

# Public Document Pack

## Executive Member Decisions

Friday, 8th February, 2019

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Date Published: 8<sup>th</sup> February 2019  
Harry Catherall, Chief Executive

## EXECUTIVE MEMBER DECISION



**REPORT OF:** Executive Member for Environment

**LEAD OFFICERS:** Director of Environment and Operations

**DATE:** 14<sup>th</sup> January 2019

**PORTFOLIO/S AFFECTED:** Environment

**WARD/S AFFECTED:** All

**SUBJECT: Trading Standards Enforcement – Adoption of the Intelligence Operating Model**

### 1. EXECUTIVE SUMMARY

1.1 In 2011, the Consumer Protection Team adopted the Trading Standards Enforcement Policy which aimed to provide a fair and transparent mechanism for identifying which investigations should be carried out.

1.2 Since then, a national mechanism has been developed by National Trading Standards. It is called the Intelligence Operating Model (IOM).

1.3 The IOM encourages the use of problem oriented policing techniques, and offers several advantages over the current policy in use with Blackburn with Darwen.

1.4 It is therefore recommended that Blackburn with Darwen Borough Council adopts the IOM to manage its trading standards enforcement.

### 2. RECOMMENDATIONS

That the Executive Member:

Approves the adoption of the Intelligence Operating Model for trading standards enforcement.

### 3. BACKGROUND

3.1 Trading standards legislation covers the following types of enforcement:

- Fair Trading
- Product safety
- Under age sales
- Doorstep crime
- Weights and measures
- Food standards
- Animal health

3.2 In total, around 50 acts of parliament fall under the trading standards remit, with many sets of regulations sitting beneath the statutes. In Blackburn with Darwen, trading standards legislation is enforced by the Consumer Protection Team, comprising 4 FTE officers.

3.3 To control demand on the service, to ensure that work was prioritised in a fair and transparent way, and to protect the Council from adverse comment by the Local Government Ombudsman in the event that an individual complainant took offence to the fact that we were unable to investigate an individual offence, in 2011 the team adopted the Trading Standards Enforcement Policy, which set out a scoring mechanism for investigations, and other provisions around prioritisation of officer time.

3.4 This policy proved effective, but in recent years National Trading Standards has issued the Intelligence Operating Model (IOM), which provides an intelligence-driven, problem-oriented policing approach to trading standards enforcement, and is effectively an up-to date and national version of our local policy. National Trading Standards have developed this model as most trading standards services find themselves similarly under-resourced.

3.5 The IOM has now been developed to a point where it is sufficiently flexible for adoption by local services, and increasing numbers of trading standards departments are adopting it; it now represents best practice in managing a trading standards service. Therefore it is recommended that Blackburn with Darwen adopts it for managing its trading standards service.

3.6 The full IOM is produced as Appendix 1, with a Strategic Overview produced as Appendix 2.

#### 4. KEY ISSUES & RISKS

4.1 The IOM sets out a process for how the trading standards profession should use available evidence to assess risks and prioritise resources. It is accepted that there is not enough resource to deal with all statutory functions – hence the need to prioritise in a structured and transparent way - and the IOM is based on the principles of problem-oriented policing; to reduce offending, you work to remove one of the sides of the triangle below.



4.2 The IOM can be applied to all levels of trading standards; it is currently used by National Trading Standards (the national coordinating body) to prioritise central resources; it is used by regional TS groups (in our case, Trading Standards North West) to prioritise the work of the regional enforcement teams; and it can be used by individual local authorities to prioritise their own work (and is increasingly being adopted). It doesn't have to be rigidly applied, and can be adapted for local needs.

4.3 The IOM sets out a three-stage approach to prioritising and delivering enforcement:

- Threat assessment; annually, a full review based on available evidence (e.g. consumer complaints, intelligence and inspection results) is carried out to identify areas of non-compliance in the Borough, and then these concerns are risk-rated based on levels of harm and likelihood of compliance.
- A control strategy is then drawn up, which sets out the intended approach to dealing with the priorities which have been identified through the threat assessment.
- Then throughout the year, and with reference back to the control strategy to ensure that priorities continue to be addressed, the team's workload is managed on a monthly basis through tactical tasking meetings, where projects are issued, managed and reviewed as the year progresses. The process is flexible enough to allow for a quick response to illegal activity where necessary, but refers all decision making back to the control strategy priorities to ensure that those priorities are not diluted as work comes in.

4.7 One of the key features of the IOM is that problems are scored according to various criteria to assess their severity. A copy of the scoring criteria is produced as Appendix 3.

4.8 For a number of years now the Public Protection & Environmental Health Service has used the threat assessment/control strategy methodology for its business planning processes, so adoption of the IOM will not result in major changes there.

