strategic Plan and is reported quarterly.

11. If you have decided not to take any action please note why this is, and any justification, here.

A significant negative impact, even if it affects only a small number of people, should be addressed.

A range of actions are being taken to improve how home care is commissioned and delivered across Midlothian. The focus is on how to improve the quality of care being provided and how to ensure best value is being achieved for those commissioned home care services.

12. Is a more detailed assessment recommended?

No