4.9 Where the IOM differs from our current processes is in the approach to *dealing with problems*. Currently, *investigations* are scored against a scoring matrix, and the response is typically an investigation for offences, resulting in a prosecution report going to Legal Services. The IOM encourages taking a step back to assess the factors which enable the offence (as in the crime triangle above), and taking steps to tackle them. See example below.

#### **IOM Example – Car Dealers**

Complaints about car dealers are common across all trading standards departments at the moment. An analysis of complaints against car dealers in the Borough has shown that a common factor in this type of complaint is that car dealers often mask their identity and deliberately confuse complainants as to who actually sold the car; where offences are identified, it can be difficult for officers who investigate offences to establish liability, and consumers are not able to sue. The enabling factor in this type of offending is the lack of adequate transparency. Therefore, rather than spending time trying to prosecute for the original offences, officer time is better spent ensuring that traders are adequately identified, so making the trader answerable to consumers who wish to exercise their statutory rights. This makes offending less attractive to the trader.

4.10 There are a number of inherent benefits to adopting the IOM.

- Adopting the problem-oriented policing approach is likely to be more effective in terms of use of limited resources compared with time consuming investigative work.
- There is less risk of straying from identified priorities.
- There will be less focus on prosecutions.
- It is less bureaucratic
- The structured tasking process facilitates performance management, both in terms of officer performance and service-wide performance.

- The focus on intelligence-led processes aligns with the National Trading Standards approach to allocation of funds; for example, significant numbers of entries on the National Trading Standards intelligence database have resulted in NTS allocating funding to Blackburn with Darwen for tobacco operations.
- Local processes will be very similar to regional tasking processes, making it easier to request support from the regional enforcement team.
- It is a nationally recognised way of prioritising resources, making Local Government Ombudsman challenge unlikely.

## 5. POLICY IMPLICATIONS

5.1 Adoption of the IOM aligns with the following Corporate Priorities:

- Creating more jobs and supporting business
- Improving Health and Wellbeing
- Improving Outcomes for Young people
- Safeguarding the most vulnerable people
- Making your money go further

## 6. FINANCIAL IMPLICATIONS

6.1 Adopting the IOM will not have any financial implications.

## 7. LEGAL IMPLICATIONS

7.1 Any enforcement action resulting from IOM tasking will comply with the provisions of the Corporate Enforcement and Prosecution Policy.

## 8. RESOURCE IMPLICATIONS

8.1 Adoption of the IOM will be undertaken within existing resources.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

10.1 Staff have been consulted on the adoption of the IOM.

### 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

### 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Gary Johnston</b>
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<b>DATE:</b>	14 <sup>th</sup> January 2019
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<b>BACKGROUND PAPER:</b>	Appendix 1: Intelligence Operating Model Appendix 2: Strategic Overview of the Intelligence Operating Model Appendix 3: Scoring Criteria
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<b>Name of the activity being assessed</b>	Trading Standards Enforcement – Adoption of the Intelligence Operating Model				
<b>Directorate / Department</b>	E&O	<b>Service</b>	Public Protection & Environmental Health	<b>Assessment Author</b>	Gary Johnston
<b>Is this a new or existing activity?</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>		Gary Johnston/Martin Eden	
<b>Date EIA started</b>	18/01/2019	<b>Implementation date of the activity</b>		01/04/2019	

**SECTION 1 - ABOUT YOUR ACTIVITY**

<b>How was the need for this activity identified?</b> i.e. Why are we doing this activity?	In common with most areas, Trading Standards resources in Blackburn with Darwen are insufficient to enforce the full range of trading standards legislation allotted to them. For this reason, a transparent and effective prioritisation mechanism is required. To date a local policy has been used, but now a nationally recognised mechanism is available – called the Intelligence Operating Model.				
<b>What is the activity looking to achieve?</b> <b>What are the aims and objectives?</b>	To replace the current mechanism which ensures that that considered and transparent decisions are made in relation to designating priorities for trading standards enforcement in BwD, and that workload throughout the year is prioritised and reviewed in line with these priorities, while ensuring a degree of flexibility to address urgent matters.  The aim is to ensure that prioritisation and workload allocation is undertaken in a way which represents current best practice. Prioritisation of workload is done via scoring matrix which includes assessment relating to vulnerability of victims.				
<b>Services currently provided</b> (if applicable)	A similar mechanism is in place at present, albeit locally developed.				
<b>Type of activity</b>	<input type="checkbox"/> Budget changes	<input type="checkbox"/> Decommissioning	<input type="checkbox"/> New activity		
	<input type="checkbox"/> Change to existing activity	<input type="checkbox"/> Commissioning	<input checked="" type="checkbox"/> Other [replacement of prioritisation mechanism]		

**SECTION 2 - UNDERSTANDING YOUR CUSTOMER**

**What resources will support in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

Analysis of complaint stats from Flare, officer experience and training.

**Who are you consulting with? How are you consulting with them?** *(Please insert any information around surveys and consultations undertaken)*

Trading standards staff.



<b>Who does the activity impact upon?*</b>	Service users	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
<b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b>  <b>The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)</b>	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	No impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender reassignment	<input checked="" type="checkbox"/> Marriage & Civil Partnership	<input checked="" type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**



Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*  
***A public authority must have 'due regard' (i.e. consciously consider) to the following:***

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	Yes. Where contraventions of trading standards legislation are identified which involve discriminatory behaviour, this will be regarded as an aggravating factor in the prioritisation process.
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	Neutral. The Corporate Prosecution Policy requires that legislation is enforced equally and transparently.
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	Yes. The IOM facilitates consideration of wider impacts of a course of action, including impacts on relationships.

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>The current Trading Standards Enforcement Policy is designed to take account of the impact of offending against the vulnerable, and already allows for discriminatory behaviour to be regarded as an aggravating factor.</p> <p>While the IOM represents an improvement in terms of best practice, providing a more structured and streamlined approach to prioritisation and tasking, in practice there is no change in relation to how offending which targets the vulnerable, or which is discriminatory, will be prioritised.</p>			
<b>Author Signature</b>		<b>Date</b>	<b>18/01/2019</b>
<b>Head of Service/Director Signature</b>		<b>Date</b>	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
<b>Departmental E&amp;D Lead Signature</b>		<b>Date</b>	<b>18/01/2019</b>

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Health and Adult Social Care
<b>LEAD OFFICERS:</b>	Director of Adult Services & Prevention
<b>DATE:</b>	8 <sup>th</sup> February 2019

**PORTFOLIO/S AFFECTED:** Health and Adult Social Care

**WARD/S AFFECTED:** All

**SUBJECT:** INCREASE TO CLIENT CHARGES AND CONTRIBUTIONS FOR 2019/2020

### 1. EXECUTIVE SUMMARY

To seek approval from the Executive Member for the proposed changes to fees and charges across Adult Social care for 2019/20.

### 2. RECOMMENDATIONS

That the Executive Member approves:

- The proposal to increase some client charges and contributions by 2.7% in line with government pension rate increases.
- The proposal to increase the client charge for home care by 4.85% to keep in step with the differential between the client charge and the provider rate.
- The proposal to uplift some fees and charges in line with inflation (RPI at November 2018) currently at 3.3%.

### 3. BACKGROUND

The Council considers an increase to all fees and charges as part of its budget process each year. Since 2011/12 the scope of increases to be applied has been delegated to the Executive Member within each portfolio to take into account market forces and fee setting in neighbouring authorities.

If approved the revised fees and charges for 2019/20 will be published on the Council's website to allow departments to give the appropriate notice periods to service users prior to implementation at 1<sup>st</sup> April 2019.

### 4. KEY ISSUES & RISKS

As part of the budget setting process a review of income was undertaken across the council,

especially in light of continuing budget reductions and continuing service related pressures. For the Health and Adult Social Care portfolio approval is now sought for the following proposals:

- From April 2019, the basic state pension and the new state pension will rise by 2.6%. It is therefore proposed that a slightly higher increase of 2.7% is applied to the charges for day care. (This has been rounded to allow charges to be applied pro-rata for half-day attendances).
- For home care, it is proposed a 4.85% increase to the hourly rate (consistent with the National Living Wage increase that these providers will receive) is applied to maintain alignment with the 2019/2020 provider rate.

It should be noted that these increases will only impact on those individuals who are self-funding or who are financially assessed as having the resources to pay the full notional cost of the services they receive.

- As an increasing number of services move to more cafeteria or menu-based catering models, it is proposed that charges for meals (uplifted in 2018) is only uplifted in line with inflation (3.3% current RPI), to allow provider services to review in consultation with service users and carers on any future delivery and charging models.
- It is proposed that the standard rate for respite care also remains unchanged, to allow for a fundamental review in consultation with service users and carers of the effectiveness of the current respite voucher system.
- For Transport, it is proposed the current rate is uplifted in line with inflation at 3.3%.

The proposal would implement the following client charges and contributions:

#### Day Care

It is proposed that the daily attendance rate for Day Care is increased by 2.7% from per day to £31.16 to £32.00 from April 2019.

#### Home Care

It is proposed that the hourly rate for Home Care is increased by 4.85% from £12.52 to £13.12 from April 2019.

#### Meals

It is proposed that the rate for meals currently at £3.35 to £3.45 from April 2019. (slightly less than inflation 3.3% for practical pricing reasons)

#### Adult Respite Care

It is proposed that weekly fee for Adult Respite Care remains at £94.64 from April 2019.

#### Transport

It is proposed that the transport rate is uplifted by around 3.3% from £1.50 to £1.55 contribution per journey.

#### Disabled Facilities Grant Admin Fee

This service charges on the basis of a maximum of 12.5% of the total costs of adaptation works, and as such has no set fee.

## 5. POLICY IMPLICATIONS

This is an annual review of fees and charges as part of the service area's need to generate sufficient revenue to meet agreed budget. Under-achievement of revenue targets is a risk for the Council given the current financial climate.

## 6. FINANCIAL IMPLICATIONS

The value of additional income from these service users is difficult to quantify due to the changing client base and financial circumstances of people that use the council's social care services.

Additional income generated through these proposed charges will contribute to the savings target required by portfolios as part of the budget setting process.

The proposed changes in fees and charges are presented in Appendix A. These fees to be implemented from 1<sup>st</sup> April 2019.

There are no fees and charges to the public for Public Health services.

## 7. LEGAL IMPLICATIONS

Under the Care Act 2014 the Local Authority has a power to charge for providing certain care and support packages services but the amount charged may only cover the cost that the authority incurs.

## 8. RESOURCE IMPLICATIONS

None

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

The department will publish and communicate the changes to service users in the relevant service area. A reference of all fees and charges will be available on the Council's website from the 1<sup>st</sup> of April.

## 11. STATEMENT OF COMPLIANCE

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The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## **12. DECLARATION OF INTEREST**

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Mike Banks</b>
<b>DATE:</b>	1 <sup>st</sup> February 2019
<b>BACKGROUND PAPER:</b>	

## Health & Adult Social Care Portfolio

All charges are shown inclusive of VAT where applicable

Detail of Charge	Vatable	Proposed Charge £	Existing Charge £	% Increase	Effective Date
<b>ADULT RESPITE CARE</b>					
Per Week	N	94.64	94.64	0.00%	01 Apr 2019
<b>HOME CARE inc Planned night visits</b>					
Capital over £23,250 - per hour	N	13.12	12.52	4.85%	01 Apr 2019
Capital below £23,250 - per hour	N	Subject to financial assessment			
<b>DAY CARE</b>					
Capital over £23,250 - per day	N	32.00	31.16	2.70%	01 Apr 2019
Capital below £23,250 - per day	N	Subject to financial assessment			
<b>MEALS IN DAY CARE (per meal)</b>	N	3.45	3.35	3.30%	01 Apr 2019
<b>TRANSPORT TO CARE CENTRES/LUNCHEON CLUBS (per journey)</b>	N	1.55	1.50	3.30%	01 Apr 2019
<b>DISABLED FACILITIES GRANT ADMINISTRATION FEE (per application)</b>	N	Maximum fee of 12.5% of total of cost of works			

<b>Name of the activity being assessed</b>	INCREASES TO CLIENT CHARGES AND CONTRIBUTIONS FOR 2019/2020				
<b>Directorate / Department</b>	Adult Services and Prevention	<b>Service</b>	Adult Social Care	<b>Assessment lead</b>	Zoe Evans/Mike Banks
<b>Is this a new or existing activity?</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>		Sayyed Osman	
<b>Date EIA started</b>	01/12/2018	<b>Implementation date of the activity</b>		1 April 2019	

**SECTION 1 - ABOUT YOUR ACTIVITY**

<p><b>How was the need for this activity identified?</b></p> <p>Page 15</p>	<p>The provider costs of care in the community are increasing significantly. In April 2016, the National Living Wage (NLW) was introduced for people aged over 25. In 2019 this NLW will increase by a further 4.85%. These increases continue to have an impact on the delivery of Health and Social Care as service delivery is heavily dependent on the workforce, a large proportion of who are paid at NMW levels.</p> <p>The Council is required to increase the fees paid to Providers in response to the increase in staffing costs across each service area and this is a consideration in the setting of charges for client contribution towards the cost of care.</p> <p>The Council considers an increase to all client contribution to care and service costs as part of its budget process each year. Since 2011 the scope of increases to be applied has been delegated to the Executive Member within each portfolio in view of other market forces and fee setting in neighbouring authorities.</p>
<p><b>What is the activity looking to achieve?</b></p> <p><b>What are the aims and objectives?</b></p>	<p>This activity is looking to contribute to the council achieving budget targets, in view of the increases in the cost of care to ensure that health and social care services can still be provided across the Borough. It is essential that the care market remains sustainable to ensure that essential services are provided to our most vulnerable residents. All those receiving commissioned services have been assessed as eligible under the Care Act 2014.</p>

<p><b>Services currently provided (if applicable)</b></p>	<ul style="list-style-type: none"> <li>• Client contributions are currently levied on the basis of 90% of Net Disposable Income (NDI)</li> <li>• Some fees and charges are based on benefit rates</li> <li>• Home Care is currently charged at a rate of £12.52 per hour</li> <li>• Day Care is currently charged at a rate of £31.16 per day</li> <li>• Meals are currently provided at a cost of £3.35</li> <li>• Transport is currently provided at a cost of £1.50 following a 50% increase in 14/15.</li> <li>• Respite Care is charged at a standard rate of £94.64.</li> </ul> <p>Disabled Facilities Grant Admin Fee This service charges on the basis of a maximum of 12.5% of the total costs of adaptation works, and as such has no set fee.</p>
<p><b>Please outline recommendations that have been identified for implementation following a review of the activity.</b></p> <p>16</p>	<p>The proposed changes to the charging policy for 2019/20 are:</p> <ul style="list-style-type: none"> <li>• To increase the charge for home care including planned night visits by 4.85% from £12.52 to £13.12 from April 2019. The charging policy has not previously been implemented to the very limited numbers of people who receive home care visits during the night. The charging policy is nationally determined and the impact of this change is likely to be minimal.</li> <li>• To increase the charge for day care by 2.7% from per day to £31.16 to £32.00 from April 2019.</li> <li>• To increase the charge for meals currently at £3.35 to £3.45 from April 2019. (slightly less than inflation at 3.3% for practical pricing reasons)</li> <li>• That the transport rate is uplifted by around 3.3% from £1.50 to £1.55 contribution per journey from April 2019.</li> <li>• To leave the respite charge at £94.64 pending a review of the respite voucher system. This is a standard charge applied to all service users and is not means tested.</li> <li>• DFG charges to remain at maximum of 12.5% of the total costs of adaptation works</li> </ul>
<p><b>Type of activity</b></p>	<p> <input checked="" type="checkbox"/> Budget changes         <input type="checkbox"/> Decommissioning         <input type="checkbox"/> New activity       </p> <p> <input checked="" type="checkbox"/> Change to existing activity         <input type="checkbox"/> Commissioning         <input type="checkbox"/> Other <a href="#">[please state here]</a> </p>



**SECTION 2 - UNDERSTANDING YOUR CUSTOMER****Who else will be involved in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

Colleagues from corporate legal, procurement and finance teams have been involved, as have other relevant service team managers. Strategic commissioning has led the activity. Other sources of information have been:-

- Domiciliary care providers around increased costs
- Care Act 2014 <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
- Better Care Fund and Improved Better Care Fund Plan (available on request)
- Census 2011 profile: <http://www.blackburn.gov.uk/Pages/Census.aspx>
- Integrated Strategic Needs Assessments and Locality Profiles: <http://www.blackburn.gov.uk/Pages/Integrated-strategic-needs-assessment.aspx>
- Adults corporate plan

**Who are you consulting with? How are you consulting with them? (Please insert any information around surveys and consultations undertaken)**

The impact of the NLW increase and proposals for increases in Residential and Domiciliary care costs for Blackburn with Darwen has been discussed at provider forums and with individual Providers.

The increases in charging are in line with the vast majority of other local authorities

New charges will be published on the council's website.

<b>Who does the activity impact upon?*</b>	Service users	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	No Blackburn with Darwen Council staff directly affected		
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly			
<b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b>	Positive impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	Negative impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	Don't know	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups

**The groups in blue are not protected characteristics (please refer to p. 3 of the**

<i>guidance notes)</i>	<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
------------------------	-------------------------------	---------------------------------------------	------------------------------	---------------------------------------------	-----------------------------------------------	---------------------------------

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? <i>Refer to p.3 of the guidance for more information</i> <b><i>A public authority must have 'due regard' (i.e. consciously consider) to the following:</i></b>	
DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	In some cases this activity will advance opportunity of access to other services and benefits through the council's financial assessment arrangements.
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>Whilst there are negative impacts on people on the basis of age and disability (older people and those who are disabled are more likely to be in receipt of services) they are mitigated in part by the fact that some of the increases will only be applied on the basis of a financial assessment, meaning that only those who are financially able to pay, will be asked to do so.</p> <p>In addition, these extra contributions make it possible for the council to maintain a sustainable level of service to older and disabled people.</p> <p>Older and disabled people using services will indirectly benefit from the impact of increased client contributions and fees to the Council's budget by:</p> <ul style="list-style-type: none"> <li>• Providers being able to maintain a stable workforce by paying the National Living Wage.</li> <li>• Current levels of support and service being maintained</li> </ul>			

## FULL EQUALITY IMPACT ASSESSMENT

### SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

**N.B.** Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Page 19	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Older people are more likely to be in receipt of the services for which the increased charges apply.  The proposed increase in charges might reduce the number of older adults with assets above financial thresholds from accessing the care that they need. People may choose to cancel or reduce their services.	1,2,3
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Disabled people are more likely to be in receipt of the services for which the increased charges apply.  The proposed increase in charges might reduce the number of disabled adults with assets above financial thresholds from accessing the care that they need. People may choose to cancel or reduce their services.	1,2,3
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on people protected under the gender reassignment characteristic.	
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on people who are married or in a civil partnership.	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on people who are pregnant – as they are unlikely to be in receipt of the services which are affected.	

<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on people on the basis of race.	
<b>Religion or Belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on people on the basis of religion or belief.	
<b>Sex</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on the basis of sex/ gender	
<b>Sexual orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence that the increase in financial contribution to the cost of services disproportionately impacts on the basis of sexual orientation.	
<b>Vulnerable Groups</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vulnerable groups are more likely to be in receipt of services affected by this activity, however outside those older people and with disabilities, it is unlikely that many would incur maximum costs as this group tend to be in receipt of benefits.	<b>1</b>
<b>Deprived Communities</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Due to the social and economic determinants of health and wellbeing, it is likely that people who are from deprived communities, are more likely to be in need of health and social care services, as they are known to experience much poorer health outcomes. (Marmot, "Healthy Lives, Healthy People, 2010). The increase in charges will therefore affect those who are more deprived rather than those who are not. It is likely that such individuals, if made fully aware of the availability of services (by the Council, NHS, and Information, Advice and Guidance services commissioned by statutory services) will continue to access services to the extent that they need them.	<b>2,3</b>
<b>Carers</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carers of people who are in receipt of services which are affected by these financial increases will also be indirectly affected if they are financially connected, they might have to make greater financial contributions on behalf of the individual in receipt of the service. In addition to this if the person that they care for deems that the costs are unaffordable, they might not access services, which would therefore place an increased burden of care on the carer.	<b>3</b>
<b>Other [please state]</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a	

<b>Does the activity raise any issues for community cohesion?</b>	<b>no</b>
<b>Does the activity contribute positively towards community cohesion?</b>	
<b>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998?</b>	<b>no</b>
<b>Does the activity support / aggravate existing</b>	<i>Is the activity on the departmental risk register? If it is not, should it be?</i>

departmental and/or corporate risk?	<b>no</b>
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## CONCLUSIONS OF THE ANALYSIS

### Action following completion of the impact assessment

*It is important that the correct option is chosen depending on the findings of the analysis.*

*The action plan must be completed as required.*

No major change in the activity

Adjust activity

Continue with activity

Stop and reconsider activity

### Please explain how you have reached your conclusion

The Increase to set provider fee levels that enable the payment of the NLW is a statutory requirement.

This action is in line with what other councils are doing. The alternative choice, given the financial pressures on Blackburn with Darwen Borough Council, who are statutorily bound to balance their budgets, is to decrease the services that we provide which will have an even greater negative impact on older adults, disabled adults and carers in particular.

Blackburn with Darwen Borough Council's charging policy is underpinned by the "ability to pay" principle and as the council currently only apply/ies charges to 90% of disposable income, unlike other local authorities, this does allow further scope for affordability.

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**ACTION PLAN**


Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date
1	Lack of information/ misunderstanding regarding charging policy might lead to people who are eligible from not accessing services	Information will be provided via Care Network, Council Website and Public facing service, Commissioned services for Information Advice and Guidance, as commissioned from Families Health and Wellbeing Consortium.	Website to be updated, Information to be passed on to commissioned services and Care Network regarding changes	Kirsten Randell/Gemma McMullan	ongoing
2	People who are eligible for services might not access them for fear that they might have to pay for services	Ongoing commission of universal information, advice and guidance services, carers support services and services to promote social inclusion of all vulnerable adults, VCFS organisations and Care Network will be asked to ensure that eligible people do get the relevant support they need.	Contractual management of commissioned services	Anne Braidwood	ongoing
Page 22	People who are eligible for services might not access them due to increase in charges	Provision of assistive technology and Reablement, as well as prevention and early intervention services via statutory and universal services provides a level of support to any vulnerable adult who avails of them. For people who may lack mental capacity to make decisions about refusing or cancelling care that has been assessed can be directed via the appropriate legal frameworks.	Resources already committed. Adult social care Care Services.	Paul Lee/Katherine White	ongoing


**MONITORING AND REVIEW**


The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.	
Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.	
If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i> <b>Via Senior Leadership team of People directorate.</b>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>

	<b>Annual Review in line with review of Fees and Charges</b>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i> <b>Annually.</b>
Who is responsible for carrying out this review?	<b>Adult social care.</b>

**SIGN-OFF**

<b>SIGNATURE OF EIA LEAD OFFICER</b>	
<b>DATE COMPLETED</b>	<b>04/02/2019</b>

<b>SIGNATURE OF DEPARTMENTAL E&amp;D LEAD</b>	
<b>DATE SIGNED</b>	<b>01/02/2019</b>
<i>This signature signifies the acceptance of the responsibility to publish the completed EIA as per the requirements of the Equality Act 2010</i>	

<b>SIGNATURE OF HEAD OF SERVICE / DIRECTOR</b>	
<b>DATE SIGNED</b>	<b>01/02/2019</b>
<i>This signature signifies the acceptance of the responsibility and ownership of the EIA and the associated Action Plan (if applicable)</i>	

# Agenda Item 3

## EXECUTIVE MEMBER DECISION



**BLACKBURN**  
with  
**DARWEN**  
BOROUGH COUNCIL

0

<b>REPORT OF:</b>	Executive Member for Neighbourhood and Prevention Services Executive Member for Children's Services, Young People & Education
<b>LEAD OFFICERS:</b>	Director of Adult Services & Prevention Director of Children's Services
<b>DATE:</b>	<b>8th February 2019</b>

<b>PORTFOLIO/S AFFECTED:</b>	Neighbourhood and Prevention Services & Children's Services, Young People & Education  Adults and Prevention
<b>WARD/S AFFECTED:</b>	All

**SUBJECT: Approval of the Award of Domestic Abuse Tender**

### 1. EXECUTIVE SUMMARY

The purpose of the report is to seek approval from the Executive Members from Neighbourhoods and Prevention; and Children's Services, Young People and Education to approve the appointment of a delivery Partner from the tender process for the Domestic Abuse Service commission. Subject to approval the contract would then be awarded to the successful Partner and the implementation of the award would be delegated to the Director of Adult Services and Prevention (Statutory DASS) in consultation with the Director of Children's Services, Young People and Education (Statutory DCS).

### 2. RECOMMENDATIONS

That the Executive Members:

Approves the appointment of the successful Partner from the tendering process to deliver the Domestic Abuse Service.

Approves delegated authority to the Director of Adult Services and Prevention (Statutory DASS) in consultation with the Director of Children's Services, Young People and Education (Statutory DCS) to award the contract and its implementation to the successful tenderer.

### 3. BACKGROUND

A business case for a pooled budget was put together by the Community Safety Team in 2012, this brought funding in from the Local Authority, Police and Crime Commissioner and, the then external, Public Health. All funding partners continue to have Domestic Abuse as a priority area and see a pooled budget arrangement as the best means for delivering this service. The Community Safety Team routinely bids for external grant funding to top up service and pilot new and innovative projects.

The Community Safety Team provides policy support and operational governance in support of the Domestic Abuse Strategic Board (DASB). The DASB recently published the Domestic Abuse



Strategy 2018-23 which outlines 4 priorities for Domestic Abuse:

- Prevention and early intervention
- Protecting those at greatest risk of harm
- Partnership working
- Pursuing perpetrators

The community offer is holistic and comprises six elements:

- IDVA - 3 tiered response service
- Sanctuary programme
- Mentoring & counselling services
- Voluntary perpetrator scheme
- Victims Programme
- Statutory and non-Statutory front line training to Safe Lives standard
- Education programme to schools

The specialist refuge contracts aim to:

- Provide short term accommodation for those escaping Domestic Abuse
- Stabilise the crisis situation
- Work with service users, housing needs and other agencies to secure an exit from the service
- Develop the service users capacity to live independently in the community and have the skills to maintain a tenancy
- There is a dedicated contract supporting those from the BME community with specialist provision

It is the intention of the retendering process to advertise three lots of service provision as previously provided and outlined in the Executive Summary, with the opportunity for organisations to bid for single lots or combined services.

The tender was advertised firstly via the Official Journal of the European Union (OJEU) and then on the Chest on 10<sup>th</sup> December 2018. Completed tenders were returned on 24<sup>th</sup> January 2019 and the tender evaluation process was completed by the Local Authority.

Providers were invited to tender using an “open tender” process and consisted of 3 lots, namely

1. Community Provision
2. Accommodation Based Services
3. Floating Support Services

The tender documentation required all providers to submit a method statement and financial schedule for each lot and the tender was evaluated on the most economically advantageous tender with weightings as follows:-

- 50% Quality
- 20% Innovation
- 30% Price

#### **4. KEY ISSUES & RISKS**

The commission is required in order to:

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- Protect vulnerable people and support victims of crime in line with our statutory duties.
- Provide a holistic domestic abuse service which meets the need of the people of Blackburn with Darwen
- To provide the best value, highest quality service for the residents of Blackburn with Darwen.
- Provide a service model that ensures safe, compliant, quality services which are effective and efficient and meet critical needs within this borough as required and inspected by Ofsted and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services.

The contracts will be managed by Neighbourhoods team. Robust performance management and monitoring arrangements will be in place for the life of this contract. These will be in the form of quarterly evidenced-based report cards, which will evidence better outcomes which can be measured on quality, service and value for money. Quarterly provider meetings will take place as a tool for monitoring and evaluating the performance of the contract.

The new provider(s) will be expected to attend the quarterly Strategic Board; this will ensure governance arrangements are in place and adhered too. In addition to this the service managers will also have to attend the operational meetings as a key member of the group, to provide updates on services and raise any areas of concern.

The Neighbourhood; Strategic Commissioning and Children's team will work together with the new provider/s to mobilise the contracts and ensure that service delivery is not disrupted due to change in provider. The mobilisation plan will be further developed with the provider following formal contract award.

## 5. POLICY IMPLICATIONS

This contract is aligned to the strategic vision across Children Services and Neighbourhoods team and conforms with the relevant national guidelines, namely:-

- Domestic Violence, Crime and Victims Act 2004
- The Protection from Harassment Act 1997
- The Female Genital Mutilation Act 2003
- The Serious Crime Act 2015
- The Homelessness Act 2002
- Home Office: Ending Violence Against Women and Girls Strategy 2016-2020
- Home Office: Violence Against Women and Girls National Statement of Expectations
- Violence Against Women and Girls Ready Reckoner Tool
- NICE Guidance: Domestic Violence and Abuse – Multi Agency Working
- Department for Education: Keeping Children Safe in Education
- Blackburn with Darwen Joint Strategic Needs Assessment 2016-2019
- Blackburn with Darwen Domestic Abuse Strategy 2018-23
- Blackburn with Darwen Review in to ACE – Adverse childhood Experiences
- Independent evaluation of Multi-Agency Risk Assessment Conference (MARAC) – Dr Teresa Young 2016
- Care Act 2014
- Independent evaluation of Perpetrator services – Dr Teresa Young 2018
- Independent evaluation of Complex Case Hub – Dr Teresa Young 2018
- SafeLives Insights IDVA National Data Set

The full contract price over the 3 year period is £1,212,900 with a potential £808,600 if extended for a further 2 years. Further additions to the value and specification may be made as further external investment is in the process of being approved. The Community Safety Team manages this commission on behalf of the Domestic Abuse Partnership with funding identified from cash limited budget (including Supporting People budget transferred from Adult Social Care), Public Health internal commission and PCC grant. Further additions to the value and specification may be made as further external investment is in the process of being approved.

The contract will be for three years with a further two years subject to funding still being available; satisfactory performance and fundamental change in legislation.

There is a 6 month variation and or cancellation option built into the contract to allow for unexpected changes in budgets given the complexities of government, departmental and partnership grants which fund this programme.

## 7. LEGAL IMPLICATIONS

The tender process has been conducted in accordance with the EU Procurement regulations and the Council's Contracts and Procurement Procedure Rules. TUPE transfer information has been gathered and shared with all providers who requested this as part of the Chest tender process.

Both legal and Procurement departments will be consulted in respect of implementation plans as part of the new contracts mobilisation.

## 8. RESOURCE IMPLICATIONS

The management and implementation of the implementation plan and contract will be actioned within existing resources including but not limited to the Strategic Commissioning and Neighbourhood and Prevention Teams with input from Legal, Procurement and Finance.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

Consultations have taken place within and prior to the procurement process being undertaken and will be a key feature in the mobilisation plan in terms of consultations with service users.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core

principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1.0</b>
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<b>CONTACT OFFICER:</b>	<b>Anne Braidwood</b>
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<b>DATE:</b>	01.02.19
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<b>BACKGROUND PAPER:</b>	
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

## EQUALITY IMPACT ASSESSMENT CHECKLIST

***This checklist is to be used when you are uncertain if your activity requires an EIA or not.***

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

<b>Service area &amp; dept.</b>	Community Safety	<b>Date the activity will be implemented</b>	01/04/2019
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<b>Brief description of activity</b>	Recommissioning of Domestic Abuse Services
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<b>Answers favouring doing an EIA</b>	<b>Checklist question</b>	<b>Answers favouring not doing an EIA</b>
<input checked="" type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	<b>Does this activity:</b> Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
<b>FOR =1</b>	<b>TOTAL</b>	<b>AGAINST =5</b>

**Will you now be completing an EIA?**

Yes

No

The EIA toolkit can be found [here](#)

<b>Assessment Lead Signature</b>	Rleach
<b>Checked by departmental E&amp;D Lead</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date</b>	31/01/2019